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Wednesday 12 July 2006

To: Chairman – Councillor MP Howell
Vice-Chairman – Councillor R Hall
Members of the Scrutiny and Overview Committee – Councillors RE Barrett,
RF Bryant, Mrs SM Ellington, Mrs EM Heazell, PT Johnson, SGM Kindersley,
MJ Mason, DC McCraith, DH Morgan, Mrs CAED Murfitt, CR Nightingale,
Mrs HM Smith, RT Summerfield and Dr SEK van de Ven

Dear Councillor

You are invited to attend the next meeting of **SCRUTINY AND OVERVIEW COMMITTEE**, which will be held in the **COUNCIL CHAMBER** at South Cambridgeshire Hall on **THURSDAY, 20 JULY 2006 at 2.00 p.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

AGENDA

PAGES

PROCEDURAL ITEMS

1. **Apologies**
2. **Minutes of Previous Meeting** 3 - 10
To authorise the Chairman to sign the Minutes of the meeting held on 15 June 2006 as a correct record.
3. **Declarations of Interest**
Please note that when considering the review of any decision in respect of which a member of the Committee is subject to a party whip, the member must declare the existence of the whip. Any Councillor who is a member of an Advisory Group which has discussed an item that is now being scrutinised cannot participate in that debate.
4. **Public Questions**
5. **Draft Agenda Programme and Programme of Key Decisions** 11 - 14

PRIORITIES AND MAJOR ISSUES

6. **Call-In: Climate Change Advisory Group** 15 - 20
7. **Presentation from the Conservation, Sustainability and Community Planning Portfolio Holder**

- 8. **Presentation from the Housing Portfolio Holder**
- 9. **Cost of Standards Hearings** 21 - 24
- 10. **Developing a Policy on Criminal Records Bureau (CRB) Checks** 25 - 46
- 11. **Scrutiny and Overview Committee Webpage** 47 - 60

12. **Monitoring of Portfolio Holders**

June's Committee meeting agreed that the monitoring roles should be allocated to its members. With the approval of the Chairman and Vice-Chairman the monitoring roles have been allocated as follows:

Community Development: HM Smith (Lib/Dem) & DC McCraith (Con)

Conservation: SEK van de Ven (Lib/Dem) & SM Ellington

Environmental Health: RF Bryant (Ind) & CAED Murfitt (Ind)

Housing: RE Barrett (Con) & EM Heazell (Lib/Dem)

Information, Resources and Staffing: MJ Mason (Ind) & RT Summerfield (Lib/Dem)

Planning: SGM Kindersley (Lib/Dem) & CR Nightingale (Con)

Leader: PT Johnson (Con) & DH Morgan (Con)

Councillors MP Howell and R Hall will deputise in the absence of any monitors.

STANDING ITEMS

13. **To Note the Dates of Future Meetings**

2006: August 17, September 21, October 19, November 16 & December 21.

2007: January 18, February 15, March 15, April 19 & May 17.

All meetings to start at 2pm

Report Items

Item no.	Report Item	Why Did this Report Go to the Committee?	Who Requested This Report?
6	Call-in: Climate Change Advisory Group	Considered that Cabinet's decision was carried out with insufficient consultation and so contravened Article 13 on decision making.	Called-in by the following five Councillors: Bryant, Harangozo, Hatton, Smith and van de Ven
7	Presentations by the Housing and Conservation portfolio holders	Effective scrutiny of the executive is an essential part of the scrutiny process.	Requested by Chairman
9	Cost of Standard Hearings	To scrutinise the cost of the hearings and consider whether there are any alternatives.	Requested by Chairman
10	CRB Checks for Members	It is imperative that the Council has a policy regarding CRB checks for Councillors before checks are implemented.	The Committee in April
11	Scrutiny and Overview Committee Webpage	The Scrutiny Sub-Group agreed on 13 June 2006 that there should be a separate scrutiny page on the Council's website, with links to important information on scrutiny.	Scrutiny Sub-Group

If there are any public questions: SX 4: The % of residents who feel the council lets them know what it is doing and listens to their concerns

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KEY QUESTIONS FOR SCRUTINY & OVERVIEW

Members are encouraged to make use of the following questions when discussing this month's agenda items.

1. Is it clear what this project/service is trying to achieve? How does this relate to Council priorities?
2. Who are our 'customers' here and what do they need / expect? How do we know that the project is meeting their key needs/wishes? Where are the research / consultation results?
3. Are the targets and milestones **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**ime-related? (If there aren't clear targets and milestones, why not?)
4. In the context of the Gershon requirements, how can this project be made more efficient and effective? (ie, rationalising corporate services; streamlining processes via ICT; more effective procurement to get a better deal; and increasing productivity).
5. What are the resource implications of this project/service? Have we got sufficient capacity to do this? If this is a new initiative, what are we going to do less of in order to be able to do more of this?
6. How well are we doing? – both compared to what we planned to do (in relevant strategies or service plans) and how well others are doing.
7. What are the reasons for this level of performance?
8. What management action are we taking to rectify performance problems / remove obstacles? Is this enough?
9. Are we focussing on what matters most to our customers and on what is most in need of improvement?
10. **WHAT DIFFERENCE DOES THIS MAKE TO THE LIVES OF LOCAL RESIDENTS AND OUR LOCAL COMMUNITIES?**

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

At a meeting of the Scrutiny and Overview Committee held on
Thursday, 15 June 2006

PRESENT: Councillor MP Howell – Chairman
Councillor R Hall – Vice-Chairman

Councillors:	RF Bryant	Mrs SM Ellington
	Mrs EM Heazell	PT Johnson
	SGM Kindersley	MJ Mason
	DC McCraith	DH Morgan
	Mrs CAED Murfitt	CR Nightingale
	Mrs HM Smith	RT Summerfield
	Dr SEK van de Ven	

Councillors Dr DR Bard, SM Edwards, Mrs A Elsby, Dr SA Harangozo, Mrs DP Roberts, Mrs DSK Spink MBE and JF Williams were in attendance, by invitation.

Officers:	Patrick Adams	Senior Democratic Services Officer
	Claire Spencer	Senior Planning Officer (Transport Policy)
	Tim Wetherfield	Head of Policy and Communication

1. APOLOGIES

Apologies were received from Councillor RE Barrett and Andrew Lansley MP.

2. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 20 April 2006 were agreed as a correct record subject to the amendment of Jo Ungar's job title to Team Leader Housing Services.

The minutes of the meeting held on 25 May 2006 were agreed as a correct record.

Cambridgeshire Association of Local Councils (CALC)

The Committee agreed to invite Keith Barrand, the County Secretary of the Cambridgeshire Association of Local Councils (CALC), to the meeting on 21 September 2006. Mr Barrand will give a short presentation on the aims and objectives of CALC.

3. DECLARATIONS OF INTEREST

Councillors SGM Kindersley and DC McCraith declared personal interests in item 7 as members of the County Council.

4. PUBLIC QUESTIONS

It was noted that five public questions had been received, which all related to agenda item 7 on concessionary fares. It was agreed that these questions should be dealt with under agenda item 7.

It was understood that the large number of letters received by Members on concessionary fares was testament to the importance of this issue to the District's residents.

5. DRAFT AGENDA PROGRAMME AND PROGRAMME OF KEY DECISIONS**Presentation by portfolio holders**

The Committee agreed that no more than two portfolio holders should give presentations at each meeting.

CRB Checks and protection of children and vulnerable adults

The Committee agreed to combine its discussion on the possible development of a policy on CRB checks with an examination of the Council's policy on children and vulnerable adults.

Financial Management Strategy

It was suggested that an examination of the Council's Medium-Term Financial Strategy should take place after Cabinet had discussed it in October 2006.

Lettings Policy

It was agreed that discussion on the Council's letting policy should be delayed to allow the new portfolio holder to gain more experience in the role.

Road use

The Committee agreed to add an item onto the agenda programme on the overuse of roads in the District, although it was noted that this was not a responsibility of the Council.

Recommendations of the Sub-Group

The Committee agreed to discuss the recommendations of the Sub-Group at its next meeting.

The Committee **NOTED** the agenda programme.

6. APPOINTMENT OF SUBSTITUTE MEMBER OF HEALTH SCRUTINY PANEL

Councillors Mrs EM Hezell and Mrs SM Ellington both volunteered to represent the Council on the Health Scrutiny Panel in the absence of Councillor RE Barrett.

A vote was taken and Councillor Mrs Hezell was duly elected as the substitute member on the Health Scrutiny Panel.

7. CONCESSIONARY FARES

The Chairman introduced this item on the implementation of the concessionary fares scheme by welcoming County Councillor John Reynolds and Mark Kemp, Director of Highways and Access from the County Council. County Councillor John Reynolds explained that both he and Mr Kemp supported the report written by the Senior Planning Policy Officer (Transport).

Implementation of the new scheme

Councillor Mrs DSK Spink, portfolio holder for planning and economic development, stated that the Council had received government guidance on the new scheme on 22 November 2005, with instructions to inform the bus operators of the arrangements for the new scheme by 1 December 2005. This had been a considerable challenge as the scheme affects 56 bus operators. Councillor Mrs Spink concluded that the Government were responsible for the current unsatisfactory situation as they had imposed an unfair system with insufficient time for consultation and an inequitable apportionment of funding. It was understood that due to the timescales imposed by the Government, the

District Council's budget had been set prior to the announcement of the detailed Government funding of the scheme.

Councillor Mrs Spink accepted that the new scheme was inferior to the half-fare scheme that it replaced. She concluded that the new scheme would run for 12 months and it was unlikely that there would be any major changes to the scheme during that time. County Councillor Reynolds explained that the County Council had lobbied the Government in an effort to secure a similar scheme to the one that operated in Wales and Scotland, which allowed free travel across council boundaries.

