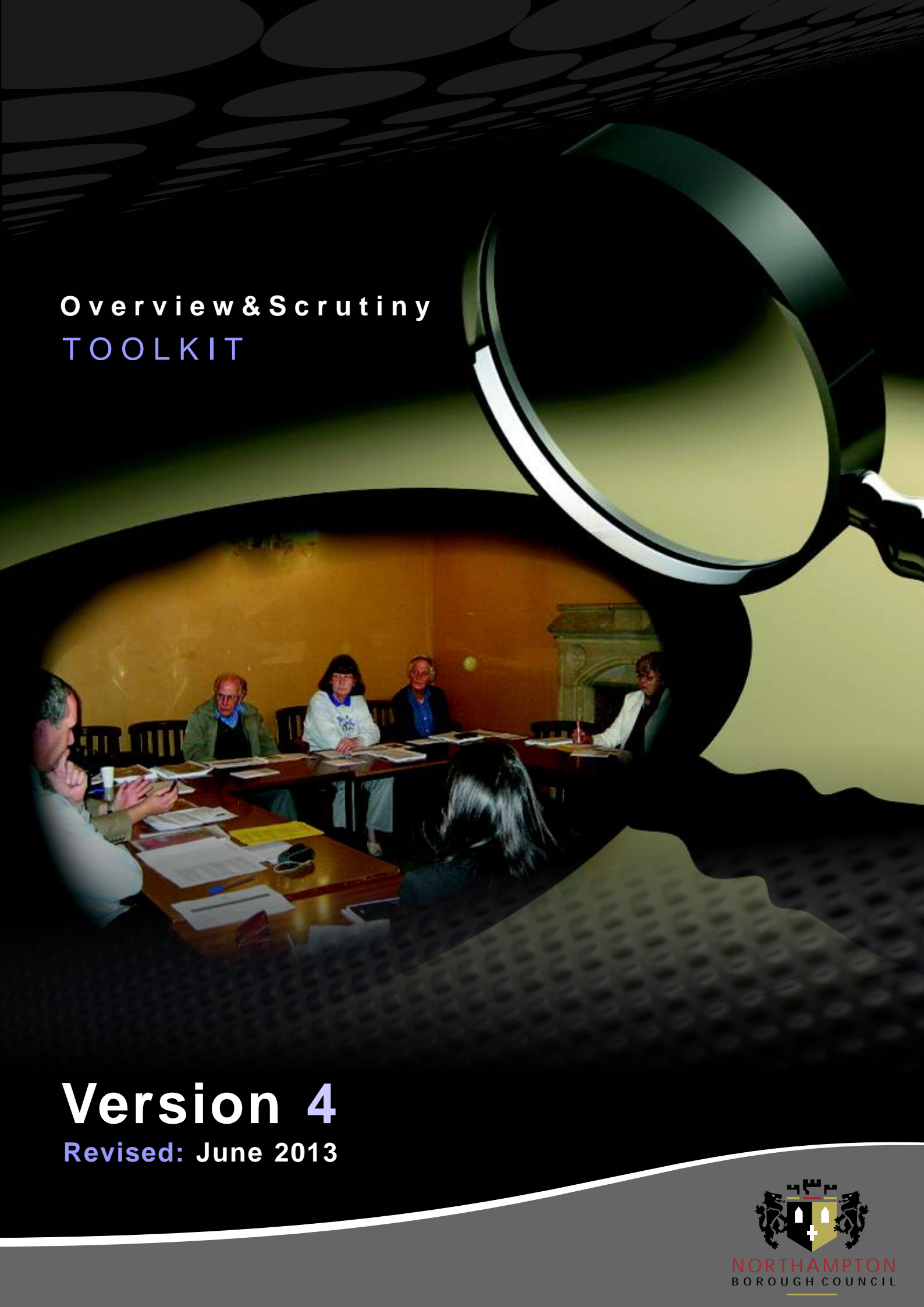


# Overview & Scrutiny TOOLKIT



## Version 4

Revised: June 2013



**NORTHAMPTON**  
BOROUGH COUNCIL

## Contents

	Page No:	
<b>1</b>	<b>Foreword</b>	<b>2</b>
	<b>Our Mission Statement</b>	<b>3</b>
<b>2</b>	<b>Introduction to Overview and Scrutiny</b>	<b>4</b>
<b>2.1</b>	<b>What is Overview and Scrutiny</b>	<b>4</b>
<b>2.2</b>	<b>The Work of Overview and Scrutiny</b>	<b>5</b>
<b>2.3</b>	<b>The Political Management of the Council</b>	<b>6</b>
<b>2.4</b>	<b>How Overview and Scrutiny operates at Northampton</b>	<b>7</b>
	<b>2.4.1 Overview and Scrutiny Committees</b>	<b>7</b>
	<b>2.4.2 Scrutiny Panels</b>	<b>8</b>
	<b>2.4.3 Call-In of Cabinet Decisions</b>	<b>9</b>
	<b>2.4.4 How Overview and Scrutiny Work is Monitored</b>	<b>10</b>
	<b>2.4.5 What Overview and Scrutiny Does Not Do</b>	<b>10</b>
<b>3</b>	<b>Overview and Scrutiny Roles</b>	<b>11</b>
<b>3.1</b>	<b>Overview and Scrutiny – Open and Inclusive</b>	<b>11</b>
<b>3.2</b>	<b>Councillors</b>	<b>11</b>
<b>3.3</b>	<b>Overview and Scrutiny Chair</b>	<b>12</b>
<b>3.4</b>	<b>Portfolio Holder</b>	<b>12</b>
<b>3.5</b>	<b>Witnesses</b>	<b>13</b>
	<b>3.5.1 Co-Opted Members to Scrutiny Panels</b>	<b>13</b>
	<b>3.5.2 Co-Opted Member to the Overview and Scrutiny Committee</b>	<b>14</b>
	<b>3.5.3 The Roles and Responsibilities of the Co-Optees include:</b>	<b>14</b>
<b>3.6</b>	<b>Public Participation</b>	
	<b>3.6.1 Addressing the Overview and Scrutiny Committee</b>	<b>15</b>
<b>3.7</b>	<b>Employees of the Council</b>	<b>15</b>
<b>4</b>	<b>The Annual Overview and Scrutiny Work Programme</b>	<b>16</b>
<b>5</b>	<b>Conducting an Overview and Scrutiny Review</b>	<b>18</b>
<b>5.1</b>	<b>Scoping a Review</b>	<b>18</b>
<b>5.2</b>	<b>Collecting The Information &amp; Evidence</b>	<b>19</b>
<b>5.3</b>	<b>Considering Witnesses</b>	<b>19</b>
<b>5.4</b>	<b>Creating a Question Plan</b>	<b>19</b>
<b>5.5</b>	<b>Assessing the Evidence and making Recommendations</b>	<b>19</b>
<b>5.6</b>	<b>Reporting</b>	<b>20</b>
<b>5.7</b>	<b>Monitoring</b>	<b>20</b>
<b>6</b>	<b>How to find out more about Overview and Scrutiny</b>	<b>21</b>
<b>6.1</b>	<b>Contact and Further Information</b>	<b>21</b>
<b>7</b>	<b>Links to Useful Websites</b>	<b>22</b>

## **Appendices**

**A Topic Suggestion forms**

**B Review Scope Template**

**C Overview and Scrutiny Protocols**

- **Attendance at Scrutiny Meetings**
- **Inquiry Protocol**
- **Call-In Protocol**
- **Councillor Call for Action Protocol**
- **Meeting Guidance**
- **Inclusion of non-Executive Councillors in the Overview and Scrutiny Process**
- **Overview and Scrutiny Media Protocol**
- **Officer Support Protocol**
- **Overview and Scrutiny Councillor's Code of Conduct Protocol**
- **Pre-decision Scrutiny Protocol**
- **Public Address at Overview and Scrutiny Committee**
- **Reporting Process**
- **Scrutiny Panel Protocol**
- **Site Visit Protocol**
- **Work Programme Protocol**
- **Witness Protocol and Guidance Notes**

**D Employee Guide to Overview and Scrutiny**

**E Glossary of Terms**

## 1 Foreword

I am pleased to introduce Northampton Borough Council's Overview and Scrutiny Toolkit. The purpose of which is to provide information and guidance on the Council's Overview and Scrutiny arrangements for Councillors, Officers, Co-Opted Members and others involved in the Scrutiny process.

A Handbook has also been put together for Co-Opted Members which will be issued to Co-Opted Members when they join a Scrutiny Panel.

The aim of Overview and Scrutiny at Northampton is to improve public services and quality of life for local residents and provides a way for Councillors to examine, question and evaluate various functions of the Council and other providers of public services in an open and transparent way.

The Scrutiny Panels carry out in-depth Reviews that focus on specific issues. As part of the Review process, Overview and Scrutiny involves talking to residents and service users about their experiences.

Members of the public, service users and partners are encouraged to become involved in Overview and Scrutiny at Northampton, either as addressing a meeting, an expert adviser or a co-opted member to a Scrutiny Panel.

The Overview and Scrutiny Committee welcomes suggestions and ideas to help to enhance the Scrutiny function at Northampton Borough Council. If you have a suggestion on how this guidance could be improved please contact the Scrutiny Officer:

Email: [ttiff@northampton.gov.uk](mailto:ttiff@northampton.gov.uk)

Telephone: 01604 837408



Councillor Jamie Lane

**Chair, Overview and Scrutiny Committee**



## **Our Mission Statement**

*“Overview and scrutiny at Northampton aims to enhance the quality of life of all who live and work in the Borough by ensuring services are delivered effectively and supporting improvement in the Council's services, policies and performance. Scrutiny aims to be objective, evidence-based, transparent and constructive, and to reflect the interests and concerns of local communities.”*

## 2 Introduction to Overview and Scrutiny

### 2.1 What is Overview and Scrutiny?

This part of the Toolkit explains what Overview and Scrutiny is, its powers and work.

***Overview and Scrutiny is potentially the most exciting and powerful element of the entire local government modernisation process. It places Members at the heart of the way in which Councils respond to the demands of modernisation. In addition, Overview and Scrutiny is the mechanism by which Councils can achieve community leadership, good governance and by which Councillors can become powerful and influential politicians.***

***Office of the Deputy Prime Minister, 2002***

Overview and Scrutiny is a key part of the arrangements for governance in local councils and is also an important mechanism for driving forward performance in services. The four key roles are: -

- Holding the Executive to account
- Policy development and review
- Best Value Reviews
- External Scrutiny

Overview and Scrutiny provides the opportunity for non-Executive Councillors (Councillors that are not on Cabinet) to examine various functions of the Council, to question how key decisions have been made and to champion issues of local concern to residents.

Overview and Scrutiny is charged with finding ways of ensuring the issues that matter to the public are the focus of their attention, and with finding new ways of getting citizens involved in the things that affect them.

## **Overview and Scrutiny has considerable powers:**

- Holding decision makers to account
- Challenging and improving performance
- Supporting the achievement of value for money
- Challenging the ways things are done
- Influencing decision makers with evidence based recommendations
- Bringing the evidence and views of stakeholders, users and citizens

## **2.2 The work of Overview and Scrutiny**

Overview and Scrutiny is Councillor led. As well as Councillors leading on the review of topics where they research issues and develop recommendations, they are also involved in setting work programmes for the Overview and Scrutiny Committee, bringing forward topics and issues, identifying who they want to hear from to inform their work and what they want to know and how they want it presented to them.

Topics for Overview and Scrutiny are identified from a variety of sources. These can include: -

- The Council's priorities and challenges
- Topics suggested for review by Cabinet
- Matters referred from full Council
- Topics put forward by Overview and Scrutiny Councillors
- Topics suggested by the public
- The Forward Plan for Cabinet

The Overview and Scrutiny process enables non-Executive Councillors (who are not on the Cabinet) to influence decisions that are taken by Cabinet and to ensure that the views and needs of local people are taken into account.

## **2.3 The Political Management of the Council**

Northampton Borough Council provides many services for the citizens of Northampton.

There are 45 elected Councillors at Northampton Borough Council, who act as Community Leaders and representatives for the people who live in their wards. They also pursue a variety of roles within the Council, which range from designing strategies and policies and making decisions to making recommendations for change.

Full Council (45 Councillors) chaired by the Mayor, sets the annual budget and the Council's overall policies. It also has responsibility for amendments to the Council's Constitution (or book of rules and procedures) and is responsible for appointing the Leader, the Cabinet, and the Committees of the Council.

Members of the public can attend and address the Council and listen to the debates that take place.



## **2.4 How does Overview and Scrutiny operate at Northampton?**

This part of the Toolkit details how the Overview and Scrutiny operates at Northampton.

There is one Overview and Scrutiny Committee that sets up time limited Scrutiny Panels to carry out important reviews, which will make focussed valuable recommendations to Cabinet.

### **2.4.1 Overview and Scrutiny Committee**

The Overview and Scrutiny Committee is made up of Councillors representing each Political Group. The Committee sets up time limited Scrutiny Panels to carry out strategic and operational reviews.

The Overview and Scrutiny Committee has no decision-making powers but makes recommendations for consideration by Cabinet or full Council. Its work means that it: -

- Contributes to policy development and helps develop major plans and strategies for Northampton
- Holds the Cabinet to account for its decisions
- Examines matters of wider public interest
- Conducts reviews of public bodies that are external to the Council
- Reviews services of the Council
- Ensures the efficiency and effectiveness of the Council
- Carries out joint work with partners during the same review process

### **Overview and Scrutiny Committee**

The Overview and Scrutiny Committee has fifteen members and is directly responsible for: -

- Co-ordinating Overview and Scrutiny work plans
- Appointing three Scrutiny Panels
- Allocation of resources
- The involvement of other people in Overview and Scrutiny Process
- Co-ordinating work plans
- Approving Overview and Scrutiny Protocols and guidance notes
- Making reports and/or recommendations to Council and/or Cabinet
- Considering any matter affecting the area or its inhabitants
- Exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet or a Committee of the Cabinet or by individual Members of the Cabinet

- Appointing Northampton Borough Council's representatives on any joint authority, countywide or regional scrutiny body with relevant functions and consider regular progress reports on its work
- Co-ordination of the publicity and promotion of the work of the Overview and Scrutiny Committees to partners, the public and internal stakeholders
- Co-ordination of the production of the Overview and Scrutiny Annual Report
- Acting as the relevant 'Crime and Disorder Committee' for the purposes of Section 19(1) of the Police and Justice Act 2006 and any other relevant rules and regulations
- Dealing with any relevant Councillor Call for Action made in relation to any Local Government matter pursuant to the Local Government and Public Involvement in Health Act 2007 (and associated rules and regulations) in accordance with the Councillor Call for Action Protocol and in relation to petitions submitted to the Council pursuant to the Local Democracy, Economic Development and Construction Act 2009 and in accordance with the Northampton Borough Council's Scheme to Respond to Petitions
- Allocating areas of responsibility in cases of doubt
- Training and development
- Support needs

Overview and Scrutiny Committee meetings are open to the public and press (unless confidential matters are being discussed) and are held approximately every six weeks. Meetings are usually held at the Guildhall, but there are times when meetings are held elsewhere according to the issue being investigated. All of these meetings are advertised in advance and papers for the meetings are available on the Council's website.

The actual investigations are carried out by a series of Scrutiny Panels. The Chairperson of the Scrutiny Panel reports to the Overview and Scrutiny Committee on their progress at each meeting and with their final report prior to forwarding it to Cabinet/Council.

#### **2.4.2 Scrutiny Panels**

Overview and Scrutiny's Task and Finish Groups became Scrutiny Panels in May 2010 and the main difference is that the Scrutiny Panels will be holding their meetings in public. Public addresses and public attendance is very much welcomed at these meetings, as it is for the Overview and Scrutiny Committee.

Scrutiny Panels are responsible for setting the objectives of the Review, scoping the work to be carried out, gathering evidence in a variety of ways, evaluating the evidence and making recommendations for change to the

Cabinet or full Council. Recommendations can be accepted or rejected by Cabinet. Cabinet informs the Overview and Scrutiny Committee of its decisions. Those recommendations that are accepted are monitored for implementation by Overview and Scrutiny Committee members.

Scrutiny Panels operate within a specified time frame, they comprise a minimum of one Overview and Scrutiny Councillor and one non-Cabinet Councillor and are chaired by the Overview and Scrutiny Councillor.

Individuals with a particular knowledge of the subject can be involved by becoming a co-opted member to one of the Scrutiny Panels for the life of that Review. They can also be invited to give evidence at a Scrutiny Panel meeting. This enables Councillors to make well-informed recommendations but also gives individuals and organisations from outside the Council a way of having their voice heard and influencing the delivery of Council services.

Meetings of the Scrutiny Panels can take place in various settings depending on the evidence being heard.

### **2.4.3 Call-In of Cabinet decisions**

The Chair of the Overview and Scrutiny Committee or two Councillors can Call-in a decision of the Cabinet/Portfolio Holder.

