

**Overview & Scrutiny**  
CO-OPTEE GUIDANCE  
BOOKLET



**Version 6**  
**June 2013**



**NORTHAMPTON**  
BOROUGH COUNCIL

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## Welcome

I am very pleased to welcome you as a Co-opted Member to Overview and Scrutiny at Northampton.

Your expertise and wealth of knowledge will play an important part in informing the Scrutiny Panel's Review.

I detail below the comments made by a recent Co-optee to one of our Scrutiny Panels:-

*I found the experience of looking in depth at serious acquisitive crime and violence in Northampton very enlightening and felt that by the end of the Scrutiny Panel we had a far more informed view due to the evidence we heard, the rigour adopted when questioning witnesses and the statistical analysis which was undertaken as part of the scrutiny. Some commonly held myths were debunked, agencies were held to account and areas which require more in depth scrutiny were identified. It was a very well worth exercise and one which I would be happy to repeat.*

**Sharon Henley, Crime Prevention Design Adviser, Northants Police Co-Optee - Scrutiny Panel 1 Serious Acquisitive Crime, Violent Crime and Community Safety**

This Handbook contains practical advice and sets out the role of Co-opted Members.

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**

## What is Overview and Scrutiny?

**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*

### **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.”*

Government is all about decision-making, and Overview and Scrutiny is about understanding why these decisions are made, and ensuring they are the best ones possible.

Overview and Scrutiny provides the opportunity for Councillors and members of the public to improve the quality and delivery of services to local communities.

Overview and Scrutiny is a key part of the checks and balances to hold the Cabinet and other decision makers to account, and to review the services provided to the citizens of Northampton.

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.

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

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

There are 45 elected Councillors in 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.

The 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.

The Council operates within a new structure; this includes the full Council, Cabinet, Overview and Scrutiny Committees, Audit Committee and regulatory Committees.

## **Co-opted Members to Scrutiny Panels**

Members of the public, partner organisations, 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 Overview and Scrutiny Work Programme is set in May 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. The work of the Panel is to recommend changes. Recommendations are normally reached by consensus, rarely is a vote required. In circumstances where a vote is required, co-opted members will not have a vote.

## **Co-Opted Members to the Overview and Scrutiny Committee**

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

At Overview and Scrutiny Committee meetings recommendations are normally reached by consensus, rarely is a vote required. In circumstances where a vote is required, co-opted members will not have a vote.

## **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 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
- Recognise that certain information gained as a member of the review may be confidential to the Council and should be treated as such

If required, short training / briefing sessions will be organised for all co-optees to explain the Overview and Scrutiny systems and processes in the Council.

## **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 Panels.** 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 an expert 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. Potential witnesses will either be asked to provide written evidence as detailed above, or be invited to attend a Scrutiny Panel meeting to present their evidence and answer any supplementary questions.

## **Types of Overview and Scrutiny Meetings**

There are two types of Overview and Scrutiny meetings in Northampton Borough Council, the Overview and Scrutiny Committee meeting and the Scrutiny Panel meeting.

### **1 Overview and Scrutiny Committee meetings**

Overview and Scrutiny Committee meetings are open to the public and press (unless confidential matters are being discussed) and are held approximately every eight weeks. Additionally, special meetings may be called. 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.

In May 2010, a new Overview and Scrutiny structure was introduced which comprises one Overview and Scrutiny Committee and three Scrutiny Panels. Scrutiny Panels are led by Councillors. Often individuals and representatives of organisations, who have expertise or have expressed an interest in a particular subject, are co-opted to the Scrutiny Panel for the life of the Review. Scrutiny Panel Reviews are selected from issues which the Overview and Scrutiny Committee considers important to the people of Northampton.

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 the Panel's progress at each meeting and with their final report prior to forwarding it to Cabinet / Council.

### **2 Scrutiny Panels**

Scrutiny Panels operate within a specified time frame. They 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 Overview and Scrutiny of its decisions. Those recommendations that are accepted are monitored for implementation by Overview and Scrutiny Committee members.

Meetings of the Scrutiny Panels can take place in various settings



depending on the evidence being heard.

### **3 Call-in of Cabinet decisions**

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

A called in decision is examined at either a special Overview and Scrutiny meeting or the next available scheduled meeting.

