



TO THE CHAIRMAN AND MEMBERS OF THE **OVERVIEW AND SCRUTINY COMMITTEE**

You are hereby summoned to attend a meeting of the Overview and Scrutiny Committee to be held on Monday, 6 June 2022 at 7.00 pm in the Council Chamber, Civic Offices, Gloucester Square, Woking, Surrey GU21 6YL.

The agenda for the meeting is set out below.

JULIE FISHER
Chief Executive

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website (www.woking.gov.uk). The images and sound recording will also be used for training purposes within the Council. Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed.

AGENDA

PART I - PRESS AND PUBLIC PRESENT

Part I - Press and Public Present

- 1 Apologies for Absence
To receive any apologies for absence.
- 2 Minutes
To approve the minutes of the meetings of the Committee held on 21 March and 23 May 2022 as published.
- 3 Matters Arising from the Previous Minutes (Pages 5 - 8)
To review any outstanding items from the previous minutes.
- 4 Urgent Business
To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

5 Declarations of Interest

To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.

Matters for Determination

6 Work Programme (Pages 9 - 26)

Reporting Person – Councillor Ayesha Azad

7 Introduction to Overview and Scrutiny OSC22-028 (Pages 27 - 102)

Reporting Person – Frank Jeffrey, Head of Democratic Services

Performance Management

8 Performance and Financial Monitoring Information

To consider the current publication of the Performance & Financial Monitoring Information.

Reporting Person – Councillor Ayesha Azad

Task Group Updates

9 Economic Development Task Group Update OSC22-030 (Pages 103 - 104)

To receive an update for noting from the Economic Development Task Group following its meeting on 23 March 2022.

Reporting Person – Councillor Dale Roberts (Chairman of the Task Group) / Councillor Ayesha Azad

AGENDA ENDS

Date Published - 25 May 2022

For further information regarding this agenda and arrangements for the meeting, please contact Frank Jeffrey, Head of Democratic Services, Ext 3012, Email frank.jeffrey@woking.gov.uk



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OVERVIEW AND SCRUTINY COMMITTEE – 6 JUNE 2022

MATTERS ARISING FROM THE PREVIOUS MINUTES

Executive Summary

This report provides an update on matters arising from the previous meetings of the Overview and Scrutiny Committee. The details summarise the progress made on achieving the desired outcomes from decisions taken by the Committee and requests from individual Elected Members. Once an action has been closed and the outcome reported to the Committee it will be removed from future reports.

Actions arising from the Committee are managed through the Council's Action Management system which was developed to capture and monitor the actions arising from (i) meetings of the Council and (ii) Internal Audit Reviews.

This is the a regular report that is brought the Committee and covers the actions identified at the previous meetings. The next version of this report, listing any actions previously identified together with the progress achieved shall be brought to the next meeting of the Overview and Scrutiny Committee on 11 July 2022.

Recommendations

The Committee is requested to:

RESOLVE That the report be noted.

The Committee has the authority to determine the recommendation set out above.

| | |
|---------------------------------|---|
| Background Papers: | None. |
| Reporting Person: | Councillor Ayesha Azad cllrayesha.azad@woking.gov.uk |
| Portfolio Holder: | Councillor Ann-Marie Barker cllrann-marie.barker@woking.gov.uk |
| Shadow Portfolio Holder: | Councillor Ayesha Azad cllrayesha.azad@woking.gov.uk |
| Date Published: | 25 May 2022 |

Update on Actions Arising from the Overview and Scrutiny Committee

21 February 2022

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Page 4

| 1.0 | | Agenda Item 10 – Overview of Complaints Received |
|------------|---------------------------|--|
| 1.1 | Action | To provide a comparison on New Vision Homes Complaints Data between 2020 and 2021. |
| | Progress | Work is currently underway to provide this information to Members. |
| | Responsible Person | Joanne Mcintosh |
| | Status | Open |
| 1.2 | Action | To provide the Joint Waste Solutions Complaints data in a format which is simplified alongside the preceding year's annual data. |
| | Progress | Work is currently underway to provide this information to Members. |
| | Responsible Person | Joanne Mcintosh |
| | Status | Open |

23 March 2022

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Page 5

| | | |
|------------|---------------------------|--|
| 2.0 | | Agenda Item 7 – Update on Climate Change |
| 2.1 | Action | To provide information around engagement on social media, tree planting and the role of renewable energy in the future plans of the Council. |
| | Progress | The information was circulated to the Committee shortly after the meeting by the Demoratic Services Officer. |
| | Responsible Person | Lara Beattie |
| | Status | Closed |
| 3.0 | | Agenda Item 12 – Annual Report of the Overview and Scrutiny Committee |
| 2.2 | Action | To present an amended version of the report at the next Council meeting. |
| | Progress | The report was received by Council at its meeting on 31 March 2022. |
| | Responsible Person | Democratic Services |
| | Status | Closed |

REPORT ENDS



Overview and Scrutiny Work Programme

This Overview and Scrutiny Work Programme is published with the purpose of assisting the Council in its overview and scrutiny role. The Work Programme covers the following areas:

- Items for consideration at future meetings of the Overview and Scrutiny Committee.
- Any Scrutiny Review Topics proposed by Members of the Council for inclusion on the Work Programme.
- Any topics identified for pre-decision scrutiny.
- The draft forward programme of work for the Executive.
- Details of the current Task Groups under the Committee's remit.

The Work Programme is designed to assist the Council with its overview and scrutiny role by providing Members with an indication of the current workload, subjects to be considered for review and items which the Executive expects to consider at its future meetings, so that matters can be raised beforehand and/or consultations undertaken with a Member of the Executive prior to the relevant meeting.

Any changes to the Work Programme since it was last published have been highlighted in green.

| | |
|--|---------------------|
| The Committee | |
| Chairman: Councillor A Azad | |
| Vice-Chairman: Councillor J Sanderson | |
| Councillor H Akberali | Councillor C Kemp |
| Councillor A Caulfield | Councillor A Kirby |
| Councillor K Davis | Councillor J Morley |
| Councillor P Graves | Councillor M I Raja |
| 2022/23 Committee Dates | |
| 6 June 2022 | 21 November 2022 |
| 11 July 2022 | 23 January 2023 |
| 12 September 2022 | 20 February 2023 |
| 17 October 2022 | 20 March 2023 |

Recommendations

The Committee is requested to:

RESOLVE That the report be noted.

| |
|--|
| The Committee has the authority to determine the recommendation set out above. |
|--|

Background Papers: None.

Reporting Person: Councillor Ayesha Azad
Email: cllrayesha.azad@woking.gov.uk

Contact Person: Frank Jeffrey, Head of Democratic Services
Email: frank.jeffrey@woking.gov.uk, Extn: 3012

Portfolio Holder: Councillor Ann-Marie Barker
Email: cllrann-marie.barker@woking.gov.uk

Shadow Portfolio Holder: Councillor Ayesha Azad
Email: cllrayesha.azad@woking.gov.uk

Date Published: 25 May 2022

REPORT ENDS

Suggested Additions to the Work Programme

Following the last meeting of the Committee, the Chairman and Vice-Chairman provided Officers with a list of items for consideration over the coming year. Where possible, these have been added to the Work Programme. Set out below are any ideas which have been requested but are yet to be included against a specific meeting of the Committee.

| Decision to be Taken | Proposed by | Officer Comment |
|---|----------------------------|--|
| Biannual Overview of Complaints Report | Chairman and Vice-Chairman | Following the meeting of the Committee on 21 February it was expressed by Members that the possibility of having this report appear at the Committee twice a year, as opposed to once a year would be beneficial. |
| Overview and Scrutiny Committee Communications Plan | Chairman and Vice-Chairman | Following the work that was undertaken to develop a communications plan for the Committee it was advised to the Chairman that it would be beneficial for the 2022/2023 Committee to receive a report on the Communications Plan. |
| Report from the HIF Housing Outputs Task Group | Task Group | At the Overview and Scrutiny Committee on 21 March 2022, an oral update from the Chairman of the Task Group (Councillor Kirby) was received and it was stated that it was intended to present a written report to the Committee in the new Municipal Year. No meetings of the Task Group have been held since the update (next meeting 15 June). |

The Work Programme 2022/23

Set out over the coming pages are the items programmed for consideration over the 2022/23 Municipal Year.

Overview and Scrutiny Committee Meeting – 11 July 2022

1 – Performance Management

1.1 Performance & Financial Monitoring Information. For the Committee to consider the current publication of the Performance & Financial Monitoring Information (Green Book)

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2 – Matters for Consideration

2.1 Work Programme. For the Committee to receive the updated Work Programme.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2.2 Interim Performance and Financial Monitoring Review Report. For the Committee to receive an interim report of the Performance and Financial Monitoring Review.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Adam Walther |

2.3 Company Governance Review. For the Committee to receive a report on the Company Governance Review.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Joanne McIntosh |

2.4 Quarterly Noise Complaints Update. The Committee to receive the Quarterly Noise Complaints Update. This item has been deferred to the July meeting to enable a full three months' reporting to be available, and the quarterly updates adjusted for the remaining meetings in the year.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Emma Bourne |

3 – Task Group Updates

3.1 Task Group Update. To receive an update from any meetings of the three Task Groups under the remit of the Committee.

| Consultation | Background Documents | Contact Person/Team |
|---------------------|-----------------------------|-----------------------------|
| None | None | Chairman of each Task Group |

Overview and Scrutiny Committee Meeting – 12 September 2022

1 – Performance Management

1.1 Performance & Financial Monitoring Information. For the Committee to consider the current publication of the Performance & Financial Monitoring Information (Green Book)

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2 – Matters for Consideration

2.1 Work Programme. For the Committee to receive the updated Work Programme.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2.2 Guide to Scrutiny of Risk and Commercialisation. The guide to scrutiny of risk and commercialisation, published by the Centre for Governance and Scrutiny, will be received by the committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-------------------------------------|
| None | None | Giorgio Framaliccio Leigh Clarke |

2.3 Freedom Leisure Performance Review For the Committee to receive the latest review of Freedom Leisure.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Steve May |

2.4 Survey of Leisure Facility Users. For the Committee to receive the survey results from the Leisure Services Manager.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Steve May |

3 – Task Group Updates

3.1 Task Group Update. To receive an update from any meetings of the three Task Groups under the remit of the Committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-----------------------------|
| None | None | Chairman of each Task Group |

Overview and Scrutiny Committee Meeting – 17 October 2022

1 – Performance Management

1.1 Performance & Financial Monitoring Information. For the Committee to consider the current publication of the Performance & Financial Monitoring Information (Green Book)

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2 – Matters for Consideration

2.1 Work Programme. For the Committee to receive the updated Work Programme.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2.2 Centres for the Community. To receive an update from the Family and Community Services Manager.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Adam Thomas |

2.3 Quarterly Noise Complaints Update. The Committee to receive the Quarterly Noise Complaints Update.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Emma Bourne |

3 – Task Group Updates

3.1 Task Group Update. To receive an update from any meetings of the three Task Groups under the remit of the Committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-----------------------------|
| None | None | Chairman of each Task Group |

Overview and Scrutiny Committee Meeting – 21 November 2022

1 – Performance Management

1.1 Performance & Financial Monitoring Information. For the Committee to consider the current publication of the Performance & Financial Monitoring Information (Green Book)

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2 – Matters for Consideration

2.1 Work Programme. For the Committee to receive the updated Work Programme.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2.2 Celebrate Woking 2022/2023 Review and Forward Plan For the Committee to receive the latest review of Celebrate Woking and the Forward Plan

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Riette Thomas |

2.3 Play Areas Provision For the Committee to receive the latest review of the Play Areas Provision.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|------------------------|
| None | None | Neighbourhood Services |

2.4 Treasury Management Mid-Year Review For the Committee to receive the Mid-Year Treasury Management Review

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Leigh Clarke |

3 – Task Group Updates

3.1 Task Group Update. To receive an update from any meetings of the three Task Groups under the remit of the Committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-----------------------------|
| None | None | Chairman of each Task Group |

Overview and Scrutiny Committee Meeting – 23 January 2023

1 – Performance Management

1.1 Performance & Financial Monitoring Information. For the Committee to consider the current publication of the Performance & Financial Monitoring Information (Green Book)

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2 – Matters for Consideration

2.1 Work Programme. For the Committee to receive the updated Work Programme.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2.2 Joint Waste Management Performance Review For the Committee to receive the latest Performance Review of Joint Waste Management.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|------------------------|
| None | None | Neighbourhood Services |

2.3 Quarterly Noise Complaints Update. The Committee to receive the Quarterly Noise Complaints Update.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Emma Bourne |

3 – Task Group Updates

3.1 Task Group Update. To receive an update from any meetings of the three Task Groups under the remit of the Committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-----------------------------|
| None | None | Chairman of each Task Group |

Overview and Scrutiny Committee Meeting – 20 February 2023

1 – Performance Management

1.1 Performance & Financial Monitoring Information. For the Committee to consider the current publication of the Performance & Financial Monitoring Information (Green Book)

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2 – Matters for Consideration

2.1 Work Programme. For the Committee to receive the updated Work Programme.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2.2 Freedom of Information Requests Annual Report. To review the statistics and requests that proceed to the Information Commissioners Office.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-------------------------------|
| None | None | Natalie Khan Frank Jeffrey |

2.3 Overview of Complaints Received and Contract Review Annual Report. A review of the complaints received over the past year and identify any trends.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|--------------------------------|
| None | None | Joanne McIntosh Adam Browne |

2.4 Enterprise M3. The receive a presentation on the work carried out by Enterprise M3.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------------------------|
| None | None | Stephen Martin Giorgio Framallicco |

3 – Task Group Updates

3.1 Task Group Update. To receive an update from any meetings of the three Task Groups under the remit of the Committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-----------------------------|
| None | None | Chairman of each Task Group |

Overview and Scrutiny Committee Meeting – 20 March 2023

1 – Performance Management

1.1 Performance & Financial Monitoring Information. For the Committee to consider the current publication of the Performance & Financial Monitoring Information (Green Book)

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2 – Matters for Consideration

2.1 Work Programme. For the Committee to receive the updated Work Programme.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Democratic Services |

2.2 Safer Working Partnership – Community Safety Plan. The Police and Justice Act 2006 gave local authorities responsibility for considering crime and disorder matters. In 2010 the Committee agreed that the Safer Working Partnership Plan would be brought forward annually for scrutiny.

| Consultation | Consultation | Contact Person/Team |
|--------------|--------------|---------------------|
| None | None | Camilla Edmiston |

2.3 Annual Report of the Overview & Scrutiny Committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Chairman |

2.4 Annual Update on Climate Change.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|---------------------|
| None | None | Lara Beattie |

3 – Task Group Updates

3.1 Task Group Update. To receive an update from any meetings of the three Task Groups under the remit of the Committee.

| Consultation | Background Documents | Contact Person/Team |
|--------------|----------------------|-----------------------------|
| None | None | Chairman of each Task Group |

The Draft Executive Work Programme

The following list sets out the draft forward programme of work for the Executive over the coming year. The programme is subject to additions and alterations and will be updated for future meetings of the Overview and Scrutiny Committee. The purpose of the list is to enable the Members of the Overview and Scrutiny Committee to identify those items they would like to scrutinise under the Committee’s function of pre-decision scrutiny. The list includes those items for recommendation to Council as well as those for determination by the Executive.

