



## **SCRUTINY COMMISSION – 3<sup>RD</sup> SEPTEMBER 2008**

### **REPORT OF THE CHIEF EXECUTIVE**

### **REVIEW OF SCRUTINY AND PROPOSED ACTIONS**

#### **Purpose**

1. The purpose of this report is to set out the findings of the review of scrutiny arrangements within the Council and the response thereto.

#### **Background**

2. The review was conducted by Steve Nicklen of the Local Government Leadership Centre and Jessica Crowe of the Centre for Public Scrutiny. The review was commissioned following the County Council meeting in September 2007 when it was agreed that the Overview and Scrutiny activities of the Council merited further development to enable it to make a greater contribution to the Council's work. The findings of the review are attached as Appendix 1 of this report.

#### **Review Findings and Discussions**

3. Following receipt of the review findings discussions took place involving:-
  - The Chairman and Spokesmen of the Scrutiny Commission on 9<sup>th</sup> June;
  - The Chairman and Spokesmen of the Scrutiny Commission together with Chairmen and Spokesmen of all Scrutiny Committees on 18<sup>th</sup> June. Jessica Crowe and Steve Nicklen were invited to this meeting.
  - The Chairman and Spokesmen of the Scrutiny Commission on 26<sup>th</sup> June;
  - The Chairman and Spokesmen of the Scrutiny Commission and the Leader of the Council on 18<sup>th</sup> July.

The outcome of these discussions are included in the table which is set out at Appendix 2 to this report.

## Action Points

4. Arising from the above discussions the following actions have been taken or are proposed in response to the recommendations of the review:-

**Recommendation 1      The Council renews its action to co-ordinate scrutiny activity with the Borough and District Councils**

### Action to be taken/To be taken

- a) The Chairman of the Commission to write to all District Chairs inviting them to be involved in the County Scrutiny process on the same basis as suggested in 2005. **(September 2008)**
- b) Further discussions to be held by the Scrutiny Reference Group and Chairmen of Scrutiny Committees on the merits and practicalities (e.g. timing) of holding an annual meeting with all District Scrutiny Chairs to share experiences and discuss future work programmes. **(October 2008)**

**Recommendation 2      Council adopt one of the two options below (or another mechanism that it feels appropriate to LCC) to involve scrutiny even earlier in a constructive approach to formulating and challenging the Medium Term Financial Plan**

- (a) A specialised task group**
- (b) Committees hold a series of sessions, individually and jointly, throughout the year**

### Action taken and to be taken

- a) The Commission has received an early indication of potential areas of efficiency savings **(July 2008)**;
- b) Scrutiny Committees and the Commission to be asked to meet in workshop settings in **October/early November** consider service pressures (both increased demands and efficiencies);
- c) Seminar/Workshop **(in late November/early December)** involving all members to consider:-

- i) Key Challenges/Priorities for the Council (which will be focused on the SCS/LAA Delivery Plans) and investments necessary to ensure delivery;
  - ii) Efficiencies
  - iii) Performance Data
  - iv) Budget Context
    - Service Pressures
    - Current issues which will impact on the budget e.g. fuel costs; wage settlements.
- d) Scrutiny Reference Group to review the new Performance Management Framework currently being developed which will, in future, link financial and performance data and consider how best this might support the scrutiny process in its performance management role and in scrutiny of the budget in future years **(March 2009)**

**Recommendation 3      Group leads on the Scrutiny Commission enact scrutiny committees meetings after the AGM to develop their work programmes and that the Scrutiny Commission should have a role in co-ordinating these to avoid duplication and manage resources, and that further options should be examined for further involving scrutiny in policy development.**

Action taken and to be taken

The regular meetings of Chairmen and Spokesmen should ensure that scrutiny is focussed on the key issues and alternative means (to meetings) are used to provide background briefings. The Job Descriptions for Scrutiny Chairmen and Spokesmen have been amended to provide a greater focus on this aspect of their role. The workshops to be arranged [Recommendation 2; Action Point (a)] will assist in this process.

The Guide to establishing Panels has been revised and Chairmen and Spokesmen are requested to be more rigorous in assessing the need for and scope of review panels so that the use of significant member and officer resources required for such activity can be justified.

**Recommendation 4**      **Members involved in O&S should seek more systematically to prepare themselves for committee panel meetings.**

Action taken and to be taken

Chairmen and Spokesmen need to ensure that their members are properly briefed and have prepared for the meeting. Job Descriptions of Chairmen and Spokesmen have been amended to reflect this.

