

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Date and Time :- Wednesday, 21 February 2018 at 11.00 a.m.

Venue:- Town Hall, Moorgate Street, Rotherham.

Membership:- Councillors Brookes, Clark, Cowles, Cusworth, Evans, Mallinder, Napper, Sheppard, Short, Steele (Chair) Walsh and Wyatt.

AGENDA

1. Apologies for Absence
2. Minutes of the previous meetings held on 22 November, 7 December, 14 December and 20 December 2017 (Pages 1 - 38)
3. Declarations of Interest
4. Questions from Members of the Public and the Press
5. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

For Discussion/Decision:-

6. Customer Access Strategy and Support for all Customers (Pages 39 - 40)
7. Scrutiny Review of Agency, Interim and Consultancy Use (Pages 41 - 51)
8. DCLG Select Committee - Effectiveness of Scrutiny (Pages 52 - 114)

For Information/Monitoring:-

9. Youth Cabinet/Young People's Issues
10. Work in Progress (Chairs of Select Commissions to report)
11. Call-in Issues - to consider any issues referred for call-in

12. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.

13. Date and time of next meeting

The next meeting of the Overview and Scrutiny Management Board will take place on Wednesday 7 March 2018 at 11.00 in Rotherham Town Hall.

A handwritten signature in black ink that reads "Sharon Kemp". The signature is written in a cursive, slightly slanted style.

SHARON KEMP,
Chief Executive.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD**Wednesday, 22nd November, 2017**

Present:- Councillor Steele (in the Chair); Councillors Clark, Cowles, Cusworth, Evans, Mallinder, Napper, Sheppard, Short, Walsh and Wyatt.

An apology for absence was received from Councillor Brookes.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

39. MINUTES OF THE PREVIOUS MEETINGS

Resolved:- That the minutes of the meetings held on 11th and 25th October and 8th November, 2017 be approved as correct records of proceedings.

40. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

41. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

42. PETITION - 'SAVE CEDAR HOUSE CRISIS CENTRE'

Further to Minute No. 72 of the Council Meeting held on 18th October, 2017, Mrs. S. Thackery attended to present the petition that had been received in respect of the Cedar House Crisis Centre facility on Moorgate Road, Rotherham. As the petition had 1,000 valid signatures under the Council's petition scheme, it has been referred for consideration by the Overview and Scrutiny Management Board.

This report detailed the background to decisions taken relating to Cedar House and the process that the Board should follow in considering the call for action contained within the petition.

Mrs Thackery attended the meeting to set out the reasons behind the petition. She explained that the unit had been used primarily by individuals with mental or emotional issues. There had been an outcry from service users since notice had been provided of the intention to sell Cedar House, especially as mental provision was widely considered to in crisis across the country. Mrs Thackery referred to the experience of family members who had used the facility and cited testimonies from other service users as to the value of the unit. Mrs Thackery was supported in her representation by the CQC Registered Manager at Cedar House, who was employed by Rethink, who further explained the value of Cedar House as a crisis house. Reference was made to the potential for the spot

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purchase of units rather than the block purchase which had been the case historically, which was considered to be a most cost effective option for the authority that would allow Cedar House to continue as a valuable resource for service users.

In response to questions from Members, Mrs Thackery explained that she had become aware of the proposals to close Cedar House in April 2017 and her lack of awareness of the procedure to petition the Council had led to the delay in the petition being presented in October 2017. She further indicated that the Council's proposals were inadequate as people with mental health conditions or issues did not want to be in hospital environments and that a house/home based model of care was a more effective place for them to receive crisis care.

In responding to the petition, the Cabinet Member for Adult Social Care and Health, Councillor Roche, expressed sympathy for the points made by Mrs Thackery as lead petitioner. He explained that the original deals in 1995 and 2005 were not good deals and that the Council had made the right decision to decommission the service in March 2017. The background to the decision and subsequent correspondence with Rethink, the provider of services at Cedar House, was detailed by the Cabinet Member. He indicated that the Council was working with Rotherham, Doncaster and South Humber Foundation Trust and Rotherham Clinical Commissioning Group to develop a patient centred crisis plan and would review the type of help that would be required for individuals in crisis.

Members sought assurances that the Mental Health Lead Commissioner at the CCG had continued to be involved in the discussions following the decision to decommission the unit. There was also some reflection on the benefit of Cedar House as a small unit being a disadvantage due to the high fixed costs associated with it being a small unit. Members were reminded that the unit was for mental health crisis and was not a respite facility.

Resolved:-

- (1) That the petition be noted.
- (2) That the lead petitioner be advised that the call for action is not supported by the Overview and Scrutiny Management Board

43. RESIDENTIAL AND NURSING CARE HOME PROVISION IN ROTHERHAM

Further to the request by the Overview and Scrutiny Management Board consideration was given to a report which detailed the current and projected position with regard to residential and nursing care home provision in Rotherham across all client groups.

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The report set out the current and projected population levels and the projected population of older people and people who have a learning disability, physical disability or mental ill-health who were aged 18 to 65 years.

The report also set out the position of the care home market and described the present and future challenges as well as presenting opportunities.

Members sought to understand how predictions could be made up to the year 2035, specifically referencing the decrease in 135 psychiatric patients when the population was projected to increase. It was explained that the projections were provided by the Office for National Statistics and were verified by the Institute of Public Intelligence and Oxford Brookes University. It was confirmed that the system was used by all local authorities in England.

It was explained that service users in Rotherham were historically receiving more of a service than they may have potentially needed. When compared to other authorities in the Yorkshire and Humber region, Rotherham was close to the average for older people's care, but was above the regional average for nursing care. Reference was made to the learning disability and mental health challenges in Rotherham.

Members expressed concern at the time afforded to individual visits and queried whether it was feasible to spend more time with people in their own homes to prevent admission into residential care. In response, it was explained that the focus should be on needs, outcomes and wishes and a graduated approach should be adopted. The ultimate goal was for people not to come into social care at all, but reablement was key and there continued to be a need to think about the removal of long-term care solutions. People should only go into residential care if their needs become unsafe, but there was a risk tool that was used to assist decision making with individuals.

Reference was made to the Integrated Better Care Fund (IBCF) and the forecast overspends in Adult Social Care and Members sought assurance as to how this would be managed. It was noted that the IBCF could be used for a whole range of activities, but it was a short term funding stream. As part of the broader picture, Members were advised of the specific challenges in Rotherham in delivering adult social care. Behavioural change in respect of the use of residential care and reablement was key, with the number of people under 65 in residential care being well above average. The Cabinet Member for Adult Social Care and Health further elaborated on the national funding picture where all local authorities were suffering from reduced funding from central government. He reported that during week commencing 20 November 2017, 57% of social care councils were already overspent.

The Chair thanked the Cabinet Member and Strategic Director of Adult Care and Housing for their overview of residential and nursing care home provision in the borough and remarked that the Board would continue to monitor the work of the directorate in changing behaviours and processes.

Resolved:- That the report be received and the contents noted.

44. ALIGNMENT OF THE ASSET MANAGEMENT POLICY AND STRATEGY TO THE MEDIUM TERM FINANCIAL STRATEGY

Consideration was given to a report which detailed the various key elements and objectives of the Asset Management Policy and Strategy and the Medium Term Financial Strategy, how they aligned in the delivery of the Council's corporate objectives and transformation plans and in addition how they support effective budget management.

With reference to neighbourhood working and managing underused assets, Members sought assurances that a comprehensive list of assets in each ward which was to be circulated to councillors. It was considered that the Asset Management service needed to align its approach to neighbourhood working to take advantage of and inform councillors' knowledge on what was happening and needed at a ward level. Members confirmed that they were specifically concerned with land that had a strategic value, as opposed to housing assets. The Cabinet Member for Jobs and the Local Economy provided an assurance that information on community assets would link in with the neighbourhood agenda.

Members queried when the Asset Management Plan would be published and shared with councillors and whether there would be any smart energy projects included in the plans in future. In response, it was confirmed that the plan was expected to be published in February 2018. With regard to energy projects, reference was made to the savings made annually from various projects at buildings like Riverside House. It was also noted that the Council sold energy back to the National Grid from Riverside House and newer properties had ground source heat pumps installed.

Assurances were sought that there was capacity with Legal Services to enable the expedient sale or transfer of assets. It was confirmed that there was a dedicated resource within Legal Services to support asset management sales or transfers

Resolved:-

- (1) That the linkages between the Asset Management Policy and Strategy and the Medium Term Financial Strategy be noted.
- (2) That the list of Assets in each ward be shared with Ward Members by no later than the end of February 2018.
- (3) That Ward Members be advised when assets are disposed of within their ward.
- (4) That the link between assets and neighbourhood working be reflected in the emerging Neighbourhoods Strategy and the future refresh of the Asset Management Strategy.

- (5) That Overview and Scrutiny Management Board annually monitor the level of capital receipts received to ensure that the requirements of the MTFS are met.

45. YOUTH CABINET/YOUNG PEOPLE'S ISSUES

The Chair reported on the launch of the Youth Cabinet Manifesto earlier in the month and spoke of his pride at the way in which the young people had conducted themselves and taken ownership of the issues they had identified for review. He added that he was looking forward to the Children's Commissioner Takeover Challenge in early 2018 where the Youth Cabinet would take over a meeting of the Overview and Scrutiny Management Board and invited Councillors Cusworth and Evans to participate in the planning for that meeting.

Resolved:- That the update be noted.

46. WORK IN PROGRESS

Health Select Commission

Councillor Evans reported that the Commission had received an update on Children and Adolescent Mental Health Services at its previous meeting and reviewed the whole school mental health pilot. Three schools had presented on the excellent work that they do. Councillor Evans further reported that a spotlight review would take place in November on Drug and Alcohol Treatment. Members of the Improving Lives Select Commission would be invited to the next meeting of the Commission as the Carers Strategy and Adult Mental Health would be on the agenda.

Improving Places Select Commission

Councillor Mallinder reported that the Commission had received an update on District Heating and Neighbourhood Working at its previous meeting and made a recommendation for a seminar to be held for all Members on Neighbourhood Working.

Improving Lives Select Commission

Councillor Clark reported that the annual reports from the Local Safeguarding Children's Board and Local Safeguarding Adults Board were presented and Members had provided positive feedback on the work of those bodies. The proposed agenda items for the Commission's meeting in December had changed with the Domestic Abuse Strategy and updates on the Virtual School and Regional Adoption Agency being due to be presented.

Resolved:- That the information be noted.

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47. CALL-IN ISSUES

The Chair reported that no issues had been referred for call-in.

48. DATE AND TIME OF NEXT MEETING

Resolved:- That the next meeting be held on Thursday, 7th December, 2017 at 2.00 p.m.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Thursday, 7th December, 2017

Present:- Councillor Steele (in the Chair); Councillors Brookes, Clark, Cowles, Cusworth, Evans, Mallinder, Napper, Sheppard, Short, Walsh and Wyatt.

The webcast of the Council Meeting can be viewed at:-

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49. DECLARATIONS OF INTEREST

There were no Declarations of Interest to report.

50. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or the press.

51. PRESENTATION - SHAPING ROTHERHAM'S FUTURE

The Leader of the Council and the Chief Executive attended the meeting to deliver a presentation to Members setting out the future direction of the Council as the preliminary part of the budget scrutiny process. This presentation was linked to the update on the Medium Term Financial Strategy and Budget Monitoring Report elsewhere on the agenda.

Resolved:-

That the presentation be noted.

52. OCTOBER FINANCIAL MONITORING REPORT 2017-18 AND UPDATE OF THE COUNCIL'S MEDIUM TERM FINANCIAL STRATEGY 2019-20

Consideration was given to the report which set out the financial position for the Revenue and Capital Budgets at the end of October, 2017 and was based on actual costs and income for the seven months ending 31st October, 2017 and forecasted for the remainder of the financial year. This was the fourth of a series of monitoring reports for the 2017/18 financial year which would continue to be brought forward on a regular basis.

Delivery of the Council's Revenue and Capital Budget and Medium Term Financial Strategy within the parameters agreed at the start of the current financial year was essential if the Council's objectives were to be achieved. Financial performance was a key element within the assessment of the Council's overall performance framework.

As at October 2017 the Council had a forecast overspend on the General Fund of £4.594m, an increase of £0.6m over the £4.0m forecast overspend as at September. The main reason for this increase was a continuing rise in the projected overspend by the Children and Young People's Directorate of a further £0.434m, chiefly attributable to continued increases in the number of children in care.

This increase in the number of Looked After Children had also placed significant and unavoidable pressure on Legal Services, which currently had a forecast Budget overspend of £1.1m resulting in a net projected overspend for the Finance and Customer Services Budget of £0.6m. In addition, the Adult Care and Housing forecast overspend had increased by £0.2m from £5.1m to £5.3m.

Offsetting these pressures, the Assistant Chief Executive's Budget projected underspend had increased by £34k to £244k, chiefly as a result of staffing savings mitigating other cost pressures. It was still anticipated that the review of Business Rates and Treasury Management would deliver £5m of savings against the Central Services budget this year.

The Regeneration and Environment Services projected budget outturn remained a break even position achieved through ongoing tight day to day budgetary control.

Management actions to address areas of overspend were also ongoing and the overall budget position would continue to be monitored closely. The current round of budget monitoring showed, however, that the Council's Revenue Budget position had deteriorated by £0.6m since the previous monitoring report showing the position as at September.

The majority of the £24m budget savings approved within the 2017/18 budget were on target to be achieved. Within this target there were £11.9m of Directorate budget savings, which combined with a further £5.4m of 2017/18 Directorate budget savings agreed in previous budgets, gave a total Directorate savings target for 2017/18 of £17.3m. The current monitoring indicated that of this total, £6.8m of savings proposals were at risk of non-delivery in the manner approved by Council when the 2017/18 Budget was set (an improvement of £0.4m compared to September). These at risk proposals and the impact of mitigating actions were reflected in the current overspend projection. Approval by Cabinet would be sought for any budget savings which ultimately were proposed to be delivered differently on a permanent basis.

In order to balance the Revenue Budget for 2017/18 if expenditure could not be contained within budgets by management actions or by identifying additional savings, the Council would need to call on its reserves. The use of £10.5m from the Council's reserves was approved as part of the 2017/18 Revenue Budget, in recognition of the timescales associated with developing future plans to achieve the significant additional budget savings required to stabilise the Council's Budget position for the financial years 2018/19 and 2019/20. This approach permitted the Council to use its current balance of reserves to mitigate the overall budget risk in the short term and to support a sustainable financial plan in the medium term before these reserves were reinstated in future years.

The current financial climate, the risks associated with continuing reductions in Government funding and the resulting significant savings required by the Council meant that there was a need to maintain prudent levels of reserves and to avoid calling on them except in exceptional circumstances. Given this, it was essential that all services continued to develop mitigating actions and identify alternative savings to compensate for financial pressures and delays in delivering the full amount of savings proposed in the Revenue Budget.

The current forecast outturn position reflected the financial effects of the mitigating actions that have been identified and implemented to date and the progress made in re-establishing a balanced budget position will be reported regularly through these Financial Monitoring reports.

As indicated in the Budget and Council Tax report 2017/18, the summary Medium Term Financial Strategy had been reviewed, informed by the financial outturn for 2016/17 and taking into account current economic factors and latest financial planning estimates of the council tax base, council tax collection rates, business rates income and business rates appeals.

This review results in estimates of the MTFFS Budget Gaps for the following two financial years of £15.1m in 2018/19 and £15.8m in 2019/20, a total of £30.9m over the two years.

There continued to be significant in-year pressure on the Dedicated Schools Grant (DSG) High Needs Block – the projected overspend has increased by £140k in the past month to the current projection of £7.360m. Whilst at present this pressure did not directly affect the Council's financial position, it was imperative that the recovery strategy was implemented setting out clearly how this position would be resolved and avoiding any risk to the Council in the future. This included the planned transfer of £3m DSG in 2017/18 to reduce the forecast High Needs Block deficit.

A recovery plan intending to mitigate as far as possible the in-year pressure and achieve the previously reported position of an overall cumulative deficit of £1.796m by April 2019 had been devised by the service. As reported previously, the key areas of focus which would deliver the targeted deficit reduction by April 2019 included:-

- A revised Special School funding model (November 2017);
- A review of high cost out of authority education provision to reduce cost and move children back into Rotherham educational provision (November 2019); and
- A review of inclusion services provided by the Council (December 2017).

The Public Health Budget was forecast to spend at budget whilst spending in the Housing Revenue Account (HRA) was forecast to be £0.583m below budget, reducing the planned use of HRA reserves from £1.16m to £0.6m.

An in-year variance of £15.396m reduced spend on the 2017/18 Capital Programme was forecast, the majority of which related to schemes which were re-profiled into 2018/19. The most significant variance was in respect of the Adult Care and Housing Capital Programme – where it was estimated that £10.821m of spending would be re-profiled into 2018/19 and later years of the Capital Programme, mostly to reflect delays on several major projects providing new housing.

This revised and re-profiled Capital Programme position would continue to be closely monitored and any further revisions and adjustments required to the Programme would be reported within the next financial monitoring report to Cabinet.

Members identified the pressures in respect of Adult Social Care and noted that most unitary and upper tier council had pressures in this area. In the future it was considered that this would represent a significant pressure on the budget. In response, officers confirmed that this was correct and noted that additional 3% levied on Council Tax for adult services in 2017/18. Information would be presented to Members as part of the budget on how the adult care budget would be progressed and how increasing costs would be managed.

Having regard to the earlier presentation by the Leader of the Council and Chief Executive, Members sought assurances that the budget was under control and regularly monitored. Officers confirmed that the budget was regularly monitored through reports such as this which are considered by the Cabinet, Commissioners and the Senior Leadership Team. Any re-profiling of the budget would need to come through to Members for determination at Council and assurances would be provided with any recommendations to do so.

Reference was made to the practice of vacancy management where vacant posts had been left unfilled to deliver in-year savings and Members queried whether such posts were needed if they could be left unfilled for significant periods of time. Officers indicated that this was a valid point and the question pre-empted some of the savings that were proposed to be considered as part of the budget scrutiny process later in the month.

Assurances were sought in respect of the Troubled Families Programme and the claim submitted in October 2017 had been accepted. The Assistant Director of Financial Services indicated that he expect that it had been, but would confirm in writing outside of the meeting.

Referring back to the earlier presentation by the Leader of the Council and Chief Executive, assurances were sought in respect of the ability to scrutinise and challenge third parties who might deliver services on behalf of the Council in future. In response, it was explained that this would need to be built into agreements and contracts in future.

Resolved:-

That Cabinet be advised that the recommendations be supported.

53. REVIEW OF COUNCIL TAX SUPPORT SCHEME

Consideration was given to a report which detailed that until 2013/14 Council Tax Benefit was a national scheme administered by Councils, but fully funded by the Government. In 2013 the Government abolished the national scheme and asked Local Authorities to create their own local Council Tax Support (CTS) Schemes with reduced funding. Local CTS Schemes have to be reviewed annually and this report set out recommendations following this year's review which was carried out within the context of the substantial financial challenges facing the Council.

Since 2010 Central Government grant to local authorities had been severely cut each and every year and the Council's latest financial planning assumptions have identified that the Council needed to reduce its net spending by a further £31m over the two years 2018/19 and 2019/20. The Council must address this funding gap whilst demand for services, particularly social care for vulnerable children and adults, was continuing to rise.

As part of the review of the CTS Scheme, the level of potential savings that could be gained by changing the scheme was considered alongside the impact of a variety of options.

Rotherham's scheme had remained unchanged since it was implemented, whereas many other Councils have already reviewed their schemes and provided support which was significantly less than was currently provided by Rotherham.

The proposals related only to support for working age claimants (the support provided to pensioner claimants remained unchanged at nationally determined levels).

The options which were selected included retaining the current scheme and a further seven change options which could be implemented individually or in combination. Any proposal to change the Council Tax Support Scheme required the Council to consult major preceptors (Fire and Rescue Authority and Police and Crime Commissioner) and also to undertake a public consultation exercise. Consultation had been held with the major preceptors and a public consultation was undertaken over the period 9th October to 20th November, 2017.

