

Scrutiny Overview Committee

Agenda Item No. 10

29 AUGUST, 2019

Statutory guidance on Overview and Scrutiny in Local and Combined Authorities

Ward(s) All

Portfolios: All

Report:

At its meeting on 13 June 2019 the Scrutiny Overview Committee (the Committee) received a report highlighting the key points from the new statutory guidance on Overview and Scrutiny (O&S). The Committee recommended that an all member event be organised to inform members of the guidance and seek their views on how to proceed.

The event took place on 16 July 2019 and was attended by majority of Members who provided interesting and varied feedback. This will inform the Councils response to the guidance and help to develop the scrutiny function. The feedback from the event is attached at Appendix 1 to this report with the main points summarised below.

Executive Scrutiny Relations

Members considered that relationships between the executive and scrutiny were good overall with examples of positive co-operation. Members were supportive of embedding and enhancing this culture by developing and implementing a Scrutiny-Executive Protocol.

Agenda and Reports

Members reported that meetings with a high volume of agenda items could, at times, reduce the effectiveness of O&SC meetings. It was stated that meetings with fewer items often created an environment for improved focus and challenge. When considering the reports submitted to O&SCs, the predominant view was that succinct, focussed reports were more effective than long reports accompanied by dense appendices. With these points in mind it was suggested by Members that O&SC meetings limit the number of agenda items per meeting and that guidance be developed for report authors on the requirements for reports to Committee.

Amendments to the Code of Conduct

During the engagement meeting Members supported the introduction of a number of amendments to the Member Code of Conduct to articulate:

1. That Cabinet assistants must not sit on O&SCs that relate to their portfolios;
2. That Scrutiny chairs must not preside over the scrutiny of their relatives;
3. How changes between executive and scrutiny roles should be managed following a change in political control. For example, when members stand down from the executive and move to a scrutiny role and vice versa.

Scrutiny Chair Selection Process

The guidance suggests that Councils should consider selecting chairs for O&SCs by secret ballot. Whilst there was some support for this approach, the majority view was that the existing approach (selections made via political groups prior to voting at Council) worked well.

Training and knowledge

Members agreed that external training would assist in the development of O&S at Walsall. Arrangements have been made for the Local Government Association to deliver scrutiny training on 16 October 2019. A 'member peer' shall assist with the training and the Chair of the Scrutiny Overview Committee will oversee the development of the content.

Members also reported that enhanced focus on the role and functions of scrutiny would improve the induction process for new members.

In more general terms, members reported that, in their experiences, knowledge of local government scrutiny could be improved across the borough and within the Council itself. However, it was acknowledged that it could be challenging to engage the public, unless they had a specific issue they were affected by that was to be discussed at a committee meeting.

Recommendations:

That:

- 1. A Scrutiny-Executive Protocol be drafted for approval by the Scrutiny Overview Committee;**
- 2. guidance for Officers on writing reports to scrutiny with a focus on making reports more succinct with increased clarity be developed; for approval by the Scrutiny Overview Committee;**
- 3. subject to approval by the Scrutiny Overview Committee the Code of Conduct be developed to articulate:**
 - a. That Cabinet assistants do not sit on O&SCs that relate to their portfolios;**

- b. That Scrutiny chairs do not preside over the scrutiny of their relatives;**
 - c. How changes between executive and scrutiny roles can be managed, for example, when members stand down from the executive and move to a scrutiny role and vice versa.**
- 4. the induction for new Members included a greater focus on scrutiny;**
- 5. It be noted that external scrutiny training via the LGA is taking place on 16 October 2019;**
- 6. It be noted that, the majority view is not in favour of selecting scrutiny chairs by a secret ballot.**

Contact Officer:

Craig Goodall
Senior Democratic Services Officer
 01922 654765
Craig.Goodall@walsall.gov.uk

Training

- External Scrutiny Training (LGA or Centre for Public Scrutiny) was welcomed and Members wished for training to be provided on:
 - Finance and budgets
 - Risk
 - General scrutiny best practice
 - Conduct
 - How to do effective
 - Scrutinising Members from the same political party
 - Prioritisation
 - How to get a balance between Overview and Scrutiny
 - Questioning techniques
 - Accessing information
- There was a general consensus that Member induction needed to be strengthened to incorporate constitutional training, officer contacts directory and updated Civic Centre map.
- Peer-to-peer learning and the use of a Scrutiny Buddy or Scrutiny Champion was welcomed.
- There was a view that Scrutiny working needed to be reviewed annually.
- Cfps to present a paper on guidance recommendations.
- Where to get information, what is available, where to access it, timescales, and officers responsible.