

# **HIGH PEAK BOROUGH COUNCIL**

## **The Executive**

**23 June 2022**

<b>TITLE:</b>	<b>Scrutiny Review</b>
<b>EXECUTIVE COUNCILLOR:</b>	<b>Councillor Anthony McKeown – Leader of the Council</b>
<b>CONTACT OFFICER:</b>	<b>Andrew Stokes – Chief Executive</b>
<b>WARDS INVOLVED:</b>	<b>Non-Specific</b>

### **Appendices Attached**

**Appendix A – Centre for Governance and Scrutiny (CfGS) – Scrutiny Review**

**Appendix B – CfGS Recommendations – Suggested Response**

#### **1. Reason for the Report**

- 1.1 The purpose of this report is to provide an update on the Council's response to the feedback provided by the Centre for Governance and Scrutiny (CfGS) following completion of their review of the Council's Scrutiny arrangements.
- 1.2 The report has been considered by the overview and scrutiny review group and by the Corporate Select Committee to ensure a wider consideration of the recommendations.

#### **2. Recommendations**

- 2.1 It is recommended that the Executive:
  - Consider the feedback from CfGS as detailed in Appendix A; and
  - Consider the suggested response to the recommendations set out in Appendix B along with the responses by the Corporate Select Committee when it was considered there.
- 2.2 Consider what further investigation (if any) are needed to meet the terms of reference for the review of arrangements for overview and scrutiny within the Council.

- 2.3 Request the Councils Constitution sub group to meet and consider any required changes to the select committee procedure rules to meet the supported changes.

### **3. Executive Summary**

- 3.1 CfGS were commissioned to conduct a review of the Council's Overview & Scrutiny arrangements. The review was intended to give the Council an external perspective on how well the current model is functioning.
- 3.2 CfGS made recommendations across 8 areas of work for improvement. In order to assist members of the Sub-Committee with their considerations attached at Appendix B is a summary of CfGS's recommendations within a suggested response.
- 3.3 The report was considered by the Corporate Select Committee on 28 March 2022. Although the Committee recommended that the current structure of three select committees be retained members broadly supported the remaining suggested responses in Appendix B of the report.

### **4. How this report links to Corporate Priorities**

- 4.1 Effective scrutiny is essential in order that the Council can successfully achieve its objectives and priorities set out in the Corporate Plan.

### **5. Alternative Options**

- 5.1 The report offers a range of options for consideration by members.

### **6. Implications**

- 6.1 Community Safety - (Crime and Disorder Act 1998)  
No relevant implications at this time.
- 6.2 Workforce  
No relevant implications at this time.
- 6.3 Equality and Diversity/Equality Impact Assessment  
No relevant implications at this time.

- 6.4 Financial Considerations  
No relevant implications at this time.
- 6.5 Legal  
A number of the suggested responses may require changes to the Council's constitution which would need to be considered by the Council's Constitution Sub-Committee.
- 6.6 Climate Change  
No relevant implications at this time.
- 6.7 Consultation  
The proposals from the CfGS include a section on improving public engagement.
- 6.8 Risk Assessment  
No relevant implications at this time.

**ANDREW P STOKES**  
**Chief Executive**

**Background Papers**

As attached to the report

**Contact details**

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## 7. Detail

- 7.1 Maintaining effective scrutiny is a challenge for all local authorities and no council can profess excellence in scrutiny across the board – there are always areas of weakness which, left untended, can develop into flaws in scrutiny which can have a more significant impact on effectiveness overall.
- 7.2 At the first meeting of the Overview and Scrutiny Review Sub Committee the following aspects were put forward for the review:
- To ensure that the Council continues to make the best use of its resources
  - The revised guidance published by the Ministry for Housing, Communities and Local Government and the “Good Scrutiny Guide” issued by the Centre for Public Scrutiny.
  - The changing environment in which the Council operates.
  - To investigate ways that the scrutiny process can better involve and engage local residents as part of the policy development and decision making process.
  - Enable the Council to better support the role of ward members and its representatives on outside bodies by considering options around:
    - how scrutiny considers ward issues
    - how members appointed to outside bodies can better feed-in information from those bodies
- 7.3 The Local Government Association (LGA) were approached to ascertain the most appropriate way forward for conducting a review. The LGA referred the Council to the Centre for Governance and Scrutiny (CfGS).
- 7.4 The CfGC provides external support to give assurance and advice on improving governance in local authorities. They offer a number of improvement reviews which help local authorities to evaluate and improve their overview and scrutiny functions – governed by the fundamental [“four principles” of good scrutiny] that were first developed nearly twenty years ago.
- 7.5 During the COVID-19 pandemic, CfGS developed ‘step back reviews’. These reviews are geared to give the opportunity for councils to conduct short, sharp reviews to identify lessons learned to inform the approach to any new arrangements that emerge for the ‘new normal’. The review is designed to be challenging, but essentially also to be constructive in suggesting ways to drive forward improvement.
- 7.6 Consequently with the support of the Council’s political group leaders, CfGS were commissioned to conduct a ‘step back’ review. The LGA agreed to fund 50% of the cost of conducting the review.

## 8. CfGS Review

8.1 The review was a short and simple 'step-back' review based on assessing the following:

- **Culture.** The relationships, communication and behaviours underpinning the operation of the overview and scrutiny process. This also involved the Council's corporate approach, organisational commitment, and status of scrutiny.
- **Member engagement.** Are members motivated and engaged. How do they participate, take responsibility, and self-manage their role?
- **Member skills and application.** Are skills up-to-date and can Members participate fully or are there development gaps?
- **Information.** How information is prepared, shared, accessed and used in the service of the scrutiny function.
- **Impact.** Ways to ensure that scrutiny is effective, that it makes a tangible and positive difference to the effectiveness of the council, and to local people.
- **Focus.** How prioritisation, timeliness and relevance of the work programme and agendas lead to value-adding and productivity.
- **Structure.** Formats used by scrutiny to carry out its works and their effectiveness.