Executive – 16 June 2022

Matters for Consideration

- 1) Notice of Motion – Cllr K Davis – Housing Allocations
- 2) Notice of Motion – Cllr D Roberts – Benefits Management
- 3) Review of Community Grants
- 4) Housing Delivery Test and Action Plan
- 5) Update on Community Provision in Sheerwater
- 6) Treasury Management Annual Report 2021-22
- 7) Risk Management and Business Continuity Annual Report
- 8) Performance and Financial Monitoring Information
- 9) Monitoring Reports - Projects

Executive – 14 July 2022

Matters for Consideration

- 1) Medium Term Financial Strategy (MTFS)
- 2) Company Governance
- 3) Draft Town Centre Masterplan
- 4) Equalities Annual Report - 2022
- 5) Performance and Financial Monitoring Information

Executive – 8 September 2022

Matters for Consideration

- 1) Animal Welfare Policy
- 2) Performance and Financial Monitoring Information

Executive – 6 October 2022

Matters for Consideration

- 1) Empty Homes Plan
- 2) Confidentiality Protocol Annual Report
- 3) Performance and Financial Monitoring Information
- 4) Monitoring Reports - Projects

Executive – 17 November 2022

Matters for Consideration

- 1) Town Centre Masterplan
- 2) Review of the Constitution
- 3) Thamesway Business Plans
- 4) Review of Fees and Charges 2023-24
- 5) Calendar of Meetings 2023-24
- 6) Draft Medium Term Financial Strategy (MTFS) and General Fund Budget 2023-24
- 7) Draft Housing Revenue Account Budget Update 2023-24
- 8) Draft Investment Programme 2022-23 to 2026-27
- 9) Performance and Financial Monitoring Information

Executive – 8 December 2022 (Special Meeting)

Matters for Consideration

- 1) Grants for Voluntary and Community Organisations 2023/24
-

Executive – 19 January 2023

Matters for Consideration

- 1) Performance and Financial Monitoring Information
-

Executive – 2 February 2023

Matters for Consideration

- 1) Medium Term Financial Strategy (MTFS), General Fund, Service Plans, Budgets and Prudential Indicators 2023-24
 - 2) Housing Revenue Account Budgets 2023-24
 - 3) Investment Programme 2022-23 to 2026-27
 - 4) Capital, Investment and Treasury Management Strategies
 - 5) Performance and Financial Monitoring Information
 - 6) Monitoring Reports - Projects
-

Executive – 23 March 2023

Matters for Consideration

- 1) Regulation of Investigatory Powers Act 2000 – Annual Monitoring Report
 - 2) Write off of Irrecoverable Debt
 - 3) Performance and Financial Monitoring Information
-

Current Task Groups Responsible to the Committee

The table below provides a list of current Task Groups established by the Committee, including an indication of the resource requirements and the anticipated completion date. Updates on the progress of individual Task Groups are included elsewhere on the Committee's agenda.

| Economic Development Task Group | |
|--|--|
| Remit: | <p>The Economic Development Task Group shall comprise seven Members of the Council representing all Groups on the Council based on proportionality. The Elected Members to be appointed annually by the Overview and Scrutiny Committee in May. The Portfolio Holder for Promoting the Local Economy shall be an ex-officio member.</p> <p>Members of the Task Group will be expected to gain the views of Councillors/ Officers/ other representatives with a view to reporting those views to the Task Group.</p> <p>Members of the Task Group may also be charged with specific areas to research and report back on to the Task Group.</p> <p>Members of the Task Group may be expected to present proposals to the Overview and Scrutiny Committee and, where necessary, prepare written reports.</p> <p>Substitutes may be appointed when necessary.</p> |
| Membership: | Councillors Akberali, Aziz, Davis, Elson, Morley, Oades, Roberts. |
| Resources: | Officer and Councillor time. |
| Date Established: | 11.03.09 |
| Completion Date: | Ongoing |

| Finance Task Group | |
|---------------------------|---|
| Remit: | <p>The Task Group has been established as a Standing Task Group to review financial issues as identified either by itself or the Overview and Scrutiny Committee. The Task Group will receive financial information, including reports to the Executive, to enable it to undertake effective scrutiny of the financial performance of the Council.</p> <p>The Task Group will receive reports on areas such as Treasury Management, Budget Process and Financial Forecast, Statement of Accounts, Investment Programme, Review of Fees and Charges, General Fund Budget, Update on Commercial Rents, Update on Irrecoverable Debt, and matters arising from the Green Book. Its Work Programme will be received at each Task Group meeting.</p> |
| Membership: | Councillors Akberali, Azad, Aziz, Davis, Kirby, Oades and Sanderson |
| Resources: | Officer and Councillor time. |
| Date Established: | 25.05.06 |
| Completion Date: | Ongoing |

| HIF Task Group | |
|--------------------------|---|
| Remit: | <p>The HIF Task Group has been established following the decision on 23 May 2022 to taking on the responsibilities of the Aggregates Site Working Group and the HIF Oversight Panel.</p> <p>The Task Group shall comprise seven Members of the Council representing all Groups on the Council based on proportionality. The Elected Members to be appointed annually by the Overview and Scrutiny Committee in May.</p> <p>Members of the Task Group will be expected to gain the views of Councillors/ Officers/ Portfolio Holder / External Advisors and other representatives with a view to reporting those views to the Task Group.</p> <p>Members of the Task Group may also be charged with specific areas to research and report back on to the Task Group. Any investigation requiring funding would normally be expected to be part of the existing housing budget. Offsite visits will be ad hoc. Requests for additional funds for the purpose would be submitted to the Portfolio Holder.</p> <p>Task Group Members may be expected to present proposals to the Overview and Scrutiny Committee and, where necessary, prepare written reports.</p> |
| Membership: | Councillors Akberali, Ali, Azad, Johnson, Kemp, Lyons and Nicholson. |
| Resources: | Officer and Councillor time. |
| Date Established: | 23.05.22 |
| Completion Date: | Ongoing |

| HIF Housing Output Task Group | |
|--------------------------------------|---|
| Remit: | <p>The HIF Housing Outputs Task Group has been established following the decision on 22 November 2022 to set-up a task group to look at the housing element of the Housing Infrastructure Fund. The Task group shall comprise seven Members of the Council representing all Groups on the Council based on proportionality.</p> <p>Members of the Task Group will be expected to gain the views of Councillors/ Officers/ Portfolio Holder / External Advisors and other representatives with a view to reporting those views to the Task Group.</p> <p>Members of the Task Group may also be charged with specific areas to research and report back on to the Task Group. Any investigation requiring funding would normally be expected to be part of the existing Overview and Scrutiny Budget. Offsite visits will be ad hoc.</p> <p>Task Group Members may be expected to present proposals to the Overview and Scrutiny Committee and, where necessary, prepare written reports.</p> |
| Membership: | Councillors Akberali, Ali, Azad, Forster, Johnson, Kemp and Kirby. |
| Resources: | Officer and Councillor time. |
| Date Established: | 24.01.22 |
| Completion Date: | To be confirmed. |

| Housing Task Group | |
|---------------------------|--|
| Remit: | <p>The Housing Task Group shall comprise seven Members of the Council representing all Groups on the Council based on proportionality. The Elected Members to be appointed annually by the Overview and Scrutiny Committee in May.</p> <p>Members of the Task Group will be expected to gain the views of Councillors/ Officers/ Portfolio Holder / External Advisors and other representatives with a view to reporting those views to the Task Group.</p> <p>Members of the Task Group may also be charged with specific areas to research and report back on to the Task Group. Any investigation requiring funding would normally be expected to be part of the existing housing budget. Offsite visits will be ad hoc. Requests for additional funds for the purpose would be submitted to the Portfolio Holder.</p> <p>Task Group Members may be expected to present proposals to the Overview and Scrutiny Committee and, where necessary, prepare written reports.</p> |
| Membership: | Councillors Akberali, Aziz, Cosnahan, Dorsett, Johnson, Lyons and Whitehand. |
| Resources: | Officer and Councillor time. |
| Date Established: | 25.05.06 |
| Completion Date: | Ongoing |

OVERVIEW AND SCRUTINY COMMITTEE – 6 JUNE 2022

INTRODUCTION TO OVERVIEW AND SCRUTINY

Executive Summary

This report seeks to provide the Members of the Overview and Scrutiny Committee with the background to ‘overview and scrutiny’ and an outline of the roles and responsibilities of the Committee, together with the approaches adopted by the Council.

One of the key reference documents for the Members of the Committee is the Scrutiny Toolkit, a copy of which is attached as an appendix. The Toolkit seeks to provide information, practical guidance and clarity to everyone involved in the overview and scrutiny process at Woking Borough Council. The toolkit has been drawn from a variety of sources and includes many good practice points selected from leading authorities in the field.

The toolkit will enable members of the Overview and Scrutiny Committee to ensure that they concentrate on topics that matter to the residents of Woking, and this in turn will help the Committee play a significant role in shaping the future direction of the Borough.

Recommendations

The Committee is requested to:

RESOLVE That

- (i) the report be noted; and
- (ii) the 2022/23 Scrutiny Toolkit, as set out in Appendix 1 to this report, be received.

The Committee has the authority to determine the recommendation set out above.

| | |
|---------------------------------|--|
| Background Papers: | None. |
| Reporting Person: | Frank Jeffrey, Head of Democratic Services Email: frank.jeffrey@woking.gov.uk, Extn: 3012 |
| Contact Person: | Frank Jeffrey, Head of Democratic Services Email: frank.jeffrey@woking.gov.uk, Extn: 3012 |
| Portfolio Holder: | Councillor A-M Barker Email: cllrann-marie.barker@woking.gov.uk |
| Shadow Portfolio Holder: | Councillor A Azad Email: cllrayesha.azad@woking.gov.uk |
| Date Published: | 25 May 2022 |

1.0 Background to Overview and Scrutiny

- 1.1 The concept of 'overview and scrutiny' was first introduced to local authorities by the Local Government Act 2000. Prior to the Act, local authorities in the UK made decisions through meetings of the full Council or of Committees, commonly referred to as 'the Committee system'. Typically, a committee managed one or more Council services, such as the Housing Committee, the Policy and Resources Committee and the Highways Committee.
- 1.2 The 2000 Act obliged local authorities to adopt political management systems with a separate executive. The 'executive' would take the form of a leader or elected Mayor and a cabinet of no more than nine members. The remainder of the Council was required to scrutinise the Executive by establishing at least one overview and scrutiny committee which would investigate the policies of the Executive and their implementation, issuing reports and drawing attention to shortcomings.
- 1.3 Overview and scrutiny committees may not include members of the Council's Executive, and their membership should in general reflect the political balance of the local authority.
- 1.4 In England, the main provisions for overview and scrutiny can now be found in schedule 2 of the Localism Act 2011, which largely consolidated previously existing law. Initially the district councils in England and Wales with a population of less than 85,000 had the option of a 'streamlined committee system'. Councils which adopted this approach were still required to establish at least one overview and scrutiny committee which would scrutinise the decision-making committees. The Localism Act 2011 extended this option to all Councils in England, since when many have readopted the Committee system. The 2011 Act also removed the obligation for councils using the committee system to have an overview and scrutiny committee.

Powers and Functions

- 1.5 The powers and functions provided for through the legislation include:
 - Any member of an overview and scrutiny committee has the right to refer a relevant matter to the Committee. In England, this provision does not apply to matters concerned with planning and licensing, or to 'any matter which is vexatious, discriminatory or not reasonable to be included in the agenda'.
 - Overview and scrutiny committees may hold inquiries and produce reports. Meetings are subject to the normal rules for public admission.
 - Overview and scrutiny committees have the power to 'call-in' decisions made by the executives. They may then review a decision and recommend that the council reconsiders it. This power is normally defined to 'key decisions', which are defined in law. The government guidance implies that call-in would be expected to be used as a last resort when other methods of engagement have failed. Councils will normally specify a window of time after a decision during which this power can be exercised, and a minimum number of Councillors to exercise it.
 - The Committee may require executive members and officers of the authority to appear before them. Individuals from outside the authority can be invited, but not compelled, to attend.
 - Overview and scrutiny reports must receive a response from the Council's Executive within two months.
 - Overview and scrutiny committees cannot oblige either the executive, the council or external bodies to act upon their findings.

2.0 The Council's Constitution

2.1 For Woking Borough Council, the roles and responsibilities of the Overview and Scrutiny Committee are outlined in Article 6 of the Constitution, as set out below.

General Role

2.2 Within its terms of reference, the Overview and Scrutiny Committee will:

- (a) review and/or scrutinise decisions made (or to be made) or actions taken (or to be taken) in connection with the discharge of any of the Council's functions;
- (b) make reports and/or recommendations to Full Council and/or the Leader/Executive;
- (c) consider any matter affecting the area or its inhabitants;
- (d) exercise the right to call-in, for reconsideration, Executive decisions made but not yet implemented; and
- (e) deal with crime and disorder matters referred to it under the Police and Justice Act 2006;
- (f) consider any valid Councillor Call for Action.

Specific Functions

(a) Policy development and review.

The Overview and Scrutiny Committee may:

- i) assist the Council and the Leader/Executive in the development of its Budget and Policy Framework by in-depth analysis of policy issues;
- ii) conduct research, community consultation and other consultation in the analysis of policy issues and possible options;
- iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- iv) question the Leader, members of the Executive and/or Committees and Corporate Management Group members about their views on issues and proposals affecting the Borough; and
- v) liaise with other external organisations operating in the Borough, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

(b) Scrutiny.

The Overview and Scrutiny Committee:

- i) may review and scrutinise the decisions made or to be made by and performance of the Leader/Executive and/or Committees and Council officers, both in relation to individual decisions and over time;
- ii) may review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;

Introduction to Overview and Scrutiny

- iii) may question the Leader, members of the Executive and/or individual members (to the extent that the latter have been granted powers in relation to their ward) and/or Committees and Corporate Management Group members about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- iv) may make recommendations to the Leader/Executive and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- v) may review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance;
- vi) may question and gather evidence from any person or organisation (with their consent) and require information from partner authorities;
- vii) may review and scrutinise equality issues, and
- viii) shall be responsible for ensuring effective scrutiny of the Treasury Management Strategy and Policies

(c) Finance.

The Overview and Scrutiny Committee have overall responsibility for the finances made available to them.

(d) Annual Report.

The Overview and Scrutiny Committee shall publish an annual report outlining work undertaken during the year, and may make recommendations for future work programmes and amended working methods (if appropriate).

