



## Report of the Convener

### Service Improvement and Finance Scrutiny Performance Panel – 16th October 2017

#### Pre-Decision Scrutiny of Cabinet Report – Public Protection Commissioning Review

|                                         |                                                                                                                                                                                                                                                              |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Purpose</b>                          | This report provides guidance on pre-decision scrutiny ahead of consideration of the Cabinet report on Public Protection Commissioning Review.                                                                                                               |
| <b>Content</b>                          | This covering report is focussed on the role of the Panel in undertaking pre-decision scrutiny.<br><br>The actual Cabinet report which is being considered by Cabinet on 19 October is appended.                                                             |
| <b>Councillors are being asked to</b>   | <ul style="list-style-type: none"> <li>• Note the pre-decision scrutiny process and role of the Panel</li> <li>• Consider the Cabinet report and proposals</li> <li>• Agree any views on the proposed decision that are to be raised with Cabinet</li> </ul> |
| <b>Lead Cabinet Member / Officer(s)</b> | Councillor Mark Thomas Cabinet Member for Environment Services                                                                                                                                                                                               |
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#### 1. Introduction

- 1.1 It has been agreed that all commissioning review final reports to Cabinet should undergo pre-decision scrutiny. The Scrutiny Programme Committee will carry out pre-decision scrutiny or delegate reports to be considered to relevant Scrutiny Panels.
- 1.2 The Cabinet Member for Environment Services is presenting a report on Public Protection – Commissioning Review to Cabinet on 19 October

#### 2. Role of the Panel

## 2.1 The purpose of pre-decision scrutiny:

- It entitles scrutiny to discuss proposed Cabinet reports, where a clear recommendation(s) exists, before decisions are taken by the Executive.
- Acting as a 'critical friend', it enables scrutiny to ask questions about a report to develop understanding and inform and influence decision-making, for example asking about:
  - the rationale for the report
  - robustness of the proposed decision and decision-making process
  - potential impact and implications (including policy/budget issues) and risks
  - how different options have been considered
  - the extent of consultation undertaken etc.
- It enables scrutiny to report its views and any issues to Cabinet. The convener, on behalf of the Panel, can attend the Cabinet meeting to share the views of scrutiny on the report prior to Cabinet decision. This may include giving support, providing other suggestions on the way forward, or flagging up any concerns.
- The views of scrutiny are required to be formally considered by Cabinet before it makes the decision and feedback should be given including explanation for any rejection of views expressed.

2.2 Councillor Mark Thomas, Cabinet Member for Environment Services will attend the meeting to respond to questions and issues raised. Relevant officer(s) involved in the development of the report will also be present to assist the Panel and provide appropriate advice.

2.3 The Panel (through the convener) will write to the relevant Cabinet Member with its views following pre-decision scrutiny. The convener will have the opportunity to attend the cabinet meeting on 19 October to verbally feedback the Panel's views, conclusions and recommendations about the report.

## 3. **Cabinet Response**

3.1 Cabinet must formally consider scrutiny views at its meeting. It may decide that any issues raised by scrutiny can be dealt with at the meeting and decision taken. It may decide that more time is needed to consider the views of scrutiny and defer decision to the next (or a special) meeting of Cabinet.

3.2 The relevant Cabinet Member is expected to write back to the Panel with feedback from Cabinet, and should include explanation of any rejection of scrutiny views.

#### **4. Legal Implications**

4.1 In accordance with the Council's Constitution "pre-decision scrutiny gives scrutiny the opportunity to influence Cabinet decision making as a critical friend". "The views of the scrutiny panel are formally presented (either in a written report or verbally by the scrutiny convener) to the Cabinet meeting for the Cabinet to consider and inform its decision making".

#### **5. Financial Implications**

5.1 There are no specific financial implications raised by this report. Financial implications of the actual cabinet report(s) are contained within that report which is appended.

Background Papers: None