

Overview and Scrutiny Management Board 18 June 2018



Report of: Service Director, Legal & Democratic Services

Title: Overview and Scrutiny Management Board Annual Business Report 2018/19.

Ward: N/A

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

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Recommendations

- a. To elect a Chair and Vice Chair for the 2018-19 year
- b. To note the Board's Terms of Reference
- c. To note Mayoral Question Time arrangements preceding OSMB meetings
- d. To establish the Call In Sub-Committee and to note the arrangements
- e. To note the Work Programme

Summary

This report requests that the Board elects a Chair and Vice Chair and notes the Terms of Reference and arrangements for Mayoral Question Time and Call in arrangements.

The report also requests that the Board notes the topics that were selected as priorities for the scrutiny work programme, at the Overview and Scrutiny Management Board workshop on 30 May 2018.

The significant issues in the report are:

The proposal as set out in Paragraph 4.



Policy

1. N/A

Consultation

2. N/A

Context

3. At the annual meeting on 22 May 2018, Full Council established the Overview & Scrutiny Management Board with the following terms of reference:

Overview and Scrutiny Management Board - 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 six times a year to discharge the Council's overview and scrutiny function, including but not limited to the following:

General

1. Overview and scrutiny of strategic priorities and policy, including the Council's policy framework and review of their impact on service delivery and outcomes for people in Bristol.
2. Work with, inform and hold the Mayor/Executive to account in relation to the development, implementation and review of strategic priorities and policy.
3. 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.
4. 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.
5. 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.
6. Working with Joint Scrutiny Committees, namely West of England Combined Authority Overview and Scrutiny Committee, Joint Health Committee and Joint Health Overview Scrutiny Committee, to scrutinise the work and effectiveness of partners, where the powers of scrutiny allow, and other local strategic partnerships such as the Local Enterprise Partnership.

7. Scrutinise governance arrangements at strategic and local level (e.g. Area Committees) to ensure these are fit for purpose and deliver good decision making, accountability, transparency and involvement.
8. To consider organisational performance (ICT, legal, financial and HR services) and commission performance reviews through the relevant Scrutiny Commissions.
9. To develop a budget review process and ensure that budget proposals are subject to rigorous challenge (likely to be allocated to the MTFP/Budget Scrutiny Task Group).

Management Function

10. To manage, develop and champion the overview and scrutiny function of the Council:
 - (a) As a vehicle to provide constructive challenge, public accountability and improved outcomes for people in Bristol.
 - (b) As a forum to consider evidence and different views and opinions and respond to public priorities.
 - (c) To promote confidence and greater involvement in local democracy.
 - (d) 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 resource envelope available (to include commission meetings, select committees, sub-committees, working groups and any other forms of scrutiny that may be established by virtue of the Overview and Scrutiny Procedure Rules).
 - (e) To consider requests for scrutiny reviews under the Councillor Call for Action process.
 - (f) 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.

Membership of OSMB

4. The Board will comprise 11 members and the following proportionality will apply:

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

Proposal

5. OSMB is asked:
 - a. To elect a Chair and Vice Chair for the 2018-19 year (Recommendation 1)**
 - b. To note the Board's Terms of Reference for the 2018-19 year (Recommendation 2)**

c. To note Mayoral Question Time arrangements preceding OSMB meetings (Recommendation 3)

OSMB is asked to note the Mayoral Question Time arrangements as set out in **Appendix A** to this report, which is the Overview Scrutiny Rule 21 relating to this event.

d. To establish the Call In Sub-Committee and to note the arrangements (Recommendation 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**.

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.

e. To note the Work Programme (Recommendation 5)

OSMB is asked to note the Scrutiny Work Programme of priority topics selected at the OSMB workshop on 30 May 2018 and set out in **Appendix C**. The next steps are for these to be scoped out to enable decisions to be made as to methodology, timescale and resource allocation.

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.
- ii) 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.

Legal and Resource Implications

9. N/A

Appendices:

Appendix A	Mayoral Question Time (OSR 21)
Appendix B	Terms of reference the Call In Sub-Committee (OSR 17)
Appendix C	Scrutiny Work Programme

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: Full Council, 22 May 2018