Cheltenham Borough Council

Scrutiny Task Group Report

Overview and Scrutiny Review

March 2021

OVERVIEW AND SCRUTINY REVIEW

APRIL 2021

1.   INTRODUCTION

1.1   In 2019 Campbell Tickell (CT) were commissioned to undertake a review of the Overview & Scrutiny (O&S) Committee.

1.2   The review was conducted through a combination of desktops reviews of governance and constitutional documentation, interviews with officers, committee members and the leader of the council and observation of a committee meeting.

1.3   CT presented their initial findings in January 2020, before submitting their final report, including a range of recommendations aimed at improving the effectiveness of the scrutiny function, in February 2020.

1.4   The O&S Committee felt that a task group should devise an action plan in response to the recommendations that had been made by CT.

1.5   Progress was delayed as the organisation prioritised delivery of critical services during the pandemic.

1.6   This report sets out the deliberations and recommendations arising from the scrutiny review by the task group.

2.   MEMBERSHIP AND TERMS OF REFERENCE

2.1   Membership of the task group:-

- Councillor John Payne (Chair)
- Councillor Dilys Barrell
- Councillor Paul McCloskey
- Councillor Dennis Parsons (stood down from the group after the first meeting)

2.2   Terms of reference agreed by the O&S Committee:

- Consider the CT recommendations
- Agree actions to deliver the desired outcomes
- Propose timescales for the completion of these actions/outcomes

3.   HOW DID THE TASK GROUP GO ABOUT THIS REVIEW?

3.1   The scope of the review was simple, in that the CT recommendations had been accepted by O&S and the task group simply needed to consider if and how they could be actioned, as well as outlining proposed timescales.

3.2   The group only met (virtually) twice, with in-depth discussions with the Chair between meetings.

3.3 Progress was seriously impacted by the pandemic. Progress was delayed as the organisation prioritised delivery of critical services during the pandemic.

3.4 The group was supported by the following officers:

- Darren Knight, Executive Director People & Change and sponsor of the scrutiny task group
- Saira Malin, Democracy Officer and facilitator of the scrutiny task group

3.5 Members would like to thank Darren Knight and Saira Malin for the support they provided to the group.

3.6 The task group reviewed the following evidence:

- The report produced by Campbell Tickell, which outlined their findings and included 19 recommendations
- Draft responses to the 19 recommendations, produced by the Democracy Officer, which included various examples from other sources and advice in terms of process.

4. OUR DELIBERATIONS ON THE CAMPBELL TICKELL RECOMMENDATIONS

4.1 The group considered each recommendation in turn, before agreeing upon the response and timescales to be proposed to the O&S Committee (shown below in *italics*).

4.2 **Recommendation 1: Develop and agree a single, clear and measureable definition of the role and purpose of the committee, used consistently in all documentation.**

4.3 The group reviewed a number of existing CBC definitions and descriptions of the committee, as well as examples from a variety of other sources. The Democracy Officer had proposed a draft description, largely based on that included in the statutory guidance produced in May 2019:

4.4 *The Overview and Scrutiny have statutory powers to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken or implemented. The Overview and Scrutiny committee can enable improvements to be made to policies or the implementation of those policies and also have an important role to play in developing policy and **improving** performance.*

The Overview and Scrutiny Committee will:

- *Provide constructive 'critical friend' challenge to the executive;*
- *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 in Cheltenham.*

4.5   Members were satisfied that the draft definition of the role and purpose of the committee, which they felt both clear and measurable, but asked that the word 'improving' be added (shown above in bold).

4.6   Once agreed by O&S the new definition would replace any previous versions and be used consistently in all documentation.

4.7   **Recommendation 2: Develop a specific role description for the committee chair to include skills, attributes and key responsibilities.**

4.8   The group agreed with the Democracy Officers suggestion that it would be helpful to have a general role description for committee members, as well as a more specific one for the Chair. The group considered the draft role description for committee members:

4.9   *The Overview and Scrutiny Committee will, unless agreed by Council, reflect the political proportionality (make-up) of the council.*

Members of the executive cannot be members of scrutiny.

