

**SHEFFIELD CITY COUNCIL****Full Council**

Report of: Chief Executive

Report to: Full Council

Date: 1st July 2015

Subject: Change to Constitution – Size of the Overview
And Scrutiny Management Committee

Author of Report: Michael Bowles – Elections, Equalities and involvement
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Summary:

This report provides details of a proposed change to the Constitution relating to reducing the size of the Overview and Scrutiny Management Committee (OSMC) on the grounds that a smaller more streamlined committee would be more effective and efficient. The report proposes retaining the political proportionality of OSMC and removing the current requirement for OSMC to include the Deputy Chairs of the Council's Scrutiny Committees. It also recommends that Council appoints Members to serve on the revised size Committee.

Recommendations:

1. That the Council agrees to reduce the size of the Overview and Scrutiny Management Committee from 19 seats to 12 seats, as detailed in the report now submitted, and notes that, in relation to the overall number of seats across committees available to each political group, the reduced size of the Committee results in the same number of final adjustments being required to be made as for the status quo, meaning that the adjustments already made by the Council at its meeting on 20th May 2015 can remain in place
2. That the Council considers adopting the changes to the Scrutiny Procedure Rules within Part 4 of the Council's Constitution, as set out in the report and appendices
3. That Council appoints members to serve on the revised size Overview and Scrutiny Management Committee.

Background Papers: None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial Implications
NO
Legal Implications
NO
Equality of Opportunity Implications
NO
Tackling Health Inequalities Implications
NO
Human rights Implications
NO:
Environmental and Sustainability implications
NO
Economic impact
NO
Community safety implications
NO
Human resources implications
NO
Property implications
NO
Area(s) affected
None
Relevant Cabinet Portfolio Leader
Cllr Julie Dore
Relevant Scrutiny Committee if decision called in
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

1. Introduction

- 1.1. This report provides details of proposed changes to the Council's Constitution relating to reducing the size of the Overview and Scrutiny Management Committee (OSMC). The report proposes retaining the political proportionality of OSMC and removing the current requirement for OSMC to include the Deputy Chairs of the Council's Scrutiny Committees. It also recommends that Council appoints Members to serve on the new Committee.

2. Background

- 2.1 The Overview and Scrutiny Management Committee was established in 2010. It was made up of the Chairs and Deputy Chairs of each Committee in order to "provide a forum through which proposed scrutiny activity can be better co-ordinated.....ensure more effective commissioning of activity to support the work of the Scrutiny Committees.....enable a regular debate about the further development of overview and scrutiny, informed by the sharing of learning and regular monitoring of scrutiny work and its impact."
- 2.2 In 2011, as a response to the requirement to make savings in the Members Allowances and Democratic Services budgets, the Strategic Resources and Performance Scrutiny Committee was dissolved, and responsibility for scrutinising corporate and city-wide issues transferred to the OSMC.
- 2.3 In a review of the Scrutiny function during 2013/14 it was determined that making it politically proportional would improve the effectiveness of the Committee. Ensuring an effective scrutiny function is increasingly important on the back of the Francis and Casey reports, which were critical of authorities who did not operate robust and challenging scrutiny.
- 2.4 The Terms of Reference/Remit of the Overview and Scrutiny Management Committee is to carry out overview (policy and performance review) and scrutiny (holding decision-makers to account) of matters falling within the following remit:
- lead on the scrutiny work planning process
 - lead scrutiny of high level cross-cutting and city-wide issues – appointing joint committees where appropriate
 - scrutinise the use of Council resources – Resources Portfolio, budget monitoring, annual budget setting process; and
 - performance monitoring – referring areas of concern to the relevant Scrutiny and Policy Development Committee where appropriate.

3. Proposed Change and Reasons

- 3.1 To meet the requirement for OSMC to be politically proportional and to include the 4 Deputy Chairs (held by members from the largest opposition Group) the size of OSMC for 2015/16 is 19 Members. This is larger than each of the other Scrutiny Committees, which have 15 elected Members.
- 3.2 The rationale for reducing the size from 19 is that a smaller, streamlined committee would be more efficient and effective.

- 3.3 Removing the requirement in the Constitution Part 4 - Scrutiny Procedure Rules to include Deputy Chairs of the Council's Standing Scrutiny Committees would enable a reduction in the membership of this Committee, whilst retaining political proportionality (see Appendix 1). It would allow the Committee to reduce in size from 19 to 12 members and ensure that all groups are represented. For 2015/16 this would make the political balance on OSMC 8 Labour, 2 Lib Dem, 1 Green, 1 UKIP.
- 3.4 In order for the Committee to fulfil its remit, particularly in relation to its lead on the scrutiny work planning process and scrutiny of high level cross-cutting and city-wide issues, it will continue to include the Chairs of the 4 other Overview and Scrutiny Committees.
- 3.5 No changes are proposed to the remit of the OSMC.
- 3.6 No changes are proposed for the 4 other Overview and Scrutiny Committees.

