About this Guide

The Local Govt Act 2000 required Local Authorities to develop new political structures and arrangements, and changed the way that decisions are taken in Local Government. An essential part of these new arrangements was the introduction of Overview and Scrutiny Committees. As part of these changes Kent County Council has developed an Overview and Scrutiny Function.

This guide aims to provide clear guidance and practical advice on the Overview and Scrutiny Function to elected Members, officers, members of the public and people invited to attend particular Committees, such as Select Committees.

How to Contact Us

If you have any comments or feedback on this guide and suggestions on how future editions could be improved, or you would like further information on Overview and Scrutiny at Kent County Council, then please contact the Overview and Scrutiny Team:

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The Overview and Scrutiny website provides information on Overview and Scrutiny Committees, the Select Committee Topic Review programme, published reviews, useful links and gives you the chance to become involved. The website address is:

www.kent.gov.uk/your council/overviewandscrutiny
What is Overview and Scrutiny?
Overview & Scrutiny considers issues affecting Kent. Through Overview and Scrutiny non-executive Members of all parties can work together in a challenging and constructive way to make recommendations to develop policy and ultimately support the improvement of services for Kent residents. Overview & Scrutiny can:

- Contribute to the development of Council policy.
- Review and scrutinise performance of the Council, Cabinet and other public bodies in relation to policy objectives, performance targets and/or particular service areas.
- Question decisions made or actions taken by the Cabinet / hold the Cabinet to account
- Establish Select Committees and Informal Member Groups for in-depth topic reviews.
- Review the implementation of policies
- Conduct research, request information and undertake public consultation

The arrangements are based on a clear division between the role and responsibilities of the Cabinet and those of Overview and Scrutiny. Overview and Scrutiny is an influencing body, adopts an independent, inclusive, evidence-based approach and suggests improvements or recommendations for change and highlights alternative courses of action.

How is Overview and Scrutiny structured in Kent?
There are three main strands to Overview and Scrutiny in Kent:-

- Cabinet Scrutiny
- Policy Overview
- NHS Overview and Scrutiny

The diagram below shows how the structure looks in Kent.
What do the Overview and Scrutiny Committees do?

The Overview and Scrutiny function in Kent is made up of seven committees. These are:

- Cabinet Scrutiny Committee
- Policy Overview Co-ordinating Committee
- Education and Libraries Policy Overview Committee
- Social Care and Community Health Policy Overview Committee
- Strategic Planning Policy Overview Committee
- Corporate Services Overview and Scrutiny Committee
- NHS Overview and Scrutiny Committee

Committee Membership
Elected Members who are not part of the Cabinet (i.e. non-executive members) can contribute to the development of policy by serving on the Overview and Scrutiny Committees. Membership of these committees reflects political proportionality. Cabinet members cannot serve on these committees either as ordinary or substitute Members. In addition to County Council Members some of the committees include key stakeholders, such as Church representatives as committee Members with voting rights. Committees can also co-opt Members where it is felt their particular expertise would benefit the process, however such Members do not have voting rights.

Cabinet Scrutiny Committee (CSC)
This Committee has been appointed by the Council under section 21 of the Local Government Act 2000 to review or scrutinise decisions made or actions taken by the Leader, the Cabinet, a Cabinet Member, a Council Committee or an officer. Cabinet Scrutiny Committee is chaired by the Leader of the Opposition. Cabinet Scrutiny Committee meetings are open to the public and meet monthly.

Policy Overview Co-ordinating Committee (POCC)
The POCC co-ordinates the preparation and approval of an annual work programme of Select Committee topic reviews and the deployment of resources for Policy Overview Committees. The POCC also co-ordinates the allocation of Performance Reviews to Policy Overview Committees. The POCC membership includes the Chairmen of the four Policy Overview Committees. This committee meets quarterly.
**Policy Overview Committees**

Policy Overview is 'forward' looking and plays an important role in influencing and developing the County Council’s policies and services. Kent County Council has four Policy Overview Committees. These are

- Education and Libraries Policy Overview Committee (EL POC)
- Social Care and Community Health Policy Overview Committee (SCCH POC)
- Strategic Planning Policy Overview Committee (SP POC)
- Corporate Services Overview and Scrutiny Committee

The Committees reflect four directorates in KCC – Education and Libraries, Social Service, Strategic Planning and Corporate Services.

