

Extracts from the Overview and Scrutiny Operational Guide- where amendments have been made**MEMBERS' ROLES AND RESPONSIBILITIES**

Member will discharge their respective roles and responsibilities highlighted in this section of the guide, against the following member values for the operation for Overview and Scrutiny:

- Promoting equality, inclusion, and community cohesion through Overview and Scrutiny;
- Treating witnesses, members of the public, officers and partners with courtesy and respect;
- Through strong chairing and ensuring that members are objective, leaving partisan party politics out of Overview and Scrutiny;
- Engaging with and putting the needs of the community first;
- Making evidence-based recommendations on the basis of consensus, to achieve acceptable resolutions;
- Providing clarity about its purpose, role and performance.

All Members of the Board

The roles and responsibilities of all Members of the Overview and Scrutiny Board include:

- Leading the overview and scrutiny process, including task and finish group reviews, with advice and guidance from the Overview and Scrutiny Co-ordinators and Democratic Services Officers;
- Attending formal meetings of the Board;
- Preparing for each meeting by reading the agenda papers and additional information to familiarise themselves with the issue under scrutiny;
- At the meetings, listening carefully, asking questions in a way which is non-judgemental, respecting confidentiality and helping the Committee to make practical suggestions for improvements in services;
- Contributing to the preparation of reports and the formulation of recommendations;
- Contributing to the Council's Performance Management Framework, providing challenge, and examining services from the perspective of local people;
- Contributing to the development of the Annual Work Programme;
- Attending training and development events and other workshops for personal development purposes and in order to develop understanding of the key priorities and initiatives being pursued by the Council and its partners;

- Keeping abreast of the key issues for the authority and its partners, applying that knowledge when overseeing and scrutinising services, and making recommendations for improvement;
- Contributing to the further development of Scrutiny, helping to achieve an open, accountable and transparent decision-making process;
- Keeping to the member values for the operation of Overview and Scrutiny;

Chair of the Board

In addition to Board Members' roles and responsibilities, the Chair of the Board is to lead and manage the work of the Overview and Scrutiny Board through:

- Providing leadership and direction to the Board, ensuring that the work of the Board reflects the needs and aspirations of Luton's communities and people and the priorities of the Council, its partners and partnerships;
- Acting as the lead link to and from their political party to the Board;
- Working with the Leader of the Council, Executive Members, senior Officers and senior representatives of partners, to champion the role and purpose of Overview and Scrutiny and to ensure that they support the work of the Overview and Scrutiny Board;
- Representing the Board, personally or through a nominee at local, regional and national events, to champion the work of the Board and build beneficial working relationships with scrutineers elsewhere;
- Ensuring that the Members uphold the values for the operation for Overview and Scrutiny;
- Leading the performance management of the Overview and Scrutiny system, encouraging members, officers and partners to take up Overview and Scrutiny training and development opportunities;
- Leading the implementation of the Overview and Scrutiny improvement action plan and the strategic plan for Overview and Scrutiny;
- Presenting on behalf of the Board an annual report summarising the work undertaken, achievements over the last municipal year and plans for the future.

Board Vice-Chairs

- In addition to Board Members' roles and responsibilities, those of the two Vice Chairs, include the following:
- Acting as the lead link to and from their political parties to the Board;
- Leading on areas for development as allocated by the Board;
- Supporting the Chair in undertaking their areas of responsibility as requested by them;
- Assisting the Chair in ensuring that Board Members uphold member values for the operation of Overview and Scrutiny;

- In the absence of the Chair, chairing meetings of the Board (on a rotational basis between the two Vice-Chairs starting in alphabetical order).

Task and Finish Group Members

Task and Finish Group Members' roles and responsibilities are identical to those of Board Members. In addition, Members of Task and Finish Groups are to:

- Contribute to the preparation of the scope document for the review;
- Actively contribute to evidence gathering and analysis, including completing specific tasks for which they are responsible, as agreed within the Group, as part of the review;
- Exploit every opportunity to involve the wider community, particularly their own constituents, recording and feeding their views into the review, to complement other more formal public consultation exercises, agreed for the review, in line with the Council's Consultation and Engagement Strategy.