Members should be able to act impartially, to work as part of a group and be committed to improving public services in Cheltenham. They will require listening and questioning skills and some experience of risk and project management would be beneficial.

*Members will be offered induction training when they take up their role, so that they **have clarity as to the purpose of their role and the remit of Overview and Scrutiny** and ongoing training, so that they can carry out their responsibilities effectively.*

4.10 The Executive Director People & Change suggested that we include reference to the overall objective of the induction training being that members understand the remit of O&S, as well as giving clarity as to the purpose of their role. The group welcomed this addition, which is shown above in bold.

4.11 The group then considered the draft role description for the Chair:

4.12 *The Chair plays a leadership role on a scrutiny committee as they are largely responsible for establishing its profile, influence and ways of working. The Chair should possess the same attributes as those outlined for the wider membership of the committee (paragraph x), as well as having the ability to lead and build a sense of teamwork and consensus among committee members. Specific skills include:*
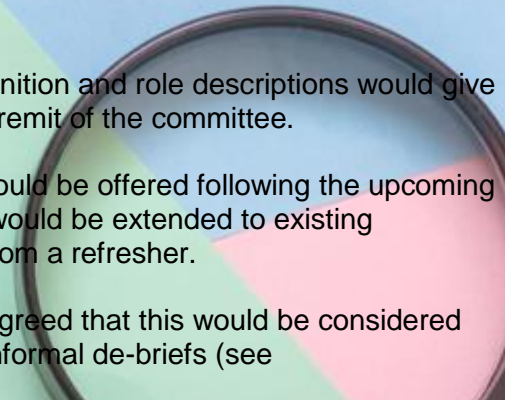
- *A good understanding of the strategic importance of the scrutiny function within the council*
- *A clear understanding of the terms of reference for the committee*
- *Advanced chairing skills*
- *Advanced communication skills (public speaking, listening and questioning)*
- *The ability to weigh-up evidence and make recommendations based upon that evidence*
- ***Be fair and balanced, ensuring the objectivity of the committee***

- *Having an understanding of the challenges facing the overview and scrutiny function*
- *Being able to cultivate constructive relationships with the executive, senior officers and partners*
- *Being a champion of the scrutiny function*

Their key responsibilities will include:

- *Ensure the committee focusses on matters of strategic importance or concerns of the public, where a trend exists*
- *Develop a clear understanding of the terms of reference for the committee*
- *Preside over the agenda and work plan setting process*
- *Encourage effective contributions from all members of the committee and constructive challenge of decisions makers*
- *Ensure the committee fulfils its responsibilities effectively by working with officers to identify training needs as required*
- *Report to Council at least once a year, or as required*
- *Exercise their right as Chair of overview and scrutiny to call-in decisions, waive the right to call-in and agree special urgency requests, where necessary*

It is noted that the chair would be offered support and appropriate training, as necessary.

4.13   The group felt it was important to include something around the need for the chair to be fair and balanced. This is shown above in bold.

4.14   Whilst they accepted the proposed role description, they did feel that it would be challenging for a member to encompass all of the skills and attributes outlined within it. The group were assured that training would be available where necessary.

4.15   Once approved by the O&S Committee, the two role descriptions would be included on the website, in updated scrutiny guides and as part of the Introduction to Scrutiny training which was scheduled immediately before the June meeting of the O&S Committee.

4.16   **Recommendation 3: Consider how members of the committee can be suitably supported and trained to be skilled and effective in their role and clearly understand the purpose of the committee and their contribution to it.**

4.17   The group were confident that the draft definition and role descriptions would give clarity to members about their role and the remit of the committee.

4.18   Officers confirmed that induction training would be offered following the upcoming elections and that as always, an invitation would be extended to existing members who felt that they would benefit from a refresher.

4.19   In terms of ongoing training needs, it was agreed that this would be considered on a regular basis, as part of the planned informal de-briefs (see Recommendation 19).