It was noted that the scheme operating in the District provided a larger concession than the statutory minimum and that the Leaders of all the District Councils in the County would be making a joint statement. It was understood that a meeting was due to take place between the Council and the bus operators later this month.

Number of villages without a bus service

Councillor Mrs EM Heazell asked how many villages in the District had no bus service and which villages were eligible for a multi-user saver ticket. The Senior Planning Policy Officer (Transport) agreed to find out the answers to these questions and report back. It was suggested that all villages had some form of bus service, but for some villages this was only one bus a week.

Working with the bus operators

County Councillor Reynolds warned that a requirement of the scheme was to ensure that the bus operators neither profited nor incurred any loss. This meant that the bus operators could claim "additional costs" for setting up and operating the new scheme from district authorities. The total amount for these costs was not known. However, it was noted that the current scheme would end on 31st March 2008, when a national scheme would be implemented, so fears of year on year costs were unfounded. The Government had not specified what would replace the existing system.

The County's Director of Highways and Access explained that ticket information from bus operators would be forthcoming and would be shared with the other councils in the County. This would provide an indication of whether the estimated cost of the scheme was accurate. He explained that the statutory minimum imposed by the Government was for free travel within the District after 9:30am. It was noted that the District Council was providing a service above the statutory minimum. He assured the Committee that the County Council was working closely with the operators to get a uniform service throughout the District. It was understood that the bus companies were commercial organisations and local authorities could not dictate bus routes or services.

Councillor CR Nightingale asked whether action could be taken to ensure that all the bus companies implemented the scheme in the same way. County Councillor Reynolds explained that bus operator staff had been trained and any reports of bus operators failing to implement the agreed system were dealt with on a case by case basis.

Allocation of funding from the Government

In response to questioning County Councillor Reynolds suggested that the Government should have awarded funding directly to the County Councils, as the authority responsible for transport. He added that in his experience Government funding never matched the cost of the service to be implemented. It was suggested that the grant money from the Government should have been "ring-fenced" for concessionary fares. County Councillor Reynolds explained that this would require primary legislation, which would need to be introduced as a bill in parliament. The earliest this could happen was October 2006.

Work by the consultant

The consultant employed by the County Council had estimated that it would cost the District Council £559,000 to implement the scheme for this year. The Senior Planning Policy Officer (Transport) agreed to examine why the cost of a free countywide scheme was over three times the cost of a half-fare scheme, when layman's logic suggested it should only cost twice as much. In response to questioning County Councillor Reynolds praised the work carried out by the consultant, who had done his best with the information available.

Park & Ride

County Councillor Reynolds explained that Park and Ride carried over 1.6 million fare-paying passengers in 2005 and he remained committed to promoting public transport in Cambridge, as an alternative to travelling by car. It was understood that nationally some Park and Ride sites had free parking whilst others charged for the parking but had free bus travel.

It was noted that the bus stop for Trumpington Park and Ride was just outside the District's boundary.

Additional costs

It was understood that the local authorities were liable for the additional costs from the bus operators arising as a direct result of the implementation of the new scheme. The Committee expressed concern at how much this will cost the Council; the current cost was £21,000 and Stagecoach, the largest operator in the District, had not yet claimed.

Compiling statistics on concessionary fare usage.

It was suggested that many bus users were not bothering to use their concessionary fare bus passes when it offered no discount. It was therefore possible that the actual costs of implementing a county-wide scheme were being hidden. It was therefore suggested that all concessionary bus pass holders show their passes, even if it offered no discount, as this would allow accurate figures on concessionary bus pass use to be compiled. However, there was no evidence that the Government would use this information when awarding funding for future schemes.

Funding from parish councils

In response to a question from Ickleton Parish Council, Councillor Mrs Spink stated that while it would be possible in principle for parish councils to subsidise the concessionary fare scheme, in practice it would require all 101 parish councils to contribute £5,280 each to provide free travel for all residents in the District. It was very unlikely that all parishes would agree to such a scheme and it was equally unlikely that the bus operators would agree to a piecemeal scheme which offered different deals to residents of different parishes.

County Council budgets

In response to questioning County Councillor Reynolds explained that the County Council's efficiency savings of approximately £1 million, out of a total budget of £511 million, would not be spent on subsidising the concessionary fares scheme. He added that the County Council's reserves were well below average.

Calculating funding

On the invitation of the Chairman, Mr Ian Tyes from the COPE Transport Committee, addressed the Committee. He expressed doubt over the accuracy of the consultant's figures in table 1 on page 18 of the agenda and doubts over the fairness of the allocation of funding to each district. Councillor Mrs Spink stated that the local authorities did not

know how the Government had calculated the apportionment of funds to the local district authorities and she encouraged all interested parties to write to the Government to express their concerns over the scheme.

Alternative scheme

Mr Tyes suggested that all eligible residents should be given a free week's bus pass. However, it was understood that the local authorities currently had no option but to work within the parameters of the existing scheme.

In conclusion Councillor Mrs Spink stated that the lack of funding from the Government meant that the Council was unable to provide the level of service that it wanted to give.

The Committee **RECOMMENDED** that

- (a) The County Council continue to work with each district authority and start to look ahead to next year with the aim of implementing of a county-wide scheme under the auspices of the County Council.
- (b) All stakeholders continue to liaise with central government, in particular with regard to the allocation of funding, to attempt to implement a county-wide scheme.

The Committee **AGREED** that the appropriate officer liaise with Councillor Dr SEK van de Ven regarding a possible rewording of the FAQs on concessionary fares scheme displayed on the Council's web-site.

The Chairman thanked County Councillor John Reynolds and Mark Kemp, the County Council's Director of Highways and Access, for their attendance and comprehensive responses to the questions asked.

8. MONITORING THE EXECUTIVE

The Senior Democratic Services Officer presented this item by explaining that the Scrutiny Sub-Group had recommended that the Committee agree to a formal monitoring of the executive, with two members, ideally from different political groups, monitoring each portfolio. The Chairman and Vice-Chairman would deputise in the absence of one of the monitors. It was envisaged that the monitors would attend portfolio holder meetings.

Councillor DH Morgan expressed his opposition to this recommendation and asked for the notes of the Sub-Group meeting to be amended to register this fact.

Cabinet opposition to the scheme

Councillor Mrs DP Roberts, housing portfolio holder, asked how the monitoring of portfolios would benefit the Council and expressed concern that individual monitors could seek to unfairly influence the Committee by reporting issues out of context. She asserted that both monitors should attend portfolio holder meetings to prevent misrepresentation. Councillor Mrs DSK Spink, planning and economic development portfolio holder, informed the Committee that attending portfolio holder and Cabinet meetings was only part of the duties for a member of the executive. Councillor SM Edwards, resources, staffing, information and customer services portfolio holder, welcomed the attendance of non-executive members at his portfolio holder meetings, but could see no reason why a formal monitoring system should be introduced by the Committee.

Members of the Committee suggested the following benefits for a monitoring system:

- It suited the new political situation, with one group in opposition
- It was common practice in other authorities
- It would help to ensure that the work of every portfolio holder is scrutinised
- It would help to educate each monitor on the work of the portfolio holders
- The monitors would help to ensure that the Committee is better informed
- The empowerment of the monitors could lead to future positions on the Cabinet

Other Members of the Committee made the following comments against the Sub-Group's recommendations:

- It should be the responsibilities of each political group, not the Committee, to appoint monitors
- All members were able to attend portfolio holder and cabinet meetings
- The Weekly Bulletin informs Members of all the executive decisions taken
- The call-in procedure could be invoked if more discussion was deemed necessary
- A formal monitoring arrangement would constrain Scrutiny members on what they could scrutinise.

A vote was taken and on the deciding vote of the Chairman, after 6 votes were received both for and against the recommendation, the Committee

AGREED

- (a) to appoint two monitors to each portfolio, with the Chairman and Vice-Chairman to deputise in the event of absence of the monitor.
- (b) That if possible the two members should be of different political groups
- (c) The decision to allocate the monitoring roles should be deferred to the Chairman and Vice-Chairman.

Members of the Committee were asked to contact the Senior Democratic Services Officer to express their preferences regarding the monitoring roles.

9. PRESENTATION FROM THE LEADER

The Chairman invited Councillor Dr DR Bard to give a ten-minute presentation on the challenges that he expects to face as Leader for the coming year. This was followed by a question and answer session.

Transformation Project

Councillor Bard stated that the duties of second tier managers were being reviewed and the Council needed to ensure that following the implementation of the project it continued to deliver value for money services.

Financial Management

Councillor Bard stated that the Council needed to try and improve its financial management. In response to questioning he explained that he had mentioned the audit score of 2 out of 4 for Financial Management as an example of the importance of this issue and he quoted a recent £339,000 underspend to illustrate this point.

Public Opinion

Councillor Bard expressed his concern regarding the cynicism of residents for the political process, as recent research showed that less people felt that they could influence local decision making now, than three years ago. He stated that communication had undoubtedly improved and praised the Communication Team for the production of the South Cambs magazine and the other work they carried out to

achieve. However, it appeared that better communication had led to an increase in expectations. He concluded that it was imperative that local people were included in the decision making process and cited the example of Green Road, Sawston where local residents felt that they had not been kept properly informed. He hoped that this breakdown in communication would not re-occur.

Councillor Mrs Heazell, as the former housing portfolio holder who had been involved with the decision at Green Road Sawston, asked for an apology from Councillor Bard, because nothing had been authorised before the Sawston residents had been consulted at a number of group meeting. Councillor Bard suggested that there had been a misunderstanding and explained that he was concerned with the public perception of the district's residents. He concluded that on this issue the public perception was that they had not been properly consulted on this matter.

Contact Centre

Councillor Bard recognised the Contact Centre as an effective way of communicating with residents. In response to questioning, he suggested that communication between officers in the Contact Centre and officers at the main office, needed to be improved.

