

Democratic renewal:  
Overview and Scrutiny

## **Leicestershire County Council**

ACTION PLAN



**DISTRICT AUDIT**

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<b>Reference:</b>	lccoverviewscrutinyactionplanAppendix20 - Draft
<b>Date:</b>	22 October 2003 SW/SJ

Page	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
5	R1 Scrutiny Committees to consider the range of approaches open to them as part of planning work on policy issues.	3	Chairmen and Spokesmen	Yes	<p>Chairmen and Spokesmen are being urged to be proactive about keeping in touch with service developments. The Practical Guide to Overview and Scrutiny identifies ways of obtaining information and planning scrutiny meetings. The job descriptions for scrutiny chairmen and spokesmen emphasise the importance of proactive management of the scrutiny process e.g. by holding regular meetings with Chief Officers, using available sources of data to judge performance and having regard to views expressed by service users, the public, other service providers and to any recurring issues raised with members in their representational role.</p> <p>Chairmen and Spokesmen should make more use of the outcomes of any external examinations of the Authority, best practice elsewhere. They should also consider whether there is merit in inviting appropriate experts to assist in respect of a particular issue before the Committee.</p>	Action already taken by the issuing of job descriptions. Further action to be taken to emphasise these issues through a meeting with Chairmen and Spokesmen after budget process and before the beginning of the next financial year.

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5	R2 Council to consider whether there is scope for a more active role in policy development for the overview and scrutiny function, in line with the constitution.	2	Scrutiny Reference Group and the Leader of the Council	Yes	<p>Article 6.03 sets out the specific functions of overview and scrutiny committees and enables them to engage in policy development and review by undertaking in-depth analysis of policy issues.</p> <p>In practice it should be recognised that the Executive has the responsibility and would be expected to take the lead in the area of policy development and that any decision by Scrutiny to undertake such work should take into account other initiatives such as Best Value Reviews and commitments in the Public Service Agreement.</p> <p>Any policy review/development programme needs to be the subject of on-going dialogue between Scrutiny and the Executive to avoid duplication and take into account the key priorities for the Council. However, there should be a recognition that resources must be adequate to allow examination of some service areas identified by Scrutiny which may not be considered a priority by the Executive</p> <p>Scrutiny Committees are always consulted on the major plans which form the Policy Framework prior to their adoption and therefore have an opportunity to influence the contents of such plans.</p>	Discussions to take place with Leader of Council

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5	R3 Council to regularly review the arrangements for call in to ensure that limiting call in powers to key decisions is not restricting the ability of overview and scrutiny to hold the executive to account.	1	Chief Executive and the Constitution Committee	Yes	<p>The call-in procedure has not been used as most, if not all, major proposals put forward by the Cabinet have been the subject of prior comment/consultation. In addition there are other more appropriate means particularly for opposition groups to register their concern for example by way of a notice of motion or simply by asking to consider an item which has been considered by the Cabinet without delaying implementation.</p> <p>The provisions in the Constitution relating to call in will be reviewed as part of an annual process through the Constitution Committee. In particular the 'call in and urgency' provisions have already been identified as requiring amendment.</p> <p>Scrutiny Committees to be reminded that they can ask for any decision of the Cabinet to be the subject of a report to the Committee without invoking the call in procedure.</p>	June 2004

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5	R4 Council to define the role of overview and scrutiny of external bodies as part of its work in developing its community leadership role.	3	In the first instance the Chairmen and Spokesmen of Scrutiny Committees  Co-ordination by the Scrutiny Reference Group.	Yes	<p>The Constitution currently allows scrutiny bodies to review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee about their activities and performance.</p> <p>Scrutiny Committees could also be more proactive in inviting Cabinet members, other members, Officers, who are appointed as County Council representatives on external bodies to attend to assist them in their deliberations</p> <p>The Commission has identified scrutiny of specified external bodies as an early piece of work in its work programme</p> <p>Scrutiny Committees to be asked to identify those external bodies they wish to scrutinise. The information gathered in the partnership mapping exercise may provide a useful reference point.</p> <p>The Scrutiny Commission and/or the Scrutiny Reference Group to agree the scope of any reviews so as to ensure duplication is avoided and the terms of reference are appropriate. Scrutiny of external bodies will by necessity need to be handled sensitively in order that the bodies concerned will remain willing to submit themselves to scrutiny in the future.</p> <p>Practical difficulties encountered in this area of work should be drawn to the attention of the Scrutiny Reference Group as the committees gain more experience.</p>	Action to be taken to emphasise these issues through a meeting with Chairmen and Spokesmen after budget process and before the beginning of the next financial year.

