

Overview & Scrutiny Guidance for members of the Public



Overview & Scrutiny in Bridgend

Guidance for members of the Public

February 2010

Political Arrangements in the Council

The Council is composed of 54 councillors elected every four years. Councillors are democratically accountable to residents of their electoral division. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Council

All County Borough Councillors meet together as the Council. Meetings of the Council are normally open to the public. Here Councillors decide the Council's overall policies and set the budget each year.

The Council has opted for a Leader and Cabinet style of executive. Every year the Council elects a Leader and appoints the Members of the Cabinet. It also approves policies of major significance, which are known collectively as the Policy Framework, together with the annual Budget, and it must authorise any proposal by the Cabinet or anyone on the Cabinet's behalf which would be contrary to the either Policy Framework or the Budget.

The public, as well as Councillors, are given an opportunity to ask questions of the Leader and Cabinet Members at Council meetings and, every quarter, the Council holds a state of the County Borough debate.

Cabinet

The Cabinet is the part of the Council which is responsible for most day-to-day decisions. It is made up of the Leader, the Deputy Leader and 4 Cabinet Members each with responsibility for covering a specific subject area or portfolio. The Leader appoints the Deputy Leader.

The Cabinet has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the Budget or Policy Framework, this must be referred to the Council as a whole to decide.

Overview and Scrutiny

The Overview and Scrutiny Committees oversee the portfolios of the Cabinet Members and support the work of the Cabinet and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery.

Overview and Scrutiny Committees also monitor the decisions of the Cabinet. They can `call-in` a decision which has been made by the Cabinet but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Cabinet reconsider the decision.

Overview & Scrutiny Guidance for members of the Public

They may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

What Is Overview & Scrutiny?

Under the terms of the Local Government Act 2000, every Authority in England and Wales has adopted new ways of working. Bridgend has a Leader and a Cabinet, which is responsible for the day-to-day running of the Council. Within the new arrangements there are also five Overview and Scrutiny Committees, these are:

- Community Safety and Governance
- Corporate Resources and Improvement
- Children and Young People
- Community Renewal and Environment
- Health and Wellbeing

The Overview & Scrutiny Committees do not make decisions, but they can make recommendations to the Cabinet or the Council based on their findings. Overview & Scrutiny Committees have a number of roles these are to:

- Hold the Executive and Chief Officers to account for decisions and performance;
- To review and develop policies;
- To investigate issues of concern to the wider community, which may involve examining the approaches of a variety of public bodies.

In carrying out their role, Overview & Scrutiny Committees seek to involve the public and other stakeholders in the process wherever possible.

This guide outlines how Overview & Scrutiny operates in Bridgend and how you can become involved on the process. Further information about how the Council operates is contained in the Constitution of Bridgend County Borough Council, available on the Council's website at www.bridgend.gov.uk or from the Committee Section, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. CF31 1LX. Tel: 01656 643147

Where Do Overview & Scrutiny Meetings Take Place?

Overview & Scrutiny Committees meet in a variety of venues both inside and outside the Civic Offices. Meetings are usually held in the Civic Offices, but are held elsewhere for example to encourage participation from outside agencies or the public, or to incorporate a meeting with a site visit.

How Often Do Overview & Scrutiny Committees Meet?

Meetings are held on an eight-weekly cycle that is determined at the start of the corporate year, and meeting dates will be published in the Council Diary. Extra meetings may also be held to consider issues as and when appropriate. For example, the work of the Committees is likely to require the holding of interview sessions, site visits or seminars to discuss individual issues, which may fall outside the eight-weekly cycle of meetings.

Who Decides The Committees' Work Programme?

Overview & Scrutiny Committees decide their own work programmes. Each Committee produces an Annual Forward Work Programme detailing the areas it intends to cover throughout the year; this is regularly reviewed and updated throughout the year. Agenda items for individual meetings are determined by the Chair of the Committee in consultation with the Overview & Scrutiny Unit.

How Are Overview & Scrutiny Meetings Recorded?

Minutes of Overview & Scrutiny Committee meetings will usually be relatively brief, containing a summary of discussions and action points arising from them. However detailed minutes will be taken at meetings where witnesses are giving evidence. Written records of oral hearings will always be sent to witnesses to ensure accuracy.

What Is A Scrutiny Investigation?

A scrutiny investigation is a detailed study of a subject, involving the gathering of evidence from a variety of sources via a Research & Evaluation Panel. This may include an analysis of relevant documentation, the calling of witnesses, consultation with relevant stakeholders and consideration of best practice. An investigation may take place over a period of a few months or even longer, and will work to agreed terms of reference and a project plan. Arising from an investigation, the Committee will produce a report that will be presented to Cabinet and/or the Council as appropriate.

What Are Research and Evaluation Panels?

