

Divisions Affected - All

PERFORMANCE AND CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE

10 DECEMBER 2021

DEMOCRATIC PROCESSES – APPOINTMENT OF A WORKING GROUP

Report by Director of Law and Governance

RECOMMENDATION

1. **The Committee is RECOMMENDED to**
 - (a) Agree a scope for the review of Democratic Processes
 - (b) Establish a working group to review Democratic Processes in line with the agreed scope of the review
 - (c) Agree the membership of the Working Group

Executive Summary

2. The purpose of this report is to seek agreement from the Overview and Scrutiny Committee to establish a Working Group to undertake a deep dive review of Democratic Processes in line with an agreed scope to be agreed by this Committee.

Democratic Processes – Review Scope

3. The Committee agreed at its October 2021 meeting to include a review into Democratic Processes in its work programme.
4. It is proposed that the scope of the working group focuses on reviewing key elements of support for democratic processes at Oxfordshire County Council in regard to how the Council:
 - (a) plans to best support elected members so that they can more effectively fulfil their roles
 - (b) plans to ensure those elected to represent the people of Oxfordshire are engaged in effective decision-making
 - (c) plans to make Overview and Scrutiny at the Council an example of best practice

- (d) plans to support Overview and Scrutiny at the Council in better representing the voice and concerns of the public
5. In order to help inform this review it is proposed that the Working Group undertake consultation with Elected Members on the following:
 - (a) Feedback on Member Induction Programme
 - (b) Member understanding of services provided by the Council
 - (c) Views on Council approach to engaging Division Councillors and sharing information on decisions that impact divisions
 - (d) Asks how better the Council can support Elected Members in their divisional role and committee(s) role
 6. It is proposed that the Working Group review includes the following:
 - (a) Seeking the Cabinet view on how to support elected members so that Members can more effectively fulfil their roles
 - (b) Undertakes an overview of Democratic Services support for members and discusses key issues, suggesting service standards that would be helpful to Members
 - (c) Undertakes an overview of the project to develop the Overview & Scrutiny function and how the Council intends to deliver the improvement plan
 7. In particular, it is proposed that the review also seeks to cover the following key areas:
 - (a) Navigation - Is the Council easy to navigate for Councillors? How can Councillors be supported to better represent the public and understand how the council operates?
 - (b) Group Resourcing - Are political groups adequately supported? With the influx of new councillors would political assistants help support access to information and preparation of councillors? How might the Council better prepare and inform councillors to develop a greater understanding of their roles so as to be able to serve Oxfordshire better?
 - (c) Councillor Engagement - Are Councillors informed of all key decisions affecting their areas? How do we make better use of Elected Members who are often deeply engaged in the communities they represent and are well-placed to offer instructive comments and critique?
 - (d) Overview & Scrutiny – How can the Council better engage the public in the scrutiny process moving forward?

Establishing a working group

8. The Council's Overview and Scrutiny Procedure Rules (Part 6.2 of the Constitution) envisage that a scrutiny committee may wish to establish a review panel (i.e. a working group), from time to time. The rules advise that "Appointments to such Review Panels will be made by the relevant scrutiny committee, ensuring political balance as far as possible. Such panels will exist for a fixed period, on the expiry of which they shall cease to exist."
9. From this it is clear that strict political balance is not a requirement, either constitutionally or legally. It is therefore suggested to the Committee that a

review panel (i.e. working group) is appointed to undertake the review described above.

10. The size of the group is not prescribed, and it is for the Committee to determine but would normally be a smaller number of councillors than the main committee.
11. The Committee is invited to agree the size of the Group and to make appointments to it.

Financial Implications

12. This report does not itself raise any financial implications. The setting up of a working group, and its operation, does not involve any direct costs. Clearly the outcomes of any recommendations ultimately by such a Group may do so but these would be referenced in a further report to the Committee at that time.

Legal Implications

13. The Head of Legal Services confirms that this report does not itself raise any legal implications. The establishment of a working group is also allowed for within the Council's Constitution under the Overview and Scrutiny Procedure Rules (Part 6.2, paragraph 5).

Anita Bradley
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Annex: Nil

Background papers: Report to Council 13 July 2021 – Review of Scrutiny Arrangements

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