



## Report to Overview & Scrutiny Management Committee 24<sup>th</sup> September 2014

**Report of:** Director of Policy, Performance and Communications

**Subject:** Scrutiny Review – Progress Report

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### Summary:

During 2013/14 a review of the Council's Scrutiny function was undertaken, with the aim of improving the impact and effectiveness of scrutiny.

This report outlines progress on implementing the review's recommendations.

**Type of item:** The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	
Other	<b>x</b>

### The Scrutiny Committee is being asked to:

- Consider and comment on progress made in implementing the review's recommendations.
- Consider ways in which we can ensure the recommendations of the review are embedded in our scrutiny processes
- Identify areas for further work.

**Category of Report:** OPEN

# **Report of the Director of Policy, Performance & Communications**

## **Scrutiny Review**

### **1. Context**

1.1 During 2013/14 a review of the Council's Scrutiny function was undertaken, with the aim of improving the impact and effectiveness of scrutiny. The scope of the review was to:

1. Ensure scrutiny is a valued part of local governance
2. Build a shared understanding of the role of scrutiny
3. Influence policy making and support work across the council
4. Be more outward facing and complement work to strengthen local voice and community leadership
5. Look and feel better, performing a credible function which focuses on the right things and makes a difference.

New ways of working were agreed, including the development of a more rigorous approach to work planning and prioritisation; greater engagement with the public and service users in Scrutiny; and strengthening outcome focussed Scrutiny of city-wide issues. The composition of the Overview and Scrutiny Management Committee (OSMC) was also altered to reflect the political balance of the Council, and enable it to fulfil its role as outlined in the Council's constitution.

OSMC is the body with responsibility for leading development of the scrutiny function, and as such, progress on implementing the actions resulting from the Scrutiny review will be reported to it.

### **2 Why is this important?**

2.1 Since Cabinet governance was introduced by the Local Government Act 2000, Councils have been required by law to operate a Scrutiny system. Scrutiny is an essential part of ensuring that Local Government remains effective and accountable - Scrutiny ensures that the Executive (either collectively as Cabinet or individually) is held accountable for their decisions; that their decision-making process is clear and accessible to the public; and that there are opportunities for the public and their representatives to influence and improve public policy.

The Council's Overview and Scrutiny function plays a vital role within the Council by reviewing issues of local concern, examining existing policies and practices and making recommendations to Cabinet and external bodies on matters which affect the City and its residents.

- 2.2 The importance of having an effective and challenging scrutiny function has been highlighted recently in high profile reports.
- 2.3 The Independent Child Sexual Exploitation Report in Rotherham stated that scrutiny is an essential part of Cabinet government, in reassuring the public that genuine accountability is being exercised. The report was critical of some aspects of the Scrutiny process in Rotherham and said that “It is important that councillors test proposals by reference to their broad experience and their knowledge of the Borough and their own constituents. There should be nothing threatening about this; good officers should welcome challenge as a central part of local democracy”.
- 2.4 The Francis Report into the Mid Staffordshire NHS Foundation Trust scandal was critical of local Scrutiny Committees in their failure to challenge performance, pro-actively seek information and solicit information from the public; and lack of clarity over where responsibility for scrutinising specific areas and institutions lay. The report acknowledged that Councillors can’t be experts in all areas they are scrutinising, but said that Councillors should “be expected to make themselves aware of, and pursue, the concerns of the public who have elected them”.
- 2.5 One of the common themes from these national reviews is the importance of Scrutiny in looking not solely at Council services, but taking a view on the way in which the wide set of public agencies operating in a place work together to deliver outcomes for the residents of that place. Therefore, Scrutiny is becoming more and more about using the democratic mandate that Councillors have to hold the wider public sector (and private and voluntary agencies working on behalf of the public sector) to account, as well as the Council. This marks a substantial change in the way in which Scrutiny committees are expected to act.
- 2.6 Whilst we are able to evidence much good practice in our scrutiny work, implementing the recommendations of the Scrutiny Review and identifying further areas for improvement will ensure that we strengthen scrutiny to the benefit of all parts of the Council, and the people of Sheffield.