A total of 401 responses were received and detailed analysis of the consultation, including its scope and the analysis of the responses received, was set out in detail as part of the report. These have informed the final recommendations.

Legislation required that any changes to the Council Tax Support Scheme must be adopted by Full Council by 31st January, 2018 in order to come into effect for 2018/19. The Cabinet would then consider the proposals and any recommendations would, therefore be forwarded for consideration at the Council meeting on 24th January, 2018.

Resolved:-

1. That Cabinet be advised that the recommendations be supported.
2. That greater clarity is provided about how consultation responses are used to inform proposals; and where the proposals differ from a majority consultation response, that a clear rationale is provided about how the proposals have been arrived at.
3. That a further report is provided in October 2018 on the take up of the Council Tax Support Scheme and the impact of the roll-out of Universal Credit across the borough.

54. ROTHERHAM LOCAL PLAN: MAIN MODIFICATIONS TO THE LOCAL PLAN SITES AND POLICIES DOCUMENT

Consideration was given to a report which was to seek Council approval to consult on Main Modifications to the Sites and Policies Document. This was necessary to accommodate the changes to the plan required by the Planning Inspector. These changes were required to make the plan sound and enable the Council to adopt it in due course.

Members queried the changes proposed by the Planning Inspector and made specific reference to the removal of a restriction on takeaways near schools. In response it was confirmed that a refusal on the grounds of being against the interests of public health reasoning had been challenged and lost on appeal, as the Planning Inspector did not attach weight to the public health argument.

Reference was also made to land at Thorpe Hesley which was proposed to be protected by inclusion within the green belt and ward Members were very pleased with that amendment. Reflecting on this point, Members concluded that one of the great advantages of the Local Plan is that it gives the Local Planning Authority and the Planning Board the power to refuse applications which are not consistent with its provisions.

Resolved:-

That Cabinet be advised that the recommendations be supported.

55. THE 'TIME FOR ACTION' INITIATIVE

Consideration was given to the report which set out the work that had been done in Rotherham to strengthen enforcement activity around environmental crime issues such as littering, dog fouling and fly-tipping following the approval by Cabinet and Commissioners of the 'Time for Action' approach on 9th January, 2017 and to progress discussions with Doncaster Council to develop shared service provision.

A pilot exercise in Rotherham had been underway since 26th April, 2017 to test the effectiveness of an alternative approach to deliver enhanced environmental crime and parking enforcement within the Borough.

The pilot had proven to be successful as could be evidenced by the increased level of fixed penalty fines and patrols undertaken to tackle littering and dog fouling and whilst it was difficult to measure any long term effects in relation to deterrent or reducing street cleansing costs, the short term aim of increasing enforcement against environmental crime offences could clearly be demonstrated.

Discussions with Doncaster Council have continued throughout with consideration of options, potential timescales, likely specifications and potential service level agreement items.

Members expressed concerns that Kingdom were operating on private owned land where the landowner had a duty to maintain cleanliness of their property and felt that Kingdom should operate solely on public land or Council owned property. In response, officers confirmed that a flexible approach could be adopted where a private landowner could pay for the service.

Further concerns were expressed that the initiative was targeting areas with larger footfall to increase the ratio of fine. In response, officers advised that targeting was something that should be pursued, but it should not be about targeting specific individuals, but rather to undertake enforcement activity to challenge behaviours.

Members sought clarification in respect of the number of fines that needed to be pursued through the courts for non-payment. In response, it was confirmed that 4,617 offences had been committed and the expectation was that 70% of these would be collected and 30% would require collection through the courts. It was agreed that specific information would be supplied outside of the meeting.

Clarification was sought as to why attendants were operating in pairs around the town centre. It was explained that this happened occasionally, although staff were provided with body cameras to record proceedings. This was particularly important due to the abuse received by staff and the authority needed to support staff undertaking what could potentially be difficult work.

Resolved:-

1. That Cabinet be advised that the recommendations be supported.
2. That the following recommendations from Improving Place Select Commission be used to inform the negotiations:

That:

- a) The service should be extended to include issuing of parking fines;
- b) A communication plan be developed to promote the initiative borough wide;
- c) Branding is clearly identified and included as part of the communications plan;
- d) Members are notified when Enforcement Officers are working in their Wards;
- e) Service provision is distributed equally across outlying areas and wards;
- f) The extension of service provision to private sector areas be explored;
- g) That contractors undertaking enforcement activity and issuing of penalties on behalf of the Council work to Rotherham MBC's code of practice;
- h) When fines are issued, that clear and consistent information is provided to the customer about the process and what happens next;
- i) Details of the contract covering the shared service arrangements should be presented to Improving Places Select Commission;

- j) Six monthly monitoring and evaluation reports are to be presented to Improving Places Select Commission to include details regarding social demographics.

56. DATE AND TIME OF NEXT MEETING

Resolved:-

That the next meeting be held on Thursday 14 December, 2017 at 2.00 p.m.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Thursday, 14th December, 2017

Present:- Councillor Steele (in the Chair); Councillors Brookes, Clark, Cowles, Cusworth, Evans, Mallinder, Napper, Sheppard, Short and Walsh.

Apologies for absence:- Apologies were received from Councillors Wyatt.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or press.

3. TO CONSIDER WHETHER THE PRESS AND PUBLIC SHOULD BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF ANY PART OF THE AGENDA.

The Chair reported that there were no items of business on the agenda that would require the exclusion of the press or public.

4. BUDGET 2018/19 AND MEDIUM TERM FINANCIAL STRATEGY PROGRESS UPDATE

The Chair welcomed attendees to the meeting and explained that the purpose of the meeting would be to review income generation and savings proposals from the Strategic Directors of Regeneration & Environment and Finance & Customer Services and the Assistant Chief Executive as part of the budget scrutiny process. A further meeting would be held on 20 December 2017 to review proposals from other Strategic Directors.

5. BUDGET OPTIONS - REGENERATION AND ENVIRONMENT

The Chair welcomed the Strategic Director of Regeneration and Environment and other officers, as well as the Cabinet Member for Jobs and the Local Economy, to the meeting.

Members considered the following budget proposals:

| Title | OSMB Comments | Supported or Rejected | Additional Actions |
|---|--|---|--|
| Review of Corporate Health and Safety (R&E 1) | Members received assurances in respect of the analysis undertaken by the service in respect of the viability of the proposal | Supported | N/A |
| Increased income/reduced costs from the Market Service (R&E 2a) | <p>Members sought assurances in respect of what was empty liability and how much of the £50k and £75k was attributable to increased income or reduced cost.</p> <p>Members also queried how the Council would increase footfall. It was explained there was a broader approach to this which involved promoting the market, the development of other schemes and a longer term strategy to redefine the town centre to bring more people in.</p> | Supported in principle, subject to additional clarification being provided. | Assistant Director for Planning, Regeneration & Transport to supply information to Members |
| Increase fee income from A630 Parkway widening project for one year only (R&E 2b – 1) | No comments | Supported | N/A |
| Increase in planning application income or reduce staffing levels if planning applications do not meet the additional target (R&E 2b – 2) | No comments | Supported | N/A |

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| RiDO – Deletion of vacant post (R&E 2b) | Members sought assurances that there would be sufficient capacity left within the team if the proposal to delete a post were to be implemented. It was explained that the focus of the team was on bigger strategic workstreams rather than lower level development and it was anticipated that this could be accommodated. | Supported. | N/A |
| Revenue Income Through Property Investment (R&E 3 – 1) | No comment. | Supported | N/A |

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| Riverside House Space to Partner (R&E 3 – 2) | Members queried whether the proposal was viable without the landlord's permission. It was explained that all such projects carried a degree of risk and the biggest risk associated with this was that the proposed tenant could find alternative accommodation. At this stage there was nothing to formally submit and no plans were in place. Members also sought assurances in respect of capacity in legal services to expedite any agreement and the impact on customers in Riverside House. In response, it was confirmed that there was sufficient resources to progress the project and that the impact on customers would be monitored. The proposal was considered to be achievable, but it was noted that it would not deliver a full year saving in 2018-19. | Supported | N/A |
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| <p>Income from Schools for the provision of Asset Management Services (R&E 3 - 3,4,5,7)</p> | <p>Members queried whether this was an activity that Multi-Academy Trusts (MATs) could deliver in-house and, in addition, whether the Council had investigated grouping all of the services that could be offered to MATs into one corporate package. In response, officers indicated that they had every reason to believe that MATs would use the service. Officers from Asset Management working with colleagues in Children's Services were working on developing a single package for MATs in future.</p> | <p>Supported</p> | <p>N/A</p> |
| <p>Reallocation of Community Engagement and Community Property Work (R&E 3 – 9,10)</p> | <p>Members sought assurances that the directorate had the capacity to deliver against this proposal. In response, it was explained the proposal was designed to create the capacity to deliver. Members sought further information in respect of the detail of the proposed income and were advised there was a set fee against each valuation.</p> | <p>Supported</p> | <p>Assistant Director of Planning, Regeneration and Transport to provide additional information on the fee structure for valuations.</p> |

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| <p>Stage 2 Implementation of Transport Review (R&E 4)</p> | <p>In response to a request for clarification, it was noted that Home to School Transport was part of this review, along with the exploration of option for changing policy on children's transport and the Corporate Transport Unit. The aspiration was to ensure better management of transport budgets through a corporate unit, rather than through individual services. It was noted that the review was also concerned with fleet procurement and management. Members asked to see the Equality Impact Assessment for the proposal.</p> | <p>Noted that will be the subject to future pre-decision scrutiny ahead of any Cabinet decision</p> | <p>Strategic Director for Regeneration and Environment to provide the Equality Impact Assessment to Members</p> |
| <p>Community Safety and Street Scene Transformation and re-design (R&E 5)</p> | <p>No comments</p> | <p>Supported</p> | <p>N/A</p> |

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| Revision to the grounds maintenance service (R&E 6a – 3 & 5) | Members raised queries in respect of the capacity to buy back services through devolved budgets and what work was being done with town and parish councils for them to deliver these services in future. The Strategic Director agreed to investigate the feasibility of both approaches. Reference was also made to the seasonal approach to recruitment for this work through use of agency staff, which was acknowledged to be the most cost effective approach. | Supported | N/A |
| Integration of the Dog Warden Service into the Pest Control Service (R&E 6e) | Members sought clarification as to the effect of the proposal and it was confirmed that the service would reduce from five days to three days per week. It was explained that there was a lesser risk arising from the proposal as there were fewer stray dogs and the proposal was to scale down staff numbers to meet demand. Members recommended that costs of stray dogs be recouped through microchipping checks. | Supported | Recommendation that costs are recouped through microchipping checks. |

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| Waste Options Appraisal / Waste Review (R&E 7a) | No comment | Noted that will be the subject to future pre-decision scrutiny ahead of any Cabinet decision | N/A |
| Change Bank Holiday Monday waste collections to Saturday (R&E 7c) | Reflecting on the situation at Birmingham City Council, Members reiterated the need to ensure that the trade unions were involved in discussions in respect of this proposal. | Supported | N/A |
| Introduce advertising/sponsorship on waste collection vehicles (R&E 7d) | No comment | Supported | N/A |
| Review of cleaning provision in corporate landlord properties(excluding Riverside House) (R&E 8 – 3) | No comment | Supported | N/A |
| Review of caretaking vehicles provision (R&E 8 – 4) | No comment | Supported | N/A |
| Riverside House Café (R&E 8 – 5) | No comment | Supported | N/A |
| Riverside House Cleaning (R&E 8b – 2) | No comment | Supported | N/A |

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| Culture and Sport Staffing Reconfiguration (R&E 9a) | Sport and Tourism | Members were concerned at the lack of clarity in respect of the impact on staff numbers in this proposal. | Deferred | Assistant Director Culture, Sport and Tourism to attend on 20 December 2017 to provide clarification in respect of the proposal. |
| Rother Valley Country Park – development of a new caravan site (R&E 9b) | | No comment | Supported | N/A |
| Increase income at the Civic Theatre (R&E 9c) | | Members supported the notion of utilising income to make the theatre fully self-sustaining. | Supported | N/A |
| Temporarily prioritise essential maintenance only at Countryside sites (R&E 9e) | | No comment | Supported | N/A |
| Increase income across parks, countryside and green spaces (R&E 9f) | | No comment | Supported | N/A |
| Temporarily Prioritise Essential Maintenance Only at Clifton Park and other urban green spaces (R&E 9g) | | No comment | Supported | N/A |
| Expansion of Nationality Checking Service (R&E 9h) | | No comment | Supported | N/A |

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| Reduce or Stop the provision / maintenance of highway assets – Cenotaphs (R&E 11 – 4) | Members sought further information in respect of which cenotaphs were maintained by the Council, rather than parish councils. | Deferred | Strategic Director of Regeneration and Environment to bring information back to Members on 20 December 2017. |
| Sponsorship for Town Centre events; i) Christmas illuminations (£44,000) ii) Christmas tree (£2,000) (R&E 11) | Members were fully supportive of the proposal, but sought assurances in respect of any failure to secure a sponsor. It was explained that coordination between the Council and town centre businesses | Supported | N/A |
| One Off Income for Recycling of old Street Lighting Lanterns (R&E 13) | No comment | Supported | N/A |
| Realignment of the Highways Budget – Street Lighting Energy and Highway Insurance Premiums (R&E 14) | No comment | Supported | N/A |

6. BUDGET OPTIONS - FINANCE AND CUSTOMER SERVICES

The Chair welcomed the Strategic Director of Finance and Customer Services and the Cabinet Member for Corporate Services and Finance to the meeting.

Members considered the following budget proposals:

| Title | OSMB Comments | Supported or Rejected | Additional Actions |
|---|----------------------|------------------------------|---------------------------|
| Consolidate Riverside House Customer Services (FCS CIDS1) | No comments | Supported | N/A |
| To remove the cost of hiring a van for the Information Governance team to deliver historic paper records to staff across RMBC (FCS CIDS2) | No comments | Supported | N/A |
| To reduce the Information Governance Team by one member of staff (FCS CIDS3) | No comments | Supported | N/A |

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| <p>Restructure the Management team across the Digital Service (FCS CIDS4)</p> | <p>Members sought clarification as to why the proposal would deliver the anticipated benefits given the historic issues with IT in the authority. In response it was confirmed that the service would be in a stronger position as a result of the implementation of the proposal. Members sought further clarity in respect of the number of vacant posts and how long they had been vacant for. In response, it was confirmed that a large number had been held as vacant throughout the financial year. Members sought further information in respect of the reconfiguration of management in CIDS.</p> | <p>Deferred</p> | <p>Strategic Director of Finance and Customer Services to provide clarification in respect of the proposal on 20 December 2017.</p> |
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| Revenues & Benefits Service - reduction in overtime (FCS – Fin 1) | Members sought assurances in respect of the checks and balances in place to prevent the unnecessary payment of overtime. It was explained that former practices had been challenged and changes had been made to significantly reduce overtime since the appointment of the Strategic Director of Finance and Customer Services. Members also raised the need to move to e-billing for Council Tax. However, it was also suggested that the annual waste calendar be issued in the same letter as Council Tax bills to achieve efficiency on printing and postage. | Supported | That OSMB consider establishing a task and finish group to review communications to residents. |
| Recovery of Housing Benefit Overpayments (FCS – Fin 2) | No comment | Supported | N/A |
| Staffing savings from the Procure to Pay service (FCS – Fin 3) | Members received assurances that the progress for purchase orders was managed through an electronic system and noted the issues that had faced the service in the past two years. | Supported | N/A |
| Review of Income Collection Arrangements (CW3) | No comment | Supported | N/A |

7. BUDGET OPTIONS - ASSISTANT CHIEF EXECUTIVE'S OFFICE

In view of the time taken to review the proposals from the Strategic Directors of Finance & Customer Service and Regeneration & Environment, the proposals from the Assistant Chief Executive were deferred for consideration until Wednesday 20 December 2017.

8. DATE AND TIME OF NEXT MEETING

The next meeting of the Overview and Scrutiny Management Board would be held on Wednesday 20 December 2017 at 9.00 a.m. in Rotherham Town Hall.

OVERVIEW AND SCRUTINY MANAGEMENT BOARD
Wednesday, 20th December, 2017

Present:- Councillor Steele (in the Chair); Councillors Brookes, Clark, Cowles, Cusworth, Evans, Mallinder, Napper, Sheppard, Short and Walsh.

Apologies for absence:- Apologies were received from Councillors Wyatt.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

9. DECLARATIONS OF INTEREST

There were no declarations of interest.

10. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or press.

11. TO CONSIDER WHETHER THE PRESS AND PUBLIC SHOULD BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF ANY PART OF THE AGENDA.

The Chair reported that there were no items of business on the agenda that would require the exclusion of the press or public.

12. BUDGET 2018/19 AND MEDIUM TERM FINANCIAL STRATEGY PROGRESS UPDATE

The Chair referred to the previous meeting held on 14 December 2017 and reminded Members that the purpose of the meeting was to review the outstanding income generation and savings proposals from the Council's directorates for the 2018-19 financial year.

It was noted that information requested at the meeting on 14 December 2017 had been circulated and would be referred to during the meeting by the relevant Strategic Director.