Task and Finish Group Chairs

In addition to Task and Finish Group Members' roles and responsibilities, the Chair of Task and Finish Groups, is to lead and manage the work of their Groups through:

- Undertaking the 'Chairing a Task and Finish Group' training before being elected as Chair;
- Ensuring that review Members uphold the values for the operation of Overview and Scrutiny;
- Working closely with the Overview and Scrutiny Team, to ensure the review is effectively project managed to time and to the agreed terms of reference, making efficient and effective use of all resources at their disposal;
- Taking appropriate urgent decisions outside the Task and Finish Group meetings, to deal with any unforeseen risks/ occurrences likely to adversely affect the review;
- Ensuring that reviews engage with the public, relevant officers, internal and external experts, partners and partnerships on the issue;
- Ensuring that reviews consider all financial, legal, climate change, equalities and cohesion issues;
- Reporting back to the Board on progress;
- Presenting the final report of their review to the Board and/ or to the Executive, Council or other internal/ external decision making body as appropriate;
- Taking part in the development planning process at the end of their review.

Failure to Attend Meetings

If a Member appointed to the Overview and Scrutiny Board fails to attend three consecutive meetings without good reason acceptable to the Overview and Scrutiny Board, Council will be asked to replace that Board Member.

If a Member appointed to a Task and Finish Group established by the Overview and Scrutiny Board fails to attend three consecutive meetings without good reason acceptable to the Task and Finish Group, the Overview and Scrutiny Board will be asked to remove that member from the Group. In this event, a replacement will be sought in accordance with the 'Selecting members to sit on a Task and Finish Group' section of this guide.

WORKING WITH THE EXECUTIVE AND COUNCIL DEPARTMENTS

Luton Borough Council operates an Executive and Overview and Scrutiny style of governance. The Executive is the decision-making body, with Overview and Scrutiny, having the power to hold it to account and to contribute to evidence-based policy-making by the Council.

Although, the remit of Overview and Scrutiny has now been expanded beyond the Council, this guide has been specifically developed to build constructive working relationships between Overview and Scrutiny and the Executive and Council Departments and to clarify mutual expectations. This is being done against the backdrop of Overview and Scrutiny having the power to:

- Review or scrutinise any Executive decision, and make a recommendations, to ensure that the decision where necessary be reconsidered or reviewed;
- Make reports and recommendations, either to the Executive or to the Full Council, on any aspect of Council business and on other matters which affect Luton or its inhabitants;
- Require members of the Executive, officers, and any other person to appear before it.

Principles

Overview and Scrutiny intends to work on the basis of building consensus, in accordance with the following principles and aspirations:

- Relations between Overview and Scrutiny and the Council's Executive and Departments will be constructive, based on mutual collaboration to secure improvements in Council services for the residents of Luton;
- Overview and Scrutiny Members will adopt a non-partisan and non-adversarial, albeit challenging approach to identify improvements;
- Overview and Scrutiny will maintain an independent identity, distinct from the Executive, but of equal importance, which is clearly communicated and understood;
- The Executive and senior management of the Council will provide leadership, actively supporting the role and value of Overview and Scrutiny within the Council;
- The Council is committed to Overview and Scrutiny and actively help local communities understand its roles and get involve with the processes.
- Overview and Scrutiny promotes constructive and effective working and challenge, enabling everyone to take part;
- Overview and Scrutiny has a direct influence on the work of the Executive, enabling effective challenge, but always ensuring a positive experience;
- Overview and Scrutiny is consistently and effectively performance managed, so that it is clear what it is expected to do and how it will be held to account;

- The Executive and the Council's Departments understand how they will be held to account by Overview and Scrutiny, and they know what to expect from Overview and Scrutiny;
- Council managers and officers recognise the importance of Overview and Scrutiny's governance role in decision-making. This is reflected in their allocation of resources to engage and work routinely with Overview and Scrutiny;
- Overview and Scrutiny has access to all the necessary resources from the Council, including management information, to support its work;
- There is ongoing dialogue between Overview and Scrutiny and all those it works with to ensure its work programmes directly reflect shared priorities;
- Overview and Scrutiny contributes effectively to policy development and develops evidence-based recommendations that are implemented and have a positive impact on service planning, design, and delivery in the Council to improve performance.

Procedures

Overview and Scrutiny is committed to developing effective working relationships with Executive Portfolio Holders and Departments' senior officers. This will be achieved in a number of ways, which are highlighted below.

Liaison

There will be frequent and honest dialogues, either individually or collectively, to identify and discuss key current and future areas of mutual interest and share work programmes/ activities.

There will be simple, but effective reporting structures, to facilitate ongoing liaison, and ensure provision of reports and attendance at meetings only occur where necessary.

Respect will be shown for the privacy of discussions undertaken and information provided in confidence, accepting that openness and transparency is normally the approach within the Overview and Scrutiny function.

Overview and Scrutiny Reports

Overview and Scrutiny reports and recommendations to the Executive will come either directly from the Overview and Scrutiny Board or from any of its Task and Finish Groups undertaking specific reviews on its behalf.

