



Andrew Stokes
Chief Executive
High Peak Borough Council
December 2020

Dear Chief Executive,

Short Scrutiny Improvement Review – CfGS consultancy support

I am writing to provide feedback following your recent review to reflect our findings and offer some suggestions on how the council could develop its scrutiny process. We would like the opportunity as part of this process to facilitate a workshop with Members and Officers to reflect on this review and to discuss options for improvement.

Background

High Peak Borough Council (HPBC) commissioned the Centre for Governance & Scrutiny (CfGS) [formerly CfPS], to review the Council's scrutiny arrangements through its Select Committees. The purpose of the review was to give the Council an external perspective on how well the current model is functioning and fulfilling its essential role of policy shaping, holding the executive to account and reviewing issues of importance to local communities.

CfGS undertook a review of the current scrutiny arrangements, involving two days of evidence gathering through conversations with Members and Officers on 28th and 29th September 2020. In addition, we observed Select Committee meetings, reviewed key documents, and created and analysed a Member survey.

CfGS met with 18 Members and 4 Officers, including the Council Leader, Group Leaders, Select Committee Chairs, Vice Chairs, Members of the Select Committees, the Council's senior leadership team and Head of Democratic & Community Services.

The review was conducted by the CfGS staff:

- Ian Parry – Head of Consultancy - Centre for Governance and Scrutiny.
- Kate Grigg – Senior Research Officer – Centre for Governance and Scrutiny.

The findings and recommendations presented in this letter are intended to advise HPBC in strengthening the quality of scrutiny activities, and through its Members, to develop a strong and shared understanding of the role and capability of the scrutiny function.

Summary of findings

1. Positive areas to build on

1.1 Scrutiny has support from the Council overall

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



evidenced by Director level support for each Select Committee.

1.2 Scrutiny has a good relationship with the Executive

HPBC has good attendance from the Executive at Select Committee meetings, they are open to presenting their reports, answering questions, and being robustly challenged. It was also made clear to us through our interviews that the Executive is open to suggestions for improvement from Select Committees and takes an encouraging approach to this.

1.3 Cross-party approach to scrutiny

From our observations and interviews it is clear that the different political parties at HPBC work well together, and the Select Committees are not characterised as adversarial or confrontational. In general, there is a constructive cross-party working atmosphere that seeks broad consensus. There is little evidence of political management activity and Member behaviour is cordial and respectful.

1.4 Productive task and finish group work

It was highlighted in our conversations with Members and Officers that some of the best examples of recent scrutiny work have been undertaken in task and finish groups (T&F), the Waste Sub-Committee a specific case in point. Scrutiny's T&F work has been used effectively, and this type of more in-depth scrutiny can be highly productive and useful to HPBC. These T&F assignments or similar focused 'project scrutiny' can build further versatility and agility for scrutiny. It is essential however, that these are limited to a small number per year (perhaps 1-2), have a detailed scope and timeframe (suggest max 8 weeks) and have a clear objective which delivers a useful product.

2. Suggestions for further improvement

There is a clear realisation and commitment from Members and Officers that scrutiny activity at HPBC could be more effective and productive. Everyone interviewed welcomed the opportunity to make changes and improvements and supported the need for scrutiny to develop further and make a greater impact.

To build upon the existing support for scrutiny, HPBC could adopt a Scrutiny - Executive protocol, this would outline how Select Committees, the Executive and Officers would work together to ensure each part works collaboratively and ensure council wide ownership and support for the sustained success of scrutiny.

2.1 The focus and priorities of scrutiny

From our observations and evidence gathering, the Select Committees may benefit from ensuring greater clarity about what they are trying to achieve or what impact they are aiming to make. Similarly, the process for deciding what is important to scrutinise and what is not, is sometimes unclear. It seems that by convention every single executive decision goes through Select Committee, without much regard to prioritisation. Scrutiny cannot examine everything, nor is it necessary to do so, therefore establishing realistic priorities based on clear objectives is essential.

Select Committees do make every effort to be strategic and focus on areas of importance, although in practice it sometimes falls short of this ambition. Select Committees can be too operational and council performance focused. It is therefore necessary to 'let go' of KPI concentrated work, and focus resource on strategy and policy.



2.2 Scrutiny's impact

There is scope for each Select Committee to review its agendas to ensure that they maintain a focus on crucial issues. Agendas can often become overburdened with routine reporting and discussion-led topics, leaving less capacity for the matters that can make a real impact.

