

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

**COMMUNITY SCRUTINY COMMITTEE – WEDNESDAY, 10
FEBRUARY 2021**



Title of Report	FUTURE WORK PROGRAMMES	
Presented by	Strategic Director of Housing & Customer Services	
Background Papers	Agenda, reports and minutes of the Scrutiny Cross Party Working Group and Strategy Group	Public Report: Yes
Financial Implications	None identified at this stage	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	None identified at this stage	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	Resource implications are identified in paragraph 4.3 of the report	
	Signed off by the Head of Paid Service: Yes	
Reason Agenda Item Submitted to Scrutiny Committee	To provide an update on the position in relation to the scrutiny function following the findings of the corporate peer review last year; and to seek support on some proposals moving forward. This report is being considered by both Scrutiny Committees.	
Recommendations	(1) THAT THE ACTION PLAN OF THE SCRUTINY CROSS PARTY SCRUTINY WORKING GROUP BE NOTED; (2) THAT THE PROPOSED RESOURCE SOLUTION, AS SET OUT IN PARAGRAPH 4.3 BE SUPPORTED, (3) THAT THE PROPOSED SCRUTINY PRINCIPLES, AS SET OUT IN PARAGRAPH 5.1 BE SUPPORTED, (4) THAT THE PROCESS FOR ANNUAL REPORTING AS SET OUT IN PARAGRAPH 6.2 BE SUPPORTED.	

1. BACKGROUND

- 1.1 A corporate peer review which was undertaken early last year concluded the following in relation to the scrutiny function:- *“Continue to improve the scrutiny function. Make it more robust and be seen to be more robust. Explore good practice regarding scrutiny, such as training and make better use of working groups, establishing a forward looking work programme and involve scrutiny early in the decision making progress. This is an area where there has been significant improvement over the last two years with the development of two scrutiny committees with an enhanced number of meetings, however there is recognition that the council needs to support members in understanding their role and maximising the benefits effective scrutiny can bring to the council”.*

- 1.2 A Cross Party Working Group was established in order to manage this piece of work.

The membership of the Group is as follows:-

- Councillor Robert Ashman, Deputy Leader
- Councillor Dan Harrison, Conservative
- Councillor Nigel Smith, Conservative
- Councillor Terri Eynon, Labour
- Councillor Sean Sheahan, Labour
- Councillor Tony Saffell, Independent

2. ACTION PLAN

- 2.1 The Scrutiny Cross Party Working Group has met a number of times and undertaken tasks as shown in the attached Action Plan (Appendix A). This Plan is a live document which is continually monitored and updated.
- 2.2 Some of the actions relate to the management of reports and agenda items and how these may be resourced. With that in mind, a piece of work was undertaken to establish the different categories of scrutiny items and the level of resource required for each of those categories.
- 2.3 It was felt that some of the issues identified could be addressed through training.

3. SCRUTINY TRAINING

- 3.1 The Centre for Governance & Scrutiny (CfGS) was invited to undertake a number of training sessions to help Members better understand the role of scrutiny and to enhance their skills to enable their participation.
- 3.2 CfGS surveyed all Members to gain a better understanding of their views on scrutiny and, following its findings, compiled the following training programme
- Thurs 5 November, 6pm: **Scrutiny Workshop** (all members)
 - Wed 2 December, 5.30pm: **Scrutiny Essentials and Questioning Skills** (open to all members)
 - Wed 16 December, 5.30pm: **Work Programming** (aimed at scrutiny members)
 - Tues 12 January, 6pm following cabinet: **Getting the most from Scrutiny for Cabinet Members** (for Cabinet Members)
 - Thu 21 January, 5.30pm: **Chairing and Leading Scrutiny** (aimed at Chairs & Deputy Chairs) – postponed and new date to be confirmed.

