

report

meeting	Nottinghamshire Joint Committee on LAA Scrutiny	
date	18 th March 2009	agenda item number

REPORT OF SERVICE MANAGER (GOVERNANCE AND SCRUTINY)

PROTOCOL

1. Purpose of the Report

1.1 To approve the protocol for the operation of the Joint Committee.

2. Information and Advice

2.1 At the workshop style session held in December a draft protocol for the operation of the Joint Committee was considered and agreed. It is appended.

2.2 It is appropriate for this first meeting to adopt the protocol.

3. RECOMMENDED

It is recommended that the protocol be adopted.

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Background Papers

Nil

PROTOCOL FOR THE OPERATION OF THE JOINT COMMITTEE ON THE SCRUTINY OF THE NOTTINGHAMSHIRE LOCAL AREA AGREEMENT

1. INTRODUCTION

- 1.1 A Joint Committee has been established to scrutinise the Local Area Agreement (LAA) in Nottinghamshire by the following councils:

Ashfield District Council
Bassetlaw District Council
Broxtowe Borough Council
Gedling Borough Council
Mansfield District Council
Newark and Sherwood District Council
Nottinghamshire County Council
Rushcliffe Borough Council

This protocol sets out the shared understanding on the role and operation of the Joint Committee.

- 1.2 The Joint Committee is intended to complement and enhance the role of the overview and scrutiny function in individual councils. Nothing in this protocol or the operation of the Joint Committee is intended to diminish the role and responsibility for individual scrutiny functions.
- 1.3 The purpose of the Joint Committee is to ensure that the scrutiny of the LAA as envisaged in the Local Government and Public Involvement in Health Act 2007 is a positive experience, through
- a) Open and transparent scrutiny arrangements and processes
 - b) An emphasis on problem solving and collaboration – ie engaging members and partners in addressing complex issues
 - c) Enabling members to bring their democratic and community leadership perspective to the LAA

2. ROLE OF THE JOINT COMMITTEE

- 2.1 The Committee is responsible for:
- a) Taking an overview of the progress and performance of the LAA
 - b) Scrutinising particular aspects of the LAA
 - c) Commissioning a programme of task and finish committees as it considers appropriate.

- d) Making recommendations to organisations that are party to the LAA on the improvement targets, delivery, and outcomes.

3. MEMBERSHIP

- 3.1 The Joint Committee will consist of 14 members comprising:
 - a) Seven non-executive members from borough and district councils (one member from each)
 - b) Seven non-executive members from the County Council (on a politically proportionate basis).
- 3.2 Borough and district councils will be entitled to appoint substitute members to attend in the absence of their substantive member of the Joint Committee.
- 3.3 At any time when the joint committee is considering education issues it will co-opt the County Council's statutory consultees (two church and two parent representatives) with voting rights.
- 3.4 The quorum for the Joint Committee will be 5 consisting of 3 from among the borough and district council members and 2 from the County Council.

4. CHAIR AND VICE-CHAIR

- 4.1 The Chair and Vice Chair will be elected annually from amongst its members by the Joint Committee at the first meeting held after all partner councils have held their annual meeting. The Vice-Chair will be appointed from an authority not holding the Chair.
- 4.2 At its first meeting in 2009 the Joint Committee will elect a Chair and Vice-Chair to serve until all councils have held their 2009 annual meetings.

5. ORGANISATION AND CONDUCT

- 5.1 The secretariat for the Joint Committee will be provided by Nottinghamshire County Council. The County Council will meet the costs of administering the Joint Committee.
- 5.2 Notice of meetings, circulation of papers, conduct of business at meetings and voting arrangements at the Joint Committee will follow the Standing Orders of Nottinghamshire County Council.
- 5.3 Meetings of the Joint Committee will be open to members of the public.
- 5.4 The Chair and Vice-Chair will be responsible for determining the agenda of the Joint Committee and will have an oversight of the work programme. Any members of the Committee may suggest items for

the agenda, including matters for possible scrutiny, through the secretariat.

- 5.5 The Joint Committee will meet as and when required and with a minimum of three meetings in a financial year (April to March).

6. TASK AND FINISH GROUPS

- 6.1 The Joint Committee may establish task and finish groups to examine an issue in more detail. The remit, scope and timescale of reviews undertaken by task and finish groups will be determined by the Joint Committee.
- 6.2 The membership of individual task and finish groups will be determined by the Joint Committee and will be drawn from non-executive members of the interested or affected councils.
- 6.3 The Joint Committee will appoint the chairs and vice-chairs of task and finish groups who should normally be members of the Joint Committee.
- 6.4 Notice of meetings, circulation of papers, conduct of business at meetings and voting arrangements at task and finish groups will follow the Standing Orders of the council which holds the chair.
- 6.5 Officer support to individual task and finish groups will be agreed between the councils represented on the group. The council(s) providing the officer support will meet any costs associated with meetings of the group.
- 6.6 Each task and finish group shall determine how to undertake its exercise, within the scope and timescale set out by the Joint Committee. This will include determining how and where to take evidence, interviewing witnesses, developing recommendations etc.
- 6.7 Task and finish groups will normally meet in public.

7. REPORTS AND RECOMMENDATIONS

- 7.1 The Joint Committee and task and finish groups should aim to produce an agreed report with recommendations that represent the consensus among its members.
- 7.2 Reports from the Joint Committee will be sent to the relevant partner organisations, all member councils, and the Nottinghamshire Strategic Partnership Board.
- 7.3 Reports from task and finish groups will also be sent to the relevant partner organisations, all member councils, and the Nottinghamshire Strategic Partnership Board, and the Joint Committee.
- 7.4 Responses from the Partnership Board and other partners to any scrutiny review will be reported to the Joint Committee.

8. RELATIONSHIP WITH PARTNERS

- 8.1 The Local Government and Public Involvement in Health Act 2007 puts partners in the LAA under an obligation to take part in scrutiny of relevant improvement targets and to have regard to recommendations from scrutiny. This obligation extends to the statutory partners identified in the Act and regulations but also to voluntary partners who are involved in the delivery of the LAA.
- 8.2 The Joint Committee and task and finish groups will ensure that all partners affected by a scrutiny review have the opportunity to contribute to the deliberations.
- 8.3 Part of the purpose behind establishing joint arrangements is to ensure effective scrutiny of the LAA without imposing excessive demands on partners. The Joint Committee will take account of the demands it is making on partners in developing its work programme.
- 8.4 Recommendations from the Joint Committee and task and finish groups cannot be binding on partners but it is expected that partners will have regard to any recommendations directed to them.

9. REVIEW

- 9.1 The working of the Joint Committee arrangements will be reviewed in 2010 after one year's operation.