

Scrutiny Impact Report City of York Council

Chief Operating Officer

City of York Council

Jan 2025

Dear Ian Floyd,

Scrutiny Improvement Review – CfGS consultancy support

I am writing to thank you for inviting the Centre for Governance and Scrutiny (CfGS) to carry out an evaluation of City of York Council's Scrutiny function. This letter provides feedback on our review findings and offers suggestions on how the Council could further develop its scrutiny process.

Background to the review

City of York Council commissioned CfGS to advise and support its members and officers in the review of the Council's scrutiny function. City of York Council has recently undergone a change in political control. A recent Corporate Peer Challenge exercise carried out by the LGA highlighted the Council's new political ambitions but also noted the capacity and capability challenges associated with delivery against those ambitions. It also noted the need for action in respect of governance and culture – particularly in ensuring that members had the support needed to be able to carry out their role. There was a sense that the overview and scrutiny function needs resetting and rationalising to ensure that its impact can be maximised.

It is in this context that the Council has invited CfGS's assistance in undertaking a review of the function. The aim is to ensure that scrutiny is effective in delivering accountability, improving policy and decision making, and that the scrutiny function makes a quality contribution in the delivery of Council plans and overall improvement.

The review investigated four specific areas of scrutiny:

- Organisational commitment and clarity of purpose.
- Members leading and fostering good relationships.
- Prioritising work and using evidence well.
- Making an impact.

York has four scrutiny committees, meeting monthly, whose work is augmented with task and finish groups. In common with a number of other councils, there is no dedicated officer policy support for the scrutiny function.

Methodology

CfGS undertook a thorough review of the scrutiny arrangements, involving evidence gathering in person with Members and Officers on 25th and 26th November 2024.

CfGS met with elected Members and Officers, including the Leader, Cabinet Members, the Scrutiny Committee and Overview and Scrutiny Committee Chairs, Scrutiny Members, and the Council's

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senior leadership team. We ran a survey for Members from Tuesday 12th November to Monday 9th December with 26 responses. How representative was this data set?

We also undertook observations of the Economy, Place, Access and Transport Scrutiny Committee in person and other scrutiny committee recordings and documents online.

The review was conducted by:

- Camilla de Bernhardt Lane – Director of Practice, Centre for Governance and Scrutiny
- Antony Mullen – Research Analyst, Centre for Governance and Scrutiny

The findings and recommendations presented in this letter are intended to advise City of York Council in how to strengthen the quality of Scrutiny activities, increasing the impact of its outputs, and to develop a strong and shared understanding of the role and capability of the Scrutiny function.

Findings

The large majority of those who engaged with the review commented upon the desire and commitment to make Scrutiny work. However, the majority of views shared in the interviews were negative about the current impact and approach of Scrutiny. Comments ranged from saying that it was inefficient to being actively hostile we heard that '*Scrutiny doesn't work*'. This sentiment is clearly summarised in the question from the survey:

How would you rate the effectiveness of scrutiny overall:

2.12

Average Rating



1. Organisational commitment and clarity of purpose

- 1.1. Creating a robust organisational culture supportive of Scrutiny is essential for effective governance. It is necessary to establish an environment that not only acknowledges but also values the role of Scrutiny in enhancing accountability and public service delivery. In turn Scrutiny is expected to use its delegated authority, soft powers of access and influence to hold the Cabinet to account, support policy development, contribute to improved decision-making, and channel the voice of the public. This is achieved through collaboration and strong constructive challenge, based on quality information and robust questioning strategies. A good Scrutiny function is one that provides not only effective challenge but is recognised and valued as a body that positively informs policy development.

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- 1.2. Currently at York there is a tendency to see Scrutiny through the lens of political challenge. This in turn results in frayed relationships and in reciprocated defensive behaviours.

