

Committee Model Review Group

27 February 2025



Report of: Director – Legal and Democratic Services

Title: Scrutiny and Policy Development

Ward: All

Recommendations:

That the Committee Model Review Group considers the matters set out in this report.

The significant issues in the report are:

This report provides an overview of the arrangements that the Council has in place for scrutiny, policy development and related matters. It identifies potential areas for review.



1. Summary

The Council's arrangements for scrutiny and policy development and related matters were agreed by Full Council as part of the development of the new Committee Model of governance and came into effect on 6 May 2024.

This purpose of this report is to provide an overview of the arrangements that the Council has in place for scrutiny, policy development and related matters and the potential areas for review.

2. Scrutiny under the Committee Model of governance

Under the Committee Model of governance, the Council could, but is not required to, have an Overview and Scrutiny Committee and it is for the Council to determine what style of scrutiny arrangements it would like to put in place.

As part of the development of the Committee Model of governance, the Council decided that it would not have an Overview and Scrutiny Committee and that instead, the scrutiny of decisions would take place as part of the decision-making process in each Policy Committee and recognising that that all Policy Committees are cross-party and politically proportionate.

However, there are a number of scrutiny style arrangements that the Council has adopted as part of the Committee Model of governance that enable it to discharge specific scrutiny functions, policy development and Task and Finish activity, details of which are set out in more detail in this report.

3. Statutory scrutiny arrangements

The Council has in place a number of scrutiny arrangements which have been established to discharge a specific statutory duty, as follows.

Health Scrutiny Sub-committee – this is a standing Sub-committee of the Public Health and Communities Committee. This Sub-committee was established to discharge the functions under sections 244 and 245 of the National Health Service Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 in respect of health scrutiny. This Sub-committee has met on a quarterly basis, with its most recent meeting being held on 30 January 2025

Community Safety Partnerships – the Council must have in place arrangements to enable the scrutiny of Community Safety Partnerships, and this responsibility falls within the Terms of Reference of the Public Health and Communities Committee. The Public Health and Communities Committee received an annual assurance report in respect of Community Safety Partnerships at its meeting on 17 January 2025.

Flood risk management and coastal erosion risk management – the Council, as a lead local flood authority, must have in place arrangements to enable the scrutiny of the flood and coastal risk management functions of risk management authorities (e.g. the Environment Agency, Water companies) and this responsibility falls within the Terms of Reference of the Environment and Sustainability Committee and the scrutiny of these matters will form part of the work programme for this committee in due course.

It should be noted that Annex 1 to the Committee Procedure Rules in Part 4.5 of the Council's

Constitution contains further details about the procedures for these statutory scrutiny arrangements, as set out in Appendix 1 to this report.

The Review Group may wish to consider whether any changes are required to these arrangements.

4. Finance Sub-committee

The Council established a Finance Sub-committee as a standing sub-committee of the Strategy and Resources Committee. This Sub-committee was established to support the development of the Council's annual budget and to review any proposals for inclusion in the budget. This Sub-committee has met frequently as part of the budget development cycle for the 2025/26 budget through a series of private Task and Finish Group meetings as well as public meetings. There is some inconsistency between the drafting of the Terms of Reference for the Finance Sub-committee in Part 3.2 of the Council's Constitution and its role as set out in the Budget and Policy and Budget Framework Procedure Rules in Part 4.3 of the Council's Constitution which will need to be clarified as part of this review.

5. Policy Development and Task and Finish Groups

All of the Policy Committees have a responsibility to undertake policy development and to establish Task and Finish Groups. The Terms of Reference for all Policy Committees as set out in Part 3.2 of the Council, include the following scrutiny related responsibilities:

"4. To develop and agree strategies, policies and plans in respect of the areas of responsibility of the Committee;

....

6. To exercise statutory scrutiny functions through the appropriate Policy Committee, or Sub-Committee established for that purpose (health, flood risk management and crime and disorder);

7. To review risk management, financial management and performance reports from service areas within the areas of responsibility of the Committee;

....

9. To conduct task and finish activities to consider policy development matters. It is recommended that this be two per Policy Committee per municipal year."

In addition, the Terms of Reference for all Policy Committees includes the following specific responsibilities in respect of policy development:

"Where a Policy Committee is carrying out Policy development it will do so in accordance with the following principles:

12. Policy development will be carried out within the framework of the Council strategic priorities as set out in the Council's Corporate Plan.

13. Policy development will consider the Council Budget and Policy Framework and review of their impact on service delivery and outcomes for people in Bristol.

14. Consider 'city-wide issues' (and where appropriate sub regional, regional and national issues), in particular through collaborative work with local partner authorities, providers, stakeholders and members of the public.

15. Consider organisational performance (ICT, legal, financial and HR services) and commission performance reviews."

The Council has held two Work Programme Setting Workshops with all councillors – in June 2024 and December 2024 – which have provided all members with the opportunity to identify areas for policy development for each Policy Committee and to consider whether Task and Finish Groups should be established. A number of areas for policy development and Task and Finish Groups have been identified across all Policy Committees. If a Member wishes to suggest an item for potential policy development activity outside of the Work Programme Setting Workshop process this can be done in a number of ways, including by raising with the Chair informally either directly or at the Policy Committee Chair briefing or Agenda Setting meeting. It is anticipated that most requests can be resolved by using the informal mechanisms set out but Members also have the option to submit requests via Member Forum or Public Forum, or can consider calling for an extraordinary meeting (details of which can be found in [CMR3 of the Committee Procedure Rules](#)).

It should be noted that Annex 1 to the Committee Procedure Rules in Part 4.5 of the Council's Constitution contains further details about the procedures for Policy Development and Task and Finish Groups, as set out in Appendix 1 to this report.

The Review Group may wish to consider whether any changes are required to these arrangements.

6. Escalation Panel

The Council established an Escalation Panel as part of the Committee Model of governance. The purpose of the Escalation Panel is to provide a mechanism to review decisions before they are implemented where there are concerns that the decision is not in line with the principles of decision-making as set out in Article 14 of the Council's Constitution: proportionality, due consultation, the taking of professional advice from officers, respect for human rights, a presumption in favour of openness, clarity of aims and desired outcomes, due regard to public sector equality duty aims and the highest standards of ethical conduct avoiding actual, potential and perceived conflicts of interest.

The Escalation Panel has met on one occasion on 24 October 2024.

It should be noted that Annex 2 of the Committee Procedure Rules in Part 4.5 of the Council's Constitution contains further details about the procedures for the Escalation Panel, as set out in Appendix 2 to this report.

The Review Group may wish to consider whether any changes are required to these arrangements.

7. Summary of matters for consideration by the Committee Model Review Group

To summarise, the Committee Model Review Group could consider whether the arrangements for the following matters are effective and whether any changes are required:

- a. The statutory scrutiny arrangements for health, community safety partnerships and flood and coastal risk management.
- b. The role of the Finance Sub-committee, including clarifying the responsibilities for this Sub-committee.
- c. Policy development and Task and Finish Groups, including the relevant procedures for these arrangements, as set out in Appendix 1 of this report.
- d. The Escalation Panel, including the relevant procedures for these arrangements, as set out in Appendix 2 of this report.

8. Recommendation

That the Committee Model Review Group considers the matters set out in this report.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None

Appendices

Appendix 1 – Committee Procedure Rules – Annex 1

Appendix 2 – Committee Procedure Rules – Annex 2