Performance Indicators

Councillor Bard appealed to the Committee to assist the executive by scrutinising performance management. This task could become easier if the number of performance indicators was reduced.

Recycling

Councillor Bard praised the Council's record on recycling and suggested that more partnership working on this issue was required.

Sustainable Development

Councillor Bard stated that the Council should focus on the ways in which energy efficient features could be installed in new houses. In response to questioning he expressed the hope that this was an issue where there would be cross-party support.

Councillor Bard concluded by thanking the staff for their efforts.

10. TO NOTE THE DATES OF FUTURE MEETINGS

The Committee noted the future dates of the Committee:

2006: July 20, August 17, September 21, October 19, November 16 & December 21

2007: January 18, February 15, March 15, April 19 & May 17.

All meetings to be held at 2pm.

The Meeting ended at 5.50 p.m.

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Draft Scrutiny Agenda Programme for 2005/06

The Committee is required to

- **Examine the agenda programme and confirm the items it wishes to scrutinise the following month**
- **Identify the purpose of the scrutiny and the desired outcomes**
- **Advise what information should be included in the report**
- **Decide which Councillors, officers and external representatives should be present at the meeting**

The Committee is in the process of considering ways to strengthen its approach to scrutiny and overview. As a consequence, substantial revisions to the programme of meetings and planned agenda items are possible.

Any queries regarding specific services should be referred to the Senior Democratic Services Officer who will endeavour to ascertain the relevant information. All correspondence should be copied to the Chairman and Vice-Chairman.

Date	Agenda Item	Why Is The Committee Discussing This?	How Will The Discussion Benefit The District's Residents
Aug? 06	Presentations by Planning and the Information & Resources, Environmental Health and Community Development portfolio holders	Requested by Chairman	Effective scrutiny of the executive is an essential part of the scrutiny process.
Sep 06	Presentations by Environmental Health and Community Development portfolio holders	Requested by Chairman	Effective scrutiny of the executive is an essential part of the scrutiny process.
Sep 06	Discussion on Improving Partnership Working with CALC	In January 2006 Cabinet requested that the Committee look at this matter. As a consequence the Chairman of CALC was invited to February's meeting. Unfortunately	Members will be invited to consider how the Council can work with CALC to improve communications between the three tiers of local government and promote partnership

		working.	
Not Set	Scrutiny of the Council's lettings policy	<p>The Committee decided to add this item to its agenda programme in May 2005.</p> <p>The project timetable states that the Council requires a common allocations policy with its partners by December 2006. Member input is required in the policy development process.</p> <p>The discussion at this meeting will allow members to consider our existing scheme with a view to assess what works and does not work.</p>	<p>The lettings policy determines which residents become tenants. It is suggested that this discussion be followed up with a second look at a draft common allocations policy around September or October 2006 ahead of it being finalised for consideration by Cabinet later in the year. This is all subject to there being no significant changes to the project implementation table.</p>
Not Set	Report from the Scrutiny Sub-Group	The Committee set up the Scrutiny Sub-Group at its meeting in February.	An effective, efficient Committee will benefit everybody.
Feb '07	Draft yearly Report (Nov 05 – Apr 06)		
Mar '07	Final yearly Report (Nov 05 – Apr 06)		

Deferred Items:

	Financial Strategy Expenditure Proposals
	Staff Sickness (BV12)
	Energy Efficiency
	Street Lighting

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Scrutiny and Overview Committee 20 July 2005
AUTHOR/S: Chief Executive / Senior Democratic Services Officer

CALL IN – CLIMATE CHANGE ADVISORY GROUP

Purpose

1. To advise Members of the procedure to hear the call-in of Cabinet's decision not to establish a Climate Change Advisory Group and disband the informal Climate Change Group. The full Cabinet meeting is detailed in appendix a.

Background

2. On 8 June 2006 Cabinet decided to replace the informal Climate Change Group with a standing item on the conservation, sustainability and community planning portfolio holder meetings.
3. Following the publication of this decision five councillors decided to call-in the decision on the grounds that inadequate consultation had been carried out, in contravention of Article 13 decision making. The comments of these five members are detailed in full in appendix b.

Considerations

4. Councillor JA Hockney, the conservation, sustainability and community planning portfolio holder has suggests that the Climate Change Group meets directly after his portfolio holder meetings. The Committee may wish to agree with this compromise and move on to the next business.

Options

5. The Committee has two options
 - (a) Agree with the portfolio holder's suggestion, in which case it can be implemented immediately.
 - (b) Refer the decision back to Cabinet with an alternative recommendation.

Implications

6. This decision will not have any major implications for the Council.

7.	Financial	None
	Legal	None
	Staffing	Formal advisory group meetings would take-up more officer time than informal meetings
	Risk Management	None
	Equal Opportunities	None

Conclusions/Summary

8. The Committee must decide whether to agree with the portfolio holder’s suggestion or come up with an alternative recommendation.

Effect on Annual Priorities and Corporate Objectives

9.

Affordable Homes	
Customer Service	
Northstowe and other growth areas	Creating a sustainable new community at Northstowe would be one of the objectives of the Group.
Quality, Accessible Services	
Village Life	
Sustainability	Maintaining a sustainable community would be the main objective of the Climate Change Advisory Group
Partnership	

Background Papers: the following background papers were used in the preparation of this report:

None

Contact Officer: Patrick Adams – Senior Democratic Services Officer
Telephone: (01954) 713408

13j Climate Change Group

The Climate Change Group had met informally in the past and the Conservation, Sustainability and Community Planning Portfolio Holder expressed concern that it had not been minuted, preferring that it be abolished and replaced with a standing item on his portfolio holder monthly meeting agendas. He intended that his portfolio holder meetings would be open to all members and invited interested members to attend to have input into climate change discussions. He felt that members would have more power through a formal, minuted meeting with a clear remit and reporting structure. The Portfolio Holder spoke of his proposal to set up a green think tank involving members, officers and public through on-line consultation using the Council's website, but asserted that he did not want to generate extra pollution by establishing a formal group without achieving anything.

Existing members of the group asked that Cabinet establish it as a formal body as climate change affected everyone, and explained that the group had produced the Climate Change Plan adopted by Council and had met more frequently than any formal advisory group. Not having minutes of meetings saved officer time and money. The Council should be a community leader on climate change and had already demonstrated its commitment through actions like rainwater harvesting at its offices.

The Resources, Staffing, Information & Customer Services Portfolio Holder, noting that Planning Policy Guidance 5 (PPG5) required authorities to look at climate change issues, proposed the establishment of a formal Climate Change Advisory Group, but with no seconder the motion fell.

Cabinet

- AGREED**
- (a) not to establish a Climate Change Advisory Group; and
 - (b) that the informal Climate Change Group be disbanded.

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Climate Change Group: Councillors who have called-in this decision

- **Cllr Bob Bryant** who writes "In accordance with "Outside Article 13" (Page H5 Para 12.8 of the Constitution) I wish to call-in the decisions made by Cabinet on the 8th June. "To disband the informal Climate Change Group". It is my belief that this informal group, which is inexpensive to maintain, has been of considerable assistance to the climate change officer (Cameron Adams) in formulating future strategy and also having help with the content of the well received climate change document. With climate change being involved in many aspects of the council's future activities it would seem untimely to disband this specialist group and immerse the matter into a lengthy Portfolio Holder's agenda where it is likely to become diluted. Moreover, the Portfolio Holder proposes to set up a green think tank involving members, officers and the public using the council's web site. It is not thought that such an arrangement will not provide a satisfactory substitute for the present dedicated informal group who are highly motivated by their considerable interest in the future of our environment. The portfolio holder has failed the principles of decision making in that there was insufficient consultation with officers or the existing informal group; there was no substantiate justification for change and the action proposed will probably not result in the desired outcome. 19 June 2006"
- **Cllr Dr Stephen Harangozo** who writes "The formal reason for me doing this is the complete lack of consultation by the portfolio holder for sustainability on his proposal prior to the June cabinet meeting. Specifically, I believe this went entirely against best practice on decision-making with the cabinet members having a complete lack of information on which to make a proper, informed decision. As a result, the interests of the Council were not best served."
- **Cllr Mrs Hazel Smith** who writes "the portfolio holder failed to consult with officers and those members of council who had been interested in the subject"
- **Cllr Dr Susan van de Ven** who writes "Proper consultation was not carried out by the decision maker."
- **Cllr Mrs Sally Hatton** who writes "Both aspects of this decision were carried out without proper consultation."