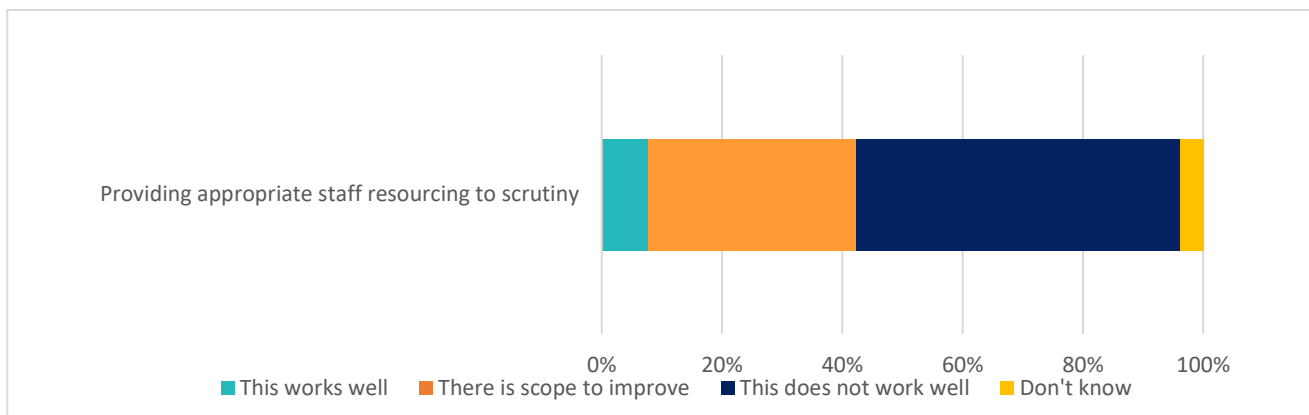
There were several underlying causes for these challenges raised in the conversations:

- A long-established culture of the politicisation of Scrutiny in York. This makes it difficult for Members to break from the pattern. New Members learn about Scrutiny through the experience of current practices - often feeling the expectation to replicate this model.
 - The public context of Scrutiny means that Members' contributions can be readily shared and promoted through engagement and media reporting.
 - Not having dedicated independent officer support to neutrally promote the value that scrutiny can bring, particularly to policy and direction setting and task groups.
 - Frequent Scrutiny meetings with lengthy papers and unclear impact. This creates high demands on staff, both to support the meetings and to attend to provide information and presentations with unclear outcomes.
 - Poor attendance and engagement at meetings.
 - Frustration at the lack of task groups, and the general lack of contribution to policy development.
- 1.3. We suggest that by working to support and develop clarity over the role of scrutiny, the Council has the opportunity to step outside political machinations and develop a mature relationship where all members of the council feel that they have a valued role in good governance at York.

Recommendation 1. The Council should work to develop a shared vision and understanding of scrutiny.

Officer support for Scrutiny

- 1.4. There is currently a small democratic services team which supports Scrutiny and policy committees. In practice the support given is in the form of committee administration, preparing minutes and agendas and sourcing and administering reports for formal meetings. This support is welcomed and valued. However, a comment that was repeated in both the survey and in conversations was that democratic services was under resourced.
- 1.5. In the survey, more than 50% respondents say providing appropriate support did not work well with 35% saying there is scope to improve, and less than 10% saying it did work well, as demonstrated below:



- 1.6. A need was expressed for a dedicated role which provides the specialist skills needed to support policy development and critical friend challenge. This point was most pertinent when discussing task and finish groups. York in the large part does not currently run task groups. If they occur, they are entirely at Member's discretion as they have no support from democratic services officers.

'Without dedicated Scrutiny officer time, Scrutiny has struggled in the past 5 years.'

'Task Group reviews are few and far between, most probably because of the absence of any officer support.'

- 1.7. There needs to be a development and application of methodology, approach and clear management of task and finish groups for this way of working to add value. It is likely that specialist officer support could help to provide this rigour as well as to provide research and learning from other councils to inform policy.

Recommendation 2. The Council should employ a dedicated Scrutiny officer to enhance the impact and practice of Scrutiny, in particular task group investigations. Skills for this role would include research, project management and policy development. On-going training and support for the Scrutiny officer should also be considered particularly if recruited internally, to support the role to achieve good Scrutiny.