4. SCRUTINY CATEGORIES

- 4.1 The items which have been considered by both the Scrutiny Committee over the past 12 months have been analysed into three different categories:-

Category	Type of Report	No. of items over past 12 months
1 - Noting	The report is for noting.	11

2 - Consultation	The report is feeding into an existing corporate document or policy before consideration by Cabinet/Council (example CDP, Budget etc) and scrutiny is its route through	19
3 - Investigation	The report has been requested by the Committee for inclusion on its work plan which requires an additional report and/or the establishment of a task and finish group	4

4.2 This analysis was helpful as it enabled officers to consider the following:

- Noting reports – Scrutiny’s role is to add value and contribute to the process. Noting reports is not best practice in any committee setting and in particular in Scrutiny where it can leave the committee unclear on what it is being asked to do or how it can add value. This was a concern echoed by the CfCG. Therefore, Directors will ensure that fewer “noting reports” are brought forward and it suggested that the Scrutiny Committees adopt a series of scrutiny principles which will assist the relevant Chairs when considering their respective work plans.
- Resources - The resources to support scrutiny were considered by the working group. There was a desire from the working group for the current arrangements of Directors’ sponsorship of each Committee should continue, to ensure that support/ownership was embedded at a senior level (Directors/Heads of Service). The working group asked that the Corporate, Democratic Services resource requirement be kept under review pending the further work on the action plan.

4.3 The findings conclude that only 11% of the number of items considered by the Scrutiny Committees may require additional resources. It is proposed therefore that the Directors, in consultation with the Democratic Services Team Manager, meet informally following requests under category 3 to discuss the additional resource requirements and, where it is considered an item requires independent and impartial advice and/or additional administration support outside of Democratic Services, that this be sourced externally from East Midlands Council who have agreed to send a proposal on how they may be able assist in this regard.

5. SCRUTINY PRINCIPLES

5.1 The following principles based approach for identifying and managing the scrutiny workplan are proposed. These principles are based on “A councillors workbook on Scrutiny” by the LGA 2017.

Identify Issues for consideration by Scrutiny

- Consulting with members of Scrutiny Committees, senior officers, Cabinet members – horizon scanning on policy development
- Looking at the corporate priorities, Council Delivery Plan and Cabinet Forward plan – identify key issues/topics for investigation/inquiry
- Considering events and decisions in the Council’s calendar which could require an input/consultation via scrutiny – eg budget setting, CDP development
- Considering requests from members – eg via another forum or scoping report submitted
- Evaluating the Council’s performance – eg quarterly reports, end of year reports, reviewing success of a particular scheme or initiative
- Reviewing any follow up work required after previous scrutiny work

Prioritise the potential list of scrutiny topics based on factors including

- the resources required to deliver it (from members, offices and financially)
- the value and level of impact which could be achieved
- link to the council's priorities
- whether it is a regular recurring item which requires consideration before Cabinet/ Council approval
- consideration of the guidance for selecting scrutiny topics

Scope and plan

- Decide which scrutiny topics/work will be done each year
- Add to the work programme for each year to ensure manageable agendas for each meeting
- Consider allowing some scrutiny time for ad hoc requests which arise mid year
- Ensure that items on the work programme are clearly scoped, with clear objectives for the committee and officers (use scoping form where possible)

Recommend (if appropriate) based on the following

- Being specific about the recommendations
- Ensure that they are evidence based and realistic
- Focus on measurable outcomes (where appropriate)
- Address a specific person or group
- Be realistic about any financing requirements
- Develop in partnership with the executive, council officers and partners

Respond – Cabinet should respond to recommendations made by Scrutiny within 2 months. The response should be:

- A commitment to deliver the measure within the timescale set out
- A commitment to be held to account on that delivery in 6 months or years time
- Where it is not proposed that a recommendation be accepted, the provision of substantive reasons as to why not
- Can be given by way of Cabinet report/meeting considering the recommendations

Review and evaluate

- Regularly review progress and evaluate outcomes eg at Directors/Chairs meetings
- Produce an annual report which demonstrates the work the Committees have done and their impact

Guidance for selecting scrutiny topics:

Topics are suitable for Scrutiny when	Topics are not suitable for Scrutiny when
Scrutiny could have an impact and add value	The issue is already being addressed elsewhere and change is imminent
The topic is of high local importance and reflects the concerns of local people	The topic would be better addressed elsewhere (and will be referred there)
The resources are available that would be required to conduct the review – staff and budget	Scrutiny involvement would have limited or no impact on outcomes
It avoids duplication of work elsewhere	The topic would be sub-judice or prejudicial to the councils interests

