

Report to Overview and Scrutiny Committee

Subject: Scrutiny Report:
Report and Recommendations Effectiveness of Scrutiny Working Group

Date: 19 March 2018

Author: Councillors Paling, Lawrence, Doyle, Poole, Miller

1. Purpose of the Report

To present the final report and recommendations of the improving the Effectiveness of Scrutiny Working Group

2. Background

The scrutiny structure at Gedling Borough Council was established as part of the modernising agenda in 2002 and consisted of an overarching Overview and Scrutiny Committee and two sub committees one for performance and one for policy. Since May 2015 there has been a single Overview and Scrutiny Committee which is made up of thirteen members who are appointed annually by Council. The Overview and Scrutiny Committee holds no executive authority over the business of the council; their role relating wholly to scrutiny and review. The committee provides Councillors with the opportunity to examine the various functions of the Council, to ask questions about how decisions are made and to consider if service improvements can be achieved. It provides Members with the opportunity to question the Executive, and senior officers, enabling them to understand specific issues and gather evidence to support recommendations for improvement. The process requires members of the Committee to agree a manageable work programme, receive information relating to service areas, monitor performance, hold Executive Members to account and take an active part in reviews.

The Overview and Scrutiny structure is made up of two elements:

- The Overview and Scrutiny Committee which develops the work programme and is able to carry out scrutiny examinations in the committee itself; and

- Ad hoc working groups - time limited task and finish groups that review a specific topic agreed by the Overview and Scrutiny Committee.

Membership of the committee is drawn from Councillors who are not members of the Executive. All members of the Committee have a collective responsibility to take an active part in the meetings by reading agenda papers, asking questions, contributing to discussions and suggesting areas for examination.

The Overview and Scrutiny Committee established this scrutiny review to consider and evaluate the effectiveness of the Overview and Scrutiny Committee work programme, explore ways to improve the impact of the scrutiny function and how to increase member engagement in the Scrutiny process. The need to develop mechanisms to improve engagement with the process by committee members, and the wider council membership, to enable the Committee to make a real difference to local people's lives was recognised as a focus for the review.

3. Method of Investigation

Discussion with Members and Officers

Desktop research

Councillors own experiences

4. Information

The Overview and Scrutiny Committee allows Members to champion issues of public concern, facilitate debate about priorities, scrutinise performance to ensure the Council is meeting its agreed targets and review and scrutinise the performance of the activities of outside bodies that impact on the residents of Gedling. It was acknowledged that although the Committee undertakes and fulfils this role it was missing opportunities to adopt a more proactive and dynamic approach raising the profile of the Committee. The Committee is only as good as its members and if members are not fully engaged with the process it will not be fully effective. The need to 'add value' and examine issues that can make a difference to the lives of local residents was seen as paramount, and choosing issues to examine that result in recommendations that are 'doable' and effect change was seen as crucial. Members of the working group identified a number of key areas where they felt modifications to current practices could be made, which that could result in members of the Overview and Scrutiny Committee becoming more committed to and interested in the scrutiny function.

4.1 Overview and Scrutiny Committee meetings

The need for Members to fully understand the role and function of the Overview and Scrutiny Committee was discussed and importance for members of the

Committee not to just regard it as an information gathering meeting. To be effective Members need to understand their role as a critical friend and to recognise how scrutiny can make a difference. It was felt that some members of the Committee did not fully appreciate their role and that all members should be involved in questioning, particularly if the Committee is going to provide an effective challenge to the executive. Asking questions and actively listening is one of the basic responsibilities of committee members and member training to develop this skill, plus development opportunities to foster a deeper understanding of their role as a committee member, could encourage greater engagement. Scrutiny has the tools to examine issues in greater detail than it does and it could utilise their right to access information much more effectively. Working group members were concerned that newly elected Councillors were not fully aware of the role of scrutiny or indeed the expectations of them once elected, and considered strongly that that information to prospective councillors, including the time commitment and responsibilities, should be made available before nominations take place.

A reduction in the number of members of the committee was discussed. It was felt that the recruitment of members who actively want to sit on the committee would encourage greater enthusiasm and participation; any reduction would have to be politically proportional balanced. Councillors selected for the Overview and Scrutiny Committee should be aware of the time commitment involved and enthusiasm needed to make the committee work effectively.

Committee meetings need to be managed effectively and agenda planning should not include too many items, meetings should be kept to an appropriate time with a two hour maximum. The Chair needs to be clear about the purpose of the meeting, keep the meeting focused and ensuring that members of the Committee are aware of what is expected from them in the time available. . Any outstanding agenda items not considered should be passed to a working group to discuss and report back to the following meeting.

The Overview and Scrutiny Committee acknowledge that Executive Members, when invited, always attend the Committee to answered questions about their responsibilities as a Cabinet Member. They, however, feel that those Portfolio Holders who assign Directors or other Senior Officers to directly provide information and answer questions as not fulfilling the remit of being held to account. Whilst recognising that Portfolio Holders cannot know every detail of the work undertaken within their Portfolio, as most questions are notified in advance, it was felt the Portfolio Holder should make themselves fully conversant with the areas being examined. The working group concluded that those areas where poor performance was evidenced should be looked at in more depth; currently issues of concern are not always picked up or robustly questioned.