13. BUDGET OPTIONS - ASSISTANT CHIEF EXECUTIVE'S OFFICE

The Chair welcomed the Assistant Chief Executive to the meeting. Members considered the following budget proposals:

| Title | OSMB Comments | Supported or Rejected | Actions |
|--|---|-----------------------|---------|
| Centralisation of Performance Management & Quality Function (ACX1) | Members sought clarification in respect of timescales for centralising the function and it was confirmed that any changes would take place after April 2018 and would be subject to Cabinet Member, Commissioner and Strategic Director sign off. Members also reflected on the likelihood of performance management be improved through centralisation and the role of Cabinet Members in determining Council Plan indicators. | Supported | N/A |
| Reduction in grant for infrastructure to voluntary and community services (ACX2) | Members were reassured that an equality impact assessment had been completed in respect of the proposal and provided support. | Supported | N/A |
| Immigration Advice (RDF)/Reduction in advice services contract – linked to advice services review (ACX3) | No comment | Supported | N/A |

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| Reorganisation of Communications function (ACX4) | Members challenged the capacity of the function to respond to a reorganisation. It was noted that a new Head of Communications and Marketing had been appointed and would conduct a review early in 2018. Members recognised that a number of other income generation proposals from other directorates were dependent on the marketing of services and asked for a report back on the implementation of the proposals early in the 2018-19 financial year | Supported | That the Head of Communications and Marketing submit a report to OSMB in April 2018. |
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14. BUDGET OPTIONS - CHILDREN AND YOUNG PEOPLE'S SERVICES

The Chair welcomed the Strategic Director of Children and Young People's Services and the Deputy Leader & Cabinet Member for Children's Services to the meeting. Members considered the following budget proposals:

| Title | OSMB Comments | Supported or Rejected | Actions |
|---|---|---|--|
| Early Help Phase 2. Whole Service Review (CYPS1) | Members sought assurances that the proposals would lead to an improved service and were advised that the service can be improved with less management and a greater focus on families who require support. Members sought further assurances that the saving would be met during the year and noted that the intention was to deliver a part year saving from October 2018. Members were also keen to understand what the equality impact assessment for the proposal had identified and how consultation would be undertaken with service users. | Supported in principle, but noted that it would be subject to pre-decision scrutiny prior to any final decision by Cabinet. | Strategic Director of Children and Young People's Services to submit a report to Improving Lives Select Commission on the outcome of the consultation in May 2018. |
| Education Psychology Service (to move net Council General Fund spend to DSG High Needs) (CYPS2) | Members identified that this proposal would make real savings and expressed the view that this should have been done at an earlier stage. | Supported | N/A |

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| Revise the funding model for Admissions and Appeals (CYPS3) | Members sought clarification in respect of who responsible for the funding of admissions and appeals following the reforms in education that had resulted in the creation of academies. Clarification was provided in respect of accountabilities for maintained schools through the local authority and academies which were separate organisations or part of multi academy trusts. | Supported | N/A |
| Troubled Families – Payment by Results (CYPS4) | No comment | Supported | N/A |
| Schools Improvement Service (CYPS5) | Members expressed concern in respect of the proposal as the explanation provided did not correlate with the detail in the written proposal. | Deferred for further consideration | Strategic Director of Children and Young People's Services to provide clarification on 10 January 2018. |
| Sufficiency - Independent Fostering Agencies, First Preference (CYPS6) | Members sought and received assurance that the authority was more confident about placing with Independent Fostering Agencies | Supported | N/A |
| Sufficiency - Block contracts (residential) (CYPS7) | Members expressed some concern that the proposal was aspirational rather than realistic. Assurances were provided that it was realistic and the savings targets were real targets | Supported. | N/A |

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| Sufficiency - Foster Care Recruitment (CYPS8) | Whilst Members highlighted concerns that projected savings could be affected by increased demand, there was support for the proposal. | Supported | N/A |
| Sufficiency - Edge of Care Interventions (CYPS9) | Members reflected on the success of previous investments in this area and were pleased to note that further funds would not be required, however they noted that progress would rely on the reconfiguration of Early Help during 2018-19. | Supported | N/A |
| Regional Agreement for Agency Social Workers (CYPS10) | Members sought assurances that all authorities would abide by the terms of an agreement. It was noted that all authorities in the region were signed up to and the potential delay arising from the need to give notice may lead to implementation commencing in-year rather than from 1 April 2018. | Supported | N/A |

15. BUDGET OPTIONS - PUBLIC HEALTH

The Chair welcomed the Director of Public Health and the Cabinet Member for Adult Social Care and Health to the meeting. Members considered the following budget proposals:

| Title | OSMB Comments | Supported or Rejected | Actions |
|--|---|-----------------------|---------|
| Active Rotherham savings – R&E reallocated funds (PH1) | Members indicated that this had been a good project and sought assurances as to how the reconfiguration would continue. It was confirmed that discussions were ongoing to identify how interventions could take place in other areas. | Supported | N/A |

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| Withdrawal of £25k of Public Health re-allocated budget from the homelessness service (PH2) | Members expressed concerns in respect of the impact of this proposal on homeless people in the borough. It was expected that the reduction in funding would be mitigated from the Housing Revenue Account, however Members expressed further concern and requested clarification be provided at the next meeting of the Board. | Deferred until 10 January 2018 | Director of Public Health or Assistant Director of Housing to attend on 10 January 2018 |
| Reduction in Sexual Health contract value by a minimum of 2.6% of the total year contract value, to reflect the reduction in Public Health Grant (PH3) | Members sought assurances in respect of the adequacy of the future service provision given that it was already being provided on a reduced contract. It was confirmed that robust contract management arrangements were in place to manage key performance indicators in this area, but the key aspect was to ensure that treatment was delivered at an earlier stage. | Supported | Report on the implications of the proposal to be submitted to the Health Select Commission |
| Savings from redesigning children's obesity pathway/ decommissioning sections of the healthy weight pathway (PH4) | No comment | Supported | N/A |
| Reduce the amount spent on HIV prevention to £30k (PH8) | No comment | Supported | N/A |

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| Two staff vacancies (Public Health Specialist for substance misuse commissioning and Children's) posts disestablished (PH9) | No comment | Supported | N/A |
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16. BUDGET OPTIONS - REGENERATION AND ENVIRONMENT

The Chair welcomed the Strategic Director of Regeneration and Environment and the Assistant Director for Culture, Sport and Tourism to the meeting. Members considered the following budget proposals which had been deferred at the meeting held on 14 December 2017:

| Title | OSMB Comments | Supported or Rejected | Actions |
|--|---|---|---------|
| Energy Efficiency Measures and Utility Procurement (R&E 3 – 6 – 8) | No comment | Supported | N/A |
| Stage 2 Implementation of Transport Review (R&E 4) | Having received the Equality Impact Assessment for the proposal, Members were able to support the proposal in principle. | Supported in principle, and noted that this would be the subject of pre-decision scrutiny prior to a future decision by the Cabinet | N/A |
| R&E 9a | Members sought and received assurances that saving could be achieved and the service could continue to be provided. Further concerns were expressed about the impact on frontline staff and it was acknowledged that this was an emotive point. | Supported | N/A |

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| Reduce or Stop the provision / maintenance of highway assets – Cenotaphs (R&E 11 – 4) | Members received the breakdown of which cenotaphs were the responsibility of the Council and were able to support the proposal. | Supported | N/A |
|---|---|-----------|-----|

17. DATE AND TIME OF NEXT MEETING

The next meeting of the Overview and Scrutiny Management Board will be held on Wednesday 10 January 2018 at 11.00am in Rotherham Town Hall.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

FINANCE AND CUSTOMER SERVICES

Update briefing for Overview Scrutiny Member Board**Dated: 21 February 2018****Customer Access Strategy and Support for all Customers**

This briefing note is designed to give an overview of the previous, current and future situation regarding customer access and support of all customers. This paper summarises the proposed plans that will be developed to ensure all customers can access services regardless of their personal circumstances.

Background

- The Council has previously offered a limited number of digital services to customers.
- Customer Access Strategy 2011 – 2015
- No evidence of public involvement in developing customer access channels.
- The majority of services are not offered digitally
- Digital services not delivered in a holistic manner and it is not possible to access accurate digital completion rates and times across the Council.

Current Situation

- In 2017 a Customer Service and Efficiency Programme was established. The aim of the programme is to deliver a comprehensive set of work streams to enable value for money, process redesign, self-service and digital options.
- Monthly briefing with Councillors to inform and develop the programme.
- Services are currently writing business cases on which services can be made more efficient and delivered in a customer focused manner.
- Some technology platforms are being replaced because of old technology and the expiry of some IT contracts. These include the Your Account system.
- Promotion of the new Your Account Service has taken place to engage with the public and receive their feedback.
- Your Account roadshows and engagement sessions have taken place with local community groups, including vulnerable customers.

- Support is offered to customers through all libraries and neighbourhood hubs. Customer service staff will support customers to complete digital forms. Alternatively staff will complete these forms on behalf of the customers.
- Support is also available to all customers on the telephone, via the contact centre. Contact centre staff can complete forms on behalf of customers or support the customer to complete it themselves.
- The Council website is setup using the Accessibility Standards to support customers with disabilities.

Future

Access to customer services will not use a digital by default approach and will instead use a digital first strategy. This means that the Council will adopt a preference for customers to access services through a self-serve digital channel, but this will never exclude customers who cannot or will not use this channel from receiving services.

Developing technologies to allow joined up and easy to use services including social media integration.

Develop digital champion ethos which will enable staff who visit customers in the community to use mobile technology to access services.

Benchmark customer service delivery through the consolidation of customer services.

The Council will develop a new Customer Access Strategy

- Strategy will be developed through discussions with Councillors, residents, local businesses and partner agencies.
- Finished strategy to be presented for approval in May 2018
- Help as many customers as possible to access services digitally.
- Discuss with partner agencies how we can support those who find digital access challenging. The Council will support these people/groups so they continue to have access to services they need.
- Customers to co-design and test new digital services before they 'go live'
- Continually develop digital services using feedback and complaints from all customers.
- On-going discussions with customers throughout the delivery of the strategy to shape the priorities and development of the programme.

Council Report

Overview and Scrutiny Management Board – Wednesday 21st February 2018

Title

Scrutiny Review – Use of agency, interim and consultancy staff

Is this a Key Decision and has it been included on the Forward Plan?

No

Director Approving Submission of the Report

Chief Executive

Report author(s):

Caroline Webb, Senior Scrutiny Advisor (Scrutiny and Member Development)
01709 822765

Ward(s) Affected

All

Executive Summary

The scrutiny report (attached as Appendix 1) presents the views of a cross-party review group on the Authority's use of agency, interim and consultancy staff. The purpose of the review was to seek assurance that the Council measures performance and value for money in its use of agency staff and consultants and is taking appropriate action to maintain spend within acceptable limits. The recommendations made by Members are based on information and evidence collated during the course of the review and their challenge of existing practices and developing protocols.

Following OSMB, the report is to be presented to the Council meeting of 28 February 2018 for information to share the findings with the wider membership. The Cabinet will be required to respond formally to the recommendations and indicate agreement or otherwise, what action, will be taken to implement the recommendations, along with details of timescales and accountabilities.

Recommendations

- 1) That the report and recommendations in respect of use of agency, interim and consultancy staff, as outlined in Section 4 of Appendix 1, be approved.
- 2) That OSMB forwards the scrutiny review to Council for its consideration;
- 3) That the response of Cabinet to the recommendations be fed back to this Committee.

List of Appendices Included

Appendix 1 – Scrutiny Review: Use of agency, interim and consultancy staff

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

N/A

Council Approval Required

No

Exempt from the Press and Public

No

Overview and Scrutiny Management Board

Scrutiny Review of Agency, Interim and Consultancy Use.

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1 Introduction

- 1.1 Over the course of 2016-17, Overview and Scrutiny Management Board (OSMB) expressed its concerns at the increasing and significant forecast of in-year overspend. Related to this had been concerns about the use of agency staff and consultants across the authority and if there was robust management control in place at that time¹. It was agreed that a small cross-party working group would be established to examine what actions were being taken to drive down the number of agency staff and consultants and consequently reduce the associated financial impact.
- 1.2 The following Members undertook the scrutiny review:
- Cllr Kerry Albiston
 - Cllr Allen Cowles
 - Cllr Jeanette Mallinder
 - Cllr Brian Steele (Chair)
- 1.3 The recommendations made by Members are based on information and evidence collated during the course of the review and their challenge of existing practices and developing protocols. The Workforce Management Board (WMB), led by the Assistant Chief Executive and attended by Assistant Directors from all Directorates, had been set up shortly before the commencement of this review to introduce a control process, with the use of agency staff requiring explicit Directorate and Board sign off. It was helpful that the review coincided with the development of the WMB as Members were able to hold officers to account and see evidence of its work with associated improvement in performance; increased oversight and reduction in spend. Through this regular dialogue, Members were able to influence the development of procedures and clarification of definitions and reporting routes which has meant that some of Members' recommendations were implemented during the course of the review.

2 Scope and terms of reference

The purpose of the review was to seek assurance that the Council measures performance and value for money in its use of agency staff and consultants and is taking appropriate action to maintain spend within acceptable limits.

Over a series of meetings with senior officers, the Members sought to establish:

- Definitions of agency, interim or consultancy staff;
- The criteria/protocol for appointment of agency/interim staff and consultants;
- What would be a reasonable number of agency staff and/or consultants for an organisation of the Council's size and complexity;
- The current number; cost and length of contract of agency/interim staff and consultants (by Directorate);

The review group thanks the Cabinet Member, officers and trade unions for their co-operation and support.

¹ It was reported as part of the Corporate Plan 2016/17 Quarter 4 Performance Report in August 2017 that the targeted 10% reduction in agency staff had seen instead a 50% increase.

3 Key issues

The review group commenced its enquiry in June 2017 and reported its findings in February 2018. The issues arising from the discussions are summarised below.

The review group met with officers six times over the period of the review, with further meetings held with the Cabinet Member for Corporate Services and Finance and in-house trade unions. Revenue monitoring and performance reports were also submitted to the OSMB during the course of the review, which gave oversight of performance and spend in this area.

- 3.1 It was noted that both the former Corporate Plan and its replacement, the RMBC Council Plan (2017-20) had reduction in the use of agency staff as a priority measure and this was the primary means through which performance in this area is measured. Members received information that demonstrated that the overall agency spend was reducing and plans were in place to ensure the downward trajectory continued, particularly in relation to social care agency spend in CYPS. The most recent report to OSMB outlined the Council's use of temporary and agency staff remained at high levels, however at the end of the first quarter the annual projected agency expenditure for 2017/18 was 21% lower than agency cost in the previous year².

Agreed Definitions of Agency, Interim or Consultants

- 3.2 In establishing whether there were agreed criteria for the appointment and use of agency, interims and consultants, Members were concerned that the definition used in the HR service briefings did not provide sufficient clarity or distinction between each respective category. Initial information presented to the review provided details of agency spend, there was less clarity about spend on consultants and how this was reported. The review group were of the view that a lack of clear definitions, particularly in relation to consultants, meant that that information was not reported consistently or accurately.
- 3.3 Officers were asked to clarify the definition and ensure that budget codes were aligned to them to ensure that expenditure could be monitored accurately. To this end the following definition has been developed:
1. **Agency Staff** - Individuals employed and paid for through an agency. They may be covering a single specific vacancy or be covering a capacity gap left by a number of vacancies, by specific demand pressure or as a result of a skills gap. They may or may not have decision making authority or staff management responsibilities.
 2. **Interims** - Individuals working day to day 'as though an employee' but not engaged through an agency contract. They may be covering a single specific vacancy or be covering a capacity gap left by a number of vacancies, by specific demand pressure or as a result of a skills gap. They may or may not have decision making authority or staff management responsibilities.

² Council Plan 2017/18 Quarter 1 Performance Report: OSMB 27th September 2017.

3. **Consultancy/Independent Contractor** - An individual or a company engaged through a tender/procurement process to carry out a defined piece of specialist work or a project. The company or individual would not be expected to have any decision making authority or staff responsibilities and the work would be expected to culminate in an output e.g. a report. They may work predominantly on or off site depending on the nature of the piece of work.

Criteria/protocol for appointment of agency/interim staff and consultants

- 3.4 At its first meeting of the review group, officers presented the WMB's terms of reference and 'Workforce Resource Request-Business Case' which is used to approve requests for recruitment of permanent staff or procure external resource. The Chair was invited to attend a WMB meeting and was assured of the rigour applied to their scrutiny of the management of people resources and expenditure, particularly in relation to agency spend. The review group was assured that the WMB has grip on recent agency appointments.
- 3.5 Whilst the review group were confident that steps were in place by the WMB to monitor agency staff usage, it was less clear if the same processes were applied consistently to the appointment of consultants or interim staff appointed to undertake a senior role. Following representations, the Chief Executive gave assurance to the Chair that future appointments to senior posts would only be considered for approval following submission to the WMB.
- 3.6 The review group were keen that there is a consistent approach taken and, as with agency staff, consultancy appointments are made on the basis of a business plan which is linked to a service plan. It was felt that as the requirement to use consultants for specific projects or specialism should be anticipated well in advance, that the requirement for this expertise should be explicitly reflected in service plans; with corresponding details about expected outcomes, timescales and resourcing to inform the procurement or tendering of consultancy services. The Head of Procurement, who is now to be a member of the WMB, can escalate to the Board any issues or concerns arising out of an extension or variation to the tendered contract, which takes it significantly beyond the original timeframe or agreed expenditure. If these protocols were followed, the Council could be more confident that the decisions relating to the appointment of consultants were soundly based and would achieve value for money.
- 3.7 It was also felt that wherever appropriate, there should be an element of training or skill development when consultants were engaged to build in-house capacity (for example involvement in project work or work-shadowing). This would ensure that staff had a greater understanding of the specialist elements provided by the consultants and an opportunity to undertake skill development/knowledge transfer which could be used to train staff and in turn may lessen the need to contract externally in the future.

Appropriate Level of Usage of Agency/Interims and Consultants

- 3.8 Overall, Members accepted that agency, interims and consultants can be an important and effective means of covering inevitable temporary staff shortages. If monitored

properly, the use of agency staff was recognised as an effective means of providing a flexible resource to ensure continuation of services. On the basis of the performance reports and briefings provided to Members, it was noted that spend was increasingly maintained within overall staffing budgets³.

- 3.9 Within CYPS, it was recognised that a significant element of spend was aligned to the introduction of new management arrangements and linked to the improvements in CYPS. A detailed presentation was given to the review group by senior officers in CYPS which explained that investment in specialist consultants following intervention provided grip and enabled strategic improvements to be made and higher levels of agency staff were required to ensure safe levels of practice⁴. Since 2015/16, there had been a cumulative reduction in agency costs of 40%, with greater numbers of permanent appointments made.
- 3.10 It was further noted that agency and consultancy spend across Adult Social Care was forecast to increase over the coming year and beyond. A detailed discussion with the Strategic Director for Adult Care and Housing provided details of how this resource would be used to support its Improvement Plan. Members were keen to see that there was regular monitoring of the Improvement Plan to ensure that drift did not occur.
- 3.11 Detailed information was given to the review group, outlining use of agency seasonal workers in the Regeneration and Environment Directorate. Whilst it was accepted that the use of agency staff allows a degree of flexibility to deliver services which have targeted completion (waste being daily and grounds maintenance or grass cutting being on a regular cycle); the review group were concerned at the comparative high-level of spend in this area and asks that further work be undertaken to see if other solutions could address this, example annualised hours or other flexible working methods.
- 3.12 The review group were concerned that recruitment of agency/interim or consultancy staff should be the last resort, particularly in areas where staff are at risk of redundancies. UNISON expressed a concern that recent cuts in staff numbers and high vacancy rates across children and adult's social care has led to an increased reliance on costly agency staff and consultants. The review group thought there was merit in the WMB meeting with in-house trade unions on a regular basis to seek their views on the engagement of consultants and agency staff.

The current number; cost and length of contract of agency/interim staff and consultants (by Directorate)

- 3.13 The briefings provided to Members gave a good overview of numbers of agency staff and the review group was confident that the WMB had oversight of this by Directorate. However as highlighted above, there was less clarity about numbers of consultants and their specific cost, on what basis the consultants were engaged (for example on a task

³ After showing an overspend, it was reported in August 2017, that the employee budget relating to children's social care was forecasting a break even position.

⁴ Members sought assurance about agency usage in CYPS compared with other authorities, it was noted that agency usage levels in Rotherham at 15.3% (July 2017) had fallen below the national average of 16.7%. This reflects very positively against similar authorities in intervention.

and finish basis, to provide longer term change-management support or other specialisms); and if there was consistent compliance with the process set out by the WMB. Members welcomed the Internal Audit process that was being undertaken and asks that the results are presented to a reconvened meeting of the review group.

- 3.14 Members were also concerned that there was a small number of agency/interim staff, predominantly in CYPS, who remained in post whose initial appointment dated from 2015. Members felt that it was important to establish how many staff this applies to; their length of service; if a business case was developed at the time of appointment and if so, whether this had been reviewed and by whom. Members asked that plans are drawn up as soon as possible to action permanent recruitment if there is a service requirement for the posts and if this cannot be demonstrated, that agency staff or interims are released.
- 3.15 Further details were provided on steps taken to reduce usage of agency staff and consultants in CYPS through permanent appointments and building in-house capacity and progression. Members welcomed the initiatives to reduce agency usage and offer staff progression routes and interim posts as development opportunities.
- 3.16 The Strategic Director for CYPS had also developed a memorandum of understanding with other local authorities in the Yorkshire and Humber region to create a standard practice and costs for agency workers. Drawing on this, given most public sector bodies will require temporary staff to cover routine vacancies, Members wanted to explore the feasibility of developing an in-house 'bank' system or employment agency to reduce cost and reliance on external agencies.

4 Recommendations

- 4.1 That the following definition of agency, interims and consultancy staff is adopted and is applied consistently across the Council. It is suggested that a further report is provided to this sub-group in six month on its implementation.
1. Agency Staff - Individuals employed and paid for through an agency. They may be covering a single specific vacancy or be covering a capacity gap left by a number of vacancies, by specific demand pressure or as a result of a skills gap. They may or may not have decision making authority or staff management responsibilities.
 2. Interims - Individuals working day to day 'as though an employee' but not engaged through an agency contract. They may be covering a single specific vacancy or be covering a capacity gap left by a number of vacancies, by specific demand pressure or as a result of a skills gap. They may or may not have decision making authority or staff management responsibilities.
 3. Consultancy/Independent Contractor - An individual or a company engaged through a tender/procurement process to carry out a defined piece of specialist work or a project. The company or individual would not be expected to have any decision making authority or staff responsibilities and the work would be expected to culminate in an output e.g. a report. They may work predominantly on or off site depending on the nature of the piece of work.