(e) Petitions.

The Overview and Scrutiny Committee is responsible for considering petitions received under the Petition Scheme that fall into the following categories:

- Petitions requiring a Senior Officer to give evidence to the Overview and Scrutiny Committee;
- Appeals from Petitioners who are not satisfied with the response to a petition, and
- Where the petition has been referred to the Committee for further investigation.

2.3 The Overview and Scrutiny Committee conducts its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of the Constitution. This includes membership, quorum, task groups, reporting arrangements, call-in, and Councillor Call for Action.

3.0 The Scrutiny Tool Kit

3.1 To assist Members of the Overview and Scrutiny Committee in their roles and responsibilities, a 'Toolkit' has been drawn up which provides information, practical guidance and clarity to everyone involved in the overview and scrutiny process at Woking Borough Council. It has been drawn from a variety of sources and includes many best practice points selected from leading authorities in the field.

- 3.2 A copy of the Toolkit is attached (Appendix 1).
- 3.3 The Toolkit enables Members of the Overview and Scrutiny Committee to ensure that they concentrate on topics that matter to the residents of Woking, and this in turn will assist in shaping the future direction of the Borough. The Toolkit includes:
- An introduction to Overview and Scrutiny
 - Information on Topic Selection and the Annual Work Programme
 - The Overview and Scrutiny Process
 - The Call-In Procedure
 - Councillor Call for Action
 - Public Participation
 - Supporting Documents
- 3.4 The Toolkit will be reviewed annually, to be brought to the Committee at its June meeting at the beginning of each Municipal Year. This will enable new Members of the Committee to raise any questions over the processes and will ensure that the Committee's approach to scrutiny remains relevant.

Task Groups

- 3.5 Within the document there is information on the Task Groups created by the Committee, which can be set up to carry out an in depth piece of work on behalf of the Committee. The topic to be reviewed is chosen by the Committee, and the Task Group chooses how best to carry out the review. Members are appointed to Task Groups by the Committee.
- 3.6 There are two types of Task Groups:
- Standing Task Group – which is ongoing and provides an overview of the services of the Council, reporting directly to the Overview and Scrutiny Committee.
 - Ad Hoc Review Task Group – which can be established by the Committee to review particular issues that cannot be considered within a normal meeting.

4.0 Work Programme

- 4.1 The Work Programme is a live document and subject to regular review. It has the capacity to consider matters referred to the Committee by the Executive and also deal with any Call-Ins. Overview and Scrutiny is a Member led process and when Members lead on developing the Annual Work Programme the benefits to the community are maximised.
- 4.2 The work programme is reviewed at each meeting of the Committee and is intentionally developed to ensure flexibility and capacity to deal with any issues which may arise during the year. The Committee receives details of the Executive's Forward Plan to assist it in developing the Work Programme.
- 4.3 Topics can be suggested by Councillors, Officers and members of the public, and topics can be referred from the Executive or Council. Before a subject is chosen for review, at least one of the following criteria should be met to establish whether the proposed topic should be selected:
- The Scrutiny Review is likely to result in improvements for local people.
 - The topic falls within a Community or Corporate priority area, such as the Community Strategy and the Council's priorities.

Introduction to Overview and Scrutiny

- The topic represents a key issue for the public.
 - The service proposed for Scrutiny Review is performing poorly. A Review may pick up on areas of weakness identified through the Council's Audit reports or the Performance and Financial Monitoring Information published by the Council.
 - There is a high level of dissatisfaction with the service.
- 4.4 In considering items for inclusion on the Work Programme, the Members should have particular regard to the time and resources (including officer time) needed to deliver the programme.

5.0 Submitting a Topic for Scrutiny

- 5.1 The setting of an Annual Work Programme is an important part of the Scrutiny process. Overview and Scrutiny is a Member led process and as such, Members should lead on developing the Work Programme for the Committee. A key element of the Work Programme is the identification of topics for scrutiny reviews.
- 5.2 A Topic Selection Form has been developed to assist the Overview and Scrutiny Committee to select topics in a structured and consistent way, which can be recorded and justified if necessary. A form must be completed for every topic suggested in order to define the objectives, determine the methodology of the review and agree timescales of the review.
- 5.3 An example of the form is attached at Appendix 2. Those Members wishing to raise a topic should submit the completed form to the Chairman and Vice-Chairman of the Committee for information. The proposal would be brought to the next available meeting of the Committee to determine whether the topic is to be taken forward for scrutiny.

The Scrutiny Process

- 5.4 Ideally, when considering a topic for scrutiny, Members should consider what benefits the review will achieve, the anticipated timescale and what resources will be necessary to complete the review. Scrutiny Reviews are Member-led and as such Members will have a greater role to play than would be the case with a standard working group of the Council.
- 5.5 The Overview and Scrutiny Committee can appoint any Member to a Task Group, regardless of their Committee membership, with a view to ensuring that those with the most relevant background serve on the Task Groups. The responsibilities of Members will be determined at the earliest stage of a review, identifying those Members responsible for undertaking the necessary research, inviting 'witnesses' or 'experts' and managing the Scrutiny review.
- 5.6 Reviews can be undertaken by a single Councillor or a group of Councillors, to be appointed by the Committee. The Members undertaking a review will be expected to report regularly to the Overview and Scrutiny Committee on its progress and to bring forward its findings at the end of the process.
- 5.7 The work programme of the Committee will be taken into consideration when considering any topic review requests.

Implications

- 5.8 When considering a topic for scrutiny, the Members of the Committee should be mindful of the implications of a review. For example, the financial implications of a scrutiny review would need to be considered before a decision was taken to proceed with a review. Similarly any proposals for scrutiny review topics would need to identify the level of human resource necessary to complete the review, whether this is in the form of elected member, officer or expert witness time.

6.0 Call-in

- 6.1 Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the Executive needs to be revisited (or possibly changed). It provides a key check and balance in the leader/cabinet system of governance.
- 6.2 It should, however, be regarded as a measure that is only needed in exceptional circumstances, rather than day-to-day. It sits in the context of a range of other tools at scrutiny's disposal to influence decision-making. There is no obvious correlation between councils with high (or low) numbers of call-ins and those with effective scrutiny functions; a larger number of call-ins has no direct effect on the proportion of those call-ins that lead to an amended decision.
- 6.3 Call-in should be seen in context – it is one of a number of tools available to influence decision-making. Members may, for example, carry out pre-decision scrutiny, which can lessen the need for call-in. Call-in can also be seen as part of a process whereby scrutiny can challenge the assumptions and evidence behind decisions.

Woking Borough Council's Procedures

- 6.4 All members of the Council are sent a copy of the draft minutes of the Executive on the day following the meeting of the Executive. The draft minutes include a statement that the decisions within the minutes will come into force, and may then be implemented, after five working days following the publication of the document, unless one or more decision is called-in.
- 6.5 During the five working days, the Chairman of the Overview and Scrutiny Committee or any three Members of the Committee, can notify the Proper Officer of their desire to call-in a decision for scrutiny. The request for call-in must include the reasons for the call-in, which would then be shared with all Members of the Council.
- 6.6 A meeting of the Committee will then be arranged, where possible after consultation with the Chairman of the Committee, and in any case within five working days of the decision to call-in. If, having considered the decision, the Overview and Scrutiny Committee wishes to take action it may choose to:
- refer the decision back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns; or
 - refer the matter to the next ordinary meeting of Full Council.
- 6.7 If referred back to the Executive, the matter would be reconsidered at the next ordinary meeting of the Executive or earlier if so determined by the Leader. In the event the decision was made by an individual, the individual would reconsider the matter within five working days of the request. The Executive or individual decision-maker will reconsider the initial decision, amending the decision or not as the case may be, before adopting a final decision.
- 6.8 In the event the Overview and Scrutiny Committee does not meet within five days of the call-in, or does meet but does not refer the matter back, the decision will take effect on the date of the Overview and Scrutiny meeting, or the expiry of the five day period, whichever is the earlier.
- 6.9 If the matter is referred to Full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will take effect on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

- 6.10 However, if the Council does object, it cannot make any decisions in respect of an Executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the Executive or decision-making individual, together with the Council's views on the decision. The Executive or individual will then have the options to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive, a meeting has to be convened within five working days of the Council's request. Similarly, where the decision was made by an individual, the individual will reconsider the matter within five working days of the Council request.
- 6.11 It should be noted that the call-in procedure does not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call in process would be seriously prejudicial to the Council's or the public's interests. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

7.0 Councillor Call for Action

- 7.1 The Councillor Call for Action provides Members with the opportunity to ask for discussions at the Overview and Scrutiny Committee on issues where local problems have arisen and where other methods of resolution have been exhausted. The powers are to help Ward Councillors tackle local problems on behalf of their constituents (as a last resort) when all other avenues have failed to resolve the issue.
- 7.2 The power is limited to issues affecting a single ward and any Councillor can make a Councillor Call for Action irrespective of their existing role on the Council. It can be about any issue of the Councillor's choice, regardless of which organisation is responsible, subject to statutory exceptions (for example if the matter is the subject of an existing complaint or is vexatious in its nature). The process is not designed to provide an immediate solution but will allow a high profile public discussion of the issue.

The Council's Arrangements for Councillor Call for Action

- 7.3 Under the Council's arrangements, the Overview and Scrutiny Committee will consider a Councillor Call for Action that:
- has been submitted in relation to a matter that affects a single Ward;
 - has been submitted by a Councillor from the Ward affected;
 - is in relation to a Local Government matter;
 - demonstrates that all existing avenues have been exhausted and that this is a matter of a 'last resort';
 - has been submitted on the Councillor Call for Action Request Form;
 - adheres to the process set out in the flow diagram; and
 - states the nature of the issue, what action has been taken to resolve the issue, an outline of the resolution to the problem being sought, and an indication of any other organisations involved in the Councillor Call for Action.
- 7.4 The flow diagram set out in Appendix 3 seeks to ensure that the Councillor has exhausted all other avenues in seeking to resolve an issue and that the Call for Action is a 'last resort'. Such avenues are to include discussing the matter with the relevant CLT member, Senior Manager

or Portfolio Holder, and with any organisations which could assist. In addition, the issue must fall outside the statutory exclusions for a Call for Action.

7.5 The Overview and Scrutiny Committee will not consider a Councillor Call for Action that:

- Is a vexatious, persistent, unreasonable or discriminatory request; and
- Is in relation to a Planning, Licensing or Regulatory application.

7.6 The following process has been adopted for a Councillor Call for Action:

- Step 1 – Ensure the issue qualifies as a Call for Action.

The Ward Councillor should initially apply the criteria for a Call for Action, as set out in the Flow Chart, ensuring that the issue qualifies.

- Step 2 – Call for Action Form

A Councillor Call for Action form must be completed by the Ward Councillor and submitted to the Democratic Services Team. A form has been drawn up to cover all the main points of a Call for Action, including:

- The nature of the issue;
- What action has been taken to resolve the issue;
- An outline of the resolution to the problem being sought; and an indication of any other organisations involved in the Councillor Call for Action.

A copy of the form is set out at Appendix 3.

- Step 3 – Chairman's Consideration

The Chairman of the Overview and Scrutiny Committee determines whether or not a Call for Action is considered. This will be based on ensuring that all other avenues have been exhausted, and that the statutory exclusions have been considered. In considering a Call for Action, the Chairman must take into account the potential resource implications.

In the event a Call for Action is submitted by the Chairman in his or her role as a Ward Councillor, the Vice-Chairman of the Overview and Scrutiny Committee will determine whether or not the Call for Action is considered.

- Step 4 – Initial Report to the Committee

The Overview and Scrutiny Committee will receive an initial report which will enable the Members to determine the appropriate priority in its work programme, taking into account the outcome sought, potential resource implications and whether and when to include the request in the Committee's Work Programme.

This report will be drawn up by a Democratic Services Officer in consultation with the Chairman of the Overview and Scrutiny Committee (or, in the event a Call for Action is received from the Chairman of the Committee, in consultation with the Vice-Chairman). Further Officers may be consulted at this stage if necessary.

- Step 5 – Recommendations of the Committee

Once in the Work Programme, a report will be prepared for the Committee on the Call for Action which will set out a recommended resolution to the request. Consideration will be given to comments from partner organisations, evidence from appropriate experts and any other relevant information.

The report for the Committee will be drawn up through the appropriate Senior Manager in consultation with the Chairman of the Committee. Support may be provided by Democratic Services. Depending on the nature of the Call for Action, it may be necessary to consult partner organisations or appropriate experts.

- Step 6 – Seeking a Resolution

The recommendations of the Committee will be submitted to the Executive (or to other partner organisations, if relevant).

- Step 7 – Monitoring of Recommendations.

The Overview and Scrutiny Committee will be responsible for the monitoring of the implementation of the decisions taken.

7.7 The full process to be followed is set out in the flowchart in Appendix 3 and is set out in the Overview and Scrutiny Committee Procedure Rules within the Constitution.

7.8 In terms of the implications of a particular Councillor Call for Action, any requests received would need to be considered individually and may have financial, legal and other resource implications to take into account.

8.0 Training and Development

8.1 Included within the Council's approach is a programme of training events, briefings and information documents. The Council has also developed a framework for Councillors' learning and development which includes the roles and responsibilities of elected Members. The framework is being updated and once completed will be circulated to all Councillors. Included is an outline of the roles and responsibilities of the Chairman of the Overview and Scrutiny Committee, a copy of which is set out in Appendix 4 to this report.

8.2 There are many agencies that provide support and guidance around overview and scrutiny, notably South East Employers (seemp.co.uk), the Local Government Association (www.local.gov.uk) and the Centre for Governance and Scrutiny (www.cfgs.org.uk), all of which have published useful reference documents for both elected Members and Officers.

8.3 The annual programme of training and development is guided by Members and suggestions for training topics can be submitted during the year. Such suggestions will then be considered in terms of the costs involved and the number of Members interested in attending.

9.0 Officer Support

9.1 The Overview and Scrutiny Committee is supported by Officers from Legal and Democratic Services who attend the meetings of the Committee and liaise with the Chairman and Vice-Chairman on the development of the Committee agendas and the Work Programme. In addition, Officers from across the Authority and partner organisations will attend the meetings to discuss their specific areas of expertise under the programme of topics identified by the Committee.

9.2 Support for the Overview and Scrutiny Committee is currently being reviewed in the light of Dr Edila's recommendations.

10.0 Protocol between the Overview and Scrutiny Committee and the Executive

10.1 At its meeting on 20 January 2022, the Executive agreed a recommendation from the Overview and Scrutiny Committee that a protocol be agreed to clarify the relationship between the Committee and the Executive to support a framework of strong democratic transparency and

accountability, and to establish effective communication between Scrutiny and Executive Members. The aim was to promote an effective role for Scrutiny and foster a good working relationship between the Committee and the Executive that will ensure the Committee makes a valuable contribution to the effective running of Woking Borough Council, resulting in positive outcomes for residents of the Borough.

