



Leicester
City Council

WARDS AFFECTED
All Wards - Corporate Issue

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Cabinet

25 July 2005

Scrutiny In Depth Investigations

Report of the Corporate Director of Resources, Access and Diversity

1. Purpose of Report

- 1.1. The report deals with issues referred from the Resources and Equal Opportunities Scrutiny Committee regarding Scrutiny in depth investigations.

2. Summary

- 2.1. At its meeting on 27 June 2005, the Resources and Equal Opportunities Scrutiny Committee resolved, in respect of Scrutiny in depth investigations:-

- (1) That there be a stronger line on the resources which would be available when carrying out investigations,
- (2) that when an in depth investigation is set up, officers be required to give all of the information requested by a scrutiny committee, unless there was a clear legal reason why this should not be the case, and
- (3) that there should be an obligation on Cabinet to consider the findings of an in depth investigation , and for Cabinet members to attend meetings of Scrutiny to explain their responses to Scrutiny's findings.

A full Minute extract is attached at Appendix A.

- 2.2. The Council's Political Conventions address several elements of this issue, notably:-

Convention 4.3.

Convention

It is for a full Scrutiny Committee to determine its programme for scrutinising the implementation of decisions and for recommending policy changes to Cabinet. It is expected that reports commissioned and evidence requested will:

- * Avoid cutting across work in support of developing Cabinet policies;

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- * Involve reasonable cost and use of officer time.

Councillors

Where the Cabinet and a Scrutiny Committee are considering the same service area, the Cabinet Lead Member, Scrutiny Triumvirate and Director should agree a joint programme of work and the order in which reports should be consulted upon and presented.

Officers

Work for and evidence to a Scrutiny Committee is determined by the relevant Director (since the Committee has no decision-making powers. If the Committee insists on work or evidence the Town Clerk should be consulted on how to resolve the impasse.

Convention 4.5

Councillors

There is a standing offer by and invitation to the relevant Cabinet Lead Member and Director to attend Scrutiny Committee meetings with a view to explaining matters relevant to the agenda. A specific request to the Triumvirate or invitation to the Cabinet Lead or Director should be made, giving reasonable notice, where:

- * The Cabinet Lead would like to explain a particular matter; or,
- * The Triumvirate would like to explore a particular matter with the Cabinet Lead or Director.

It is expected that the Cabinet lead would normally attend a Scrutiny Committee which is considering proposals at the request of the Cabinet or Cabinet Lead.

- 2.3. Within the above political conventions, Scrutiny Committees must, of course, work within their Terms of Reference, as defined by Council and incorporated into the Council's Constitution.

The convention (4.3) regarding workload specifies that it is for the full Scrutiny Committee, at the outset, to scope and agree its work programme. This enables issues such as officer resources and support to be specifically addressed at the outset, thereby seeing to avoid the potential for difficulties as an investigation progresses.

Members will also be aware that a report on the effective working of Scrutiny will be considered by Council in September. Prior formative discussions will take place in the Procedures Working Party. The views of the Resources and Equal Opportunities Scrutiny Committee will also be passed to the Procedures Working Party for inclusion in that consideration.

3. Recommendations

Cabinet is recommended to note:-

- (i) the current framework in place, through the political conventions, to deal with the concerns raised by the Resources and Equal Opportunities Scrutiny Committee; and,
- (ii) that the issues will be incorporated into the review of Scrutiny, the outcome of which is to be reported to September Council

4. Headline Financial and legal Implications

There are no financial implications arising directly from this report. Any legal implications arising from this report will be considered as part of the consideration by Procedures Working Party and thereafter Council. (Anthony Cross, Assistant Head of Legal Services, extn. 6362)

5. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	No		
Policy	Yes	Contained within the report	
Sustainable and Environmental	No		
Crime and Disorder	No		
Human Rights Act	No		
Elderly/People on Low Income	No		

6. Background Papers – Local Government Act 1972

None

7. Consultations

None.

8. Report Author/Officer to contact:

Charles Poole, Service Director (Democratic Services) extn. 7015

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Executive (Cabinet)