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Scrutiny and Overview Committee

20th July 2006

AUTHOR/S: Chief Executive**COST OF STANDARDS COMMITTEE HEARING PANELS AND RELATED COSTS****Purpose**

1. To report on the cost of Standards Committee Hearing Panels and related costs.
2. **In accordance with proper practice, Members should be aware that cases currently under investigation cannot be discussed.**

Effect on Corporate Objectives

3.	Quality, Accessible Services	As there is no budget for legal costs associated with the Members' Code of Conduct and hearing panels, their cost will have to be met by virement from other services and this may affect the achievement of corporate objectives associated with those services
	Village Life	
	Sustainability	
	Partnership	

Background

4. This report was requested by the Chairman and Vice Chairman of Scrutiny and Overview Committee.

Considerations

5. The interpretation of and compliance with the Members' Code of Conduct is an important part of the ethical framework for local government introduced by the Local Government Act 2000. The Code includes provisions about general obligations, personal and prejudicial interests and the register of Members' interests.
6. Any allegation about a failure to comply with the Members' Code of Conduct received by the Standards Board for England is assessed to see if it falls within the remit of the Board and, if so, it is passed to an Ethical Standards Officer who will decide to:
 - oversee its investigation;
 - refer the matter to the local authority to be investigated locally; or
 - direct the monitoring officer of the local authority to take action other than investigation to resolve the situation.
7. On 15th May, a Hearing Panel was held to consider the final report of the Ethical Standards Officer who had overseen one investigation.
8. Current cases (in accordance with usual practice, neither names nor details can be given) which have been referred by the Ethical Standards Officer to the Monitoring Officer to be investigated locally were reported to the last Standards Committee as:
 - an existing local investigation into a complaint made against a district councillor had been returned to the Ethical Standards Officer following allegations of potential interference;

- one complaint regarding a district councillor was currently with the Ethical Standards Officer;
 - the Ethical Standards Officer's investigation about a parish councillor was on hold as the original information provided was insufficient to proceed; and
 - two local investigations into allegations made against parish councillors were underway; interviews had been conducted and a report to the Standards Committee was being prepared.
9. The Monitoring Officer employed by the District Council has to deal with cases concerning the District Council and with cases concerning any of the parish councils.
10. The Standards Board for England are developing their role as a strategic regulator and the proportion of investigations which are carried out locally will increase in the future. In addition, when the required legislation is passed by Parliament, the responsibility for receiving complaints and deciding which to investigate will also devolve to local level.
11. Local investigations involve planning, establishing the facts (including conducting and recording interviews), evaluating and reporting and are very time consuming for the Monitoring Officer and the Deputy Monitoring Officer. It is generally acknowledged that the weight of investigations falls disproportionately on those authorities like South Cambridgeshire which have a large number of parish councils within their boundaries.

Options

12. Options which have already been considered include:
- a. training and making District and Parish Councillors more aware of the complexities of the Code of Conduct – training is a standing item on the agenda of the Standards Committee and
 - b. entering into reciprocal arrangements with other local authorities for assistance with the monitoring and legal advisor roles when Council officers were excluded due to conflicts of interest – for the Hearing Panel on 15th May, all other Cambridgeshire local authorities had been contacted with a request for assistance but only East Cambridgeshire responded with an offer.

Financial Implications

13. At the Hearing Panel on 15th May, external solicitors acted as the Council's monitoring officer and the Council's legal advisor because the Council's Monitoring Officer and the Deputy were ruled out by a conflict of interest. The nomination for Council's monitoring officer was the result of a tendering exercise and the cost for services relating to and for attending the Panel was £11,360. The legal advisor was the Head of Legal Services at East Cambridgeshire District Council who provided her services at nil cost but on a reciprocal basis. The only other cost to the Council, apart from incidental travelling costs, was the officer time of the Democratic Services Officer.
14. The investigation had been carried out by the Ethical Standards Officer and the Standards Board does not charge councils for the cost of these officers. The Standards Board is financed by the Government out of general taxation and it is currently developing a time recording system to establish the average costs of different types of cases.

15. The Council's Legal Division does not use a time recording system and, therefore, the cost of the substantial time involvement of the Monitoring Officer and the Deputy in locally investigating current cases cannot be quantified and costed.
16. In addition to the cost of the Hearing Panel, costs had previously been incurred on legal advice with regard to the interpretation of the Code of Conduct. The barrister's fees for this work totalled £16,800. There was also a solicitor's fee for £675 for advice on a decision by the Standards Board not to investigate. Again, it is not possible to quantify and cost the time of the Monitoring Officer/Head of Legal Services.

Legal Implications

17. Section 5 Local Government and Housing Act 1989 requires local authorities to provide monitoring officers with such staff, accommodation and other resources as are, in their opinion, sufficient to allow their duties to be performed.

Staffing Implications

18. As in paragraph 10.

Risk Management Implications

19. None

Consultations

20. None

Conclusions/Summary

21. None

Recommendations

22. The Committee is requested to consider the costs related to the Code of Conduct and Standards Committee Hearing Panels and to consider how the process can be made more cost effective.

Background Papers: the following background papers were used in the preparation of this report: <http://www.standardsboard.co.uk/>

Committee agendas and reports

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Scrutiny & Overview Committee

20 July 2006

AUTHOR/S: Senior Democratic Services Officer

DEVELOPING A POLICY ON CRIMINAL RECORD BUREAU (CRB) CHECKS

Purpose

1. To recommend that the Scrutiny and Overview Committee develop a policy on Criminal Record Bureau Checks for Councillors.

Background

2. At its meeting on 23rd March 2006, Council agreed that all members should undergo mandatory CRB checks. However, Council did not determine how this process should be governed.
3. The Committee agreed to examine this issue at its meeting on 20th April 2006. In particular the Committee wanted the following questions to be examined:
 - Who should be responsible for examining the results of the checks?
 - What should be done if a Councillor refuses to submit to a check?
 - What should be done if the check reveals a criminal record?
4. Councillors recognised that whilst most of their activities will not involve direct unsupervised access to children and vulnerable adults, councillors do undertake a wide range of roles, particularly in relation to community leadership and their constituency work. As an employer, councillors should also be expected to give a lead to employees, partner organisations and stakeholders by participating in their own disclosure checks.

Legal and Risk Management Implications

5.	Financial	The cost of 57 standard checks will be £1,767 (57 multiplied by £31). A budget will need to be identified.
	Legal and Risk Management	Members undertake a wide range of roles, particularly in relation to community leadership. The public therefore have the right to expect that Members will demonstrate high standards of integrity. Failure to implement this policy could lead to loss of public support, loss of confidence in elected members and the possible prosecution of, and negative publicity for the Council.
	Staffing	The implementation of this policy will mean extra administrative work for staff which will have to be absorbed into their other duties. Management Team will need allocate these administrative tasks to the most appropriate officers.

Consultations

6. Cambridgeshire County Council, Huntingdon District Council and Cambridge City Council. Reports from the County and Huntingdon are attached as appendices.

Considerations

Who should be responsible for examining the results of the checks?

7. It is a criminal offence to pass on information revealed by a standard or enhanced certificate in certain circumstances. It is imperative that the Council does not use information obtained via disclosure checking to discriminate unfairly against any Member who has a criminal record. It is therefore suggested that the results of the CRB check should only be sent to the member and a designated officer, who will require a background check to become a counter signatory.
8. It is suggested that all information supplied during the checking process, including the final certificate will be held securely by the appropriate officer, who will:
 - Maintain a database of disclosure checks undertaken, including date of disclosure, type of disclosure, name of Member, type of appointment, CRB reference number and name(s) of those to whom the disclosure information has been revealed.
 - Ensure access is restricted to the Monitoring Officer only.
 - Prohibit the photocopying or scanning of disclosure checks, or copying or representing the contents in any way.

Enhanced or standard check

9. The enhanced disclosure is available for positions which involve the providing of regular care for, training and/or being in sole charge of children or vulnerable adults. It is very unlikely that a Member on Council business will become involved in this work as this authority is not responsible for social services. It is therefore recommended that members undergo standard checks.
10. An enhanced disclosure will show all previous convictions. If the Committee considers that Members should be subject to an enhanced check then it will need to consider what action should be taken should a disclosure reveal spent convictions.

What should be done if a Member refuses to submit to a check?

11. Members who do not wish to undergo a disclosure check will not be eligible to become involved in work of any kind with children, young people or vulnerable adults. Should a Member wish to work with vulnerable client groups at a later stage, either on a Committee or outside body, s/he will be required to undertake a disclosure check before doing so.
12. Members are most likely to come into contact with children and vulnerable adults during constituency work, which is not an area that the Council can place restrictions on. The Committee may wish to consider whether any action can be taken with regard to constituency work should a member fail or refuse to take a CRB check. A photo I.D. badge could be produced which states that a Councillor had been CRB checked. This could be worn by Councillors whilst carrying out constituency work and could be produced for a minimal cost.

The CRB process

13. A disclosure application form, which includes personal details will need to be completed by the councillor and submitted with evidence of identify (i.e. passport, driving licence, birth and marriage certificates) to the appropriate officer, who will be one of the Council's authorised signatories for CRB purposes and will sign all applications from Members.
14. Authorised signatories are registered with the CRB in that capacity and are subject to strict requirements for confidentiality.

15. Failure to disclose a conviction when completing a disclosure form particularly when seeking appointment to a role working with children or vulnerable adults may be considered a breach of the Code of Conduct, which will be referred to the Monitoring Officer for review and/or action.

What should be done if the check reveals a criminal record?

16. In the vast majority of cases, CRB checks will show ‘no trace’, in which case no action needs to be taken.
17. If a trace is discovered some form of risk assessment will need to be carried out. It is, however, recognised that the Member concerned may wish to exercise one of the following choices:
- a) To exclude themselves from any position which may involve contact with young people or vulnerable adults.
 - b) To speak to their group leader regarding present and future appointments.
 - c) To submit additional information regarding the CRB certificate.
18. In cases where the Monitoring Officer believes there has been an infringement of the Code of Conduct for Members, the matter will be discussed with the Chief Executive.

Renewal of checks

19. The CRB suggest that checks should be renewed at three yearly intervals. It is therefore suggested that members should be subjected to CRB checks following their election (or re-election).
20. For serving Members who have not already undergone a CRB check, the following approach is proposed:
- Inform all existing Members of the Council’s policy on disclosure.
 - Provide Members with a copy of the standard form on the declaration of criminal records, which should be completed and returned by a specified date. This should be accompanied by a reminder to declare all convictions, cautions, bind offers, etc.
 - Undertake an objective assessment where the disclosure reveals an offence, conviction, caution, etc.
 - Seek redeployment to a different area of responsibility if a trace returns that would prevent the Member from working with children or vulnerable adults.
 - Refer any case, which cannot be resolved in any other way to the Council’s Monitoring Officer or his/her nominated deputy.

Recommendations

21. That the Committee discuss the issues raised in this report and make recommendations to Cabinet regarding the implementation of a CRB Check policy.