### **3 Progress on the Scrutiny Review Action Plan**

#### **3.1 Ensure scrutiny is a valued part of local governance**

- 3.1.1 A more robust approach to work planning was recommended as part of the review, and Members agreed to hold a work planning event to look at Scrutiny’s work plan for the year ahead across all committees. Originally envisaged as a work planning event led by the OSMC, this year the practicalities and timings of officer and member availability made arranging a single event difficult. Furthermore there was a desire from Members for each Committee to work up its own work programme before reporting to the OSMC, where gaps, opportunities for joint

working and cross cutting city wide issues for scrutiny will be identified. In order that all Members had an opportunity to suggest possible in-depth review topics for any of the committees, there was an email consultation exercise with members. Suggestions were discussed with Committee Chairs and helped to inform individual work programmes. The proposed work programme is on the agenda for today's meeting

- 3.1.2 In addition, quarterly meetings have been set up between Scrutiny Chairs with Executive Directors and Cabinet Members. This will support effective work planning, prioritisation and timing, ensuring that Scrutiny is looking at the most important things, and able to react to emerging issues.

### **3.2 Build a shared understanding of the role of scrutiny**

- 3.2.1 Communication materials will be reviewed, particularly Scrutiny's web presence. This will include signposting other relevant scrutiny bodies such as the Sheffield City Region Combined Authority Scrutiny Committee and the South Yorkshire Police and Crime Panel.

- 3.2.2 Members identified that there may be a disconnect between issues at ward level and the topics discussed at Scrutiny. We will therefore consider how to make stronger links with Local Area Partnerships to feed issues of concern into the scrutiny process.

- 3.2.3 Role profiles for Scrutiny Chairs will be updated to reflect the current requirements of the role.

### **3.3 Influence policy making and support work across the council**

- 3.3.1 A set of selection criteria has been developed for scrutiny topics, to help guide scrutiny committees when considering items to include in work programmes – see appendix 1. The Policy and Improvement Officers supporting Scrutiny will work with Chairs to ensure that these selection criteria are used effectively to support prioritisation for the individual committees.

- 3.3.2 The most appropriate way to assist each piece of scrutiny work in terms of support from services will be assessed through the resources section of the project mandate (see point 3.5.1). We have trialled having lead services play a much more central role in the scrutiny process over the last year (e.g. in the Cycling Review) and this was successful. However, this is unlikely to be appropriate in every case – officers will discuss this with the relevant chair at the start of any piece of scrutiny work.

### **3.4 Be more outward facing and complement work to strengthen local voice and community leadership**

We will further explore approaches to enhancing public involvement in scrutiny. This will involve building on methods that have already been used successfully, as well as considering new approaches:

- greater engagement with the public and service users in scrutiny activity e.g. as “expert witnesses”
- more “user friendly” ways of involving the public and involvement in formal meetings – such as the online survey used successfully in the cycling inquiry
- greater use of digital opportunities for Scrutiny to engage with the public – such as an invitation on the web pages to email in suggestions for scrutiny work programmes
- ways for the public to be involved in making suggestions for topics as part of the annual work planning process. This could include inviting the public to suggest ideas for the work programme, along with using information collected by services and councillors about concerns with policy and service delivery
- options for taking scrutiny to the public as opposed to expecting the public to come to scrutiny through holding more Scrutiny activity away from the Town Hall – such as the recent Scrutiny Committee held at St Luke’s Hospice

### **3.5 Look and feel better, performing a credible function which focuses on the right things and makes a difference.**

- 3.5.1 A “project mandate” tool has been developed to outline the aims, objectives and timescales of in-depth or short term scrutiny reviews (see appendix 2). This includes how to draw on relevant ‘expertise’ from within and outside the Council.
- 3.5.2 In planning Scrutiny activity, the most appropriate format will be selected ie briefing notes, agenda item, whole agenda item, short terms review or in depth investigation.
- 3.5.3 A set of measures to assess the outcomes and process of scrutiny are being developed to answer the question ‘is scrutiny adding value?’
- 3.5.4 This will include;
- An assessment by officers of whether scrutiny is meeting its statutory requirements. This will simply provide a ‘yes’ or ‘no’ against each of the statutory duties.
  - Better tracking of the implementation of recommendations made by the Committees and the actions related to each Committee. This will provide quantative data.
  - The impact of scrutiny will **be** assessed by looking at the perception of Members. This will be done through a survey and provide both quantative and qualitative information.
- 3.5.5 The measures will be used at varying levels of detail by the service; Scrutiny Chairs; Scrutiny Committees; Overview and Scrutiny Management Committee; reported to Council; and reported nationally to the Centre for Public Scrutiny

- 3.5.6 The Overview and Scrutiny Management Committee was appointed as a politically proportionate Committee at this year's Council AGM. It will identify areas for joint working across Committees as well as any gaps. It will have regular oversight of the work of the scrutiny committees, and sign off the 6 month and annual scrutiny reports to Council.
- 3.5.7 Plans are underway for Member development session on questioning styles. Further Member development sessions will be arranged as resources allow, and as Members and the OSMC identify areas of interest.