The Policy Overview Committees advise the Council, Leader and Cabinet on policy development. These Committees consider Policy Framework documents which set out the policies of the County Council, consider issues through topic reviews or Informal Member Groups, review the Council’s performance against its objectives and targets and make reports and recommendations to the Council. Policy Overview Committees also discuss external audit reports, receive regular performance monitoring information and review the outcomes of the Performance Review process.

The Policy Overview Committees (POCs currently meet every quarter, but workloads may mean they meet more often. All POC meetings are open to the public.

**NHS Overview and Scrutiny Committee (NHS OSC)**

The role of the NHS Overview and Scrutiny Committee is to review and scrutinise local NHS Bodies (any matter relating to the planning, provision and operation of health services in Kent) and support the improvement of health services and reduce health inequalities for Kent people. The Committee also responds to consultations from the National Health Service on any proposal for a substantial development or substantial variation in provision of health services in Kent. The NHS OSC meets monthly. The NHS OSC work programme will be determined in conjunction with District and Borough Colleagues and patient forums, in accordance with the Committee protocols, and shared with local health bodies.
How does Overview and Scrutiny work?

Call-in
Members of the Cabinet Scrutiny Committee may wish to look at a recent decision taken by the collective Cabinet or an individual Cabinet Member. They can ask for a decision to be ‘called in’, enabling the Committee to consider the decision at its next meeting and then make recommendations, if appropriate, to the Cabinet. The Committee can refer decisions back to Cabinet or full Council for reconsideration. Call-in operates to a strict timetable to ensure that decisions are not unnecessarily delayed.

Forward Plan
The forward plan lists all of the key decisions that it is anticipated that the Cabinet will take in the next few months. Policy Overview Committees may request the opportunity to consider a subject and provide their input on that issue before it is considered by the collective Cabinet, individual Cabinet Member or County Council.

Policy Review and Development
Policy Overview Committees look into the options for future direction in policy development. The Committee may appoint advisors to assist, go on site visits, invite witnesses to attend to discuss an issue of concern and/or answer questions, hold a seminar, decide to carry out a Select Committee topic review or set up an Informal Member Group. The Committee may also request reports or presentations from officers.

The method chosen to carry out the required work will depend on the nature of the activity being undertaken, the capacity of Members to carry out the work, resources available and the balance of activities over the year.

Select Committee Topic Reviews
Each Policy Overview Committee and the NHS Overview and Scrutiny Committee can appoint a time-limited Select Committee to look at specific policy issues in depth through ‘topic reviews’, lasting up to 6 months, or through conducting a review within the Policy Overview Committee meetings themselves. Select Committees are like small sub-committees, are politically balanced and hold their meetings in public. Select Committee Topic reviews may be added to or removed from the Policy Overview Committee work programme as priorities change or if important issues emerge unexpectedly and need to be included at short notice.

Where an issue affects an area beyond the boundaries of Kent, the Policy Overview Committee or NHS OSC may decide to set up a Joint Select Committee with an adjoining Council or invite a representative of another Council to be co-opted on to the Committee. Joint arrangements can also be established where a topic cuts across two or more of Kent’s Policy Overview Committees.

Informal Member Groups (IMGS)
The Policy Overview Committee may decide it would be most effective to set up an Informal Member Group (IMG) to consider an issue. The size of these groups may vary; they generally have a minimum of three members, and do not need to be appointed on the basis of political proportionality. These groups consider an issue in private, then advise and report their findings to the Policy Overview Committee in public. They are effective for short, focused pieces of work, and enable best use of available resources.
How is the Topic Review programme developed?

KCC’s Policy Overview work programme incorporates the topics or issues that the Committees intend to look at during the coming year. In developing the programme of topic reviews the Committees consider suggestions from stakeholders and take account of local and corporate priorities, strategic plans, other relevant programmes and internal and external audit. The diagram below shows the strategic plans or programmes that need to be considered and also who can make suggestions:

**Selection Criteria for Topic Reviews**

The choice of subject greatly influences the success of the review. The Committees will select a topic proposed for review using criteria. The sorts of issues this covers are:

- Is the topic strategic? Is it a key issue? Is the issue a National or County Council priority?
- Will the activity add value to the overall performance of the Council? Is it likely to lead to effective outcomes? What is the scope for impact? Will the review unnecessarily duplicate other work? Is it a timely activity? Is it achievable in the timescale?

