
Scrutiny Management Committee

17th November 2008

Report of the Head of Civic, Legal & Democratic Services

Protocol for Joint Scrutiny Reviews

Summary

1. The purpose of this report is to present Members with a protocol to enable joint scrutiny reviews to be undertaken in York should the need arise. A draft of the protocol is attached as Annex A to this report and Members will need to investigate whether they wish to adopt this or not.

Background

2. Whilst most scrutiny reviews focus on local issues, overview and scrutiny committees in different local authorities can join together to carry out reviews of topics that are relevant to more than one geographical region.
3. Currently there is no protocol in place should the need arise for City of York Council to hold a joint scrutiny review therefore the attached protocol (Annex A) has been developed as a framework for carrying out scrutiny reviews that impact upon residents across more than one geographical region.
4. Whilst there is no protocol currently in place for joint reviews in most areas Health Scrutiny Committee have recently adopted a joint protocol that will allow them to work with local authorities within the Yorkshire and Humber region should the need arise.
5. The White Paper in relation to Communities in Control and Local Accountability Consultation proposes the establishment of joint committees across District and County Councils to enable them to co-ordinate their efforts on issues of shared interests. Recently Councillor D'Agorne has registered a scrutiny topic, which he has suggested is undertaken jointly with North Yorkshire County Council. A feasibility report on this will be submitted at a future date.
6. It has become apparent that the Council should establish a protocol for joint scrutiny reviews, setting out some guidelines for how joint scrutiny between this authority and another would be undertaken should such a review be commissioned.

Consultation

7. Consultation would take place with the relevant local authority(s) at the time a potential review topic was proposed. North Yorkshire County Council is currently being consulted in relation to both this protocol and the topic submitted by Councillor D'Agorne.

Options

8. Members have the following options:

Option 1 Adopt the protocol for joint scrutiny reviews with or without amendment

Option 2 Do not adopt the Protocol

Analysis

9. Adopting the protocol will allow City of York Council to clarify its part in scrutinising cross-regional services and topics which could affect York residents, but are not necessarily services solely provided within this authority's boundary or topics that relate solely to the City of York.
10. If members choose to adopt the protocol then should a request for a joint scrutiny review be made, a protocol and procedures would be in place to enable an immediate start.
11. If Members choose not to adopt the protocol then should a request for a joint scrutiny review be made there would be a need to prepare procedures and a protocol and have them signed off before a joint scrutiny review could start.
12. If the proposed topic, registered by Councillor D'Agorne, were to become a review then a host authority would need to be agreed together with arrangements for administrative support for the review.

Corporate Strategy 2007-2011

13. The proposals in this report relate to the following two Direction Statements:
 - We want services to be provided by whoever can best meet the needs of our customers.
 - We will be an outward looking council, working across boundaries for the people of York.

Implications

14. **Financial** – There are no direct financial implications from this report. Any administrative costs arising from joint scrutiny work would be either met by the host organisation or, if more substantial, be shared between those authorities that are working on that particular investigation. Arrangements and

terms of reference would need to be agreed between relevant authorities if a joint review took place under the protocol.

15. **Human Resources (HR)** – There are no known Human Resources implications associated with this report. However if York became a lead authority as part of a joint review under the protocol, scrutiny administrative support would need to be identified.
16. **Legal** – Section 21 of the Local Government Act 2000 gives Overview and Scrutiny bodies the powers to establish joint committees with other local authorities to undertake scrutiny functions.
17. Constitutionally Scrutiny Management Committee has the power to establish joint committees with other local authorities/public bodies to undertake scrutiny reviews and to exercise the scrutiny function. They also have the authority to delegate functions of overview and scrutiny of cross-boundary topics to other local authorities.
18. There are no known equalities, crime & disorder, information technology or property implications associated with the recommendations in this report.

Risk Management

19. In compliance with the council's risk management strategy there are no known risks associated with the recommendations in this report.

Recommendations

20. Members are asked to consider adopting the protocol to allow joint scrutiny work to be carried out.

REASON: To ensure Members can fully take part in scrutiny work that may impact on more than one geographical area.

Contact Details

Author:

Tracy Wallis
Scrutiny Officer
Scrutiny Services
01904 551714

Chief Officer Responsible for the report:

Quentin Baker
Head of Civic, Legal & Democratic Services
01904 551004

Report Approved

Date 06.11.2008

Specialist Implications Officer(s)

Legal

Quentin Baker
Head of Civic, Legal & Democratic Services
01904 551004

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A – Joint protocol for scrutiny reviews.