- 4.2 That the above definition is appended to the WMB's terms of reference to ensure that there is a shared and consistent understanding of the criteria. It is further recommended that the Head of Procurement escalates to the Board any issues or concerns arising out of an extension or variation to the tendered contract which takes it significantly beyond the original timeframe or agreed expenditure.
- 4.3 That following the development of clear definitions relating to the appointment of agency, interims and consultants, that there are corresponding budget codes developed to ensure that accurate monitoring can be undertaken.
- 4.4 That prior to the appointment of consultants, there should be a clear business case developed aligned to service plans to demonstrate the necessity of the appointment and why external resources are required to complete the task. To avoid 'drift', the business case should outline clear outcomes, timescales and what resources are required; with variations to the business case reported to the WMB by the Head of Procurement.
- 4.5 Wherever possible and appropriate, there should be a development element in the engagement of consultants in order to develop in-house capacity. The business case should outline how this is to be addressed.
- 4.6 That the transformation plans for ASC are carefully monitored to ensure that agency and consultancy use is delivering value for money and practice improvements.
- 4.7 That an audit is undertaken to clarify how many agency staff are in posts for more than 12 months; their length of service; if a business case was developed at the time of appointment and if so, whether this has been reviewed and by whom. On the basis of this information, that plans are drawn up as soon as possible to action permanent recruitment if there is a service requirement for the posts and if this cannot be demonstrated, that agency staff or interims are released.
- 4.8 Following from this, to avoid 'drift', the business case developed to support the appointment of agency staff should outline clear outcomes, timescales and resources and explicit alignment to the service plan; with variations to the business case or extension to contract reported to the WMB.
- 4.9 That further work be undertaken to lessen the requirement for seasonal agency staff. This should include annualising hours or ensuring operatives 'multi-task' and are able to share roles and functions. The review asks that a further report be provided exploring options.
- 4.10 That the WMB should have regular discussions with in-house trade unions and staff fora to seek their views if there are alternative options to the appointment of agency staff or consultants; particularly in services where there is the possibility of redundancies.
- 4.11 That the WMB should explore the feasibility with other councils and public sector partners of developing an in-house 'bank' system or employment agency to reduce cost and reliance on external agencies.
- 4.12 That OSMB convenes a sub-group bi-annually to review the progress of the WMB in meeting the priority measure and the implementation of accepted recommendations.

5 Thanks

Cllr Saghir Alam – Cabinet Member for Corporate Services and Finance

Judith Badger – Strategic Director: Corporate Services and Finance

Mark Chambers - Assistant Director: Commissioning Performance and Quality (CYPS)

Shokat Lal – Strategic Director: Assistant Chief Executive

Anne-Marie Lubanski – Strategic Director: Adult Care and Housing

Sharon Kemp – Chief Executive

Mel Meggs – Deputy Strategic Director, CYPS

Sue Palfreyman - Head of Human Resources (ACX)

Robin Symonds - UNISON

Summary Sheet

Committee Name and Date of Committee Meeting

Overview and Scrutiny Management Board – 21 February 2018

Report Title

DCLG Select Committee Report – Effectiveness of local authority overview and scrutiny committees

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

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Ward(s) Affected

All

Summary

The DCLG (Department for Communities and Local Government) Select Committee conducted a review of the effectiveness of Overview and Scrutiny in local authorities and published its report in December 2017. The report discusses the role of scrutiny, party politics and organisational culture, accessing information, resources, Member training and skill and scrutiny of combined authorities.

The Select Committee has made a number of recommendations in respect of increasing the effectiveness and profile of scrutiny in local authorities. A number of the recommendations are already in practice in Rotherham. The report is submitted for information and discussion to inform the ongoing development of the scrutiny function locally.

Recommendations

1. That the report be noted.
2. That consideration be given to any learning or improvements that can be made to scrutiny in Rotherham arising from the findings and recommendations of the DCLG Select Committee report.

List of Appendices Included

Appendix A – DCLG Select Commission Report - Effectiveness of local authority overview and scrutiny committees

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No



House of Commons
Communities and Local
Government Committee

Effectiveness of local authority overview and scrutiny committees

First Report of Session 2017–19



House of Commons
Communities and Local
Government Committee

**Effectiveness of local
authority overview and
scrutiny committees**

First Report of Session 2017–19

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons to be printed
11 December 2017*

HC 369

Published on 15 December 2017
by authority of the House of Commons

Communities and Local Government Committee

The Communities and Local Government Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Communities and Local Government.

Current membership

[Mr Clive Betts MP](#) (*Labour, Sheffield South East*) (Chair)

[Mike Amesbury MP](#) (*Labour, Weaver Vale*)

[Bob Blackman MP](#) (*Conservative, Harrow East*)

[Helen Hayes MP](#) (*Labour, Dulwich and West Norwood*)

[Kevin Hollinrake MP](#) (*Conservative, Thirsk and Malton*)

[Andrew Lewer MP](#) (*Conservative, Northampton South*)

[Fiona Onasanya MP](#) (*Labour, Peterborough*)

[Mr Mark Prisk MP](#) (*Conservative, Hertford and Stortford*)

[Mary Robinson MP](#) (*Conservative, Cheadle*)

[Liz Twist MP](#) (*Labour, Blaydon*)

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Publication

Committee reports are published on the Committee's website at www.parliament.uk/clg and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Edward Beale (Clerk), Jenny Burch (Second Clerk), Craig Bowdery, Tamsin Maddock, Nick Taylor (Committee Specialists), Tony Catinella (Senior Committee Assistant), Eldon Gallagher (Committee Support Assistant), Gary Calder and Oliver Florence (Media Officers).

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2 Effectiveness of local authority overview and scrutiny committees

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Summary

Overview and scrutiny committees were introduced by the Local Government Act 2000 and were tasked with acting as a counterweight to the increased centralised power of the new executive arrangements. Whilst some authorities were not covered by the changes brought in by the Act, the Leader and Cabinet system is the predominant model of governance in English local authorities. However, since the Localism Act 2011, councils have had the option of reverting to the committee system of governance. Some authorities that have chosen to do so have expressed dissatisfaction with the new executive arrangements, including concern at the limited effectiveness of scrutiny. Noting these concerns, and that there has not been a comprehensive assessment of how scrutiny committees operate, we decided to conduct this inquiry. The terms of reference placed an emphasis on considering factors such as the ability of committees to hold decision-makers to account, the impact of party politics on scrutiny, resourcing of committees and the ability of council scrutiny committees to have oversight of services delivered by external organisations.

We have found that the most significant factor in determining whether or not scrutiny committees are effective is the organisational culture of a particular council. Having a positive culture where it is universally recognised that scrutiny can play a productive part in the decision-making process is vital and such an approach is common in all of the examples of effective scrutiny that we identified. Senior councillors from both the administration and the opposition, and senior council officers, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. When this does not happen and individuals seek to marginalise scrutiny, there is a risk of damaging the council's reputation, and missing opportunities to use scrutiny to improve service outcomes. In extreme cases, ineffective scrutiny can contribute to severe service failures.

Our inquiry has identified a number of ways that establishing a positive culture can be made easier. For example, in many authorities, there is no parity of esteem between the executive and scrutiny functions, with a common perception among both members and officers being that the former is more important than the latter. We argue that this relationship should be more balanced and that in order to do so, scrutiny should have a greater independence from the executive. One way that this can be achieved is to change the lines of accountability, with scrutiny committees reporting to Full Council meetings, rather than the executive. We also consider how scrutiny committee chairs might have greater independence in order to dispel any suggestion that they are influenced by partisan motivations. Whilst we believe that there are many effective and impartial scrutiny chairs working across the country, we are concerned that how chairs are appointed can have the potential to contribute to lessening the independence and legitimacy of the scrutiny process.

Organisational culture also impacts upon another important aspect of effective scrutiny: access of committees to the information they need to carry out their work. We heard about committees submitting Freedom of Information requests to their own authorities and of officers seeking to withhold information to blunt scrutiny's effectiveness. We believe that there is no justification for such practices, that doing so is in conflict with the

principles of democratic accountability, and only serves to prevent scrutiny committees from contributing to service improvement. We have particular concerns regarding the overzealous classification of information as being commercially sensitive.

We also considered the provision of staff support to committees. Whilst ensuring that sufficient resources are in place is of course important, we note that if there is a culture within the council of directors not valuing scrutiny, then focussing on staff numbers will not have an impact. We are concerned that in too many authorities, supporting the executive is the over-riding priority, despite the fact that in a time of limited resources, scrutiny's role is more important than ever. We also consider the skills needed to support scrutiny committees, and note that many officers combine their support of scrutiny with other functions such as clerking committees or executive support. It is apparent that there are many officers working in scrutiny that have the required skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. Decisions relating to the resourcing of scrutiny often reflect the profile that the function has within an authority. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated lead scrutiny officer to promote scrutiny across the organisation. We have found that the statutory scrutiny officer role has proven to be largely ineffective as the profile of the role does not remotely reflect the importance of other local authority statutory roles. We believe that the statutory scrutiny officer position needs to be significantly strengthened and should be a requirement for all authorities.

We believe that scrutiny committees are ideally placed and have a democratic mandate to review any public services in their area. However, we have found that there can sometimes be a conflict between commercial and democratic interests, with commercial providers not always recognising that they have entered into a contract with a democratic organisation with a necessity for public oversight. We believe that scrutiny's powers in this area need to be strengthened to at least match the powers it has to scrutinise local health bodies. We also call on councils to consider at what point to involve scrutiny when it is conducting a major procurement exercise. It is imperative that council executives involve scrutiny at a time when contracts are still being developed, so that all parties understand that the service will still have democratic oversight despite being delivered by a commercial entity. We also heard about the public oversight of Local Economic Partnerships (LEPs), and have significant concerns that public scrutiny of LEPs seems to be the exception rather than rule. Therefore, we recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees.

We recognise that the mayoral combined authorities are in their infancy, but given the significance of organisational culture in effective scrutiny, it is important that we included them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny in combined authorities. Mayors are responsible for delivering services and improvements for millions of residents, but oversight of their performance is currently hindered by limited resources. We therefore call on the Government to ensure that funding is available for this purpose. We also argue that when agreeing further

devolution deals and creating executive mayors, the Government must make it clear that scrutiny is a fundamental part of any deal and must be adequately resourced and supported.

Introduction

1. This inquiry was initially launched in January 2017 by our predecessor committee. However, the dissolution of Parliament and the General Election prevented any oral evidence sessions from taking place. Following the Committee's reconstitution, we considered carefully which issues we should initially pursue in our work and how best we could build on the work of our predecessors. It was clear to us from the level of interest and concern expressed in the evidence received that the effectiveness of overview and scrutiny committees in local authorities was something that we should investigate as an immediate priority. We therefore relaunched the inquiry in September 2017 and undertook to take account of the wealth of written evidence provided by councils, officers, members and stakeholders prior to the election.
2. We are extremely grateful to everyone who contributed to our inquiry. Scrutiny varies significantly across the country, and the level of interest in the inquiry has enabled us to hear from a wide range of authorities and form a representative picture of local authority scrutiny in England. To assist us in forming this picture, and to ensure we spoke with as many authorities as possible, we supplemented our oral evidence sessions with a less formal workshop event in October 2017. Our workshop was attended by over 45 councillors and officers working in scrutiny across the country and we thank them all for their attendance and contributions.
3. This report will consider why scrutiny is important and what the role of scrutiny committees should be in local authorities. We do not believe that certain models should be imposed on councils, but we do believe that there should be an organisational culture that welcomes constructive challenge and has a common recognition of the value of scrutiny, both in terms of policy development and oversight of services. In order to achieve this, we believe that scrutiny committees must be independent and able to form their own conclusions based on robust and reliable data, and that decision-makers should not seek to obstruct their role by withholding information. We also consider the role of the public in local scrutiny, both in terms of their participation in committees' work and in how scrutiny committees can represent their interests to service providers, even when those providers are external commercial organisations. The final chapter of this report considers the role of scrutiny in the recently created mayoral combined authorities in an attempt to help these organisations to establish positive working practices as early as possible. Throughout this report we call on the Government to revise the guidance on scrutiny that it issues local authorities. For clarity, the specific points that we believe should be covered by such a revision are listed below.

Proposed revisions to Government guidance on scrutiny committees

- That overview and scrutiny committees should report to an authority's Full Council meeting rather than to the executive, mirroring the relationship between Select Committees and Parliament.
- That scrutiny committees and the executive must be distinct and that executive councillors should not participate in scrutiny other than as witnesses, even if external partners are being scrutinised.
- That councillors working on scrutiny committees should have access to financial and performance data held by an authority, and that this access should not be restricted for reasons of commercial sensitivity.
- That scrutiny committees should be supported by officers that are able to operate with independence and offer impartial advice to committees. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts.
- That members of the public and service users have a fundamental role in the scrutiny process and that their participation should be encouraged and facilitated by councils.

1 The role of scrutiny

4. Before considering whether scrutiny committees are working effectively, it is important to consider what their role is and what effective scrutiny looks like. Local authorities are currently facing a number of challenges and competing demands, from an ageing population to budget shortfalls to promoting local growth in an often-hostile economic environment. It is therefore imperative that all expenditure is considered carefully and its impact is measured. However, measuring the impact of overview and scrutiny committees can be a significant challenge. Whilst identifying ‘good’ scrutiny is not always possible, the consequences of ineffectual scrutiny can be extreme and very apparent.

5. The Francis Report¹ was published in 2013 following failings at the Mid Staffordshire NHS Trust. Whilst the failings were not attributed to local committees, the report was critical of local authority health scrutiny, highlighting a lack of understanding and grip on local healthcare issues by the members, little real interrogation and an over-willingness to accept explanations. Similarly, the Casey Report² in 2015 on Rotherham Council cited particular failings in Rotherham’s approach to scrutiny, noting that “Inspectors saw regular reports to the Cabinet and Scrutiny committees, but not the effective challenge we would expect from elected Members.”³ The report also found that scrutiny had been undermined by an organisational culture that did not value scrutiny and that committees were not able to access the information they needed to hold the executive to account. Mid Staffordshire and Rotherham are two of the most high-profile failures of overview and scrutiny committees, but the issues raised in the two reports can easily occur in other local authorities, and we consider some of them in this report.

6. Overview and scrutiny committees were created by the Local Government Act 2000 and were designed to off-set increased centralised power established by the new executive arrangements. The Act replaced the committee system whereby decisions were made either by meetings of the full council or in cross-party committees which managed council services. For proponents of the committee system, one of its strengths was that all members had an active role in decision-making. However, as Professor Colin Copus from De Montfort University told us, it was “an illusion of power. If you put your hands up at the end of a meeting you feel, “I am powerful. I am making something happen”. I am sure I am not giving any trade secrets away, but most of those decisions are made two nights before in the majority party group meetings.”⁴ With the exception of councils with a population under 85,000, the 2000 Act created a requirement for authorities to establish an executive of a leader, or elected mayor, and cabinet members.⁵ Mirroring the relationship between Parliament and government, the Act also required the non-executive members of councils to scrutinise the executive by creating at least one overview and scrutiny committee.

1 Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry, [HC947](#), February 2013

2 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015

3 Report of Inspection of Rotherham Metropolitan Borough Council, [HC1050](#), February 2015 p65

4 Q38

5 There was also initially an option for Mayor and council manager executive, but this was later repealed. Smaller authorities were able to retain the committee system, as long as there was at least one overview and scrutiny committee. The Localism Act 2011 extended this option to all authorities, but the requirement of a designated scrutiny committee was removed.

However, beyond some statutory requirements (for example designating committees to scrutinise health bodies, crime and disorder strategies, and flood risk management), how councils deliver scrutiny is a matter of local discretion.

7. Some councils have multiple committees that broadly align with departmental functions, while others have fewer formal committees but make greater use of time-limited task and finish groups. Similarly, as the Centre for Public Scrutiny (CfPS) identifies, different councils use different labels for their scrutiny work, including “select committees, policy development committees, or a number of other names. The use of different terminology can prove confusing [but] This is probably a good thing—it reflects the fact that scrutiny has a different role in different places, which reflects local need rather than arbitrary national standards”.⁶ Throughout this report references to ‘scrutiny’ and ‘scrutiny committees’ mean all committees and work associated with the overview and scrutiny committees required by the Local Government Act 2000.

8. Whilst acknowledging that scrutiny fulfils different roles in different areas, we believe that at its best, scrutiny holds executives to account, monitors decisions affecting local residents and contributes to the formation of policy. We therefore support CfPS’s four principles of good scrutiny, in that it:

- Provides a constructive “critical friend” challenge;
- Amplifies the voices and concerns of the public;
- Is led by independent people who take responsibility for their role;
- Drives improvement in public services.⁷

9. We believe that as well as reacting to decisions and proposals from local decision makers, effective scrutiny can also be proactive and help to set a policy agenda. For example, Birmingham City Council’s Education and Vulnerable Children Overview and Scrutiny Committee carried out a review of the council’s work to tackle child sexual exploitation. As a result of the Committee’s work, the executive responded and addressed the issues raised:

The committee heard much harrowing evidence but produced a hard hitting report containing 19 strong recommendations. As a result of the report extra resources were allocated to the team co-ordinating CSE on behalf of the city. The council also undertook to strengthen its approach to safeguarding children by reviewing its statement of licensing and being more pro-active in using its executive powers of “the protection of children from harm”.⁸

10. Pre-decision scrutiny is also a vital part of a committee’s role. By commenting on and contributing to a decision before it has been made, scrutiny committees are able to offer executives the benefit of their ability to focus on an issue in greater depth over a longer period of time. For example, the London Borough of Merton’s Children and Young People Overview and Scrutiny Panel considered a site proposal for a new secondary school. As a

6 Centre for Public Scrutiny ([OSG098](#)) para 6

7 Centre for Public Scrutiny ([OSG098](#)) para 38

8 Birmingham City Council ([OSG087](#)) part 3

result of its work, the Panel was “able to provide a detailed reference to Cabinet focusing on how to optimise use of the selected site and mitigate any negative impact”, helping the Cabinet to make a more informed and considered decision.⁹

11. The role of scrutiny has evolved since its inception. The 2000 Act empowers committees to review decisions made by the executive and to make reports and recommendations for the executive’s consideration. In the seventeen years since, the way in which scrutiny committees perform their function has understandably changed. One such way has been an increase in scrutiny of external bodies, most notably health bodies. Councils have delivered services through increasingly varied partnership arrangements - including contracting to private companies, creating arms-length bodies or working with other public bodies - and scrutiny has responded by adjusting how it scrutinises the issues that matter to local residents. The Department for Communities and Local Government (DCLG) highlights that “To support local councils adopting good practice, the Department for Communities and Local Government issues statutory guidance, to which councils must have regard when developing their localist scrutiny arrangements.”¹⁰ This guidance was last issued in 2006¹¹ and predates several legislative changes as well as changes to ways of working such as an increasing focus on external scrutiny and public participation (both discussed later in this report). When we asked Marcus Jones MP, Minister for Local Government, about the guidance, he told us:

It has been some time since we looked at the guidance on scrutiny ... The initial evidence that you have taken indicates that in many places scrutiny is working well, but there are also instances in which overview and scrutiny committees could improve. It is therefore important that once we see the outcome of this Committee in the report that you provide, I take those recommendations very seriously. If there are areas where it is sensible and pertinent to update the guidance, we will certainly consider that.¹²

12. We welcome the Minister’s willingness to consider our recommendations carefully. We believe that there are many instances across the country where scrutiny committees are operating effectively and acting as a voice for their communities, however there remains room for improvement for too many and we believe that updated guidance from the Department is long overdue. ***We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny’s evolving role.***

13. Throughout our investigations, we heard about a range of positive examples of effective scrutiny, some of which we have referenced in this report. ***We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach.***

9 London Borough of Merton ([OSG037](#)) page 12

10 Department for Communities and Local Government ([OSG122](#)) para 5

11 Department for Communities and Local Government, [New council constitutions: guidance to English Authorities](#) (May 2006)

12 Q111

2 Party politics and organisational culture

Organisational culture

14. As discussed above, councils across the country deliver scrutiny in a wide range of different ways. We are of the view that whichever model of scrutiny a council adopts it is far less important than the culture of an organisation. Council leaders, both politicians and officials, have a responsibility to set the tone and create an environment that welcomes constructive challenge and democratic accountability. Jacqui McKinlay from the CfPS explained to us:

If you have buy-in to scrutiny at the top of the organisation—that is the leader, the cabinet and the chief executive—it tends to follow that scrutiny is resourced ... However, if you do not get buy-in to a scrutiny approach—that openness and transparency and the willingness to be questioned, seeing the value of scrutiny—it tends to follow that it is not resourced as well and you do not get that parity of esteem ... If your leadership is closed to that sort of challenge, it does not just affect scrutiny; it affects a lot of how the organisation is run.¹³

15. The Minister for Local Government echoed this view when he told us:

I think that where scrutiny is done properly in local authorities that have the right culture, and where scrutiny is taken seriously, it can perform an excellent function in relation to how the executive works by holding them to account and putting them in a position where they probably make decisions that are more in the interests of the people they represent and local residents than they otherwise might be.¹⁴

16. All of the examples of effective scrutiny that we have heard about have in common an organisational culture whereby the inherent value of the scrutiny process is recognised and supported. Senior councillors and officers that seek to side-line scrutiny can therefore miss out on the positive contributions that scrutiny is capable of, and put at risk a vital assurance framework for service delivery. The Nottingham City Council Overview and Scrutiny Committee explains that:

there can be a perception that overview and scrutiny is an ‘add on’ rather than an integral part of the organisation’s governance arrangements... [with the executive arrangements] there can be a tendency for council officers to feel that they are primarily accountable to one councillor which risks overlooking the important role of other councillors, including those engaged in scrutiny activities, within the decision making structure. As a result the function is not always afforded the prominence it deserves and opportunities to make the most of its potential can be missed.¹⁵

13 Q15

14 Q109

15 Nottingham City Council Overview and Scrutiny Committee ([OSG024](#)) para 1.3

The relationship between scrutiny and the executive

17. We are concerned that the relationship between scrutiny and the executive has a tendency to become too unbalanced. With decision-making powers centralised in the executive, scrutiny can be seen as the less-important branch of a council's structure. Professor Copus highlighted that there is no parity of esteem in the eyes of many councillors:

One of the things I have noted in all of the work I have done on scrutiny since 2002 is I have only ever once come across a councillor who said, "If you offered me a place in the cabinet, I would reject it. I want to stay a chair of scrutiny". I am sure there are more than the one I have met, but that is an indication.¹⁶

18. Professor Copus argued that this imbalance in esteem is also reflected in council officers:

I found many officers will know the council leader's name and the name of the portfolio-holder for their particular area of interest, but they might not know the scrutiny chairperson's name. Once you start to see that, you see the whole thing begin to crumble.¹⁷

19. If neither councillors or officers explicitly recognise the importance of the scrutiny function, then it cannot be effective. Part of the challenge lies in identifying what effective scrutiny actually looks like, as discussed earlier in this report, as councils are more likely to allocate diminishing resources to functions where there can be a quantifiable impact. **However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham.**

20. Council leaderships have a responsibility to foster an environment that welcomes constructive challenge and debate. However, opposition parties also have a key role to play in creating a positive organisational culture. We agree with the Minister who told us that:

At the end of the day, if an opposition takes a reasonable view on these things and treats the executive with respect, but challenges them when challenge is necessary, rather than just for the sake of challenge, I think you can get to a situation where you have—not much of an agreement politically, probably, but there could be mutual respect. That would serve the scrutiny function well.¹⁸

The role of Full Council

21. Parliamentary select committees have a well-established independence from the executive in that they do not report to the Government, but to the House of Commons as a whole. In contrast, it is less clear where local authority scrutiny committees report to, with most reporting to the executive that they are charged with scrutinising. The Institute

16 Q4

17 Q15

18 Q137

of Local Government Studies (INLOGOV) at the University of Birmingham argues that it should be made clear in guidance that scrutiny reports and belongs to Full Council, not the executive:

As of now, most scrutiny committees report to the Executive—with only some inviting the scrutiny chair and members who have written a report to present it. A few present reports to the full council. When they do so, this has the opportunity to create a relevant and interesting debate on a matter of local concern which has been investigated in depth by a group of councillors. Such a debate enables other councillors to see what scrutiny has done, and to add their own experiences. Councils should be required to have Reports from scrutiny on all council agendas.¹⁹

22. Cllr Mary Evans told us that she welcomed the suggestion that scrutiny should be accountable to Full Council.²⁰ We also heard from Cllr John Cotton from Birmingham City Council, whose scrutiny committees do report to Full Council. He told us that:

speaking from Birmingham’s perspective, due to the fact that everything reports through to full council we have been able to preserve some of that independence of approach, but from the conversations I have been having that certainly needs to be echoed in other authorities.²¹

23. To reflect scrutiny’s independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months.

The impact of party politics

24. Scrutiny committees must have an independent voice and be able to make evidence-based conclusions while avoiding political point-scoring. In order to do this, they need to be sufficiently resourced, have access to information (both discussed in greater detail below) and operate in an apolitical, impartial way. Committees of local councillors will always be aware of party politics, but sometimes this can have too great an influence and act as a barrier to effective scrutiny. Jacqui McKinlay from the CfPS told us that “We often say that local government scrutiny is a perfect system until you add politics to it. In our last survey, 75% of people say that party politics affects scrutiny.”²² Professor Copus also recognised the party-political dynamic to scrutiny when he described to us:

members from opposing political parties, one seeing their role as using scrutiny to attack the executive and the other seeing it as a forum in which to defend the executive. If that is the interaction, you are not going to get executive accountability ... In terms of a lot of the issues that are problematic for overview and scrutiny, the interplay of party politics is often at the

19 Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

20 Q68

21 Q68

22 Q12

heart of it. I will quite often hear councillors, even from majority groups, admitting that one of the reasons scrutiny is not as effective as it can be is because of the relationship between the opposing groups.²³

25. The Local Government Act 2000, and the guidance issued by DCLG, specifies that members of a council's executive cannot also be members of overview and scrutiny committees. A Private Members' Bill in 2009²⁴ made provisions to allow executive members to sit on committees during scrutiny of external bodies (on the basis that in such instances, it was not the executive that was being scrutinised). The Bill did not pass through the House of Commons, and we are wary of any such attempts to dilute the distinction between executive and scrutiny functions. We heard of instances at the workshop of executive councillors effectively chairing scrutiny committee meetings where the NHS was under scrutiny, and are concerned by such practices. **We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive.**

Committee chairing arrangements

26. Political impartiality can also be encouraged through the process for appointing chairs of committees. Overview and scrutiny committees are required to have a membership that reflects the political balance of a local authority, but there are a range of different approaches for appointing the chairs and vice chairs of committees. Many authorities specify that committee chairs must come from opposition parties, others allocate chair positions proportionally among the parties on the council and others reserve all committee chair positions for the majority party. The Centre for Public Scrutiny states that:

Legally, the Chairing and membership of overview and scrutiny committees is a matter for a council's Annual General Meeting in May. Practically, Chairing in particular is entirely at the discretion of the majority party. Majority parties can, if they wish, reserve all committee chairships (and vicechairships) to themselves ... the practice of reserving all positions of responsibility to the majority party is something which usually happens by default, and can harm perceptions of scrutiny's credibility and impartiality.²⁵

27. Chairs from a majority party that are effectively appointed by their executive are just as capable at delivering impartial and effective scrutiny as an opposition councillor, but we have concerns that sometimes chairs can be chosen so as to cause as little disruption as possible for their Leaders. **It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage.**

23 Q12

24 [Local Authorities \(Overview and Scrutiny\) Bill 2009–10](#)

25 [Centre for Public Scrutiny \(OSG098\)](#) paras 130–132

28. Cllr Mary Evans, chair of the scrutiny committee at Suffolk County Council, told us of her efforts to keep party politics out of scrutiny as a chair from a party with a sizeable majority: “We do it by involving the membership of the scrutiny committee at every point of an inquiry ... we had a workshop just after our elections in May to look at what our forward work programme would be. The membership together has picked the programme.”²⁶ When asked whether the size of her party’s majority made this easier, Cllr Evans explained that “When I first chaired scrutiny, in 2015, we had a majority of only one. I wanted to work across the committee. I did not have the luxury of a large majority ... We try to be as open and transparent as scrutiny should be, so the membership is engaged and involved in every aspect of the inquiry.”²⁷ Cllr John Cotton, lead scrutiny member at Birmingham City Council, is also a scrutiny chair from a majority party and he told us that whilst it is important to acknowledge the role of party politics, scrutiny works best when non-partisan:

In terms of the discharge of the scrutiny function, certainly we proceed on a very non-partisan basis. All of our full scrutiny reports go to full council. I can only recall one occasion in the last 15 years where we have had a minority report because there has been a partisan division. Frequently those reports are moved by the chair and seconded by a member from an opposition party. You then have collective ownership of those recommendations, because they are taken by full council. The scrutiny process draws its strength from the fact that we have those inputs from members across the piece ... There is a little bit of grit in the system, if you like, which comes from the party-political roots of members, which you do not want to remove entirely.²⁸

29. Cllr Sean Fitzsimons, chair of the Scrutiny and Overview Committee at Croydon Council, echoed this view when he told us that as a chair from a majority party that made critical recommendations of his executive “you have to go along with it if you believe that scrutiny is a function of the backbenches and that you have to put aside your party loyalties in the short term.”²⁹ However, Cllr Fitzsimons argued that scrutiny is at risk of becoming more partisan and that the process for choosing a chair needed consideration:

My worry is that, as people have drifted away, over time, from what the original aspect of overview and scrutiny was, party politics have played a greater role. If I was looking at this issue, I would look at the political culture of each political party. In the Labour group, under the standing orders of the national party, [scrutiny chairs are] not appointed by the leadership of the Labour group, so I am independent of my leader, so I have a little bit of leeway. My two best chairs that I ever had from the opposition group were so good at scrutiny that they were sacked by their political leader when he was in power. Within the Conservative group, chairs of scrutiny can be appointed effectively by the leader of the council or by the cabinet, and I do think the political cultures of the parties really influence it.³⁰

26 Q65

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30. **We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety.** We note, for example, the views of the Erewash Labour Group:

The Scrutiny Committee in this Authority protects the Executive rather than holding them to account. If they are ever held to account it is within the privacy of their own Political Group Meetings which are not open to the public. Most of the important decisions are first made in the Group Meetings ... The opposition have made some very sensible suggestions during Scrutiny debates only to be told “We have already decided this.” Cabinet Members may not attend Scrutiny Meeting unless by the invitation of the Chair. This rule was brought in to stop Cabinet Members exerting any undue pressure on members by their presence. Now they simply exert pressure in other ways such as by the choice of member selection and also the selection of the chair.³¹

31. It is clear to us that scrutiny chairs must be seen to be independently minded and take full account of the evidence considered by the committee. We note the evidence from the Minister who outlined the Government’s prescription that chairs of scrutiny in the new mayoral combined authorities must be from a different political party to the executive mayor in order to encourage effective challenge.³² Similarly Newcastle City Council where all scrutiny chairs are opposition party members, states that:

This has taken place under administrations of different parties and we believe that it adds to the clout, effectiveness and independence of the scrutiny process; it gives opposition parties a formally-recognised role in the decision-making process of the authority as a whole, more effective access to officers, and arguably better uses their skills and expertise for the benefit of the council.³³

32. In 2010, recommendations from the Reform of the House of Commons Committee’s report ‘Rebuilding the House’³⁴ were implemented to change the way Parliament worked. One such recommendation was the introduction of elections for select committee chairs by a secret ballot of all MPs. In 2015, the Institute for Government published an assessment of parliamentary select committees and their impact in the 2010–15 Parliament. The report found that electing chairs had helped select committees to grow in stature and be more effective:

Every chair we spoke to told us that, since the introduction of elections for committee chairs, they had felt greater confidence and legitimacy in undertaking committee work because they knew they had the support of their peers rather than pure political patronage.³⁵

31 Erewash Labour Group ([OSG013](#)) page 1

32 Q131

33 Newcastle City Council ([OSG015](#)) para 10

34 Reform of the House of Commons Select Committee, First Report of Session 2008–09, *Rebuilding the House*, HC1117

35 Institute for Government, *Select Committees under Scrutiny: The impact of parliamentary committee inquiries on government* (June 2015), page 34

33. The positive impact of elected chairs for parliamentary committees has led some to suggest that local authority scrutiny chairs should also be elected by their peers. Under such a system scrutiny chairs, regardless of whether they come from the majority party or the opposition, are more likely to have the requisite skills and enthusiasm for scrutiny by virtue of the election process. Electing chairs would also dispel the notion that being appointed scrutiny chair is a consolation prize for members not appointed to the cabinet. The CfPS argue that:

such a process would encourage those seeking nomination and election as chairs to set out clearly how they would carry out their role; it would also mean that they would be held to account by their peers on their ability to do so. The legitimacy and credibility that would come from this election could also embolden chairs to act more independently³⁶

34. When we asked the Minister about the prospect of electing scrutiny chairs, he was concerned that doing so could actually increase political pressures, but stated that “The important thing is that we have the right person chairing a scrutiny committee with the requisite skills, knowledge and acumen to take on the functions and achieve the outcomes that the scrutiny committee needs to achieve.”³⁷

35. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government. We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny’s effectiveness can be monitored and its merits considered.

36 Centre for Public Scrutiny ([OSG098](#)) para 133

37 Q138

3 Accessing information

36. Fostering the positive organisational culture discussed in the previous chapter can also determine another important aspect of effective scrutiny: access to information. When we asked Jacqui McKinlay whether scrutiny committees are able to access the information they need, she told us that:

The very determined ones can. I met one last week that had put an FOI request in to its own organisation in order to get the information. You should not have to do that, but there are ways there. There needs to be persuasion and influence in order to say, “This is an issue around flooding”, or whatever it might be, “that is really important”.³⁸

37. **Scrutiny committees that are seeking information should never need to be ‘determined’ to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive.** For example a submission from a spouse of a scrutiny chair argues that it can seem to not be in council officers’ interests to divulge information freely:

There is an element of ‘silosism’ within the Authority whereby Directors or Heads of Service do not release, explain or otherwise divulge their operational objectives, strategies or tactics for fear of being challenged. This makes it almost impossible to scrutinise, for after all how can one scrutinise what you don’t know? There is also a reluctance by officers to divulge operational (in)efficiencies in case it shows that there is an excess of staff ratios for particular tasks. It leads to obfuscation of such measures in order to protect their fiefdom.³⁹

38. Similarly, the Minister told us of the example of an authority to which he used to belong and how culture can affect councillors’ ability to scrutinise:

When I was in opposition on the district authority of which I was a member, the controlling group at the time had this unfortunate situation where they used to bring out their budget at the budget-setting council in March. They used to bring it out through the cabinet at 4 o’clock. That mini-meeting used to finish at 5 and then we used to go straight into the full council at 6 to approve the budget. Where you have that type of culture, even if you have resource and access to information, you are not going to get the outcomes that are in people’s best interests.⁴⁰

39. Professor Copus highlighted to us another challenge for scrutiny committees seeking to understand an issue:

I often think, “If someone is willing to give you something you have just asked for, what are they hiding? Why are they being overly enthusiastic?” It is because it is not causing them any problems. The information that

38 Q31

39 Anonymous submission ([OSG006](#))

40 Q119

scrutiny really needs is the stuff that people are a little bit more reluctant to hand over, whether that is the council itself or an external body. I hear quite often ... of councillors using FOIs against their own council for the want of any other way. It is a sign of an immense frustration among members that they have to do that.⁴¹

Commercial confidentiality

40. A particular challenge for councillors wishing to access information in order to scrutinise an issue is related to commercial confidentiality. Jacqui McKinlay told us that “Every councillor I meet will talk about the barrier of commercial confidentiality. They will talk about, “We cannot give that information” and a lack of transparency.”⁴² Local authorities are required by statute to publish all information relating to decisions taken and service delivery, however there are certain categories of information that they can withhold. For example information relating to an individual’s circumstances is considered exempt, as is information relating to the financial or business affairs of any particular person - including the authority holding that information. As a consequence, many councils argue that publicly releasing specific details of a contract or a procurement framework such as cost or the details of rival bidders for a contract are withheld on the basis that such information is commercially sensitive and exempt from the access to information rules. Professor Copus told us that:

Commercial confidentiality is always another cloak behind which people who do not want to provide information can hide. There is a need for a much tighter definition of what is acceptable as an exemption for commercial confidentiality. It is not just not wanting to tell somebody what they have asked you. There needs to be a much tighter definition for scrutiny purposes.⁴³

41. Whilst we acknowledge that it is not always in the public interest for local authorities to publish all information and make it available to the public, we cannot see a justification for withholding such information from councillors. Councillors have regular access to exempt or confidential information, often distinguished on agendas by use of different colour paper. As Cllr Marianne Overton told us, “Councils are used to dealing with confidential information, and we recognise if it is on pink paper it is confidential. There is no question about it. There should not be any problem with sharing information with elected members. We are already under rules.”⁴⁴ **Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority.**

42. Legislation dictates what information should and should not be released to councillors. Regulations in 2012⁴⁵ clarified the position and granted additional access rights to members of overview and scrutiny committees. The Regulations state that

41 Q32

42 Q30

43 Q32

44 Q32

45 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 ([SI2089](#))

scrutiny members can access any confidential material if they can demonstrate a ‘need to know’ in that it relates to any action or decision that that member is reviewing or scrutinising, or on any subject included on a scrutiny work programme. **We do not believe that there should be any restrictions on scrutiny members’ access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees’ ability to identify issues that might warrant further investigation in future, and reinforces scrutiny’s subservience to the executive. Current legislation effectively requires scrutiny councillors to establish that they have a ‘need to know’ in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.**

Getting data from multiple sources and external advisors

43. Council officers are the primary source of information for many committees, however if they do not present the full picture, then those committees can get very limited assurances about the service they are scrutinising. Whilst scrutiny should be able have access to whatever information it needs, this also serves to emphasise the importance of scrutiny committees seeking to use data from multiple sources and challenge that which they are told. Professor Copus described to us how effective scrutiny should operate:

In some councils ... they are too reliant on officers and too reliant on a single source of advice. In too many councils the flexibility that scrutiny has over the committee system is not used ... sometimes, when you examine scrutiny agendas and scrutiny reports, and observe scrutiny meetings, what you see is a committee, and a one-off event that leads to not very much. In other councils, those that have really supported and understood scrutiny, you get a process ... Where you get scrutiny viewed as not a single event but a process, then the outcomes are much more effective, and there is a greater access to a wider range. What scrutiny should be doing is not taking one source of evidence and going, “That is from the officers. Great. That is okay. We agree the recommendations”. They should be looking at conflicting evidence. There is always conflicting evidence with big policy issues. They need to sift that evidence.⁴⁶

44. Cllr Marianne Overton, Leader of the Independent Group of the LGA, agreed that effective committees seek to triangulate data to build a fuller picture: “That is part of what scrutiny is about ... one of the issues about scrutiny is that the whole point is that you can call all kinds of different witnesses ... You are not just sitting, looking at the papers that you have been fed.”⁴⁷ We are concerned that too many committees are overly reliant upon the testimonies of council officers, and that they do not make wider use of external witnesses. Very few councils have the resources to provide independent support to both the executive and scrutiny, and in light of the uneven balance between the two functions discussed earlier, most resources are prioritised upon the executive. This means that officers working in a service department are supporting executive members to develop and implement decisions, and the same officers are then supporting scrutiny committees as

46 Q28

47 Q28

they seek to understand the impact of decisions and performance of departments. Whilst departmental officers may be able to distinguish the two roles and cater their support accordingly, we are concerned that too few councils are hearing alternative perspectives. However, we acknowledge that councils are operating on reduced budgets and that making use of specialist advisors can come at too high a cost for many committees. The LGA explains that:

Employing specialist external advice as part of oversight and scrutiny arrangements is not common ... Where councils do bring in external experts, it is because specific knowledge and skills are needed that are not available in house. Procuring specialist advice comes at a cost and, given the pressures on council budgets, not all committees have funding available to increase their standard staffing compliment, commission professional advice, secure external witnesses or even refresh recruitment of co-optees.⁴⁸

45. We are disappointed that committees do not make greater use of expert witnesses. At the informal workshop event hosted by the Committee, we spoke with councillors and officers on their use of experts such as local academics. One attendee told us that it could sometimes be possible to engage a local academic at the start of an inquiry to help members understand an issue, but it was seldom possible to sustain this engagement throughout the life of an inquiry. ***We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.***

Service users' perspective and public experiences

46. While recognising the constraints that committees operate under, we believe that it is possible to bring in a wider range of perspectives for limited expenditure, and that the benefits of doing so are significant. We note, for example, the case study presented by the LGA of Brighton & Hove City Council's scrutiny panel on equality for the transgender community:

The panel's review was underpinned by an effective and sensitive engagement strategy enabling the views of a hard to reach community to inform recommendations for action. The panel worked in partnership with the Council's Communities team, the city's LGBT Health Improvement Partnership, and a local charity which supported transgender people, co-opting experts to help better inform the process, and directly engaging through community events and specially designed workshops. A significant amount of time was devoted to the consultation process which was pivotal in helping to build up trust. The Panel's findings were well received by the transgender community and partners, with all 37 recommendations adopted by the Cabinet.⁴⁹

47. Bringing in the perspectives of service users undoubtedly leads to more effective scrutiny, both in developing policy such as the example from Brighton & Hove and in monitoring services. Officers from the London Borough of Hackney described an example of effective scrutiny in their monitoring of services for disabled children in the borough.