Overview and Scrutiny reports and recommendations will normally go to the next available Executive meeting and do not require Chief Executive and Executive Leader clearance.

The Chair of a Task and Finish Group or their nominee will normally present their final report to the Executive meeting.

It is incumbent on the Executive to consider Overview and Scrutiny reports and recommendations, and provide their response in writing on how they will deal with them as soon as possible, and in any case, within two months.

Once overview and scrutiny recommendations are accepted by the Executive, and Departments are instructed to implement them, Overview and Scrutiny will evaluate progress made after an agreed interval. The result of evaluation will be reported back to the Executive.

Relevant Executive Portfolio Holders will be required to provide feedback to Overview and Scrutiny in person on Executive's responses to the Overview and Scrutiny recommendations, where recommendations are not accepted.

Strategy Development

Overview and Scrutiny has a vital role in strategy development, which the Executive and Council Departments need to recognise and encourage, through regular liaison meetings to identify and plan for emerging opportunities.

Early identification of issues around which strategies need to be developed is vital to enable Overview and Scrutiny to include them in its work programme. The use of Task and Finish Groups is a particularly useful vehicle for this work.

Overview and Scrutiny recommendations will be the main method for the function to influence strategy development, with the intention of improving Council services and the delivery better outcomes for the people of Luton.

Attendance at Meetings

According to the Council's Constitution "*the Overview and Scrutiny Board or Task and Finish Groups may require any Member of the Executive, or any Member of a Regulatory Committee, or any officer of the Council to attend a meeting of the Overview and Scrutiny Board or the Task and Finish Group where they reasonably require such attendance in order to carry out their responsibilities under the Scheme*".

It is therefore important that members and officers make every effort to attend Overview and Scrutiny meetings when invited to do so.

The interpretation and implementation of this part of the guide, is the responsibility of the Statutory Scrutiny Officer, in consultation with the Chair of the Overview and Scrutiny Board.

Members

Where possible, scheduled Overview and Scrutiny meetings and Executive meetings should not clash. Special meetings should similarly also aim to avoid clashes wherever possible.

Generally, Overview and Scrutiny Chairs (or their vice-chairs) and the chairs of any Task and Finish groups can attend any scheduled Executive meetings. They will do so specially if presenting a Overview and Scrutiny report.

Similarly, any member of the Executive can attend any Overview and Scrutiny meeting at any time. Relevant Executive Portfolio Holders will be invited to do so when a call-in is being considered or if there is a reference from the Executive to the Board, and also

to provide feedback in person on any recommendations made to them by Overview and Scrutiny, particularly if not accepted.

Officers

All officers have a duty to support all members of the Council. In respect of Overview and Scrutiny, this support involves attending meetings to brief, advise or give evidence as requested to the Overview and Scrutiny Board and Task and Finish Groups.

To support colleagues throughout the process, the Overview and Scrutiny Team will:

- Normally give them at least 2 weeks notice of the requirement to attend (bar exceptional circumstances);
- Send them a copy of the scope document of the review to provide background information and the type of information, evidence or advice being sought;
- Advise them whether an oral or written report is required.

Officers who are unable to attend the Overview and Scrutiny Board or a Task and Finish Group meetings are required to notify the Overview and Scrutiny team of the reason why and, if possible nominate a suitable representative who is well briefed and able to answer questions from Overview and Scrutiny elected members. If members of the Board or the Task and Finish Group still want a particular officer to attend, then that officer must make every effort to attend an agreed future meeting of the Board or Group.

Procedure for Selecting Members to sit on Task and Finish Groups

1. Once the Overview and Scrutiny Board has decided to establish a review, it will determine the minimum (to ensure a quorum this can be no less than three) and the maximum (which should be no more than seven) number of members to sit on the Task and Finish Group.
2. The Democratic Services Manager will contact all non-executive members from all political parties informing them of the review, the timescale and inviting their participation in the Task and Finish Group.
3. Members will be allowed fifteen working days in which to apply for appointment to the Task and Finish Group [two days in the case of Task & Finish Groups for Call Ins] and will be reminded that they should only apply if they wish to take a pro-active role in the group's work.
4. On receipt of all expressions of interest, if the number of applications meets the number of places available, Members will be appointed and the Democratic Services Manager will write to confirm.

