

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Council

8th December 2021

TITLE:	Scrutiny Review
PORTFOLIO HOLDER:	Cllr Sybil Ralphs – Leader
CONTACT OFFICER:	Andrew Stokes – Chief Executive
WARDS INVOLVED:	Non-Specific

Appendices Attached

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

Appendix B – Scrutiny Review Workshop – Notes from Breakout Group Discussions

Appendix C – CfGS Recommendations – Suggested Response

1. Reason for the Report

- 1.1 The purpose of this report is consider the response to the feedback provided by the Centre for Governance and Scrutiny (CfGS) following completion of their recent review of the Council's Scrutiny arrangements, after consultation with all members, and to agree the Council's actions in response .

2. Recommendations

- 2.1 It is recommended that the Council:
- Notes the outcome of the Scrutiny Review from CfGS as detailed in Appendix A.
 - Notes the comments from members as detailed in Appendix B and section 10.2 of this report.
 - Agrees the suggested response to the recommendations set out in Appendix C and section 11 of this report.

3. Executive Summary

- 3.1 CfGS were commissioned to conduct a 'step back' review of the Council's Overview & Scrutiny arrangements. The review was conducted earlier this year and the conclusions were reported back to the Council in April. Their report is attached at Appendix A.

- 3.2 An all member workshop was held in September to enable CfGS to share their findings and to provide an opportunity for councillors to give some initial feedback. The notes from the discussions at the workshop are attached at Appendix B. It was suggested and agreed at the workshop that each of the Council's Overview & Scrutiny Panels should be given the opportunity to discuss the findings further and consider how the Council should take the recommendations forward.
- 3.3 CfGS make 12 recommendations for improvement. Attached at Appendix C is a summary of CfGS's recommendations, with a suggested response, which has been considered at each Overview & Scrutiny Panel in November 2021.
- 3.4 This report is presented to Full Council following consideration of the review by Overview and Scrutiny Panels (comments received are contained in section 10.2 of this report) and in order to agree the way forward in responding to the review.

4. How this report links to Corporate Priorities

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

5. Alternative Options

- 5.1 There are no options to consider at this stage

6. Implications

- 6.1 Community Safety - (Crime and Disorder Act 1998)
None

- 6.2 Workforce
None

- 6.3 Equality and Diversity/Equality Impact Assessment
None

- 6.4 Financial Considerations
None

- 6.5 Legal
The Council's Constitution Working Group will need to work through the detail of any final proposals for change including considering the necessary changes to the Council's Constitution.

- 6.6 Climate Change
None

6.7 Consultation

Feedback was provided by the CfGS to an all member workshop. Further consultation with councillors has taken place via the latest cycle of panel meetings.

6.8 Risk Assessment

None

ANDREW P STOKES
Chief Executive

Web Links and
Background Papers

As attached to the report

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7. Background and Introduction

- 7.1 Maintaining effective scrutiny is a challenge for all local authorities and no council can profess excellence in scrutiny across the board – there are always areas of weakness which, left untended, can develop into flaws in scrutiny which can have a more significant impact on effectiveness overall.
- 7.2 The Council has not undertaken a comprehensive review of its scrutiny arrangements for some time and it was therefore considered to be appropriate to conduct a review for two purposes:
- In order to give assurance about existing practices; and
 - Challenge and provide further improvements.
- 7.3 The Local Government Association (LGA) were approached to ascertain the most appropriate way forward for conducting a review. The LGA referred the Council to the Centre for Governance and Scrutiny (CfGS).
- 7.4 The CfGC provides external support to give assurance and advice on improving governance in local authorities. They offer a number of improvement reviews which help local authorities to evaluate and improve their overview and scrutiny functions – governed by the fundamental [“four principles” of good scrutiny] that were first developed nearly twenty years ago.
- 7.5 During the COVID-19 pandemic, CfGS developed ‘step back reviews’. These reviews are geared to give the opportunity for councils to conduct short, sharp reviews to identify lessons learned to inform the approach to any new arrangements that emerge for the ‘new normal’. The review is designed to be challenging, but essentially also to be constructive in suggesting ways to drive forward improvement.
- 7.6 Consequently with the support of the Council’s political group leaders, CfGS were commissioned to conduct a ‘step back’ review. The LGA agreed to fund 50% of the cost of conducting the review.
- 7.7 The review was conducted earlier this year and the conclusions were reported back to the Council in April. An all member workshop was held in September to enable the CfGS to share their findings and to provide an opportunity for councillors to give some initial feedback.
- 7.8 It was suggested and agreed at the workshop that each of the Council’s Overview & Scrutiny Panels should be given the opportunity to discuss the findings further and consider how the Council should take the recommendations forward. Reports were subsequently presented to panels in November 2021.