4.20   *Once agreed, the committee definition will provide a clear understanding to the purpose of the committee and how members should contribute to it.*

The brief outline of committee membership will make clear the necessary attributes that are required of members that sit on the committee.
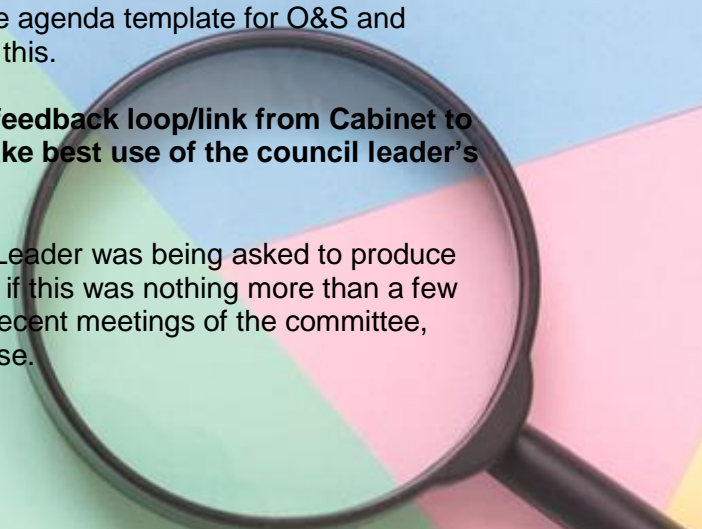
Induction training will be offered to all new members, as well as existing members that feel that they would benefit from a refresher.
*Ongoing training has always been offered, **but there will be a regular discussion about training needs as part of the informal de-brief at the end of each meeting.***

Scrutiny guides will be updated and reissued to members of the committee.

4.21   The informal de-brief has been added to the agenda template for O&S and induction training is going at the moment, following the recent elections.

4.22   **Recommendation 4: Arrange focused training for all members, perhaps within a scheduled meeting, specifically on how to be an effective Overview and Scrutiny Committee member. Possible areas for training include how to promote and build visibility of scrutiny, and how to effectively challenge and scrutinise information and decisions.**

4.23   The group fully supported the suggestion by the Executive Director, that training needs be considered by the committee on an ongoing basis, as part of the informal de-brief that would be scheduled at the end of each meeting. They agreed that this would enable the committee to take a proactive role in identifying targeted training on specific areas. As for how and when the training would be held, this would be for the committee to decide on a case by case basis.

4.24   *The committee will decide if and what training members would benefit from based on any gaps in knowledge or skills, as part of the informal de-brief that will be scheduled at the end of each meeting.*

Any training could then be held within a scheduled meeting, though this would have to be decided upon prior to agenda items being scheduled as there have been previous complaints about adding these sessions on to a meeting with an already full agenda.

4.25   The informal de-brief has been added to the agenda template for O&S and training needs will be considered as part of this.

4.26   **Recommendation 5: Introduce a formal feedback loop/link from Cabinet to Overview and Scrutiny Committee to make best use of the council leader's attendance at committee.**

4.27   The Democracy Officer confirmed that the Leader was being asked to produce something in advance of the meeting, even if this was nothing more than a few bullet points. The group, having attended recent meetings of the committee, were satisfied that this was routinely the case.

4.28   The script produced for the Chair of O&S now included a prompt to ask members to raise specific topics for the Leader to include in future briefings.

4.29   *The Leader is advised that written updates, even a few bullet points, are now mandatory in advance of the meeting and the Chair, will invite members to ask the Leader to provide information on specific topics in upcoming briefings.*

4.30   No further action was required.

4.31   **Recommendation 6: Review and determine how enquiry topics are to be identified; should they be focused on the delivery of the council's corporate plan? This would make better use of finite resources and help negate possible tension between Cabinet and the committee.**

4.32   The group felt it was important to have a criteria against which possible topics should be considered, but were also clear that the committee should not be prevented from being able to consider issues which were raised by the public, whilst accepting that scrutiny was not the appropriate place to raise low level ward issues. What they aimed to avoid was a criteria that was overly restrictive. They also felt that the criteria should include something about alternative options i.e. seminars, briefings, etc.