- 10.2 The Protocol applies to all Members of the Overview and Scrutiny Committee, any Member who may sit on a Scrutiny Task Group, Working Group, and all Members of the Executive (comprising the Leader and the various Executive Members).
- 10.3 Attached as Appendix 5, the document sets out guidance on the way in which Members in their respective roles interact to enable the Authority to carry out the Overview and Scrutiny function. The Protocol also outlines the framework and procedures underpinning the operation of scrutiny and provides guidance on the role of officers who support this process.
- 10.4 The following areas are covered by the Protocol:
- Key Functions of Overview and Scrutiny at Woking Borough Council
 - The Scrutiny Process
 - Relationship between Overview and Scrutiny and the Executive
 - Expectations of the Executive Members
 - Expectations of Overview and Scrutiny Members
 - The Work Programme and Executive Forward Plan
 - Conduct at Meetings.

11.0 Implications

Financial

- 11.1 There are no financial implications arising from this report.

Legal

- 11.2 The legal framework within which the Overview and Scrutiny Committee operates is as set out in points 1 and 2 of this report.

Human Resource/Training and Development

- 11.3 There are no human resource or training and development implications arising from this report. The report itself forms part of the Council's overall approach to learning and development, taken together with training events and other briefings.

Community Safety

- 11.4 There are no community safety implications arising from this report.

Risk Management

- 11.5 There are no risk management implications arising from this report.

Sustainability

- 11.6 There are no sustainability implications arising from this report.

Equalities

- 11.7 There are no equalities implications arising from this report.

Safeguarding

11.8 There are no safeguarding implications arising from this report.

12.0 Conclusions

12.1 This report seeks to provide the Members of the Overview and Scrutiny Committee an outline of the roles and responsibilities of the Committee, together with the tools and support available.

12.2 Beyond the support provided through the Council, a number of agencies provide valuable support for both the Members of the Committee and Officers supporting the function of overview and scrutiny, either through training or through the publication of guides. Members can find full details on the websites of the respective agencies and can submit suggestions for future training events on key topics or skills.

REPORT ENDS

The Scrutiny Toolkit

2022/23



Foreword

This toolkit aims to provide information, practical guidance and clarity to everyone involved in the overview and scrutiny process at Woking Borough Council.

The toolkit has been drawn from a variety of sources and includes many good practice points selected from leading authorities in the field.

The toolkit will enable members of the Overview and Scrutiny Committee to ensure that they concentrate on topics that matter to the residents of Woking, and this in turn will help us play a significant role in shaping the future direction of the Borough.



Contents

| | |
|--|-----------|
| 1. An introduction to Overview and Scrutiny | 5 |
| What is Overview and Scrutiny? | |
| What Overview and Scrutiny is not | |
| The Work of the Overview and Scrutiny Committee | |
| The Councils Structure | |
| Task Groups | |
| Annual Report | |
| 2. Topic Selection and the Annual Work Programme | 9 |
| Work Programme | |
| Topic Selection | |
| Steps to setting a Work Programme | |
| 3. The Overview and Scrutiny Process | 13 |
| Councillor Led | |
| Role of Chairman and Vice Chairman | |
| Chairman and Vice-Chairman Liaison | |
| The Role of Councillors | |
| Committee Members | |
| Carrying out a Scrutiny Review | |
| Officers | |
| 4. Call-In | 19 |
| Call-In Procedure | |
| 5. Councillor Call for Action (CCfA) | 21 |
| 6. Public Participation | 25 |
| Witness/Expert attendance at the meeting | |
| 7. Supporting Documents | 27 |
| Scrutiny Review Topic Selection Form | |
| CCfA Form | |
| Work Programme Development - Overview and Scrutiny Topic Selection Flowchart | |
| Scrutiny Review Task Group Terms of Reference | |
| Guidance for Witnesses and Experts | |
| Questioning Techniques | |

1. An introduction to Overview and Scrutiny

“Effective Public Scrutiny can be a powerful vehicle for change. It can improve the delivery of services; it can connect the public to decision makers and politicians; it can improve efficiency.” Centre for Public Scrutiny (CfPS) December 2008

What is Overview and Scrutiny?

Overview and Scrutiny was introduced as part of the modernisation agenda for local government under the Local Government Act 2000. This Act required Local Authorities to develop a new political structure and arrangements to replace the old Committee system. An essential part of these new arrangements was the introduction of Overview and Scrutiny; designed to hold the Executive to account and to help in the development of new policies.

The Overview and Scrutiny Committee is not a decision making body and holds no executive authority over the business of the Council. Their role relates to scrutiny and review, and their power lies in raising awareness of important issues and placing influence on others to take action in certain ways.

The overview and scrutiny process provides an opportunity for Councillors and, in some cases, external representatives, to examine various functions of the Council, to ask questions about how decisions have been made and to consider whether service improvements can be put in place. It provides an opportunity for Councillors to champion issues of public concern and to participate in the development of new policies. It facilitates debate about priorities, budget, the strategy of the Council and its vision for the Borough.

Overview and Scrutiny is a positive activity and should contribute to the delivery of efficient and effective services that meet the needs and aspirations of the local community. The Committee should not shy away from the need to challenge and question decisions and make constructive criticism, but should avoid unnecessary conflict and confrontation.

The role of overview and scrutiny also provides new opportunities for public involvement and debate, supporting the Council in taking a community-orientated approach and bringing new ideas and wider experience into the Council processes.

Overview and Scrutiny requires new ways of working and different skills for all concerned. In particular, to work effectively, overview and scrutiny needs to be Member-led.

What Overview and Scrutiny is not

The Overview and Scrutiny Committee does not deal with complaints or regulatory matters such as planning applications or applications for licences. Overview and scrutiny focuses on strategic delivery of services, not individual issues. It is important that scrutiny reviews do not turn into a witch hunt – it is not about apportioning blame or seeking to interrogate people in public aggressively.

The work of the Overview and Scrutiny Committee

The Overview and Scrutiny Committee can:

- review and/or scrutinise decisions made or actions taken by the Executive, individual Executive Members or Officers of the Council;
- prepare reports and/or recommendations to Council and/or the Executive;
- consider any matter affecting the area or its inhabitants; and
- exercise the right to Call-in, for reconsideration, decisions made but not yet implemented by the Executive.

The Overview and Scrutiny Committee can also:

- require Executive Members and senior officers to attend meetings and to be challenged about matters within their areas of responsibility;
- invite expert advisors and other members of the Council and members of the public to take part in Scrutiny reviews;
- refer matters to 'Task Groups' made up of smaller groups of Councillors to undertake in-depth reviews;
- submit formal questions to the Chairman regarding matters that come within the remit of the Committee.

The Council's Structure

The Council has 30 Councillors in total who are elected by local residents and represent 10 wards. The whole Council agrees overall policies. Day-to-day decisions are then made by the Executive comprising a leader and six Councillors who are appointed by the Council. The Council also has a number of Committees to deal with such matters as Planning, Licensing and internal governance issues.

The rules governing the way in which the Overview and Scrutiny Committee operates can be found in the Council's Constitution.

At Woking Borough Council there is a single Overview and Scrutiny Committee which has 10 members and meets eight times per year. This Committee, along with a number of Task Groups, carry out the function of Overview and Scrutiny in Woking.

Task Groups

A Task Group is a small group of Councillors (usually no more than four to six) who are asked to carry out an in depth piece of work on behalf of the Overview & Scrutiny Committee. Task Groups are set up individually for each review. The topic to be reviewed is chosen by the Committee, but it is for the Task Group itself to decide upon the way it chooses to carry out the review. Membership of the Task Group can be drawn from all Councillors and it is not limited to the Members of the Committee. It is often useful to include Members with a range of views and perspectives.

A Task Group allows a topic to be looked into in some depth and it will normally take up to six months to complete their work. At Woking Borough Council there are two types of Task Group:

Standing Task Groups provide an overview of the services of the Council and report directly to the Overview and Scrutiny Committee. These Task Groups do not have a limited life span and are ongoing.

Ad Hoc Review Task Groups are established by the Overview and Scrutiny Committee to carry out scrutiny reviews to investigate particular issues which cannot be adequately considered within a normal meeting. The Task Group must be clear on the purpose, rationale and objectives of their review and set an anticipated completion date. They must feedback regularly to the Committee and at the conclusion of its investigation; the Group will prepare a report for the consideration of the Committee. The meetings will normally be held in private, but can take place in various locations, depending on the type of work being undertaken.

Overview and Scrutiny Task Groups 2022/23

| WORKING GROUP | <u>Liberal Democrat</u> | <u>Conservative</u> | <u>Labour</u> | <u>Independent</u> |
|-------------------------------------|---|--|---------------------------|--------------------------------|
| Economic Development Task Group (7) | Councillors Morley Oades Roberts | Councillors Davis Elson | Councillor Aziz | Councillor Akberali |
| Finance Task Group (7) | Councillors Kirby Oades Sanderson | Councillors Azad Davis | Councillor Aziz | Councillor Akberali |
| HIF Task Group (7) | Councillors Johnson Lyons Nicholson | Councillors Azad Kemp | Councillors Ali | Councillors Akberali |
| HIF Housing Outputs Task Group (7) | Councillors Forster Johnson Kirby | Councillors Azad Kemp | Councillors Ali | Councillors Akberali |
| Housing Task Group (8) | Councillors Cosnahan Johnson Lyons | Councillors Dorsett Whitehand | Councillor Aziz | Councillor Akberali |

The Annual Report

The Overview and Scrutiny Committee prepares an Annual Report which details the work that has been undertaken during the year. The Annual Report outlines the outcome of recommendations made by the Committee and highlights those measures and approaches which have proved effective during the scrutiny reviews. The Committee can also make recommendations for future Work Programmes through the Annual Report, and suggest amended working methods if appropriate. The Annual Report is written by the Chairman, although it must be agreed by the Committee before it is presented to Council.

2. Topic Selection and the Annual Work Programme

“Effective work programming is the bedrock of an effective scrutiny function. Done well, it can help lay the foundations for targeted, inclusive and timely work on issues of local importance, where scrutiny can add value. Done badly, scrutiny can end up wasting time and resources on issues where the impact of any work done is likely to be minimal” A Cuning Plan? Devising a Scrutiny Work Programme, CfPS, March 2011

Work Programme

The setting of an Annual Work Programme is an important part of the Scrutiny process. Overview and Scrutiny is a Member led process and as such, Members should lead on developing the Work Programme for the Committee.

The Work Programme is a living document and should be subject to regular review. Members should consider the resource implications and be aware of the resource requirements of larger reviews. The Work Programme should also have capacity to consider matters referred to the Committee by the Executive and also to deal with Call-Ins. The Overview and Scrutiny Committee need to be flexible and responsive to the needs of the organisation. In putting the Work Programme together, the Overview and Scrutiny Committee will need to have regard to Members’ capacity to deliver the Programme and the capacity of Officers to support them in that task. A good maxim would be **‘If in doubt, leave it out’**. **It is far better to do a few topics well, than many topics poorly.**

The Work Programme includes within it ongoing issues such as performance management and annual budget monitoring and one off issues and reviews that may be referred to smaller Task Groups for an in-depth investigation.

Submitting Topics for Scrutiny

Who can suggest a topic?

Councillors, Officers and members of the public can suggest a topic for the Committee to scrutinise. Members of the public can submit their suggestions via the e-form on the Council’s website. Topics can also be referred to the Overview and Scrutiny Committee by the Executive or Council.

Recent changes in legislation also make it possible for Councillors to refer matters to scrutiny through what is called a ‘Councillor Call for Action’ (CCfA). More information on this is provided in section 5 of this toolkit.

Topic Selection

Before a subject is chosen for review, at least one of the following criteria should be met to establish whether the proposed topic should be selected:

- The Scrutiny Review is likely to result in improvements for local people.
- The topic falls within a Community or Corporate priority area, such as the Community Strategy and the Council’s priorities.

- The topic represents a key issue for the public.
- The service proposed for Scrutiny Review is performing poorly. A Review may pick up on areas of weakness identified through the Council's Audit reports or the Performance and Financial Monitoring Information published by the Council.
- There is a high level of dissatisfaction with the service.

Topic Rejection

The Overview and Scrutiny Committee will not deal with a topic if:

- The topic is already being addressed.
- The matter is subjudice or prejudicial to the Council's interests.
- The specific case falls within the Council's complaints procedure.
- The topic involves an individual disciplinary or grievance matter.
- Scrutiny Review of the proposed topic is unlikely to result in improvements for local people.

It is important that all topics are assessed against the criteria to ensure that time is not wasted on impulse decisions. That way, less important matters can be rejected in a structured transparent way.

A Topic Selection Form has been developed to assist the Overview and Scrutiny Committee to select topics in a structured and consistent way, which can be recorded and justified if necessary. **A 'Scrutiny Review Topic Selection Form' must be completed for every topic suggested/selected in order to define the objectives, determine the methodology of the review and agree timescales.**

[This **Scrutiny Review Topic Selection** e-form is referenced in Section 7 – Supporting Documents.]

Steps to setting a Work Programme

Step 1 – Identify potential topics / issues

- Identify standard items such as performance monitoring and annual budgets
- Review the Forward Plan
- Discuss priorities with Portfolio Holders and senior officers
- Invite suggestions for scrutiny from Members of the Council, officers and the public
- Leave capacity to deal with unexpected issues throughout the year

Step 2 – Filtering topics for further action

- Filter and prioritise each potential topic by measuring them against the selection and rejection criteria outlined above

- Divide topics into two categories. An active list containing the topics that will be pursued by the Committee and a reserve list for topics that may be scrutinised at a future date
- Reject all topics that fall in line with the criteria outlined under 'Topic Rejection' above.

Step 3 – Review and update the programme

Keep the Work Programme under constant review. Adjust as necessary to delete redundant topics, and add subjects as new topics/suggestions are received or revealed through reports on poorly performing services.

3. The Overview and Scrutiny Process

“Scrutiny will only work in the long run, if Members drive the process” (CfPS)

Councillor Led

There are many different approaches to running Overview and Scrutiny. There is no ‘one size fits all’ approach. However, what is clear is that successful scrutiny relies upon Member involvement.

In order for the Council to maintain and develop a successful scrutiny function, Councillors must take a leading role in the process. This is not a task just for Chairman or Vice Chairman, scrutiny relies upon engagement from a wide number of enthusiastic Councillors to achieve success.

Councillors must act in a non-partisan manner, which places the needs and aspirations of the community above the consideration of party politics. They must encompass the appropriate skills and competencies required to be able to influence a wide range of public bodies with the aim of improving services for local people.

Councillors must take the lead in not only choosing topics for selection, but to take the lead in questioning witnesses, formulating recommendations and in preparing reports for consideration by decision makers. Councillors have to make time for detailed involvement in topics under review whilst demonstrating effective work management to make sure that scrutiny activities are timely and have impact.