Effect on Corporate Objectives

22.	Quality, Accessible Services	The implementation of CRB checks for all Council will help to establish public confidence in its elected officials, without which the achievement of the Council’s corporate objectives would be impossible.
	Village Life	
	Sustainability	
	Partnership	

Background Papers: the following background papers were used in the preparation of this report: None

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DISCLOSURES POLICY: ELECTED MEMBERS

- To:** Cabinet
- Date:** 20 December 2005
- From:** Deputy Chief Executive – Children and Young People’s Services
- Electoral division(s):** All
- Forward Plan ref:** 2005/061 **Key decision:** Yes
- Purpose:** The purpose of this paper is for Cabinet to consider an interim policy for disclosure checks for elected Members and a policy that standard checks be mandatory for all elected Members following the next full Council election; with enhanced checks as listed below. In the interim there is a need for clarity regarding what level of checks shall apply for which Members and how the process of applying a Criminal Record Bureau (CRB) check would be managed.
- Recommendation:** It is proposed that Cabinet **RECOMMENDS** that the County Council:
- (i) Adopts the attached Disclosures Policy for Members
 - (ii) Agrees that the following are subject to enhanced checks:
 - All Members of Cabinet.
 - Chairman and Vice-Chairman of the Council.
 - Opposition Spokespersons for Children and Young People’s Services and for Environment and Community Services (whose remit includes vulnerable adults and older people).
 - Members of the Adoption and Fostering Panels.
 - Assigned visitors for children’s homes.
 - Members engaged in regular liaison with young people or vulnerable group representative bodies such as Youth Parliament.
 - (iii) Agrees that, in the interim, standard checks be restricted to the following:

Scrutiny Committees

 - Children and Young People’s Services Scrutiny Committee
 - Health and Adult Social Care Scrutiny Committee

SDGs

 - CYPS Inclusion SDG
 - CYPS Planning and Development SDG
 - ECS Community Learning and Development and Adult Social Care SDG
 - (iv) Agrees that following the next election the system be expanded to include a standard check for all Members as well as the enhanced checks set out in recommendation (ii).

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1. BACKGROUND

- 1.1 There is general awareness of the inherent conflict between doing all that is reasonable to protect children and vulnerable adults for whom the County Council has a statutory responsibility and intruding into a person's background.
- 1.2 Case examples illustrate that children/vulnerable adults can be at risk from a variety of sources including employees, volunteers and those in specific positions of trust. Accordingly, it is incumbent on the County Council to adopt best practice as a safe employer, corporate parent and service regulator. Background checks by themselves are insufficient to ensure maximum safety. They are however, necessary and elected members should be encouraged to model good practice as they do undertake activity which provides opportunities, for example, to cultivate specific friendships with children/vulnerable adults.
- 1.3 The Council's Disclosures Policy clearly sets out the requirement for pre-employment checks for staff, volunteers, agency staff and contractors, including the circumstances in which a Criminal Records Bureau (CRB) check will be undertaken. It also makes reference to the position of elected Members. However, the application of the policy has been less consistent and it is considered that this should now be addressed, through the development of a policy specifically referring to the roles Members may be expected to play.

2.0 ISSUES

- 2.1 Members undertake a wide range of roles, particularly in relation to community leadership. The public therefore have the right to expect that Members will demonstrate high standards of integrity. This needs to be balanced carefully against the individual Member's right to privacy. CRB checks are undoubtedly an intrusion into privacy, since the check involves a review of previous criminal records, including convictions, cautions, bindovers and other forms of warning. Whilst entirely supporting the desire to create a safe environment for vulnerable clients, some Members may view the need for a CRB check as an infringement of their civil liberties, as may other individuals subject to the relevant policies agreed by Council.
- 2.2 As the Children's Services Authority, the County Council is responsible for ensuring that everyone who has contact with children and young people in the course of their duties has undergone pre-employment or pre-appointment checks. Members are asked to consider the advisability of allowing those who have not been appropriately checked to have access to children, or to their case records.
- 2.3 A partial review of the decisions taken by other local authorities would tend to indicate that a majority of those councils surveyed have opted to require Members to undergo CRB checks shortly after their election. Others are reviewing their position and thus, at the same stage as Cambridgeshire. This requirement applies, irrespective of the nature of the work in which the Member is likely to be involved. Members may wish to consider whether Cambridgeshire should also adopt this approach in the interests of

demonstrating high standards of probity. The proposals in this paper are an interim position with the requirement for a standard check for all Members to be introduced after the next election.

- 2.4 The disclosure policy for Members is attached and set in the following context. In due course the number of extended checks may increase and consideration given to whether that it is a formal part of the process for all Members following the next election.
- 2.5 Following the next election it is proposed that the requirement for a basic check for all Members will be introduced.
- 2.6 The proposed Disclosures Policy for Members is set in the following context:
- Section 79 and 80 of the Local Government Act 1972, whereby a person putting themselves forward for election as a Member has to make various declarations of entitlement
 - Section 35 The Criminal Justice and Court Services Act 2000 states that a person disqualified from working with children is guilty of an offence if he/she knowingly applies for, offers to do, accepts or does any work in a “regulated position”. (This is defined in section 36 (6)(d) of that Act as including “a member of a relevant local government body and in that capacity he or she discharges education or social services functions”)
 - Due regard to the revised guidance on the Protection of Children Act 1999 issued in September 2005 entitled “[A Practical Guide to the Act for all Organisations Working with Children](#)” which in Paragraph 3.2 refers to individuals who, by virtue of the authority and responsibility inherent in the post they hold, would be expected to be positively suitable to work with children and (in paragraph 3.4) states that these include those who hold positions that grant access in a privileged way and should be included even if contact is not a regular part of the position. Examples given include trustees of local charities and relevant local government bodies.
 - All procedures will comply with the Criminal Records Bureau checks Code of Practice.

3.0 RISK MANAGEMENT IMPLICATIONS

- 3.1 Members are advised of the following **key** risk management implications that arise from this report. These risk issues have been identified using a risk management process carried out in accordance with the Council’s Risk Management Strategy:
- a) Children, young people or adults could be placed at risk from inappropriate behaviour by a Council Member who is seen to be in a position of trust.
 - b) Council Members could fail in their role as Corporate Parents (as defined in the Children Act 1989) if the policy is not implemented.
 - c) If an effective policy is not implemented the Council’s reputation could be damaged if a Member develops an unacceptable relationship with a vulnerable child, young person or adult.

d) The policy could be approved but not implemented effectively leading to breach of confidentiality or failure to ensure the relevant checks are undertaken.

3.2 In order to manage these issues a number of mitigating actions are to be taken in accordance with the management action plans prepared by the identified risk owners. Examples of key actions are illustrated below for Members' reference:

Risk (a)

The recommendations of the report be implemented.

Risk (b)

The recommendations of the report be implemented.

Risk (c)

The recommendations of the report be implemented.

Risk (c)

Regular internal audits of the disclosure process, cooperation with any compliance check or audit from the CRB, reporting of any suspected malpractice to the CRB, reporting of loss of disclosure information to the CRB and use of disclosure information for appointment purposes only.

4.0 FINANCIAL IMPLICATIONS

The estimated cost for carrying out the CRB checks based on the checks being undertaken every four years and on current charges is £2830. This assumes 20 enhanced checks @ £44 and 50 standard checks @ £39). These costs will be absorbed within existing budgets.

Source Documents	Location
Government guidance " A Practical Guide to the Act for all Organisations Working with Children ".	Room B008, Castle Court, Cambridge.

APPENDIX 1

DISCLOSURES POLICY: ELECTED MEMBERS**1.0 Introduction**

- 1.1 All elected Members share responsibility for developing and embedding an ethos across the County Council that places the safety and well being of children and vulnerable adults at the heart of everything we do. If a child is “looked after” under the Children Act 1989, the local authority has parental responsibility for that child. This gives all Members a ‘corporate parenting’ role, which could, for example, involve them in being party to decisions about a child’s care plan and may involve them in visiting any looked after child. It goes without saying therefore that all reasonable steps need to be taken to ensure that the public can have faith in the credibility of Members who are making decisions on issues concerning children and vulnerable adults.
- 1.2 There are many ways in which a safe environment can be created and no single step will be sufficient in developing a robust approach to safeguarding. One of the key requirements for County Council employees is to ensure that all reasonable steps are taken to check that those who work with children and vulnerable adults, on a paid or voluntary basis, are suitable for the roles they will undertake. It follows, therefore, that a similar policy should be required for Members in order to demonstrate equal concern for the safety and well being of children and vulnerable adults.
- 1.3 Pre-employment or pre-appointment checks are only part of the process and the safety of children/vulnerable adults is best delivered by us all paying attention to our own behaviour and that of other people at all times. Nevertheless, pre-employment or pre-appointment checks are an important part of the approach to safeguarding children and vulnerable adults. As major employers in Cambridgeshire, elected Members are expected to give the lead to staff, schools, partner organisations and stakeholders, by participating in disclosure checks as set out below.

2.0 Principles

- 2.1 The Police Act, 1997 (Part V), established the Criminal Records Bureau (CRB) to undertake checks on the suitability of adults to work with children and vulnerable adults. The CRB has access to a wide range of data sources, from which it is able to compile information to assist employers in determining suitability. Data sources include information held on the Police National Computer (PNC), credit reference agency files, List 99 (held by the DfES), the POVA [Protection of Vulnerable Adults] List (maintained by the Department of Health) and others.
- 2.2 The County Council has a clear disclosures policy for employees, volunteers, partner organisations, suppliers and contractors. In view of the special status of elected Members, this document sets out the process to be followed in dealing with disclosures for Members. However, it shares the same key principles with the policy for other groups represented within and beyond the County Council’s workforce.

- 2.3 Account also requires to be taken of the revised guidance issued in September 2005 on Protection of Children Act 1999, entitled “[A Practical Guide to the Act for all Organisations Working with Children](#)”.

