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## Scrutiny Management Committee

28 February 2011

Report of the Assistant Director – Legal, Governance & ITT

### Developing Scrutiny in City of York Council

#### Summary

1. This report is further to a previous report to this Committee on 6 December 2011, outlining ongoing developments and improvements to scrutiny in City of York Council. Since that time, the Chair of Scrutiny Management Committee, has taken soundings from all the Scrutiny Committees about how scrutiny currently works in City of York Council.

#### Background

2. At the meeting of this Committee in December 2010, Members endorsed a range of new approaches and changes to scrutiny in York:
  - The Chair of Scrutiny Management Committee engaging and networking with regional scrutiny events and activities
  - Establishing lead directorate officers to support scrutiny throughout the Council, at Chief Officer level;
  - Meeting with other Scrutiny Chairs and Vice-Chairs to establish what needs improving;
  - A simple one-step approach to assessing potential scrutiny topics
  - A new, simpler and more digestible format for final scrutiny review reports will be ‘trialled’ for some reviews (e.g. School Travel Plans, Newgate Market);
  - Former topic registration form replaced by simpler topic assessment;
  - Informal meetings in private (or public as Members choose) have been reinstated to allow for researching and gathering of evidence flexibly and quickly
3. It was also agreed at the meeting that a further report back be received in the light of the Chair’s findings from speaking with other scrutiny members and any further developments which arose.

## **Progress to Date**

### **Regional Events/Activities**

4. Since the last meeting, the Chair and a Scrutiny Officer have attended a regional network event held in Bradford in February 2011, at which an update on the potential impact of the Localism Bill on scrutiny and beyond was received. Subsequently, a specific Members Seminar has been organised by Craven District Council on the Localism Bill for their Members but places have been offered to Members from other neighbouring authorities, including York. Details have been circulated to Members by Democratic Services.

### **'Lead' Directorate Officers**

5. The arrangements for lead officers, at designated Chief Officer level, continue and some Scrutiny Committees are now embedding their relationships with these officers in terms of assisting in the review and work planning processes. The level of engagement varies and some Members have still identified specific concerns about the importance of a relationship between scrutiny and the relevant Chief Officers. These concerns have emerged through the consultation round between the Chair of this Committee and the Standing Scrutiny Committees.

### **Reducing the Paperwork/Bureaucracy and Improving Presentation:**

6. Members will be aware that a new simpler approach to both registering potential scrutiny topics and assessing the requirements under review has been introduced. This approach enables a Member to register a topic very quickly indeed and subsequently enables Members at one meeting, with the advice of a Scrutiny Officer and 'Lead' Officer, to set a remit and state how and by when they want to conduct a review. All recently registered topics have been conducted using this simpler approach.
7. Additionally, since the last meeting, Scrutiny has been adopting a more informal approach to the information gathering process supporting scrutiny reviews. This has made it quicker and simpler for Members to meet flexibly or gather information, individually or collectively, outside the formal meeting process. As a result, recently commissioned reviews, eg. school travel plans, carers review, taxi licensing, customer complaints etc, have all been started and finished within basically 4 meetings or 3 months. There will, however, always be some topics which by their very subject matter will necessitate a longer review.
8. With the support of Scrutiny Officers, Chairs and Members of recent 'scrutinys' have been working hard at ensuring recommendations emerging from reviews are focussed and justifiable. To improve the visibility of scrutiny to the Executive and the Council in general, Chairs have been presenting their Committee's work and recommendations to the Executive. The Audit Commission recently commended the experience of the Executive and Scrutiny in the presentation of scrutiny reports to the Executive. This took place on 18 January 2011 when Scrutiny Chairs presented scrutiny reports on Newgate Market, Casual Play and School Travel Plans.