The call-in procedure only applies to decisions regarding Executive functions. It does not apply to decisions made by the two regulatory Committees - Planning and Licensing or to the Standards Committee.

Nor does it apply to: -

- Decisions that have already been implemented or previously called-in
- Decisions agreed to be exempted from call-in under urgency procedures.

A called-in decision is examined at either a special Overview and Scrutiny Committee meeting or the next available scheduled meeting. The Chair consults with the Committee to formulate a line of enquiry. The Cabinet and relevant employees are advised of the situation.

Once the meeting is scheduled, it is advertised within five clear working days. Members of the public with a special interest may be invited to present evidence. Once all evidence has been taken, it is evaluated and written recommendations are made to Cabinet.

The Cabinet must consider Overview and Scrutiny recommendations and provide a formal response. Cabinet can accept or reject any or all of the recommendations. If the recommendations are accepted then Cabinet explains how and when they will be actioned. If the recommendations are rejected, Cabinet informs Overview and Scrutiny of its reasons for doing so. Please refer to Appendix E for the Call-In Protocol.

#### **2.4.4 How Overview and Scrutiny work is monitored**

Scrutiny Panel Review recommendations are considered and approved by the Overview and Scrutiny Committee and then referred to Cabinet and/or full Council for a response.

Cabinet is invited to provide an Executive Response and decision for each Overview and Scrutiny recommendation.

The Executive Response can either:

- Accept the recommendation
- Amend the recommendation – providing the alternative decision and reasons for this decision
- Reject the recommendation – giving reasons for the rejection

The Overview and Scrutiny Committee monitors the impact of its work and that of the Scrutiny Panels by reviewing the implementation of the recommendations. The Portfolio Holder is asked to attend an Overview and Scrutiny Committee meeting approximately six months after the Review Report recommendations have been accepted by Cabinet and provide a progress report on the implementation of the recommendations.

Scrutiny Panel Reports are available on the Council's web site [www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny).

#### **2.4.5 What Overview and Scrutiny Does Not Do**

Overview and Scrutiny does not get involved in minor matters or individual concerns which are not of wider community significance. These need to be pursued through the appropriate service unit, ward Councillors or with the Portfolio Holder responsible for the matter in question. Overview and Scrutiny does not deal with individual complaints, these are addressed through the Council's complaints procedure.

### **3 Overview and Scrutiny Roles**

This part of the Toolkit details the roles and responsibilities of all those involved in the Overview and Scrutiny process.

#### **3.1 Overview and Scrutiny – Open and Inclusive**

It is vital that the Overview and Scrutiny process should be open and inclusive – working for and with the community and partners to achieve common goals. Councillors should be prepared to receive raw information from users and the community. This means that in order to carry out the Overview and Scrutiny role effectively, Councillors will need well developed questioning and analytical skills.

#### **3.2 Councillors**

Councillors either individually or collectively will already possess a lot of the personal skills required but the new focus will be in bringing these together in a way that ensures confidence in the outcomes and recommendations at the end of the Overview and Scrutiny process. A key factor will be to ensure that the findings and recommendations are supported by evidence. This provides transparency to the Overview and Scrutiny process.

Councillors serving on the Overview and Scrutiny Committee and a Scrutiny Panel will receive a considerable amount of paperwork to read and will attend quite a few activities in relation to a specific review. Councillors will decide what to investigate, how the Review will be undertaken, who will be invited to appear to give evidence to assist with each Review and the questions to be asked. Having heard all the evidence the Scrutiny Panel will consider its conclusions and make recommendations within a report for presentation to the Overview and Scrutiny Committee. The Overview and Scrutiny Committee will then forward the report to Cabinet and/or full Council for consideration.

The role of the Overview and Scrutiny Councillor will involve some or all of the following activities:

- Agreeing a manageable work programme with the members of the Committee
- Receiving and examining information regarding service areas
- Participating constructively in the activities of the Committee under the guidance of the Chair
- Taking an active role in Scrutiny Panel Reviews which could include research, site visits, questioning contributors and developing recommendations
- Holding Cabinet members and senior employees to account

- Taking part in training and development programmes

### **3.3 Overview and Scrutiny Committee Chair**

The Chair and Vice Chair of the Overview and Scrutiny Committee have additional responsibilities to that of members of the Committees. The Chair needs to be fairly assertive to ensure meetings meet their objectives. The Chair controls the meeting by allowing others to get their point over, maintain a balanced discussion, stick to the agenda and discourage deviation and delay. The Chair will need to be firm but fair, open and frank, and clearly and confidently make points. During a meeting the Chair needs to encourage the participation of all Councillors.

The Chair of the Overview and Scrutiny Committee is responsible for drawing up the agenda for each meeting in advance with the support of the Scrutiny Officer.

The Chair and Vice Chair need a variety of skills that require continual development such as: -

- Communication
- Time Management
- Project Management
- Analytical Skills
- Listening Skills
- Interpretation, clarification and summarising skills

The Chair of the Overview and Scrutiny Committee and the Scrutiny Panels have additional responsibilities to ensure that a Review reaches its desired outcome. The Chair should ensure that members of the Panel are working towards the desired outcome of the Review rather than digressing. In order to achieve this the Chair needs to be assertive in keeping the discussion to agenda items only. When drawing the meeting to a close it is essential for the Chair to make clear all decisions that have been taken by the Panel, clarify what information is required for the next meeting, make clear the time and date of the next meeting, and clarify the agenda items to be considered at the next meeting.

### **3.4 Portfolio Holder**

The relevant Portfolio Holder may be called on to provide input into Scrutiny Panel Reviews by providing information on the issue being scrutinised within their portfolio, or to explain their reasons for making a specific decision which has been 'called-in.' The Portfolio Holder will only be able to participate in a review at the invitation of the Chair, otherwise they will be classed as observers only. The Chair should send out a formal

request to the Portfolio Holder outlining the reasons why attendance is required. The Portfolio Holder should be notified in advance if they are required to provide any supporting documentation.

The Portfolio Holder will also be asked to attend an Overview and Scrutiny Committee meeting approximately six months after the Review Report Recommendations have been accepted by Cabinet to provide a progress report on the implementation of the recommendations.

Overview and Scrutiny Protocols are included in the Appendices section of this Toolkit.

### **3.5 Witnesses**

Overview and Scrutiny Reviews may call a range of individuals to give evidence and answer questions. This may include other Councillors, service users, community stakeholders, service providers, policy makers and managers and people who have some knowledge or expertise of the issue being scrutinised.

Witnesses will receive a formal invitation by the Chair and the following information will be provided by the Scrutiny Officer: -

- Scope of the Review
- Previous information and documents provided
- Question plan
- Clear guidance on what information they are expected to provide
- Time and date of the meeting

Witnesses appearing before the Overview and Scrutiny Committee or Scrutiny Panel should not be made to feel as if they are under interrogation. Nor should the process be confrontational. However, Councillors are expected to ask probing questions in order to get the information they require.

All Councillors involved in the Overview and Scrutiny process are required to adhere to the Overview and Scrutiny Councillors' Code Of Conduct Protocol and Witness Protocol – See Appendices C.

#### **3.6.1 Co-Opted Member to Scrutiny Panels**

Members of the public, partner organisations, other Councils, the Voluntary Sector and recognised experts, can be co-opted on to a Scrutiny Panel for the life of the Panel, to investigate specific issues of importance. This can happen months in advance when the Scrutiny Work Programme is set for

planned work or more spontaneously when ad hoc Panels are set up during the year.

Scrutiny Panels are focused policy development and service/policy review groups. The work of the Panels is to recommend changes. Recommendations are normally reached by consensus, rarely is a vote required. In circumstances where a vote is required, only members who are Councillors are able to vote.

### **3.6.2 Co-Opted Member to the Overview and Scrutiny Committee**

The Overview and Scrutiny Committee will consider applications from potential Co-Optees to sit on it for the Municipal year. It may also ask a particular group or organisation if it could nominate a representative to sit on the Overview and Scrutiny Committee.

### **3.6.3 The roles and responsibilities of co-optees include:**

- A willingness to attend all meetings set to complete a review
- Playing an active and full role in investigations  
e.g. observations/visits to other Councils
- Bringing a view that Councillors might not have to a Review
- Contributing constructively to discussions
- A willingness to share knowledge, experience and expertise
- Identifying issues for further consideration during the review
- Treating witnesses according to Council guidance
- Having a genuine interest in Local Government
- Gaining an understanding of the role and function of Scrutiny
- Recognising that certain information gained as a member of the Review may be confidential to the Council and should be treated as such

Short training/briefing sessions will be organised for all co-optees to explain the Scrutiny systems and processes in the Council. A separate guidance booklet for co-optees has been produced and is published on the Overview and Scrutiny page of the Council's website. A copy can also be obtained from the Scrutiny Officer.

## **3.7 Public Participation**

The Overview and Scrutiny Committee is keen to develop Scrutiny as an accessible and open process. Public participation is an important part of the Overview and Scrutiny process and members of the public may get involved in a number of ways: -



- **Attending a meeting of the Overview and Scrutiny Committee**
- **Writing to the Scrutiny Panel.** Scrutiny Reviews consider written evidence and members of the public, community groups or other key stakeholders can write in to bring evidence to the attention of the Scrutiny Panel members. Written evidence may put forward a particular perspective on the issue being considered or may highlight statistical evidence to inform the Review.
- **Becoming a witness** Being called as a witness gives individuals a rare and valuable chance to make a real contribution to improving the quality of local services.
- **Expressing an interest to become a co-opted member.**
- **Suggesting topics for Scrutiny.** Forms and guidance for members of the public to submit suggestions for scrutiny topics are provided at Appendix A.

### **3.7.1 Addressing the Overview and Scrutiny Committee and Scrutiny Panels**

The public will be able to speak at an Overview and Scrutiny Committee or Scrutiny Panel meeting if individuals are providing relevant information to an agenda item. It is important for the efficiency of the meeting that individuals wishing to make the same points are represented by one individual who can state that they are a representative. Public speaking is limited to three minutes.

Individuals other than the Overview and Scrutiny Committee or Scrutiny Panel members should inform the Chair prior to the meeting of their wish to speak at the meeting. Whilst waiting to be called to speak, they should be seated in the public gallery. The Chair will decide the appropriate time to call the speaker to the table. Once the speaker has finished what they wish to say, they will be requested to leave the table.

Where the public wish to raise new issues for scrutinising this should be done in writing. Further guidance is detailed in the Protocol for Public Address at Overview and Scrutiny Committees and Scrutiny Panels as attached at Appendix C.

## **3.8 Employees of the Council**

Each Scrutiny Panel Review has one Head of Service and/or senior employee dedicated to it for the life of the Review.

The Overview and Scrutiny Committee has a Scrutiny Officer who manages the Review, carries out research, assists in compiling the Scrutiny Panel's final and update reports, produces the E-Bulletin

newsletter, produces Policy briefings, drafts the Annual Report, assists in the production of the Annual Work Programme, and sets up relevant meetings, such as Scrutiny Panel meetings with the Portfolio Holders and meetings of the Chair and Vice Chair.

Other employees may be called on to provide expert input in their professional capacity, for example, in a written report or through a presentation. The information that employees give should, as far as possible, be confined to factual statements and explanations relating to policies and decisions as appropriate. Employees should avoid being drawn into discussions on the merits or alternative Policies where this is politically contentious. An employee guide to Overview and Scrutiny is included in the Appendices section of this Toolkit.

#### **4 The Annual Overview and Scrutiny Work Programme**

This part of the Toolkit explains how the annual Overview and Scrutiny Work Programme is put together and agreed.

Setting the annual Work Programme for the Overview and Scrutiny Committee is an important stage in the Overview and Scrutiny process, identifying key topics that will be considered in the coming year.

Some key principles for setting the work programme are: -

- Topics must add value and support the corporate priorities
- Where appropriate involve partners, stakeholders and the public
- Allow some flexibility to enable topics to be included as they arise

Sources of information to identify key topics: -

- Outcomes of public consultation
- Suggestions made by Councillors
- Forward Plan of Cabinet
- Corporate Performance Monitoring Reports
- Suggestions made by partners/stakeholders
- The Council's Improvement Plan
- Directorate Service Plans
- Previous and planned Reviews – for example cross-cutting best value or management Reviews

Choosing topics

- Topics for the Overview and Scrutiny Committee work programmes can be considered as different types of work including Policy Review,

review of external organisations, performance review and call-in of decisions.

- Once the Overview and Scrutiny Committee has agreed its work programmes it will be important for it to identify and agree the highest priority topics where they will add most value through its work.
- Due to the level of resources required to successfully undertake detailed Reviews it is recommended that the Overview and Scrutiny Committee only do a limited number in one year. This will also help to keep the work programme flexible.
- Cross-cutting topics where joint working with other Local Authorities or organisations will add value and need to be identified early on in the Overview and Scrutiny process to ensure that there is capacity in the work programme.
- It is important to identify lead employees to help plan resources and manage time.

## 5 Conducting an Overview and Scrutiny Review

This part of the Toolkit is designed to guide all those involved in Overview and Scrutiny through the procedure from beginning to end.

Each key section has been identified and explained from scoping the review to identifying relevant information, considering the timeframe, project plan, assessing the evidence, forming conclusions, drafting the report and monitoring recommendations.

### 5.1 Scoping a review

Scoping a review is essential to minimise the risks that might prevent a review reaching its desired outcome. There are six steps that should be followed: -

- **Identifying the objectives and key issues**  
To ascertain what the Scrutiny Panel wants to achieve and what the main issues are that need to be addressed in order to achieve the objectives. Some of this work will have been carried out when the Overview and Scrutiny annual work programme was set.
- **Establishing the timeframe for the Review**  
The overall timeframe of the Review will be established by the Overview and Scrutiny Committee. The scoping process needs to determine how the Review process will fit into the overall timeframe that has been decided.
- **Outlining stakeholders and evidence required**  
What evidence is required to achieve the outcomes and who needs to be called as a witness.
- **Suggested co-opted members to the Review**  
Consider expressions of interest to becoming a co-opted member to the Review.
- **Considering the lines of enquiry**  
Once the objectives and the key issues have been decided, lines of enquiry should be determined to help focus the review and enable a consistent approach to a topic across meetings.
- **Recognise potential risks**  
Potential risks to the success of the Review need to be identified from the start in order that they can be avoided later in the process.

A standard scoping proforma is used for all Scrutiny Panel reviews – See Appendix B.

## **5.2 Collecting the information and evidence**

Key issues and objectives will have been identified in the scoping phase and a broad outline of the evidence required will have been suggested and included in the scope of the review. The next step is to identify the sources of the information required and the methods for collecting that information. Recommendations that the Scrutiny Panels formulate at the end of the Review must be evidence based and be seen to reference the information that has been provided.

Evidence can be gathered from a variety of sources including identified best practice, current Council Policy, proposed or recent Government legislation, previous or possible consultation, performance indicators, and any previous work or reviews that might be relevant.

## **5.3 Considering Witnesses**

Witnesses have a key role to play in helping Scrutiny Panels fulfil their Review objectives. Care needs to be taken when inviting witnesses to appear. The term can be off putting to people. Informal initial approaches either face to face or by telephone may help to reassure people, especially those outside the Council. Throughout the hearing of the evidence stage, the Review objectives need to be constantly in mind and the information assessed against these. Witnesses may need pulling back on track.

## **5.4 Creating a question plan**

Providing a question plan for witnesses to consider prior to attendance at an Overview and Scrutiny Committee or Scrutiny Panel meeting will make the most of their attendance at the meeting.

## **5.5 Assessing the evidence and making recommendations**

The Review process can take several meetings and while Councillors involved should consider and scrutinise the subject throughout the Review, time should also be set-aside during the penultimate meeting to assess all the information that has been received to that point. When forming conclusions all the main points raised during the review should be considered to enable clear links to be shown between evidence and final recommendations. Employees will support Councillors in collating the evidence that has been provided and advising on the impact of the potential recommendations.

Recommendations are the purpose of the Review process and should lead to tangible improvements in service delivery or corporate direction. The desired outcome of the review, outlined in the scope, should be held at the forefront of Councillors' minds when debating their final recommendations.

When making recommendations it is important to remember that it is not just the right answer that matters but also evidence of how this conclusion was reached.

Recommendations should: -

- Link to the evidence provided
- Be concise and easy to understand
- Link to the scope of the review
- Include methods for monitoring the recommendations

## **5.6 Reporting**

Once the Scrutiny Panel has formed its final recommendations the Chair and the Scrutiny Officer will prepare a draft report. The draft report will then be considered at the final meeting of the Scrutiny Panel for comment and suggested amendments. All comments and suggested amendments should be considered by the Chair and any changes made accordingly.

After the report has been presented to the Overview and Scrutiny Committee it will then report to either Cabinet or full Council as appropriate.

## **5.7 Monitoring**

Monitoring arrangements need to be made to accompany any recommendations in order that progress can be measured. The Overview and Scrutiny Committee will monitor progress and if progress is not satisfactory, further scrutiny can be undertaken.