Paragraph 3.2 of the guidance refers to “the great and the good: individuals who, by virtue of the authority and responsibility inherent in the post they hold might expect to be positively suitable to work with children”.

Paragraph 3.4 identifies this group as those who hold positions that are considered to grant them the kind of access to children, or the kind of influence and position which, if the holder of the position were unsuitable to work with children could place children at risk. Thus include trustees of local charities, relevant local government bodies (with certain specified social services and education functions).

- 2.4 The County Council will undertake disclosure checks in accordance with the following principles:

- The level of check will be appropriate for the type of work in which the Member can expect to be involved.
- The determining factor for undertaking a disclosure check will be whether the Member will be involved in regular contact with children, young people or vulnerable adults.
- ‘Regular contact’ may include face-to-face contact, receipt of regular reports on individual children or vulnerable adults (i.e. non-aggregated data), contact via information technology or via communication technology.
- The Council will not use information obtained via disclosure checking to discriminate unfairly against any Member who has a criminal record (see separate Policy on the Recruitment of Ex-Offenders).
- The requirements of the Code of Conduct for Elected Members and the Standards Committee will apply at all times.
- The County Council’s designated Monitoring Officer (the Director of Governance) or his nominated Deputy will act as adjudicator in the event of any complaint.

3.0 Definitions

- 3.1 There are two levels of disclosure checks for which a certificate is produced. These are at standard and enhanced level.

3.2 Standard Disclosure

- 3.2.1 The disclosure certificate shows details of ‘spent’ and ‘unspent’ convictions, cautions, bind overs, formal reprimands and final warnings, which are held on the Police National Computer (PNC). Certificates will either show a ‘trace’, i.e. where there is a record of some kind, or will specify ‘no trace’. If the Member is likely to come into regular contact with children, young people or vulnerable adults, the disclosure certificate will also show whether the person is barred from this type of work because of his/her inclusion on the lists maintained by the DfES or the Department of Health.

- 3.2.2 The standard disclosure is available for all posts or activities specified in the Rehabilitation of Offenders Act 1974. Broadly, these are posts:

- a) Where the postholder will have regular contact with children and young people.
- b) Certain named professions, e.g. pharmacy and law.
- c) Senior managers in banking and financial services.

3.2.3 As part of the vetting arrangements following the next full County Council election all Members will be subject to a standard disclosure check.

3.2.4 As an interim step standard checks will be carried out on Members of the following Committees and Service Development Groups (SDGs):

- Children and Young People's Services Scrutiny Committee.
- Health and Adult Care Scrutiny Committee.
- Children and Young People's Services Inclusion SDG.
- Children and Young People's Services Planning and Development SDG.
- Environment and Community Services Community Learning and Development and Adult Social Care SDG.

3.3 Enhanced Disclosure:

3.3.1 The enhanced disclosure certificate contains the same details as the standard check. However, it may also contain non-conviction information from local police records that a Chief Constable believes may be relevant in connection with the appointment.

3.3.2 The enhanced disclosure is available for positions where Members may become involved in providing regular care for, training and/or being in sole charge of children or vulnerable adults. The County Council's policy also requires an enhanced disclosure certificate for any position where a child or vulnerable adult might develop a relationship based on trust with an elected Member. Members who are involved in regular contact with an individual or group of young people or vulnerable adults, for example as part of the Youth Parliament, will also be required to undertake an enhanced check.

3.3.3 In light of the 1999 Protection of Children Act as revised September 2005 it is proposed that the following Members are subject to enhanced checks:

- All members of Cabinet.
- Chairman and Vice Chairman of the Council.
- Opposition Spokespersons for Children and Young People and for Environment and Community Services (whose remit includes vulnerable adults and older people).
- Members of the Adoption and Fostering Panels.
- Assigned visitors for children's homes.
- Members engaged in regular liaison with young people or vulnerable group representative bodies such as the Youth Parliament.

3.4 Regular Contact:

The County Council defines regular contact as face-to-face contact or contact via some form of ICT.

4.0 Members not wishing to undergo a Disclosure Check

- 4.1 Members who do not wish to undergo a disclosure check will not be eligible to become involved in work of any kind with children, young people or vulnerable adults. The wishes of the Member will be respected and they will be offered appointment to other service areas, where there will be no contact with children, young people or vulnerable adults. Should a Member wish to work with vulnerable client groups at a later stage, s/he will be required to undertake a disclosure check before doing so. It is proposed that after the next election all Members undertake a standard check.

5.0 Applying for a Disclosure Certificate

- 5.1 As indicated above, appointment or nomination to certain Scrutiny Committees, SDGs or other working groups will carry an automatic requirement for the Member to undergo a CRB check. Where the appointment requires a disclosure certificate, the Member will be asked to complete the CRB form. The Member will be required to provide proof of identity, e.g. passport, driver's licences, etc. to the Director of Human Resources, who is the Council's lead signatory and will sign all applications from Members.

- 5.2 Members are asked to note that it is a criminal offence:

- a) To seek appointment if you know you are disqualified from it because of your criminal record, or some other unsuitability.
- b) For an organisation to appoint someone whom they know to be disqualified from working with children and/or vulnerable adults by reason of their criminal record or some other unsuitability.
- c) To pass on information revealed by a standard or enhanced certificate in certain circumstances.

- 5.3 Failing to disclose a 'spent' conviction when seeking appointment to a role working with children or vulnerable adults will be considered a breach of the Code of Conduct, which will be referred to the Monitoring Officer for review and/or action.

6.0 Where a Disclosure Check Reveals a 'Trace'

- 6.1 Disclosure certificates at the standard level are generally issued within three to four weeks and the Member may expect to have a copy sent to them by the CRB. The process for checking local police records can take time, so it is unlikely that an enhanced check will be returned in under six weeks. The CRB will also send a copy of the enhanced disclosure certificate to the Member concerned.

- 6.2 The master copy of the disclosure certificate will be returned to the Director of Human Resources. If the certificate reveals a trace, i.e. information that

requires review, it will be considered by the Member who will contact the Director of Human Resources regarding the course of action to be taken from the options set out in paragraph 7.2. This may include a discussion on whether the data is accurate; if so, the circumstances surrounding the offence; any mitigating circumstances; and the reason(s), if appropriate, as to why the information was not shared earlier. Thereafter it will be agreed whether or not a risk assessment is required to be carried out by the Director of Human Resources and the Council's Monitoring Officer.

6.3 Under the Protection of Children Act, 1999 and the Criminal Justice and Courts Services Act, 2000, it is unlawful for the Council to employ or appoint someone, regardless of mitigating circumstances, who may have regular contact with children and is either included on the register maintained by the Department of Health and is judged unsuitable to work with children, or is subject to a Disqualifying Order made on being convicted or charged with any of the following offences against children:

- Murder.
- Manslaughter.
- Rape.
- Other sexual offences.
- Grievous bodily harm.
- Other acts of violence.

6.4 Anyone convicted or charged with any of the above against adults will also be seen as a high risk. It is the Council's normal policy to also consider it a high risk to employ or appoint someone to a position with regular contact with children if they have been convicted or charged at any time with any of the following offences:

- Serious Class A drug-related offence.
- Robbery, burglary or theft.
- Deception or fraud.

7.0 Possible Outcomes Arising from a CRB Check

7.1 In the vast majority of cases, CRB checks will show 'no trace', in which case the proposed appointment may proceed as planned.

7.2 Where a trace appears, the risk assessment approach outlined above will be carried out. It is, however, recognised that the Member concerned may wish to exercise one of the following choices:

- a) To withdraw from the proposed appointment.
- b) To discuss the information with the relevant Deputy Chief Executive/Director of Human Resources.
- c) To discuss the appointment with his/her Political Group Leader.
- d) To submit additional information regarding the CRB certificate.
- e) To request that the matter be referred to the Monitoring Officer.

7.3 In cases where the Monitoring Officer believes there has been an infringement of the Code of Conduct for Members, the matter will be discussed with the Chief Executive.

8.0 Retention of Disclosure Information

8.1 All information supplied during the checking process, including the final certificate will be held securely by the Director of Human Resources and dealt with as listed below.

8.2 The Director of Human Resources will:

- Maintain a database of disclosure checks undertaken, including date of disclosure, type of disclosure, name of Member, type of appointment, CRB reference number and name(s) of those to whom the disclosure information has been revealed.
- Ensure access is restricted to the Monitoring Officer only.
- Ensure that the disclosure certificate and any associated material will be shredded immediately after all issues have been resolved.
- Prohibit the photocopying or scanning of disclosure checks, or copying or representing the contents in any way.

9.0 Frequency of CRB Checks

9.1 New Members:

9.1.1 Much will depend on how frequently Members move between areas of responsibility. However, where a Member has not previously been involved in work with children and/or vulnerable adults, a check will be required before s/he begins the new role.

9.2 Serving Members:

9.2.1 Some Members have already undergone CRB checks as a result of their current role and there is no requirement for the check to be carried out again. The CRB suggest that checks should, however, be renewed at three yearly intervals. Subject to CRB approval it is proposed that member checks follow the electoral cycle – i.e. once every four years.

9.2.2 For serving Members who have not already undergone a CRB check, the following approach is proposed:

- Inform all existing Members of the Council's policy on disclosure.
- Provide Members affected by the policy with a copy of the County Council's standard form on the declaration of criminal records, which should be completed and returned by a specified date. This should be accompanied by a reminder to declare all convictions, cautions, bind offers, etc.
- Undertake an objective assessment where the disclosure reveals an offence, conviction, caution, etc.
- Seek redeployment to a different area of responsibility if a trace returns that would prevent the Member from working with children or vulnerable adults.

- Refer any case, which cannot be resolved in any other way to the Council's Monitoring Officer or his/her nominated deputy.