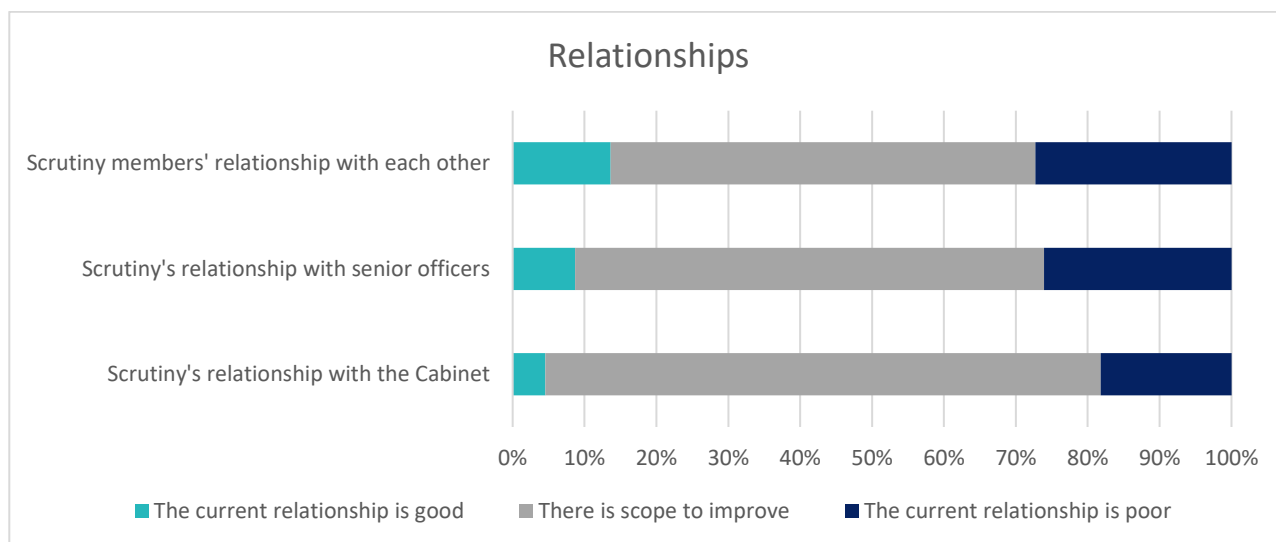
2. Members leading and fostering good relationships.

Steps to take the politics out of scrutiny.

- 2.1. It was expressed that members of scrutiny committees are there first as party members, and second as scrutiny members. This is demonstrated in committee members sitting on party lines when in committee and in the approach to substitute members on committees.
- 2.2. We heard that substitutes are often found to make up numbers to ensure that if there is a vote taken then the majority party can ensure success. This approach runs contrary to developing a team beyond politics, where issues and evidence are of most importance.

Recommendation 3. Substitute members of committees should be limited in number and named individuals, rather than allowing any Cllr to act as a substitute at any given time.

- 2.3. Relationships are a key element that contributes to the success of scrutiny. It is clear through the interviews and the survey findings that there is room for improvement on how well relationships currently function. This is demonstrated in answers on the chart below. Scrutiny Member's relationship with each other, scrutiny officers, senior officers and Cabinet is seen as poor or has scope to improve in 90% of respondents.