**Recommendation 5**      **Scrutiny Commission lead all Scrutiny Committees and Panels in looking for ways of both increasing external perspectives on their work and involving the public more in it, and that the Council start to develop its approach to implementing Councillor Call for Action.**

Action taken and to be taken

Work is in hand to produce a Scrutiny page on the Council's website which will seek to inform the public of scrutiny investigations being undertaken or planned. Further investigations need to be undertaken on the practicability of webcasting scrutiny meetings. Consideration will include the cost (both capital and ongoing revenue and additional staffing costs) and implications for witnesses, of web-casting scrutiny meetings; **(October/November 2008)**

The Witness Protocol has been revised to make it more user-friendly. Scrutiny Chairmen and Spokesmen and Scrutiny Review Panels will need to be clear as to reasons for inviting witnesses and what is expected of them. They should also ensure sufficient time is allowed for witnesses to prepare themselves; **(On-going Action by Chairmen, Spokesmen and Review Panels)**

Greater use will be made of the 'Have your Say' section of the website. However, any proposals for consulting the public should be clearly thought through to ensure such consultations are necessary and focussed. Care should also be taken to avoid the pitfalls of consultation overload. Consideration should also include whether the information sought can be obtained by means other than questionnaires and surveys. **(on-going)**

The Scrutiny Reference Group will consider how best to respond to the requirements of the Councillor Call for Action once regulations have been issued. **(October/November 2008)**

The Constitution Committee will be considering proposals to amend the Standing Orders of the Council to conform to the Government's response to the Local Petitions and Calls for Action consultation. **(September 2008)**

**Recommendation 6**      **Scrutiny Chairs take a consistent lead in managing agendas actively and in ensuring that all committee and panel members ask appropriate questions at meetings.**

Action taken and to be taken

See responses to Recommendation 3, 7, and 8.

**Recommendation 7**      **All members involved in O&S seek opportunities to improve their questioning skills.**

Action taken and to be taken

A copy of the CfPS Guide to Forensic Questioning has been circulated to all members. In addition Scrutiny members are provided with checklist of issues to consider when challenging the contents of reports. Greater use needs to be made of these. **(on-going)**

Further member training will need to be provided particularly to new members following the elections in 2009. **(July/August 2009)**

**Recommendation 8**      **Training sessions be made available for Scrutiny Chairs, on the one hand, and for all members involved in O&S, on the other hand, to enable them to re-examine their respective roles, to identify the skills they need to carry these out effectively and to develop these skills.**

Action taken and to be taken

The question of specific training for Scrutiny Chairmen and Spokesmen will need to be addressed by the Member Learning and Development Working Party in the context of the training requirements of the new Council; **(November 2008 for implementation after the elections)**

**Recommendation 9**      **Scrutiny Commission should keep under annual review the effectiveness of committees and panels.**

Action taken and to be taken

The Chairmen of Overview and Scrutiny Committees will be asked to report on the performance of Committees to the Scrutiny Reference Group annually. This will form the basis of the Annual Report to the Council. **(March – May each year)**

Committees will consider the effectiveness of Review Panels when receiving their final report. **(on-going)**

Group nominees evaluate the effectiveness of Chairman and Spokesmen of Scrutiny Committees. **(On-going and at least on an annual basis)**

**Recommendation 10**      **The Leader and the Chief Executive look for early opportunities to reiterate the importance they attach to O&S and to the Administration's and organisation's consistently constructive support for it, for example, at corporate induction sessions.**

Action taken and to be taken

The role of scrutiny will be emphasised in corporate induction sessions on political processes. **(on-going)**

**Recommendation 11**      **The relevant Chairs and Spokesmen be informed periodically about follow-up to committees' and panels' recommendations.**

Action taken and to be taken

Review Panels and Scrutiny Committees will agree a timetable for progress reporting when the findings are presented and ensure that timetables are adhered to. **(on-going)**

**Recommendation 12**      **Scrutiny Committees play a greater role in performance management (added at request of Scrutiny Reference Group).**

### Action taken and to be taken

Scrutiny Reference Group to review of the new Performance Management Framework currently being developed which will, in future, link financial and performance data and consider how best this might support the scrutiny process in its performance management role and in scrutiny of the budget in future years (**March 2009**) – see **recommendation 2 above**

### Resource Implications

5. The cost of implementation to date has been met from within existing resources. Further work needs to be undertaken on a number of issues particularly training of members and publicising scrutiny activity which could incur additional costs but these have yet to be determined.

### Equal Opportunities Implications

6. None specifically but the overall aim of the review was to improve the scrutiny process and in doing so ensure the Council is focussing on the key issues affecting the residents of Leicestershire.

### Environmental Implications

7. None specifically.

### Recommendations

8. The Commission is asked to note the action taken and proposed in response to the finding of the review of scrutiny arrangements in Leicestershire.

### Background Papers

Attached reports on the outcome of the review and post review discussions.

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