Overview & Scrutiny
Task Group Protocol

Introduction

What is the Task Group Protocol?

1. This Protocol offers guidance on the function and operation of scrutiny task groups at Medway Council. The Protocol is not intended as an exhaustive list of instructions but offers general principles on how task groups can be most effective.

2. The Protocol forms part of the Council's Constitution as an appendix to the Overview and Scrutiny Rules. These rules set out the powers of the overview and scrutiny committees and should be referred to in conjunction with this document where necessary.

What are scrutiny task groups?

3. Scrutiny task groups are small working groups of non-executive members to review specific issues and/or service areas and submit recommendations to the Cabinet on how they could be improved. The topics are agreed by the Business Support and Digital Overview and Scrutiny Committee, following consultation with the other O&S Committees. This Committee agrees the task group's terms of reference, membership and arrangements for reporting back.

First principles

4. Task groups should foster and encourage an approach to overview and scrutiny that is:

    - Inclusive
    - Structured
    - Non-adversarial
    - Reliant on evidence rather than anecdote
    - Cross-party

5. Task group members should aim to:

    - Take a positive and constructive approach
    - Engage in developing policy where possible
    - Be mindful of agreed priorities in the Council's Council Plan and existing work with partners
    - Make use of the financial, performance, risk and audit data available

- Ensure that outcomes for the customer are the focus
- Consider possible equality and diversity issues in relation to any proposals
- Consider possible service continuity and emergency planning issues

How do scrutiny task groups work?

6. Task group meetings are less formal than those of committees, for example they are not bound by access to information rules which facilitates close engagement with officers, external agencies and witnesses, which can provide a balanced and informed perspective by placing the issue or service in a wider context. Task Group meetings are an effective arena for looking at evidence in detail and therefore arriving at informed findings and recommendations.

7. Task groups can operate flexibly, taking any approach they consider necessary to inform their deliberations, including:

- Meeting with Members and officers
- Meeting with external agencies, interest groups and service users
- Considering existing evidence e.g. performance reports
- Gathering new evidence e.g. through surveys, site visits or research
- Undertaking or commissioning analysis
- Visiting relevant sites or organisations
- Learning from other local authorities and areas

8. Additionally alternative ways of engaging with witnesses should also be considered, such as engagement events, surgeries or surveys.

The role of members

9. Task groups are member-led. Members set the pace and own any findings and recommendations presented in the final report. Those assisting or giving evidence should be treated with respect and courtesy.

10. Task group chairpersons have a key role to play in ensuring that the exercise leads to valuable outcomes. As well as chairing the meetings and ensuring that all Members are clear about their purpose, the chairperson acts as the overall lead for the review.

11. Typically, 5 Members are appointed to a task group having regard for political balance – although there is no requirement for absolute proportionality. Members of a task group should, where possible, have a special knowledge or interest in the subject to be investigated. Task group members are usually drawn from the relevant O&S Committee, but any non-executive Member can serve on a task group. Where the scope of a task group covers more than one O&S Committee there is no requirement for the membership to be larger than the typical (i.e. 5),

although it could be in particular circumstances.

The role of officers

12. A Democratic Services Officer will provide project support for the task group. This includes advising on the process, undertaking research and analysis and helping to produce the task group's final report. The task group will also be supported by senior officers from the relevant department(s).

13. Other officers will be invited to attend task group meetings as witnesses on the basis of their experience of, and involvement in, the issues being considered. These will usually be first and second tier officers, but on occasion there may also be benefits in talking to 'front-line' staff to gain a detailed insight into an area of service delivery. This should be done in agreement with the relevant director.

External advisors and co-optees

14. External advisors can provide task groups with expert knowledge and an independent perspective on the area under review. Their role can include:
    • Helping the panel to identify appropriate officers and witnesses
    • Assisting the panel in developing lines of enquiry
    • Commenting on the evidence presented
    • Providing advice regarding the final report

Scoping

15. The task group's first meeting is to consider the scope of the review agreed by the Business Support and Digital Overview and Scrutiny Committee and how to deliver an effective scrutiny exercise. The first meeting should be used to agree the following:

• Chairperson	- elected by the task group from its membership
• Undertaking the review	- what are Members hoping to achieve? - what evidence is needed? - how will it be obtained? - setting a timescale helps to keep the activity focused
• Training and developing skills and knowledge	- what background information is needed? - would training help members of the task group better understand the issues they will be looking at? - are there any skills members of the task group would like to further develop to support their work with this task group?