Role of the Chairman and Vice-Chairman

Because the Overview and Scrutiny Committee is a Member led process, the role of the Chairman and Vice-Chairman is an important one. The Chairman has a pivotal role in maintaining the focus of scrutiny activity on issues that are of concern to the residents of Woking.

Each Chairman has to possess a range of abilities including good communication, listening, and analytical skills in order to balance the desire for Committee Members to have full and frank discussion about topics, with the need to ensure the Committee makes the best use of its time and resources. The Chairman has to encourage the Committee to operate in an open and robust manner, whilst also making sure that witnesses and officers are treated with respect and courtesy. It is also important that the Chairman summarises to confirm agreement and ownership of actions, decisions, and important points and at key stages refocus discussions.

Chairman and Vice-Chairman Liaison

It is good practice for the Chairman and Vice-Chairman to meet in between meetings of the Committee in order to discuss the Work Programme, any outcomes from previous meetings, potential agenda items, new developments in Overview and Scrutiny best practice etc. The Democratic Services Officer who supports the Overview and Scrutiny Committee also attends these meetings.

The Role of Councillors

Being a Member of the Overview and Scrutiny Committee is a rewarding responsibility, enabling a Member of the Council to really explore ways of improving the service the Council provides.

Overview and Scrutiny Members need to take an equal part in scrutinising the Council's policies and Executive decisions, and be active in collecting and assessing evidence and producing recommendations. Overview and Scrutiny provides Members with an opportunity to question Executive lead Members, Officers and others in order to gain knowledge of a topic and develop supporting evidence for recommendations.

Councillors will receive a considerable amount of paper work to read and as a result, they need to set aside sufficient time to allow them to attend meetings, forums, workshops and site visits.

Councillors will:

- Agree a manageable Work Programme.
- Take an active role in Scrutiny reviews either in the full Committee or through Task Groups.
- Receive and examine information and monitor the performance of service areas and participate in reviews as appropriate.
- Hold Executive Members and Senior Officers to account.
- Take part in training and development programmes.

Overview and Scrutiny Committee Members 2022/23

| Member: | Member Position: |
|---|-------------------------|
| Councillor Ayesha Azad, <i>Conservative</i> | Chairman |
| Councillor James Sanderson, <i>Liberal Democrat</i> | Vice-Chairman |
| Councillor Hassan Akberali, <i>Independent</i> | Committee Member |
| Councillor Andy Caulfield, <i>Liberal Democrat</i> | Committee Member |
| Councillor Kevin Davis, <i>Conservative</i> | Committee Member |
| Councillor Peter Graves, <i>Liberal Democrat</i> | Committee Member |
| Councillor Colin Kemp, <i>Conservative</i> | Committee Member |
| Councillor Adam Kirby, <i>Liberal Democrat</i> | Committee Member |
| Councillor John Morley, <i>Liberal Democrat</i> | Committee Member |
| Councillor Mohammed Ilyas Raja, <i>Labour</i> | Committee Member |

Carrying out a Scrutiny Review

Stage 1 – Topic Selection

Scrutiny topics are selected by the Overview and Scrutiny Committee. Items can come from a variety of sources including Members of the Council, members of the public or be referred to the Committee by the Executive or Council. Scrutiny Reviews will be undertaken by the Overview and Scrutiny Committee itself or in the majority of cases allocated to a Task Group.

Topic selection has been covered in detail in Section 2 of this guide.

Stage 2 – Scoping & Planning the Review

Before the Overview and Scrutiny Committee can agree the Scrutiny Review, a ‘Scrutiny Review Topic Selection Form’ must be completed and submitted to the Committee.

Comprehensive scoping and planning is essential in order to ensure that the Scrutiny review is as effective as possible – if a Review is too broad, it may not be possible to identify the necessary resources to complete the Review within the proposed timescale and the Review may lose its focus, leading to ineffective outcomes.

Once a Scrutiny Review topic has been agreed, it is likely that a Task Group will be established to undertake the Review (although this is not always necessary). The Committee will encourage interested Councillors to volunteer to sit on the Task Group and will seek to achieve a politically balanced group.

Before the Overview and Scrutiny Committee can formally agree the establishment of a Task Group, a ‘Terms of Reference’ form must be completed and submitted to the Committee for approval. [An example of this form can be found in Section 7 – Supporting Documents]

The Terms of Reference will consider-

- The purpose, rationale and objectives of the review
- Key issues and areas of focus
- Responsibilities of Councillors and Officers
- The risks involved in undertaking the review (and how they can be minimised)
- How the review will be undertaken
- Timescales

At the first meeting of the Task Group, the Members will -

- Elect a Chairman and appoint a Vice Chairman
- Determine dates for future meetings of the Group
- Establish a target date for completing the review and submitting a final report to the Overview and Scrutiny Committee

Task Groups are encouraged to consider innovative and imaginative ways of working. Examples of such working can include holding Task Group meetings at locations across the Borough, use of questionnaires and the staging of public meetings.

Stage 3 – Collecting Evidence

What information is going to be needed? Once the scope for the Review has been agreed, the Task Group will need to consider what information is required to fulfil the objectives of the Review.

When the information requirements have been identified, the Task Group will need to identify where and how the information can be gained, with consideration given to -

- Undertaking site visits
- Calling on expert witnesses Council and external sources
- Hearing evidence from community and voluntary groups, the public and business sector, and consulting service user groups and local interest groups.
- Commissioning research & researching best practice through local government organisations e.g. www.idea.gov.uk, www.lga.gov.uk
- Joint working with other authorities and organisations
- Officer reports and presentations

Stage 4 – Considering the Evidence

When the evidence has been collected, the Task Group will need to meet to consider and analyse the findings. It is important that both the findings and the recommendations are drawn out of the evidence and are adequately supported by it.

Stage 5 – Report

A draft report based on the Task Groups' finding and recommendations will be prepared by the Chairman of the Task Group and the appointed Lead Officer.

Recommendations should:

- Be based on clear evidence
- Address identified need
- Link to Council priorities
- Demonstrate tangible benefits
- Take account of resources

The final report and any recommendations from the Task Group will be considered by the Overview and Scrutiny Committee before being recommended to the Executive. Any changes to the Council's policies will then need to be dealt with by way of a recommendation to Council.

In the event of there being dissent from the recommendations, a minority report will also be allowed to be forwarded to the Executive, Council or Partner Organisation, proposing an alternative course of action.

Stage 6 – Feedback and Monitoring

Following the reporting process, it is important that feedback is given to contributors to the Review and stakeholders concerned about the outcome. The feedback should make it clear what actions are proposed as a result of the Review.

The Overview and Scrutiny Committee will need to make suitable arrangements to monitor the implementation of the recommendations adopted, and request progress reports from officers and Portfolio Holders.

Officers

The Overview and Scrutiny Committee is supported by a Democratic Services Officer and Lead Officers throughout the Council.

Democratic Services Officer

The Democratic Services Officer will act as a contact, advisor and support for the Overview and Scrutiny Committee to co-ordinate the work of the Councillors and Officers supporting the Task Groups. This Officer does not always necessarily participate in the work of the Task Groups, but does aid and assist Members with any necessary arrangements and application of Overview and Scrutiny. The Officer will also act as a link between the Task Group and the Council's Committee process.

The Democratic Services Officer will also assist in:

- the arrangement and organisation of Task Group meetings;
- the development of terms of reference;
- the arrangement of site visits, workshops, etc and the attendance of witnesses;
- use of the Internet/Intranet;
- applying the Tool Kit for Successful Scrutiny.

Lead Officer

Each Scrutiny Review will have a Lead Officer appointed, who will be best placed to advise and inform. The Lead Officer will be involved for the duration of the Review and will assist the Task Group in its consideration of the evidence collected and the production of the final report. The Officer will assist in scoping the Review, establishing clear aims and objectives and ensuring that the right information and participants are available.

Responsibilities of the Lead Officer include:

- working with the Task Group to establish a plan to define the objectives, timetable and methodology;
- keeping the work of the Task Group under review in light of any additional issues or changes in timescale identified by the Task Group;

- assisting in assimilating information and data and present any findings or conclusions arising from the Review in an appropriate format;
- assisting in communications, including progress reports to the Overview and Scrutiny Committee and consultation with stakeholders; and
- assisting in the preparation of the final recommendations and Committee report.

Additional Officers may be called upon by the Task Group for specific technical information, either written and/or verbal. Legal Services will provide procedural, legislative and constitutional advice.



Call-In Procedure

One of the main responsibilities of the Overview and Scrutiny Committee is to hold the Executive to account. They can do this by Calling-In a decision of the Executive and preventing the decision from being implemented until it has been fully discussed by the Overview and Scrutiny Committee.

Although the Overview and Scrutiny Committee cannot change the decision, it can refer the matter back to the decision taker to ask for the decision to be reviewed or to consider an alternative course of action.

The Call-In procedure does not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would be seriously prejudicial to the Council's or public interest.

Once a decision has been made by the Executive, Councillors have five working days to Call-In a decision. If the decision is called-in, it cannot be implemented until it has been referred to the Overview and Scrutiny Committee for advice.

The called-in decision must be considered by the Committee within five working days of the decision to call it in.

The decision will be referred to the first available meeting of the Overview and Scrutiny Committee if within timescales, or a special meeting of the Committee will be arranged. The Committee then has three options:

- To offer no advice, in which case the decision may be implemented immediately.
- To make a recommendation, in which case the matter must be referred to the Executive in order for a decision to be made upon it.
- To make a recommendation to Council (bypassing the Executive).

The Executive or Council is not bound to accept any recommendation to it and will have sole discretion on any further action to be taken.

Where the Scrutiny Committee does decide to make a recommendation this must be clearly documented in the minutes.

Occasionally, matters subject to call-in will be confidential or exempt and the press and public may be required to leave the room for the whole or part of the proceedings in such circumstances.

The detailed procedure for 'Call-In' can be found in the Overview and Scrutiny Procedure Rules in the Constitution.

5. Councillor Call for Action (CCfA)

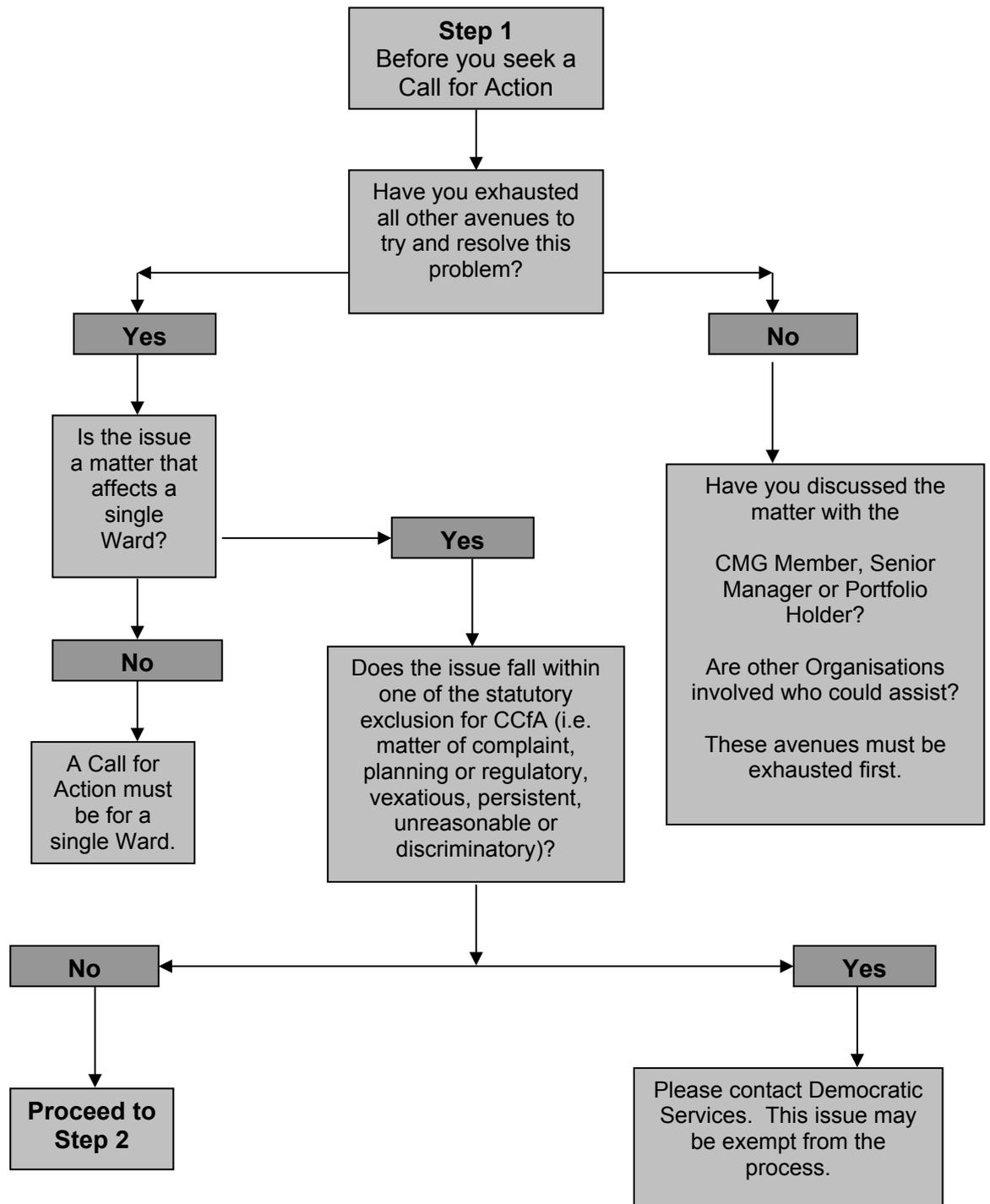
The Councillor Call for Action (CCfA) provides Members with the opportunity to ask for discussions at the Overview and Scrutiny Committee on issues where local problems have arisen and where all other methods of resolution have been exhausted.

CCfA was introduced as part of wider changes introduced to provide Overview and Scrutiny with greater powers to work more closely with partners across organisational boundaries. It enables Councillors, as the democratic representatives of their communities, to raise issues that it has not been possible to resolve by other means.

The power is limited to issues affecting single wards and any Councillor can make a CCfA irrespective of their existing role on the Council. It can be about any issue of the Councillor's choice, regardless of which organisation is responsible, subject to statutory exceptions (for example if the matter is the subject of an existing complaint or is vexatious in nature).

A flow diagram detailing the preparation of a CCfA is shown on the next page and a copy of the CCfA Request Form is included in Section 7 – Supporting Documents.

The procedure for CCFA can be found in the Overview and Scrutiny Procedure Rules in the Constitution.





