

Communities Overview and Scrutiny Committee

Update on Scrutiny Review

17 February 2021

Recommendation(s)

1. That the Committee considers and comments upon the findings of the independent review into Overview and Scrutiny

1. Executive Summary

1.1. In February 2020, Dr Jane Martin CBE was appointed to provide advice upon appropriate principles for scrutiny in light of the statutory guidance, key opportunities to improve upon our current ways of operating scrutiny, and how WCC might move forward to develop its scrutiny approach to deliver on the Council Plan and objectives.

1.2. The review was conducted via a series of remote interviews with members, officers and Corporate Board, and included a desk top analysis of past agendas, minutes and Task and Finish Group outputs and covered the following themes:

- Culture and behaviours;
- Reinforcing the value and importance of challenge;
- Ownership of recommendations and actions;
- Support for scrutiny members;
- Aligning scrutiny more effectively to our Council Plan objectives; and
- How to involve the public in scrutiny more effectively.

1.3. The feedback was positive and highlighted examples of good practice including the commitment of all involved to improvement and the support for the review at member level. However, despite some good examples (particularly in recent times with member working groups on Covid recovery) there is a conclusion that the scrutiny function needs to be reinvigorated and a principles-based approach was recommended to reset and drive the refreshed approach, reflecting the principles of good scrutiny embedded in statutory guidance:

- independent ownership;
- driving improvement;
- critical friend challenge; and
- public voice.

1.4. There was positive feedback of the role of Democratic Services officers to date and an acknowledgement of resource constraints.

2. Opportunities to Improve

2.1 The review outlined a number of opportunities for improvement. These were:

- **Parity of esteem:** Scrutiny must have an authoritative voice and support to enhance executive policy development and decision-making.
- **Scrutinising performance:** Scrutiny discussions should be clearly led so that presentations add value, there is a clear line of sight to corporate success indicators and interpretation of the data is usefully aligned to risk.
- **Build a corporate partnership:** Scrutiny should hold the executive to account where necessary. Scrutiny members own the process recognising the wider public interest for Warwickshire. The agenda should be focused on corporate business with purposeful evidence-based discussion.
- **Work smarter:** Meetings should be more flexible, proactive and responsive to corporate priorities. Meetings should be collegiate, constructive and challenging.
- **Member support and training:** Members and officers involved in training should be supported and provided with appropriate training to maximise the benefit from their roles in the scrutiny process.
- **Develop external focus:** Imaginative thinking to reach local people is needed. Scrutiny should be aligned with public consultation exercises to inform executive strategy.

3. Principles proposed

3.1 The report focussed on a series of principles that would drive the refreshed approach. These were:

- **Partnership:** The scrutiny function is an integral, authoritative corporate partner with the executive in policy development and decision-making. This partnership is focused and aligned with the council's strategic objectives, corporate performance indicators, and the corporate business and planning cycle. Whilst the function is independent of Cabinet and owned by scrutiny members it will be flexible, dynamic and pro-active in support of the executive decision-making process.
- **Purposeful:** The scrutiny function is focused on making an impact and exerting influence on corporate policy and practice to develop learning and improvement. Its main aim is to ensure WCC can be the best it can be by building corporate experience and expertise based on a sense of

place, especially in a fast-paced transformational change environment.

- **Challenging:** The scrutiny function will provide constructive cross-party challenge to hold the executive to account based on evidence and reflecting the views of local people. This includes both internal and external scrutiny. As 'critical friends', scrutiny members should respectfully ask the tough questions of the executive and professional officers of the Council, as well as external partners and providers, from an informed perspective and expect considered and informative answers.
- **Transparent:** The scrutiny function should shine a light internally and externally. It is an important vehicle for public consultation which should engage external partners, local people, and service users, and represent their views. Overview and Scrutiny should provide open and transparent scrutiny in the public interest to enhance the legitimacy of the local authority and build public trust and confidence.