The issues is one that the committee can realistically influence	The topic is too broad to make a review realistic
The issue is related to an area where the council or one of its partners is not performing well	New legislation or guidance relating to the topic is expected in the next year
The issue is relevant to all or a large part of the local area	The topic area is currently subject to inspection or has recently undergone substantial change
The review would be in the council's interests	

6. ANNUAL REPORT

- 6.1 The Working Group agreed that there should be an annual report on scrutiny comprising the work it had undertaken and the value this had added to the decision making.
- 6.2 The Scrutiny Annual Report will be drafted by the Democratic Services Team Manager and signed off by the Directors in consultation with the Chairs of the respective Scrutiny Committees. The Annual Report will be submitted to the first meeting of both the Community and the Corporate Scrutiny Committee of the civic year and will reflect on the work of the Committees over the previous 12 months and how it has contributed to the decisions made during the year, and it will look ahead to the Scrutiny Committees' forthcoming programme of works; before being ratified by full Council.

Policies and other considerations, as appropriate	
Council Priorities:	Local people live in high quality, affordable homes
Policy Considerations:	None
Safeguarding:	None identified
Equalities/Diversity:	None identified
Customer Impact:	None identified
Economic & Social Impact:	None identified
Environment & Climate Change:	None identified
Consultation/Community Engagement:	Scrutiny Cross Party Working Group, Strategy Group and both the Community and Corporate Scrutiny Committees.
Risks:	None identified
Officer Contact	Andy Barton Strategic Director of Housing & Customer Services Andy.barton@nwleicestershire.gov.uk

Action Plan - The aim of this Action plan is to address the recommendation of the Peer Team in relation to Scrutiny following the recent Corporate Peer Review as follows:-

“Continue to improve the scrutiny function. Make it more robust and be seen to be more robust. Explore good practice regarding scrutiny, such as training and make better use of working groups, establishing a forward looking work programme and involve scrutiny early in the decision making progress. This is an area where there has been significant improvement over the last two years with the development of two scrutiny committees with an enhanced number of meetings, however there is recognition that the council needs to support members in understanding their role and maximising the benefits effective scrutiny can bring to the council”.

Ref	Recommendations	Actions	By	Change to Constitution?	STATUS
1	Establish a cross party working group	<ul style="list-style-type: none"> Cross party working group to be established to oversee actions and improvements to the scrutiny function. Terms of reference to be agreed <p>AGREED –</p> <p>(1) That the Working Group Terms of Reference be endorsed</p> <p>(2) That monthly meetings be held with a 6 month review meeting thereafter.</p> <p>(3) That the work of the Group be reported to Council.</p>	EW ML	No No	COMPLETED COMPLETED
2	Develop training and support programme for members and chairs	<ul style="list-style-type: none"> Training programme to be developed to support members and enhance understanding of members’ roles and responsibility in scrutiny and policy development – to include a mock meeting. Questionnaire identifying training needs to be sent and findings reported back to next meeting. Ring round to every non responding member by the next meeting. Comparison training programme be obtained from the LGA and reported back to next meeting. Members to attend a meeting at another Authority. <p>AGREED</p> <p>(1) Visit to be arranged after COVID 19</p>	All ML RW RW	No No No No	IN PROGRESS COMPLETED COMPLETED POSTPONED