8 CfGS Review

- 8.1 The review was short and simple based on assessing the following:

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

8.2 It involved conversations with members and officers, observation of meetings (recordings or live online), a review of key documents; agendas, work programmes etc and a short member survey.

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

9 Outcome from the Review

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

9.2 CfGS concluded that '**Scrutiny has the conditions for success**' and further that '**there are no critical issues for scrutiny at SMDC and the contributions that scrutiny makes are seen as mostly positive**'.

9.3 The Council wide buy-in for scrutiny was recognised, and there was significant praise given to the Democratic Services team and all officers involved in supporting scrutiny at SMDC.

9.4 During the feedback given to CfGS throughout the review, working groups were highlighted as a model example of successful scrutiny. Both members and officers consider they have worked well and there is strong evidence of them making an impact on issues such as waste and recycling services. It was noted by CfGS that it would be valuable to learn what makes working groups successful in SMDC, continuing those activities, and applying these techniques to committee working or expanding their use.

9.5 CfGS provided feedback on the following issues:

- Clarity on scrutiny's role and responsibilities
- Collaborative approach to scrutiny
- Scrutiny – Executive relationship
- Scrutiny's focus
- Work programming
- Meeting preparation
- Chairing
- Member development
- Committee structure and timetabling
- External engagement

9.6 CfGS make 12 recommendations for improvement. These are detailed in the report attached at Appendix A.

10 Taking the Recommendations Forward

10.1 CfGS presented their report to an all member workshop which was held on 29th September 2021. Members had the opportunity to feed back their initial thoughts on the findings contained within the report. A summary of the discussion at the workshop is attached at Appendix B.

10.2 It was agreed at this workshop that each of the Council's Overview & Scrutiny Panels should have the opportunity to discuss the findings further at their next meetings. Reports were subsequently presented to Panels that met in November 2021. Councillors underlined the need for strong scrutiny arrangements and expressed broad support for the suggested response to the CfGS recommendations (contained in Appendix C to this report). Members also recognised that some aspects could be dealt with more quickly than others and that Full Council should be presented with a "progress update" with regards to the further consideration of the suggested response. The following comments were also made by councillors during debate:

- Responses to questions to Portfolio Holders should be in writing rather than being verbally provided at meetings.
- It would be useful to conduct a skills audit of councillors that could help inform the selection of chairs and vice chairs.
- The creation of an Overview and Scrutiny Programming Group would help to make scrutiny more proactive and improve the long-term planning for the creation of agendas and help to "horizon scan" for potential scrutiny items.
- Earlier involvement in the decision-making process would enable scrutiny to be less reactive in its approach.
- Although there was acknowledgement of the recommendation to reduce the number of panels, there was concern raised with regards to any reduction in the number of members sitting on each panel given the need to ensure that all councillors were represented and had the opportunity to participate in scrutiny.

- The Service Delivery and Resources Overview and Scrutiny Panels were seen to be particularly important in scrutinising all aspects of the Council.

11 Next Steps

11.1 Given the broad support expressed by members at the scrutiny panels for the suggested response proposed at Appendix C it is recommended the Council agrees this as the way forward in responding to the review.

11.2 It is recommended that the suggested improvements are progressed as follows, with the member committee/officer responsibility highlighted in bold, together with the proposed start date for each area of work:

Member Development – to be considered by the Member Development Working Group – January 2022

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

Cabinet / Scrutiny Relationship – to be considered by the Constitution Review Working Party – March 2022

- Review Executive/Scrutiny Protocol

Scrutiny Focus – to be organised by Democratic Services – December 2021

- Establish Overview & Scrutiny Programming Group including Cabinet / O & S Panel Chairs / Opposition Group Leaders to review and monitor Scrutiny Work Programmes
- Reorder Overview & Scrutiny Panel's agendas to consider work programming at the start of the meeting (now implemented)

Meeting Work Programme and Preparation – to be considered by the Overview and Scrutiny Programming Group – January 2022

- Develop approach with Chairs of Panels to consider pre-meetings and preparation work
- Consider Cabinet Work Programme and agree forward plan of scrutiny work
- Annual scrutiny workshop to confirm Work Programmes
- Consider structure of Panels and potential to create sub-groups to focus on specific areas of work
- Explore and experiment with ways to allow greater public access, openness and involvement

Committee Structure & Timetabling – to be considered by the Constitution Review Working Party – March 2022

- Review number of Overview & Scrutiny Panels

11.3 A further report will be presented to Full Council to provide an update on progress made with regards to the above improvements and to make any further recommendations as necessary.