Suggestions for review should clearly set out the brief background to the issue, how this meets the criteria and the key aims and objectives.
Monitoring Select Committee topic review work

Monitoring the work of the Select Committees through the appropriate Policy Overview Committee is an essential activity. The Policy Overview Committee may decide to set a timescale in which to review the progress made in implementing the recommendations within the report and the impact of the review. All topic reviews should be evaluated by the appropriate Policy Overview Committee within 12 months of the Topic Review report being published.

- Implementation of approved recommendation(s) by Cabinet Member and Directorate/service area.
  (Action plan drawn up by Cabinet Member and Lead Officer.)

- Within 12 months of the report being considered by the Cabinet/Council and being published, appropriate Officers update the Policy Overview Committee.
How do Select Committees work?

The work of the Policy Overview Committees is often undertaken through Select Committees of eight or more members, which look at a specific issue in-depth. The Select Committee may also have co-opted an adviser/or expert for the topic being investigated. On agreement of the terms of reference, the Select Committee gathers information or 'evidence'. After considering all of the evidence the Select Committee will write a report and take its findings and recommendations on how services could be improved or developed to the appropriate Policy Overview Committee and then to Cabinet and/or Full Council.

Collecting evidence
Following agreement of the terms of reference, the Select Committee can gather a wide range of information or evidence from a variety of sources. Types of evidence include:

- Written evidence from a variety of sources including experts /professionals /businesses /community groups/ the public etc,
- Oral evidence from questioning ‘witnesses'/experts
- Literature reviews
- Site Visits
- Surveys and consultation exercises
- Seminars and workshops
- commissioning of external research

Hearings / Oral evidence
Hearings are an opportunity for the Select Committee to gather detailed information /oral evidence about a subject. This is a useful way to gather evidence as it enables those invited to attend (‘witnesses’) to explain their views on key issues and questions be asked. If you are invited to attend a hearing as a witness, this will be because you have particular knowledge of the topic being considered. The Committee can require Officers or Members to attend and can also invite other people to attend who may be able to help with the review inquiry. Although the language used to describe the work of the Select Committee is quite formal, the County Council likes to keep proceedings at its hearings as informal as possible.

A witness will normally receive an initial phone call inviting them to attend the Select Committee followed by a letter/email stating the details of the topic being considered and confirm arrangements for the hearing. To help witnesses prepare for attending a hearing they will be provided in advance with themes or questions that may arise at the session. The Committee may also request preliminary information or documents that Committee Members can read in advance of the meeting, enabling the meeting to be more productive.

Attending the hearing
Hearings are open to members of the public and the media. A written summary of the evidence given will be prepared and the hearing/session maybe electronically or audio recorded. The summary will explain the discussion and debate. If issues need to be raised which concern matters of a particular sensitivity, either commercial or personal (under the terms of the Access to Information Act), items can be declared exempt and the hearing made private (closed to the public and media).
**Room Layout for a Hearing**

The room layout for a Select Committee hearing will be in a format similar to this:

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**What happens after giving evidence/information at a hearing?**

A written summary of the evidence given at the hearing will be prepared. The summary will be sent to the witness for comment and approval before being published. If a witness wishes to provide additional information this can be submitted as written evidence within the review timeframe. Once all the evidence has been collected, the Committee will identify and agree recommendations to be included in the report. The final report is approved by the relevant POC and then submitted to Cabinet and Full Council. If a single report cannot be agreed then a minority report can be prepared.

**Written evidence**

Some topic reviews will require written evidence in order for the Committee to gain background knowledge of specialist areas. Experts may be invited to submit written evidence responding to a number of questions or themes, or may be asked for their views. This information will be required within a set time limit so the Committee has time to consider the information for the report.

**The Select Committee report**

The final report contains the findings and recommendations of the Committee in three parts:

- An executive summary
- The main report
- Summaries of the evidence given by all the witnesses

A copy of the Committee’s final report, together with summaries of evidence from hearings, will be available to the public once it is published. All participants in the Select Committee process will receive a copy of the final report.
Select Committee Topic Review Flow chart
This flow chart shows the main elements of the Select Committee process.

Select proposed Topics for review. POCC agrees overall review work programme. Select Committee is established to consider an issue in depth.

The Policy Overview Committee and Select Committee agree terms of reference.

Select Committee conducts Topic Review and gathers evidence/information.

The POC is kept informed of progress of the topic review. The Select Committee may feedback interim findings and continues with the review.

Select Committee share/discuss its findings and draft report with the Cabinet Member and Directorate, and following any amendments presents its final report to the POC.

Following consideration by the POC, any necessary amendments are made.