In completing the form you should:

- State what the issue is;
- State what action has been taken to resolve the issue;
- Include an outline of the resolution being sought;
- Indicate any other organisations that are involved in the CCfA
- **Send your completed form to Democratic Services.**



The Chairman of the Overview and Scrutiny Committee determines whether or not to accept the CCfA for consideration
In doing so he will ask if:

- All existing options to resolve the problem have been exhausted;
- There are potential resource implications in the Committee's work programme to accommodate the CCfA; and
- The statutory exclusions have been considered e.g. subject of a complaint, vexatious, persistent, unreasonable or discriminatory.

In the event a Call for Action is submitted by the Chairman, the Vice-Chairman will determine whether or not the Call for Action is considered.



The Initial Report allows the Committee to determine the appropriate priority in its work programme for the CCfA.
 It will include information on:

- What the Councillor is requesting as the proposed outcome (with an opportunity to speak on the item);
- Action taken prior to the Call for Action being made;
- Any other known information;
- Exclusions process information;
- Which organisation/ Business Managers would be affected;
- Potential resource implications; and
- Whether and when to include CCfA into the work programme.

Details of requests for a Call For Action which have been rejected by the Chairman will be reported to the Overview and Scrutiny Committee. The Committee will consider any representations by the Member responsible for the request and determine whether to uphold the Chairman's decision or agree that the Call for Action be taken forward.



Once the CCfA is in the Committee's work programme it will receive:

- a report including the background to the CCfA;
- comments from partner organisations;
- other information submitted for consideration by the Committee; and
- evidence from appropriate experts.

The Committee will seek to recommend a resolution to the CCfA.



The Overview and Scrutiny Committee makes recommendations to the Executive if it is a Council matter or to other partners.
 CCfAs may be about matters that cut across the remit of partner organisations. The Committee will send its recommendations direct to the organisation concerned.
 The Committee might say that there is no action to be taken.



The Overview and Scrutiny Committee will monitor the implementation of its 'recommendations'.

6. Public Participation

Public participation is an important part of the scrutiny process and there are a number of ways members of the public can get involved and keep updated.

- Suggesting topics for scrutiny via the e-form on our website
- Attending Committee meetings
- Submitting written evidence or appearing as a witness when invited to do so
- Committee agendas, reports & minutes

The Overview and Scrutiny Committee may request a range of individuals to give evidence and answer questions on a particular topic. These can include:

- Executive Members
- Senior Officers
- Members of the Public
- Outside organisations / Service Providers
- Experts

Most of the discussions in Overview and Scrutiny Committee meetings will take place in public and the press are also invited to attend. Task Groups are usually not held in public, although their final report to the Committee will most likely be a public document.

Witnesses/Expert attendance at the meeting

Witnesses and experts have a key role to play in helping the Overview and Scrutiny Committee and Task Groups to fulfil their objectives. Examples of experts and witnesses may include Members of the Executive, Portfolio Holders, Union representatives, external partners, local businesses and voluntary sector groups.

Prior to the meeting

The Chairman or Democratic Services Officer will:

- Inform the witness of the time place and date of the meeting
- Inform the witness of the issue the Committee would like to question them about
- Inform the witness of any written information or documentation that the Committee may require
- Provide the witness with copies of the agenda and relevant reports
- Answer any questions the witness may have

At the meeting

Overview and Scrutiny meetings are normally held in public and there will often be members of the press and public in attendance. There will also be Committee Members, Officers and possibly other Councillors and witnesses. The Democratic Services Officer will have contacted the witness/expert before the meeting to make arrangements to meet them and explain the format of the meeting. The Chairman will also introduce her/himself.

The witness/expert may have been asked to provide the Committee with a presentation. The Members of the Committee will then ask the witness/expert questions in an orderly and respectful manner. Witnesses & experts should take their time to answer the questions clearly, if they are unsure of an answer or do not understand a question, they are encouraged to say so.

Guidance for Witnesses & Experts and Questioning Techniques can be found in Section 7 – Supporting Documents.

After the meeting

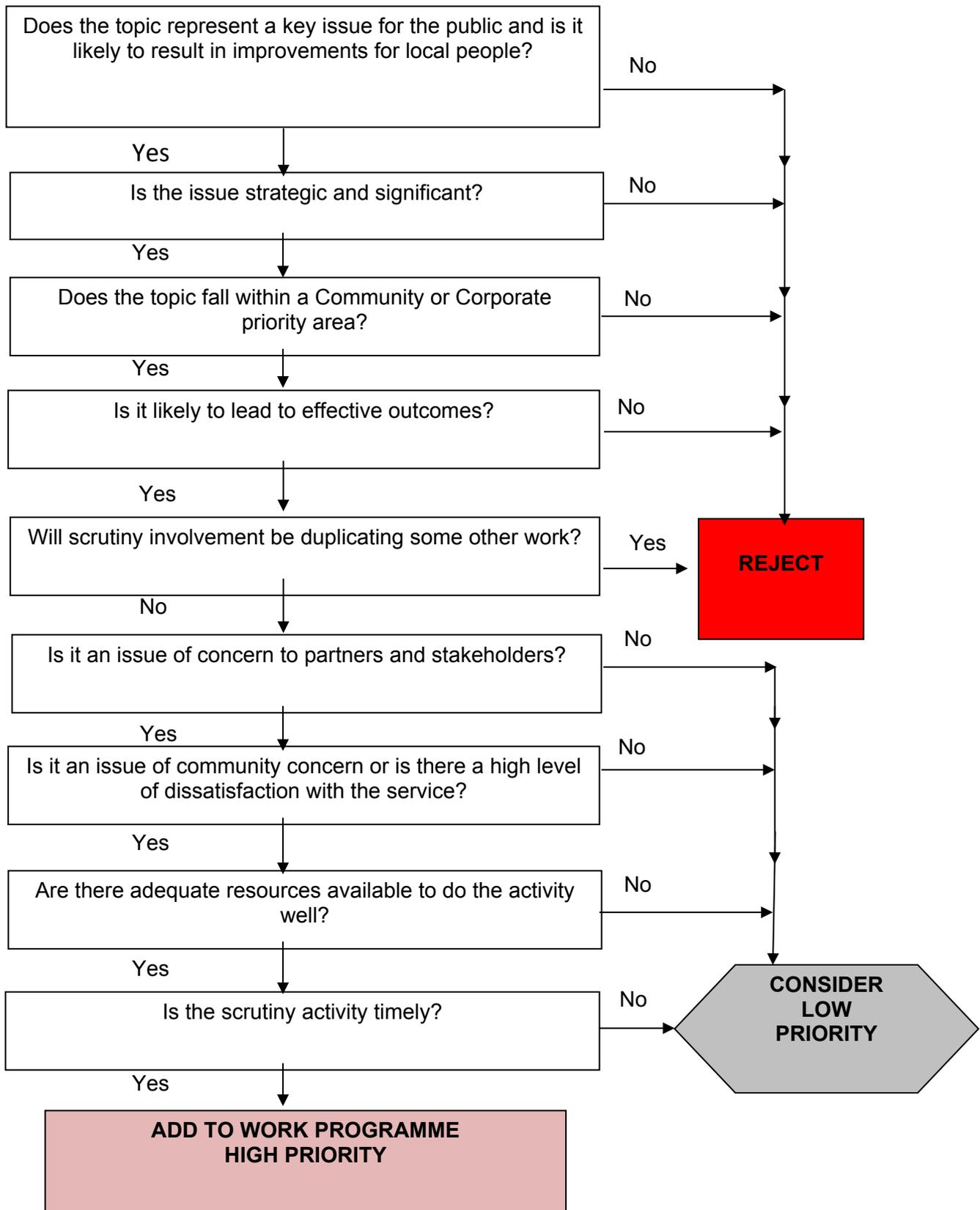
It is good practice for the Chairman of the Overview and Scrutiny Committee to write to the expert/witness to thank them for their attendance and to also inform them of the outcome following the Committee's investigation.

The following supporting documents are attached as appendices:

- Work Programme Development - Overview and Scrutiny Topic Selection Flowchart
- Scrutiny Review Task Group Terms of Reference
- Scrutiny Review Topic Selection Form
- CCfA Form
- Guidance for Witnesses and Experts
- Questioning Techniques

If you have any questions about Overview and Scrutiny or the application of this Toolkit, please contact the Democratic Services Team.

Work Programme Development - Overview & Scrutiny Topic Selection Flowchart



Scrutiny Review Task Group Terms of Reference



| | |
|------------------------------------|--|
| PROPOSED NAME OF TASK GROUP | |
|------------------------------------|--|

SECTION ONE – THE SCRUTINY REVIEW

| |
|------------------------|
| Scrutiny Review Topic: |
| |

| | |
|------------------|--|
| Topic Raised by: | |
|------------------|--|

| | |
|--------------|--|
| Date Raised: | |
|--------------|--|

| |
|---|
| Purpose of Review: |
| <i>What is the purpose of the Task Group? What will the Group scrutinise?</i> |
| |

| |
|---|
| Rationale of Review: |
| <i>Why does the review need to be undertaken?</i> |
| |

SECTION TWO - THE TASK GROUP

| |
|---|
| Membership Of Task Group: |
| <i>Who will make up the Group i.e. Elected Members from the different parties, Portfolio Holders, Officers, Witnesses etc.?</i> |
| |

SECTION THREE - THE SCRUTINY REVIEW PROCESS

Methodology/Approach

How will the Task Group undertake the review? Meetings, questionnaires, engagement etc

Sources of Information/Evidence:

Where will the Group gather information from? Council officers, Local Groups, reports etc

Consultation Exercises:

Will you carry out any consultation exercises?

Witness/Expert Participation:

Will you involve any witnesses/ experts? Who?

Site Visits:

Will the Task Group carry out any site visits? Where? Why?

Resource Requirements:

What Officer support will be required? Funding? etc

Risk Analysis:

Cost implications, unrealistic expectations, timescales etc

SECTION 4 - SCRUTINY REVIEW COMPLETION

Reporting Process:

How will the Group report back to the Overview & Scrutiny Committee? Presentation, written report?

Monitoring of Outcomes:

Regular reports to be submitted to the Overview & Scrutiny Committee? Members of the Task Group to monitor any recommendation & report back to the Committee?

Anticipated Completion Date:

Draft Report Deadline:

Meeting Frequency:

Dates of Meetings:

These will be identified by Member Services in consultation with the Task Group members.

Further Information:

Please ensure you complete this form in full with as much detail as possible

SCRUTINY REVIEW TOPIC SELECTION



SECTION ONE – THE SCRUTINY REVIEW

Scrutiny Review Topic:

Topic Raised by:

Date Raised:

SECTION TWO – SELECTION CRITERIA

Selection Criteria:

- Scrutiny Review likely to result in improvements for local people.
- Topic falls within a Community/Corporate priority.
- Topic represents a key issue for the public.
- Service proposed is performing poorly.
- High level of dissatisfaction with the service.

Rejection Criteria:

- Topic already being addressed.
- Matter is subjudice or prejudicial to the Council's interests.
- Specific case falls within the Council's complaints procedure.
- Topic involves individual disciplinary or grievance matter.
- Proposed topic is unlikely to result in improvements for local people.

SECTION THREE – RATIONALE FOR SELECTION

Rationale

Why should the Review be undertaken?

How would the topic link to the Council's key aims and priorities?

What benefits could result from the Scrutiny Review?

SECTION FOUR – PRIORITISATION

Importance

- Strong evidence linking topic to the Council's key aims and priorities.
- Good evidence linking topic to the Council's key aims and priorities.
- Good evidence linking topic to the Council's key aims but not to current priorities.
- Some evidence that topic is indirectly related to the Council's key aims/priorities.
- No evidence that topic is related to the Council's key aims/priorities.

Impact

- Substantial benefits community wide or for a significant proportion or section of the Community.
- Moderate benefits for two or more client groups or substantial benefits for only one client group.
- Minor benefits for two or more client groups or moderate benefits for one client group.
- Minor benefits for only one client group.
- No benefits likely to result.

SECTION FIVE – CONCLUSIONS

Topic Selection

| | | | | | |
|--------|--|--------|--|--------------|--|
| Select | | Reject | | Reserve List | |
|--------|--|--------|--|--------------|--|

Refer Topic to:

| | | | |
|----------------------------|--|-------------------------------|--|
| Scrutiny Review Task Group | | Overview & Scrutiny Committee | |
|----------------------------|--|-------------------------------|--|

| | |
|-------|--|
| Other | |
|-------|--|

| | |
|------------------------|--|
| Date Topic Considered: | |
|------------------------|--|

Further Information:

Please ensure you complete this form in full with as much detail as possible

COUNCILLOR CALL FOR ACTION



REQUEST FORM

This form should be used by any Councillor at Woking Borough Council who would like the Overview and Scrutiny Committee to consider a Call for Action in their ward.

Subject of the Councillor Call for Action:

Would you like the opportunity to speak to the Overview and Scrutiny Committee? Yes: No:

Have you approached the Overview and Scrutiny Committee on the same issue in the past six months? Yes: No:

Why you think the issue should be looked at by the Overview and Scrutiny Committee:

Please give a brief synopsis of what the main areas of concern are:

What evidence do you have in support of your Call For Action:

Which areas or Community Groups are affected by the Call for Action:

Have you exhausted all avenues to resolve the issue? Yes: No:

What action have you taken to resolve the issue:

Are there any deadlines associated with the Call for Action of which the Overview and Scrutiny Committee needs to be aware:

What outcomes would you hope for in making this Call for Action:

Is the Call for Action currently the subject of legal action by any party (to your knowledge) or is being examined by a formal Complaints' process?:

Yes: **No:**

Councillor (print):

Signature:

Ward:

Date Submitted:

For Office Use Only:

Received by:

Received on:

Guidance for Witnesses/Experts

The Scrutiny Process

The Overview and Scrutiny Committee may identify topics for scrutiny and undertake a review of a service or function of the Council or an item of public concern with a view to identifying an Improvement Plan to bring about improvements.

Scrutiny provides the opportunity for elected Councillors to examine the various functions of the Council, to ask questions on how decisions have been made, to consider whether service improvements can be put in place and make recommendations to this effect. Scrutiny also provides the opportunity for Councillors to champion issues of local concern to residents and to participate in the development of new policy.

In order to ensure the Review is comprehensive and the improvements realistic, often a Task Group is established to oversee the process. As part of the evidence gathering exercise, witnesses or experts may be requested to attend a meeting of the Committee or Task Group to provide information for the Review.

The Committee

The Committee will hold formal meetings, the time and venue for these meetings will be set the previous year. These will usually take place in the evening at 7pm in the Council Chamber at the Civic Offices.

The Committee is made up of 13 Councillors, although anyone can attend this meeting including other Councillors, Officers and members of the public.

The Task Group

The Task Group will hold informal meetings at times and venues suitable for those attending and the subject of the Review. For example, a Task Group reviewing the H G Wells Conference and Events Centre may therefore choose to hold its meetings at the H G Wells Centre rather than the Civic Offices.