9. The Chair of Scrutiny Management Committee has attended recent Executive Calling-In meetings to present the outcome of Scrutiny Management Calling-In meetings. The presence of both the Chair of this Committee at Executive Calling-In sessions and of individual Scrutiny Committee Chairs at Executive meetings has increased the visibility of scrutiny to the Executive.

### **Involving the Public and Wider Community**

10. In addition to simplifying topic registrations for elected Members, a simple public registration form has been introduced which can be accessed online. Assistance will be given by Scrutiny Services to any member of the public wishing to submit topics.
11. A new A5 booklet format presenting an easy guide to scrutiny reviews is now being produced for the public, on completion of reviews. These are also being made available on-line. Reviews available in this format to date are: school travel plans; Newgate market; taxi licensing; and customer complaints. The new format has been well received at Executive meetings to date;
12. Efforts are being made to test different ways of 'doing scrutiny'. A primary example is the recent Broadway Shops 'Councillor Call for Action', the outcomes from which are presented elsewhere on this agenda. In this case, scrutiny facilitated a series of community meetings, which brought local traders and the residents association together to bring about solutions to concerns raised.

### **Feedback from Scrutiny Members – Key Themes**

13. During the last cycle of Scrutiny Committees, the Chair of Scrutiny Management Committee attended the meetings to hear firsthand Scrutiny Members' views and opinions of the way scrutiny currently worked or could work in City of York Council.
14. Below is a summary of the key themes around which it emerged, through the Chair's discussions, more work was required:

#### **Need to establish more effective communication and relationships:**

As follows:

- between scrutiny and those registering topics ;
- between scrutiny and Chief Officers/'Lead Officers';
- between scrutiny and Executive and vice versa;
- between scrutiny chairs and scrutiny members;
- between 'Lead officers/Chief Officers' with the Executive, on behalf of scrutiny

#### **Need to engage others through:**

- improving communications/relationships
- continuing to make it easier for scrutiny members to do scrutiny - shorter timescales; more informality; interesting topics; showing that positive results can be achieved; demonstrating that scrutiny and Executive Members are equally accountable
- reports to the Executive to present clear, logical, supportable recommendations
- engaging the public through simplifying the way scrutiny reports are publicly presented and the way they can get involved;

- effective training for scrutiny members, the Executive and key officers

**Need to ensure the Council values and promotes different types and ways of doing scrutiny:**

- pre-decision or early scrutiny - helping to shape future services/development;
- policy/performance development and review;
- holding to account (including call in)
- Councillor Call For Action

**As an integral part that work, the Council needs to recognise and agree what scrutiny can do. For example:**

- undertake a full review;
- monitor a particular concern identified;
- talk to partners/Exec Members/Senior Officers about a particular concern/issue;
- receive presentations;
- facilitate (Broadway Shops CCFA)

In undertaking the above, Scrutiny may need to operate in a variety of ways to get the most of available time and maximise personal interest. For example:

- meet collectively;
- take on tasks (individually or collectively);
- call witnesses;
- invite feedback from interested parties;
- meet in the community; undertake site visits etc

**Emphasise What Works and Recent Improvements:**

- reduced bureaucracy with a simple and fast registration and review process;
- improved public presentation and ability for public to register;
- higher visibility of scrutiny chairs to the Executive;
- improved recommendations arising from Scrutiny

**What Next**

15. Whilst progress has been made in terms of making it easier to do scrutiny, it is clear that more work still needs to be done to communicate what has changed but also more needs to be done to improve the experience for those undertaking scrutiny and to improve engagement with and commitment to scrutiny across the Council.

In addition to continuing with the improvements already introduced, the following further initiatives are suggested in an effort to address some of the themes which have emerged from consultation with scrutiny members:

16. Those Members or members of the public registering topics to be asked to contribute to setting remits for any topics progressing to review and to be asked for feedback on outcomes arising from reviews. This will ensure 'registrees' have their input into the process and findings and can usefully comment on the value of the review.