9.3 Monitoring and Audit

9.3.1 The Council will:

- Undertake its own internal audit of the disclosure process on a regular basis.
- Cooperate with any compliance check or audit from the CRB.
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CORPORATE GOVERNANCE PANEL**27TH JUNE 2006****CRIMINAL RECORDS BUREAU CHECKS FOR ELECTED MEMBERS
(Report by the Head of Administration)****1. INTRODUCTION**

- 1.1 A policy aimed at safeguarding children, young people and adults has been approved by the Employment Panel and Cabinet at their meetings on 7th and 8th June 2006 respectively. This will require employees and councillors who work with children, young people and vulnerable adults to be subject first to a Criminal Records Bureau "CRB" check which is repeated at regular intervals.
- 1.2 In view of their wider community leadership role, it is suggested that all councillors should be subject to a CRB check and this report proposes a procedure for the disclosure process.

2. BACKGROUND

- 2.1 Whilst it is recognised that most activities will not involve direct unsupervised access to children and vulnerable adults, councillors do undertake a wide range of roles, particularly in relation to community leadership and their constituency work. As an employer, councillors should also be expected to give a lead to employees, partner organisations and stakeholders by participating in their own disclosure checks.
- 2.2 A growing number of authorities are adopting a formal approach to CRB checks and a partial review of the decisions taken by other local authorities indicates that a majority of those councils surveyed have opted to require councillors to undergo CRB checks shortly after their election. This requirement applies, irrespective of the nature of the work in which the councillor is likely to be involved in, in the interests of demonstrating high standards of probity.

3. PROPOSED PROCEDURE

- 3.1 It is proposed that enhanced CRB checks be introduced for all councillors with immediate effect. Checks will be renewed at every term of office.
- 3.2 Appendix A sets out the proposed process for managing applications by councillors for a CRB check. Whilst it is recognised that CRB checks could be considered an intrusion into privacy, it is hoped that councillors will recognise the advisability of preventing those who have not been appropriately checked to have access to children and vulnerable adults.
- 3.3 The cost for carrying out initial CRB checks for all Councillors will be £1872 in the current year.

- 3.4 Some councillors may have already undergone CRB checks by other organisations. Portability of previous checks is therefore encouraged. It is suggested that it would be sufficient for a councillor to provide a CRB check conducted via another organisation as long as this had been carried out within the previous six months. Once a CRB result has been obtained through the Council, it can be made available by the councillor to other bodies but it will not be possible for the Council to share details of any disclosures with other organisations.

5. RECOMMENDATIONS

- 5.1 The Corporate Governance Panel is recommended to
- (a) introduce enhanced CRB checks for all councillors with immediate effect; and
 - (b) approve the proposed process as set out in Appendix A for managing applications for Criminal Bureau Records checks by Councillors.

CONTACT INFORMATION

Mrs Claire Bulman, Democratic Services Officer
Tel: 01480 388234

BACKGROUND DOCUMENTS

Code of Practice on Disclosure Information

www.disclosure.gov.uk

www.crb.gov.uk

Disclosures Policy: Elected Members – Report to Cambridgeshire County Council's Cabinet – 20th December 2005

Worcestershire County Council 12th January 2006 – Report of Standards and Ethics Committee

Solihull – Report of the Solicitor to the Council and monitoring officer to the Standards Committee – 8th June 2006.

APPENDIX A**1. COUNCILLORS NOT WISHING TO UNDERGO A DISCLOSURE CHECK**

- 1.1 A councillor who does not wish to undergo a disclosure check will not be eligible to become involved in work of any kind in an official capacity with children, young people or vulnerable adults. Instead the Councillor will be offered appointment to other service areas / outside bodies, where there will be no anticipated contact with children, young people or vulnerable adults. Should a councillor wish to work with vulnerable client groups at a later date, s/he will be required to undertake a disclosure check before doing so.

2. DISCLOSURE APPLICATION

- 2.1 A disclosure application form, which includes personal details will need to be completed by the councillor and submitted with evidence of identify (ie passport, driving licence, birth and marriage certificates) to the Head of Administration, who is one of the Council's authorised signatories for CRB purposes and will sign all applications from Members.
- 2.2 Authorised signatories are registered with the CRB in that capacity and are subject to strict requirements for confidentiality.
- 2.3 Failure to disclose a conviction when completing a disclosure form particularly when seeking appointment to a role working with children or vulnerable adults may be considered a breach of the Code of Conduct, which will be referred to the Monitoring Officer for review and/or action.

3. PRINCIPLE OF CLEARANCE

- 3.1 Disclosure certificates at the enhanced level are generally processed within three weeks of the CRB receiving the completed application form, together with any additional information requested. The CRB disclosure will be sent to the councillor and a copy to the Head of Administration
- 3.2 In the vast majority of cases, CRB checks will show "no trace". Once a councillor's disclosure has been returned without conviction, that councillor will be able to exercise any functions and activities which may bring them into contact with children or vulnerable adults.
- 3.3 Members who refuse to apply for a check or have relevant disclosures will not be permitted to have access to children or vulnerable adults through either the Council's activities or by appointment to any outside body.
- 3.4 A list of councillors without relevant disclosures will be retained by the Monitoring Officer.
- 3.5 Those councillors who have been cleared will be entitled to request that reference to their clearance be made on their Council identity badge. This can be used by councillors when undertaking visits to organisations which may require a check to be undertaken before granting access to the premises.

4. WHERE A DISCLOSURE CHECK REVEALS A TRACE

4.1 A copy of the disclosure certificate will be returned to the Head of Administration. If the certificate reveals a relevant conviction or warning the Head of Administration will contact the councillor regarding the course of action to be taken from the options set out in paragraph 4.2 below. This will include a discussion as to whether the returned data is accurate and, if so, the circumstances surrounding the offence and any mitigating circumstances; and the reasons if appropriate as to why the information was not disclosed earlier by the councillor.

4.2 In cases where a disclosure appears, the councillor concerned may wish to exercise one of the following choices:

- a) to agree not to be appointed to any position which may involve contact with young people / vulnerable adults;
- b) to discuss his / her appointment to any positions either within or outside the authority with his / her political Group Leader;
- c) to submit additional information regarding the CRB certificate;
- d) to request that the matter be referred to the Monitoring Officer for further consideration.

4.3 There may be occasions where other information may emerge which may be relevant to wider issues (eg fraud) particularly in relation to the financial probity of a councillor's particular role. Examples might include Cabinet Members and those appointed to the Corporate Governance Panel. In such cases, the procedure outlined in the preceding paragraphs will be followed.

4.4 The Council will not use information obtained via disclosures to discriminate unfairly against any councillor who has a criminal record. However a councillor who has received a sentence of 3 months imprisonment either 5 years before his / her election or since election will automatically become disqualified as a councillor.

5. RETENTION OF DISCLOSURE INFORMATION

5.1 The Council is subject to the code of practice published under the Police Act 1997 which provides assurance to those applying for disclosures that information will be used fairly with proper safeguards for storage and handling.

5.2 All information supplied during the checking process, including the final certificate will be held securely by the Head of Administration and dealt with as set out below.

5.3 The Head of Administration will

- Maintain a database of disclosure checks undertaken, including date of disclosure, name of Member, type of appointment, CRB reference number and name(s) of those to whom the disclosure information has been revealed.

- Ensure that access to the database is restricted to the Monitoring Officer only.
- Ensure that the disclosure certificate and any associated material will be shredded immediately after all issues have been resolved.
- Prohibit the photocopying or scanning of disclosure checks, or copying or representing the contents in any way.

6. FREQUENCY OF CRB CHECKS

- 6.1 All newly elected councillors will be required to undertake an enhanced check once elected.
- 6.2 For serving councillors who have not already undergone a CRB check within the last 6 months, the following approach is proposed:
- Inform all existing councillors of the Council's policy on disclosure.
 - Provide councillors with a CRB disclosure application form which should be completed and returned by a specified date. This should be accompanied with a reminder to declare all convictions, cautions, bindovers etc. Forms must be submitted with evidence of identity (ie passport, driving licence, birth and marriage checks).
- 6.3 Checks for existing councillors will be undertaken at each term of office.

7. MONITORING AND AUDIT

- 7.1 The Council will:
- Undertake its own audit of the disclosure process on a regular basis.
 - Cooperate with any compliance check or audit from the CRB.
 - Report any suspected malpractice to the CRB.
 - Report any loss of disclosure information to the CRB.
 - Use disclosure information for appointment purposes only.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Scrutiny and Overview Committee	20 July 2006
AUTHOR/S:	Chief Executive / Democratic Services Officer	

SCRUTINY AND OVERVIEW COMMITTEE WEBPAGE**Purpose**

1. To inform members of the options available for a Scrutiny and Overview Committee webpage.

Background

2. The Scrutiny Sub-Group agreed on 13 June 2006 that there should be a separate scrutiny page on the Council's website, with links to important information on scrutiny.

Considerations

3. The modern.gov meeting and forward plan enquiry system on the Council's website already contains details of the Scrutiny and Overview Committee (see **Appendix A**), such as:
 - (a) Links to agendas and minutes (from the committee's first meeting in May 2002 to the present)
 - (b) Contact details for committee members and links to members' webpages
 - (c) Attendance statistics
 - (d) Meeting statistics
 - (e) Declarations of interest made at meetings
 - (f) Purpose of the committee
 - (g) Links to the Constitution for further details about the committee's responsibilities
 - (h) Democratic services officer and contact information
4. The purpose of the committee is also available on the Council's main website on the "Committees & Meetings" page, but this is neither a prominent location, nor, perhaps, an intuitive one: it is not situated where most members of the public would look.
5. The scamb.gov.uk website is being linked to the modern.gov website to enable searching of the latter from the Council's main page, reducing the amount of time it can take for information to be located.