5. Members will not be able to sit on more than two Task and Finish Groups at any one time.
6. If the number of applications exceeds the number of places available on the Task and Finish Group, the Democratic Services Manager will select the members to be appointed by drawing lots. Any Member who has expressed an interest but is already a member of two concurrent task and Finish Groups, will be excluded.
7. All Members who have expressed an interest will be advised of the date and time of the drawing of lots and given the opportunity to attend if they wish.
8. Where there are no expressions of interest for a Task and Finish Group, the Overview and Scrutiny Board will be informed and invited to take a different course of action.
9. If the number of applications does not meet the minimum requirement, the member(s) who have expressed an interest will be appointed to the Task and Finish Group (and so informed) and the Democratic Services Manager will consult the Chair of the Overview and Scrutiny Board and the Overview and Scrutiny Manager about topping up the numbers or varying the size of the Task and Finish Group.
10. If the result of such consultation results in an excess of names, the Democratic Services Manager will select the Members to be appointed by drawing lots as provided for at paragraph 6 above.

Filling a Vacancy

11. Any member wishing to resign from a Task and Finish Group must inform the Democratic Services Manager immediately in writing, who will notify the Chair of the Overview and Scrutiny Board, the Chair of the relevant Task and Finish Group and the Overview and Scrutiny Team.
12. If the Task and Finish Group originally received more nominations than places available, in the case of one additional name being listed (and that Member belonging to the same group as the outgoing Member), the Democratic Services Manager will offer the vacant place to that Member. If more than one additional name is listed, (and those Members belong to the same group as the outgoing Member) the Democratic Services Manager will draw lots. (In each case this is subject to a Member not already sitting on two concurrent Task and Finish Groups).
13. Should there be no additional names on the waiting list (or none from the same group as the outgoing Member) the Democratic Services Manager will seek a replacement from the leader of the group that the member is from.
14. The relevant group leader will have five working days to inform the Democratic Services Manager of the name of the replacement member.

15. If they are unable to find a replacement, then the Democratic Services Manager will ask all groups to nominate a replacement. All groups will have five working days to respond to this request. If more than one member is put forward, lots will be drawn by the Democratic Services Manager.

16. Following this process, the Democratic Services Manager will appoint the replacement member to the Task and Finish Group and will notify the Chair and Vice-Chairs of the Overview and Scrutiny Board, the Chair of the relevant Task and Finish Group, the appointed Member and the Overview and Scrutiny Team of the outcome.

17. Where there are no nominations to the vacant Task and Finish Group position, the Democratic Services Manager will consult the Chair of the Overview and Scrutiny Board and Overview and Scrutiny Manager for the following actions:

- (i) Variation of the size of the Task and Finish Group, or
- (ii) Reference to the Overview and Scrutiny Board to seek an alternative course of action.

Failure to Attend Meetings

18. Members failing to attend three consecutive meetings without a good and acceptable reason will be removed from the Task and Finish Group, in accordance the 'Members Roles and Responsibilities' section of this guide. The above procedure will be followed to fill their vacancy.

MANAGING A TASK AND FINISH GROUP

Principle

The Task and Finish Group is responsible for project managing the review, within the parameters set by the Overview and Scrutiny Board. It will be the direct responsibility of the Task and Finish Group Chair to ensure that the expectations of the Board are delivered.

Officer advice and support to the Task and Finish Group will be given by an officer project team, led by a member of the Overview and Scrutiny Team. The project team will usually comprise representatives from Democratic Services, Consultation and Engagement Team, Communications, Finance, and departmental and/or partner organisation and any other specialist as necessary.

Procedure

The review will follow a six stage process, which needs to be illustrated in the project plan, with all milestones clearly identified.

Stage 1 – Scoping and Planning the Review**Scoping**

With guidance and support from the project lead officer, the Task and Finish Group will carefully plan their work, completing an A3 scoping form, setting out:

- The background and rationale for the review;
- Aims, objectives and anticipated outcomes, including the questions/ issues needing to be answered;
- Research methods and approach, such as desk research, use of co-optees, witnesses/ experts to be used and the format for gathering their evidence, e.g. in writing, orally at scheduled meetings, informal 1:1 interviews, site visits, etc. and how community groups and members of the public will be involved with the review;
- The resources required;
- The potential risks to the successful completion of the review;
- An outline review plan, including key milestones for completing the review and reporting to the Board.

Once satisfied with the contents of the scope, the Task and Finish Group will delegate the responsibility for finalising the form to the project lead officer, in consultation with the Chair. The form will then be handed to the Overview and Scrutiny Manager, for sign-off by the Chair and Vice-Chairs of the Overview and Scrutiny Board.