The Task Group itself will comprise of between two and six Councillors together with supporting officers. An external representative may also sit on the Task Group. Notes of the meeting will be taken and a copy provided at a later date.

Attending the Meeting

You will be given advance notice of the date of the meeting and will be sent a copy of the agenda, together with any background and supporting documents, at least one week before the meeting. An indication of the type of questions likely to be put to you can also be sent to allow you to prepare your responses. Should you be unable to attend a meeting, the Committee/Task Group may request a written response from you on certain points. An indication of the timeframe for such responses will be given.

Upon arrival at the venue for the meeting, you will normally be met by an Officer or member of the Committee/Task Group. He or she will make contact with you prior

to the meeting to confirm the arrangements and where possible give you an indication of when your evidence is likely to be heard and explain the format for the meeting. If you have any particular anxieties or questions then you should not hesitate to raise these. Those present at the meeting, including the Chairman, will introduce themselves at the start of the meeting. All those present will have copies of the papers circulated in advance of the meeting.

Giving Evidence

Members of the Committee/Task Group will ask you questions in an orderly and respectful manner as directed by the Chairman of the meeting.

Remember:

- Take your time and speak slowly and clearly.
- Ask for questions to be repeated if you do not understand or cannot hear.
- If you are not sure of the answer then say so.
- You may ask questions of the Task Group for clarification or background information.

Questioning Techniques

Witnesses are often the most valuable sources of information that Councillors rely upon, when undertaking a review. Good questioning will ensure that Councillors make the best use of witnesses, whose time may be limited.

Witnesses attend reviews to impart their knowledge in their area of expertise. It is then for Councillors to debate the evidence gathered from all sources in formulating a view. Witness would not be expected to enter into arguments about the merits of what they have said.

Below is a selection of examples of questioning techniques:

Open and Closed Questions

A closed question usually receives a single word or very short, factual answer. For example: “Are you thirsty?” The answer is “Yes” or “No”, “Where do you live?” The answer is generally the name of your town or your address.

Open questions elicit longer answers. They usually begin with what, why, how. An open question asks the respondent for his or her knowledge, opinion or feelings.

“Tell me” and “describe” can also be used in the same way as open questions. Here are some examples:

- What happened at the meeting?
- Why did he react that way?
- Describe the circumstances in more detail.

Open questions are good for:

- Developing an open conversation: “What did you get up to on holiday?”
- Finding out more detail: “What else do we need to do to make this a success?”
- Finding out the other person’s opinion or issues: “What do you think about those changes?”

Closed questions are good for:

- Testing your understanding, or the other person’s: “So, if I get this qualification, I will get a raise?”
- Concluding a discussion or making a decision: “Now we know the facts, are we all agreed this is the right course of action?”
- A misplaced closed question, on the other hand, can kill the conversation and lead to awkward silences, so are best avoided when a conversation is in full flow.

Double-Headed or Multiple Questions

These are questions which ask more than one question at a time and should be avoided as they can lead to confusion. Whilst both elements of the question may be valid, it would be more effective to ask each one separately.

Funnel Questions

This technique involves starting with general questions, and then homing in on a point in each answer, and asking more and more detail at each level. It is often used by detectives taking a statement from a witness:

- *“How many people were involved in the fight?”*
- *“About ten.”*
- *“Were they children or adults?”*
- *“Mostly children.”*
- *“What sort of ages were they?”*
- *“About 14 or 15.”*
- *“Were any of them wearing anything distinctive?”*
- *“Yes, several of them had red baseball caps on.”*
- *“Can you remember if there was a logo on any of the caps?”*
- *“Now you come to mention it, yes, I remember seeing a big letter N”*

Using this technique, the detective has helped the witness re-live the scene and gradually focus on a useful detail. It is unlikely he would have got this information if he is simply asked an open question such as “Are there any details you can give me about what you saw?”

Tip: *When using funnel questioning, start with closed questions. As you progress through the funnel, start using more open questions.*

Funnel questions are good for:

- Finding out more detail about a specific point: “Tell me more about Option 2.”
- Gaining the interest or increasing the confidence of the person you’re speaking with: “Have you used the IT Helpdesk?” “Did they solve your problem?” “What was the attitude of the person who took your call?”

Probing Questions

Asking probing questions is another strategy for finding out more detail. Sometimes it is as simple as asking your respondent for an example, to help you understand a statement they have made. At other times, you need additional information for

clarification, “When do you need this report by, and do you want to see a draft before I give you my final version?”, or to investigate whether there is proof for what has been said, “How do you know that the new database can’t be used by the sales force?”

An effective way of probing is to use the “5 whys” method, which can help you quickly get to the root of a problem.

Tip: Use questions that include the word “exactly” to probe further: “What exactly do you mean by fast-track?”, “Who, exactly, wanted this report?”

Probing questions are good for:

- Gaining clarification to ensure you have the whole story and that you understand it thoroughly; and
- Drawing information out of people who are trying to avoid telling you something

Leading Questions

Leading questions try to lead the respondent to your way of thinking. They can do this in several ways:

- With an assumption: “How late do you think that the project will deliver?” This assumes that the project will certainly not be completed on time.
- By adding a personal appeal to agree at the end: “Lori’s very efficient, don’t you think?” or “Option 2 is better, isn’t it?”
- Phrasing the question so that the “easiest” response is “yes” (our natural tendency to prefer to say “yes” than “no” plays an important part in the phrasing of referendum questions): “Shall we all approve Option 2?” is more likely to get a positive response than “Do you want to approve option 2 or not?” A good way of doing this is to make it personal. For example, “Would you like me to go ahead with Option 2?” rather than “Shall I choose Option 2?”
- Giving people a choice between two options, both of which you would be happy with, rather than the choice of one option or not doing anything at all. Strictly speaking, the choice of “neither” is still available when you ask “Which would you prefer of A or B”, but most people will be caught up in deciding between your two preferences. Note that leading questions tend to be closed.

Leading questions are good for:

- Getting the answer you want but leaving the other person feeling that they have had a choice
- Closing a sale: “If that answers all of your questions, shall we agree a price?”

Tip: Use leading questions with care. If you use them in a self-serving way or one that harms the interests of the other person, then they can, quite rightly, be seen as manipulative and dishonest.

Rhetorical Questions

Rhetorical questions aren't really questions at all, in that they don't expect an answer. They are really just statements phrased in question form: "Isn't John's design work so creative?"

People use rhetorical questions because they are engaging for the listener - as they are drawn into agreeing ("Yes it is and I like working with such a creative colleague") - rather than feeling that they are being "told" something like "John is a very creative designer". (To which they may answer "So what?")

Tip: *Rhetorical questions are even more powerful if you use a string of them. "Isn't that a great display? Don't you love the way the text picks up the colours in the photographs? Doesn't it use space really well? Wouldn't you love to have a display like that for our products?"*

Rhetorical questions are good for engaging the listener.

Using Questioning Techniques

You have probably used all of these questioning techniques before in your everyday life, at work and at home. By consciously applying the appropriate kind of questioning, you can gain the information, response or outcome that you want even more effectively.

Questions are a powerful way of:

- Learning: Ask open and closed questions, and use probing questioning.
- Relationship building: People generally respond positively if you ask about what they do or enquire about their opinions. If you do this in an affirmative way "Tell me what you like best about working here", you will help to build and maintain an open dialogue.
- Managing and coaching: Here, rhetorical and leading questions are useful too. They can help get people to reflect and to commit to courses of action that you've suggested: "Wouldn't it be great to gain some further qualifications?"
- Avoiding misunderstandings: Use probing questions to seek clarification, particularly when the consequences are significant. And to make sure you avoid jumping to conclusions, the "Ladder of Inference" tool can help too.
- Diffusing a heated situation: You can calm an angry customer or colleague by using funnel questions to get them to go into more detail about their grievance. This will not only distract them from their emotions, but will often help you to identify a small practical thing that you can do, which is often enough to make them feel that they have "won" something, and no longer need to be angry.
- Persuading people: No one likes to be lectured, but asking a series of open questions will help others to embrace the reasons behind your point of view. "What do you think about bringing the sales force in for half a day to have their laptops upgraded?"

Scrutiny Review Topic Selection

Set out below is a copy of the online form set up for Councillors to submit a Scrutiny Review Topic Selection for consideration at a meeting of the Overview and Scrutiny Committee.

This form must be completed in full with as much detail as possible.

| | |
|------------|--|
| Your name: | |
|------------|--|

| | |
|-------------|--|
| Your email: | |
|-------------|--|

| Selection criteria | |
|--|--|
| Criteria for Scrutiny Review: | |
| Scrutiny Review likely to result in improvements for local people. | |
| Topic falls within a Community or Corporate priority. | |
| Topic represents a key issue for the public. | |
| A service is performing poorly. | |
| High level of dissatisfaction with a service. | |
| Criteria for rejecting a Scrutiny Review Topic: | |
| Topic already being addressed. | |
| Matter is subjudice or prejudicial to the Council's interests. | |
| Specific case falls within the Council's complaints procedure. | |
| Topic involves individual disciplinary or grievance matter. | |
| Proposed topic is unlikely to result in improvements for local people. | |

If your proposed Scrutiny Review Topic falls under any of these rejection criteria, it may not be a suitable topic to progress.

| Outcomes of the Review | |
|--|--|
| Why should the Scrutiny Review be undertaken? | |
| What benefits could result from the Scrutiny Review? | |
| What level of impact will the Scrutiny Review have? | |
| Substantial benefits community wide or for a significant proportion or section of the Community. | |
| Moderate benefits for two or more client groups or substantial benefits for only one client group. | |
| Minor benefits for two or more client groups or substantial benefits for only one client group. | |
| Minor benefits for only one client groups. | |
| No benefits likely to result. | |

| Topic Review Process | |
|---|--|
| Resources to be included in the Scrutiny Review: | |
| WBC Officer Time Committee. | |
| Report and/or presentation. | |
| Councillor time. | |
| Portfolio Holder Involvement. | |
| Expert or External Representatives participation. | |
| Establishment of a Task Group. | |
| Site visits. | |
| Research and Evidence. | |
| Consultation Exercise. | |

| |
|---|
| Other |
| Please add explanatory note for any resource selected above. |
| |
| Please add any further information that you think would be useful in the consideration of this Scrutiny Review Topic. |
| |

Once submitted, if your Scrutiny Review Topic meets the selection criteria and enough information has been provided, it will be considered by the Overview and Scrutiny Committee at their next meeting, where they will decide whether to add the topic to their Work Programme.

Step 2 Call for Action Form

In completing the form you should:

- State what the issue is;
- State what action has been taken to resolve the issue;
- Include an outline of the resolution being sought;
- Indicate any other organisations that are involved in the CCfA
- **Send your completed form to Democratic Services.**

Step 3 Chairman's consideration of the CCfA Form

The Chairman of the Overview and Scrutiny Committee determines whether or not to accept the CCfA for consideration

In doing so he will ask if:

- All existing options to resolve the problem have been exhausted;
- There are potential resource implications in the Committee's work programme to accommodate the CCfA; and
- The statutory exclusions have been considered eg subject of a complaint, vexatious, persistent, unreasonable or discriminatory.

In the event a Call for Action is submitted by the Chairman, the Vice-Chairman will determine whether or not the Call for Action is considered.

Step 4 Overview and Scrutiny Committee

The Initial Report allows the Committee to determine the appropriate priority in its work programme for the CCfA.

It will include information on:

- What the Councillor is requesting as the proposed outcome (with an opportunity to speak on the item);
- Action taken prior to the Call for Action being made;
- Any other known information;
- Exclusions process information;
- Which organisation/ Business Managers would be affected;
- Potential resource implications; and
- Whether and when to include CCfA into the work programme.

Details of requests for a Call For Action which have been rejected by the Chairman will be reported to the Overview and Scrutiny Committee. The Committee will consider any representations by the Member responsible for the request and determine whether to uphold the Chairman's decision or agree that the Call for Action be taken forward.

Step 5 Overview and Scrutiny Committee

Once the CCfA is in the Committee's work programme it will receive:

- a report including the background to the CCfA;
- comments from partner organisations;
- other information submitted for consideration by the Committee; and
- evidence from appropriate experts.

The Committee will seek to recommend a resolution to the CCfA.

Step 6 Seeking a resolution

The Overview and Scrutiny Committee makes recommendations to the Executive if it is a Council matter or to other partners. CCfAs may be about matters that cut across the remit of partner organisations. The Committee will send its recommendations direct to the organisation concerned. The Committee might say that there is no action to be taken.

Step 7 Monitoring of Recommendations

The Overview and Scrutiny Committee will monitor the implementation of its 'recommendations'.

COUNCILLOR CALL FOR ACTION



REQUEST FORM

This form should be used by any Councillor at Woking Borough Council who would like the Overview and Scrutiny Committee to consider a Call for Action in their ward.

Subject of the Councillor Call for Action:

Would you like the opportunity to speak to the Overview and Scrutiny Committee?

Yes:

No:

Have you approached the Overview and Scrutiny Committee on the same issue in the past six months?

Yes:

No:

Why you think the issue should be looked at by the Overview and Scrutiny Committee:

Please give a brief synopsis of what the main areas of concern are:

What evidence do you have in support of your Call For Action:

Which areas or Community Groups are affected by the Call for Action:

Have you exhausted all avenues to resolve the issue?

Yes:

No:

What action have you taken to resolve the issue:

Are there any deadlines associated with the Call for Action of which the Overview and Scrutiny Committee needs to be aware:

What outcomes would you hope for in making this Call for Action:

Is the Call for Action currently the subject of legal action by any party (to your knowledge) or is being examined by a formal Complaints' process?: Yes: No:

Councillor (print):

Signature:

Ward:

Date Submitted:

For Office Use Only:

Received by:

Received on:

Extract from the Council's Publication – Finding the Answers

Roles and Responsibilities of Chairmen**Chairman of the Overview and Scrutiny Committee****Purpose of Position**

- To provide leadership and direction to the work of the Overview and Scrutiny Committee in contributing to the continuous improvement of the Council's services through the full range of its work.
- To chair Committee meetings and ensure the Committee achieves its terms of reference.
- To monitor and manage the annual work programme of the Overview and Scrutiny Committee and work with the Chairmen of Task Groups, by sharing experience, exchanging ideas and best practice and monitoring their work programmes.

Specific Tasks

- To ensure the effective running of the Overview and Scrutiny Committee, chairing meetings in line with the constitution and adopting an investigative, evidence-based approach with witnesses, visits and written evidence in addition to formal reports and traditional committee practice.
- To encourage the Committee to adopt an outward-looking focus by actively engaging service users, other stakeholder groups and the public in its work.
- To work with the Vice-Chairman and Officers in the development and delivery of the annual Work Programme.
- To hold regular draft agenda meetings with the Vice-Chairman and Officers to draw up the agendas for forthcoming meetings.
- To encourage Committee members to obtain the necessary skills to carry out the scrutiny role and to work with officers to provide training if necessary.
- To endeavour to engage all members of the Committee within the scrutiny process, allowing robust debate and constructive criticism leading to clear and measurable outcomes.
- To lead the Committee in prioritising its work so as to ensure effective scrutiny, and to lead the Committee in conducting an annual review of performance.
- To develop a constructive relationship with the Executive, especially with relevant portfolio holders.
- To develop a constructive relationship with the Strategic Directors/Heads of Service in the areas that the Committee scrutinises.