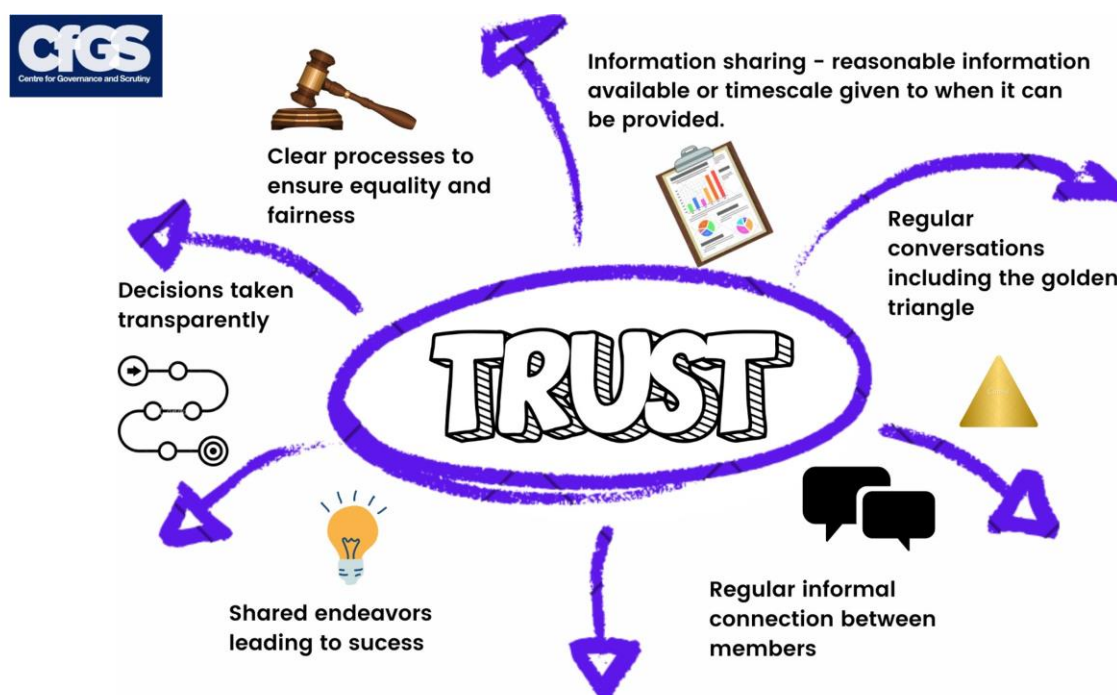


- 2.4. Trust is the foundation of effective governance, scrutiny, and collaboration. It is built and sustained through intentional actions and behaviours that prioritise transparency, fairness, communication, and shared purpose. Decisions should be made through clear, accessible, and well-documented processes that involve input from relevant stakeholders. Sharing the rationale behind decisions, including the options considered and the criteria used, helps others understand and accept the outcomes, even if they may not fully agree.
- 2.5. Clear processes should be in place to ensure that everyone is treated consistently and equitably. Sharing relevant updates and decisions proactively prevents misunderstandings and fosters a sense of inclusion. If certain information cannot be immediately available, it is

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important to communicate realistic timelines for when it will be shared. Working with senior officers to foster personal connections helps build rapport and mutual understanding.

- 2.6. Collaborative discussions, where all voices are valued, allow for collective problem-solving and strengthen cohesion. Informal interactions between members also play a significant role in building trust. Networking opportunities, casual conversations provide space for individuals to connect on a personal level, developing camaraderie and reducing barriers to communication.
- 2.7. Finally, collaborating on shared goals and celebrating successes strengthens trust and reinforces the value of working together. Clearly defined objectives give everyone a sense of purpose and direction. Creating a culture that values shared endeavours leads to stronger bonds and more successful outcomes.



- 2.8. An approach to invite conversation and to strengthen relationships beyond politics is through a meaningful revisit of the Cabinet/Scrutiny Protocol. A review of this type can provide an opportunity to reflect on how well the Protocol is supporting the relationship between Scrutiny and the Executive, ensuring it remains relevant and effective. In approaching this review, we would suggest a process to encourage open dialogue starting by discussing how the protocol has been used in practice, and how it could usefully be applied in future. In this approach both sides can identify areas where it has supported positive collaboration and where improvements are needed.

This shared reflection allows for the development of solutions that are informed by past experiences and rooted in shared goals.

Consideration should be given to:

- Mutual respect and understanding and recognition of each other's roles
- Regular, structured communication
- Transparency and openness in sharing information
- Collaborative approach to policy development
- Regular briefings with the Executive to stay informed and aligned with the direction of the council.

Recommendation 4. Revisit and refresh the Cabinet/Scrutiny protocol, including the establishment of regular structured meetings between Scrutiny Chairs and Vice Chairs and relevant Cabinet Member(s) to discuss collaboration and future mutual priorities and upcoming decisions and projects.

Approaching budget scrutiny

- 2.9. A structured approach to scrutinising council finances is essential for ensuring transparency, accountability, and effective decision-making. It helps build public trust by demonstrating responsible management of funds while detecting inefficiencies, waste, or fraud. Additionally, structured scrutiny supports the development and monitoring of the Medium-Term Financial Plan (MTFP), ensuring that financial decisions align with long-term priorities and sustainable service delivery. By taking a forward-looking approach, councils can assess future funding pressures, allocate resources efficiently, and maintain financial stability. Structured scrutiny also promotes consistency and fairness by objectively examining all financial aspects, preventing bias or selective oversight.
- 2.10. Members have been having quarterly finance reports to committee. However, these do not appear to have tangible impact on good decisions or governance of the authority. It is difficult to ascertain what has changed as a result of these reports being presented to scrutiny. When reviewing the minutes of these reports they are only 'noted'. No recommendations are made to the Executive on proposed different direction, or to highlight areas of concern. Instead, they appear to be used as a gateway to discuss the effective running of the service area in question. This takes up committee time in discussion but adds very little value.
- 2.11. We have heard that for the first time this year scrutiny had the opportunity to review the results of the budget consultation. However, the conversation tended to focus more on Member's views of how the questions were arrived at, than looking at the trends and views of the public.
- 2.12. Scrutiny should focus on key areas that ensure effective resource management by reviewing how resources are allocated, monitored, and used, paying close attention to the council's budgeting process - from planning to delivery. Financial and service planning should be aligned, and it is here where scrutiny can add value. Asking questions about delivery and service planning, informed by financial understanding. In this way scrutiny should prioritise strategic oversight rather than getting lost in minor details. This includes assessing whether resources are being used wisely, ensuring they align with priorities and deliver value for money, fairness, and social benefits.

Recommendation 5. Scrutiny taking a more deliberate and planned approach to budget scrutiny throughout the year. This should include a focus upon service delivery beyond finances.