The Portfolio Holder will also be asked to attend a meeting of the Overview and Scrutiny Committee approximately six months after the Review report recommendations have been accepted by Cabinet to provide a progress report on the implementation of the recommendations.

Follow up regarding the outcomes of the scrutiny process will be communicated in the form of the Overview and Scrutiny Annual Report. The Annual report will be prepared in time for the end of the Municipal Year and presented to full Council. The Annual Report will include an account of all the Reviews that have been undertaken by Scrutiny Panels over the course of the year and a description of the main achievements of the Overview and Scrutiny process.

## **6 How to find out more about Overview and Scrutiny**

Overview and Scrutiny meetings are advertised on the Council's website and published in the Overview and Scrutiny newsletter. Information on forthcoming items for Overview and Scrutiny can be obtained on request from the Scrutiny Officer and are advertised on the Council's website.

Overview and Scrutiny web-pages can be accessed at [www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)

### **6.1 Contacts and Further Information**

This final section provides some helpful contacts, websites and references where further information about Overview and Scrutiny can be found.

#### **Contacts**

##### **Northampton Borough Council**

##### **General Enquiries**

Tel: 01604 837010

Fax: 01604 838571

Email: [onestopshop@northampton.gov.uk](mailto:onestopshop@northampton.gov.uk)

##### **Overview and Scrutiny**

Tel: 01604 837408

Fax: 01604 838723

Email: [ttiff@northampton.gov.uk](mailto:ttiff@northampton.gov.uk)

Website: [www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)

##### **General Information**

Check out the Council's A to Z of Council services on the website.

## 7 Links to Useful Websites

Centre for Public Scrutiny	<a href="http://www.cfps.org.uk">www.cfps.org.uk</a> Promotes the value of scrutiny in modern and effective government
Local Government Association	<a href="http://www.lga.gov.uk">www.lga.gov.uk</a> The LGA represents the interests of local authorities across the country
Local Government Improvement and Development	<a href="http://www.local-gov.uk">www.local-gov.uk</a> Local Government Improvement and Development is an organisation dedicated to seeking improvement and sharing best practice in local government
Local Government Information Unit	<a href="http://www.lgiu.gov.uk">www.lgiu.gov.uk</a> The LGIU provides an information, advice, training, and lobbying service for local authorities
Association for Public Service Excellent (APSE)	<a href="http://www.apse.org.uk">www.apse.org.uk</a> APSE is a non-profit making organisation with involvement from elected members, officers and trade unions. It promotes public services via networking, the sharing of information and best practice
Audit Commission	<a href="http://www.audit.commisssion.gov.uk">www.audit.commisssion.gov.uk</a>
UK online	<a href="http://www.online.gov.uk">www.online.gov.uk</a> The easy way to access government services on the internet.
Institute of Local Government Studies INLOGOV	<a href="http://www.inlogov.bham.ac">www.inlogov.bham.ac</a> The core of INLOGOV's work is around the policy and management agendas of Local Authorities
East Midlands Councils Scrutiny Network	<a href="http://www.emcouncils.gov.uk">www.emcouncils.gov.uk</a> The Scrutiny Network provides Local Authorities with opportunities to exchange information and best practice around scrutiny, and identify key issues
<a href="http://www.local-pi-library.gov.uk">www.local-pi-library.gov.uk</a>	An off-the-shelf set of defined local authority performance indicators produced by the Audit Commission and the Improvement and Development Agency (IDeA).
<a href="http://www.infor4local.gov.uk">www.infor4local.gov.uk</a>	A one stop shop portal for Local Authorities to get quick and easy access to information they need on the websites of central government departments, agencies and bodies



If English is not your first language and you need help in translating this document please contact Tracy Tiff on 01604 837408

Jesli angielski nie jest Twoim jezykiem ojczystym  
Если английский не Ваш родной язык и Вам нужна помощь с переводом этого документа, то свяжитесь с Трайсу Тиф.Тел. 01604 837408

Haddii afka Ingriisigu aanu ahayn luuqad-daada kowaad oo aad u baahan-tahay in lagaa caawiyo turjumidda warqaddan fadlan kala xidhidh Tracy Tiff tilifoonka 01604 837408

如果英語不是你的主要說用語言而需要幫助將這份文件翻譯，請致電 01604 837408 向 Tracy Tiff 提出要求。

যদি ইংরেজী আপনার মাতৃভাষা না হয় এবং এই দলিলটি অনুবাদে আপনার সাহায্যের দরকার হয় তবে অনুগ্রহ করে ট্রেইসি টিফ-এর সাথে 01604 837408 এই টেলিফোন নম্বরে যোগাযোগ করুন।

## LARGE PRINT AND TAPE

If you would like this document as large print or as a tape recording please call 01604 837408

## **Appendices**



### **Guidelines for operation of Scrutiny Panels**

Scrutiny Panels need to operate on a relatively informal basis in the sense that they are a forum for information gathering and discussion between group members and officers rather than a formal decision making body. They have no delegated powers.

Information about each new Scrutiny Panels will be included on the Council's intranet site on the Overview and Scrutiny webpage.

Early within the project and wherever possible, the Scrutiny Panel should identify details of any co-optees or contributors required to further the gathering of evidence and enhance the process or provide specific knowledge.

Meetings will take place as often as needed until the task is complete, on average around every six weeks. Following the scoping (planning) meeting, the Panel should aim to hold the necessary meetings within as short a timeframe as possible so that findings do not become out of date before completion of the task.

Visits can also be very useful in helping Scrutiny Panels to get to grips with issues and should be arranged for the Panel, or individual representatives of the Panel, as needed.

Meetings of the Scrutiny Panels will be less formal than meetings of Overview and Scrutiny Committee. They require an approach that allows all members of the Panel to participate fully, and incorporates questioning and discussion with contributors. Informal ways of working are to be encouraged. There will be considerable discussion between members the Panel and people asked to give information.

In the event that the task involves research, the Panel must always ascertain whether such research is/has already been undertaken elsewhere e.g. Overview and Scrutiny Committee, directorate, partner organisation.

The chair of the Scrutiny Panel has a role to make sure all Councillors have the opportunity to know about activities of the Scrutiny Panel. Members of the Overview and Scrutiny Committee will be kept informed regarding progress of tasks through commission planning

# Northampton Borough Council Overview & Scrutiny

and progress reports. All Councillors can obtain information at any time during a review via the Council's intranet site or the Overview and Scrutiny Officer.

In discussing issues to reach conclusions and make recommendations it is hoped that the Panel will be able to reach agreement by consensus. If following discussion on a particular issue, agreement cannot be reached; a minority view on a particular issue will be included in any report to the Overview and Scrutiny Committee.

Members of the Scrutiny Panel should operate within the agreed plan for the task and must not disclose or use any information/knowledge obtained through involvement in the group for any other purpose. This also applies to Councillors not on the Scrutiny Panel who have requested information about the work being undertaken.

Councillors should not do anything to pre-empt or undermine the outcome of a Scrutiny Panel's recommendations.

The chair of the Scrutiny Panel has joint responsibility, with the chair of the Overview and Scrutiny Committee, for the issuing a media briefing in relation to completed review work and any subsequent media interaction needed. The Overview and Scrutiny Officer will assist with this role in liaison with the Corporate Communications Unit.

## **Membership**

Membership of a Scrutiny Panel will initially be drawn from the Overview and Scrutiny Committee. It is usual for a member of the Overview and Scrutiny Committee to be designated Chair for a Scrutiny Panel but on occasions, a non-Executive, who is not a member of the Overview and Scrutiny Committee, may be nominated Chair of a Scrutiny Panel. Should it be felt that membership of the Scrutiny Panel should be widened to include non-Executives (who are not members of the Overview and Scrutiny Committee); the Chair will issue an email inviting non-Executives to take part.

The membership of each Scrutiny Panel will vary, between a minimum of two Members to a maximum of seven, according to the purpose for which it is established.

Non-Executives may join the membership of a Scrutiny Panel, until the Scrutiny Panel has begun to receive evidence. After this point the membership of the Scrutiny Panel should not be increased as all Members of the Scrutiny Panel will be required to receive and hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process. The Chair of the Overview and Scrutiny Committee will delegate authority to the Chair of the Scrutiny Panel to determine the membership of the Scrutiny Panel.

Political balance will not apply. Should more than seven Members want to take part, a decision would be taken by the Chair of the Scrutiny Panel to ensure that at least one Member of each political group was allocated to the Scrutiny Panel.

There is no Substitute Scheme for Members unable to attend any meetings of the Scrutiny Panels, due to the fact that all Members of the Scrutiny Panel will be required to receive and

# Northampton Borough Council Overview & Scrutiny

hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process

Any of the Scrutiny Panels may appoint non-voting co-opted Members. Co-opted members will have an opportunity to influence the Scrutiny Panel's lines of enquiry, but they will not be able to take part in any vote, if one takes place. The Scrutiny Officer will provide relevant training to Co-opted Members on the Overview and Scrutiny process.

## **The review process**

### **Planning and scoping**

Councillors need to be thoroughly involved in the planning of a review. Having been given an indication of what the scope should be through the agreed suggestion form, the Scrutiny Panel should consider the specific issues it will cover and agree a plan for the task. They should be assisted in this by advice from officers.

The plan should set out:

- 1 A clear statement of the scrutiny topic.
- 2 The aim (or purpose) of the project.
- 3 The scope of the project -what will be included and excluded.
- 4 Any specific questions to be answered.
- 5 Specific concerns or issues, which should be addressed.
- 6 How it will contribute to achieving Corporate Priorities
- 7 Initial list of key stakeholders, partners or other agencies to involve.
- 8 Initial list of witnesses, both internal and external, to involve
- 9 Timescale for completion of the task.

Within the agreed scope, members of the Scrutiny Panel decides what information it needs and what questions to ask and if external expertise should be involved. Where needs are identified consideration should be given as to why that information/contact etc is necessary. This may include which people or organisations should be consulted and at what stage further consultation may be appropriate. In addition, the group should consult appropriate contacts on their views at the planning stage – this should include the equalities and communications teams.

### **Gathering information**

Once the planning is finished, the group will actively gather its evidence. Some of this will be written information, such as council documents, national guidance or information from organisations providing a similar service. Information can also be collected by asking people questions. Evidence to Scrutiny Panels from officers should be fact-based and not contain recommendations unless presented in the form of options. Questioning should be aimed at trying to understand and explore issues rather than at catching the witness out. Members of the group should avoid making statements rather than asking questions. Information might also be gathered from user groups, the public, other interested parties or partners. Sometimes the group will think that their enquiries would benefit from a site visit or other activities such as by directly trying the service.

Site visits by members of a Scrutiny Panel can be an extremely valuable part of the process

# Northampton Borough Council Overview & Scrutiny

and could inform Councillors' questioning of subsequent contributors.

If the Panels want to hold a public meeting to seek views on an issue they can. Members of Scrutiny Panels should be engaging with other organizations, partners, user groups, other councils etc and talking to people who are affected by the issue being considered to make sure they are gathering information.

Rather than minutes of the meeting, notes are taken to record evidenced given at meetings of the Scrutiny Panels. The notes allow people who have contributed information to check if has been understood properly.

## **Reflect, learn and draw conclusions**

When the Panel has gathered all the evidence it needs, it will assess it and reflect on what it has learned. A draft report is written to help this process. This helps the Panel to draw conclusions from what they have learned. The report of the Scrutiny Panel's recommendations must be an expression of the views of the Panel rather than a report to the Panel written by Officers. This means that it is important for members of the Panel to express their views at the drafting stage.

The relevant department will normally be given a chance to comment on the draft report before the group makes recommendations. This is an opportunity for factual corrections to be made. Sometimes the report relates to work by bodies outside the council. In that case, these bodies may be consulted.

## **Updates to the Overview and Scrutiny Committee**

The Chair of each Scrutiny Panel will provide a briefing note detailing progress of the Review to every meeting of the Overview and Scrutiny Committee. The Chair will take questions for points of clarification only. The agenda item of 'Scrutiny Panel Updates' will not be debated or elaborated upon until such time as the Scrutiny Panel submits an interim/final report for the Overview and Scrutiny Committee's debate.

## **Report findings and recommendations**

At the end of each review reports need to be produced that are written in clear English. The reports must outline the information gathered and information be presented in a variety of ways so that they are interesting and easy to read.

The final report will be based on facts collected and give a full picture of the issues under scrutiny. It will reflect the range of views presented to the Scrutiny Panel. The report will contain conclusions (key findings) and clear recommendations.

Generally, when the report is endorsed it will be by consensus among all members of the Panel. However, occasionally agreement cannot be reached, so the views of all members will then be reflected in the report.

When the Scrutiny Panel has finished its report, the Chair of that Panel presents the work to the parent Overview and Scrutiny Committee. As part of this process, they will explain the work that has been done and ask the Committee to support its recommendations. The Committee could also comment on the report or ask for further work to be done.

# Northampton Borough Council Overview & Scrutiny

## **Producing the Report**

Having considered all the evidence the Panel will reach conclusions and make recommendations that will be made public in a report. However, organisations that have participated in the review will be sent a draft copy; this will enable them to comment on the factual accuracy of the evidence relating to their organisation and inform the group of implications of the recommendations that may not have been considered.

Findings and recommendations of Scrutiny Panels will be presented to the Overview and Scrutiny Committee for endorsement before submission to Cabinet and/or Council.

The Overview and Scrutiny Committee will monitor the implementation of the recommendations that have been made approximately six months after Cabinet has received the report.



## **OVERVIEW AND SCRUTINY**

### **SCOPING A REVIEW**

### **SCRUTINY PANEL XXXXX**

#### **1. Purpose / Objectives of the Review**

#### **2. Outcomes Required**

#### **3. Information Required**

e.g.

- Charts
- Budgets
- Services
- Evidence from users/service employees
- Information from partners
- Relevant Best Value Performance Indicators
- Best Practice councils
- Experts

#### **4. Format of Information**

e.g.

- Officer Briefings
- Officer Reports
- Portfolio Holder Reports
- Councillor Reports
- Published Reviews by other organisations
- Case studies
- Expert Advice
- Surveys
- Witnesses verbal / written Evidence
- Commissioned Research



- Presentations
- Local / regional / national data

## **5. Methods Used to Gather Information**

e.g.

- Interviews in committee/ community
- Focus Groups / User Groups in the Community
- Public Meetings
- Working Groups
- Structured Visits to Other Organisations
- Site Visits
- Advertisements
- Media
- Questionnaires

## **6. Co-Options to the Review Committee**

## **7 Equality Impact Assessment**

Scrutiny Officer together with the Chair of the Scrutiny Panel to undertake an Equality Impact Assessment shortly after the scoping meeting.

## **8 Evidence gathering Timetable (Including start and finish dates)**

## **7. Responsible Officers**

**Lead Officer(s)**

**Co Ordinator** Tracy Tiff, Scrutiny Officer

## **8. Resources and Budgets**

**Xxx** to provide internal information

## **9. Final report presented by:**

Completed by xxxx. Presented by the Chair of the Scrutiny Panel to the Overview and Scrutiny Committee and then to Cabinet.

**10. Monitoring procedure:**

Review the impact of the report after six months (approximately xxxxx)

## **Appendix C - Overview and Scrutiny Protocols**

# Northampton Borough Council Overview & Scrutiny



## OVERVIEW AND SCRUTINY

### Inquiry Protocol

#### **1 Guidelines for operation of an Overview and Scrutiny Inquiry**

Overview and Scrutiny Inquiries need to operate on a relatively informal basis in the sense that they are a forum for adding scrutiny input into a Review or issue that is currently being worked on by Officers within the Council. Overview and Scrutiny Inquiries have no delegated powers.

Meetings will take place as often as needed until the task is complete. Timescales will vary dependent upon the issue being investigated. The Overview and Scrutiny Inquiry should aim to hold the necessary meetings within as short a timeframe as possible so that findings do not become out of date before completion of the task.

If applicable, visits can also be very useful in helping Overview and Scrutiny Inquiries to get to grips with issues and should be arranged for the Inquiry, or individual representatives of the Inquiry, as needed.

Meetings of the Overview and Scrutiny Inquiries will be less formal than meetings of the Overview and Scrutiny Committee and Scrutiny Panels. Overview and Scrutiny Inquiry meetings are not held in public session.

Meetings of an Overview and Scrutiny Inquiry require an approach that allows all Members of the Inquiry to participate fully, and incorporates questioning and discussion with Officers. Informal ways of working are to be encouraged.

Members of the Overview and Scrutiny Inquiry should operate within the agreed plan for the task and must not disclose or use any information/knowledge obtained through involvement in the Inquiry for any other purpose. Councillors should not do anything to pre-empt or undermine the outcome of an Overview and Scrutiny Inquiry's recommendations.

The Lead Councillor for the Overview and Scrutiny Inquiry has a role to make sure that Members of the Overview and Scrutiny Committee are kept informed regarding progress of

# Northampton Borough Council Overview & Scrutiny

tasks through regular progress reports.