Recommendations:

That information about the roles and responsibilities of becoming a Councillor should be available for prospective Councillors.

That comprehensive training is available for all Overview and Scrutiny Committee Members, but in particular new members, to ensure that they fully understand their role on the Committee and which will assist them when questioning representatives.

A reduction in the number of members of the committee should be considered.

Committee meetings are managed more effectively. Agendas should not include too many items and meetings should be kept to the appropriate time of two hours.

4.2 Work Programme

When developing the work programme the Committee should be clear about what is the focus, have clear reasons for selecting issues and what it is hoping to achieve. When developing a work programme it is necessary to have regard to the capacity of the Committee to deliver the programme, both Member and officer time, it is better to do a few topics well. Some items included in the work programme are regular scheduled items such as the annual Crime and Disorder examination, the rolling programme of Portfolio Holder attendance and the Executive responses to recommendations from working groups.

When prioritising issues for review it is important to ensure that recommendations will make a difference. To enhance this process a review selection template should be developed and any topics chosen need to be carefully planned to make the best use of Member's time. Work programming should involve Member input and involve long listing and short listing topics prior to prioritisation; this should include selecting topics for both the full committee and for working groups. Members could use examples from their own casework to assist in this process. There needs to be a greater focus on outcomes that will lead to improvements and, although important to scrutinise the work of partner organisations any recommendations made do not have to be acted upon and may therefore not be the most efficient use of Member time.

The inclusion of Portfolio Holders and Senior Managers when prioritising topics for in depth review was considered, Members agreed this could be useful and could be used as a mechanism that could enable the Committee to act as consultants when new policies and procedures are being implemented. The Gedling Plan, the Forward Plan, Performance reports and the results of the

Gedling Conversation were also identified as documents that could all be used when agreeing issues for in depth examination. The effectiveness of planning the work programme was considered and it was agreed that more time should be programmed into the Committee agenda when developing the work programme and items for working group examination were chosen.

The regularly scheduled Quarterly Performance reports were identified as a duplication of areas discussed by the Portfolio Holder, and the working group concluded that a more effective way to consider this would be to focus on those areas where targets were not met or were of concern. Members are able to access comprehensive details about current performance, both positive and negative on the website and concluded that areas of concern could be identified prior to the committee; any indicators of note could be brought to the committee along with information about how the underperformance would be addressed. It was felt this if this information could be included in the papers circulated prior to the meeting it would enable Committee members to consider issues in advance and result in more in depth questioning. The working group are aware that time constraints may impact on doing this but concluded that it could be trialled to see if it is possible. As with the questioning of Portfolio Holders, areas of poor performance are sometimes not fully identified and followed up and this may help to alleviate this problem. Areas of poor performance could also be identified not only through the use of performance data but also from looking at complaints, the results of the Gedling Conversation and discussions with the Senior Leadership Team.

Recommendation

That a streamlined/simplified way to monitor performance is developed.

4.3 Working Groups

One function of the Overview and Scrutiny Committee is to undertake in-depth review of services available to the public provided by this authority and other local organisations. These reviews can look at a particular services or thematic areas as for example the Income Generation review. The overall purpose of a review is to bring about improvements for the community and to advance this working groups collect evidence through a variety of mechanisms to inform their work. Recommendations are reported to the Overview and Scrutiny Committee who will then refer to the Cabinet. Portfolio Holders are fully engaged with the process and respond to recommendations, implementing recommendations when accepted. Topics for review are made to the Committee; suggestions can be made by Councillors, officers and members of the public. In choosing a topic for review the Committee should focus on things that matter to the public and that will have outcomes that make a real difference. Recommendations have to be realistic and acknowledge the budget constraints the Council has to work

within. The Committee in its role as critical friend should act objectively and recommendations to improve the lives of people in the borough should be done by supporting and influencing, whilst managing expectation.

Each working group nominates a chair. This role is key if the working group is going to be effective and ensure the best use of the time available is made. The responsibilities are not defined but include assisting in the development of the project plan, exploring different ways of gathering evidence, identify options for improvement and developing conclusions that can be used to form the basis of recommendations. Working group chairs have discretion as to how they want to fulfil this role; however, the development of a definition detailing responsibilities may assist members when deciding if they would like to undertake this role.

Recommendation

That a template for the selection of topics for review is introduced.

That the role and responsibilities of becoming working group chair are defined.

4.4 Public Involvement

Currently there is little public involvement in the scrutiny process. Members of the Youth Council are invited to be included in the working groups and have participated if the issue is also of a concern to them. There are a number of ways this could be developed including:

- Suggesting a topic for scrutiny. This could be done by the inclusion of a form on the Council's website
- Contributing to reviews. Again this requires an invite to go on the public website inviting interested people to contribute to current reviews
- Inviting the public to committee meetings. Members of the public can attend the Overview and Scrutiny Committee and can be invited to contribute to reviews. However currently this does not happen and mechanisms to encourage this need to be considered.