2.13. Further clarity on the respective roles and the relationship between the Scrutiny committee and the Audit committee would also be valuable, particularly in the areas of finance and assurance frameworks. Below is an infographic which describes the difference between the functions of audit and scrutiny as well as where they overlap.

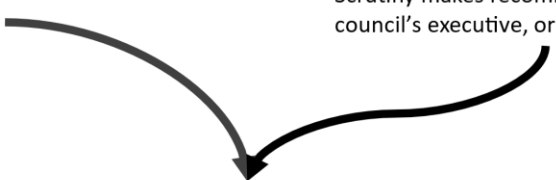
Audit vs Scrutiny

Audit:

- Assurance on good governance and decision making
- Improving value for money Improving public reporting and accountability
- Embedding ethical values and countering fraud
- Effective risk management
- Effective internal controls
- Effective audit and assurance

Scrutiny

- May look at anything which affects the area or the area's inhabitants:
- Range of methods to do this – taking reports or carrying out research in “task and finish” groups.
- Scrutiny makes recommendations to the council's executive, or to other local bodies.

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- Reviewing regular finance and performance reports;
 - Reviewing council commercial activity, including oversight of procurement;
 - General review of value for money arrangements

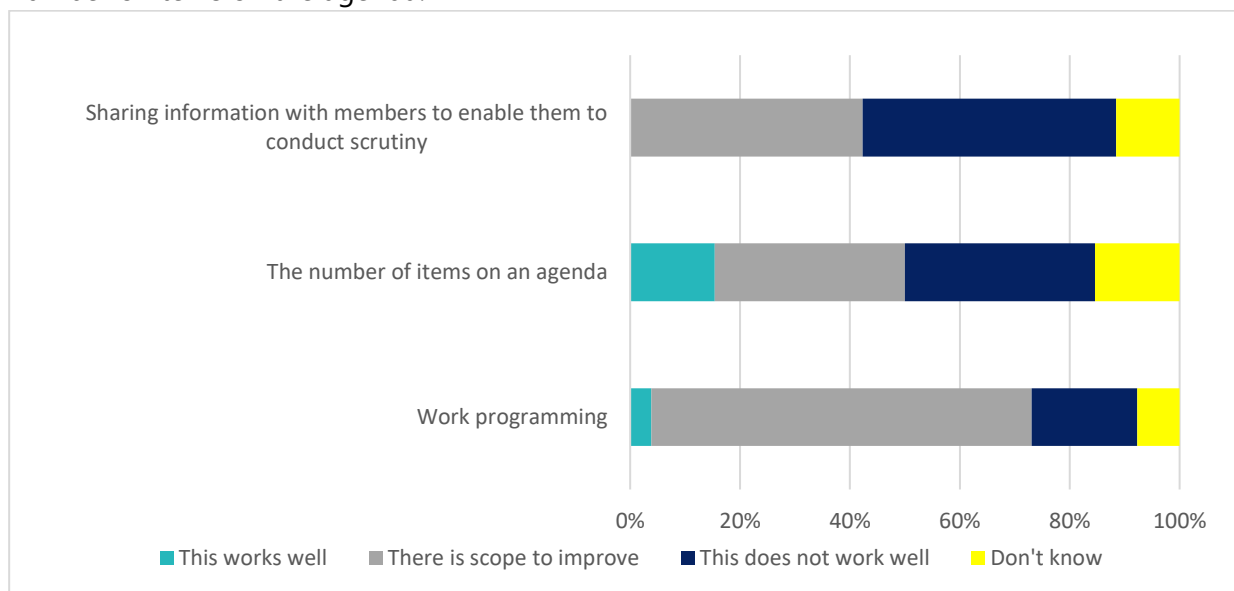
3. Prioritising work and using evidence well.

- 3.1. Developing a comprehensive work programme enables Scrutiny committees to structure their activities methodically. Prioritising issues of strategic importance ensures that Scrutiny efforts are directed towards areas with the greatest potential for impact. This strategic focus enables authorities to allocate resources efficiently and address pressing concerns effectively. It is important to ensure Members can coordinate their questions and contributions with the work programme.
- 3.2. Current work programmes are thin, with only one or two items for future meetings. Many of the items on the work programme are 'for information' or are update reports. For these items it would be difficult for scrutiny to do more than 'to note' the reports, and therefore scrutiny can add little value. It is also unclear why issues are chosen for scrutiny to look at. It is equally unclear what members would like to focus upon and why. At best this approach allows a skimming over the surface of issues, but not a structured or focussed approach to Scrutiny. It is unclear if scrutiny considers why issues should come to committee. It was also drawn to our attention that the

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Executive forward plan could be more detailed to support Scrutiny intelligence about the issues that the Executive will be considering.