#### **4 What does this mean for Scrutiny Committees?**

In embedding the recommendations of the review across our scrutiny processes, scrutiny will have the tools to:

- fulfil its role as set out in the Council's constitution
- select appropriate and timely issues for scrutiny
- take a structured approach to planning scrutiny reviews
- further involve members of the public in scrutiny work where appropriate
- understand and measure the impact and effectiveness of scrutiny work.

#### **5 What does this mean for the OSMC?**

The Scrutiny Review extended the role of the OSMC. Its key tasks will be to:

- Take an overview of the scrutiny committee work programmes, identifying gaps and opportunities for joint working as well as cross cutting city wide issues for scrutiny
- Develop its own work programme
- Lead on scrutiny of corporate and whole city issues
- Lead on the development of the scrutiny function

The OSMC, working alongside Policy & Improvement Officers, will be the lead body for taking forward the recommendations of the Scrutiny Review, and will receive regular updates on progress.

#### **6 Recommendation**

The Committee is asked to:

- Consider and comment on progress made in implementing the review's recommendations.
- Consider ways in which we can ensure the recommendations of the review are embedded in our scrutiny processes
- Identify areas for further work.

## Selecting Scrutiny topics: v00.06

This tool is designed to assist the Scrutiny Committees focus on the topics most appropriate for their scrutiny.

- **Public Interest**  
The concerns of local people should influence the issues chosen for scrutiny;
- **Ability to Change / Impact**  
Priority should be given to issues that the Committee can realistically have an impact on, and that will influence decision makers;
- **Performance**  
Priority should be given to the areas in which the Council, and other organisations (public or private) are not performing well;
- **Extent**  
Priority should be given to issues that are relevant to all or large parts of the city (geographical or communities of interest);
- **Replication / other approaches**  
Work programmes must take account of what else is happening (or has happened) in the areas being considered to avoid duplication or wasted effort. Alternatively, could another body, agency, or approach (e.g. briefing paper) more appropriately deal with the topic

### Other influencing factors

- **Cross-party** - There is the potential to reach cross-party agreement on a report and recommendations.
- **Resources**. Members with the Policy & Improvement Officer can complete the work needed in a reasonable time to achieve the required outcome(s)





<b>Scrutiny Project Mandate Template (v00.01)</b>			
<b>Review topic:</b>	<i>Please state the topic / title of the review.</i>		
<b>Length of review</b>	In-depth (6-9 months) <input type="checkbox"/>	or, Short term (up to 3 months) <input type="checkbox"/>	
<b>Start date</b>		<b>End date</b>	
<b>Lead committee</b>	<i>If a joint review please list all Committees / Chairs involved.</i>	<b>Committee Chair</b>	
<b>Reasons for selecting this topic</b>			
<i>Please give a brief overview of the analysis of this topic against the selection criteria (PAPER) including any additional feedback from the OSMC planning meeting / Scrutiny Committee/s.</i>			
<b>Aim/s of the review</b>			
<i>Please briefly list the aim/s of the review i.e. what you are trying to achieve</i>			
<b>How will you carry out the review</b>			
<i>Please describe the approach you will use e.g. call for evidence, desktop research, meeting key stakeholders, visits etc.</i>			
<b>Outcomes &amp; impact</b>			
<i>Please state what you think will be the likely outcomes of the review and the potential impact.</i>			
<b>Links to other areas of work</b>			
<i>Please list any links to other work either within or outside the Council and say how you will manage them.</i>			
<b>Public involvement</b>			
<i>Please state how the public will be involved in this review e.g. expert witnesses / meeting locations</i>			
<b>Resources</b>			
<i>Please state the resources required to support the review e.g. time of Members, Policy &amp; Improvement Officer, other Council / non Council Officers / small budget for meetings etc.</i>			
<b>Date of Task &amp; Finish Group meeting:</b>			
<b>Any other feedback from the meeting</b>			
<i>Please include any other comments / suggestions made at the meeting.</i>			