These initiatives would require the development of a dedicated web page for the Overview and Scrutiny Committee.

Recommendation

Mechanisms to increase the level of engagement and participation with the Youth and Elders Council and the wider public are improved. A guide to scrutiny which explains the role of the Overview and Scrutiny Committee for members of the public should be developed; this should also include a form which could enable topic suggestions for examination to be put forward.

4.5 The Communities and Local Government Select Committee – The Effectiveness of local authority overview and scrutiny. First report 2017-2019

This report heard evidence from across the country of considerable failings in current scrutiny arrangements and proposed revisions to Government guidance on scrutiny committee. One proposal recommended that Overview and Scrutiny Committees should report to an authority's Full Council meeting rather than to the executive, thus mirroring the relationship between Select Committees and Parliament. Currently the Committee reports to the Cabinet and the Portfolio Holder who responds back to the Committee within 28 days.

Recommendation

Revision of the current reporting mechanisms for the Overview and Scrutiny Committee should be considered.

5. Conclusions

The committee undertakes worthwhile areas of work but could have a bigger influence on service development and should have a greater focus on outcomes that will lead to improvement. It is necessary to ensure that the Committees work makes a positive contribution to the lives of people living in Gedling and focuses on issues where their role as 'critical friend' can assist service areas to improve. There is some lack of engagement of Members monitoring the day to day performance of the Council in delivering services and looking at issues in-depth to look for ways to bring about improvement. Members considered they were sometimes hampered by a lack of skills to take forward this work and there is a need for opportunities for personal development to assist them with their work on the committee. The working group concluded that improvements could be made and developed the following recommendations to progress change.

5. Recommendations

Overview and Scrutiny Committee Meetings

- 1. That information about the roles and responsibilities of becoming a Councillor should be available for prospective Councillors.**
- 2. That comprehensive training is available for all Overview and Scrutiny Committee Members, but in particular new members, to ensure that they**

fully understand their role on the Committee and which will assist them when questioning representatives.

3. A reduction in the number of members of the Committee should be considered.
4. Committee meetings are managed more effectively. Agendas should not include too many items and meetings should be kept to the appropriate time of two hours.

Work Programme

5. That a streamlined/simplified way to monitor performance is developed.

Working Groups

6. That a template for the selection of topics for review is introduced.
7. That the role and responsibilities of becoming working group chair are defined.

Public Involvement

8. Mechanisms to increase the level of engagement and participation with the Youth and Elders Council and the wider public are improved. A guide to scrutiny which explains the role of the Overview and Scrutiny Committee for members of the public should be developed; this should also include a form which could enable topic suggestions for examination to be put forward.

The Communities and Local Government Select Committee – The Effectiveness of local authority overview and scrutiny. First report 2017-2019

9. Revision of the current reporting mechanisms for the Overview and Scrutiny Committee should be considered.

Overview and Scrutiny Review Scoping Report

Review Title: Effective Scrutiny Working Group

Chair of the review group: Councillor Paling

Working Group members: Councillors Lawrence, Doyle, Miller, Parr and Poole

Portfolio Holder: Cllr.

Corporate Director: Helen Barrington, Director of Organisational Development and Democratic Services.

Lead Officer: Helen Lee

Reason for the review

To evaluate the effectiveness of the Overview and Scrutiny Committee work programme, explore ways to improve the impact of the scrutiny function and how to increase Member engagement in the scrutiny process.

Specific focus of the review

How the work of the Overview and Scrutiny Committee can be reviewed and improved to make a difference to local people's lives. This will include:

- How well the committee hold the Executive to account?
- How well the Committee identifies important local issues
- How well the committee finds weaknesses in policy or service delivery?
- The value of, and Member engagement with, the programme of holding the Portfolio Holder to account and the quarterly performance report. Is there a better way to do this?
- How the committee selects issues for, and scopes, reviews. Should these be aligned with Cabinet priorities
- How to increase Member input into developing the work programme
- Expectations of Cabinet and Council – what do they expect from scrutiny?

What we hope to achieve?

Improve the effectiveness of the Overview and Scrutiny Committee's work programme and increase Member engagement in the scrutiny process.

Information required from whom.

Scrutiny Members
 Non scrutiny members
 Senior Leadership Team

How we will get the information.

Discussions with relevant Members and officers.

Public Involvement.

None

Equalities issues.

There should be no adverse effect on the groups which fall within the protected categories as defined in the Equalities Act 2010.

Timescales for the review

Action		Date
Approval from O & S	The formal process prior to commencing the review	17 th July 2017
Drafting the scoping document		11 October 2017
Meeting and evidence gathering meetings		15 th November 2017 19 th December
Drafting the recommendations and report		14 th February 2018
Report to Overview Committee		19 th March 2018
Report to Cabinet		
Response to Overview (within 28 days)		
Six month update		