The Chair consults with the Committee to formulate a line of enquiry. The Cabinet and relevant officers 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.

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.

## **Declarations of Interest**

There are times when Councillors might have a particular interest in an item being considered by a Committee. For example, this might be a financial interest relating to the company for whom they work. There are other occasions where the interest is non-financial but could relate to a friend or the membership of an Association. Co-opted members are required to declare the same interests. They should declare personal or prejudicial interests and ensure that confidential information, as determined under the terms of the Local Government Act 1972, is treated in the strictest confidence.

When appointed, a declaration of interest form to register their financial or other interests will be sent to the Co-opted member.

The information on the register includes:

- Details of any employment or business carried out.
- Name of employer.
- Details of any directorships.
- Contracts between themselves / their firm and the Council.
- Land interests in the area.

The register is maintained by Democratic Services, telephone (01604) 837722, or [email](#)

## Code of Conduct

Councillors and co-opted members who have voting rights are subject to a Code of Conduct, which is based on a model code laid down nationally. Co-opted members of Scrutiny Panels will not have voting rights so this Code does not automatically apply to them. Nevertheless such co-optees will be expected to abide by the main points of the Code, which are: -

- To promote equality by not discriminating unlawfully against any person
- To treat others with respect
- Not to do anything which compromises the impartiality of those who work for the Council
- Not to disclose confidential information
- Not to behave in a manner which may bring the Council into disrepute
- Not to use the member's position to improperly secure an advantage for themselves or any other person
- To declare any personal interests the member might have in a matter being considered at a meeting they are attending; and if the interest is a "prejudicial" one to leave the room while the matter is being discussed.

*(An interest is a prejudicial one if a member of the public with a knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the member's judgement of the public interest).*

See also the previous section on the declaration of interests.

## **Allowances and Expenses**

### **Basis for Payment**

Co-opted members can claim for reasonable expenses incurred as a result of undertaking the duties involved.

### **Travel Allowances and Expenses**

The following allowances and expenses may be claimed: -

#### **Car Mileage, Motorcycle and Bicycle Allowances.**

The rates per mile are those that are paid to officers of the Authority.

#### **Standard Rail Fare**

Actual cost of tube fares, bus fares, car parking and toll charges.

#### **Dependency Care**

Co-opted members who incur expenditure on the care of children or dependent relatives whilst undertaking the duties of membership may claim for the cost of this up to a reasonable amount.

#### **Submission of Claims**

Claims for travel allowances and expenses must be made within two months. Payment outside that period can only be made if there are identified circumstances that prevented the claim being submitted within the required time limit.

#### **Payment Arrangements**

Payment of claims will be made upon submission of a fully completed claim form supported by appropriate receipts. The claim form should be sent to Tracy Tiff, Scrutiny Officer. telephone (01604) 837408, email: [tiff@northampton.gov.uk](mailto:tiff@northampton.gov.uk)

## **Overview and Scrutiny Committee Members**

Councillor Jamie Lane (Chair)  
Councillor Brian Sargeant (Deputy Chair)  
Councillor Tony Ansell  
Councillor Joy Capstick  
Councillor John Caswell  
Councillor Mick Ford  
Councillor Brendan Glynane  
Councillor Elizabeth Gowen  
Councillor Phil Larratt  
Councillor Matt Lynch  
Councillor Lee Mason  
Councillor Nilesh Parekh  
Councillor Suresh Patel  
Councillor Sivaramen Subbarayan  
Councillor Winston Strachan

## **Glossary of Terms**

Detailed overleaf 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	A payment towards expenses or costs
Members' Allowances	Paid to Members in recognition of out of pocket expenses or direct costs of being a Member of the Council
Best Value	Relates to the Local Government Act, 1999 - the means by which the Council seeks to deliver high quality services in an efficient and cost effective way
BVPP	Best Value Performance Plan
Backbencher	A term applied to Members who are not part of the Cabinet
Budget By-Election	The annual summary of income and Expenditure
Cabinet (Executive)	An election which occurs between main (4 yearly) elections
Call-in	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