4.33   On the subject of seminars, they queried, where a seminar was considered to be a more appropriate setting for consideration of an issue, why these seminars could not be open to the public and felt that the committee should lean instinctively towards openness. The Democracy Officer suggested that it would not always be appropriate to have the public along to these meetings, given the information that might be shared (in person or virtually), but this could be considered on a case by case basis.

4.34   The proposed criteria:

*   *Is it a corporate priority?*
*   *Is it an issue that whilst not a corporate priority, is of concern to a number of residents; is there a sufficient degree of representation?*
*   *Does the committee have any influence, or is another committee/body better placed to scrutinise the issue?*
*   *Would the topic be better served as a seminar, task group, briefing, etc.?*

4.35   Should it be accepted by the O&S Committee, the criteria would be used to assess proposed agenda items going forward.

4.36   **Recommendation 7: Consider how the Chair and committee members can extend the committee's visibility within the council.**

4.37   The group were reminded that the committee tabled an annual report at Council, which summarised what it had achieved in the previous year. They were also assured that the wider membership of the council were routinely invited to not only attend, but also to participate, on topics that affected the town as a whole.

4.38 The Executive Director confirmed that the Comms Team were now more active on social media and were promoting Council, Cabinet, Overview & Scrutiny and Audit, Compliance & Governance meetings and agenda items.

4.39 *The committee produce an annual report which summarises the accomplishments of the O&S Committee from the previous year and this is presented at Council.*

Invitations to attend and participate, are routinely extended to the wider membership of the council, where topics are of borough-wide interest.

Meetings and specific agenda items where applicable, are promoted on social media by the Comms Team.

4.40 No further action is required.

4.41 **Recommendation 8: Although dedicated resource to the committee has improved and is valued, general officer support needs to be better focused and respect demonstrated for the role and value of the committee.**

4.42 The group, including the Executive Director, took the opportunity to praise the work of the Democracy Officer and felt that there had been a marked improvement in terms of support for the committee since her return from maternity leave, owing to her knowledge and experience.

4.43 The Democracy Officer appreciated the positive feedback but noted that the recommendation highlighted general officer support and respect for the committee, which she felt had improved greatly with the involvement, knowledge and support of the Executive Director People & Change, which she had personally welcomed and was very appreciative of.

4.44 *The dedicated resource to the committee by the Democracy Officer continues, and this is welcomed by members.*

The involvement of the Executive Director People & Change has resulted in positive change in terms of the commitment of officers more generally, to the scrutiny process.

4.45 No further action was required.

4.46 **Recommendation 9: All members should take ownership of their contribution at meetings, including reading briefing notes in full.**

4.47 The group queried whether it would be possible to invite members to prepare questions in advance for each item. The Democracy Officer explained that it was unrealistic for her to be able to do this for every agenda item.

4.48 Members agreed that the timely publication of quality reports, would make it easier for members to read them in full.

4.49 They did feel that it was important to remind members to respect the questions and opinions of others. This could be covered in training and would be for the Chair to raise, if there was a particular issue at a meeting.

4.50   *Late reports are by exception only and with officers advised that reports should be no more than 4 sides, meaning timely publication of good quality reports.*

Reports are also being taken as read, with the Chairman reminding members about the objective for each item and an introduction from officers with a focus on key points only, or specifically what they want from the committee. This means that members need to have read the papers beforehand.

The Chair will invite all members to contribute and members are expected to respect the questions and opinions of others.

4.51   No further action was required.

4.52   **Recommendation 10: Report writers and presenters need to be given clearer briefs, expectations and time frames – and this needs to be robustly adhered to and managed by the Chair.**

4.53   The Democracy Officer assured members that report writers and presenters were also given guidance on the objective for each item and any specifics they need to cover in their paper and continued to be provided with clear guidance in terms of how long their particular item would have and how this was split between introduction (5 minutes) and Q&A.