## **2 Membership**

Membership of an Inquiry will initially be drawn from the Overview and Scrutiny Committee. It is usual for a member of the Overview and Scrutiny Committee to be designated Lead Councillor for an Inquiry but on occasions, a non-Executive, who is not a member of the Overview and Scrutiny Committee, may be nominated Lead Councillor of an Overview and Scrutiny Inquiry. Should it be felt that membership of the Inquiry should be widened to include non-Executives (who are not members of the Overview and Scrutiny Committee); the Chair will issue an email inviting non-Executives to take part.

The membership of each Overview and Scrutiny Inquiry will vary, between a minimum of two Members to a maximum of seven, according to the purpose for which it is established.

Non-Executives may join the membership of an Overview and Scrutiny Inquiry, until the Inquiry has begun to receive evidence. After this point the membership of the Inquiry should not be increased as all Members of the Inquiry will be required to receive and hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process. The Chair of the Overview and Scrutiny Committee will delegate authority to the Lead Councillor of the Inquiry to determine the membership of the Overview and Scrutiny Inquiry.

Political balance will not apply. Should more than seven Members want to take part, a decision would be taken by the Lead Councillor of the Inquiry to ensure that at least one Member of each political group was allocated to the Inquiry.

There is no Substitute Scheme for Members unable to attend any meetings of the Overview and Scrutiny Inquiries, due to the fact that all Members of the Inquiry will be required to receive and hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process

Any of the Overview and Scrutiny Inquiries may appoint non-voting co-opted Members. Co-opted members will have an opportunity to influence the Inquiry's lines of enquiry, but they will not be able to take part in any vote, if one takes place. The Scrutiny Officer will provide relevant training to Co-opted Members on the Overview and Scrutiny process.

## **3 Gathering information**

Once the Overview and Scrutiny Inquiry has been set up, it will actively gather its evidence. Rather than minutes of the meeting, notes are usually taken to record evidence given at meetings of the Overview and Scrutiny Inquiries.

## **4 Reflect, learn and draw conclusions**

When the Overview and Scrutiny Inquiry has gathered all the evidence it needs, it will assess it and reflect on what it has learned.

The report of the Overview and Scrutiny Inquiry recommendations must be an expression of the views of the Inquiry rather than a report to the Inquiry written by Officers. The Scrutiny Officer will meet with the Lead Councillor for the Inquiry and draft the report on their behalf.

## Northampton Borough Council Overview & Scrutiny

The final report will be based on facts collected and give a full picture of the issues under scrutiny. It will reflect the range of views presented to the Overview and Scrutiny Inquiry. The report will contain conclusions (key findings) and clear recommendations. When the Overview and Scrutiny Inquiry has finished its report, the Lead Councillor of the Inquiry presents the work to the Overview and Scrutiny Committee. As part of this process, they will explain the work that has been done and ask the Committee to support its recommendations. The Committee could also comment on the report or ask for further work to be done.

On occasions, there will not be the need for an Overview and Scrutiny Inquiry to produce a full report and its comments and views will be recorded in the report of the relevant Portfolio Holder that will be presented to Cabinet. This highlights that Overview and Scrutiny has made a valuable contribution to the issue and its comments taken on board.

# Northampton Borough Council Overview and Scrutiny



## Northampton Borough Council Call-in Guidance

Appendix A to this guidance sets out a call-in checklist, and Appendix B provides a protocol for the running of the call-in hearing. Provided at Appendix C is the call-in request form.

### What is a call-in?

Where there is concern about a decision which has just been taken, there is a formal procedure to allow it to be “called-in” so members of the Overview and Scrutiny Committee can review it before the decision is implemented. It is a key way of holding the Cabinet to account. A called-in decision cannot be implemented until it has been considered by the Overview & Scrutiny Committee, which can examine the issue and question the decision-taker on the actions taken.

Call-in is intended to be used only in exceptional circumstances, the procedure being seen as a last resort through which Councillors may demand scrutiny of a decision they believe to be contrary to the authority’s decision making principles.

### Who can call in a decision?

Any Councillor who is not a member of the Cabinet can start the call-in procedure. Decisions can be called in by:

- The Chair of the Overview and Scrutiny Committee

OR

- Two Members of the Council

Should either of the Call In Authors be a Member of the Overview and Scrutiny Committee considering the Call In Request, they will be present in the capacity as Call In Author and not as a Member of the Overview and Scrutiny Committee. They should not sit on the Committee, take part in the debate or vote, as this could be seen as a conflict of interest. The Call In Author should therefore send a substitute for the Call In Hearing.

### What can be called-in?

Call-in powers relate to executive (Cabinet) functions. Subject to the exceptions listed below, any decision made by the Cabinet or a key decision made by an officer with delegated authority from the Cabinet may be called-in.

### What cannot be called-in?

The following categories of decision cannot be called-in:

- a decision which is not a key decision, and which has been taken by an officer

# Northampton Borough Council Overview and Scrutiny

under delegated powers. A non-key decision taken by the Leader or a Portfolio Holder under delegated power

- a decision which the decision-taker has certified as urgent (giving reasons) in accordance with the Council's Rules of Procedure;
- a decision relating to a matter which has already been the subject of a call-in during the previous six months;
- any decision relating to a non-Cabinet function, whether taken by a Committee or an officer under delegated powers;
- a decision by, or to be taken by, Council; or
- a decision taken at stage 4 of the call-in procedure.

The Overview and Scrutiny Committee cannot scrutinise individual decisions made by, or on behalf of, the Regulatory Committees of the Council, for example, decisions relating to development control, licensing, registration, consents and other permissions.

Although they may be key decisions (and included in the Forward Plan), decisions taken by the Cabinet when preparing annual budgets or new policy proposals for submission to Council will not be subject to call-in. In these circumstances the Council is responsible for the final decision.

## When can a decision be called-in?

It is important that the call-in process is not abused, nor causes unreasonable delay; the main tool of the Overview and Scrutiny Committee is to improve the delivery of policies and services through detailed reviews, rather than call-ins.

A decision can be called-in when Members:

- believe it may be contrary to the normal

Ttiff/protocol/call in

requirements for decision-making

- believe it may be contrary to the Council's agreed policy framework and/or budget
- need further information from the decision-taker to explain why it was taken

## Call-in checklist

The above rules and criteria can be brought together in the checklist of questions (or tests) which appears at Appendix A to this document. Members can use this checklist when they are considering a call-in.

## How does Call-in work?

Every decision which is subject to potential call-in cannot be implemented until the end of the call-in period. The call-in period lasts for **three working days** after the minutes of Cabinet have been published.

The call-in procedure itself follows four stages.

### STAGE 1

A valid call-in request must be submitted in accordance with the current rules in the Constitution. The request must say who is making the call-in and to which decision it relates. It must also give brief reasons why the decision is being called in. A pro-forma is available from the Overview and Scrutiny Officer (copy attached at Appendix C).

Requests may also be submitted by electronic mail or fax. If the call-in is to be submitted by e-mail, only one Member need submit the actual form. However, individual e-mails (or letters) in support of the request must also be submitted by the other Member specified on the form before the end of the call-in period.



# Northampton Borough Council Overview and Scrutiny

## STAGE 2

When the officers receive a valid call-in request with respect to a decision, then that decision may not be implemented until that decision has completed the call-in procedure. Once a request to call-in has been properly made then a meeting of the relevant Overview and Scrutiny Committee should be convened to deal with the matter unless it will be quicker to place the matter on the agenda of a scheduled meeting of the Overview and Scrutiny Committee.

Members who have requested the call-in will have the right to address the Committee when it deals with the issue.

## STAGE 3

The Overview and Scrutiny Committee will consider the called-in decision and decide to take one of the following courses of action (the Overview and Scrutiny Committee's decision should not be adjourned or delayed without an exceptional reason):

- to allow the decision to be implemented without further delay;
- to refer the decision back to the Cabinet (irrespective of who the original decision-taker was) together with the observations of the Overview and Scrutiny Committee. The Cabinet will then take the final decision, and that decision may not be called in.
- to request the Cabinet to allow further time for the Overview and Scrutiny Committee to consider the issue and make observations at a later date;
- to seek the advice of the Monitoring Officer as to whether the decision is contrary to, or not wholly in accordance with, the policy framework or the budget and, if applicable, to refer the matter to

Council for a final decision.

## STAGE 4

### Reference back to Cabinet

Where the Overview and Scrutiny Committee decides to refer the decision back, the Cabinet must reconsider the decision in the light of any observations of the Overview and Scrutiny Committee.

Where the Overview and Scrutiny Committee has requested more time to consider an issue, the Cabinet must have regard to the urgency, and to the Budget and Policy Framework Rules, when deciding whether to implement the decision.

### Reference to the Monitoring Officer/Chief Finance Officer

The Overview and Scrutiny Committee may refer any called-in decision to the Monitoring Officer and/or the Chief Finance Officer if it considers it to be contrary to the policy framework or budget. The officer(s) will then submit a report on the matter to the next meeting of the Cabinet. A copy of this report will be sent to all Members of the Council. No action may be taken in respect of the decision or its implementation pending that meeting.

If, in that report, the Monitoring Officer and/or the Chief Finance Officer is of the opinion that a decision referred to him/her by the Overview and Scrutiny Committee is not a departure from the policy framework or budget, the decision may be implemented immediately. A report to this effect will be submitted to the Overview and Scrutiny Committee for information. If, however, a referred matter is deemed to be a removal from the policy framework or the budget by the Monitoring Officer and/or the

# Northampton Borough Council Overview and Scrutiny

Chief Finance Officer, the Cabinet has two options:-

- It may choose to adjust its decision to bring it within the policy framework or budget, in which case it can then be implemented. In these circumstances, the Cabinet would submit a report to the next meeting of the Overview and Scrutiny Committee explaining its actions.
- If the Cabinet does not wish to adjust its original decision, it must prepare a report for the Council. This report must include the views of the Overview and Scrutiny Committee. No action may be taken in respect of the decision or its implementation until the Council has met to consider the matter.

## Reference to Council

Subject to the provisions above, the Overview and Scrutiny Committee may

require that any called-in matter which has been deemed to be (and remains) contrary to the policy framework or budget is referred to the full Council. The report to Council will set out the views of the Cabinet and the Overview and Scrutiny Committee and the advice of the Monitoring Officer and/or the Chief Finance Officer. The Council may:

- decide that the decision is within the existing policy framework and/or budget (in which case it can be implemented); or
- amend the financial regulations or policy concerned to encompass the decision (in which case it can be implemented); or
- agree that the decision is contrary to the policy framework or budget and require the Cabinet to reconsider the matter in accordance with the advice of the officer(s).

# Northampton Borough Council Overview and Scrutiny

Appendix A



## Call-in Checklist

1. Can the decision actually be called-in?	<b>If the answer to any of questions 1(a)-(g) is “yes” then the decision CANNOT be called-in.</b>	
	a) Does it relate to a non-executive function?	
	b) Was it a non-key decision taken by an officer under delegated powers?	
	c) Was it classified as an urgent decision?	
	d) Has this issue been called-in in the last 6 months?	
	e) Does the decision relate to an existing call-in (ie decisions taken in relation to a reference back)?	
	f) Does the decision relate to the formulation of a policy or budget matter which requires full Council approval?	
	g) Was it a decision taken by, or to be taken by, full Council?	

# Northampton Borough Council Overview and Scrutiny

2. Was the decision in accordance with the Council's policy framework?	a) What is the relevant policy or strategy?	
	b) Is the decision contrary to that policy?	
	c) If yes, how?	
3. Was the decision in accordance with the agreed budget or budget procedures?	a) Is there funding for the proposal in an agreed budget/capital programme?	
	b) If no, have the rules for virement and supplementary estimates been observed?	
4. Was the decision taken in accordance with the principles of good decision-making?	a) Does the decision comply with the Council's Constitution, ie <ul style="list-style-type: none"> <li>• Articles of Constitution</li> <li>• Scheme of Delegation</li> <li>• Rules of Procedure</li> <li>• Codes and Protocols</li> </ul>	
	b) Was the decision reasonable within the common meaning of the word, ie rational, based on sound judgement?	
	c) Was the decision reasonable within the legal definition of "reasonableness", ie was everything relevant taken into account, and was everything irrelevant disregarded?	
	d) Was the decision proportionate, ie is the action proportionate to the desired outcome?	
	e) Was the decision taken on the basis of due consultation?	

# Northampton Borough Council Overview and Scrutiny

	<p>f) Was the decision taken on the basis of professional advice from officers?</p>	
	<p>g) Were Human Rights respected and/or will the decision give rise to any Human Rights implications, ie, without discrimination, the right of an individual to:</p> <ul style="list-style-type: none"> <li>• liberty and security</li> <li>• the enjoyment of their property</li> <li>• a fair trial</li> <li>• respect for private and family life</li> <li>• freedom of thought, conscience and religion</li> <li>• freedom of expression</li> <li>• freedom of assembly and association</li> <li>• etc.</li> </ul>	
	<p>h) When the decision was taken, was there a presumption in favour of openness?</p>	
<p>5. Has the decision been well explained, ie do you need more information?</p>	<p>a) Was it clear what the reasons for the decision were?</p>	
	<p>b) Was it clear what the desired outcomes were?</p>	
	<p>c) Was it clear what alternative options (if any) were considered?</p>	
	<p>d) Was it clear why the alternative options were not chosen?</p>	
	<p>e) Do you need any more information/clarification?</p>	



### Call-in Protocol

The following protocol is intended to formalise the conduct of call-in hearings and the preparation work carried out in the run-up to such a hearing. It should be noted, however, that the protocol may be varied by the Chairman of the Overview and Scrutiny Committee to meet the requirements of any particular circumstances.

#### Prior to the Call-in

1. A decision-taker's statement will be published with the agenda for the meeting.
2. A caller-in's statement will be published with the agenda for the meeting, should the caller-in wish to provide such a statement.
3. The caller-in and decision-taker will be invited to the meeting, together with any other parties relevant to the decision-making process, for example Chairmen of other Committees or Panels, Portfolio Holders or officers.
4. Any other relevant internal or external witnesses will be invited to the meeting.
5. It will be endeavoured to give seven days' notice of a request to attend the meeting to all witnesses. If a question plan is to be produced, it will be endeavoured to give seven days' notice of the questions planned to witnesses.
6. Prior to the meeting any Member who may have a conflict of interest, for example Overview and Scrutiny Members who may be scrutinising a decision they were involved in taking, will be given relevant advice by the Monitoring Officer.

#### Members and Officers giving account

1. There will be an expectation by the Committee that a Councillor or officer (or his/her deputy) must attend unless they have reasonable grounds for refusal, such as ill health, holiday or prior personal or business commitments which are inescapable or which it would be contrary to Council procedure or practice to cancel or rearrange. Where, in exceptional circumstances, the Councillor or officer is unable to attend on the required date, then the Chief Executive shall, in consultation with the Chairman and Vice-Chairman of the Committee and the Councillor/officer arrange for an alternative date for attendance. In exceptional circumstances, and with the agreement of the Chairman and

# Northampton Borough Council Overview and Scrutiny

Vice-Chairman substitutes may attend on behalf of the Councillor and officer who would otherwise be expected to attend.

2. The Committee shall defer consideration of a call-in on one occasion only if no signatory to the call-in attends the meeting to which it is submitted.
3. Subject to the rules in respect of confidential or exempt information, all questions will be put and answered in public.
4. Questioning must be conducted in an atmosphere of mutual respect and trust consistent with the Codes of Conduct and in a manner that avoids negative or undermining, interrogation or open or implied criticism.
5. Questions must be directly relevant to the subject matter of the call-in.

## Officer Support

1. The Overview and Scrutiny Officer will provide support to the Chairman and Vice Chair throughout the call-in process.
2. The Borough Solicitor or a member of his staff will provide legal advice to the Chairman and Vice-Chairman throughout any call-in process.
3. The Chief Officer of the appropriate directorate will arrange:-
  - (a) For the Executive whose decision has been called in to have support throughout the call-in process.
  - (b) For the Councillors who have instigated the call-in to have support throughout the call-in process. Any officer providing such support shall act independently and impartially in advising those Councillors.

## The Call-in meeting

1. The call-in will be the first item of business on the agenda, in order that witnesses are not kept waiting.
2. Whilst waiting to be called to speak, witnesses should be seated in the public gallery. Once the witness has finished what they wish to say, they will be requested to leave the table.
3. The Chair will introduce the meeting, outlining the reasons for call-in and explain the procedure.
4. The caller-in will be invited to make a presentation outlining his or her main reasons for calling in the decision. A question and answer session will follow. Should either of the Call In Authors be a Member of the Overview and Scrutiny Committee considering the Call In Request, they

# Northampton Borough Council Overview and Scrutiny

will be present in the capacity as Call In Author and not as a Member of the Overview and Scrutiny Committee. They should not sit on the Committee, take part in the debate or vote, as this could be seen as a conflict of interest. The Call In Author should therefore send a substitute to sit on the Committee for the Call In Hearing.