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5	R5 Overview and Scrutiny function to consider the possibility of involving external representatives in pieces of work as part of work planning.	3	Officers and Scrutiny Chairmen and Spokesmen	Yes	<p>The job description makes reference to the possibility of involving external representatives.</p> <p>The five member panels have already involved external 'experts' to assist in their work – headteachers, governors, trade unions, waste management consultants etc.</p> <p>Greater use could be made of findings of general reviews/studies undertaken by external bodies e.g. Audit Commission, Ofsted etc and to consider how the Authority's policies fare in relation to the key findings.</p> <p>Work is in hand to involve the voluntary sector in identifying appropriate persons to assist scrutiny bodies. On a case by case basis work to be undertaken on identifying outside 'experts' who may be called upon to advise Scrutiny bodies on issues being put to them.</p> <p>As part of the agenda planning process Chairmen and Spokesmen should seek to identify, at an early stage, those issues likely to be considered by the Committee where the views of an external expert may be appropriate/helpful.</p>	Action taken by the issuing of job descriptions. Further action to be taken to emphasise these issues through a meeting with Chairmen and Spokesmen after budget process and before the beginning of the next financial year.

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7	R6 Scrutiny Commission to engage members in a discussion about the nature and levels of officer support needed to carry out work programmes.	3	Scrutiny Chairmen and Spokesmen	Yes	<p>Discussions on this issue have taken place on a number of occasions at the Scrutiny Commission and Scrutiny Reference Group. The view has been that a case has not been made out for exclusive officer support for scrutiny and that there are strengths in the current arrangements. Further discussion has taken place in the Reference Group and the Commission in response to the Recommendation. It is not proposed to change the overall approach to officer support.</p> <p>Scrutiny Chairmen and Spokesmen will be asked to review their existing work programmes and advise the Scrutiny Reference Group of work they wish to undertake in the forthcoming municipal year. A discussion can then be held on the priorities to be accorded to the requests received and the appropriate level of staff resources determined</p> <p>Particular consideration will be given to increasing the support available to respond to the Health Scrutiny role – this will be clearer when structures are settled.</p> <p>(See also response to Recommendation 5)</p>	<p>Initial discussion at SRG. Then a meeting with the Chairmen and Spokesmen of Scrutiny Committees after budget process and before the beginning of the next financial year. Scrutiny Committees will be asked to undertake review of their work programme. SRG to then consider these further before the start of the municipal year</p>

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8	R7 Scrutiny Reference Group and Commission to consult with members and with the Executive on the potential to reduce the emphasis on overview and scrutiny being requested to comment on plans and strategies.	2	Scrutiny Chairmen and Spokesmen	Yes	<p>The Chairmen and Spokesmen have been asked to ensure that they are familiar with the general nature and content of plans and strategies within the Policy Framework as set out in Schedule 2 of the Articles to the Constitution which are of particular relevance to the work of the Committee and consider how scrutiny of these plans can most effectively be undertaken through adopting a selective approach. Where possible issues should be considered in advance of plans themselves coming forward. In some cases it may be appropriate when reviewing progress to identify issues to be included in any future roll forward of the Plan. (Guidance Notes and Job Descriptions reinforce this point).</p> <p>The Chairman and Spokesmen should following discussions with the Chief Officer and Cabinet Lead Member (as appropriate) identify the key plans that would warrant detailed scrutiny and those where scrutiny involvement could be limited or not required. More effective detailed planning can then be undertaken.</p>	Action already taken by the issuing of job descriptions. Further action to emphasize this will take place after the budget process and completed in time for the next municipal year
8	R8 Scrutiny Reference Group and Commission to reiterate the availability of the checklists for considering and challenging reports.	2	Scrutiny Committee Officers  Chief Executive/ Deputy Leader	Yes	<p>This has been done – referred to in the job description</p> <p>Arrangements will be made for a copy of the checklist for challenging the contents of reports to be circulated with each agenda to Committee members.</p> <p>At future training events the opportunity will be taken to draw attention to these.</p>	Action taken  To be arranged.



