

Law & Governance
7 Newington Barrow Way, London, N7 7EP

Report of: Councillor Flora Williamson, Chair of the Policy and Performance
Scrutiny Committee

Meeting of: Policy and Performance Scrutiny Committee

Date: 26 March 2024

Ward(s): N/A

Subject: Scrutiny Review – First Phase

1. Synopsis

- 1.1. At its meeting on 21 September 2023, the Policy and Performance Scrutiny Committee agreed the Terms of Reference and project plan for the Scrutiny Review. It was agreed that the first phase of the review would consider the committee structure, the Councillor Call for Action Protocol and Communications Plan.
- 1.2. The current scrutiny committee structure was established in 2014. Following changes in the Council's priorities, Executive Member portfolios and the Council's departmental structure, the relationship between the committees and the Council had become overly complex and caused confusion and duplication. The Community Wealth Building directorate had no clear relationship to a committee. The commitments in the Islington Together 2030 Plan were not all within the remit of a committee and oversight of corporate risks had become inconsistent.
- 1.3. The Member Project Board have met a number of times to develop and refine the proposed committee structure and consultation took place with the Executive, Corporate Management Team and all councillors. The Member Project Board approved the proposed new structure, attached as Appendix 1, on 11 March 2024, following a second round of consultation, open to all councillors on 28 February.

2. Recommendations

- 2.1. To approve the proposed new committee structure, attached as Appendix 1.

- 2.2. To note the Scrutiny Communications Plan, attached as Appendix 2.
- 2.3. To approve the replacement of the Councillor Call for Action Protocol with a Councillor Right to Refer, in a future Constitution update to Council, in accordance with the Localism Act.
- 2.4. To note that the new committees' Terms of Reference are currently being developed.
- 2.5. To note that the proposed new committee structure and their Terms of Reference will be submitted to Annual Council for agreement, within a Constitution Update report.

3. Background

- 3.1. Following the Local Government Act 2000, an Executive form of governance was introduced, and the scrutiny function established, in 2002. Although the arrangements have been reviewed from time to time since, the current committee structure and the procedures supporting their operation, have remained unchanged since 2014.
- 3.2. At its meeting on 13 July 2023, Council agreed that 'a review of the Overview and Scrutiny function should be undertaken and will include revised Terms of Reference for the Scrutiny Committees and Scrutiny Procedure Rules.'
- 3.3. The Scrutiny Review Member Project Board, comprising of the Scrutiny Committee Chairs and the Chair of Audit and Risk Committee have considered a number of different options for the proposed new structure and are recommending the new committee structure detailed Appendix 1. This is comprised of five scrutiny committees, as follows:

Corporate Resources and Economy Scrutiny Committee
Children and Young People Scrutiny Committee
Environment, Climate and Transport Scrutiny Committee
Health, Wellbeing and Adult Social Care Scrutiny Committee
Homes and Communities Scrutiny Committee
- 3.4. The Corporate Resources and Economy Scrutiny Committee will be the main overview committee, with responsibility for oversight of Executive functions. The remaining committees largely operate as review Committees, although all the committees, with the exception of the Environment, Climate and Transport Scrutiny Committee, now have some statutory functions.

- 3.5. The proposed structure incorporates those services which previously did not have a clear relationship with a scrutiny committee and simplifies reporting arrangements where possible.
- 3.6. The Member Project Board have committed to review the new structure at the end of the first municipal year, to ensure that it is working as intended and will make adjustments if needed.
- 3.7. Increasing engagement in scrutiny was one of the priority objectives for the review and the new communications plan, including both internal and external comms is attached for information, as Appendix 2.
- 3.8. The Councillor Call for Action was replaced by a Councillor Right to Refer by the Localism Act 2011. The Member Project Board have agreed that the Constitution should be updated to reflect the new arrangements and this will be included in a future Constitution Update to full Council.
- 3.9. The second phase of the review will consider how the work of the scrutiny committees is conducted and supported and update the related procedures, taking the statutory scrutiny guidance issued by the government and the Centre for Governance and Scrutiny (GfGS) 'Good Scrutiny Guide', both issued in 2019, into consideration.

4. Implications

4.1. **Financial Implications**

- 4.1.1. There are no financial implications arising from the review. It was a pre-requisite of the review, that any recommendations must be supported within existing resources.

4.2. **Legal Implications**

- 4.2.1. There are no legal implications arising directly from this report. The scrutiny function was established under the Local Government Act 2000. There is discretion about the structures and procedures, as long as they continue to meet the legal requirements. Legal advice will be sought on any proposed changes arising from the review to ensure that the arrangements continue to be appropriate and lawful.

4.3. **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

- 4.3.1. There are no environmental implications arising from this decision.

4.4. **Equalities Impact Assessment**

- 4.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2. An Equalities Impact Assessment screening has been completed. The report has no negative impacts on protected characteristics and a full Equalities Impact Assessment is therefore not required.

5. **Conclusion and reasons for recommendations**

- 5.1. The proposed review of the scrutiny function was agreed by Council on 13 July 2023. It is recommended that the proposed terms of reference and timeline detailed in Appendix 1 are approved to agree how the review will be undertaken and that a project board is established to oversee and approve the work, subject to final agreement by Council.

Appendix 1: Proposed Scrutiny Committee Structure

Appendix 2: Scrutiny Communications Plan

Background papers: None

Final report clearance:

Authorised by:

Councillor Flora Williamson, Chair of the Policy and Performance Scrutiny Committee

Date: 20 March 2024

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