

City Council – 13 September 2021

Report of the Deputy Leader of the Council

Centre for Governance and Scrutiny Review of Scrutiny

1 Summary

- 1.1 As part of the Council's recovery and improvement activity, the Centre for Governance and Scrutiny was commissioned to review the Council's overview and scrutiny function to identify areas for improvement and make recommendations on how those improvements could be made.
- 1.2 The Centre for Governance and Scrutiny's report is attached.

2 Recommendations

- 2.1 To accept the Centre for Governance and Scrutiny's report on its Review of Scrutiny.
- 2.2 To delegate to the Overview and Scrutiny Committee to develop and oversee implementation of an action plan to respond to the recommendations and address the issues raised in the report.

3 Reasons for recommendations

- 3.1 Both the Report in the Public Interest (PIR) on Nottingham City Council's governance arrangements for Robin Hood Energy Ltd by the External Auditor and the Non-Statutory Review of Nottingham City Council commissioned by the Ministry for Housing, Communities and Local Government (MHCLG) recommended reviews of Overview and Scrutiny in order to strengthen the function, enabling it to provide effective challenge and support to the Council. The recommendation is to accept the report arising from this review.

4 Other options considered in making recommendations

- 4.1 In its approval of the Recovery and Improvement Plan 2021 – 2024, Council accepted the need for an improved overview and scrutiny function to hold the Council to account. To achieve this the Centre for Governance and Scrutiny was commissioned to undertake a review of the function and identify areas for improvement. The recommendation is to accept the report arising from this review. It is proposed to delegate to the Overview and Scrutiny Committee to identify options for addressing the issues raised in the report, and develop and oversee implementation of an action plan.

5 Background (including outcomes of consultation)

- 5.1 In August 2020, the Council's external auditor issued a Report in the Public Interest (PIR) on Nottingham City Council's governance arrangements for Robin Hood Energy Ltd. In response to this Report, Full Council agreed an Action Plan at an extraordinary meeting held on 27 August 2020. Following the publication of the report a Non-Statutory Review of Nottingham City Council was commissioned by the Ministry for Housing, Communities and Local Government (MHCLG), with the review findings being published in November 2020. Both reports recommended reviews of Overview and Scrutiny in order to strengthen the function enabling it to provide effective

challenge and support to the Council. In response, the Centre for Governance and Scrutiny was commissioned to carry out a review of the Council's scrutiny function.

5.2 The review also took into account the 2019 MHCLG Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities to advise on how Overview and Scrutiny in Nottingham can best adopt the practices outlined within it.

5.3 The objectives of the review were to:

- a) analyse the current structure, roles, culture and ways of working of Overview and Scrutiny, in light of the statutory guidance;
- b) identify areas for improvement; and
- c) produce recommendations on how those improvements might be made within limited resources.

5.4 The review framework included desktop work; conversations with chairs and members of the overview and scrutiny committees, Leader of the Council and some Portfolio Holders, leaders of Opposition Groups, officers including the Chief Executive, Monitoring Officer, Chief Finance Officer and Scrutiny Support Officers, and partner organisations who have given evidence to scrutiny; and observation of committee meetings.

5.5 The Centre for Governance and Scrutiny's report is attached. The report is being considered by the Overview and Scrutiny Committee at its meeting on 8 September 2021. It is proposed that Council accept the report and delegate to the Overview and Scrutiny Committee to develop and oversee implementation of an action plan to address the issues raised in the report and respond to the recommendations made by the Centre for Governance and Scrutiny.

6 Finance colleague comments (including implications and value for money)

6.1 There are no direct financial implications arising from the acceptance of the Centre for Governance and Scrutiny report. Any financial implications associated with the action plan will be identified and considered as part of the approval of that action plan.

Phil Gretton – Strategic Finance Business Partner

7 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

7.1 Overview and Scrutiny is a function of local authorities in England and Wales. It was introduced by the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within councils.

Councils operating executive arrangements are required to create an Overview and Scrutiny Committee which is composed of councillors who are not members of the Executive.

Scrutiny is a strategic function of the authority. It provides non-executive councillors with the opportunity to publicly hold the executive to account and, beyond the council, to investigate and inquire into issues of interest and relevance to local people.

If adopted and implemented the recommendations in the report will strengthen the function which will in turn support the Council and its decision making.

The report and the Council's response contributes to the Council's overall Recovery and Improvement Programme.

Beth Brown, Head of Legal and Governance, 3 September 2021

8 Equality Impact Assessment (EIA)

8.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the proposals do not relate to a new or changing policy or service

9 List of background papers other than published works or those disclosing confidential or exempt information

9.1 None

10 Published documents referred to in compiling this report

10.1 External Auditor's 'Report in the Public Interest on Nottingham City Council's governance arrangements for Robin Hood Energy Ltd' (August 2020)

10.2 Minutes of the meeting of the City Council on 27 August 2020

10.3 Ministry of Housing, Communities and Local Government report of the Non-Statutory Review of Nottingham City Council (November 2020)

10.4 Nottingham City Council Recovery and Improvement Plan 2021 - 2024

10.5 MHCLG 2019 Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

10.6 'Centre for Governance and Scrutiny Review of Scrutiny' report to Overview and Scrutiny Committee on 8 September 2021

Councillor Sally Longford
Deputy Leader of the Council