Chair of the Select Committee and other political group spokesmen present the final recommendations to the Cabinet

Cabinet discuss/agree recommendation(s) → Full Council

Cabinet Member and Directorate/Lead Service area officer consider recommendations and draw up action plan

Impact of review evaluated within 12 months of the Topic Review report being published.
Public involvement: How can you become involved?

To undertake its role to improve services, the Policy Overview Committees will seek information from people both within and outside the Council. The Committees will seek advice from independent experts and will want to hear from local people, businesses and community and voluntary organisations. The public can become involved in a number of ways:

- Keeping up to date through the website pages
- Attending meetings of Policy Overview Committees and Select Committees
- Submitting written information/evidence to a Select Committee
- Suggesting an issue or topic for inquiry
- Contacting the Policy Overview Committees

The Website
By accessing the website you can find out information about Members, dates of meetings, what’s on the agenda, what reviews are taking place and when and how to get involved. Once reviews are completed the final reports can be accessed on the website. It also enables the public to contact the Overview and Scrutiny team online.

www.kent.gov.uk/yourcouncil/overviewandscrutiny

Attending meetings
Members of the public are always welcome to attend meetings of the Cabinet Scrutiny Committee, the Policy Overview Co-ordinating Committee, the three Policy Overview Committees, the NHS Overview and Scrutiny Committee and Select Committee hearings. There are, rarely, exceptions where confidential items are discussed, if so the press and members of the public will be asked to leave the room during the discussion. Details of meetings will be published on the website and are displayed on the notice board outside Sessions House.

Suggesting an issue/topic for review
Kent residents, voluntary groups and business in Kent can request that an issue or an area of concern be reviewed. If you would like to suggest an issue for a Select Committee topic review please write to the Overview and Scrutiny Team.

Overview and Scrutiny Team
Legal and Secretariat
County Hall – Sessions House
Maidstone
Kent, ME14 1XQ

Your letter should include a brief summary of the topic and issues that you wish to raise and will be considered by the relevant Policy Overview Committee. Suggestions for review topics should be relevant to the people of Kent, clearly set out the background to the issue and reasons for concern, and should not relate to an individual service complaint or to work underway through another Committee.
Glossary of terms

Action Plan: An agreed plan setting out how something is going to be achieved and lists the tasks to be carried out and timescales.

Cabinet Scrutiny: Decisions made or actions taken by Cabinet about any function of the Council can be questioned or scrutinised by the Cabinet Scrutiny Committee. This Committee can recommend that the decision be reconsidered or suggest an alternative course of action.

Call-In: This is the process through which the Cabinet Scrutiny Committee can question a decision that has been made or action that has been taken.

Evidence: The information gathered by a Committee relating to a specific issue. Evidence can be collected from a variety of sources including experts, business, the public, voluntary organisations, officers etc. Evidence can also be in a variety of forms including written, oral (from witnesses attending hearings), site visits, questionnaires, consultations etc.

Forward Plan of Key Decisions: A “Key Decision” means an executive decision which is likely to:-
(a) result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decision relates;
(b) be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the local authority.

Information on all Key Decisions is included in the Forward Plan of Key Decisions. The Forward Plan is published monthly and each edition covers Key Decisions to be taken over the next four-month period.

Hearing: An opportunity for the Select Committee to gather detailed information from people invited to meet with them to discuss a specific topic or issue. This might be for example a service user, an expert in the field or a Kent County Council Officer.

Informal Member Group: a small inquiry group of 3 or more members, which will consider an issue in private, then advise and report its findings in public.

Members: There are 84 elected members of the County Council. They are elected by the public and are from various political parties, such as Conservatives, Labour, Liberal Democrat and Independent. The Leader and nine of these Members (Portfolio holders) form the Cabinet of the County Council. All other members are non-executive Members. Non-executive Members of all parties together undertake Overview and Scrutiny.

Policy Overview: This has an important role in influencing and contributing to the development of Kent County Councils policies and services. Kent County Council has three Policy Overview Committees.

Select Committees: These look at policy issues in-depth through ‘topic reviews’. These are politically balanced, have eight or more members and hold meetings in public.

Terms of Reference: This outlines the area of work and what a committee is to consider, their aims and objectives.

Witness: This refers to a person invited to attend a Select Committee or Hearing to give their views and answer questions on a specific issue.
If you, or someone you know, cannot read this document but would like to, please advise us of your/their specific requirements and we will do our best to provide the information in a suitable format or language.

Please tell us if you need this document in large print, on audio tape, computer disk or in Braille.

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