Overview & Scrutiny Committees may establish 'Research and Evaluation Panels' to undertake scrutiny investigations. Each Committee will usually operate no more than two 'Research and Evaluation Panels' at any one time, and each one will usually consist of between 3 & 5 Members of a Committee. Research and Evaluation Panels will gather evidence, analyse the information

Overview & Scrutiny Guidance for members of the Public

they have collated and report their findings back to the Overview & Scrutiny Committee, which will then determine if it wishes to make recommendations to Cabinet or Council as appropriate.

How Are The Rooms Laid Out For Committee Meetings?

The Committee sits in a horseshoe format, with the Chair positioned on one side of the room, witnesses on the other side and committee members along either side. The Legal Officer sits on one side of the Chair, and the Scrutiny Support Officer on the other. Nameplates are displayed for everyone present.

Who Might Attend To Give Evidence?

Officers and Members of the Council

Committees may require any Cabinet Member or Senior Officer of the Council to attend a Committee meeting to answer questions.

External Representatives

The Committee may invite any external representative to attend, but has no powers to require them to attend. For example this could include 'experts' in the subject under consideration, representatives of local groups or representatives of other local authorities.

How Is Evidence Presented?

Usually a witness will be asked to begin with a presentation, or written submission and then the floor will be opened up for questions, however, the nature of the subject matter may sometimes require a different approach. All members of the Committee will be given the opportunity to ask questions and anyone attending as a witness will be treated with respect and courtesy.

Are Witnesses Briefed Before Meetings?

A written pack will be sent to witnesses in advance of the hearing. This will be a generic document detailing how the scrutiny process works. In addition, each individual witness will be sent details of the reasons why he/she has been invited to attend, the likely subjects of questions, and any information that they will be asked to provide to the committee at the meeting. The witness support pack will usually be sent to a witness well in advance of the meeting, and at least five working days before the date of the meeting.

Who Else Can Attend Committee Meetings?

Overview & Scrutiny Committee meetings are usually open to the press and public. A witness may request in advance that a hearing be held in private with just Members of the Committee present. In this instance, they must disclose the reasons for this to the Overview & Scrutiny Unit, and the Committee must be satisfied that the reasons are valid.

Overview & Scrutiny Guidance for members of the Public

Witnesses may be asked to stay and listen to the evidence of other witnesses and take part in discussions regarding their evidence, if the Committee considers it appropriate.

In addition witnesses will be permitted to bring advisors with them to the meeting, with whom they may consult during questioning.

What Happens After the Meeting?

Following the meeting, written records of evidence presented will be sent to witnesses to ensure accuracy. In addition, witnesses will also be kept informed of the results of any investigation in which they have given evidence.

Are There Any Other Ways That Evidence Can Be Provided?

In some instances it may be more appropriate for the Committee to request that evidence be provided in written form, rather than through witnesses. Written evidence should contain a brief introduction to the individual or organisation submitting it and details of any recommendations for action by the Council or others, which the witnesses would like the Committee to consider for inclusion in its final report. If at all possible, witnesses will be requested to submit memoranda in electronic form or to ensure that submissions are legible.

All submissions will be circulated to Committee Members and Committees will usually seek to publish any evidence received in connection with an investigation alongside their final report. If witnesses wish the whole, or part, of their evidence to remain confidential to the Committee, they should state this clearly in a covering letter.

How Do I Ask An Overview & Scrutiny Committee To Investigate An Issue?

Overview & Scrutiny Committees will receive requests from any source to consider a subject for scrutiny. In the first instance the Chair, in consultation with the Scrutiny Support Officers, will consider the appropriateness of the topic against the terms of reference of the Committee. Requests for scrutiny will usually be made in writing to the Overview & Scrutiny Unit; an example of the form that can be used for this purpose is attached at the end of this document. This form is also available on the Council's website at www.bridgend.gov.uk. Requests for scrutiny can also be emailed to Scrutiny@Bridgend.gov.uk.

Should the Chair decide that the request for scrutiny is within the terms of reference of an Overview & Scrutiny Committee, you may be asked to attend a Committee meeting to outline the issue in more detail. A deputation to the Committee will usually consist of a maximum of five people, and only one person may present the deputation. The initial speech, including the reading of any written material, should be no longer than five minutes. Once the

Overview & Scrutiny Guidance for members of the Public

deputation has been presented, the members of the Overview & Scrutiny Committee may ask questions. These may be answered by the original speaker, or by another member of the deputation if the Committee agrees to allow this. In exceptional circumstances the Committee may decide to consider the points that have been raised in private. The Committee will then decide if it wishes to investigate the issue in more detail.

Overview & Scrutiny Guidance for members of the Public

Overview & Scrutiny Committees Suggested Areas for Scrutiny

If you are concerned about a service provided by the Council or an issue affecting the community, please let us know by completing the form below:

1. Which service/issue are you concerned about?

2. Why are you concerned about this issue/service?

3. What action do you think the Council should take about this service/issue?

4. Please could you provide us with your name and contact details below:

Name:

Address:

Telephone Number:

Email Address:

Please return the completed form to the Overview and Scrutiny Unit, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. CF31 4WB.
Email: scrutiny@bridgend.gov.uk. Tel: 01656 643695.