

# HAMPSHIRE COUNTY COUNCIL

## Decision Report

<b>Committee:</b>	Policy and Resources Select Committee
<b>Date:</b>	17 November 2022
<b>Title:</b>	Scrutiny Protocol, Planning and Resource Allocation
<b>Report From:</b>	The Chief Executive

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### Purpose of this Report

1. The purpose of this Report is to seek the Committee's approval of a Scrutiny Protocol which sets out the framework within which Select Committees should operate and to seek the Committee's approval for the allocation of available resources to each Select Committee.

### Recommendation(s)

2. That the Scrutiny Protocol set out in Appendix 1 be approved.
3. That the resource envelope available to each Select Committee set out in paragraph 16 and the principle that each Select Committee should autonomously operate within that envelope be approved.
4. That it be approved that a review be undertaken in a year's time to ensure that the protocol and allocation of resources is working as intended.

### Executive Summary

5. This Report seeks to propose measures to enhance the efficiency and efficacy of Select Committees and to explain why a Scrutiny Protocol has been developed and why the resource envelope available to support Select Committees has been established.

## Contextual information

6. The Constitution provides that the responsibility for managing the resources available to support Scrutiny Committees should be undertaken by the Policy and Resources Select Committee. For example, the Policy and Resources Select Committee is required to co-ordinate the Scrutiny function so as to ensure effective resource allocation and to approve the establishment of task and finish working groups by the other Scrutiny Committees.
7. The work of Select Committees is an integral and key part of the County Council's governance arrangements but the resources available to support the work of the committees are finite and need to be used in the most efficient and effective way possible.
8. A Scrutiny Protocol, set out in Appendix 1 has therefore been developed which provides a framework for the operation of Select Committees including guidance on selecting topics for scrutiny, the operation of working groups and the operation of Call-In powers.
9. In addition, Officers have reviewed the work undertaken by each Select Committee over the past three years and have established the baseline level of support that is provided to each committee. The review has established that there are some inconsistencies between Committees and that there are different types of reports that are presented to the Committees which have differing resource requirements from Departments, as set out in the next section.
10. Going forward it is recommended that each Select Committee has the freedom to choose which topics to scrutinise and how to carry out that scrutiny provided the resources required to support that work remain broadly within the established resource baseline. This can be used to aid with agenda planning over the year and to ensure that resources are prioritised to the key issues that the Select committees want to scrutinise.
11. If the recommended approach is adopted the approval of the baseline resource allocation as set out in this report will, in effect, be how the Policy and Resources Select Committee discharges the responsibilities set out above. Going forward it will be the responsibility of each Select Committee to decide whether or not to establish a working group, without further reference to the Policy and Resources Select Committee, provided that sufficient resource remains available from that Committee's allocation, or additional resources are requested and approved.

## Planning and Resource Allocation

12. A review of items presented to Select Committees has been carried out by Officers and Departments were requested to estimate the amount of Officer time involved in bringing each item forward. Democratic Services, Legal and Senior Officer support was very similar across all Select Committees (albeit Health and Adult Social Care (HASC) Select Committee has 6 meetings a year rather than 4) and this will continue to operate as normal.
13. In broad terms, there were many similarities between the Culture and Communities Select Committee and the Transport and Environment Select Committee, dealing with a range of smaller service-based issues along with some larger reviews around significant policy decisions. Resource levels within the Departments to service these committees was also broadly comparable.
14. Children's and Young People and HASC Select Committees were also comparable in resource terms as both committees have a high volume of external reports from Health etc and the number of HCC service specific reports is much lower than other select committees.
15. Policy and Resources Select Committee generally has more pre-scrutiny and annual report type items than other committees which means it has a lower call on officer resources than the other committees even though the agendas are full and varied.
16. The table below shows the resource allocation in hours each year allocated to each Select Committee based on the last 3 years (excluding, Democratic Services, Legal and Senior Officer time) taking into account the types of items presented:

Culture and Communities	200
Transport and Environment	200
Children and Young People	100
HASC (6 meetings a year)	150
Policy and Resources	120

17. In terms of types of items being taken to Select Committees, they fall into five main categories:
  - **Annual / Regular Reports** – where the main Officer effort is in the production of the report itself, there is no additional effort in researching or analysing the topic.

- **Pre-Scrutiny Item** – for this category, the majority of the effort is vested in the production of the decision report itself which will be making its way to Cabinet or Executive Member decision making. On the basis that this would need to have been undertaken anyway, the only additional effort is in producing a cover report and potentially presentations for the Select Committee.
- **Light Touch Review** – where work is required in the Department to review a particular aspect of a service or known problem area and report through to the Select Committee.
- **Medium Sized Review** – more aligned to a whole service or more complex item that requires greater levels of officer time for analysis and research.
- **Task and Finish Groups** – a more intensive pro-longed piece of work that involves touch points with Members on the Group and may be developed into policy recommendations over time. Requires support from Departments and Democratic Services.

18. Even with these categories there was no ‘one size fits all’ resource requirement and it has therefore been necessary to average this across the Committees to give a rough proxy for the amount of officer time involved in each piece of work as follows:

Annual / Regular Report	7
Pre-Scrutiny (assumes report already being prepared)	5
Light Touch Review	15
Medium Review	25
Task & Finish Group	45

19. It should be stressed as this point that there is no intention to undertake strict time recording and analysis throughout the year to record against each committee’s work. The aim is to aid agenda planning throughout the year and to ensure that the level of officer resource remains broadly in line with the allocations outlined.

20. It is also important to note that these allocations do not include major policy reviews (such as those undertaken for Orchard Close Care Home closure or the Libraries Strategy) as it is important that Select Committees have the freedom to scrutinise major policy decisions and feed into the final decision-making process.

21. The allocations also do not include any allowance for call-ins as constitutionally Select Committees have the authority to recommend that Executive decisions not yet implemented be reconsidered. It is however suggested that so as to make best use of the County Council’s resources that

requests for call in of decisions as appropriate should operate in line with the proposed Protocol.

22. If Select Committee Chairpersons feel that significant additional resources are required in a year for their committee, then as with other decisions on resources this would need to be referred for a formal decision and additional resources allocated as appropriate.

### **Climate Change Impact Assessment**

23. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.
24. The carbon mitigation tool and/or climate change adaptation tool were not applicable because the decision is administrative in nature

### **Conclusions**

25. The adoption of the Scrutiny Protocol and the agreement of the resource envelope available to support each Select Committee will provide a framework which will enhance the contribution of Select Committees to the good governance of the County Council and aid future agenda planning.
26. However, given that these are new arrangements, it is recommended that a review be undertaken in a years' time to ensure that they are operating as intended.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

None

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

As an administrative Report no equality impacts have been identified arising from the recommendations set out in the Report