48 Local Government Association ([OSG081](#)) paras 10.1–10.3

49 Local Government Association ([OSG081](#)) paras 13.8 – 13.10

Rather than only using the testimony of the council officers delivering the service, “A major part of the evidence base for this review was the views of parents and carers of disabled children, as well as disabled children and young people themselves about the services they receive and the barriers they face in accessing current services.”⁵⁰ **We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users.**

4 Resources

Reducing council budgets

48. Local government has experienced significant reductions in funding in recent years, leading many authorities to choose to reduce their scrutiny budgets. Whilst understandable in the context of wider reductions, it is regrettable that the resources allocated to scrutiny have decreased so much. The Centre for Public Scrutiny (CfPS) explains that:

There are now significantly fewer “dedicated” scrutiny officers employed by English councils. In 2015 this dropped below one full time equivalent officer post providing policy support to scrutiny per council. In many councils, there might be only 0.2 or 0.3 FTE to carry out this role—or nothing at all. (We would describe a “dedicated” scrutiny officer as one whose sole duties involve providing policy advice to scrutiny councillors.)⁵¹

49. Cllr John Cotton from Birmingham City Council also described a significant reduction in resources in recent years:

if I look at staffing for scrutiny in Birmingham, if we go back to 2010–11, we had 19.4 full-time equivalent staff. We are now working with 8.2, so there has clearly been a substantial reduction and we have seen a similar reduction in the number of committees and so forth ... it does come back to this issue that, if you value something, you have to invest in it.⁵²

50. Birmingham City Council explain that this reduction in resources has matched a reduction in the amount of scrutiny carried out:

Birmingham has had five standing O&S Committees for the last two years, whereas there were on average ten committees in the ten years prior to that. Whilst this is line with the reduction in council budgets overall, it should be noted that the main impacts are the negative effect on the breadth and depth of work that can be covered by each committee, plus the reduced capacity to research, reach out to external partners and to residents and service users—and so to “act as a voice for local service users”.⁵³

Officer support models and required skill sets

51. The CfPS also note that increasingly the officers providing day to day support to scrutiny committees are those whose role is combined with wider democratic services functions or with a corporate policy or strategy role.⁵⁴ Whilst those working in combined roles are able to provide effective support to scrutiny, there is a significant risk that non-scrutiny functions can take precedence. For example, democratic services officers supporting scrutiny must balance effective guidance, research and advice with the immediate time pressures and statutory deadlines of agenda publication and meeting administration. In such roles there is a risk that scrutiny is relegated to an ‘add-on’ that is only done once

51 Centre for Public Scrutiny ([OSG098](#)) para 100

52 Q46

53 Birmingham City Council ([OSG087](#)) page 6

54 Centre for Public Scrutiny ([OSG098](#)) paras 101–105

all other tasks are complete. Several officers attending our workshop expressed this view, with one officer explaining that she worked full time but her time was split with a wider corporate policy role and she estimated that no more than a quarter of her time was spent working on scrutiny matters. The ability of council officers to effectively support scrutiny can often depend entirely upon the personalities and enthusiasm of those officers. For example, when we asked Cllr Mary Evans from Suffolk County Council whether she felt that she had sufficient officer support, she told us: “I would say, “Yes, but”. Yes, we are adequately resourced, but it depends upon the fact that we have two extremely dedicated and experienced scrutiny officers who are working at full stretch.”⁵⁵

52. We heard evidence that the skill sets of officers is just as important as the number of officers allocated to support scrutiny. Professor Copus for example told us that when considering whether an authority’s scrutiny function is effective, he asks:

Is the scrutiny function well supported by officers and by the right sort of officers? I used to be a committee clerk, so I am not decrying that grand profession, but scrutiny committees need access to policy officers; they need access to people who can manipulate statistics, for example. They need the right sort of support.⁵⁶

53. Jacqui McKinlay also highlighted that certain skills are needed to effectively support scrutiny. She told us that:

We used to say a dedicated scrutiny officer [was the optimum approach, but] ... As long as they have the passion, dedication and commitment to the principle of scrutiny and the specialist skills to do it, I would say we should leave councils to configure how that happens. We do need to acknowledge that we do now have the internet, and the days of research and how that happens have changed. However, it is wrong to presume that councillors themselves will have the time and the capacity to do the level of research that is sometimes needed to do good scrutiny on complex issues. Fundamentally, it needs the bedrock of good scrutiny skills within the team to do that.⁵⁷

54. From speaking with officers and councillors at our workshop, it is apparent that there are many officers working in scrutiny that have these skills, and some are able to combine them with the different skill set required to be efficient and accurate committee clerks. However, we heard too many examples of officers working on scrutiny who did not possess the necessary skills. One councillor told us that in her authority scrutiny officers had become little more than diary clerks, with reports and data now coming from the service departments across the council, which were invariably overly optimistic about performance and unchallenging of the status quo.

55 Q45

56 Q4

57 Q23

Scrutiny's profile and parity with the executive

55. Whilst we regret that the level of resources allocated to scrutiny has diminished, we believe that the bigger issue relates to our earlier conclusions on organisational culture. In this respect, we agree with Cllr Sean Fitzsimons from Croydon Council who told us:

Yes, it clearly does make a difference where the level of resource is, but it is too easy to put the blame on scrutiny not being at its best because we do not have the right officer or the right amount of resource in place. To me, it is clear that it is the power relationship between scrutiny, the executive and the officers. That really is the focus of where strengths and weaknesses are. You could have a very well-resourced scrutiny with officers who know their subject, but if you cannot get the chief executive or the executive director of a department to feel that you have a legitimate role, you can bang your head against the wall for as long as you like. For me, resources would come if we had that power balance right, rather than starting to look at resources first.⁵⁸

56. We are concerned that in many councils, there is no parity of esteem between scrutiny and the executive. Resources and status are disproportionately focussed around Leaders and Cabinet Members, with scrutiny too often treated as an afterthought. Professor Copus told us that:

in many councils, scrutiny lacks a parity of esteem with the executive. As a consequence, resources and focus are placed on the executive. For example, chief executives will find the time and have little problem in working directly with a council leader or with the cabinet. Expecting a chief executive then to work with the scrutiny process is always somewhat problematic. As soon as you differentiate between scrutiny and the executive with its officer base and its officer support, you start to chip away at the esteem that scrutiny has. One way around that, without expecting chief executives to work with every scrutiny committee, is to make sure that the scrutiny function has the resources to be able to produce evidence-based policy suggestions that the executive want to take on board, because they recognise scrutiny has done something they have not, which is spend three or four months looking at a particular issue in detail; cabinets cannot do that.⁵⁹

57. As well as the disproportionate allocation of resources, we are also concerned that the uneven relationship between executives and scrutiny committees means that those officers supporting scrutiny can find themselves conflicted. Scrutiny officers can find themselves in the position of having to balance corporate or administration priorities with the challenge role of scrutiny, conscious that those they are scrutinising can make decisions regarding future resourcing and their personal employment prospects. Advice from officers must be impartial and free from executive influence. Cllr Fitzsimons told us that:

You have to trust your officers and you also have to understand that they will have careers outside scrutiny ... We need to make certain that they do not become part of the rock-throwing contingent, and that they are not seen

58 Q45

59 Q15

as part of the group of officers supporting councillors who are making life difficult. I believe officers can be impartial, but they need to network and to network strongly within the council. If you really want to know what is going on in a department, you need an officer advising you in scrutiny who has those contacts within that highways department, as well as being good with the figures and being able to produce a report. You need impartiality, but you also need great networking skills.⁶⁰

58. We believe that if a local authority does not adequately resource the scrutiny function, such impartiality is harder to ensure. With officers supporting both the executive and scrutiny, there is a significant risk that real or perceived conflicts of interests can occur. For example, an officer from a London Borough explained that in her authority following reductions in scrutiny support, designated senior officers from service departments act as ‘scrutiny champions’:

The scrutiny champion’s role includes supporting the committee with finalising its work programme for the municipal year, and includes directing departmental officers to produce the scoping report for the area the Committee will undertake an ‘in-depth’ scrutiny review on in that year. As the same officers provide direct support to the executive, one can immediately see the defect in this model—officers supporting the scrutiny function are not independent of, and separate from, those being scrutinised.⁶¹

Allocating resources

59. Councils are under extreme budgetary pressures, but we are concerned that decisions regarding the resourcing of overview and scrutiny can be politically motivated. Professor Copus told us that:

In some councils, councillors have said to me, “It is a deliberate ploy that we under-resource scrutiny so that it cannot do anything and it cannot challenge the executive. It has very little role to play.” Because of the financial constraint, supporting scrutiny is a soft and obvious target for reductions. It is a false economy, because good, effective scrutiny can save councils money, and indeed save other organisations money as well.⁶²

60. When we asked the Minister about resourcing scrutiny committees, he told us:

What we have to consider here is that we have not got a scrutiny function that is in the pockets of the executive and the senior management team. We need a scrutiny function where those senior officers have a relationship with the scrutiny function and the people conducting the scrutiny get to see how the executive works and understand the executive, but that does not take away the fact that we need to make sure that scrutiny committees are properly resourced. That is not necessarily, in certain places, about having a

60 Q53

61 An officer from a London Borough ([OSG091](#)) para 3

62 Q22

dedicated officer; it is more about having access to the information, support and, at times, research, to make sure that they do a good job of scrutinising the executive.⁶³

61. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever.

62. *We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience.*

The role of the Statutory Scrutiny Officer

63. The Localism Act 2011 created a requirement for all upper tier authorities to create a statutory role of designated scrutiny officer to promote scrutiny across the organisation. The Act does not require that the officer be of a certain seniority, or be someone that works primarily supporting scrutiny. The Institute of Local Government Studies (INLOGOV) at the University of Birmingham explains that:

The intention was to champion and embrace the role of scrutiny. In reality, in most councils, the designated post-holder, while willing, is a shadow of the other posts required by legislation—the Head of Paid Service, Section 151 Officer, and Monitoring Officer. It is seldom an officer with a level of seniority sufficient to ensure that scrutiny is taken seriously when the Executive (both cabinet members and senior council staff) seek to close ranks.⁶⁴

64. We believe that the role of a statutory 'champion' of scrutiny is extremely important in helping to create a positive organisational culture for an authority. However, we are concerned that the creation of this role has resulted in too many instances of Statutory Scrutiny Officers fulfilling the role in name only, with little actual activity. At our workshop, councillors described to us how Statutory Scrutiny Officers were often 'too low down the food chain', while officers told us of the need for a higher profile for the role, arguing that officers from across the council should know who their Statutory Scrutiny Officer is in the same way they do for monitoring officers. We agree with INLOGOV that the creation of the post has "proved largely ineffective"⁶⁵ and believe that reform

63 Q114

64 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)) page 6

65 The Institute of Local Government Studies, The University of Birmingham ([OSG053](#)), page 1

is needed in order to achieve the aspirations of the Localism Act 2011. The Association of Democratic Services Officers (ADSO) argue that the profile of the Statutory Scrutiny Officer role should be on a par with the Statutory Monitoring Officer⁶⁶ and the County and Unitary Councils' Officer Overview and Scrutiny Network argue that the requirement for a Statutory Scrutiny Officer should be extended to all councils.⁶⁷ We note the positive example of Stevenage Borough Council choosing to fund a scrutiny officer despite not being covered by the provisions of the Act:

Some years ago this authority created a post of Scrutiny Officer and this has greatly helped with the running of an effective scrutiny function. We have prioritised this over other funding options. It is increasingly difficult to do so as this is not a statutory function at a District level, and the further funding cuts we face over the next three years place extreme pressure on existing budgets.⁶⁸

65. We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them.

66 Association of Democratic Services Officers ([OSG123](#)) page 7

67 Council and Unitary Councils' Officer Overview and Scrutiny Network ([OSG114](#)) para 8.1

68 Stevenage Borough Council ([OSG060](#)) page 1

5 Member training and skills

The importance of training

66. Unlike the quasi-judicial council committees of planning and licensing, members of scrutiny committees are not required to have any specialist skills or knowledge. We have heard evidence suggesting that this can hinder the effectiveness of committees, and are concerned that some councillors might not take their scrutiny role as seriously as others. For example, an anonymous spouse of a scrutiny chair states that:

Whilst most Authorities have educational classes for members they are not well attended for the following reasons. Members who are in full time employment are not willing to attend in their ‘nonworking hours’; those who are long standing members think it beneath them and those who work for a political party are ‘instructed’ by the party’s position on the subject.⁶⁹

67. If scrutiny members are not fully prepared and able to ask relevant questions, the committee will not be able to fully interrogate an issue and committee meetings can become little more than educational sessions for councillors to learn about a service, rather than scrutinise it. An officer from a London Borough explains that scrutiny meetings are:

typically between scrutiny members and senior officers where the temptation to ask questions to simply learn more about a subject matter is greater ... The Council’s Member Development Officer, together with Democratic Services Officers, do arrange training for scrutiny members when opportunities arise; but this has proved insufficient as members infrequently display the required level of listening and questioning skills to make scrutiny impactful. Too many discussions at meetings are based on requests for more information, without expressing why it is required or how it will facilitate good scrutiny.⁷⁰

68. Jacqui McKinlay from CfPS explained that training for scrutiny members usually fell into one of two categories:

One is the generic skills element—questioning skills, and understanding data and performance management information. We then also run training, which is around children’s services, understanding health and social care integration, whatever it might be. We are getting into the nitty-gritty then to give people enough knowledge... [However,] it is about who comes forward and accesses that. The people who come forward and access that tend to come from good organisations.⁷¹

The suitability of training provided

69. Without the legal requirement for training such as on quasi-judicial committees, councils are not able to ensure that scrutiny members have all of the skills or knowledge

69 Anonymous submission ([OSG006](#))

70 An officer from a London Borough ([OSG091](#)) para 10

71 Q30

that they need to deliver effective scrutiny, and those that need it most are the least likely to engage. However, we also note the view of Professor Copus, who highlighted that the value of councillors is that they are lay persons:

There is a danger that we end up training councillors to be elected officers, and that has to be avoided. Officers are there to do their role. Councillors require a different type of skill and training. I am a great fan of council officers and I am not unfairly criticising them, but in many cases the training that is provided to members is what officers need members to understand, rather than what members need to understand.⁷²

70. We agree that councillors require a different type of training from officers and that knowing a subject is not sufficient to ensure good scrutiny. The ability to question effectively, as well as actively listen to responses, is fundamental to successful scrutiny. Cllr Fitzsimons told us:

Indeed, some of the simpler questions are some of the most pertinent questions going. Someone coming in not knowing too much about a subject can almost get more from a session than someone who has drifted into data nirvana or something like that, where they are really drilling down and finding out why this figure does not match this other one.⁷³

The quality of training available and DCLG oversight

71. We are concerned that there is no mechanism to ascertain whether scrutiny councillors are able to fulfil their vital role or that the training they do receive is fit for purpose. We asked councillors about the training and support that they had received from the Local Government Association (LGA), and responses were mixed. Cllr Fitzsimons for example told us:

the LGA runs some really interesting courses, which I have attended. They outsource some of it to the Centre for Public Scrutiny. I am not particularly a fan of the way they do things, and their training has not really moved on for a long time. The skills training that a councillor has for a meeting about questioning-and-answering skills are good training sessions.⁷⁴

72. He argued that fundamental requirements for training included more emphasis on a self-reflective approach:

I remember going to do a training session with the London Borough of Richmond in 2006, and my challenge to the councillors who were doing scrutiny was, “How much backbone do you have?” and I just do not see that within the training. Are you willing to ask difficult questions? Are you willing, in your own political group, after you have done a scrutiny meeting, to have people say to you, “You were a bit harsh on the leader”? They do not get that self-reflective type training about, “What is your role? Are you really going to hold to account?”⁷⁵

72 Q32
73 Q59
74 Q64
75 Q64

73. Cllr Fitzsimons also criticised national conferences and networking events for having an insufficient emphasis on frontline scrutiny members:

You do not see ordinary councillors leading the events ... ultimately the LGA is focused on the executive and their whole setup. Scrutiny, I believe, is an add-on, and that is just a reflection of the way it works, because the people who are influential in LGA are more likely to be council leaders and cabinet members than the ordinary scrutiny people. Individual training is good, but overall I do not think it is hitting the mark.⁷⁶

74. The Minister told us that the Department allocated £21 million to the LGA “so that it could support various activities to improve the governance in local authorities; and it is why we are absolutely committed to working with the LGA and its delivery partners—organisations such as the Centre for Public Scrutiny”.⁷⁷ DCLG states that:

The Government does not monitor the effectiveness of overview and scrutiny committees—which is a matter for the authorities themselves. However, the Secretary of State may intervene in authorities which have failed in their best value duty, as happened in 2014 in Tower Hamlets and in 2015 in Rotherham.⁷⁸

75. We are concerned that DCLG gives the LGA £21 million each year to support scrutiny, but does not appear to monitor the impact of this support or whether this investment represents best value. When we questioned the Minister about his Department’s monitoring of scrutiny effectiveness and the extent to which this was delegated to the LGA, he told us that DCLG “will look very carefully at the recommendations that are made by the Committee.”⁷⁹

76. It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. *In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year’s time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees.*

76 Q64

77 Q113

78 Department for Communities and Local Government ([OSG122](#)) para 19

79 Q125

6 The role of the public

77. Earlier in this report, we discussed the need for scrutiny committees to have greater legitimacy and independence from their executives. A key way of delivering this is to ensure that members of the public and local stakeholders play a prominent role in scrutiny. By involving residents in scrutiny, the potential for a partisan approach lessens and committees are able to hear directly from those whose interests they are representing. Many local authorities have been very successful in directly involving their residents through open meetings, standing agenda items and public appeals for scrutiny topics. Other authorities, and indeed parliamentary select committees, can learn from such positive examples.

