

# Overview and Scrutiny Management Board 26<sup>th</sup> June 2017



**Report of:** Service Director, Legal & Democratic Services

**Title:** Overview and Scrutiny Management Board Annual Business Report 2017/18.

**Ward:** N/A

**Officer Presenting Report:** Andrea Dell - Service Manager – Democratic Engagement

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## Recommendations

1. To note the Board's Terms of Reference
2. To confirm the meeting dates and start times for the Board' meetings in 2017/18
3. To note Mayoral Question Time Forums preceding four OSMB meetings
4. To establish the Call In Sub-Committee and to note the arrangements

**The significant issues in the report are:**

As set out in text boxes below.

## Policy

1. N/A

## Consultation

2. Internal  
N/A

3. External  
N/A

## Context

4. N/A

## Proposal

5. N/A

## Other Options Considered

6. N/A

## Risk Assessment

7. N/A

## Public Sector Equality Duties

8. Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic

that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
- tackle prejudice; and
  - promote understanding.

### ***Context and Proposal***

#### **1. Terms of Reference of the Board**

- I. As the Overview and Scrutiny Management Board is currently undertaking a review of the Council's scrutiny arrangements it is proposed that the current scrutiny structure is retained, pending the outcome of the scrutiny review.
- II. The recommendations from the review, including recommendations on a future scrutiny structure, will therefore be reported to a future Full Council meeting.
- III. In the interim and at the meeting on 23<sup>rd</sup> May 2017 Full Council established the Overview & Scrutiny Management Board with the following terms of reference:

#### **OVERVIEW AND SCRUTINY MANAGEMENT BOARD COMMITTEE - TERMS OF REFERENCE:**

##### **Functions**

In accordance with legislation (Local Government Act 2000, Health and Social Care Act 2001, NHS Act 2006, Police and Justice Act 2006, Flood and Water Management Act 2010, Localism Act 2011, Health and Social Care Act 2012) the Board will meet at least quarterly to discharge the council's overview and scrutiny function, including but not limited to the following:

##### **General**

- A.** Overview and scrutiny of strategic priorities and policy, including the council's budget, spending plans and policy framework and review of their impact on service delivery and outcomes for people in Bristol.
- B.** Work with, inform and hold the Mayor/Executive to account in relation to the development, implementation and review of strategic priorities and policy.
- C.** Review and scrutinise decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.

- D. Make reports and recommendations to Full Council, the Mayor/Executive and/or any “Other Body” on matters within their remit and on matters which affect the authority’s area or the inhabitants of that area.
- E. Develop the external focus of overview and scrutiny on ‘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.
- F. Work with joint scrutiny committees, scrutinise the work and effectiveness of partners, where the powers of scrutiny allow, and other local strategic partnerships.
- G. Scrutinise governance arrangements at strategic and local level to ensure these are fit for purpose and deliver good decision making, accountability, transparency and involvement
- H. Consider organisational performance and commission performance reviews through the relevant scrutiny commissions.

**Management Function**

To manage, develop and champion the overview and scrutiny function of the Council:

- As a vehicle, to provide constructive challenge, public accountability and improved outcomes for people in Bristol.
- As a forum, to consider evidence and different views and opinions and respond to public priorities.
- To promote confidence and greater involvement in local democracy.
- To set the overall scrutiny work programme, oversee the work programme of each of the Commissions and ensure the effective co-ordination of those programmes within the ten meetings per year allocated to each Commission (to include select committees, subcommittees, working groups and any other forms of scrutiny that may be established by virtue of the Overview and Scrutiny Procedure Rules).
- To consider requests for scrutiny reviews under the Councillor Call for Action process.
- To review and evaluate the effectiveness of the overview and scrutiny function and make recommendations to full Council and propose any changes to the Constitution as necessary.

***The Board is asked to note its terms of reference as agreed by Full Council (Recommendation 1)***

**Dates and Times of Meetings and Mayors Question Time.**

Dates for the Board in 2017/18 are recommended as follows:

<b>2017 Dates &amp; Times for OSMB Meetings &amp; Mayors Question Time (MQT)</b>
<b>Monday 26<sup>th</sup> June:</b> OSMB 12pm to 4pm
<b>Tuesday 25<sup>th</sup> July:</b> MQT 5pm to 6pm & OSMB 6pm to 9pm
<b>Thursday 31<sup>st</sup> August:</b> OSMB 5pm to 8pm

<b>Wednesday 20<sup>th</sup> September:</b> OSMB 5pm to 8pm
<b>Wednesday 1<sup>st</sup> November:</b> MQT 5pm to 6pm & OSMB 6pm to 9pm
<b>Thursday 7<sup>th</sup> December:</b> OSMB 5pm to 8pm
<b>2018 Dates &amp; Times for OSMB Meetings &amp; Mayors Question Time (MQT)</b>
<b>Thursday 11<sup>th</sup> January:</b> MQT 5pm to 6pm & OSMB 6pm to 9pm
<b>Monday 12<sup>th</sup> February:</b> OSMB 5pm to 8pm
<b>Thursday 8<sup>th</sup> March:</b> OSMB 5pm to 8pm
<b>Thursday 12<sup>th</sup> April:</b> MQT 5pm to 6pm & OSMB 6pm to 9pm

***It is necessary for the Board to confirm its meeting dates and times for 2017/18.  
(Recommendation 2)***

***The Board is asked to note the Mayoral Question Time (MQT) Forum preceding four of the OSMB meetings. (Recommendation 3)***

The Board is asked to note that preceding these meetings a webcast Mayoral Question Time will take place at 5.00pm unless otherwise stated. Attached at **Appendix A** to this report is the Overview Scrutiny Rule 21 relating to this event.

### **Membership of OSMB**

3. The Board will comprise 11 members this year and the following proportionality will apply:

Labour 6; Conservative 2 ; Green 2; Liberal Democrat 1

### **Call In**

4. OSMB is responsible for determining all call in's which are submitted by non-executive members under the provisions in the Overview & Scrutiny Rules in the Constitution. As in previous years, it is proposed that a Call-In Sub-Committee be established to consider all call in's, with terms of reference as set out in **Appendix B**.
5. This municipal year, with political proportionality applying, the membership will be 6 (with the Chair being the Chair of the Panel) and 5 other (non-executive) members, the proportionality being 3 Labour, 1 Conservative, 1 Green 1 Lib Democrat. As before it is proposed that the names of members to serve on each Sub-Committee will be determined by the Whips according to the subject matter of the Call In.

***The Board is asked to establish an OSMB (Call In) Sub-Committee (Recommendation 4)***

**Legal and Resource Implications**

Not applicable.

**Appendices:**

Appendix A

OSR 21 – Mayoral Question Time

Appendix B

Terms of reference the Call In Sub-Committee.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**

None.