4. Implications for other Committee places

- 4.1 The proposed position continues to provide sufficient seats across the Council's scrutiny, planning and licensing committees to enable each non-executive member of the Council to be appointed to one of those committees in accordance with Council Procedure Rule 25.4 which specifies that every Member of the Council, except those appointed to the Cabinet, shall be appointed a member of at least one Scrutiny and Policy Development Committee or one Regulatory Committee.
- 4.2 In relation to the overall number of seats across committees available to each group, the revised overall number of seats (a reduction of 7 seats to 146 in total), results in the same number of adjustments as the status quo, meaning the adjustments already made by the Council can remain in place (see Appendix 2)
- 4.3 The proposals will mean a reduction of 7 seats from the current membership of OSMC and will require the appointment of 12 Members to serve on the revised size Committee.

5. Recommendation

- 5.1. That the Council agrees to reduce the size of the Overview and Scrutiny Management Committee from 19 seats to 12 seats, as detailed in the report now submitted, and notes that, in relation to the overall number of seats across committees available to each political group, the reduced size of the Committee results in the same number of final adjustments being required to be made as for the status quo, meaning that the adjustments already made by the Council at its meeting on 20th May 2015 can remain in place;
- 5.2. That the Council considers adopting the changes to the Scrutiny Procedure Rules within Part 4 of the Council's Constitution, as set out in the report and appendices;
- 5.3. That Council appoints Members to serve on the revised size Overview and Scrutiny Management Committee.

John Mothersole
Chief Executive

Appendix 1

Sheffield City Council – Constitution Part 4 (Scrutiny Procedure Rules)

1. The number and arrangements for Scrutiny and Policy Development Committees

The Council will establish the Scrutiny and Policy Development Committees (referred in these Rules as “Scrutiny Committees”) with terms of reference set out in Part 3 of the Constitution and appoint to them at the Annual Council Meeting and as it considers appropriate from time to time. Such Committees may appoint and delegate any of their functions to sub-groups.

The Council will also appoint an Overview and Scrutiny Management Committee to undertake scrutiny of the Council’s corporate activities, share and develop good practice with regard to the carrying out of the overview and scrutiny function, to agree the process to be adopted for dealing with matters which fall within the remit of more than one Scrutiny Committee and to consider improvements to the format of the Scrutiny Committees. The membership of the Committee will reflect the political composition of the City Council and include the Chairs ~~and Deputy Chairs~~ of the Council’s Standing Scrutiny Committees, and will be chaired by the lead member for scrutiny.

The Chair and Deputy Chair of each Scrutiny Committee shall be elected at its first meeting in each municipal year and the Committee shall determine a frequency of its meetings for the year ahead which will normally be held at the Town Hall, Pinstone Street, Sheffield, S12HH.

Appendix 2

Proportional Seat Allocations to Political Groups in 2015/16 (Incorporating Final Adjustments) – As Agreed at the Annual Meeting of the Council on 20th May 2015

Committee	Labour	Lib Dem	Green	UKIP	Total
Overview and Scrutiny Management Committee	13	4	1	1	19
CYP&FS Scrutiny Cttee	10	3	1	1	15
E&EW Scrutiny Cttee	4 11	3	1	4 0	15
HC&ASC Scrutiny Cttee	10	3	1	1	15
S&SC Scrutiny Cttee	10	3	1	1	15
Planning and Highways Cttee	4 11	3	4 0	1	15
Licensing Cttee	4 11	3	4 0	1	15
Audit Cttee	5	2	0	0	7
Admissions Cttee	5 6	2 1	0	0	7
Senior Officer Employment Cttee	4 11	3	1	4 0	15
Appeals and Collective Disputes Cttee	10	3	1	1	15
Total Initial Allocation	103	32	9	9	153
Overall Political Balance Requirement	108	31	7	7	153
Adjustments Required	+5	-1	-2	-2	

Labour	153 x 70.24%	= 107.47	(107)	+1	= 108
Liberal Democrat	153 x 20.24%	= 30.97	(30)	+1	= 30
Greens	153 x 4.76%	= 7.28	(7)		= 7
UKIP	153 x 4.76%	= 7.28	(7)		= 7
			(151)		(153)

Proportional Seat Allocations to Political Groups in 2015/16 - With New Size of the Overview and Scrutiny Management Committee & Incorporating the Final Adjustments Agreed at the Annual Meeting of the Council on 20th May 2015

Committee	Labour	Lib Dem	Green	UKIP	Total
Overview and Scrutiny Management Committee	8	2	1	1	12
CYP&FS Scrutiny Cttee	10	3	1	1	15
E&EW Scrutiny Cttee	4 11	3	1	4 0	15
HC&ASC Scrutiny Cttee	10	3	1	1	15
S&SC Scrutiny Cttee	10	3	1	1	15
Planning and Highways Cttee	4 11	3	4 0	1	15
Licensing Cttee	4 11	3	4 0	1	15
Audit Cttee	5	2	0	0	7
Admissions Cttee	5 6	2 1	0	0	7
Senior Officer Employment Cttee	4 11	3	1	4 0	15
Appeals and Collective Disputes Cttee	10	3	1	1	15
Total Initial Allocation	98	30	9	9	146
Overall Political Balance Requirement	103	29	7	7	146
Adjustments Required	+5	-1	-2	-2	

Labour	146 x 70.24%	= 102.55	(102)	+1	= 103
Liberal Democrat	146 x 20.24%	= 29.55	(29)		= 29
Greens	146 x 4.76%	= 6.95	(6)	+1	= 7
UKIP	146 x 4.76%	= 6.95	(6)	+1	= 7
			(143)		(146)