Planning

The project lead officer, with support from Officer Support Team as appropriate, will:

- Develop a project plan, which will be used as a live tracking document for the duration of the review, to ensure the review is delivered to the agreed scope and time scales.
- Prepare, place on the CE Scrutiny shared drive, and keep up-to-date the work programme for Task and Finish Group, from which the agenda for formal meetings will be prepared;
- Prepare a press release in consultation with the Chair of the Task and Finish Group, to promote/ publicise the review in the media and invite appropriate public engagement;
- Ensure information on the review is loaded onto the Scrutiny website, and kept up-to-date with progress and outcomes of the review;
- Work with the Consultation and Engagement Team on establishing the level and types of public engagement already undertaken by the service concerned, and identifying and planning for any further work needed to plug any gaps identified;
- Consult on setting dates, arranging appropriate venues for formal meetings as required by the Task and Finish Group, and arranging witnesses/ experts attendances, as necessary;
- Support members as needed with informal evidence gathering meetings, including preparing questions for witnesses, researching topics under review and preparing briefings on documentary evidence;

Stage 2 - Gathering Evidence

Gathering evidence will be by the agreed methods and approach shown on the scope. This will be carried out in accordance with the agreed member values for the operation of Overview and Scrutiny, and the roles and responsibilities for Task and Finish Group Chair and members.

Gathering Evidence will usually include members undertaking tasks as follows:

- Reviewing key documents, e.g. national guidance, policies, business cases, project reports, previous research, comparative management information from other authorities, etc.;
- Taking evidence from witnesses/ experts, user groups, the public, other interested parties or partners at formal meetings;
- 1:1 informal interviews with witnesses/ experts;
- Enquiries from visiting a site of good practice or directly trying a service;

With advice from Consultation and Community Engagement, a Task & Finish Group will seek evidence from relevant stakeholders, including service users, the general public, and traditionally unheard from groups. The Group will assess previous engagement work with them, and agree its approach to plug any gaps in evidence.

Specific publicity will be given to the review, to show how the topic is linked to key issues of concern to local residents and how the work can influence policy development and improvement in performance.

Through a press release, the news media will be one of the main communications channels, to reach targeted audiences and engage with local people and community groups.

The Overview and Scrutiny Manager will allocate an appropriate research budget for each Task and Finish Group. This budget can only be increased if a business case is made to the Overview and Scrutiny Manager, whose decision is final.

Stage 3 - Drawing conclusions and making recommendations

Once sufficient evidence has been gathered, members will assess it and draw conclusions and agree any recommendations they would like to make. The lead Overview and Scrutiny Co-ordinator will then help draft the final report accordingly for approval by the Task and Finish Group.

The final report will need to show how equalities, legal, financial and climate change issues have been considered and addressed.

A relevant representative from the department or partner organisation concerned will normally be given an opportunity to see the draft report before the Group formally agrees it, to comment on factual accuracy, but not to influence or change the conclusions or recommendations.

Stage 4 - Final report

The Task and Finish Group needs to be selective in summarising evidence to support the findings. The bulk of detailed evidence will be made available for reference purposes.

A Task and Finish Group's final report will, therefore, include:

- An explanation of the matter reviewed or scrutinised;
- A list of participants involved in the review;
- A summary of the evidence considered;
- The conclusions and recommendations;
- An indication of the cost implications of any of the recommendations if appropriate, and legal, climate change and equalities implications.

The report will exclude confidential and exempt information, but if necessary, a general summary may be provided, if that does not breach confidentiality.

Normally, the Chair of the Task and Finish Group will present its final report to the Overview and Scrutiny Board for approval. The Board may comment or ask for further work to be done by the Group.

However, in some circumstances, the Chair of the Task and Finish Group can make recommendations direct to the Executive or a partner organisation and copy its report to the Overview and Scrutiny Board for information.

Stage 5 – Recommendations to Executive/ Council/ Partner Organisations

Once approved, the Chair, or their nominee if absent, will present the Group's final report and recommendations to the Executive for consideration. Any recommendations that affect the policy and budget framework of the Council will also be referred for consideration by full Council.

If any recommendations relate to an area outside the Council's control, the Overview and Scrutiny Board will send its recommendations to the body concerned for consideration.

The Executive and its partners are duty bound to formally respond to overview and scrutiny recommendations. The response deadline is within two months, except for Health and Crime and Disorder issues, where a response is required within twenty eight days. The response will explain what actions or decisions will be taken as a result of the recommendations.

Stage 6 – Follow-Up

After completion of a review, the Task and Finish Group will meet to evaluate its effectiveness, including what went well and any lessons learned to improve future reviews.

As part of the public engagement process, outcomes of the review will be publicised in the local press to inform the public. More targeted feedback will also be provided to those who took part and other interested stakeholders.

Overview and scrutiny will monitor the implementation of its recommendations, by calling for periodic progress reports from the relevant departments or partner organisations. More formally, the Task and Finish Group will reconvene after an agreed period of time to review and comment on, how its recommendations had been implemented.