4.54   The Democracy Officer confirmed that she now alerted the Chair when an item was nearing its time limit and in turn, the Chair would make the committee/guests aware of the need to be succinct and conclude the item on schedule.

4.55   The group had attended recent meetings of the O&S Committee and felt that time management in terms of the agenda planning and at the meeting itself, had improved and was working well.

4.56   *Report writers and presenters are given guidance on the objective for each item and any specifics they need to cover in their paper, as well as being asked to provide as much information as is needed, without exceeding 4 sides.*
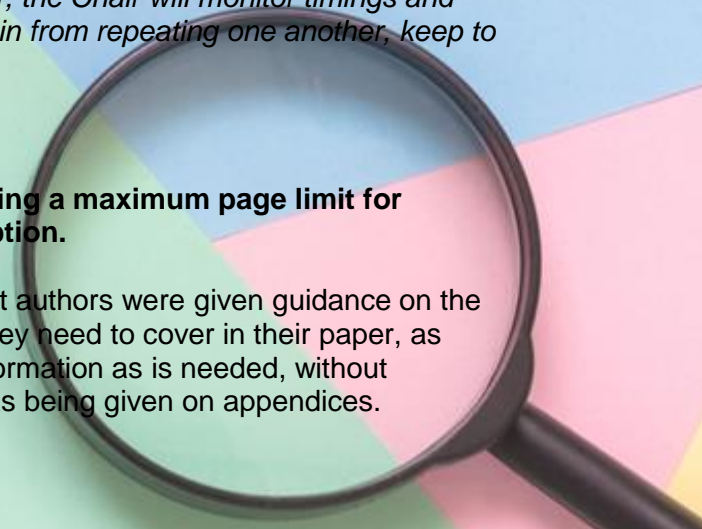
They are also given an estimated start time, definitive time limit and reminded that any introduction should be limited to 5 minutes, with the remaining time being dedicated to question and comments from members.

With assistance from the Democracy officer, the Chair will monitor timings and where necessary, remind members to refrain from repeating one another, keep to topic and be succinct.
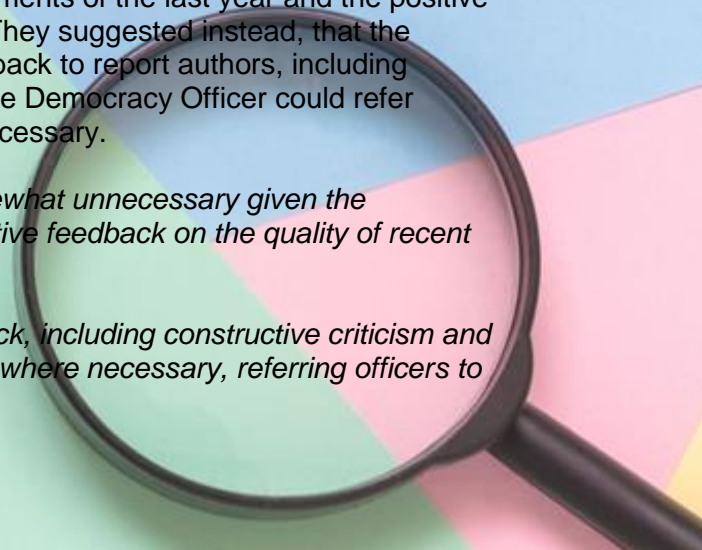
4.57   No further action is required.

4.58   **Recommendation 11: Consider introducing a maximum page limit for reports with use of appendices by exception.**

4.59   The Democracy officer reiterated that report authors were given guidance on the objective for each item and any specifics they need to cover in their paper, as well as being asked to provide as much information as is needed, without exceeding 4 sides. However, no advice was being given on appendices.

4.60   The group were comfortable that appendices were not routinely included and only where it made sense to include them, and suggested that this should be conveyed to report authors.

