

For publication

Update on release of Government guidance on scrutiny

Meeting: Overview and Performance Scrutiny Forum

Date: 4 July, 2019

Cabinet portfolio: Governance

Report by: Senior Democratic and Scrutiny Officer

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Purpose of reviewing the topic	<ul style="list-style-type: none">• <i>The DCLG select committee were undertaking a review of scrutiny in local authorities and, as a result, there may have been implications on how Chesterfield runs its' Overview and Scrutiny (O&S) function which needed responsive actions.</i>• <i>To understand members' views on the O&S function and identify areas where improvements were needed.</i>
What are the objectives of the review?	<ul style="list-style-type: none">• <i>Report to members any implications that might affect the O&S function as a result of the DCLG review of Scrutiny.</i>• <i>Carry out a review of the O&S function to identify ways to make improvements.</i>• <i>Agree on new procedures to make the O&S function more effective.</i>
Progress to date	<ul style="list-style-type: none">• <i>The topic was discussed at OPSF on 11 September, 2018 where it was agreed to ask all scrutiny members to complete a scrutiny questionnaire; an update on the progress of the new government guidance was provided.</i>• <i>The results of the questionnaire were presented to OPSF on 1 January, 2019 along with proposed responses to the select committees recommendations subject to the new government guidance being issued.</i>

1.0 **Background**

- 1.1 To coincide with the outcomes of the DCLG select committee review, a review of Chesterfield's O&S function was also carried out. All scrutiny members were asked to take part in questionnaires and discussions were held at scrutiny meetings to determine what was working well and where improvements could be made. Details of actions arising from the review can be found in section 2.
- 1.2 The DCLG select committee report included a series of recommendations that the Government were required to respond to. Not all of the recommendations were accepted however the Government decided to issue new statutory guidance on scrutiny which reflected the findings of the review. This guidance was released in May 2019.

2.0 **Current position and key milestones**

- 2.1 The Democratic and Scrutiny Officers have been working with the Chairs to review the feedback from our scrutiny members and the results of the DCLG review.
- 2.2 The questionnaire feedback from our members showed that information needed to be received in a more structured format to improve the effectiveness of scrutiny meetings. As a result, new practices are being introduced which aim to strengthen the preparations for scrutiny meetings to make the best use of time and resources. This includes two new templates that will be used by officers and cabinet members presenting information to scrutiny:
 - 2.2.1 a **scoping document** (Appendix A) will now be completed for each topic that comes to scrutiny which clearly sets out the purpose, remit,

timescale, methodology and anticipated outcomes of the review;

2.2.2 a **report template** has been designed that focusses the author on the initial scope of the review and prompts the sharing of information that will help scrutiny add value and have an impact.

2.3 The O&S function at Chesterfield is always evolving and our active engagement in East Midlands and Sheffield City Region scrutiny partnerships has demonstrated that our practices are already effective and robust. Nevertheless, there is always room for improvement and, taking a closer look at the new Government guidance, there are a few areas to highlight where additional work may be needed (see section 4). It must be noted that much of the guidance is suggested best practice and down to each local authority to decide on the most suitable approach. As explained on page 5 of the guidance, local authorities should follow the guidance unless there is a good reason not to in a particular case.

3.0 **Barriers/obstacles**

3.1 Much of the Government guidance places the onus on each authority to decide what is best for its own O&S function. Therefore, there needs to be full support from all scrutiny members if changes to the O&S function are required as a result of the new guidance. Scrutiny members have been kept up to date with the development of the guidance and undertaking a review of our own O&S function has meant that many of the new requirements have been pre-empted; it is unlikely that significant changes will be needed now the guidance has been released.

3.2 All scrutiny support officers have joint responsibilities therefore any additional work arising from the O&S function may place additional pressure on officers' time. In the work programming this year, it was decided to limit the number of new scrutiny project groups, which has provided some resilience for new scrutiny work that may arise throughout the year.

4.0 **Future plans**

4.1 Below are some areas which may require further review:

4.2 The executive-scrutiny protocol – this is recommended in the guidance as a tool for managing disagreement. In part 4 of our constitution, the procedural rules of the O&S function are covered in detail and refer to the majority of the points proposed by the guidance. The rules could be revisited to ensure they fully align with the government's guidance.

4.3 Communicating scrutiny's role and purpose to the wider authority – currently the O&S committees report annually to Council through the Annual Report and all scrutiny minutes are submitted to full Council for approval. This presents an opportunity at each full Council meeting to shine a spotlight on key issues that scrutiny is reviewing which could be better utilised.

4.4 Resourcing – CBC has 2.5 FTE democratic and scrutiny officers and 1 FTE senior democratic and scrutiny officer. Whilst these are joint posts, the officers dedicate 50% of their time to scrutiny support. However, scrutiny also has the provision to seek ad hoc external support where expertise outside the council is required, a resource which is currently under-used.

4.5 Training for committee members – the scrutiny questionnaire and the new guidance both support the

need for ongoing scrutiny training. The scrutiny induction was redesigned to focus more on equipping members with the skills needed to carry out scrutiny work and, to further support members, yearly refresher training will be offered. In addition, scrutiny has an important role in identifying member development needs and can make recommendations to the member development working group.

4.6 Access to information from external organisations – this is often an O&S power that is overlooked. The guidance refers to a “following the council pound” approach; this is when O&S committees scrutinise organisations that receive public funding and is an effective way of carrying out external scrutiny. A good example of how this could work was in 2018 when scrutiny members wanted to understand how council funding was used by charitable organisations to support local residents; this resulted in two voluntary organisations, the Law Centre and Derbyshire Unemployed Workers Centre, being invited to attend a scrutiny meeting.

4.7 Evidence sessions – similar to the appreciative inquiry, these are a method for undertaking scrutiny work over a shorter period by holding one long session to gather evidence; the findings are then drawn together at the end of the session or in a short follow up session. A topic would need to be carefully selected for this method however it is another option to consider when carrying out scrutiny work.

5.0 **Conclusion**

5.1 The guidance is a useful document for all scrutiny members to read and is available at the link below:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800048/Statutory_Guidance_on_Overview_and_Scrutiny_in_Local_and_Combined_Authorities.pdf

5.2 In addition, the Centre for Public Scrutiny have released a “Good Scrutiny Guide” which is based on the guidance and provides further insight into carrying out effective scrutiny, the link to this guide is below:

<https://www.cfps.org.uk/wp-content/uploads/CfPS-Good-Scrutiny-Guidev2.pdf>

6.0 **Suggested scrutiny activity**

6.1 Members are asked to consider and comment on the suggested further areas for review.

6.2 Members are also asked to note the options for undertaking different types of scrutiny work and consider these during the year as ways to vary the approach taken to scrutinising topics.

Document information

Report author	Contact number/email
Rachel Appleyard	01246 345277
Background documents	
These are unpublished works which have been relied on to a material extent when the report was prepared.	
<i>This must be made available to the public for up to 4 years.</i>	
Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities	
Good Scrutiny Guide by the Centre for Public Scrutiny	
Appendices	
Appendix A – Scoping template for scrutiny topics	