5. The decision-taker will be invited to make a presentation outlining his or her main reasons for making the decision. A question and answer session will follow.
6. The Overview and Scrutiny Committee will ask questions of the Leader and/or Portfolio Holder and invite them to make presentations outlining their reasons for any recommendations to Cabinet on the issue concerned.
7. The Overview and Scrutiny Committee will then invite relevant employees to give evidence and respond to the Overview and Scrutiny Committee's questions. The Officers will be asked to give their reasons for any recommendations or advice to Members. A question and answer session will follow.
8. Any other relevant internal or external witnesses will be invited to make a presentation to the Committee without interruption, following which there will be a question and answer session.
9. The Committee will discuss the written evidence and responses to questions and may ask further questions for clarification.
10. Witnesses will be given the opportunity to add any points of clarification before any resolution or recommendation is moved.
11. The caller-in will be given the opportunity to add any points of clarification before any resolution or recommendation is moved.
12. The Chairman will sum up the findings regarding the Cabinet decision. If there are still concerns, the Chairman will lead in the determination of the recommendations with reasons for consideration by Cabinet.
13. At the conclusion of the debate and following responses to all relevant matters raised, the Chairman will ask the Committee to vote to determine whether or not it upholds the decision of the Executive/ decision maker.
14. The Chair and Vice Chair will produce a report of the Committee's findings, with .

## Outcome

If the Committee does not uphold the decision of the Executive/decision taker it can refer it back to the decision maker for reconsideration, setting out in writing the nature of its concerns or further recommendations. It can refer the matter to full Council if considered not to be in accordance with the budget or Policy Framework.



# **Northampton Borough Council Overview and Scrutiny**

The action the Council takes if a call-in is referred to it is detailed in the Council's Constitution.

The decision is notified to all interested parties and included on the Council's document management system.

# Northampton Borough Council Overview and Scrutiny

Appendix C



## Call in Request Form

Decision taken by Cabinet  
Delegated decision by .....

Date of the decision .....

Item Number .....

Title of the agenda item/report.....

.....

Reasons for Call in

.....

.....

.....

.....

.....

.....

Is the decision taken considered to be inside or outside of the policy or budget framework agreed by the Council?

(Delete as applicable) YES/NO

# Northampton Borough Council Overview and Scrutiny

Explanation if Yes (optional)

.....  
.....  
.....  
.....  
.....

Proposed alternative course of action (optional)

.....  
.....  
.....

Proposed Documentation and witnesses for the call in (optional)

.....  
.....  
.....  
.....  
.....  
.....

Signed Cllr.....

Signed Cllr.....



## **NORTHAMPTON BOROUGH COUNCIL**

### **COUNCILLOR CALL FOR ACTION PROTOCOL**

#### **1. Introduction**

- 1.1 “Councillor Call for Action” (CCfA) was introduced under Section 119 of the Local Government and Public Involvement in Health Act 2007, and came into force on 1 April 2009.
- 1.2 The Act enables any member of the Council to refer to the Overview and Scrutiny Committee any Local Government matter or any crime and disorder matter which affects their ward/division.<sup>1</sup>
- 1.3 The power to refer a matter is available only where the matter is of direct concern to the ward or division, which the Councillor represents. A Councillor can refer a matter even if no citizen has asked him/her to consider it, and there is no requirement for Councillors in multi-member wards to agree – any of the ward Councillors can refer a matter.

#### **2. Limitations**

- 2.1 It must be noted that CCfA is not guaranteed to solve a given problem. CCfA can provide a method for discussing such problems and, through discussion, trying to overcome them.

#### **3. Issues excluded from referral as a CCfA**

- 3.1 The Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008 excludes the following matters from referral as a CCfA:

---

<sup>1</sup> For definitions of a local government matter and a local crime and disorder matter please see explanatory notes pages at Appendix 3.

- Individual complaints concerning personal grievances or commercial issues.
- Any matter relating to an individual or entity where there is already a statutory right to a review or appeal (other than the right to complain to the Local Government Ombudsman), for example:

Planning and licensing applications and appeals  
 Council Tax/Housing Benefits complaints and queries  
 Issues currently under dispute in a court of law.

- Any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the Overview and Scrutiny Committee or any of its sub-committees.<sup>2</sup>

3.2 A referral, as long as it is not an excluded matter, will ensure that the matter is included on the agenda of the Overview and Scrutiny Committee. It is then up to the Committee to decide whether or not to take the matter further.

3.3 A referral made to the Overview and Scrutiny Committee is seen as being the end of the CCfA process (**the last resort**) and not the first step.

#### **4. Steps to be taken prior to making a Councillor Call for Action referral**

4.1 Prior to a Councillor referring a matter as a CCfA to the Overview and Scrutiny Committee, a Councillor **must** have tried to resolve the issue/problem themselves using all mechanisms and resources available to them at ward level. Councillors should:

- If a local crime and disorder matter, raise the issue through the Community Safety Partnership to find a way to resolve the issue.
- Ensure that all relevant partner organisations have been informed of the issue and given enough time to resolve it, for example through formal letters written on behalf of constituents, discussion at public meetings, petitions, communication with local MPs and Councillors in other Councils etc.
- Ensure that all relevant internal potential routes to solution have been followed, for example informal discussions with officers and/or members, questions at committees, motions on the agenda at full Council etc.
- Ensure that this is not an issue that is currently being or should be pursued via the Council's complaints procedure.

---

<sup>2</sup> For definitions of vexatious, discriminatory and not reasonable please see explanatory notes pages at Appendix 3.

- Check whether or not any other form of local scrutiny is investigating the issue, for example, Northamptonshire Joint Scrutiny Committee or one of the Northamptonshire District Council's Scrutiny Committees.

4.2 Attached at Appendix 2 is a flow chart detailing the above process.

## **5. How to make a Councillor Call for Action referral**

5.1 If the issue/problem is still not resolved the Councillor can refer it to the Overview and Scrutiny Committee as a "Councillor Call for Action". To do this the Councillor should complete and submit to the Scrutiny Officer a CCfA Request Form outlining what the issue is and what steps have been taken towards a resolution. The request form, a copy is attached as Appendix 1, is available on the Council's website ([www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)), or from the Scrutiny Officer. The request form for a CCfA includes:

- The name of the Councillor and ward they represent
- Title of the CCfA and date of submission
- Why you think the issue should be looked at by the Overview and Scrutiny Committee
- A brief précis of the main areas of concern
- What evidence has been collated in support of the CCfA
- Which areas or community groups are affected by the CCfA
- What you have done to try and resolve the issue prior to requesting a CCfA
- Whether the CCfA is currently the subject of legal action by any party (to your knowledge) or is being examined by a formal complaints process
- Whether there are any deadlines associated with the CCfA of which the Overview and Scrutiny Committee needs to be aware.

5.2 The Scrutiny Officer will receive the referral form, log it to track its progress, and, with the advice of the Borough Solicitor, will assess the issue to ensure that it is not a matter excluded from referral to Overview and Scrutiny Committee.

5.3 The Scrutiny Officer will inform the Chair of the Overview and Scrutiny Committee that the item will be included on the next Committee agenda. The Councillor will be informed whether or not their referral has been successful.

5.4 A successful referral will ensure that the CCfA will be placed on the next agenda of the Overview and Scrutiny Committee. It is then up to the members of the Committee to decide whether or not to take the matter further.

## **6. Decision of the Committee whether to take the matter further**

6.1 In deciding whether or not to take the matter further the Committee will consider:

- Anything that the Councillor has done in relation to this matter; and
- Representations made by the Councillor as to why the Committee should take the matter up. (Councillors have the option of either presenting their CCfA form without supporting papers, or of preparing a report setting out their views. Any reports prepared by Councillors will be circulated with the agenda alongside the CCfA referral form).

6.2 The criteria the Committee will use to decide whether or not to take the matter further include:

- Is the Committee satisfied that all reasonable attempts have been made to resolve the issue by the ward Councillor? And do the responses received by the referring Councillor demonstrate that the matter is not being progressed?
- Has the Committee considered a similar issue recently – if yes have the circumstances or evidence changed?
- Is there a similar or related issue, which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate CCfA hearing. Relevant time pressures on resolving the CCfA should be taken into account.
- Have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response has the Councillor received?
- Is this a case that is being or should be pursued via the Council's corporate complaints procedure?
- Is it relating to a "quasi-judicial" matter or decision such as planning or licensing?
- Is the issue part of an individual's own personal agenda (an issue of genuine local concern should have an impact on the local community).
- Is this an issue currently being looked at by another form of local scrutiny, for example Northamptonshire Joint Scrutiny Forum or one of the Northants District Councils.
- As with all scrutiny, does the matter referred have the potential for scrutiny to produce recommendations, which could realistically be

implemented and lead to improvements for anyone living or working in the referring member's ward?

- 6.3 In considering the CCfA, the Overview and Scrutiny Committee may invite the relevant Portfolio Holder, Chief Executive, Director, Head of Service or external organisation to discuss the issue with the Committee and answer any questions.
- 6.4 If the Committee decides not to accept the CCfA referral it must inform the Councillor and provide reasons.
- 6.5 If the Committee decides to accept the CCfA referral, it must decide how it intends to take the matter forward and include the CCfA in its work programme.
- 6.6 This could include:

**Before holding a formal hearing:**

- Asking the service area(s)/partner organisation(s) to respond to the CCfA
- Referring the issue to the appropriate Scrutiny Panel to undertake a more in-depth review.

**At the formal hearing**

<sup>3</sup>

- Asking for further evidence and/or witnesses to be brought to a future meeting then making recommendations to the Cabinet/partner organisation.

**7. Potential outcomes**

- 7.1 Following a formal hearing, there are a number of potential outcomes from the Overview and Scrutiny Committee meeting:
  - The Overview and Scrutiny Committee could determine not to make a report or recommendations (for example it is not considered the right time to consider a particular issue), with the ward Councillor notified in writing;
  - The Overview and Scrutiny Committee could determine that it is a complex issue that requires further investigation and commission the appropriate Scrutiny Panel to undertake a review of the issue;
  - The Overview and Scrutiny Committee could write a report and make recommendations on the CCfA to the Cabinet and/or relevant partners.

---

<sup>3</sup> Any formal hearing will be run along similar lines to a call-in hearing. Please see the explanatory notes pages at Appendix 3 for further details.



- 7.2 Once the Overview and Scrutiny Committee/Scrutiny Panel has completed its work on the CCfA referral the member who made the CCfA referral will receive a copy of any report or recommendations made. The report will also be made available on the Council's website, unless the matter was an exempt item, in which case the report cannot be made public.

## **8. Timescales**

- 8.1 Once a CCfA has been assessed as not being a matter, which is excluded from referral to Overview and Scrutiny Committee, the item will be included on the next Overview and Scrutiny Committee agenda.
- 8.2 If the Overview and Scrutiny Committee agrees to take the matter forward, the Hearing will normally be held as an item on the next available agenda. In exceptional circumstances, for example where there are unavoidable time constraints, a separate meeting may be convened.
- 8.3 Should a CCfA Hearing result in recommendations to Cabinet being made, Cabinet will usually respond to the recommendations, setting out any action it intends to take, within 28 days of the date of the Cabinet agenda on which the recommendations were placed.
- 8.4 Should a CCfA Hearing result in recommendations to partner organisations, such organisations will also be requested to make a response to the recommendations, although they are under no legal obligation to do so.



**NORTHAMPTON**  
BOROUGH COUNCIL

**NORTHAMPTON BOROUGH COUNCIL**

**Appendix 1 - Councillor Call for Action Request Form**

This form should be used by any Councillor who would like the Overview and Scrutiny Committee to consider a Councillor Call for Action in their ward.

**Councillor**

**Ward:**

**Title of your Councillor Call for Action:**

**Date of Submission:**

Have you approached the Overview and Scrutiny Committee on the same issue in the past six months?

Yes  No

Would you like your response by:

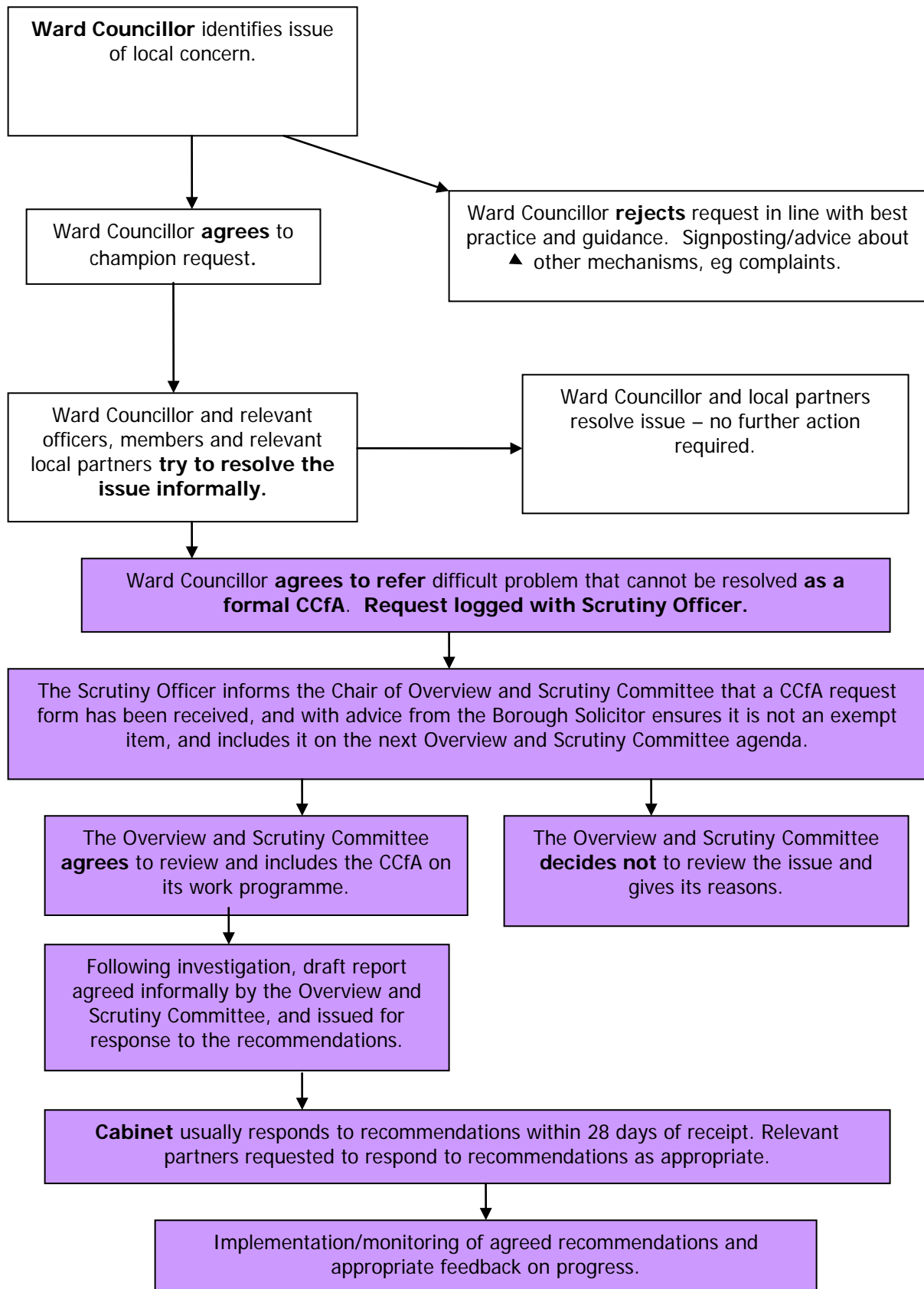
Email  Letter

<b>Why you think the issue should be looked at by the Overview and Scrutiny Committee:</b>
<b>Please give a brief precis of the main areas of concern:</b>
<b>Please supply evidence that you have in support of your CCfA:</b>
<b>Which areas or community groups are affected by the CCfA:</b>
<b>How have you tried to resolve the issue:</b>
<b>Is the CCfA currently the subject of legal action by any party (to your knowledge) or being examined by a formal complaints process?</b>
<b>Are there any deadlines associated with the CCfA of which the Overview and Scrutiny Committee needs to be aware:</b>

**Please complete and return the form to:**

Overview and Scrutiny  
Northampton Borough Council  
Guildhall  
St Giles Square  
Northampton NN1 1DE      email: [scrutiny@northampton.gov.uk](mailto:scrutiny@northampton.gov.uk)

## Appendix 2 – Summary of CCfA Mechanism



## Appendix 3 - Explanatory Notes

### 1. Definition of a local government matter and a local crime and disorder matter

#### Local government matter

For the purpose of the Act a local government matter, in relation to a member of a local authority is one which:

- relates to the discharge of any function of the authority;
- affects all or part of the electoral area for which the referring member is elected or any person who lives or works in the area (i.e. it must be specific to a particular locality); and
- is not an excluded matter.