17. **Training** existing and new Members (including Executive) is essential to ensure good effective scrutiny. As part of the induction training for newly elected Members and the Core Programme for returned Members, the course delivered by David McGrath last year to Members on 'Making a bigger difference through Overview and Scrutiny' is being repeated. This course was extremely well received by all those who attended last year and David McGrath is a former serving elected Councillor. All Members will be invited to attend (including the Executive) as will 'lead' directorate officers.
18. **Working together** to plan what work scrutiny should be doing in 2011/12 will be a contributory factor to its success in the next Municipal Year. Establishing good clear communication channels between Scrutiny Members, Chief Officers ('lead' officers) and the Executive will help the Council identify what the most appropriate priorities for scrutiny are in the coming year and where it can add most value. Arrangements have already been made for each Scrutiny Committee to meet informally with their 'lead officer' and other relevant Chief Officers to discuss up and coming work plans and priorities in June 2011. Relevant Executive Members will also be invited to attend. Noticeably, in their discussions with the Chair of SMC, a few scrutiny members repeatedly commented that a better approach towards proper 'pre-decision' scrutiny was required. Working together in this way early in every Municipal Year will provide opportunities and scope for all parties to identify proper pre-decision scrutiny and for scrutiny to manage and set out its approach to that early in the year. There will be an opportunity to work with partners too in the new Municipal Year.
19. In addition, it is planned to set up an informal session for Scrutiny Chairs, Executive Members and Chief Officers ('lead officers') to discuss how organisationally the Council might want to deliver its priorities in 2011/12 and what role scrutiny can take in that.
20. **Working differently.** Scrutiny Members will continue to be encouraged to work in a variety of ways to achieve the desired outcome quickly and in a way which is interesting and rewarding. Much more work is already being done informally, removing the need for formally convened meetings and for Committees to work as one whole. The training session on 'making a difference' will help newer Members to scrutiny appreciate how good scrutiny can be done relatively quickly and in an engaging way.
21. **Performance Monitoring.** Some Members are concerned about whether performance monitoring reports should really remain a part of the scrutiny function. However, some Members equally value the role of scrutiny here. It is suggested that the Chair and Vice Chair of this Committee meet with the 'lead' officer for SMC and the Assistant Director Legal & Governance to discuss the options for report back to this Committee.
22. **Engaging with the Executive.** Scrutiny Chairs have recently increased their visibility with the Executive in owning and presenting scrutiny reviews and calling-in decisions. The feedback to the Chair of SMC suggests that there are some concerns that Executive Members could be more visible at scrutiny meetings when matters relating to their areas are under discussion. Members of this Committee

may, for instance, wish to consider requesting the presence of the relevant Executive Member at calling-in sessions .

### **Consultation**

23. All Scrutiny Committees have now been consulted on the way scrutiny operates currently within the Council and their feedback is being addressed within this report.

### **Options**

24. This Committee can choose to introduce no further initiatives to develop scrutiny in York or it can choose to endorse the further approaches suggested under next steps above. Equally, it can suggest other options for further improvements.

### **Corporate Priorities**

25. The continuing initiatives outlined in this report, if successful, will contribute to the Council's overall aim of being an effective organisation, 'a modern Council, with high standards in all we do'.

### **Implications**

26. There are no direct financial, human resources, legal or other implications associated with the recommendations of this report.

### **Risk Management**

27. There is an ongoing risk to the future of scrutiny within City of York Council if it does not continue to address the effectiveness of the scrutiny experience.

### **Recommendations**

28. Members are asked consider and endorse the further initiatives outlined in the next steps section of this report and to identify any other opportunities for developing scrutiny which may be appropriate.

REASON: To further develop the effective provision of scrutiny in City of York Council.

## Contact Details

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Report Approved



Date

18.02.11

**Specialist Implications Officer(s)** None**Wards Affected:**

All



For further information please contact the author of the report

**Background Papers:**

Scrutiny Procedure Rules – the Constitution.