Task group meetings

Meeting protocol

16. An agenda shall be published prior to each task group meeting via the mod.gov app. In addition, any attendees/witnesses should be advised of the issue to be considered and what will be required of them. The Democratic Services Officer should ensure that attendees/witnesses (particularly those from outside of the Council) understand overview and scrutiny's powers and processes and provide them with the Task Group Protocol.

17. Attendees/witnesses should also be advised whether notes of the meeting will be available and whether they will have the opportunity to view or comment on the task group's final report before it is published. The task group may need to make a judgement on the confidentiality of any evidence provided on advice from the Monitoring Officer and being mindful of Freedom of Information (FOI) legislation.

18. Attendees are asked to present their evidence in a clear, concise and jargon-free manner.

Public or closed meetings

19. To ensure a full and frank discussion of the issues and evidence, task group meetings are not generally held in public. However, the task group's final report, plus the executive's response, are considered at meetings held in public (except where they contain confidential or exempt information). On occasion, a task group may have a specific reason for holding an open meeting, for example, to enable wider consultation with interested members of the public.

20. In undertaking its role, the task group may become party to confidential information, provided on trust by another body. Naturally task group members are expected to honour this trust and, in doing so, protect the continuance and integrity of the review and wider working relationships. Members will also need to be mindful of the expectations outlined in the Council's Code of Conduct.

Meeting location

21. In most cases, task group meetings will be held remotely on MS Teams in the interests of efficiency, accessibility and minimising travel costs and the Council's carbon footprint.

22. When considering whether to have a fully face-to-face meeting, a hybrid approach or a fully remote meeting, Members may want to consider the following factors:

- The availability and preference of all attendees
- The availability of a suitable meeting room
- The particular matters to be discussed and witnesses involved
- Efficiency of time, carbon footprint and transport costs.

Substitutions

23. Members are appointed to task groups on the basis of their experience, interest and availability. Additionally, Members gain an in-depth understanding of the chosen topic over a series of meetings before reaching conclusions. Therefore, it should be recognised that the use of substitutes will be difficult and potentially disruptive.

24. However, in recognition that Members may have other commitments which may impact on their ability to attend all meetings, named substitutes are permitted to ensure that task group meetings can continue to take place. To minimise disruption to a task group's evidence gathering and effectiveness it is recommended that no more than one named substitute is nominated by each political group. Any substitute members will be provided with full access to task group meetings papers to ensure that they are kept fully informed about the work of the task group should they be required to attend any meetings.

The final report

25. Where appropriate, the views of the relevant Portfolio Holder(s) will be sought on the task group's draft recommendations. This can provide helpful feedback to the task group. At the conclusion of its work a task group will prepare a final report clearly setting out its findings and recommendations. This may include whether the task group or a O&S committee needs to undertake further work and how the implementation of recommendations should be monitored. To ensure that the implementation of task group recommendations can be assessed, recommendations should be 'SMART' i.e. Specific, Measurable, Attainable, Realistic, Timely.

26. It is important that the final report presents the task group's findings and recommendations **with evidence** in a clear and understandable form. The evidence cited should be checked with relevant witnesses to ensure that it is factually accurate. It may be prudent to discuss provisional conclusions and recommendations with key witnesses before the report is published. Whilst it is expected that any recommendations should be cost neutral and/or met from existing budgets, any resource implications arising from the recommendations must be properly costed and should show how they would be funded, following consultation with the Chief Operating Officer.

27.   At the final task group meeting, the task group will be asked to consider and agree the content of its final report.

28.   Witnesses should be informed when the task group's final report is published and provided with a link or electronic copy.

29.   The final report is submitted to the appropriate overview and scrutiny committee(s) for consideration and will be asked to recommend it to the Cabinet for formal approval at the next available meeting.

If you would like further information on Overview and Scrutiny at Medway Council, please contact Democratic Services at democratic.services@medway.gov.uk