4.61   *Report authors are given guidance on the objective for each item and any specifics they need to cover in their paper, as well as being asked to provide as much information as is needed, without exceeding 4 sides. This would be amended to include advice on the inclusion of appendices, only where necessary.*

4.62   No further action is required.

4.63   **Recommendation 12: Consider training for officers on PowerPoint presentation in order to maximise the benefit obtained by the committee.**

4.64   The Executive Director advised that officer training on PowerPoint presentations was planned to take place by the end of June and that the aim was for self-contained and engaging PowerPoint presentations. However, these would come to O&S by exception.

4.65   *PowerPoint training for officers will be arranged by the end of June 2021.*

4.66   The Executive Director People & Change will arrange this.

4.67   **Recommendation 13: The Chair should sense-check all papers before dispatch.**

4.68   The Democracy Officer raised concerns over how realistic this would be, given the current deadlines. She explained that the report deadline is 12 noon on a Wednesday, with the statutory publication deadline of Friday (the week before the week of the meeting). It would leave a very small window of time to allow the chair to review the reports, give feedback and then have the report author make any changes. If this were to be adopted, the deadline for scrutiny would need to be earlier than it currently is, which would mean that in cases where meetings were only 4 weeks apart, the agenda for the second meeting would need to be agreed, before the first meeting had been held. This would in turn limit the ability of the committee to consider emerging issues.

4.69   The group agreed that this seemed unworkable and suggested it was also somewhat unnecessary, given the improvements of the last year and the positive feedback on the quality of reports of late. They suggested instead, that the committee should continue to provide feedback to report authors, including constructive criticism and suggested that the Democracy Officer could refer report authors to good examples, where necessary.

4.70   *This was unworkable and considered somewhat unnecessary given the improvements of the last year and the positive feedback on the quality of recent reports.*

        The committee will continue to give feedback, including constructive criticism and the Democracy Officer will provide support where necessary, referring officers to good examples of reports.

4.71   No further action was required.

4.72   **Recommendation 14: Ensure that all committee members are encouraged to contribute and feel comfortable doing so.**

4.73   The group was confident that once a clear and concise definition had been agreed, members would have clarity as to the remit of the committee and their role as a member and that this would result in members having more confidence to make comments and ask questions. With training and guidance providing additional confidence.

4.74   The group acknowledged the role of the Chair and wanted to put on record that Councillor Mason was an effective chair, who did indeed encourage all members to contribute.

4.75   *A clear and concise definition for the committee, along with updated guidance and member training, will provide clarity to members as to the remit of the committee and their role, resulting in members who have the confidence to make comments or ask questions.*

4.76   No further action was required.

4.77   **Recommendation 15: Introduce a front cover sheet for each committee report/agenda item to provide clarity on the purpose of the report, why it is coming to committee and what action the committee is being asked to take. This should be made available to report authors after agenda planning meeting. The Chair should use this to 'top and tail' each agenda item at meeting and can also be useful for minutes.**

4.78   The Democracy Officer advised that she had started including the objective for each item on the agenda, as well as asking the Chair to remind the committee of this, as part of his introduction to each item.

4.79   The group felt that this was not only sufficient, but also the most effective way of reminding people why something was on the agenda and the front cover sheet was therefore unnecessary.

4.80   *The objective for each item will continue to be included on the agenda and the Chair will continue to remind the committee of this objective, as part of his introduction to each item.*

4.81   No further action is required.

4.82   **Recommendation 16: 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.**

4.83   The group were reminded about Clearview, the council's new risk and performance monitoring software.

4.84 The CT recommendations had already been already been added to this system, which would allow for action tracking and monitoring of the agreed actions and the group felt that this was a sensible approach.

4.85 *The Clearview system would be used to monitor and track any recommendations.*

4.86 Clearview would be updated to reflect the actions that had been agreed by the O&S Committee.

4.87 **Recommendation 17: Re-order agenda (recognising issues with public attendance) between items for scrutiny and items for overview in order to make better use of meeting time and member energy.**

4.88 The Democracy Officer explained that out of courtesy, guests of the committee were scheduled earlier on the agenda, with the exception of exempt items, which were scheduled at the end of agendas given that the public were required to leave the meeting.