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8	R9 Include sessions on questioning skills in any future training in overview and scrutiny.	2	Chief Executive/ Deputy Leader	Yes	Discussions have commenced with members with a view to establishing a more co-ordinated approach to member training. This issue will be addressed as part of this process.	.
8	R10 Committee chairs to experiment with assigning responsibility for reading reports, researching topic areas and developing questions to individuals or groups of members.	1	Scrutiny Committee Chairmen and Spokesmen	In Part	The Scrutiny Reference Group have considered this issue and concluded that, whilst this option may be attractive in theory, there are serious practical difficulties with such an arrangement other than through the five member panel arrangements.  Scrutiny Chairmen and Spokesmen be asked to consider whether such an arrangement is appropriate and how it might be developed.	
8	R11 Scrutiny Commission and Reference Group to ensure that the range of possibilities for facilitating public/stakeholder involvement in reviews is undertaken as part of the work planning process.	1	Scrutiny Committee Chairmen and Spokesmen	Yes	Public involvement through the questions and petitions procedure is in place. Five Member Panels have sought the views of appropriate stakeholders. Further action could include:-  If appropriate Committees holding meetings away from County Hall.  Making greater use of the internet and giving publicity in local newspapers and through Leicestershire Matters to any major reviews being conducted or planned by scrutiny committees or panels which would warrant public involvement.  In consultation with the Executive undertake research or consultation on particular issues.	

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9	R12 Overview and Scrutiny Committees to continue to experiment with non traditional methods of reporting.	2	Scrutiny Committee Chairmen and Spokesmen	Yes	Scrutiny Chairmen and Spokesmen should consider the merits of alternative methods of presentations as part of the agenda planning process. The job description requires chairmen and spokesmen to identify ways of reporting issues to stimulate debate.  Use of site visits and other methods identified in R1 will assist with this process.	Training Issue/Action taken.
9	R13 Overview and scrutiny committees and 5 member panels to ensure that where appropriate their work results in clearly defined recommendations and suggestions for how progress will be monitored.	1	Scrutiny Panel Chairmen  Scrutiny Committee Chairmen and Spokesmen	Yes	In practice scrutiny committees receiving reports for five member panels have received reports on progress at subsequent meetings. This practice could be formalised.  Scrutiny review panels will be asked to ensure that the final report addresses the issues identified in their original brief and sets out clearly the outcomes which the panels wish to be achieved and proposals for monitoring progress – the guidance notes will be updated and re-issued. The job description emphasises the importance of this.	Action taken.

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9	R14 Council to ensure that overview and scrutiny's role within the performance management system is clearly defined.	2	Scrutiny Committee Chairmen and Spokesmen	Yes	<p>Further discussions to take place to identify other methods of scrutiny of performance management which are likely to engage the interest of scrutiny members.</p> <p>Presentation to be made to the Scrutiny Commission and Committees on the Corporate Performance Management Framework.</p> <p>Progress against the targets and commitments in the MTCS, BVPP and Community are reported twice yearly in Nov /May</p> <p>The intention is to report progress against the action plan and targets for the PSA on a six monthly basis;</p> <p>Chairmen and Spokesmen of Scrutiny Committees are provided with the relevant Departmental Service Plans to enable them to identify possible areas for further scrutiny.</p>	<p>Discussions through the SRG as reports emerge</p> <p>To be arranged after the budget process. Action taken</p> <p>Nov/May</p> <p>Action taken</p>
11	R15 Council and its partners to consider the audience for health scrutiny reports, arrangements for public involvement and progress checking as part of work planning.	3	Health Scrutiny Committee	Yes	This issue will be addressed as part of the development of the Health scrutiny structure	Action being taken