		(2) Training programme to be delivered by CfGS			
3	Review level of officer support for scrutiny function	<ul style="list-style-type: none"> • Agree on level of support required – administration or management of function? • Consider how the support to scrutiny will be resourced. <p>AGREED – That the level of support afforded to the scrutiny function be kept under review</p>	All All	No No	TO BE KEPT UNDER REVIEW
4	Develop forward looking work programme for Corporate and Community Scrutiny	<ul style="list-style-type: none"> • Change report templates to identify the role of scrutiny for each issue and encourage report authors to consider outcomes. • Move work programme agenda item to front of agenda • Reintroduce the Annual Report to demonstrate the value and achievements of scrutiny • Ensure it is clear why an item is/is not going to scrutiny • Invite views and comments from Scrutiny Members <p>AGREED –</p> <ol style="list-style-type: none"> (1) That a new report template be introduced with immediate effect (2) That the Annual Report on Scrutiny be reinstated. (3) That the work programme agenda item be moved to the front of the agenda with immediate effect (4) EDN to be updated with an additional column with reasons why an item is/is not going to Scrutiny (5) Invites be sent ahead of each scrutiny meeting seeking views on specific issues as part of a pre-briefing process. 	ML ML JA/AB RW ML	No No No No No	COMPLETED COMPLETED COMPLETED COMPLETED COMPLETED
5	Establish a co-ordinating body with cross-party involvement, such as a scrutiny commission.	<ul style="list-style-type: none"> • Consider how the work of the Scrutiny Committees can be co-ordinated • Look into structure of Scrutiny and the committee carrying out the audit function in similar authorities and report back to next meeting <p>AGREED</p> <ol style="list-style-type: none"> (1) That a joint meeting of directors and scrutiny chairs be held twice a year to include those related to Audit and Governance (2) That it was not appropriate to have Audit and Governance as a scrutiny function but 	AB/JA EW	No No	COMPLETED COMPLETED

		to co-ordinate as above.			
6	Understanding scrutiny	<ul style="list-style-type: none"> Articles to be included in blogs and staff bulletins Centre for Governance and Scrutiny (CfGS) to carry out a survey of all key parties and publish report Issues addressed in the report to be picked up as part of the training package 	JA/AB CfGS CfGS	No No No	ONGOING COMPLETED IN PROGRESS

ISSUES ADDRESSED IN REPORT BY CfGS AS REFERENCED IN PARAGRAPH 6

a	Need clarity around the process/responsibility for helping scrutiny scope out their objectives at the start of the year, looking at evidence such as CDP, emerging policy issues, horizon scanning etc – decide the objectives/priorities and then build the forward plan from there.	To be picked up by Directors at their joint meetings and briefings which have now been set up following a recommendation from the Working Group – Paragraph 5 above refers	JA/AB	No	IN PROGRESS
b	Refine the scoping process so that key priority reports are going and develop confidence in deciding what should go and what shouldn't.	Outlined in Strategy Group report for consideration on 9 December 2020 and the Community and Corporate Scrutiny Committees on 10 February and 10 March respectively.	JA/AB	No	IN PROGRESS
c	Having a clear round up and annual reporting process.	Outlined in Strategy Group report for consideration on 9 December 2020 and the Community and Corporate Scrutiny Committees on 10 February and 10 March respectively.	JA/AB	No	IN PROGRESS
d	Move work programme to the front of the agenda	Addressed following a recommendation from the Working Group – Paragraph 4 above refers.	ML	No	COMPLETED
e	Prioritise agenda content and have shorter agendas	Outlined in Strategy Group report for consideration on 9 December 2020 and the Community and Corporate Scrutiny Committees on 10 February and 10 March	JA/AB	No	IN PROGRESS

		respectively.			
f	Members to take ownership of scrutiny	To be addressed as part of the training package being provided by CfGS	CfGS	No	IN PROGRESS
g	Ensure there is a valid reason for item going to Scrutiny – no items just for noting.	Outlined in Strategy Group report for consideration on 9 December 2020 and the Community and Corporate Scrutiny Committees on 10 February and 10 March respectively.	JA/AB	No	IN PROGRESS
h	Hold pre-meetings to discuss expected outcomes of each Scrutiny meeting	Addressed following a recommendation from the Working Group – Paragraph 4 above refers.	JA/AB	No	ONGOING
i	Members have varied knowledge of processes such as holding to account and call in	To be addressed as part of the training package being provided by CfGS	CfGS	No	IN PROGRESS
j	Improving questioning skills	To be addressed as part of the training package being provided by CfGS	CfGS	No	IN PROGRESS

Abbreviations	
CfGS	Centre for Governance & Scrutiny
EW	Elizabeth Warhurst, Monitoring Officer
JA	James Arnold, Strategic Director
AB	Andy Barton, Strategic Director
ML	Melanie Long, Democratic Services Team Manager
GL	Group Leaders
RW	Rachel Wallace, Democratic Support Officer