

Review of Overview and Scrutiny Committee

Hilary Gardner and Ceri Victory-Rowe
13th January 2020

Outline

- Purpose & process
- Our overall findings
- Conclusions and recommendations
- What next?

Campbell Tickell: Our experience

- One of the UK's leading consultancies focusing primarily on the statutory and non-profit sectors
- Operated for 20 years
- Recognised expertise in governance, regulation, business transformation and improvement, financial and risk analysis, human resource and recruitment.
- Worked for more than 800 organisations including many local authorities.
- Over the last 2 years have worked with the Boards of CBH and Ubico. Recently recruited new independent chair and 2 independent board members for Ubico

Brief

- Assess current arrangements and ways of working...
- ...in the context of the Statutory Guidance published by MHCLG in May 2019
- Make recommendations about how Overview and Scrutiny can become more effective
- Consider how resources to support Overview and Scrutiny could be better utilised or increased

Process



Inception meeting



Interviews



Meeting observation
(21st October)



Document review



Findings presented
13th January



Report

Context of review

- 2011 number of scrutiny committees reduced from three to one
- Current committee last reviewed in 2013
- May 2019: Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities published by MHCLG:

"Effective overview and scrutiny should:

- *Provide constructive 'critical friend' challenge;*
- *Amplify the voices and concerns of the public;*
- *Be led by independent people who take responsibility for their role; and*
- *Drive improvement in public services*

The status of the statutory guidance

"This is statutory guidance from the Ministry of Housing, Communities and Local Government. Local authorities... must have regard to it when exercising their functions. [This]... does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case"

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Overall findings

"Scrutiny works best when it has a clear role and function. This provides focus and direction".

- Consistent view of key purpose of committee
- **But** no single, definitive description of its role on paper...
- ...nor expectations set about the benefits scrutiny should deliver
- So difficult to know what effective looks like?
- Potential value of committee not being fully realised
- Ultimately, it is difficult to demonstrate tangible outcomes: 'a lot of effort for what?'

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Detailed findings

Culture and ways of working

"The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails".

- Political make up of council perceived as potential barrier to effective scrutiny and discharge of ToR
- Overall low level of understanding and support for scrutiny

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Detailed findings

Culture and ways of working (continued)

- Lines of sight and communication between committee and executive not clearly articulated
 - Few working group reports to Cabinet with too many recommendations? How do scrutiny monitor delivery of accepted recommendations. Is this regularly reported
 - Scrutiny of Cabinet reports: how are members comments taken on board and how is feedback received and monitored
 - Council leader regularly attends scrutiny meetings but contribution not clear or maximised
- Scrutiny not really visible to full council, rarely referred to in council meetings, not valued
- Call-in rarely used

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Detailed findings

Resources

"The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority".

- Resources improved - but could be better focussed/organised and prioritised . Over reliance on one person?
- Work of committee not valued sufficiently to merit priority for resources
- Additional resource may be required to support development/training

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Detailed findings

Committee membership

"Selecting the right members to serve on scrutiny committees is essential if those committees are to function effectively. Where a committee is made up of members who have the necessary skills and commitment, it is far more likely to be taken seriously by the wider authority".

"When selecting individual members to serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve".

- Appointment to committee is political or self-selected
- Limited role description for committee chair, with no reference to skills and attributes required
- Little support or training offered/provided to members

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Detailed findings

Access to information

"Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management and risk".

- No evidence of resistance to members having information they need;
- **But**
- Information request often not clearly understood or presented well
- Inconsistent evidence of members understanding how to use that information in the best way in carrying out their role

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Detailed findings

Planning work

To "make a tangible difference to the work of the authority...scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year".

"While scrutiny has the power to look at anything which affects 'the area, or the area's inhabitants', authorities will often find it difficult to support a scrutiny function that carries out generalised oversight across the wide range of issues experienced by local people, particularly in the context of partnership working. Prioritisation is necessary".