- 3.3. As demonstrated on the chart below, respondents to the survey also did not find work programming to be effective, with 7% saying that work programming works well, but about 75% saying there is scope to improve, and 20% saying that it does not work well. The majority of respondents also saw scope to improve or not working well for sharing information and the number of items on the agenda.



- 3.4. We suggest there are opportunities to consolidate and coordinate meetings more efficiently to enable Scrutiny to focus on a more focused set of priorities. In the first instance we would recommend establishing a more robust work programme across all the thematic areas to guide this work. This would help identify the core purpose and activities for Scrutiny.

The following elements should be present in good work programming practice:

- Using a consistent work planning tool to support each body to create a balanced work plan that is manageable and logical.
- Focusing on key issues where Scrutiny can make a significant impact.
- Working closely with senior Officers and Cabinet Members to understand the most challenging issues around Council delivery and outcomes.
- Identifying the areas where there are already robust forms of accountability and Scrutiny in the Council and wider system – where possible avoid replication or where added-value is minimal.
- Less is often more – focusing on two or three substantive issues in a meeting.
- Linking the work planning to the scoping process for specific review topics.
- Embedding public engagement activities more centrally to the planning process.

More guidance on approaching work programming is available here: [Planning and Priority Setting - A Practice Guide - CFGS](#)

Recommendation 6. Review and enhance the scrutiny work planning process – supporting a Member-led work plan to include:

- 6.a. A refreshed annual process that uses systematic scrutiny tools to identify and prioritise agenda items, key lines of enquiry and potential impact.
- 6.b. The justification for inclusion of items on the work programme needs to be clearer, and subject to a set of criteria agreed by members cross-party.
- 6.c. Scrutiny agendas, as far as practicable, exclude items which are for basic information sharing or 'approval' or where scrutiny cannot clearly add value. Freeing capacity on agendas for more substantial items.
- 6.d. The Executive forward plan to be more detailed and planned so that scrutiny can have sight of issues that may be of interest in appropriate timeframes to meaningfully contribute.
- 6.e. Consideration to be given to how written reports to the scrutiny committee can be presented in ways that enable Members to identify key issues, areas for challenge and opportunities for service improvement – this includes reviewing the ways that information and data is presented.

4. Making an impact.

Call in

- 4.1. The situation with call-in is symptomatic of the wider political nature of scrutiny in York. Call-in can be a useful tool for scrutiny, but it is not the only approach. We heard that there have been seven calls-in in 18 months, with no call-ins upheld. It was reported that call-in is used as a mechanism for political point scoring and to send the message; 'we don't like the decisions that you have made'. This is observable in the minutes from these meetings as well as watching the webcasts of the meetings themselves. It is our judgement that this is not an appropriate or productive use of the call-in mechanism.

'Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited (or possibly changed). It should, however, be regarded as a measure that is only needed in exceptional circumstances, rather than day-to-day. It sits in the context of a range of other tools at Scrutiny's disposal to influence decision making.

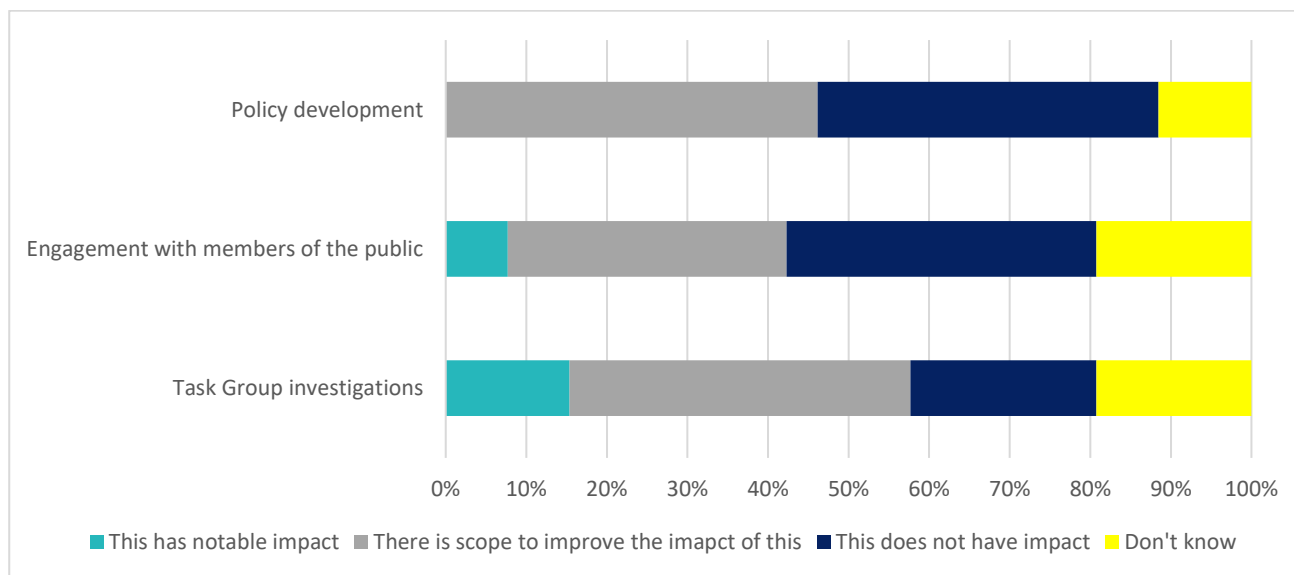
The law says that Scrutiny has a power to review or scrutinise decisions made but not implemented by the executive, which includes a power to recommend that the decision be reconsidered by the person who made it. Statutory guidance exists to govern how councils carry out call-in work.'