Options

6. The majority of the information about the committee already is held within the modern.gov site, and all officers in the Democratic Services Section have access to amend, update or otherwise alter the pages as required. A link to this "Scrutiny and Overview Committee" webpage could be added to the Council's main website under the Council and Democracy menu. Other features on this Committee page could include photographs and links to external websites.
7. The modern.gov site also offers a searchable Library feature in which are stored documents relating to the democratic process but not part of agendas or minutes,

such as the Constitution, the Members' Allowance Scheme, and guides for members of the public wishing to ask questions at meetings. A separate header could be created here for "Scrutiny and Overview Committee" and any relevant documents uploaded. Links could be created to these documents from the main committee information webpage.

8. A further feature is the new public on-line consultation module which allows residents to have their say on forthcoming issues. This module will be launched publicly via *South Cambs Magazine* autumn edition and will be linked initially to issues on the Forward Plan. Consultation pages can be created for any topic of relevance to the District Council, whether or not they are related to Forward Plan or agenda items, and if the Scrutiny and Overview Committee wished to conduct any such exercises, links to existing consultations can be added to the webpage.
9. Alternatively, a site could be created on the Council's main scams.gov.uk page under the Council and Democracy \ Committees and Meetings menu. This could require the duplication of information such as Committee membership and links to minutes and agendas, all of which are updated automatically by the modern.gov software but which would have to be entered manually on the scams.gov.uk site. Three members of Democratic Services have been trained to use the software for creation, updating and amendments to pages.

Implications

10. Financial	None. The Council already owns all the necessary software and storage space.
Legal	All information on the website must comply with the Constitution (Access to Information Procedure Rules) and various legislation (Freedom of Information, Data Protection). The website may not be used for party political or electioneering purposes.
Staffing	All Democratic Services Officers have access to amend the modern.gov committee pages as required, and three have had additional training as editors of the Council's website.
Risk Management	Neither the modern.gov nor the scams.gov.uk server is situated locally. Regular back-ups of each server are created to allow rapid restoration of information in the event of a system failure.
Equal Opportunities	The Council's website contains tips to increase the default text size of all its pages to assist residents with visual impairments. During the 2006/07 year, the Web Services Officer will be investigating accessibility issues such as having the Council's website tested for compliancy with the Disability Discrimination Act, and providing assistive technologies such as a screen reader to convert text into audio so webpages can be "read" to the viewer. Webpages and all documents linked to them can be printed and posted to residents without internet access.

Consultations

11. Web Services Officer and other Cambridgeshire authority websites (of which Cambridgeshire County Council and Huntingdonshire District Council have separate Scrutiny pages; see **Appendices B and C**).

Conclusions/Summary

12. The Scrutiny and Overview Committee has a choice between two different locations for its website. Much of the basic information about the Committee is available already via modern.gov, and through this system is updated automatically with links to new minutes and agendas, changes in membership following Annual Council. This system has the ability to add relevant documents, links to external websites, photographs and on-line public consultation. The scamb.gov.uk website could be configured to include all this information, but would require more officer time as it must be updated manually. There could be delays in updating and editing information on the scamb.gov.uk site, depending upon the availability of officers who have had the software training.

Recommendations

13. It is recommended that the Scrutiny and Overview Committee:
- have their webpage created via the modern.gov system and a link added to the main scamb.gov.uk page;
 - decide (or delegate to the Scrutiny Sub-Group to decide) what information should be included and a mechanism for keeping this under review to ensure that all relevant information is added promptly and any outdated information is archived electronically;
 - nominate a member or members to liaise with Democratic Services for creation and on-going maintenance of the webpage; and
 - promote the new website via the autumn 2006 edition of *South Cambs Magazine* as part of the proposed article about the Committee.

Effect on Annual Priorities and Corporate Objectives

14. Affordable Homes	None specific – depends on issues on the Forward Plan or the Scrutiny and Overview Committee agenda programme.
Customer Service	A website would promote the work of the Scrutiny and Overview Committee, giving the public opportunities to understand its role and their own opportunities to attend and speak at meetings.
Northstowe and other growth areas	None specific – depends on issues on the Forward Plan or the Scrutiny and Overview Committee agenda programme.
Quality, Accessible Services	A website is available to anyone with internet access, whether at home, at work or at a public library or internet café, and can be viewed at any time of the day or night at the user's convenience. The website and any documents stored there can be printed and posted to anyone without internet access. See also Equal Opportunities Implications above.
Village Life	The Scrutiny and Overview Committee can use its website to draw attention to issues of district-wide or local interest.
Sustainability	The information will be held electronically and updated automatically, reducing reliance upon paper copies, which must be reprinted and replaced after each change.
Partnership	The website could be linked to other authorities and partner organisations to help the public direct their queries to the appropriate body, if issues are raised which do not relate to the District Council's responsibilities.

Background Papers: the following background papers were used in the preparation of this report: None

Contact Officer: Holly Adams – Democratic Services Officer
Telephone: (01954) 713030

Existing information on the modern.gov website:

Scrutiny and Overview Committee

- [Browse meetings and agendas for this committee](#)
- [View contact details for the members of this committee](#)
- [View attendance statistics](#)
- [View meeting statistics](#)
- [View declarations of interest](#)

Purpose of Committee

The Committee is appointed on the same proportionality basis as Cabinet. The Scrutiny & Overview Committee has no decision-making powers but monitors the performance of the Leader and Cabinet and scrutinises services and policies throughout the Council. The Committee manages the Best Value Reviews. It also appoints the Audit Panel which considers the reports of the Council's auditors. The Chairman or any five Councillors can call in (*challenge*) for review by the Scrutiny & Overview Committee any decision made by the Cabinet or by individual Portfolio Holders. Decisions are published each Wednesday in the [Councillors' Bulletin](#) (published on the website every Thursday morning). Councillors who are members of the Executive cannot be members of the Scrutiny & Overview Committee.

Scrutiny and Overview Committee meetings are open to the public. They are held monthly on a Thursday afternoon at 2 pm in the Council Chamber. Further details about Scrutiny and Overview Committee responsibilities are available in Part 2: [Article 6](#) and [Part 4](#) of the Constitution.¹

Committee Members

- [Cllr Mark Howell](#) (Chairman)
- [Cllr Roger Hall](#) (Vice-Chairman)
- [Cllr Richard Barrett](#)
- [Cllr Bob Bryant](#)
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- [Cllr Sebastian Kindersley](#)
- [Cllr Mike Mason](#)
- [Cllr David McCraith](#)
- [Cllr David Morgan](#)
- [Cllr Mrs Cicely Murfitt](#)
- [Cllr Charles Nightingale](#)
- [Cllr Mrs Hazel Smith](#)
- [Cllr Richard Summerfield](#)
- [Cllr Dr Susan van de Ven](#)

Contact Information

Support Officer: Patrick Adams. 01954 713408

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Website: <http://www.scambs.gov.uk>

¹ The information in the "Purpose of Committee" section is duplicated on the scambs.gov.uk website.

APPENDIX B

Information on Cambridgeshire County Council's "Democracy in Cambridgeshire – Scrutiny" website:

- Summary of Scrutiny Arrangements
- Scrutiny Committees - Agenda and Minutes, Membership and Meeting Dates
- Scrutiny Committee Work Programme
- Constitutional Documents
- Scrutiny Meetings - Purpose of the Different Sessions
- Role of Scrutiny Chairmen and Officers
- Scrutiny Support and Guidance
- Scrutiny of Health and Social Care
- Review of Scrutiny Arrangements - October 2003
- Papworth Joint Health Scrutiny Committee

Each bullet point links to a separate document or website with links to further documents or websites.

This site can be accessed from:

- www.cambridgeshire.gov.uk
- Council and Democracy
- Democracy and Decision Making
- Scrutiny

Information on Huntingdonshire District Council's "Overview and Scrutiny" website:

Overview And Scrutiny

Overview and Scrutiny Panels aim to improve the Council's performance by monitoring, questioning and making recommendations on the way that services are provided and decisions taken.

Purpose of Overview and Scrutiny

In 2000, as part of the local government modernisation programme, the Council established a Cabinet system to manage its business and take decisions.

Overview and Scrutiny Panels were set up to question decisions made by the Cabinet and examine particular issues, policies or Council services.

The Panel's work falls into FOUR broad areas:

Holding the Cabinet to Account

The Panels are charged with holding the Cabinet to account, a key role in the new executive style of decision making. This involves ensuring that decisions taken by the Council's Cabinet are appropriate and within the Council's policy and financial framework. If any three members of a Panel feel that a decision is inappropriate or contrary to policy or the budget they can "call the decision in" within 5 days of it being made to prevent it from being implemented. They can then summon the relevant Cabinet Member and Officer to be interviewed and make recommendations to the decision maker to reconsider or amend their decision.

Studies

The Panels carry out detailed, evidence-based assessments of Council services or wider issues which affect the lives of local people. At the end of each study, a Panel will report with recommendations as to how things could be improved. During the course of reviews, Councillors will speak to Cabinet Members and to officers and also to external witnesses to assist them in their information gathering.

Scrutiny of Council Policies

Much of the Scrutiny Panel's work involves the detailed examination of key Council plans and policies, both before and after they have been approved. The Budget, the Corporate Plan and the Best Value Performance Plan have all come under scrutiny in the last year.

Performance Monitoring

The Panels review the performance of the Council and the achievement of performance indicators and targets. Panel Members also participate in the Council's Best Value Review process and in monitoring the outcome of individual Reviews.

A copy of the Overview and Scrutiny Panels' Annual Report for 2005/06 is available on the right hand side.

Links

- Participating in the Overview and Scrutiny Process (includes a link to the Hunts DC modern.gov system and contact details for Democratic Services)
- The Panels (includes a link to the Hunts DC modern.gov system)
- Useful Links (e.g. Centre for Public Scrutiny, Improvement and Development Agency [IDeA], Institute of Local Government Studies, Direct.Gov, www.info4local.gov.uk)

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