Case studies of public engagement

78. Devon County Council argues that “Scrutiny serves as almost the only bastion of opportunity for local people to voice an opinion on changes to a wide range of services, not just those provided by the Council.” The authority also cites an example where scrutiny considered a national issue which had a local manifestation. Search and Rescue services were previously provided by RAF Chivenor, but when this changed “Local People were very concerned about the loss of the service and scrutiny reviewed the evidence in an independent way. The subsequent report helped to reassure local people that the evidence supported the change as well as to establish a baseline from which to challenge future incidents.”⁸⁰

79. At its most effective, we believe that scrutiny amplifies the concerns of local residents and of service users. A positive example of this is in Exeter where the City Council established a ‘Dementia Friendly Council’ task and finish group. As part of its work, the group “invited members of the Torbay Dementia Leadership Group to visit the Customer Service Centre to observe the front line service and facilities from the point of view of a person with dementia and to see if the Council could make any improvements to the existing customer experience.” Subsequent recommendations to improve the service have since been made.⁸¹

80. At our workshop with councillors and officers, one councillor explained that she did not like the term ‘public engagement’ and instead preferred to think of it as ‘listen and learn’. This approach was evident in the example of Surrey County Council, cited by the LGA.⁸² Surrey conducted extensive pre-decision scrutiny of the authority’s cycling strategy to help inform the final strategy. Following an independent consultation, it was apparent that there were mixed views on the proposals within the strategy and a joint meeting of two scrutiny committees was held to consider them, with a public forum to allow residents to express their views. The outcome was a better-informed and more successful strategy:

Having heard and considered the voice and concerns of the public on the Council’s proposed Cycling Strategy, the committees made recommendations to ensure the final strategy was acceptable to Surrey residents. These included: ensuring benefits for local businesses; including

80 Devon County Council ([OSG008](#)) page 2

81 Exeter City Council ([OSG011](#)) para 7

82 Local Government Association ([OSG081](#)) paras 13.5–13.7

cycling infrastructure schemes on highways maintenance programmes; lobbying central government so that unregulated events were regulated; working with boroughs & districts to develop cycling plans; and amending the strategy to ensure roads would only be closed with strong local support.⁸³

Digital engagement

81. The examples above are illustrations of the value that greater public involvement can bring both to the scrutiny process and an authority's decision making process. However, we are also aware that the majority of scrutiny committees across the country are not well-attended by the public. Involving the public in scrutiny is time and resource intensive, but the rewards can be significant. In this context, it should also be noted that many members of the public do not want to engage with public services in the same way that they used to. Digital engagement is becoming increasingly important, with some councils embracing new media better than others (for example the twitter feed of Doncaster Metropolitan Borough Council recently received national attention for effective engagement regarding the naming of two gritters⁸⁴). Jacqui McKinlay told us:

There are some real challenges about what public engagement looks like in the future. It is not necessarily the village hall where we are expecting people to turn up on a wet Wednesday. We need to start to accept that when we engage with people they do not necessarily always speak the same language as we do, particularly on contentious issues. People are very angry. They are very upset. In scrutiny and public services generally, we have to think about what engagement looks like in the future. We are also in a digital and social media world where the conversations now, probably in the last six months, are happening in WhatsApp. They were happening in Facebook earlier. That is something that scrutiny is really going to have to manage if it is going to stay relevant and part of the dialogue.⁸⁵

82. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practice of digital engagement to the wider sector.*

83 Local Government Association ([OSG081](#)) paras 13.5–13.7

84 "[David Plowie or Spread Mercury? Council asks public to name its new gritters](#)", The Telegraph, 17 November 2017

85 Q39

7 Scrutinising public services provided by external bodies

The conflict between commercial and democratic interests

83. We heard a lot of evidence that scrutiny committees are increasingly scrutinising external providers of council services, both in an attempt to avoid politically ‘difficult’ subjects and as a reflection that services are being delivered in increasingly diverse ways.⁸⁶ We believe that scrutiny committees are ideally placed, and have a democratic mandate, to review any public services in their area. However, we have heard of too many instances where committees are not able to access the information held by providers, or the council itself, for reasons of commercial sensitivity (as further discussed in Chapter 3 of this report). Jacqui McKinlay from CfPS told us that there can be an “unbelievable barrier” with commercial organisations as they “do not recognise they are contracting with a democratic organisation that has democratic governance processes.”⁸⁷

84. The conflict between commercial and democratic interests means that many companies are not set up to accommodate public accountability. This is in contrast with health services, which have a more established history of engagement (backed up by legislative requirements). The London Borough of Hackney explains that:

Health scrutiny has been luckier than other areas in that the duties to attend meetings and engage with scrutiny are well established and accepted. For health scrutiny in Hackney there is an understanding that if invited to attend to be held to account on an issue, the invitation cannot be refused. Where service providers have appeared reluctant to attend scrutiny is often linked to their accountability to local government and whether their management structures are local. We have found where structures are regional or national and the organisation has very limited local accountability there can be difficulty with engagement in the local scrutiny function.⁸⁸

Scrutiny powers in relation to external organisations

85. Overview and scrutiny committees have a range of powers that enable them to conduct scrutiny of external organisations. The Health and Social Care Act 2012 gives local authorities the power to scrutinise health bodies and providers in their area or set up joint committees to do so. They can also require members or officers of local health bodies to provide information and to attend health scrutiny meetings to answer questions. Scrutiny also has powers with regard to the delivery of crime and disorder strategies, with those bodies which are delivering such strategies also being required to attend meetings and respond to committee reports. However, for all other organisations delivering public services, be they public bodies or commercial entities, their participation depends upon their willingness of both parties to do so and the ability of scrutiny committees to forge a positive working relationship. Attitudes to local scrutiny are varied, as Cllr Sean Fitzsimons from Croydon Council explained to us:

86 See for example Q9

87 Q30

88 Overview and Scrutiny Team, London Borough of Hackney ([OSG110](#)) para 11

I would say that the smaller the organisation the better they are at coming along. The most difficult one I ever dealt with was probably the Metropolitan Police. Borough commanders do not think we have any legitimacy. Sometimes, you can see they are thinking about other things. As someone who has sat on a riot review panel, led by a judge, to get someone there was an effort. They may want to come and talk about a certain thing, but the moment you ask them anything specific it is like, "I cannot talk about it". Policing is a really difficult area, and it is actually within our remit. The fire brigade has been quite a useful organisation, and they are quite keen. The ambulance service is desperate to turn up.⁸⁹

Scrutinising council contracts

86. A significant obstacle to effective scrutiny of commercial providers is an over-zealous classification of information as being commercially sensitive (as discussed in relation to council-held information in paragraph 40). Council officers are wary of sharing the terms of contracts as they do not want to prejudice future procurements, and contractors do not always see why they should share information. As discussed earlier in this report, we can see no reason for withholding confidential information from scrutiny councillors, who can then consider it in a private session if necessary. We believe that councils and their contractors need to be better at building in democratic oversight from the outset of a contract. We note for example the views of Cllr Fitzsimons, who argued that scrutiny often gets involved in contracting situations too late:

It is only when the major recommendations can go to cabinet that you can say, "I am unhappy with that and I will bring it in." My experience, particularly in my local authority, is that the failure of the authority, at the time, to engage in scrutiny early on in the process so that we could help shape the outcomes meant that a decision had been taken by the relevant cabinet member, and really it allowed itself to drift into party political flag-waving, to say, "We are just not happy with the letting of this contract." If we had been allowed to look at it six months or a year beforehand, we may have been able to have had some influence for the betterment of the service. I have found that contractors are quite keen to talk, but what it again goes back to is how comfortable the executive is having their decisions challenged, when they may have done 18 months or two years of private work on it and they think they already have the answer.⁹⁰

87. It is imperative that executives consider the role of scrutiny at a time when external contracts are still being developed, so that both parties understand that the service will still have democratic oversight, despite being delivered by a commercial entity. Scrutiny committees have a unique democratic mandate to have oversight of local services, and contracting arrangements do not change this. We therefore support the recommendations made by the scrutiny committee at Suffolk County Council, as described to us by Cllr Evans:

89 Q77

90 Q52

We had a task and finish group that did a lot of work on procurement and contracting, and we are asking that, in future, when the council signs any contracts, those people who are making the contract are aware that we could well expect to see them in front of scrutiny at some point. They cannot sign a contract with the authority and expect never to be put on the spot and be accountable.⁹¹

88. We heard examples where committees had successfully engaged external providers, such at Suffolk County Council where the contractors for highways and for social care come to scrutiny willingly.⁹² However this is not always the case and such variance is an issue of concern for us. We are of the view that scrutiny committees must be able to scrutinise the services provided to residents and utilise their democratic mandate and we therefore agree with the Minister, who told us:

When councils put contracts out to external bodies, they should look at that in the context of how open and transparent those arrangements can be. That can quite often be difficult because of commercial confidentiality, but, as I say, that should not be a cover-all for everything. I think that that should be considered in the context of when a contract is let, in terms of making sure that a particular provider can be called to a scrutiny committee. However, when a particular local authority lets a contract to a particular company, I do not think it should lead to a situation where that particular local authority is able to sit back and just blame its contractor. The local authority in question should, when tendering out, put together a process over which it has a level of control that enables it to scrutinise a particular contractor and take enforcement action should that contract not be fulfilled.⁹³

Following the ‘council pound’

89. The CfPS highlight the difficulties that scrutiny committees can have monitoring services delivered in partnership, and notes that scrutiny has been effective when its formal powers give it a ‘foot in the door’:

We would therefore like to see these powers balanced across the whole local public service landscape. We would like to see the law changed and consolidated, to reflect the realities that local authorities now face—particularly the fact that much council business is now transacted in partnership. We would like to see an approach which uses the “council pound” as the starting point for where scrutiny may intervene—that is to say, that scrutiny would have power and responsibilities to oversee taxpayer-funded services where those services are funded, wholly or in part, by local authorities.⁹⁴

91 Q50

92 Q52

93 Q148

94 Centre for Public Scrutiny ([OSG098](#)) paras 149–151

90. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services.*

Scrutiny of Local Economic Partnerships

91. We are also extremely concerned at the apparent lack of democratic oversight of Local Economic Partnerships (LEPs). There are 39 LEPs in operation across England, tasked with the important role of promoting local economic growth and job creation. However, we fear that they vary greatly in quality and performance, and that there is no public assurance framework, other than any information they themselves choose to publish. LEPs have been charged with delivering vital services for local communities and do so using public money, and so it is therefore right and proper that committees of elected councillors should be able to hold them to account for their performance. LEPs are key partners of mayoral combined authorities and we note that the relationship in London seems established. Jennette Arnold OBE AM, Chair of the London Assembly, told us:

The responsibility for the LEPs falls within the Mayor's economic strategy, so for us the buck stops with the Mayor. He then has a LEP board. There are local authority councillors and businesspeople on that. There is a Deputy Mayor who is charged with business and economic growth in London. Both members of that LEP board and that Deputy Mayor have appeared in front of our Economy Committee. We also had questions about skills, because skills was linked, so our education panel raised questions. Business as usual for us is that where there is a pound of London's money being spent, we will follow that and we will raise any issues as relevant.⁹⁵

92. We applaud this approach and welcome the oversight of the London LEP provided by the London Assembly. In the next chapter we will consider the role of scrutiny in combined authorities, where we have concerns over the capacity of the newer organisations. Their relative infancy when compared to the London Assembly is reflected in unclear relationships with their local LEPs. Cllr Peter Hughes, Chair of the West Midlands Combined Authority Overview and Scrutiny Committee, told us:

There are non-voting LEP representatives on the board of the combined authority and there has been since the day it started. I have LEP representatives on the Overview and Scrutiny Committee. Again, they are non-constituent members, as are some of the rural authorities. Their commitment to overview and scrutiny and to audit is patchy, to say the least. There is one big authority or LEP area that does not contribute to scrutiny or audit ... We have not done so yet, but I am sure before the 12 months are up that the LEP involvement in the combined authority's work will be looked at.⁹⁶

95 Q103

96 Qq104-106

93. Whilst we welcome the established arrangements in London and the intentions of the newer mayoral combined authorities, we are concerned that there are limited arrangements in place for other parts of the country. We do note that examples exist, and call for such arrangements to be put in place across the country. Wiltshire Council states that:

Wiltshire Council is one of the few local authorities nationally to have a OS task group actively engaging with the region's Local Enterprise Partnership, providing extra public accountability to the LEP funding spent within the county. All LEP reports and expenditure are published to facilitate further scrutiny by members of the public.⁹⁷

94. In October 2017, a review of LEP governance arrangements was published by DCLG. The review makes a number of recommendations and noted that while many LEPs have robust assurance frameworks, approaches vary. For example, LEPs are required to publish a conflict of interest policy and the review found that "Whilst LEPs comply with this requirement, the content of policies and approach to publication varies considerably and is dependent on the overall cultural approach within the organisation."⁹⁸ The review also noted that:

A number of LEPs, but not all, refer to the role of scrutiny in overseeing their performance and effectiveness. Some LEPs are scrutinised from time to time by their accountable body Overview and Scrutiny function. This is an area for further development which would give increased independent assurance. Given the different structures across LEPs it is not appropriate to specify any particular approach to scrutiny. It is an area which could benefit from the sharing of good practice/'what works' to assist LEPs in shaping their own proposals.⁹⁹

95. When we asked the Minister about the democratic oversight of LEPs, he told us that local authorities will usually have representation on LEP boards and that expenditure will often be monitored by the lead authority's Section 151 finance officer. When we asked him about more public methods of scrutiny, he told us that:

in terms of the scrutiny there are ways in which a LEP can be scrutinised. At this point I do not believe that those arrangements need to be changed, but I will certainly be interested—I know you have asked this of a number of the witnesses at this Committee—in their views on local enterprise partnerships. Certainly that will be a Government consideration once the Committee has submitted its report.¹⁰⁰

96. *In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required.*

97 Wiltshire Council ([OSG034](#)) para 10

98 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 6.1

99 Department for Communities and Local Government, [Review of Local Enterprise Partnership Governance and Transparency](#) (October 2017), para 9.3

100 Q146

8 Scrutiny in combined authorities

97. We recognise that the mayoral combined authorities are in their infancy, but given how important organisational culture is, it is important that we include them in our inquiry to ensure that the correct tone is set from the outset. We are therefore concerned by the evidence we heard about an apparent secondary role for scrutiny. Mayors will be responsible for delivering services and improvements for millions of residents, but oversight of their performance will be hindered by limited resources.

The London Assembly

98. The London Assembly has 25 members elected to hold the Mayor of London to account and to investigate any issues of importance to Londoners. London Assembly Members are elected at the same time as the Mayor, with eleven representing the whole capital and fourteen elected by constituencies. The Mayor holds all executive power and the Assembly's ability to override decisions is limited to amending budgets and rejecting statutory strategies. The most visible accountability tool is Mayor's Question Time, when the Mayor of London is required to appear in public before the Assembly ten times a year to answer for decisions made and their outcome. Oversight is also provided by ten thematic scrutiny committees. In 2016/17 the London Assembly controlled a budget of £7.2 million, of which £1.5 million was allocated to scrutiny and investigations, with the remainder used for other member services and democratic services functions. This compares with the Mayor's budget of around £16 billion.¹⁰¹ The Chair of the Assembly, Jennette Arnold, told us:

You will see that we have been learning and changing over the last 16 years. I would say we are a much more robust body than we were, say, eight years previously because we have taken on learning. We set out to make sure that the centrepiece of our work, which is detailed scrutiny, is evidence-based, well resourced and is disseminated as widely as possible. We have two tracks: the first track is to follow the Mayor, i.e. we ensure mayoral accountability; and the other track we have is about any issue of public concern to London. I would say the combined authorities should look and see the clarity that we have. This is what good scrutiny looks like: it is separate; it has its own officers; it has its own budget; and there is money that is required to do that work.¹⁰²

The mayoral combined authorities

99. We welcome and applaud the approach of the London Assembly, however the wide discrepancy in the approach to scrutiny in the newer mayoral combined authorities which has come to light during our inquiry is an issue of concern. Combined authorities have a far smaller budget and do not have an equivalent body to the London Assembly, with scrutiny instead being performed by members of the constituent councils. The Local Government Research Unit at De Montfort University argue that:

101 London Assembly, [The London Assembly Annual Report 2016–17](#), page 57

102 Q83

An opportunity was missed in the creation of combined authorities—because of the focus on leadership—to recreate a London Assembly style directly elected body with the responsibility to hold the mayor of any combined authority (and other organisations) to account. A directly elected scrutiny body with its own staff and resources may seem an expensive innovation, but ... serious governance failures resulting in damage to public services and the public can occur where O&S is inadequate or fails.¹⁰³

100. In contrast with the London Assembly, Cllr Peter Hughes of the West Midlands Combined Authority told us:

The regulations for the combined authority actually state “a scrutiny officer”, as it stands at the moment. This has been the case for the last 18 months. The combined authority scrutiny chair, whether it is me or anybody else, is supported by a part-time person who is lent out from our own authority. That is the case across all of the other issues. Effectively, the West Midlands Combined Authority is run on the basis of good will and people, chief executives and directors, giving up their time. That is exactly the same with scrutiny. At the moment, we have a person who is lent, with no financial refund to Sandwell, to the combined authority. That has not yet been formalised.¹⁰⁴

101. We recognise that the resourcing levels are not necessarily decisions for the combined authorities themselves, with Government funding dictating that they be organisations with minimal overheads. However, we also acknowledge that the absence of an allocated budget or a directly-elected scrutiny body does not mean that the approach to scrutiny in combined authorities is necessarily wrong. Cllr Hughes for example told us how he will be measuring the effectiveness of his committee:

Part of scrutiny is not just the questioning and scrutiny aspect of it; it is also that we are adding value to the work of the combined authority. As you have just said, it is in the very early stages at the moment. We feel that we can actually add value to some of the policy decisions that are being taken or being formed by actually taking specific pieces of work and drilling down and calling upon evidence from the local authorities beneath us to add value to the work of the combined authority itself.¹⁰⁵

102. Susan Ford, Scrutiny Manager of the Greater Manchester Combined Authority, also told us that successful scrutiny in Greater Manchester will enable the Mayor and officers to:

understand the value that scrutiny can bring, and... sense-checking what might cause issues in particular districts and bringing that kind of wealth of in-depth knowledge that scrutiny members bring in with them. The scrutiny function also has a duty to the public to try to simplify some of what can be seen as a very complicated governance arrangement. Having different governance arrangements across different devolved areas has not helped. Mayors in different city region areas have different powers, so

103 Local Government Research Unit, De Montfort University ([OSG022](#)) para 4

104 Q87

105 Q85

there is a duty to members of the public. There is also a duty to broaden the engagement in terms of thinking about things like younger people and the way in which elected members actually engage with their constituents. We have to support them to be able to make devolution governance and decision-making intelligible.¹⁰⁶

103. We raised the issue of scrutiny of combined authority mayors with the Minister, who argued that the scrutiny arrangements were sufficient:

I consider that the scrutiny arrangements in that sense are stronger than they are for local authorities ... Certainly the powers that were being transferred to Mayors were generally powers that hitherto had been held by Secretaries of State and, therefore, on a virtually daily basis when this House was sitting there was a method, potentially, of scrutinising the decisions that were being made, and their outcomes ... That said, and I have mentioned this a number of times, I do not think there is any room, in this sense, for complacency. I would say that, in the same way as we are now talking about the scrutiny arrangements from the Local Government Act 2000 having bedded in ... the question is: should there now be more changes to update things because time moves on? There will legitimately be the question, as time moves on: how have those scrutiny arrangements worked? Do we need to change anything going forward to make sure that we are responding to circumstances that arise?¹⁰⁷

104. We welcome the approach to scrutiny by new mayoral combined authorities such as the West Midlands and Greater Manchester, but we are concerned that such positive intentions are being undermined by under-resourcing. This is not a criticism of the combined authorities - which have been established to be capital rich but revenue poor - as they do not have the funding for higher operating costs. However, we would welcome a stronger role for scrutiny in combined authorities, reflecting the Minister's point that the Mayors now have powers hitherto held by Secretaries of State. ***We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.***

106 Q85

107 Qq131-132

Conclusions and recommendations

The role of scrutiny

1. *We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny's evolving role. (Paragraph 12)*
2. *We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach. (Paragraph 13)*

Party politics and organisational culture

3. However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham. (Paragraph 19)
4. *To reflect scrutiny's independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months. (Paragraph 23)*
5. We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. *We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive. (Paragraph 25)*
6. It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage. (Paragraph 27)
7. We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance between executive and scrutiny can create a perception of impropriety. (Paragraph 30)
8. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government.