- No evidence of a strategic approach to work planning, nor of systematic prioritisation, responds to cabinet work plan
- Work plan is relatively short-term
- Scrutiny workgroups focus on individual members (or their constituents) interest or concerns rather than agreed priorities of council
- Agenda planning involves Chair, vice chair and independent member supported by Democracy Officer
- Agenda items often not clearly articulated or thought through, no clear focus or recommendation

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Detailed findings

Meetings and evidence sessions

- The majority of agenda items/papers lack focus
- Large volume for information only
- Often little clarity as to why items are presented and what the committee is being asked to do
- Chair should provide stronger and consistent leadership in managing specific agenda items, look to provide a clear introduction and summary of each item

"Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day".

- evidence sessions not observed but feedback to committee could be improved

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Conclusions

- Current ways of working need to be improved to evidence good regard/ following the new Statutory Guidance
- But in reality the guidance is just re-enforcing good practise. You should be looking to achieve this as a minimum if you (and the wider council) want to be good at Scrutiny!
- Overall need a re-focussing of purpose and the resourcing and delivery of a number of practical actions

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Questions

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But...

...our field work and in particular our interviews showed a desire to improve.



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Culture and ways of working

- Develop and agree a **single, clear and measurable** definition of the role and purpose of the committee
- Develop a specific role description for the committee chair to include skills, attributes and key responsibilities
- Consider how the members of the committee can be suitably supported and trained to be skilled and effective members who clearly understand the purpose of the committee and their contribution to it
- Arrange focussed training session(s) for **all** members (within a meeting) specifically on how to be an effective O and S member. Possible areas of training : how to promote and build visibility of scrutiny; how to effectively challenge and scrutinise information and decisions

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Culture and Ways of working (2)

- Introduce a formal feedback/link from Cabinet to O and S. (The Leader attends O and S, and nobody asked him anything!)
- Consider how you select your enquiry topics should they be focussed more on delivery of the Council's corporate plan. Better use of finite resources and could help to evidence added value to the wider council
- Consider how the Chair and committee can widen it's visibility in the council? political makeup should not be a barrier to effective scrutiny, its about using information and looking at decision making in a smarter way

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Resources

- Although dedicated resource to O and S has improved, general officer support needs to be better focussed and respected
- Report writers need to be given clearer brief and expectation and time frame and this needs to be robustly adhered to and managed by the Chair
- Consider introducing a maximum page limit for reports with use of appendices by exception
- Consider training for officers on pp presentation
- Chair to sense check all papers before dispatch
- Chair to consistently manage presentations at meeting

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Effective Meetings

- Ensure that all members are encouraged to contribute and feel comfortable doing so
- Introduce a front cover sheet for each report/agenda item to provide clarity on the purpose of the report, why it is coming to O and S and what recommendations/action the committee are being asked to make. This should be made available to report authors after agenda planning meeting. Chair to use this to 'top and tail' each agenda item at meeting and can also be useful for minutes
- Introduce an action tracker so that all decisions/actions made by the committee can be tracked at each meeting. This should also include tracking of recommendations to Cabinet or other committees/groups

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Effective meetings (2)

- Re-order agenda (recognising issues with public attendance) between items for Scrutiny and items for overview in order to make better uses of meeting time and member energy
- Re-introduce maximum meeting time of 2 hours , linked back to agenda planning, quality of reports, length of presentations, management of external speakers
- Introduce a wrap up session at the end of each meeting to consider 'positives and negatives' from meeting

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Questions?

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Recommendations: Summary and next steps

- *Our recommendations are not just about showing adherence to the Statutory Guidance*
- *They are more than that, if accepted and delivered they will help make the committee more effective, members feel valued and improve the standing of the committee within the wider council*
- **Next steps:** Written report to be finalised including feedback from this presentation
- Action plan to be developed and agreed by committee
- Committee to track progress on implementation of recommendations

Thank You

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