It was highlighted to us that Select Committees are very useful at conveying the views of different Members to the Executive, but it is hard to see how that translates into policy changes. Early access to information is important for scrutiny to operate as an integral part of policy and decision-making activities. The ability for Select Committees to engage early in the process of policy development will also assist scrutiny in making a greater impact.

Scrutiny often has greater impact when it applies its efforts to pre-decision scrutiny. This is partially practiced at High Peak, although it is usually too close to the decision by the executive to play a useful shaping role and is limited to a binary choice of "for or against" pending Executive decisions. If scrutiny operated more up-stream, as policy and decisions were in a less advanced stage, it could provide useful insight, constructive challenge and creative input at a more strategic and forward-looking level.

2.3 Work programming

There is a positive working relationship between the Executive and Select Committees, but the relationship has been described as a bit 'too close' at times, with the Executive having perhaps too much influence and involvement on Select Committee work programming and agendas. Whilst regular communication between the Executive and Select Committees is important, and suggestions for topics on the work programme or agenda should be welcomed, the scrutiny process does need to be independent.

It is also noted that there has been some significant senior Officer time spent in supporting Members with the process of work programming, so it would be recommended that Members, led by committee Chairs switch the emphasis of work planning to be more Member-led where possible.

To avoid low priority issues making their way onto the work programme and to ensure focus on high impact items, Select Committee Members might consider developing a methodology for their work programme selection and prioritisation, given that the sources to choose from (including Council Plan, MTFs, Delivery Plans, Executive forward plan/key decisions etc.) provide an extensive menu of options. The need to rationalise selection could be helped by a simple scoring or prioritisation process.

Some examples of other local authority tools to prioritise and select items for scrutiny are included in the Appendix to this short report.

2.4 Member development

Training and development were issues raised by some Members, who were clearly aware of the gaps in their knowledge and understanding. It has been noted that there has been a relatively big turnover of Members at the last election in High Peak, so many are new to the role of being an elected councillor and to the role of scrutiny, who would benefit from further training and development.

Whilst most Members take the opportunity to speak at committee, the engagement and contribution is varied. Some Members tend to ask information-gathering questions, rather than questions which explore and challenge issues, with often just a few members asking most of the more probing



questions. Members may benefit from more training and experience in the area of questioning techniques.

2.5 Meeting management

It has been highlighted that meetings could adopt a more logical approach in organising their line of enquiry. Currently just the Chair and Vice Chair have a pre-meet without any organised input from other committee Members (aside from the pre-meetings that occur in political groupings).

Select Committees at HPBC might consider ways to give more time to planning and organising scrutiny meetings as a 'team', to set objectives and the agenda, as well as developing appropriate lines of enquiry. By using a brief pre-meeting, committees could effectively set a questioning strategy and decide who they would require to appear at the meeting, as well as the expectations on information needed.

2.6 Committee structure

The council has three Select Committees, which is not unusual, but there is a growing trend towards less committees, especially if work can be prioritised well and focused on strategic issues. Scrutiny's productivity is not measured by the volume of activity but the quality of its outputs, such as - constructive recommendations, ideas and feedback, and holding to account that leads to positive improvement.

The council might wish to consider the option of two committees, one with an external focus - community impact, resident voice and service performance, and one with an internal focus - as a corporate and forward looking, policy and planning scrutiny role.

2.7 Public engagement

Whilst trying to encourage public engagement is difficult, scrutiny could explore and experiment with ways to allow greater access, openness and involvement. This could include:

- Community listening panels
- Inviting the public to offer ideas for work programmes
- Greater use of social media channels

HPBC could also consider inviting external advisors to sit as observer status non-voting members of committees to provide additional insight and expertise to the committee. They could be set period appointments or invited to a one-off relevant meeting. Payment or reimbursement may encourage candidates. Some selection may be necessary, and terms of reference made clear.

2.8 Support and resourcing for scrutiny

There is potential to review whether the level of officer resource available to support scrutiny is sufficient at HPBC. Whilst the current resource is highly valued, scrutiny would benefit from additional capacity, particularly in terms of research and policy support. Not only would this further reinforce a strong ongoing commitment to scrutiny across the council, it would also provide a strong platform upon which scrutiny could successfully develop.

Thank you and acknowledgements

This short review forms part of a Member development programme which includes several training and development sessions to be facilitated by CfGS.



We would like to thank the Chairs, Vice-Chairs and Select Committee Members, Executive Members, and Officers who took part in interviews, survey and observations, for their time, insights and open views.