[CfGS Good Scrutiny guide]

- 4.2. Better practice would see pre-decision scrutiny, where scrutiny has sufficient time to meaningfully contribute recommendations and change to executive plans. This would involve a positive working relationship between senior leaders, both officers and members and scrutiny where there are open lines of communication. Scrutiny should be able to have clear sight of policies and developments that will be decided.

Scrutiny contributing to good governance

- 4.3. York would benefit from gaining greater clarity on how scrutiny contributes to the good governance of the organisation. When asked, Members and officers had difficulty pointing to a consistent and developed impact that scrutiny has made. This is demonstrated on the chart below showing responses to the survey. Only 15% of respondents said that task group investigations have notable impact, this is likely because they rarely occur. Engagement with members of the public has less than 10% of respondents saying that it has notable impact. While policy development has no respondents at all saying that it has impact. It is clear that despite the frequency of committee meetings, scrutiny is not having the impact that it should have.



- 4.4. Allied to recommendation 2, 'employing a dedicated scrutiny officer', York should take a deliberate approach to instigate task groups. We would recommend that focussing upon policy development, at least for the first task groups undertaken would help to move the focus of scrutiny to a position beyond politics. This should be done in liaison with Exec Members so that scrutiny can appreciate where there is a need for policy development or review.

Recommendation 7. Undertake policy development in the form of task groups. This move would also require the timely awareness of scrutiny in issues that are being developed or decided upon, as scrutiny would need to undertake deep-dive work on areas where it could make a tangible difference.

- 4.5. In the survey when we asked in a free text box what would make the difference in scrutiny, the following answers were given. For ease of presentations and for inferences to be drawn they have been amalgamated where it was felt appropriate to do so.



Committee structure

- 4.6. In the interest of further supporting good planning, we suggest a review of the current arrangements of scrutiny committees. Our research highlights that there is no 'ideal' scrutiny structure or optimum number of committees. There is not a perfect correlation between the size and number of committees and their effectiveness, but there is a clear connection between having a clarity of purpose and a function that adds value and realises impact. In York we were told that Exec Members's portfolios do not match the arrangements of scrutiny committees, nor does the organisation of the council. This leads to inefficiencies where there is a lack of clarity and senior officers, and portfolio holders may be required to report to go to several scrutiny committees within a short amount of time. However, there are frequent changes to Exec portfolios, and potentially to departmental structures so it would be unhelpful to shackle the arrangement of scrutiny to these.
- 4.7. In any change, York should consider the balance of the impact of scrutiny activity. By this we mean that deep dive work in the form of task groups and policy development should make up a much greater portion of scrutiny endeavours. The role of the committee is important in ensuring transparency and making recommendations to the Executive. However, it is only one approach to scrutiny working, where different approaches should be used together to best effect and ultimately to achieve impact.

Recommendation 8. That the Council consider reviewing the alignment of committees to better reflect the business of the Council. This would bring greater clarity as to which officers or lead members were accountable to which committee. As part of this work the Council should consider reducing the number of committees and possibly the number of councillors on those committees.