- To co-ordinate the Committee's work with the Chairmen of Task Groups, especially in ensuring that positive outcomes are delivered which make clear recommendations for service improvement.
- To introduce Committee reports to the Executive and Council and elsewhere, and to represent the agreed views of the Committee.
- To speak on behalf of the Committee in promoting effective communications with the media and the public in its work.
- To promote the implementation of the best practice and procedures set out in the Council's Scrutiny tool kit.
- To promote Member development to the Members of the Committee.

Personal Attributes

- Committed to the role and public service.
- Professional – acts in keeping with the responsibilities of the role and upholds the Council's Code of Conduct, Constitution and ethical standards.
- Committed to and demonstrates the Council's Vision:
 - ❖ Our Vision – Towards Tomorrow Today.
- Committed to and demonstrates the Council's Values:
 - ❖ People – A healthy, inclusive and engaged community.
 - ❖ Place – An enterprising, vibrant and sustainable place.
 - ❖ Us – An innovative, proactive and effective Council.
- Thinks Woking-wide, taking into account local needs.
- Committed to equal opportunities and values diversity.
- Works in partnership.
- Seeks continuous personal development.
- Is an advocate of the Borough Council.
- Supports transparency in decision-making processes.
- Approachable, empathetic and understanding.
- Ensures that the Committee makes positive, clear and actionable decisions.

Skills/Knowledge

- Good communication and interpersonal skills.
- Ability to analyse and grasp complex issues.
- Leadership and chairing skills.
- Project and time management skills.
- Ability to influence and work constructively with Members, officers, the public and outside organisations.
- Ability to build and work as part of an effective team.

- Have detailed knowledge of the procedures for Call-in Notices, Call for Action requests, and the receipt of petitions.
- Have detailed knowledge of, and encourage the application of, the Council's Scrutiny tool kit.
- Have experience of questioning witnesses, experts, elected Members, Officers and others who may appear before the Committee as part of a scrutiny review.

Note: The above duties and responsibilities are in addition to the Member's role as a Councillor.

Woking Borough Council**Protocol between the Overview and Scrutiny Committee and the Executive****November 2021****1.0 Introduction**

- 1.1 The aim of establishing this Protocol is to clarify the relationship between the Executive and the Overview and Scrutiny Committee in order to support a framework of strong democratic transparency and accountability and to encourage effective communication between Scrutiny and Executive Members. This will promote an effective role for Scrutiny and foster a good working relationship between the Committee and the Executive that will ensure the Committee makes a valuable contribution to the effective running of Woking Borough Council, resulting in positive outcomes for residents of the borough.
- 1.2 This Protocol applies to all Members of the Overview and Scrutiny Committee, any Member who may sit on a Scrutiny Task Group, Working Group, and all Members of the Executive (comprising the Leader and the various Executive Members).
- 1.3 This Protocol provides guidance on the way in which Members in their respective roles interact to enable the Authority to carry out the Overview and Scrutiny function. The Protocol also outlines the framework and procedures underpinning the operation of scrutiny and provides guidance on the role of officers who support this process.

2.0 Key functions of Overview and Scrutiny at Woking Borough Council

- 2.1 As per the Constitution and within its terms of reference, the Overview and Scrutiny Committee will:
 - (a) Review and/or scrutinise decisions made (or to be made) or actions taken (or to be taken) in connection with the discharge of any of the Council's functions;
 - (b) Make reports and/or recommendations to Full Council and/or the Leader/Executive;
 - (c) Consider any matter affecting the area or its inhabitants;
 - (d) Exercise the right to call-in, for reconsideration, Executive decisions made but not yet implemented; and
 - (e) Deal with crime and disorder matters referred to it under the Police and Justice Act 2006;
 - (f) Consider any valid Councillor Call for Action.

3.0 The Scrutiny Process

- 3.1 The Council's Constitution sets out the process for carrying out the Scrutiny role. The Overview and Scrutiny Committee may:
 - (a) Question Members of the Executive and/or Committees and Officers of the Council about their decisions and/or performance;
 - (b) Make requests for information from external organisations and partners authorities;
 - (c) Seek independent expert advice or appoint specialist advisers;
 - (d) Appoint non-voting co-opted members as necessary;

- (e) Gather information informally by working individually or in small Task Groups.
- 3.2 Once a Scrutiny review topic has been agreed the relevant Executive Member and Corporate Leadership Team Member will be informed of the scope of the review or the Terms of Reference if it is agreed to set up a Task Group (the terms of reference would be added to the agenda for approval at the first meeting of the Task Group). The Executive Member and Corporate Leadership Team Member will also be invited to attend the Committee meeting when the Scrutiny Review/Task Group's final review report is considered.
- 3.3 When a Scrutiny review report is approved for submission to the Executive or Council, the relevant Executive Member and Corporate Leadership Team Member will be invited to submit comments on the report, including which recommendations they accept. For each recommendation accepted they will set out how and when it will be implemented. For each recommendation that is not accepted reasons will be given.
- 3.4 With the approval of the Leader of the Council, the Overview and Scrutiny Committee Chairman and/or Chairman of the relevant task group may attend the relevant meeting of the Executive to introduce the Scrutiny report.
- 3.5 The Executive or Council will consider any Scrutiny review report within two months of receipt. Details of decisions made by the Executive or Council will be circulated to all members of the Council.

Call-In

- 3.6 The Call-In process is set out in the Constitution and will be used in exceptional circumstances.
- 3.7 The Council's constitution only states that "The notice to the Proper Officer shall state the reasons for the call-in, and these reasons shall be made available to all members of the Council". It does not therefore define what is regarded as a valid reason for a call-in. Notwithstanding this, where the Overview and Scrutiny Chairman or three Members of the Committee want to exercise the right to call-in, then valid reasons will be determined in the context of the following principles:
- o Proportionality (action proportionate to the desired outcome);
 - o Due consultation and the taking of professional advice from Officers;
 - o Human rights will be respected and considered at an early stage in the decision-making process;
 - o A presumption in favour of openness;
 - o Clarity of aims and desired outcomes;
 - o For Executive decisions, details of options taken into account and the reasons for decisions will be recorded.
- 3.8 The Overview and Scrutiny Committee cannot overturn the decision that has been called in. It may either concur with the decision (in which case it will take immediate effect) or refer it back to the Executive for further consideration, including any recommendations from Scrutiny Members.

4.0 Relationship between Overview and Scrutiny and the Executive

4.1 The following principles set out how the working relationship between the Executive and the Overview and Scrutiny Committee should operate:

- I. The Executive and members of the Overview and Scrutiny Committee recognise that they each have different functions and responsibilities that contribute to securing the best outcomes for the residents within the Woking Borough.
- II. All participants in the working relationship between Executive and the Overview and Scrutiny Committee will do so in a spirit of mutual respect and constructive challenge.
- III. Meetings of the Overview and Scrutiny Committee should bear in mind the statutory guidance that scrutiny work should be conducted in a non-party political manner.
- IV. The Executive recognises that the Overview and Scrutiny Committee has a number of rights, for example requiring Portfolio Holders to attend its meetings or calling-in Executive decisions which have not yet been implemented should they consider a decision to be reviewed. The Overview and Scrutiny Committee will exercise those rights responsibly.
- V. One of the principal responsibilities of the Overview and Scrutiny Committee is the ability of non-executive members to hold the Executive to account. An important method to ensure accountability is through examining performance and decisions taken by the authority. To facilitate this challenge the Overview and Scrutiny Committee may:
 - a. Challenge the Executive about decisions which have been taken by Cabinet;
 - b. Consider performance information;
 - c. Query or ask for information about items which are set out in the Forward Plan.

5.0 Expectations of the Executive Members

- 5.1 A Portfolio Holder, in receipt of a request to attend an Overview and Scrutiny Committee, should make reasonable efforts to do so in order to present reports relevant to their portfolio and answer any subsequent/relevant questions or if they have been Called-in.
- 5.2 The Executive, when given written notice, will respond to Scrutiny's recommendations within two months and for each recommendation accepted they will set out how and when it will be implemented. For each recommendation that is not accepted reasons will be given.
- 5.3 The Leader of the Council and the Chairman of the Overview and Scrutiny Committee shall formally meet at least four times during each Municipal Year, in-person or virtually. These meetings should be spaced out quarterly unless there is valid reason not to. The dates of the meetings will be set at the start of each Municipal Year during the first Overview and Scrutiny Committee meeting, with the prior agreement of the Leader of the Council.

6.0 Expectations of the Overview and Scrutiny Committee

- 6.1 That the Committee will provide constructive 'critical friend' challenge to the Executive's proposals and decisions.
- 6.2 That the Committee will remain non-political and be effectively led by Members who take responsibility in their role to drive service improvements and voice the concerns of the public.
- 6.3 The Executive's response to Scrutiny's recommendations will be published in the agenda of the next scheduled Committee meeting.

6.4 To monitor the effectiveness of services and undertake regular review of performance in relation to the Council's services.

7.0 The Work Programme and Executive Forward Plan

7.1 The Overview and Scrutiny Committee Work Programme will be updated and reviewed at each meeting. The Chairman, Committee Members and relevant Officers will be able to put forward items to go on the Work Programme, subject to approval.

7.2 Alongside the Overview and Scrutiny Work Plan the Committee will be provided with the Executive Forward Plan to enable the Committee to have an oversight of the work being carried out by the Executive and thus be able to deliberate if any items should be brought to the attention of the Committee.

8.0 Conduct of Meetings

8.1 The work of the Overview and Scrutiny Committee should be carried out in a bipartisan manner to ensure that the needs of residents in the Borough are being put at the heart of its work.

8.2 All Members should promote an atmosphere of openness at Overview and Scrutiny Committee meetings and should strive to ensure that questioning and debate takes place within a climate of mutual respect and trust between Overview and Scrutiny Committee Members, the Executive Member and other participants.

8.3 Scrutiny Committee Members should be prepared to ask searching questions of Executive Members, who in turn should be willing to respond to any question put. It should however be stated that Overview and Scrutiny Committee Members should be aware of and show an understanding of the fact that Executive Members may not be in a position to answer every question immediately or in detail.

8.4 Executive Members should, in so far as possible, anticipate and be prepared to answer questions on decisions taken, or proposed to be taken, which fall within their remit. Executive Members should also value the contribution of Overview and Scrutiny Committee Members who raise questions under these headings and respond in an appropriate and professional manner.

8.5 Executive Members should normally be authorised by the Committee to speak upon any item on the agenda which falls into their portfolio area of responsibility and may at any time offer to assist the Overview and Scrutiny Committee by the provision of factual information or advice in relation to the matters under discussion.

8.6 The Chairman of the meeting shall at all times ensure that the conduct of the meeting shall be fair and that all participants are treated courteously.

8.7 The Chairman, supported by the Lead Officer and the Scrutiny and Democratic Services Officer, should provide leadership and guidance to the Committee on all scrutiny matters and should promote the Committee's role to improve services and monitor the effectiveness of Council policies.

END

Agreed by the Executive on 20 January 2022 following recommendation by the Overview and Scrutiny Committee on 22 November 2021.

OVERVIEW AND SCRUTINY COMMITTEE – 6 JUNE 2022

ECONOMIC DEVELOPMENT TASK GROUP UPDATE

Executive Summary

The Economic Development Task Group met on 23 March 2022. Set out below is the report from the Chairman of the task group.

Economic Development Action Plan Report

Soon after the beginning of the pandemic, a Framework for Recovery was published by the Council (July 2020) to assist businesses through the Covid crisis and into a period of recovery.

The publication of the Council's Economic Development Action Plan (EDAP) in September 2021 (Executive Committee) recognised that businesses were now in a position of post-pandemic recovery. The Action Plan is an interim measure to take the Council to the end of 2023, when an updated Economic Development Strategy will be adopted.

The action plan complements several of the Council's key strategies already in place, including the Core Strategy, the Economic Development Strategy for Woking 2017-2022, and the 2021-2022 Corporate Plan.

The action plan addresses key issues arising from the pandemic, and informs the forthcoming Woking Town Centre Masterplan, Five-Year Corporate Plan, and the Digital Strategy.

EDAP list of Priorities

- Priority 1 Focus on business
- Priority 2 Build on our business advantages and skilled people
- Priority 3 Future proofing the town and village centres
- Priority 4 Making our place the place to be
- Priority 5 Destination Woking

Business Liaison Priorities

Priority 1 – Focus on business – has been the focus during 2021/22. The actions are designed to help sustain and grow Woking's businesses.

The Council's Corporate Leadership Team has given Property Services approval to employ a Commercialisation Manager to support the Council's estate sales activity and liaising directly with Business Liaison on inward investment opportunities. Two business surveys had been run, one in October and February. One key finding was that it appeared that there was less of a 'crisis' and more of a 'recovery'. A focus going forward would be the International Trade Club to support businesses with exports and imports in the post-Brexit environment. With regard to Business Intelligence it was noted that there were 62 new businesses in the Borough, creating 120 jobs which did not include the Hilton. Work on areas such as engaging with Higher and Further Education would be taking place in the coming months.

Regarding *Priority 2 - Build on our business advantages and skilled people*, it was noted that the DWP and the Woking Hospitality Alliance project were key to supporting the hospitality sector and that jobs boards were gaining momentum, with trends on JSA claimants and the unemployment rate moving in a positive direction.

Work with the apprenticeship hub was highlighted as it had included working with local and county-wide partners to support businesses understanding how to utilise apprenticeships. In addition, work was ongoing with the University of Surrey and Brooklands College to gain more involvement with a range of departments.

Priority 3 - Future proofing the town and village centres - has involved Business Liaison Team officers in surveying the business community directly, identifying areas of need, such as staff shortages in the hospitality industry, which has prompted officers to engage with restaurant and pub owners / managers to discuss the current challenges they face and how the Council can support them through initiatives like the Woking Hospitality Alliance. Future proofing was linked to the town masterplan and in the short-term an effort had been made to temporarily fill some empty retail units in Victoria Place with cultural displays, prior to them becoming with retail stores.

As part of *Priority 4 - Making our place the place to be* - it was stated that there was a focus on investing in green spaces and highlighted that the electric parking scheme was due to begin in the next weeks.

Priority 5 – Destination Woking – was noted to be scheduled to begin in April 2022, with an implementation start date of September 2022.

Recommendations

The Committee is requested to:

RESOLVE that the report be noted.

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| The Committee has the authority to determine the recommendation(s) set out above. |
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Background Papers: None.

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