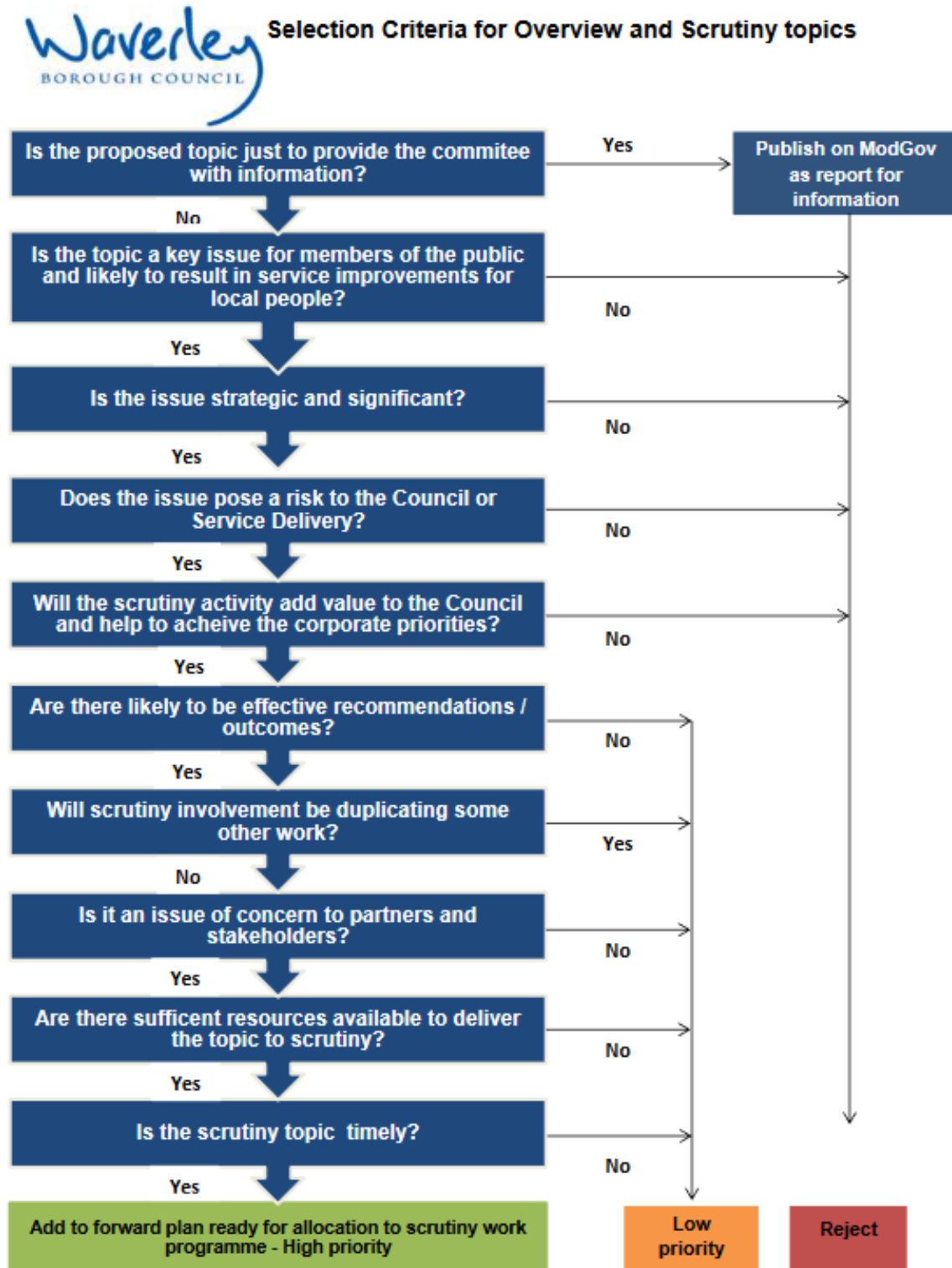
Yours sincerely,

Kate Grigg
Senior Research Officer / Review Lead



Appendix – Examples of scrutiny work programming selection/prioritisation tools

Waverley Borough Council¹



¹https://www.waverley.gov.uk/download/downloads/id/5879/selection_criteria_for_overview_and_scrutiny_topics.pdf



South Cambridgeshire District Council²



PAPER Analysis



When considering whether to adopt an item onto its agenda programme, the Committee will score the item using the following criteria:

1. **Public Interest:** the concerns of local people should influence the issues chosen for scrutiny
(1= low public interest, 2=medium public interest, 3=high public interest)
2. **Ability to change:** priority should be given to issues that the Committee can realistically influence
(1= little chance of changing, 2=reasonable chance, 3=good chance)
3. **Performance:** priority should be given to the areas in which the Council, and other agencies, are not performing well.
(1= good performance, 2=moderate performance, 3=low performance)
4. **Extent:** priority should be given to issues that are relevant to all or large parts of the District.
(1= only one ward, 2= multi-ward issue, 3=the entire District)
5. **Replication:** work programmes must take account of what else is happening in the areas being considered to avoid duplication or wasted effort.
(1= already well covered, 2=already partly covered, 3=not already covered)

Each topic will be scored under each category as indicated above. Where a category is not applicable, no score will be given.