Casting vote	<p>they take cabinet decisions</p> <p>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</p>
Chair/Vice Chair	<p>A second vote made by the chair of the meeting to decide a matter when there is a tied vote</p>
Chief Executive	<p>The person who chairs a Committee of the Council e.g. a Scrutiny Committee</p>
Coalition	<p>The most senior paid official of the Council with overall responsibility for the whole of the Council's operation</p>
Code of Practice/Code of Conduct	<p>An alliance of groups or parties</p>
Census	<p>A set of rules, usually of expected behaviour</p>
Community Strategy	<p>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 population that we have. The latest Census was held on Sunday 29 April 2001</p> <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</p>

Co-Opted Member to a Scrutiny Panel	communities.
Comprehensive Performance Assessment (CPA)	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
	A performance management framework for Councils to draw together all the assessments made by the inspectorates, external Audit and Government departments
Constitution	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
Council	The set of rules governing the decision-making arrangements and activities of Northampton Borough Council
Councillor (or Member)	The term used for the organisation or in respect of the meeting of all of the Councillors
Council Tax	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
Cross-cutting Review	The money raised by the Council from residents of the Borough



	<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>
Department for Communities and Local Government (DCLG)	<p>The central Government Department with primary responsibility for Local Government matters</p>
Directors	<p>The most senior paid officials, after the Chief Executive, each having responsibility for wide areas of the Council's operations</p>
Elected Mayor	<p>An individual elected directly by the electorate (not Councillors) to run the Council [Not a system adopted in Northampton]</p>
Employee	<p>A paid official of the Council sometimes referred to as an Officer</p>
Executive	<p>See Cabinet</p>
Exempt information	<p>Information which is exempt from the normal publication rules (normally under Schedule 12 of the Local Government Act, 1972)</p>
Forward Plan	<p>A list of key decisions which will be</p>

	<p>taken by the Cabinet. The plan is updated each month</p>
<p>Head of Paid Service</p>	<p>A statutory role, usually combined with that of Chief Executive</p>
<p>Home Office</p>	<p>The Government department responsible for internal affairs in England and Wales, e.g. public order, public safety, immigration, etc</p>
<p>Improvement and Development Agency (IDeA)</p>	<p>The Improvement and Development Agency (IDeA) was established by and for Local Government in April 1999. It aims to:</p> <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 within local government</li> <li>- act on behalf of local government as a whole, promoting joined-up, locally delivered services</li> </ul>
<p>Independent Member</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>Key Decision</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>Leader of the Council</p>	<p>The political head of the Council, usually the leader of the largest group of Members</p>

	(or coalition) - responsible for the proposal of policies and day to day running of the Council
Local Government Association (LGA)	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
Local Government Information Unit (LGIU)	<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>
Local Government Ombudsman	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
Manager	An employee who is responsible for managing employees, resources and services
Member (Councillor)	A Councillor; the elected representative of the community

Member of the Public	Anyone who is not part of the Council
Minutes	The formal record of the proceedings of a meeting
Monitoring Officer	The officer appointed under the Local Government and Housing Act, 1989 to oversee the legality of the Councils actions and the ethical behaviour of Members and employees
Northampton Borough Council (NBC)	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
Officer	A paid official of the Council
Overview and Scrutiny	<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. The work of overview and scrutiny includes:-</p> <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>
PI	Performance Indicator
Policy	A plan of action or approach to an issue - part of the Council's Policy Framework
Policy and Financial Framework	The Council's main policies and approach to managing its finances

Political Proportionality / Balance	The system by which each group is 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
Portfolio Holder	A member of the Cabinet with responsibilities for specific aspects of the Council's policy or work
Protocol	A document, which sets out, how people will behave or matters will be handled
Referendum	A ballot of all electors of the Borough - in particular on whether they wish to have an elected mayor
Regulatory	The functions of the Council which "regulate" e.g. licensing and planning
Rules of Procedure	The rules that govern the way specified matters must be handled (previously known as Standing Orders)
Scrutiny	(See Overview and Scrutiny). The way in which Members oversee the work of the Council and investigate the needs of the community
Scrutiny Review	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 councils' countrywide, and challenge

	<p>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>
Standards Board	The national body which oversees ethical standards of behaviour
S151 Officer	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
Ward	An area of Northampton for which elections are conducted
Work Programme	The Work Programme sets out the work of the Committee for the 12-month period, although it may go beyond this