8.2 The review involved conversations with 18 Members and 4 Officers, including the Council Leader, Group Leaders, Select Committee Chairs, Vice Chairs, Members of the Select Committees, the Council's senior leadership team and Head of Democratic Services, observation of meetings (recordings or live online), a review of key documents; agendas, work programmes etc and a short member survey.

8.3 This methodology aligns with both latest statutory guidance and best practice experience accumulated by CfGS over many years. This review therefore evaluated the Council's approach to scrutiny in the light of the guidance and best-practice with a view to help to explore with members ways to improve scrutiny.

## 9 Outcome from the Review

9.1 CfGS's report back to the Council following completion of the review is attached at Appendix A.

9.2 CfGS concluded that '***Scrutiny's role as part of the democratic decision-making process is respected and valued in the Council***' and that '***political leaders and Executive Members are supportive. We noted from our interviews that the scrutiny function at HPBC is held in a relatively high***

***regard by the Council overall, further evidenced by Director level support for each Select Committee.'***

- 9.3 The review further noted, that scrutiny has a good relationship with the executive, that there is a cross party approach to scrutiny and that our task and finish groups were particularly productive.
- 9.4 CfGS provided feedback and recommendations for further improvement on 8 areas:
- The focus and priorities of scrutiny
  - Scrutiny's impact
  - Work programming
  - Member development
  - Meeting management
  - Committee structure
  - Public engagement
  - Support and resourcing for scrutiny

These are further detailed in the report attached at Appendix A.

- 9.5 CfGS also provided guidance / workflow processes for scrutiny from 3 other councils, and these are listed as appendixes to the CfGS report:
- Waverley Borough Council – Selection Criteria for Overview and Scrutiny topics
  - South Cambridgeshire District Council – PAPER Analysis
  - Warwickshire County Council – Scrutiny Review Process

## **10. Taking the Recommendations Forward**

- 10.1 Attached at Appendix B is a summary of CfGS's recommendations within a suggested response/action.
- 10.2 The suggested improvements are as follows:

### *The focus and priority of scrutiny*

- Establish Select Committee Programming Group consisting of the Executive/Select Committee & Audit and Regulatory Committee Chairs / Opposition Group Leaders
- Consider Executive Work Programme and agree forward plan of scrutiny work

### *Scrutiny's Impact*

- Annual scrutiny workshop to confirm work programmes

- Review of Annual Report to include a focus/section on changes – improvements made as a result of scrutiny

#### *Work Programming*

- Review Executive / Scrutiny Protocol
- Consider development of a methodology for work programme selection and prioritisation
- Reorder Scrutiny Committee agendas to consider work programming at the start of the meeting to give it a greater focus

#### *Member development*

- Programme of training / development for non-executive councillors
- Ongoing training and development for Chairs / Vice Chairs of Scrutiny

#### *Meeting Management*

- Develop approach with Chairs of Scrutiny Committees

#### *Committee Structure*

- Review number of Select Committees
- Consider structure of Committees and potential to create standing sub/working-groups to focus on specific areas of work

#### *Public Engagement*

- *Develop approach with Chairs of Panels*
- *Introduce an open to public scrutiny review suggestion scheme*
- *Explore and experiment with ways to allow greater public access, openness and involvement*

#### *Support and Resourcing for Scrutiny*

- *Officer support for scrutiny to be considered as part of the review of the Democratic Services team structure*

10.3 The overview and scrutiny review group considered the below aspects:

- Review the need to pre-scrutinise all non-major decisions to be made by the Executive.
- Frequency of meetings - scrutiny to take place earlier in the process with the possible introduction of informal pre-meetings (attended virtually).
- Consider how member development could improve scrutiny (e.g. questioning skills) and the level of engagement with councillors.
- Public engagement could be problematic dependent on the topic under consideration. Views could be captured by future resident surveys.
- Prioritisation of the work programme – councillors supported the use of the PAPER Analysis referred to in the CfGS review and an annual workshop.
- The future structure of the Council's select committees – there was limited support for any reduction in the current number of Select Committees.

- That a future Programming Group should be created with the inclusion of the Audit and Regulatory Committee.

10.4 This report was considered by the Corporate Select Committee on 28 March 2022 in order to enable the Council's wider membership to comment on the proposed areas for improvement and consider which areas should be prioritised for action. Councillors were also asked to consider how the proposed areas for improvement met the original terms of reference and what additional works or actions were needed to complete the review. Although the Committee recommended that the current structure of three select committees be retained members broadly supported the remaining suggested responses in Appendix B of the report and made the following comments:

- Induction training for new members – possibly after they have attended their first scrutiny meeting
- Mentoring scheme around scrutiny with more experienced councillors acting as mentors for new councillors
- Ensure reports are accessible for councillors in terms of language etc and ask for feedback
- Retain 3 committees recognising that there are many cross-cutting issues
- Make greater use of the categories within scrutiny including holding to account and policy development
- Consider ways to improve engagement with residents
- Identify 3 or 4 key issues for the committee to scrutinise each year and members to take more charge of the agenda
- Suggested that appointment of chairs be made at Annual Council to help with the planning process
- Need for scrutiny members to be more pro-active
- Look at how things are judged and quantified
- Look at more work jointly between committees

10.5 Depending on the approach taken with the suggested areas for improvement, any actions that need changes to be made to the Council's constitution will need to be considered with the Council's Constitution Sub-Committee.