The extent to which the potential scrutiny issue has implications for the Council's priorities is of major importance. In the light of this it is recommended that the PAPER score should be increased by a further factor which reflects implications for the Council's objectives and priorities – as follows:-

6 = The scrutiny area will make a direct, substantial and quantifiable impact (eg in a higher PI performance) on the Council's service priorities.

3 = The scrutiny area will make some impact on service priorities, but it is not quantifiable

0 = No significant impact on service priorities

It is recognised that much of the scoring is subjective and that certain facts, such as the item already being considered by another Committee, would automatically exclude the item from the Committee's agenda programme.

²<https://scams.moderngov.co.uk/documents/s50149/Criteria%20for%20Scrutiny%20and%20Overview%20Topic%20Selection.pdf>



Warwickshire County Council³

Scrutiny Review Process

Member Roles

- Members decide topics taking account of issues of local concern, Council priorities, suggestions and advice of officers and agreed criteria.
- O&S Board prioritises reviews to be undertaken.

- Members decide on objectives, outcomes, evidence/witnesses, methodology, visits, consultation, etc, taking account of officer advice.

- Members identify and call for evidence as appropriate.
- Members compile questions for witnesses with officer support if required.
- Members undertake visits.
- Members meet with witnesses and engage users/community groups.

- Members evaluate the evidence received and collated by the Scrutiny Officer.
- Members formulate findings and recommendations.

- Members consider the draft report, make amendments as appropriate and approve for referral to the relevant OSC and the Cabinet/ Council.

- Members decide basis of feedback on review outcomes to stakeholders.
- Implementation of agreed actions arising from the report is the responsibility of the Cabinet.

- Portfolio Holder reports progress on the implementation of the adopted recommendations to the OSC.
- Members may choose to undertake further scrutiny if required.

Stage 1 – Topic Selection

Criteria for selection:

- Potential impact for significant section(s) of the population
- Matter of general public concern
- Key deliverable of a strategic and/or partnership plan
- Key performance area where the Council needs to improve
- Legislative requirement
- Corporate/LAA priority

Stage 2 – Scoping the Review

- Rationale and key issues
- Objectives
- Relevant corporate/LAA priorities
- Indicators of success/outcomes
- Evidence required and methodology
- Key officers involved
- Key stakeholders/expert witnesses
- Consultation
- Publicity
- Risks
- Timescales

Stage 3 – Gathering Evidence

- Site visits
- Written submissions
- Research
- Experts/witnesses
- Focus groups/workshops
- Consultation

Stage 4 – Considering Evidence

- Compare to the original scope

Stage 5 – Report

- Report to OSC for approval
- Recommendations and template implementation plan to Cabinet/Council/ PSB/Partner agencies for consideration.

Stage 6 – Implementation & Feedback

- Implementation plan developed by relevant Service Officer
- Recommendations actioned by relevant Officers
- Feedback outcomes to stakeholders/ community

Stage 7 – Monitoring

- Implementation monitored by the OSC
- Further investigation/recommendations if dissatisfaction

Officer Roles

- Officers present to Members information on service reviews, audit reports, inspection reports, performance indicators, budget, customer satisfaction results, topics due for review.
- Officers advise Members on topic selection having regard to agreed criteria.

- Scrutiny Officer and Service Officer provide advice on how best the topic can be tackled.
- Scrutiny Officer produces a project plan for the review, setting out timescales/key milestones.

- Scrutiny Officer makes arrangements for the gathering of evidence, including research, focus groups, liaising with witnesses, etc.
- Scrutiny officer supports Members in compiling questions if required.

- Scrutiny Officer collates the evidence received and supports Members in formulating their findings and recommendations.

- Based on Members' findings and recommendations, the Scrutiny Officer drafts a report for approval by the relevant OSC and the Cabinet/Council/ PSB/Partner agencies

- Scrutiny Officer supports Members in considering how to feedback the review outcomes to stakeholders.
- Service Officer ensures that adopted recommendations are actioned.

- Service Officer supports Portfolio Holder to report progress to the relevant OSC at the appropriate time.

³ <https://api.warwickshire.gov.uk/documents/WCCC-970-53>