However, the guidance produced by the Centre for Public Scrutiny and Improvement and Development Agency advises that, to give full effect to CCfA, the interpretation of “Local Government matter” needs to be broader. This includes issues relating to the Council’s partners, in line with the area focus of Comprehensive Area Assessment (CAA), and the fact that an Authority’s duties increasingly impact on other organisations, and involve partners within and outside the Local Strategic Partnership (LSP).

#### Local crime and disorder matter

A local crime and disorder matter, in relation to a member of a local authority, has been defined to mean a matter concerning:

- (a) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment); or
- (b) the misuse of drugs, alcohol and other substances that affects the electoral area represented by the member, or the people who live or work in that area.

### 2. Definitions of “vexatious”, “persistent”, “discriminatory” and “not reasonable”

Statutory regulations deal with matters that can be excluded from CCfA, stating, “any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the overview and scrutiny committee is to be excluded”.

#### Vexatious/Persistent

Deciding whether a request is vexatious is a balancing exercise, taking into account all the circumstances of the case. There is no rigid test or definition, and it will often be easy to recognise. The key question is

whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause.

Issues around persistency are implied by this definition. However, a persistent request may well be entirely valid – it may relate to a systematic problem that has not been effectively resolved.

CCfAs need to be looked at on their merits, rather than on the basis of who is bringing them, or whether somebody thinks there is an ulterior motive for them being brought.

Where a request for a CCfA is clearly vexatious, detailed reasons for coming to this decision will be given to the Councillor concerned. There could, however, be instances where changes to the scope of the CCfA, or its focus, could make it more acceptable while still meeting the Councillor's requirements.

#### Discriminatory

A modern interpretation of the word “discrimination” is provided at Section 45 of the Equality Act 2006, in relation to religion and belief, as follows:

*A person (A) discriminates against another (B) if on the grounds of the religion or belief of B or of any other person except A, A treats B less favourably than he treats others.* This definition can easily be amended to deal with other forms of discrimination, such as discrimination for reasons of sex and/or race. So a discriminatory CCfA might be one which implies or states that a group of people or an area should receive better, or worse, services on account of that group's predominant religion, race, gender or other characteristic, as covered by discrimination legislation.

#### Not reasonable

It is suggested that, in the interests of transparency, authorities do not interpret “not reasonable” as being the same as the legal word “unreasonable”. It is best to consider it as a qualifier to the word “vexatious”, as a vexatious request is likely not to be reasonable and a request that is not reasonable is likely to be vexatious.

### **3. Structure of the CCfA hearing**

A CCfA hearing will be based on the Overview and Scrutiny Committee's protocol for dealing with call-in hearings.

The CCfA protocol (appendix 4) is intended to formalise the conduct of CCfA hearings and the preparation work carried out in the run-up to such a hearing. It should be noted, however, that the protocol may be varied by the Chair of the Overview and Scrutiny Committee to meet the requirements of any particular circumstances.



## **NORTHAMPTON BOROUGH COUNCIL**

### **COUNCILLOR CALL FOR ACTION PROTOCOL**

#### **Prior to the hearing**

1. The CCfA Request Form and any additional papers provided by the referring Councillor will be published with the agenda for the meeting.
2. The referring Councillor and relevant Portfolio Holder(s), officers and partners will be invited to the meeting.
3. Any other relevant external witnesses will be invited to the meeting.
4. Five working days' notice of a request to attend the meeting will be given to all participants. If a question plan is to be produced, five working days' notice of the questions planned will also be given to participants.
5. Prior to the meeting any member who may have a conflict of interest will be given relevant advice by the Monitoring Officer.

#### **The hearing**

1. The CCfA hearing will normally be the first item of business on the agenda, in order that participants and other witnesses are not kept waiting.
2. Participants and witnesses will be required to wait in a separate seating area or the public gallery and called to the table by the Chair at the appropriate point.
3. The referring Councillor will be invited to make a presentation outlining his or her main reasons for referring the matter as a CCfA. A question and answer session will follow.
4. Any other parties relevant to the hearing, for example Portfolio Holders, officers or partners, will be invited to make presentations



outlining their response to the CCfA. Question and answer sessions will follow.

5. Any other relevant external witnesses will be invited to make a presentation to the Committee without interruption, following which there will be a question and answer session.
6. Witnesses will be given the opportunity to add any points of clarification before any resolution or recommendation is moved.
7. The referring Councillor will be given the opportunity to add any points of clarification before any resolution or recommendation is moved.



## OVERVIEW AND SCRUTINY COMMITTEE

### Meeting Guidance

- 1 As the Overview and Scrutiny meetings are business meetings of the Council, only members of the Committee and staff supporting Overview and Scrutiny should sit at the Committee table for the duration of the meeting.
- 2 Only Committee members will be able to ask questions of individuals presenting evidence to the committee.
- 3 Individuals other than Committee members should inform the Chair prior to the meeting of their wish to speak at the meeting. Whilst waiting to be called to speak, they should be seated in the public gallery. The Chair will decide the appropriate time to call the speaker to the table. Once the speaker has finished what they wish to say, they will be requested to leave the table.
- 4 The public will be able to speak at an Overview and Scrutiny Committee meeting if they are providing relevant information to an agenda item. It is important for the efficiency of the meeting that individuals wishing to make the same points are represented by one individual who can state that they are a representative. Public speaking will however be limited to three minutes.
- 5 Where the public wish to raise new issues for scrutinising this should be done in writing.
- 6 Overview and Scrutiny Committee meetings will normally commence at 6pm and finish at approximately 8pm. If required by the Chair, the Overview and Scrutiny Officer

## Northampton Borough Council Overview and Scrutiny

will produce a timed agenda sheet; i.e. estimated timescales for each agenda item, for the Chair's to use as a guide during the meeting.



**NORTHAMPTON**  
BOROUGH COUNCIL

## **NORTHAMPTON BOROUGH COUNCIL**

### **PROTOCOL FOR THE INCLUSION OF NON-EXECUTIVE COUNCILLORS IN THE OVERVIEW AND SCRUTINY PROCESS**

1.1 The new political structures adopted in May 2010 provided for one Overview and Scrutiny Committee comprising 15 councillors whose job it is to:

- Receive Call-ins of Cabinet decisions
- Establish a yearly Scrutiny Work Programme
- Set up Scrutiny Panels to scrutinise policy development and service delivery
- Monitor the outcomes of scrutiny reviews

1.2 Scrutiny Panels play a critical role in informing future policy development in the council as well as scrutinising current policies and services both inside and outside the council.

1.3 It is important therefore that all non-executive councillors have the opportunity to be involved in the work of the Scrutiny Panels as it will:

- Give a wider democratic representation to inform the groups work
- Widen the knowledge and skills resource base of councillors involved in scrutiny.
- Give them a 'hands-on' opportunity to make a difference in areas of work that they have a specific interest in

1.4 It is hoped that non-executive councillors will elect to work on at least one Scrutiny Panel a year. The following will be put into place to help councillors to be involved:

- The draft Scrutiny Work Programme will be circulated to all non-executive councillors in May at the Annual Council

meeting, asking if they have a specific interest in any of the investigations scheduled in the forthcoming year.

- Scrutiny Panels will comprise a minimum of one Overview and Scrutiny Councillor and one non-executive Councillor. It is envisaged that an Overview and Scrutiny Councillor will chair the Scrutiny Panel.

1.5 In this Protocol the term "non-executive Councillor" refers to all Councillors other than the Leader and members of the Cabinet.

# Northampton Borough Council Overview and Scrutiny



**NORTHAMPTON**  
BOROUGH COUNCIL

## **Northampton Borough Council Overview and Scrutiny Media Protocol**

This Protocol defines Northampton Borough Council's approach to communications for its Overview and Scrutiny function when dealing with the media.

It applies to the publication of Overview and Scrutiny review reports and reactively dealing with any resulting enquiries from the media.

This protocol is designed to achieve three outcomes:-

- To publish and publicise the outcomes from the Council's Overview and Scrutiny reviews;
- To be clear about roles and responsibilities in the Council for publishing the outcomes of Overview and Scrutiny reviews in relation to the Council's policy on communications with the media; and
- To make sure the Council has a consistent and uniform approach in dealing with the media

On publication of a review the Overview and Scrutiny Officer will complete an Overview and Scrutiny Review Information sheet, copy attached at Appendix A. The Council's Corporate Communications team will post the information on the Council's website and email it to local media contacts. The information sheet will include a Chair's statement representing the outcomes of the Scrutiny Panel and contact details for the Chair.

The Chair of the Scrutiny Panel will be available for media enquiries directly. The Chair's statement will represent the views and outcomes of the Scrutiny Panel. Advice on handling enquiries will be available from the Corporate Communications Team.

## Northampton Borough Council Overview and Scrutiny

In dealing with the media it is crucial that issues are identified that may provide an opportunity for positive publicity or which may be contentious and plan for them as early as possible. The Overview and Scrutiny Committee will update the Corporate Communications team about reviews that are planned and may be due to be published.

# Northampton Borough Council Overview and Scrutiny

Appendix A



## Northampton Borough Council Overview and Scrutiny Review

Review Title:

Date:- .....

Chair:- .....

Other Councillors :- .....

.....

Purpose of the Review:- .....

.....

.....

Summary:- .....

.....

.....

.....

Findings:- .....

.....

.....

.....



# Northampton Borough Council Overview and Scrutiny

Recommendations:- .....

.....

.....

.....

.....

Chair's Statement:- .....

.....

.....

.....

.....

.....

A copy of the full report is available from the Overview and Scrutiny Officer and will be published on the Council's website: [www.northampton.gov.uk/scrutiny](http://www.northampton.gov.uk/scrutiny)

# Northampton Borough Council Overview and Scrutiny



**NORTHAMPTON**  
**BOROUGH COUNCIL**

## **NORTHAMPTON BOROUGH COUNCIL**

### **OVERVIEW AND SCRUTINY**

#### **OFFICER SUPPORT PROTOCOL**

##### **All Officers**

All officers have a duty to support all members of the Council. In respect of Overview and Scrutiny, this could involve attending meetings, giving briefings, advising Overview and Scrutiny members and providing information.

In addition to this, the following groups of officers have specific roles to support the overview and scrutiny process:

- Chief Executive, Directors and Heads of Service
- Overview and Scrutiny Officer
- Meeting Services

##### **Senior Officers**

The role of Directors and Heads of Service is to:

- Co-ordinate officer attendance at the Overview and Scrutiny Committee meetings and Scrutiny Panels from within their teams when requested.
- Co-ordinate the preparation and submission of materials to Committees and Scrutiny Panels when requested, and within the agreed timescales.
- Support Portfolio Holders in responding to the Overview and Scrutiny Committee recommendations
- Provide briefings for Committee on issues relating to their service, as requested by members.

##### **Overview and Scrutiny Officer**

The Overview and Scrutiny Officer is a significant dedicated resource to support the work of the Overview and Scrutiny Committee, and offers Overview and Scrutiny Committee independent support that is not aligned with a service-based Department.

# Northampton Borough Council Overview and Scrutiny

The role of the Overview and Scrutiny Officer is to provide advice, guidance and support to the Council's overview and scrutiny function. In addition to direct support to Overview and Scrutiny Committee, this includes promoting the overview and scrutiny function internally and externally, and ensuring that it is operating to best effect.

The Overview and Scrutiny officer provides support to the Committee in drawing up work programmes, planning reviews, and preparing reports and recommendations. They will provide direct research support or commission professional advice / identify external witnesses as appropriate. The Overview and Scrutiny officer also:

- Supports the Committee chairmen in the setting of agendas,
- Informs senior officers of the Overview and Scrutiny Committee's work programmes and co-ordinate support from these officers, ensuring that these officers are notified as early as possible of any evidence requirements.

It is not the role of the Overview and Scrutiny Officer to provide political support to individual Members or Groups.



## **Overview and Scrutiny Councillor's Conduct Protocol**

Effective Overview and Scrutiny of the Council's policies, decision making and delivery of services is a legal requirement of non-executive councillors.

This Protocol seeks to clarify the standards of conduct expected of those Councillors involved in the Overview and Scrutiny and Scrutiny Panel's processes and give guidance to those councillors who are involved in this work.

Compliance to the following standards is required of all Overview and Scrutiny councillors and a breach of the standards will be referred in the first instance to the Chair of Overview and Scrutiny Committee and if unresolved to the Chair of the Standards Committee:

1. The Overview and Scrutiny Committee and the Scrutiny Panels will conduct their business in a friendly and orderly way in order to maximise the participation of all Members and facilitate constructive debate. In so doing, Councillors will refrain from personal criticism of other Councillors and officers, whatever their position in the Council.
2. Attendance by all Councillors is important to ensure the democratic processes are achieved, all points of view are given and full discussion takes place with continuity of discussion and debate. Those councillors appointed to the Overview and Scrutiny Committees and Scrutiny Panels will therefore be expected to give priority to attending scheduled meetings.

## Northampton Borough Council Overview and Scrutiny

3. Individual Councillors will be expected to uphold the highest standards of probity and integrity as laid down in the Member's Code of Conduct and set out in the Council's Constitution. They will use their powers of scrutiny in a manner worthy of the trust placed in them by the local people.
4. Scrutiny Councillors will be expected to engage in all scrutiny learning and development opportunities provided by the Council in order to carry out their roles as effective scrutineers.
5. The Chairs and Vice Chairs of the Overview and Scrutiny Committee and Scrutiny Panels will ensure effective working relationships with the Party Whips.

# Northampton Borough Council Overview and Scrutiny



## Northampton Borough Council

### **Pre-decision scrutiny of Forward Plan items Protocol**

The Leader and relevant Portfolio Holders attend the Overview and Scrutiny Committee to outline his aims and objectives for the year and issues likely to be in the Forward Plan.

From this the Overview and Scrutiny Committee considers areas where Overview and Scrutiny will contribute.

The Overview and Scrutiny Officer includes any additional Forward Plan items, not considered by the above process, on the agenda of the Overview and Scrutiny Committee.

The Overview and Scrutiny Committee determines which items it would like an input into, based on strategic impact, relevance to the Committee's work programme, public interest and/or financial implications, and Overview and Scrutiny Officer, on behalf of the Chair, advises the relevant Director of the Overview and Scrutiny Committee's request for pre-decision Scrutiny. The Director will consider the request, in particular in respect of timings and will then provide a response to the Chair. The request for pre-decision Scrutiny also requires the agreement of the Leader and relevant Portfolio Holder.

The Director and Portfolio Holder will attend the meeting to discuss the issue and set out the nature of the matter under consideration, the key issues identified, any constraints, timescale for a decision, intended impact and a summary of progress to date.

## Northampton Borough Council Overview and Scrutiny

The Overview and Scrutiny Committee discusses the issue and identifies any points it would like addressed in the final report. These are minuted.

If necessary, and timescales allow, a further report may be requested by the Overview and Scrutiny Committee.

The report author drafts the final report for Cabinet, clearly identifying points raised by the Overview and Scrutiny Committee and demonstrating how they have been addressed. This will clearly demonstrate how Overview and Scrutiny is contributing to better cross-party decision-making.

The Overview and Scrutiny Committee would not usually have an input at this stage, although they would retain the right to call-in the decision after it had been made. Where it was felt appropriate for the Overview and Scrutiny Committee to consider a draft final report for Cabinet, it must be approved for release by the relevant Corporate Director, the Leader and the relevant Portfolio Holder, before submission to the Overview and Scrutiny Committee.

The final report is submitted to Cabinet.

# Northampton Borough Council Overview and Scrutiny



## Protocol for Public Address at the Overview and Scrutiny Committee and Scrutiny Panels

It is the stated intention of Northampton Borough Council to seek the views and encourage the active participation of its citizens whenever possible. Such an opportunity exists within the agenda of public council meetings under the heading of **Public Address**.

An address by a member of the public on an issue which is due to be discussed at a Committee/Panel Meeting can make a valued contribution to the understanding of the Committee/Panel and to the ultimate decision making process.

As such it is important that anyone using the Public Address process should do so in a responsible and respectful manner and in order to maximise the benefit of their contribution they should:

- Ensure their contribution is within the time limit set by the chairperson (normally 3 minutes).
- Ensure their comments are directly related to the agenda item on which they have requested to talk.
- Avoid repeating points made by earlier public speakers; repetitious comments will be curtailed by the chair.

---

NAME	Group or organisation represented	Agenda Item and Main point or focus of address



# Northampton Borough Council Overview and Scrutiny



NORTHAMPTON  
BOROUGH COUNCIL

## OVERVIEW AND SCRUTINY

### REPORTING PROCESS

1. It will be the role of the Scrutiny Panel to cause a report to be prepared on a subject that has been assigned to it by the Overview and Scrutiny Committee.
2. The report will contain relevant evidence and/or opinion from persons who have been asked to contribute. They will be asked to confirm the accuracy of the evidence/opinion in it. The Overview and Scrutiny Officer who is supporting the Scrutiny Panel, will prepare the report in draft and invite the Scrutiny Panel to approve it at the next suitable meeting.
3. Once approved, the report will be sent to Heads whose Service is affected by its contents. The Heads of Service will be invited to comment on the accuracy of the contents, especially on technical matters within their competence. They will submit any such comments to the Overview and Scrutiny Officer within 10 working days of receiving the invitation.
4. If the Overview and Scrutiny Officer so decides, having received any such comments, a meeting of the Scrutiny Panel will be convened to decide whether to review its approval of the report.
5. The report once finally approved, will be submitted at the next available meeting of the Overview and Scrutiny Committee for its approval.