4. Recommendations from the review

4.1 The recommendations reached in the review were as follows:

- The Council should relaunch the scrutiny function, championed by the Leader and Cabinet, with a corporate 'common purpose' WCC scrutiny guide setting out the ambition and expectations for the function based on a partnership of mutual respect, transparency and constructive challenge. This should highlight a behaviour code based on the 3 C's: *collegiate, constructive and challenging*.
- Create greater alignment with corporate objectives by restructuring scrutiny committees in parallel to foster greater scrutiny of corporate themes and objectives and corporate performance. In the current circumstances, restructuring to follow the change portfolio themes could be an effective way forward. Any restructure would have to take into account statutory requirements.
- Provide recognised authoritative leadership and direction for the scrutiny function by creating a new role of Chair of Overview and Scrutiny to chair a new Overview and Scrutiny Panel comprised of all scrutiny Chairs. This post could be an elected position by all council members.
- Greater use of virtual meetings technology and, where appropriate, social media to engage the public, service providers and external partners and encourage elected member active participation. A move to allow remote meetings beyond May 2021 will require legislative change
- Consider creating a dedicated team of Overview and Scrutiny officers resourced adequately, to provide data (particularly performance data)

and information, advice and support to O&S Chairs and members, including liaison with strategic directors and senior staff.

- Review the timetable for scrutiny committees to ensure meetings are held at the optimum time alongside the corporate business cycle and Cabinet meetings. Allow for greater meeting and agenda flexibility and greater use of Task and Finish Groups for scrutiny work, from single issue to corporate strategic themes, conducted to a strict brief and timescale with a project planning methodology. Dynamic Task and Finish Groups should be able to conduct a review in as little as one day where appropriate. But also conduct in-depth longer pieces of work.
- Making use of virtual technology, in-house training and briefings should be provided for scrutiny Chairs and members on appointment and on-going, including subject updates as required and skills development. The Adult Health and Social Care Committee model of in-committee member briefings should be rolled out further. Committees should conduct an annual self-evaluation. A suite of scrutiny questions may be a good prompt to build confidence.

5. Points to Consider

- 5.1 The Committee is requested to consider the recommendations and suggestions summarised above and set out in more detail in the Independent Review Report at Annex 1, and to provide its views on the way forward for the refresh of scrutiny activity in Warwickshire.
- 5.2 The following points and questions are intended to help that consideration:
 - 5.2.1 Does the Council wish to consider reconfiguring the Overview and Scrutiny Committees to align with the Council Plan or change portfolio themes or in some other way? If so, the practicalities of this approach would need to be considered to ensure that we meet statutory obligations, that scrutiny covers all Council functions, that there is balance across committees and that routeing is clear for cross over items.
 - 5.2.2 How should agendas be reinvigorated?
 - 5.2.3 What are members views on the opportunities identified to improve (Section 2 of this report) and are there any others which members would wish to highlight?
 - 5.2.4 Do members support the principles that the review recommends? (Section 3 of this report)
 - 5.2.5 Do members support the recommendations from the review (Section 4 of this report), and if so,

- How could we make greater use of technology to support Overview and Scrutiny? What type of meetings would be better delivered remotely or would members prefer to see continue remotely (if the law allows)?
- How would training be best delivered and should we consider a bespoke training plan for all Scrutiny members?
- From an officer perspective, creating a dedicated team of Democratic Services Officers (DSO) to support Overview and Scrutiny could create unintended recruitment and retention issues within the Service. A preferable option would be to consider how we enhance the Overview and Scrutiny support whilst retaining roles which cover both aspects of the DSO role (committee support and scrutiny support).

6. Financial Implications

- 6.1 The revenue implications of any change cannot be quantified at this time as it will depend upon the recommendations received and the working up the implementation plan. Full consideration will be given to the cost of any proposals which will be included within the report to council noted at para 8.2

7. Environmental Implications

- 7.1 An increase in digital meetings could reduce journeys to Shire Hall and thus have a positive impact. Whether that is possible will depend in large part upon whether legislation is permanently altered to enable such meetings to go ahead. Other environmental implications may present themselves as the proposals are developed and will be dealt with more fully in the report to council noted at para 8.2

8. Timetable for the decision and next steps

- 8.1 The Report was presented to Leaders and Deputies meeting in February 2021. It will be taken with a duplicate of this report to the other Overview and Scrutiny committee meetings in February and March in order to obtain views and suggestions for developing proposals for future scrutiny.
- 8.2 Officers will then prepare and implementation plan for discussion prior to a report to Council post elections with recommendations for implementation.

Appendices

1. Report of Jane Martin OBE

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The report was circulated to the following members prior to publication:
None