Frequency and organisation of Meetings

- 4.8. A frequent concern that was raised in the conversations was the amount of time taken up sitting in scrutiny committees. Scrutiny committee meetings for all four scrutiny committees take place almost monthly. This leads to somewhere in the region of forty public meetings each year. However, the impact of scrutiny is limited, despite the large organisational commitment to service these committees. We suggest a rethink of the frequency of these meetings, with a view to having more impact and less time in last-minute discussions.
- 4.9. We heard that there is often little difference in papers that go to Cabinet and those to Scrutiny, because of the time limited proximity of Scrutiny meeting before Cabinet. This gives limited scope for Scrutiny to make detailed and considered recommendations, as the substantive part of the policy, or decision has already been worked out. Subsequently Scrutiny can be critical, and there is room to make political points, but in essence what is reported is mostly a 'fait accompli'. A more effective, and potentially less political, approach would see Scrutiny as an important part of the decision-making process. With this approach we would expect that Scrutiny members would be engaged in decisions or policy at a substantially earlier stage than currently occurs.

Recommendation 9. That the frequency of Scrutiny Committee meetings be reviewed with a view to having fewer formal meetings, but developing scope for greater focus, preparation, including briefings and review work.

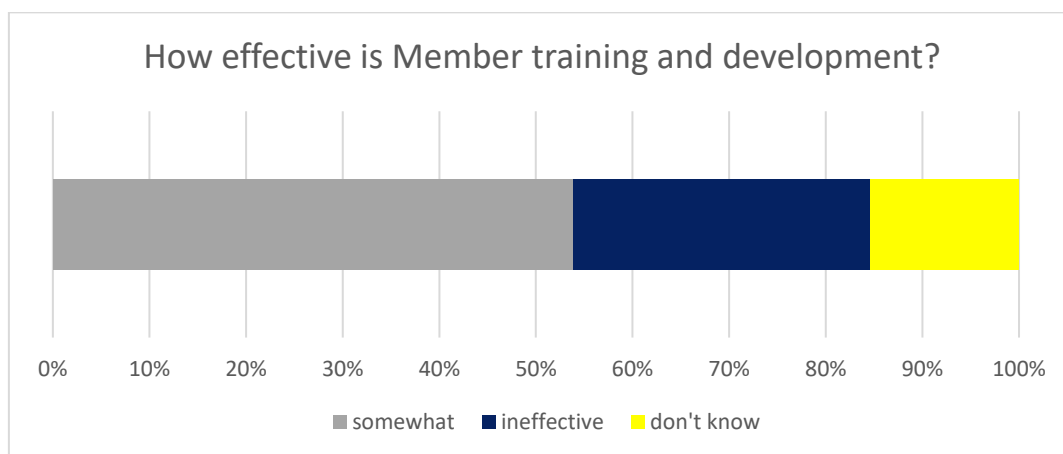
- 4.10. In a separate but related point, reports to Scrutiny committees would benefit from a review of their form and structure to enable the committee to access the key information and data they need to formulate effective questions. The length, usability and timeliness of reports can support effective Scrutiny meetings. Both Members and Officers identified the challenges of ensuring the Scrutiny committee has the right level of detail. Proposals around creating a Scrutiny-focused structure for reports with strong cabinet summaries were recognised as being helpful.
- 4.11. To develop enthusiasm for policy development and for scrutiny in its own right it is important to demonstrate the impact that scrutiny has. Telling the narrative of scrutiny activity and impact is useful to reinforce the self-identity of the function. An annual report can help in this respect to promote the impact and share the learning from scrutiny.

Recommendation 10. Introduce a formal process to track recommendations that Scrutiny makes.

Recommendation 11. Reinstate the process of having an annual scrutiny report but update the format to focus on the impact and difference that scrutiny has made.

Member training and development

- 4.12. We heard that many Members in York are newly elected councillors because of the cyclical nature of political control. Members learn how to undertake scrutiny from the existing practices in the authority. This means that poor practices can often be reinforced with new councillors. Whilst there is an induction programme, which many members have benefitted from, it was clear in our research that more training would be desirable.
- 4.13. There was a clear divergence in answers in the survey when asked about training, with some members being very clear about the offer, and others quite unsure about whether training in scrutiny had been offered. When asked about the effectiveness of member training and development, no respondents said that it was 'very' effective, with 80% of respondents saying that it was either somewhat effective or ineffective. In the free text box it was particularly mentioned that examples of 'what good scrutiny looks like' would be helpful.



Recommendation 12. A programme of ongoing training for members in undertaking good scrutiny, which could include work programming as well as coaching for chairs.

Thank you and acknowledgements

We would like to thank the Chairs, Members of Scrutiny Committees, Executive Members and Officers who took part in interviews for their time, insights and open views.

Yours sincerely,

Camilla de Bernhardt Lane

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