6. The report, once approved by the Overview and Scrutiny Committee, will be submitted at the next available meeting of the Cabinet for its consideration and acceptance. It is expected that the Portfolio Holder affected by the contents of the report, and the Chair of the Scrutiny Panel will attend relevant meetings of the Cabinet and of the Overview and Scrutiny Committee.
7. The Overview and Scrutiny Committee will meet, within about two months of the date of the meeting at which Cabinet first considered the report, to consider the Cabinet's response to the report and, in particular, its acceptance of the report recommendations.
8. The Overview and Scrutiny Committee will monitor their implementation at a meeting within six months thereafter, by questioning the relevant Portfolio Holder.
9. If the Overview and Scrutiny Committee is unhappy with the implementation it will meet again until it is.

# Northampton Borough Council Overview & Scrutiny



## **Guidelines for operation of Scrutiny Panels**

Scrutiny Panels need to operate on a relatively informal basis in the sense that they are a forum for information gathering and discussion between group members and officers rather than a formal decision making body. They have no delegated powers.

Information about each new Scrutiny Panels will be included on the Council's intranet site on the Overview and Scrutiny webpage.

Early within the project and wherever possible, the Scrutiny Panel should identify details of any co-optees or contributors required to further the gathering of evidence and enhance the process or provide specific knowledge.

Meetings will take place as often as needed until the task is complete, on average around every six weeks. Following the scoping (planning) meeting, the Panel should aim to hold the necessary meetings within as short a timeframe as possible so that findings do not become out of date before completion of the task.

Visits can also be very useful in helping Scrutiny Panels to get to grips with issues and should be arranged for the Panel, or individual representatives of the Panel, as needed.

Meetings of the Scrutiny Panels will be less formal than meetings of Overview and Scrutiny Committee. They require an approach that allows all members of the Panel to participate fully, and incorporates questioning and discussion with contributors. Informal ways of working are to be encouraged. There will be considerable discussion between members the Panel and people asked to give information.

In the event that the task involves research, the Panel must always ascertain whether such research is/has already been undertaken elsewhere e.g. Overview and Scrutiny Committee, directorate, partner organisation.

The chair of the Scrutiny Panel has a role to make sure all Councillors have the opportunity to know about activities of the Scrutiny Panel. Members of the Overview and Scrutiny Committee will be kept informed regarding progress of tasks through commission planning

# Northampton Borough Council Overview & Scrutiny

and progress reports. All Councillors can obtain information at any time during a review via the Council's intranet site or the Overview and Scrutiny Officer.

In discussing issues to reach conclusions and make recommendations it is hoped that the Panel will be able to reach agreement by consensus. If following discussion on a particular issue, agreement cannot be reached; a minority view on a particular issue will be included in any report to the Overview and Scrutiny Committee.

Members of the Scrutiny Panel should operate within the agreed plan for the task and must not disclose or use any information/knowledge obtained through involvement in the group for any other purpose. This also applies to Councillors not on the Scrutiny Panel who have requested information about the work being undertaken.

Councillors should not do anything to pre-empt or undermine the outcome of a Scrutiny Panel's recommendations.

The chair of the Scrutiny Panel has joint responsibility, with the chair of the Overview and Scrutiny Committee, for the issuing a media briefing in relation to completed review work and any subsequent media interaction needed. The Overview and Scrutiny Officer will assist with this role in liaison with the Corporate Communications Unit.

## **Membership**

Membership of a Scrutiny Panel will initially be drawn from the Overview and Scrutiny Committee. It is usual for a member of the Overview and Scrutiny Committee to be designated Chair for a Scrutiny Panel but on occasions, a non-Executive, who is not a member of the Overview and Scrutiny Committee, may be nominated Chair of a Scrutiny Panel. Should it be felt that membership of the Scrutiny Panel should be widened to include non-Executives (who are not members of the Overview and Scrutiny Committee); the Chair will issue an email inviting non-Executives to take part.

The membership of each Scrutiny Panel will vary, between a minimum of two Members to a maximum of seven, according to the purpose for which it is established.

Non-Executives may join the membership of a Scrutiny Panel, until the Scrutiny Panel has begun to receive evidence. After this point the membership of the Scrutiny Panel should not be increased as all Members of the Scrutiny Panel will be required to receive and hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process. The Chair of the Overview and Scrutiny Committee will delegate authority to the Chair of the Scrutiny Panel to determine the membership of the Scrutiny Panel.

Political balance will not apply. Should more than seven Members want to take part, a decision would be taken by the Chair of the Scrutiny Panel to ensure that at least one Member of each political group was allocated to the Scrutiny Panel.

There is no Substitute Scheme for Members unable to attend any meetings of the Scrutiny Panels, due to the fact that all Members of the Scrutiny Panel will be required to receive and

# Northampton Borough Council Overview & Scrutiny

hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process

Any of the Scrutiny Panels may appoint non-voting co-opted Members. Co-opted members will have an opportunity to influence the Scrutiny Panel's lines of enquiry, but they will not be able to take part in any vote, if one takes place. The Scrutiny Officer will provide relevant training to Co-opted Members on the Overview and Scrutiny process.

## **The review process**

### **Planning and scoping**

Councillors need to be thoroughly involved in the planning of a review. Having been given an indication of what the scope should be through the agreed suggestion form, the Scrutiny Panel should consider the specific issues it will cover and agree a plan for the task. They should be assisted in this by advice from officers.

The plan should set out:

- 1 A clear statement of the scrutiny topic.
- 2 The aim (or purpose) of the project.
- 3 The scope of the project -what will be included and excluded.
- 4 Any specific questions to be answered.
- 5 Specific concerns or issues, which should be addressed.
- 6 How it will contribute to achieving Corporate Priorities
- 7 Initial list of key stakeholders, partners or other agencies to involve.
- 8 Initial list of witnesses, both internal and external, to involve
- 9 Timescale for completion of the task.

Within the agreed scope, members of the Scrutiny Panel decides what information it needs and what questions to ask and if external expertise should be involved. Where needs are identified consideration should be given as to why that information/contact etc is necessary. This may include which people or organisations should be consulted and at what stage further consultation may be appropriate. In addition, the group should consult appropriate contacts on their views at the planning stage – this should include the equalities and communications teams.

### **Gathering information**

Once the planning is finished, the group will actively gather its evidence. Some of this will be written information, such as council documents, national guidance or information from organisations providing a similar service. Information can also be collected by asking people questions. Evidence to Scrutiny Panels from officers should be fact-based and not contain recommendations unless presented in the form of options. Questioning should be aimed at trying to understand and explore issues rather than at catching the witness out. Members of the group should avoid making statements rather than asking questions. Information might also be gathered from user groups, the public, other interested parties or partners. Sometimes the group will think that their enquiries would benefit from a site visit or other activities such as by directly trying the service.

Site visits by members of a Scrutiny Panel can be an extremely valuable part of the process

# Northampton Borough Council Overview & Scrutiny

and could inform Councillors' questioning of subsequent contributors.

If the Panels want to hold a public meeting to seek views on an issue they can. Members of Scrutiny Panels should be engaging with other organizations, partners, user groups, other councils etc and talking to people who are affected by the issue being considered to make sure they are gathering information.

Rather than minutes of the meeting, notes are taken to record evidenced given at meetings of the Scrutiny Panels. The notes allow people who have contributed information to check if has been understood properly.

## **Reflect, learn and draw conclusions**

When the Panel has gathered all the evidence it needs, it will assess it and reflect on what it has learned. A draft report is written to help this process. This helps the Panel to draw conclusions from what they have learned. The report of the Scrutiny Panel's recommendations must be an expression of the views of the Panel rather than a report to the Panel written by Officers. This means that it is important for members of the Panel to express their views at the drafting stage.

The relevant department will normally be given a chance to comment on the draft report before the group makes recommendations. This is an opportunity for factual corrections to be made. Sometimes the report relates to work by bodies outside the council. In that case, these bodies may be consulted.

## **Updates to the Overview and Scrutiny Committee**

The Chair of each Scrutiny Panel will provide a briefing note detailing progress of the Review to every meeting of the Overview and Scrutiny Committee. The Chair will take questions for points of clarification only. The agenda item of 'Scrutiny Panel Updates' will not be debated or elaborated upon until such time as the Scrutiny Panel submits an interim/final report for the Overview and Scrutiny Committee's debate.

## **Report findings and recommendations**

At the end of each review reports need to be produced that are written in clear English. The reports must outline the information gathered and information be presented in a variety of ways so that they are interesting and easy to read.

The final report will be based on facts collected and give a full picture of the issues under scrutiny. It will reflect the range of views presented to the Scrutiny Panel. The report will contain conclusions (key findings) and clear recommendations.

Generally, when the report is endorsed it will be by consensus among all members of the Panel. However, occasionally agreement cannot be reached, so the views of all members will then be reflected in the report.

When the Scrutiny Panel has finished its report, the Chair of that Panel presents the work to the parent Overview and Scrutiny Committee. As part of this process, they will explain the work that has been done and ask the Committee to support its recommendations. The Committee could also comment on the report or ask for further work to be done.

# Northampton Borough Council Overview & Scrutiny

## **Producing the Report**

Having considered all the evidence the Panel will reach conclusions and make recommendations that will be made public in a report. However, organisations that have participated in the review will be sent a draft copy; this will enable them to comment on the factual accuracy of the evidence relating to their organisation and inform the group of implications of the recommendations that may not have been considered.

Findings and recommendations of Scrutiny Panels will be presented to the Overview and Scrutiny Committee for endorsement before submission to Cabinet and/or Council.

The Overview and Scrutiny Committee will monitor the implementation of the recommendations that have been made approximately six months after Cabinet has received the report.



## **Overview and Scrutiny Site Visit Protocol**

The purpose of this Protocol is to provide guidance on the format of site visits carried out as part of a Scrutiny Review and on the collection and reporting of evidence by Members of the Scrutiny Panels on such site visits.

Site visits can also be very useful in helping Scrutiny Panels to get to grips with issues and should be arranged as needed.

1. When a scrutiny site visit is to be conducted the host should be sent:
  - Information on the purpose of the visit
  - Information on the Scrutiny Review and how comments may be used
2. Before a site visit Members of the Scrutiny Panel will be provided with:
  - An information sheet including relevant details (and a map if necessary)
3. The Scrutiny Officer will attend the site visit, make notes and produce a report on the findings of the site visit for the consideration of the relevant Scrutiny Panel details of which will be included within the Scrutiny Panel's final report.
4. Members of the Scrutiny Panel, who have attended the site visit, will have the opportunity to add additional feedback on the report of the site visit at a future Scrutiny Panel meeting.
5. The Scrutiny Panel will have the opportunity to decide how this additional feedback should be used, for example, whether it supports previous evidence, identifies the need to collect further evidence or identifies a new issue to scrutinise that is within the scope of the Scrutiny Panel.

NB: Members should be aware that written feedback will form part of the evidence available to the Scrutiny Panel and will also constitute a background paper that will be available on request.

### **Attendance at the Site Visit**

- 1 A mutually convenient date will be set with the host and the visiting Scrutiny Panel Members.
- 2 All Scrutiny Panel Members will be notified of the date and timings for the site visit and be informed of relevant transport arrangements.



- 3 Members of the Scrutiny Panel are committed to developing an effective relationship between Scrutiny and Cabinet Members; therefore on occasions a Scrutiny Panel may invite the relevant Portfolio Holder to attend a Scrutiny site visit. Attendance by the Portfolio Holder at any Scrutiny site visit is at the discretion of the Chair. It will be explained to the Portfolio Holder that their role on the visit would be in the capacity as an observer and as such any questioning will be directed to the host by Members of the Scrutiny Panel only. Overview and Scrutiny Members acknowledge and respect the different rights and roles of both Scrutiny and Cabinet Members, and recognise the interdependency of the two functions on each other.

## **Support**

To support this Protocol the Scrutiny Officer will provide:

- Information on the purpose of the site visit
- Information on the Scrutiny Review and how comments may be used in the evidence base
- Support for Members of the Scrutiny Panel, which includes in terms of providing advice to the Chair and Scrutiny Panel Members, research, production of briefing notes and drafting the Scrutiny Panel's final report



## **OVERVIEW AND SCRUTINY WORK PROGRAMME PROTOCOL**

The Overview and Scrutiny Committee will produce a work programme, which sets out the work of the three Scrutiny Panels for the 12-month period, although it may go beyond this.

The work programme will comprise priority issues, so as to allow for the inclusion of ad hoc and urgent items during the year.

In compiling the work programme for the forthcoming year the Overview and Scrutiny Committee will take into consideration the overall effect of the strategic plans of the Council, including:-

- The Community Strategy
- The Corporate Plan
- The Council's Annual Budget
- Forward Plan
- The Leader and Portfolio Holders priorities for the year

Overview and Scrutiny will consider other issues in addition to its work programme. In the first instance an approach should be made to the Chair and Vice Chair for an issue to be included.

It is important for Overview and Scrutiny to report its workings and recommendations for future work programmes to Council at least once a year.

A draft work programme will then be presented to the first meeting in the new Municipal year of the Overview and Scrutiny Committee for adoption. The order in which the work programme will run is a matter for the Overview and Scrutiny Committee to determine. Once adopted, the work programme will be published.



## WITNESS PROTOCOL

### 1 GUIDANCE FOR COUNCILLORS REGARDING WITNESS EVIDENCE

Witnesses are an essential ingredient when undertaking an overview and scrutiny review and their evidence is an invaluable source of information. Attending an Overview and Scrutiny Committee or Scrutiny Panel will often be a new experience for people. It should be remembered that external witnesses are present on a voluntary basis.

The following guidance is written to ensure the experiences for witnesses when giving evidence are positive and stress-free.

The Overview and Scrutiny Officer will:

- 1 Give witnesses as much notice as possible of the time, date and place of the meeting at which their evidence is to be taken
- 2 Inform the witness of the purpose of the review and the areas on which the overview and scrutiny body will want to question them
- 3 Wherever possible give the witness a list of questions, or the line of questioning, in advance, explaining that this will not be a restrictive list
- 4 Provide witnesses with copies of reports, papers and background information where appropriate
- 5 Indicate whether any written documents are required in support of the witness's oral evidence. Requests for presentations will be made a minimum of one week prior to the meeting.

## Northampton Borough Council Overview and Scrutiny

- 6 Invite witnesses to submit written evidence, if appropriate, and where this is provided it should, be circulated to the committee/group in advance of the meeting at which the evidence will be taken.
- 7 Inform witnesses that the Overview and Scrutiny meeting is held in public, is open to the press and that all reports are public documents unless they contain exempt or confidential information.
- 8 Inform witnesses that Scrutiny Panels are not public meetings, but the evidence submitted to them are submitted for public viewing.
- 9 Respect the right of external witnesses to decline to attend council meetings, but submit written evidence instead.
- 10 Arrange for witnesses to be introduced to the Chair of the meeting prior to the start of the meeting.
- 11 Introduce witnesses to the committee/group
- 12 Ensure all witnesses are treated with courtesy and respect
- 13 Ensure all questions to witnesses are made in an orderly manner under the direction of the Chair and that councillors ask questions relevant to the objectives of the review.
- 14 Provide the Review findings to all witnesses who request them.

## 2 QUESTIONING TO GAIN THE MOST FROM WITNESSES

The evidence of witnesses to a review may often be the most valuable source of information. However, if the questions are not the right ones they may not be effective in soliciting the best information. Asking questions is not about profiling yourself, making a personal speech or arguing with witnesses as this can put them off giving evidence. Considering what questions to ask and the types of question to use to gain focused information often means preparation beforehand. Below are examples that can be considered.

### **Question types**

Most people will be familiar with the two basic question types 'open' and 'closed'. These can be described as follows:

#### **Closed:**

Are used when you require a brief factual answer as they close down discussion e.g.

*"What is your name?"*

*"Do you work in other organisations?"*

#### **Open:**

Are used to gain more than a 'yes' or 'no' answer as they stimulate further discussion on an issue e.g.

*"Please give us an example of how your service has improved?"*

*"Tell us about how your service is organised"*

But there are also some questioning styles, which can elicit different types of responses and therefore different outcomes.

In preparing for questioning witnesses, it might be helpful to think about the way in which questions can be asked to get the outcome that you are looking for.

#### **Probing:**

Seek verifiable data and usually start with the words who, what, why, where, when, or how. They are used to gather information about a situation e.g.

## Northampton Borough Council Overview and Scrutiny

*“How much have we spent on this service this year?”*

“Who was consulted before the changes were implemented?”

### **Opinion finding:**

Ask for subjective information that gets at opinions, values or beliefs. They will help you understand views e.g.