We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered. (Paragraph 35)

Accessing information

9. Scrutiny committees that are seeking information should never need to be 'determined' to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive. (Paragraph 37)
10. Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority. (Paragraph 41)
11. We do not believe that there should be any restrictions on scrutiny members' access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees' ability to identify issues that might warrant further investigation in future, and reinforces scrutiny's subservience to the executive. *Current legislation effectively requires scrutiny councillors to establish that they have a 'need to know' in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance.* (Paragraph 42)
12. *We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny.* (Paragraph 45)
13. We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users. (Paragraph 47)

Resources

14. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever. (Paragraph 61)

15. *We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience. (Paragraph 62)*
16. *We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them. (Paragraph 65)*

Member training and skills

17. *It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees. (Paragraph 76)*

The role of the public

18. *The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also need to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practise of digital engagement to the wider sector. (Paragraph 82)*

Scrutinising public services provided by external bodies

19. *Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by*

commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services. (Paragraph 90)

20. *In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required. (Paragraph 96)*

Scrutiny in combined authorities

21. *We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported. (Paragraph 104)*

Annex: summary of discussions at an informal workshop with councillors and officers

As part of the inquiry, the Committee hosted a workshop in October 2017 attended by over 45 council officers and councillors from across the country. Split into four groups, attendees discussed their experiences of overview and scrutiny, with each group considering three questions. The following provides an edited summary of the discussions held and is not intended to be verbatim minutes. Comments are not attributed to individuals or organisations, but seek to reflect the variety of statements made and opinions expressed. This summary and its content does not necessarily reflect the views of the Committee, or all of the attendees present at the workshop.

Q1) Do local authority scrutiny committees operate with political independence and in a non-partisan way

Officers:

- Scrutiny is only non-partisan on the surface: most of the discussion and debate takes place in group meetings, which officers and the public cannot see
- Scrutiny chairs often don't want to challenge their Leaders, so do more external scrutiny or pick 'safe' topics that are less controversial
- The ways that committee chairs are appointed means that chairs more likely to 'keep quiet', use the role as a way to prepare for a Cabinet position, or see it as a consolation prize for not being in the Cabinet
- Personalities of chairs and the ability to work well with executive colleagues is key
- Officers in combined roles struggle to adequately support scrutiny: the roles of scrutiny officer and committee clerk are fundamentally different with different skill sets needed
- Clerking a committee changes how officers are treated, with the value placed on their expertise and guidance lessened so they are treated as little more than admin assistants
- Task and finish groups are less partisan and work effectively cross-party. However, witness sessions are usually held in private with only the reporting of findings being in public. External scrutiny is also less partisan, and so can achieve much more while enthusing councillors
- Third party organisations can sometimes be reluctant to be scrutinised by lay persons. It takes significant time to build positive relationships
- There should be debate at Full Council for topic selection for scrutiny committees
- Committees need more power to force changes on executives

- There is too much executive control over what is scrutinised
- In some local authorities, cabinet members and the Leader attend health scrutiny meetings when the NHS is being scrutinised and sometimes lead the questioning of witnesses
- Appointment of members to scrutiny committees is in the hand of controlling political groups, so there will never be full independence

Councillors:

- Focussing on the impact we want, like improved health and wellbeing, gets rid of the party-political aspect because we've agreed on what we want to achieve
- The better the quality of the opposition, the better the contribution it makes. Currently, we have a very weak opposition and I don't think they understand the difference between scrutiny and opposition
- One problem is engagement of one's own backbenchers to participate in scrutiny. It's often the poor relation, and shouldn't be
- Is aiming for political independence realistic and necessary? If you have people from both sides on committee, as long as they challenge effectively, that's all that matters
- I want to know about value for money, so I ask awkward questions. Politics comes into it when members score points to get votes. It suits my nature to be challenging and ask probing questions. But you need knowledge of subject to do this. A lot of colleagues don't have this
- The role of the Leader is key: they have to believe in good governance. Scrutiny's success depends on the attitude of the Leader, who needs to recognise that good scrutiny reflects on the reputation of council. Too many Leaders seek to block scrutiny
- Scrutiny is improved in authorities where scrutiny reports go to Full Council and not the executive
- Officers have to be supportive of scrutiny. It's not just about the Leader
- Some chairs can be fiercely independent regardless of which party has control. An effective chair of a scrutiny committee need to be apolitical and work collaboratively across party lines. A lot depends on the group of individuals on the committee
- A lack of political independence is often more pronounced in small shire district councils where there is often too much domination by strong leaders and executives
- There is a problem with committees lacking teeth - the executive will often not listen regardless of what scrutiny committees say

- Joint scrutiny often works well, sometimes with different chairs. Working groups also increase political independence
- Decisions on who will chair a committee is often whipped vote, and there is considerable remuneration which binds chairs' approach
- The executive has control over scrutiny funding and budgets which is a big problem

Q2) Do officers and members working on scrutiny have sufficient resources, expertise and knowledge to deliver effective scrutiny?

Officers:

- Limited access to expertise is a bigger issue than resources: committees struggle to access expert advisors and find it hard to build relationships
- Scrutiny support is often combined with wider a corporate policy role, meaning officers often spend relatively little of their time actually working on scrutiny
- There is a tension in trying to scrutinise people with whom you might later seek to work with or for
- The reduced resources allocated to scrutiny has led to a corresponding reduction in scrutiny committees: local authorities cannot have committees that mirror each portfolio like in Parliament, leading to committees with extremely large remits
- Districts need to work better with upper tier authorities: on their own, districts are limited in what they can influence
- Scrutiny has fewer resources, but increasingly wide remits: it's not possible to do everything justice
- Health scrutiny has a huge workload so committees often struggle to do much more than the statutory requirements
- Scrutiny has become much leaner, but this is not necessarily a bad thing: it is more focussed now so that it achieves more impact and demands greater attention
- Accessing outside experts is easier in London as they are always relatively nearby
- Questioning skills for members are key, and remain the biggest training need
- Getting input from external experts such as academics is possible at the start of an inquiry, but sustaining this engagement throughout an inquiry is difficult
- There should be a separate budget for scrutiny, commissioning research and recommending options
- In authorities that are reducing staff numbers for budgetary reasons, more resources for scrutiny is often unrealistic

- In many councils, there are enough resources, but they aren't allocated appropriately: there needs to be a top-down reallocation of resources, with more priority given to the scrutiny team
- There is often a lot of resistance to scrutiny at the senior officer level. Many actively seek to keep scrutiny to a minimum, as they don't want to be challenged in what they're doing
- Information requested from senior officers is often sanitised or of limited usefulness. Officers need to realise they work for all councillors, not just the executive

Councillors:

- I'm not impressed by the quality of members. They need more training—it's only then they have the knowledge to ask probing questions
- We have people on our Committee with no expertise
- The way round the resource problem is to get members to do more work themselves.
- It is incumbent on members who chair committees and task and finish groups to take on knowledge and expertise and motivate other members to do so too
- The clerks don't prepare papers, someone from the relevant department (e.g. health and social care) does it
- We have found that scrutiny officers have taken on the role of being nothing more than glorified diary clerks. We need to motivate them to become more involved in the background and research. If you rely on reports from individual departments, they are too optimistic
- The key is understanding which questions to ask
- It's about the officers understanding the key role of scrutiny and not seeing it as a nuisance
- Commercial confidentiality is a big issue which impedes scrutiny committees
- Investment in member development is insufficient, but also hampered by large turnover of committee members
- Individual committees often have too wide a remit to cover individual issues sufficiently
- There is a growing trend to merge scrutiny function with corporate policy team. This negatively impacts on scrutiny because of conflicts of interest among officers
- Too many scrutiny committees remain talking shops. There should be more emphasis on measuring how effective scrutiny is in influencing policy and decisions
- Scrutiny staff must be completely separated from the executive

- There has been a trend towards fewer members on scrutiny committees in recent years. This has negatively affected good scrutiny
- To give scrutiny more agency scrutiny reviews should be regularly produced which go to the full council for consideration
- More focus of scrutiny committees should be placed on upstream policy formation

Q3) If you could make a single change, what would you change about the way scrutiny in your authority operates?

Officers:

- The whole process should be more independent of departmental officers: chairs are reluctant to challenge or disagree with senior officers
- Having opposition chairs would get much better engagement and input from other members
- More members need to actually read their committee papers—however some officers make the papers intentionally long to dissuade members from doing so
- There is a capacity issue for ‘double-hatted’ councillors, and those who work in outside employment
- With meetings being held in the evenings, discussions can go on quite late: with many of the best councillors having demanding day jobs, it’s unrealistic to expect high performance
- Scrutiny committees should share expected questions with witnesses before meetings to ensure all information is available in advance: it shouldn’t be a closed-book exam as some officers can deflect questions by promising to look into an issue and write back later
- Scrutiny in general needs a higher profile, including the role of statutory scrutiny officer: people across the council should know who it is with their status being far closer to that of the monitoring officer
- Scrutiny has become too broad and complex over the years: it is not achievable to do everything asked of it. There needs to be a clear remit for scrutiny with up to date guidance from Government
- Scrutiny will only succeed if the Leader and Chief Executive think it is important—strong scrutiny chairs and strong scrutiny managers are required when they do not
- Ensuring legislation is enforced regarding undue interference from the Leader and cabinet
- Resident-led commissions help to improve scrutiny. Broadening the scrutiny process out to involve the public and prominent campaign groups, inviting them onto task groups, or to serve as chairs of commissions

- There should be an independent secretariat for scrutiny committees with separate ring-fenced budget, independent of the council, to create greater organisational autonomy
- Councils should be able to compel witnesses to attend from publicly funded bodies, such as housing associations
- Legislation relating to scrutiny powers should be simplified, putting them all into one place
- Removing conflicts of interests where scrutiny committees are supported by officers responsible for the policies that are being scrutinised

Councillors:

- Better selection of candidates to be councillors, as well as improving their calibre through training
- We need full time councillors: the part time nature of the role means variable quality
- It should be constitutionally established that scrutiny is on a level with cabinet
- Greater public involvement: if you want to be effective, what really changes a Leader's mind is people and residents, and if you don't get them to meetings, you won't make changes
- Statutory Scrutiny Officers are too low down the food chain to influence people. This statutory post has to be a similar level and have access to the corporate management level
- We've also got to make use of modern technology. It's about getting the message out through facebook and twitter
- One of the changes is taking meetings out in the community
- Political groups need to treat each other with fairness and respect
- Completely disconnect all aspects of scrutiny (formation, governance, resources) from the executive
- Increase connection with residents and public through co-opted members. More witnesses and public evidence sessions
- Clearer feedback loops to quantify scrutiny influence
- Council leadership should be assessed on how they take into account work of scrutiny committees, for example through annual report on scrutiny considered by full Council or annual evidence sessions with cabinet members
- Allocate chairs on the basis of political proportionality
- All scrutiny work should be considered by Full Council, rather than the cabinet

Formal Minutes

Monday 11 December 2017

Members present:

Mr Clive Betts, in the Chair

| | |
|------------------|----------------|
| Mike Amesbury | Fiona Onasanya |
| Bob Blackman | Mark Prisk |
| Helen Hayes | Mary Robinson |
| Kevin Hollinrake | Liz Twist |
| Andrew Lewer | |

Draft Report (*Effectiveness of local authority overview and scrutiny committees*) proposed by the Chair, brought up and read.

Ordered, That the Draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 104 read and agreed to.

Summary agreed to.

Annex agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned until Monday 18 December at 2.15 p.m.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Monday 16 October 2017

Question number

Professor Colin Copus, Director of the Local Governance Research Unit, De Montfort University; **Jacqui McKinlay**, Chief Executive, Centre for Public Scrutiny (CfPS); **Councillor Marianne Overton**, Leader of the Independent Group, Local Government Association

[Q1-43](#)

Monday 30 October 2017

Councillor Mary Evans, Chair of Scrutiny Committee, Suffolk County Council; **Councillor Sean Fitzsimons**, Chair of Scrutiny and Overview Committee, Croydon Council; **Councillor John Cotton**, Lead Scrutiny Member, Birmingham City Council

[Q44-82](#)

Jennette Arnold OBE AM, Chair, London Assembly; **Ed Williams**, Executive Director, Secretariat, London Assembly; **Susan Ford**, Scrutiny Manager, Greater Manchester Combined Authority; **Councillor Peter Hughes**, Chair, Overview and Scrutiny Committee, West Midlands Combined Authority

[Q83-107](#)

Monday 6 November 2017

Marcus Jones MP, Minister for Local Government, Department for Communities and Local Government

[Q108-152](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

OSG numbers are generated by the evidence processing system and so may not be complete.

- 1 B4RDS (Broadband for Rural Devon & Somerset) ([OSG0006](#))
- 2 Birmingham City Council ([OSG0002](#))
- 3 Chester Community Voice UK ([OSG0022](#))
- 4 Councillor Tony Dawson ([OSG0019](#))
- 5 Dr Laurence Ferry ([OSG0017](#))
- 6 Dr Linda Miller ([OSG0018](#))
- 7 F&G BUILDERS LTD ([OSG0005](#))
- 8 Gwen Swinburn ([OSG0015](#))
- 9 Heston Residents' Association ([OSG0008](#))
- 10 Local Government and Social Care Ombudsman ([OSG0007](#))
- 11 MNRAG ([OSG0020](#))
- 12 Mr Bryan Rylands ([OSG0003](#))
- 13 Mr Mark Baynes ([OSG0009](#))
- 14 Mr Stephen Butters ([OSG0001](#))
- 15 Ms Christine Boyd ([OSG0013](#))
- 16 Ms Jacqueline Thompson ([OSG0012](#))
- 17 Nicolette Boater ([OSG0016](#))
- 18 North Lincolnshire Council ([OSG0021](#))
- 19 Research for Action ([OSG0014](#))
- 20 Susan Hedley ([OSG0004](#))

The following written evidence was received in the last Parliament by the previous Committee for this inquiry and can be viewed on the [inquiry publications page](#) of the Committee's website.

- 1 A Journalist ([OSG0004](#))
- 2 ADSO ([OSG0123](#))
- 3 An Officer from a London Borough ([OSG0091](#))
- 4 Anonymous ([OSG0006](#))
- 5 Anonymous ([OSG0065](#))
- 6 Anonymous ([OSG0103](#))
- 7 Bedford Borough Conservative Group ([OSG0069](#))
- 8 Birmingham City Council ([OSG0087](#))
- 9 Bournemouth Borough Council ([OSG0071](#))
- 10 Bracknell Forest Council ([OSG0010](#))
- 11 Bristol City Council ([OSG0082](#))
- 12 Broadland District Council ([OSG0014](#))
- 13 Cardiff Business School ([OSG0056](#))
- 14 Central Bedfordshire Council ([OSG0019](#))
- 15 Centre for Public Scrutiny Ltd ([OSG0098](#))
- 16 Charnwood Borough Council ([OSG0080](#))
- 17 Chesterfield Borough Council ([OSG0052](#))
- 18 Citizens Advice ([OSG0076](#))
- 19 Cllr Jenny Roach ([OSG0104](#))
- 20 Committee on Standards in Public Life ([OSG0027](#))
- 21 Cornwall Council ([OSG0051](#))
- 22 Councillor Ann Munn ([OSG0109](#))
- 23 Councillor Charles Wright ([OSG0088](#))
- 24 Councillor Chris Kennedy ([OSG0106](#))
- 25 Councillor James Dawson ([OSG0016](#))
- 26 Councillor James Dawson ([OSG0118](#))
- 27 Councillor Terence Neville ([OSG0075](#))
- 28 County and Unitary Councils' Officer Overview and Scrutiny Network ([OSG0114](#))
- 29 Debt Resistance UK ([OSG0094](#))
- 30 Department for Communities and Local Government ([OSG0122](#))
- 31 Devon County Council ([OSG0008](#))
- 32 Dr Laurence Ferry ([OSG0023](#))
- 33 Dr Linda Miller ([OSG0095](#))
- 34 Dudley MBC ([OSG0058](#))
- 35 Durham County Council ([OSG0079](#))
- 36 Ealing Council ([OSG0041](#))

- 37 East Devon Alliance ([OSG0040](#))
- 38 East Riding of Yorkshire Council ([OSG0061](#))
- 39 Epping Forest District Council ([OSG0012](#))
- 40 Erewash Labour Group ([OSG0013](#))
- 41 Exeter City Council ([OSG0011](#))
- 42 Federation of Enfield residents & Allied Associations ([OSG0097](#))
- 43 Gloucestershire County Council ([OSG0050](#))
- 44 Green group on Norwich City Council ([OSG0057](#))
- 45 Hereford and South Herefordshire Green Party ([OSG0119](#))
- 46 Herefordshire Council ([OSG0101](#))
- 47 INLOGOV ([OSG0053](#))
- 48 Institute of Local Government Studies, University of Birmingham ([OSG0115](#))
- 49 It's Our County ([OSG0124](#))
- 50 Julian Joinson ([OSG0112](#))
- 51 Ken Lyle ([OSG0032](#))
- 52 Leeds City Council ([OSG0043](#))
- 53 Leicestershire County Council ([OSG0036](#))
- 54 Lewisham Overview and Scrutiny Business Panel ([OSG0078](#))
- 55 Liberal Democrats on Wokingham Borough Council ([OSG0125](#))
- 56 Local Governance Research Unit, De Montfort University ([OSG0022](#))
- 57 Local Government Association ([OSG0081](#))
- 58 London Assembly ([OSG0117](#))
- 59 London Borough of Hackney ([OSG0110](#))
- 60 London Borough of Merton ([OSG0037](#))
- 61 London Borough of Tower Hamlets ([OSG0105](#))
- 62 Marc Hudson ([OSG0116](#))
- 63 Medway Council ([OSG0021](#))
- 64 Mr G M Rigler ([OSG0002](#))
- 65 Mr Gerry O'Leary ([OSG0092](#))
- 66 Mr John Galvin ([OSG0102](#))
- 67 Mr Martyn Lewis ([OSG0003](#))
- 68 Mr Peter Cain ([OSG0007](#))
- 69 Mrs Tracy Reader ([OSG0009](#))
- 70 Ms Christine Boyd ([OSG0086](#))
- 71 Ms Jacqueline Annette Thompson ([OSG0074](#))
- 72 Newcastle City Council ([OSG0015](#))
- 73 NHS Providers ([OSG0064](#))
- 74 Nicolette Boater ([OSG0107](#))

- 75 North East Combined Authority ([OSG0084](#))
- 76 North East Councils Scrutiny Officers Network ([OSG0083](#))
- 77 North Tyneside Council - Scrutiny Chairs/Deputy Chairs ([OSG0028](#))
- 78 North Yorkshire County Council ([OSG0018](#))
- 79 Nottingham City Council ([OSG0024](#))
- 80 Officer from a Fire & Rescue Authority ([OSG0121](#))
- 81 Pendle Borough Council ([OSG0020](#))
- 82 Rachel Collinson ([OSG0066](#))
- 83 Ryedale District Council ([OSG0030](#))
- 84 Scrutiny Committee of East Devon District Council ([OSG0035](#))
- 85 Sheffield City Council ([OSG0073](#))
- 86 Sheffield for Democracy ([OSG0025](#))
- 87 South Gloucestershire Council ([OSG0113](#))
- 88 Southampton City Council ([OSG0029](#))
- 89 St Albans City and District Council ([OSG0099](#))
- 90 Stevenage Borough Council ([OSG0060](#))
- 91 Stockton on Tees Borough Council ([OSG0077](#))
- 92 Suffolk County Council ([OSG0054](#))
- 93 Sunderland City Council ([OSG0067](#))
- 94 Susan Hedley ([OSG0038](#))
- 95 The Society of Local Authority Chief Executives and Senior Managers (Solace) ([OSG0068](#))
- 96 Trafford Council ([OSG0048](#))
- 97 Villages Focus Group ([OSG0063](#))
- 98 Walsall Council ([OSG0085](#))
- 99 West Sussex County Council ([OSG0026](#))
- 100 Westminster City Council ([OSG0039](#))
- 101 Wiltshire Council ([OSG0034](#))
- 102 Woking Borough Council Overview & Scrutiny Committee ([OSG0100](#))
- 103 Woodhouse Parish Council ([OSG0111](#))
- 104 Worcestershire County Council ([OSG0033](#))
- 105 Wyre Council ([OSG0047](#))
- 106 Wyre Council Labour Group Of Councillors ([OSG0042](#))