

**Comments from the Overview and Scrutiny Commission
at its meeting on Monday 8 June 2015**

OSC/238

1. OSC Agenda Item 8 – Revised Operations for the Overview and Scrutiny Commission and the Future of Performance Monitoring Scrutiny Panel

Comments and Recommendations

The Commission held a discussion on Report [LDS/100](#) of the Head of Legal and Democratic Services with the Acting Chair of the Overview and Scrutiny Commission and the Democratic Services Manager.

The majority of Members were in favour of Recommendations 2.1a and 2.1b.

- Support expressed for the future direction of the Commission's work being proposed, with additional discussions to take place with the Deputy Chief Executive. It was noted that the timing of scrutinising the Transformation Plan would be crucial and there may need to be future work (with the Transformation Manager) to schedule reviews to ensure optimum value.
- Reservations were conveyed regarding the inclusion of Quarterly Budget Monitoring and Quarterly Complaints within the Members' Information Bulletin (MIB). In particular it would be important that all data and detail was provided. It was noted both these reports should be publicly available on the website. It was proposed that compliments should also be included in the Quarterly Complaints report.
- It was discussed that the Access to Information Procedure Rules in the Constitution currently do not cover the MIB. The Overview and Scrutiny Commission proposed that the Governance Committee investigate and review the Access to Information Procedure Rules (Part 4) of the Constitution.
- With regard to Recommendation 2.2 - there was support for the decision that any future scrutiny panels could potentially be chaired by the Scrutiny Suggestion Nominator (who may not necessarily be an OSC Member) as this will encourage additional involvement and creativity. However at least one member of the panel must be an OSC Member. The Panel Chair would still be decided by OSC.
- It was acknowledged that there would be a special responsibility allowance saving following the disbanding of PMSP.
- The Overview and Scrutiny Commission proposed one additional change to the Overview and Scrutiny Commission Terms of Reference - Article 6, (although it was acknowledged the Commission could not scrutinise specific cases). This addition is proposed in bold with the deletions shown as strikethrough text.

6.1 Terms of Reference

- (10) To discuss any local government matter or local crime and disorder matter either referred to the Commission or otherwise, to review or scrutinise such a matter and, where appropriate, make reports or recommendations to the Council or the Cabinet except where an excluded matter (i.e. any matters relating to a planning decision, a licensing decision or where a person has right of recourse to a review or right of appeal; any matter which is vexatious, discriminatory or not reasonable; any matter referring to an individual complaint; or any local crime and disorder matter excluded under S.19 of the Police and Justice Act 2006. However, a matter is not excluded if it consists of an allegation that a function for which the authority is responsible has not been **properly** discharged ~~at all~~ or that its discharge has failed or is failing on a systemic basis).

Councillor K Sudan
Acting Chair, Overview and Scrutiny Commission
8 June 2015