*“Do you think people understand the services available?”*

*“How do you feel the consultation went?”*

### **Getting the detail:**

Can help find out more specific detail from the witnesses e.g.

*“You mentioned costs a moment ago – can you be more specific?”*

*“Explain that in more detail for us please.”*

### **Best/least questions:**

They are similar to opinion finding questions as they help to test the limits of participant’s needs and wants e.g.

*“What is the best thing about the service we offer?”*

*“What is the worst thing about the way we publicise our services?”*

### **Third party questions:**

Can help people express sensitive information and help uncover thoughts in an indirect manner, but beware that they do not become leading questions e.g.

*“Some people say it takes too long to get a response from our services. How does that sound to you?”*

### **Crystal ball or hypothetical questions:**

Can help to explore ideas e.g.

*“If time and money were no object, what sort of computer system would you design for the department?”*

### **Questioning do’s and don’ts**

To make the best use of the time available for a witness, it is important to think about not only the type of question but also the way in which it is asked. The following suggest some issues to think about:

## Northampton Borough Council Overview and Scrutiny

### **DO:**

- Ask clear concise questions covering a single issue
- Ask challenging questions that will stimulate thought
- Ask reasonable questions based on what witnesses will know about
- Ask honest and relevant questions
- Ask a question
- Allow time for thoughtful responses

### **DON'T:**

- Ask rambling, ambiguous questions that cover a number of issues
- Ask questions that don't provide opportunity for thought
- Ask questions about issues not in the witness's knowledge
- Ask "trick" questions designed to confuse witnesses
- Make a personal statement or a speech
- Let witnesses cross-examine each other
- Talk or leave the room when people are giving evidence

### **3 GUIDANCE FOR WITNESSES AT OVERVIEW AND SCRUTINY REVIEW BODIES**

The following list provides some useful guidelines in giving evidence for a review being undertaken by an Overview and Scrutiny body of Northampton Borough Council. It is intended for use by internal and external witnesses and should be read together with the Council's Guidance for Witness Evidence:

- 1 **Contacts** – every review will have a named review coordinator. You will be given this person's name, please use them as your point of contact.
- 2 **Topic** – make sure you are clear of the topic and the areas that the committee/panel would like you to address. If you are not sure ask the review coordinator.
- 3 **Discussion** – discuss your contribution with the Review Coordinator in advance, especially if this is the first time you have given evidence to an overview and scrutiny body.
- 4 **Contribution** – be prepared to be asked for your opinions and views as well as to give factual information. If you are asked to provide written evidence, make this as simple and as concise as possible – if you are a Council officer remember that you are not presenting a committee report but providing information to help the councillors conducting the review.
- 5 **Presentations** – if you have been asked, or have offered, to give a presentation in relation to your evidence to the committee/group let the review coordinator know what equipment you will need. Please provide copies of your presentation for Members of the panel – wherever possible in advance of the meeting.
- 6 **The meeting** – Members of the committee/group want to make sure participants feel free and able to attend so they will ensure that meetings are as informal as possible and that you are able to contribute fully to the topic under review.





## **EMPLOYEE GUIDE TO OVERVIEW AND SCRUTINY**

### **Your Role in Overview and Scrutiny – What is expected of you?**

Overview and Scrutiny is the main way by which Cabinet is held to account in public. As well as scrutinising individual decisions, scrutiny has an important role in reviewing Council policies and making recommendations, to the Cabinet or full Council, on future policy options. It can also review the discharge of non-Executive functions and reports on matters of more general concern. This summary guide provides you with a snapshot of the various ways in which you might get involved in Overview and Scrutiny.

These are:

- Overview and Scrutiny
- Call-in
- Preparation information for overview scrutiny members i.e. preparing a briefing note or Committee report
- Getting involved in a detailed review

The Overview and Scrutiny function is supported by an Overview and Scrutiny Officer who provide advice and support to Councillors to undertake their work. This includes research, analysing data and report preparation.

Northampton's Overview Scrutiny Structure is:

- One Overview and Scrutiny Committee and three standing Scrutiny Panels
- The Scrutiny Panels carry out wide ranging Reviews
- 
- The Overview and Scrutiny Committee co-ordinates and manages the work of the Overview and Scrutiny Panels.

# Northampton Borough Council Overview and Scrutiny

The Committee comprises fifteen Councillors three of which will normally be the Chairs and the three Scrutiny Panels. The Committee has the following responsibilities:-

- Co-ordinating work programmes
  - Allocation of resources
  - Allocating areas of responsibility in cases of doubt
  - Re-allocation of areas of responsibility in the event of changes in Cabinet portfolios
  - Involvement of other people in the Overview and Scrutiny process
- The Scrutiny Panels carry out time limited strategic and operational reviews.
  - All non-executive Councillors are given the opportunity to be involved in the reviews by putting themselves forward to join the Scrutiny Panels throughout the year to review issues of interest and importance and inform critical policy development.

## Call-in

When a decision is made by the Cabinet collectively, any Councillor may call in that decision for the Overview and Scrutiny Committee to consider. This is subject to the 'urgency' provisions set out in the Council's Constitution. The power of call in does not apply to the day to day management and operational decisions made by employees under delegated powers and may only be exercised in relation to non-key decisions as part of a review of service plans or during the best value process.

Employees should therefore build an implementation buffer into their project plan just in case the decision that they are involved in progressing is called in. The Overview and Scrutiny Call-in Protocol sets out the procedure and guidance notes.

## Preparing information for Scrutiny Councillors i.e. preparing a Committee report

Employees may be asked to attend a meeting of the Overview and Scrutiny Committee or Scrutiny Panel to ensure that Overview and Scrutiny Councillors have an understanding of the

## Northampton Borough Council Overview and Scrutiny

issue of service area to be scrutinised including; aims and objectives, how they might be developed, the practicalities of service delivery and issues and problems facing the Council.

This may involve preparing a report and/or providing information and advice on:

- existing policies and practices;
- recent committee reports/decisions;
- legislative requirements upon the Council;
- demand v supply/Recovery Plan/Community Plan targets; and
- limiting factors on performance.

### **Getting involved in a detailed review (Scrutiny Panels)**

For more detailed investigations Scrutiny Panels are established to consider specific topics in detail over a specified period of time. The Scrutiny Panels are made up of small number of Councillors and often co-opted members who analyse and assess a specific Council or another organisations activities and processes, with a view to making improvements.

Overview and Scrutiny is not about undertaking a witch-hunt it is about working with the Cabinet and employees to improve Council services. Overview and Scrutiny Councillors will aim to adopt a non-adversarial approach and to work with employees to identify improvements.

When both a Cabinet Member and senior officers are summoned to appear before the Overview and Scrutiny Committee, or are invited to make a contribution to proceedings, each shall contribute within the scope of the normal boundaries of the officer and Member roles, at the direction of the Chair.

Normally the Reviews that are carried out by the Scrutiny Panels take no longer than six months. Meeting frequency is around six weekly. Where appropriate, off-site venues will be used for the meetings where doing so will give Members greater awareness/engagement with local communities.

**It is worth noting** that Councillors are entitled to information in accordance with their rights as a Councillor. These rights are

# Northampton Borough Council Overview and Scrutiny

specified in the Council's code of conduct. Employees have a duty to provide information in accordance with the advice, to all Councillors irrespective of their status and political party. Requests for information that do not meet the criteria set out in the code of conduct should, in the first instance, be referred to your line manager, and where the matter cannot be resolved, to the Council's Monitoring Officer. Under no circumstances should they be ignored.

## **Further Information**

This summary guide provides a brief introduction, which I hope you find useful. Please do not hesitate to contact the Overview and Scrutiny Officer who will be happy to help:

## **Overview and Scrutiny Officer**

Direct dial: (01604) 837408

e-mail: [ttiff@northampton.gov.uk](mailto:ttiff@northampton.gov.uk)

## **Glossary of Terms**

Detailed below are some of the terms used by Northampton Borough Council, which explain how the Council uses or interprets a term, phrase or abbreviation.

Annual Report	Scrutiny Committees summarise their work and findings in an annual report.
Audit Commission	The Audit Commission is an independent body responsible for ensuring that public money is used economically, efficiently and effectively. It regulates the proper control of public finances by local authorities and the National Health Service, and is responsible for conducting inspections relating to Best Value Reviews and to the Comprehensive Performance Assessment of local councils
Allowance	
Members' Allowances	A payment towards expenses or costs
Best Value	Paid to Members in recognition of out of pocket expenses or direct costs of being a Member of the Council
BVPP	Relates to the Local Government Act,
Backbencher	1999 - the means by which the Council seeks to deliver high quality services in an efficient and cost effective way
Budget	
By-Election	Best Value Performance Plan
Cabinet (Executive)	A term applied to Members who are not part of the Cabinet
	The annual summary of income and Expenditure
Call-in	An election which occurs between main (4 yearly) elections

Casting vote	The Cabinet body of elected Councillors responsible for day-to-day running of the Council and the development of policy. Cabinet Members have portfolios or areas of responsibility (e.g. Housing) for which they take cabinet decisions
Chair/Vice Chair	The process by which Overview and Scrutiny Committees can look at whether a decision is properly taken or is the right decision and require it to be considered
Chief Executive	
Coalition	A second vote made by the chair of the meeting to decide a matter when there is a tied vote
Code of Practice/Code of Conduct	The person who chairs a Committee of the Council e.g. a Scrutiny Committee
Census	The most senior paid official of the Council with overall responsibility for the whole of the Council's operation
	An alliance of groups or parties
Community Strategy	A set of rules, usually of expected behaviour
	Since 1801, every 10 years the nation has set aside one day for the Census - a count of all people and households. It is the most complete source of information about the

Co-Opted Member to a Scrutiny Panel	<p>population that we have. The latest Census was held on Sunday 29 April 2001</p>
Comprehensive Performance Assessment (CPA)	<p>Under the Local Government Act 2000, all Councils are required to work in partnership with the community as well as private, voluntary and public sector partners to develop a long-term strategy to promote the social, economic and environmental well-being of their local communities.</p>
Constitution	<p>An individual with an area of expertise or experience who is invited to sit on a Committee or Work Group (either for the Municipal year or for the duration of a specific review) to provide information and advice to maximise effective decision-making</p>
Council	<p>A performance management framework for Councils to draw together all the assessments made by the inspectorates, external Audit and Government departments</p>
Councillor (or Member)	<p>Councils are rated in one of five categories (excellent, good, fair, weak, poor). One of the main outcomes of the assessment will be an action plan for improvement and a programme of work for the subsequent year</p>
Council Tax	<p>The set of rules governing the decision-making arrangements and activities of Northampton Borough Council</p>
Cross-cutting Review	



	<p>The term used for the organisation or in respect of the meeting of all of the Councillors</p> <p>An elected local representative on the Council, a Councillor represents the interests of the people who live in their ward and Northampton as a whole</p> <p>The money raised by the Council from residents of the Borough</p>
<p>Department for Communities and Local Government (DCLG)</p>	<p>A cross-cutting Review addresses a topic which covers more than one service area, and in certain cases, examines services provided by organisations other than the Council (e.g. the police, health trusts, voluntary sector organisations, etc). One of the aims of such a Review is to ascertain how well the various agencies communicate and work together, and to put forward recommendations for improvements in this area</p>
<p>Directors</p>	
<p>Elected Mayor</p>	
<p>Employee</p>	<p>The central Government Department with primary responsibility for Local Government matters</p>
<p>Executive</p>	
<p>Exempt information</p>	<p>The most senior paid officials, after the Chief Executive, each having responsibility for wide areas of the Council's operations</p>

Forward Plan	
Head of Paid Service	An individual elected directly by the electorate (not Councillors) to run the Council [Not a system adopted in Northampton]
Home Office	A paid official of the Council sometimes referred to as an Officer
Improvement and Development Agency (IDeA)	See Cabinet
Improvement and Development Agency (IDeA)	Information which is exempt from the normal publication rules (normally under Schedule 12 of the Local Government Act, 1972)
Independent Member	A list of key decisions which will be taken by the Cabinet. The plan is updated each month
Independent Member	A statutory role, usually combined with that of Chief Executive
Independent Member	The Government department responsible for internal affairs in England and Wales, e.g. public order, public safety, immigration, etc
Independent Member	The Improvement and Development Agency (IDeA) was established by and for Local Government in April 1999. It aims to:
Key Decision	<ul style="list-style-type: none"> <li>- deliver practical solutions to improve local government performance</li> <li>- develop innovative approaches to ensure the transfer of knowledge</li> </ul>

<p>Leader of the Council</p>	<p>within local government</p> <ul style="list-style-type: none"> <li>- act on behalf of local government as a whole, promoting joined-up, locally delivered services</li> </ul>
<p>Local Government Association (LGA)</p>	<p>Either a Councillor who is not a member of a recognised political party, or in the context of the Standards Committee, a member who is neither a Borough Councillor or a Parish Council representative</p>
<p>Local Government Information Unit (LGIU)</p>	<p>An important decision which affects more than one ward of the Council or will involve spending large amounts of money. They must be made public and can only be taken after appropriate notice</p>
<p>Local Government Ombudsman</p>	<p>The political head of the Council, usually the leader of the largest group of Members (or coalition) - responsible for the proposal of policies and day to day running of the Council</p>
<p>Manager</p>	<p>The LGA represents the local authorities of England and Wales – a total of just under 500 authorities. There are 34 County Councils, 36 Metropolitan Borough Councils, 47 English Unitary Authorities, 33 London Authorities, 238 Shire District Councils and 22 Welsh Unitary Authorities. The LGA also represents Police Authorities, through the Association of Police Authorities (APA); Fire Authorities and Passenger Transport Authorities</p>
<p>Member (Councillor)</p>	

<p>Member of the Public</p> <p>Minutes</p> <p>Monitoring Officer</p>	<p>The LGIU is an independent research and information organisation supported by over 150 councils and the Local Government Trade Unions</p> <p>The LGIU aims to be an advocate for strong democratic local government with the financial base and powers required to act with and on behalf of local communities</p>
<p>Northampton Borough Council (NBC)</p> <p>Officer</p> <p>Overview and Scrutiny</p>	<p>The nationally appointed person (department) which looks into complaints by the public about the way they have been treated by or the service they have received from Councils</p> <p>An employee who is responsible for managing employees, resources and services</p>
<p>PI</p> <p>Policy</p>	<p>A Councillor; the elected representative of the community</p> <p>Anyone who is not part of the Council</p> <p>The formal record of the proceedings of a meeting</p> <p>The officer appointed under the Local Government and Housing Act, 1989 to oversee the legality of the Councils</p>

Policy and Financial Framework	actions and the ethical behaviour of Members and employees
Political Proportionality / Balance	<p>The Local Authority, which delivers borough council services to the whole of Northampton. These are mostly different to the services provided by Northamptonshire County Council</p>
Portfolio Holder	A paid official of the Council
Protocol	<p>The process offers both opportunities and challenges for Councillors and members of the public to improve the quality and delivery of services the Council provides to its local communities.</p>
Referendum	<p>The work of overview and scrutiny includes:-</p>
Regulatory	<ul style="list-style-type: none"> <li>- Policy Development and Review</li> <li>- Oversight of the Best Value Review Programme</li> <li>- Holding Cabinet to account</li> </ul>
Rules of Procedure	Performance Indicator
Scrutiny	<p>A plan of action or approach to an issue - part of the Council's Policy Framework</p>
Scrutiny Review	<p>The Council's main policies and approach to managing its finances</p>
Scrutiny Review	The system by which each group is

	<p>represented on Council bodies in proportion to the number of members of the particular group relative to the size of the council as a whole</p>
Standards Board	<p>A member of the Cabinet with responsibilities for specific aspects of the Council's policy or work</p>
S151 Officer	<p>A document, which sets out, how people will behave or matters will be handled</p>
Ward	<p>A ballot of all electors of the Borough - in particular on whether they wish to have an elected mayor</p>
Work Programme	<p>The functions of the Council which "regulate" e.g. licensing and planning</p>
	<p>The rules that govern the way specified matters must be handled (previously known as Standing Orders)</p>
	<p>(See Overview and Scrutiny). The way in which Members oversee the work of the Council and investigate the needs of the community</p>
	<p>A study led by Scrutiny Councillors on a current issue, selected by the Committee. It aims to identify areas of good as well as poor practice, compare performance with other</p>

	<p>councils' countrywide, and challenge existing practice where relevant.</p> <p>The Review will lead to recommendations for improvements to relevant Cabinet Members as well as outside agencies, such as health trusts. While these are not obliged to support the recommendations, effective consultation has been proven to lead to consensus and to Cabinet support for reviews undertaken</p> <p>The national body which oversees ethical standards of behaviour</p> <p>The finance officer is employed under s151 of the Local Government Act, 1972 - who is responsible for the financial probity and arrangements of the Council</p> <p>An area of Northampton for which elections are conducted</p> <p>The Work Programme sets out the work of the Committee for the 12-month period, although it may go beyond this</p>
--	--