4.89 *External guests or topics of public interest will continue to be scheduled at the start of the agenda and because the public are excluded for exempt business, these items will continue to be scheduled at the end of the agenda.*

4.90 No further action is required.

4.91 **Recommendation 18: Re-introduce maximum meeting time of two hours, attending carefully to agenda planning, quality of reports, length of presentations, management of external speakers, etc.**

4.92 Officers confirmed that the chairs group planned the agenda based on a two hour time limit.

4.93 Report authors/guests were given clear guidance in terms of how long their particular item would have and how this was split between introduction and Q&A. They were also given guidance on the objective for each item and any specifics they needed to cover in their paper. In addition to this, they were advised that they should aim to limit their papers to four sides, whilst including sufficient detail.

4.94 The Democracy Officer confirmed that she now alerted the Chair when an item was nearing its time limit and in turn, the Chair would make the committee/guests aware of the need to be succinct and conclude the item on schedule.

4.95 The group felt that improved agenda planning was evident from recent meetings and commended the Chair for the way in which he managed these meetings.

4.96 *The two hour limit has been re-introduced. The agenda setting meeting gives focus to the length of the agenda, Officers are given clear advise as to timings and the Chair takes a far more proactive role in managing these within the meeting.*

4.97 No further action is required.

4.98 **Recommendation 19: Introduce a wrap up session at the end of each meeting to consider 'positives and negatives' from meeting.**

4.99 The group felt that there should be an informal de-brief at the end of each meeting, giving members the opportunity to reflect on what had gone well and identify opportunities for improvement and possible training needs.

4.100 The group wanted this to be informal and as such are proposing that the short discussion should take place once the stream (during virtual meetings) has stopped, but before the webex meeting is ended. They were clear that this should be a short discussion, acknowledging that the chairs group could discuss issues in more detail, if required.

4.101 *An informal de-brief (for members only) has been added to the agenda template for the O&S Committee. This will be an opportunity for the committee to reflect on what has gone well and identify any opportunities for improvement or possible training needs. The de-brief itself will be a short discussion only and the chairs group will consider any issues in more detail.*

4.102 No further action is required.

5. CONSULTATION

5.1 It was not considered necessary to consult beyond the task group, given that the recommendations of the Campbell Tickell had already been accepted by the Overview & Scrutiny Committee. The task group had simply been asked to agree actions to deliver the desired outcomes and propose timescales for the completion of these actions/outcomes.

6. PROPOSED ACTIONS AND TIMESCALES

6.1 The proposed actions for each of the 19 CT recommendations are outlined above (*in italics*), but have been summarised in table form for convenience (Appendix 1).

6.2 12 of the 19 CT recommendations have already been actioned and the task group suggests that 1 is not progressed for the reasons outlined above and in the table at Appendix 1.

6.3 Timescales for the remaining recommendations, is based on the proposed actions being agreed by the O&S Committee and Officers then making the necessary changes/arrangements.

7. PROGRESSING THE CAMPBELL TICKELL RECOMMENDATIONS

7.1 As previously mentioned, 12 of the 19 recommendations have already been actioned.

7.2   The remaining recommendations will be actioned once agreed by the O&S Committee.

7.3   All 19 recommendations were added to Clearview when the CT report and recommendations were approved by the O&S Committee in February 2020 and will be updated once the O&S Committee has approved the proposed actions.

7.4   The target for completion will be the end of June 2021.

7.5   The Clearview system will then be used to monitor and demonstrate progress to the committee in real time.

7.6   The Democracy Officer will work on updating existing scrutiny guides to reflect any changes.

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Appendices	1. Proposed actions/timescales 2. The One page strategy for this review
Background information	1. Campbell Tickell report (date) ADD LINK