

# CARLISLE CITY COUNCIL

Report to:- **Carlisle City Council**

Date of Meeting:- 28th April 2009

Agenda Item No:-

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Public

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Title:- **SCRUTINY ANNUAL REPORT**

Report of:- **Scrutiny Manager**

Report reference:- **OS02/09**

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## Summary:-

The Overview and Scrutiny Annual Report 2008/9 is attached. It summarises the work of the scrutiny committees and also presents the conclusions of the Review of Scrutiny. The main thrust of this review was to make scrutiny more Member-led. A number of changes to the way scrutiny operates are detailed including a small number that require consideration by Council – these are highlighted in the recommendations below.

## Recommendation:-

1. Council agrees that two Members be nominated to the Joint Cumbria LAA Scrutiny Committee at Annual Council and that one of these be drawn from the political groups not represented on the Executive.
2. Council requests the Leader to amend the Forward Plan process so that each item has a date on which it *could* come to a scrutiny Committee but that the Committees select which items they wish to see.
3. Council considers amending the Overview and Scrutiny Procedure Rules in the constitution to require that each of the three largest political groups have one scrutiny chair and one vice-chair (on separate committees)

If Council does not wish to amend the constitution, to urge the leaders of the political groups to ensure that informal arrangements are established to ensure that each of the three largest political groups have one scrutiny chair and one vice-chair (on separate committees)

**Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None**

4. Council consider amending the names of the scrutiny bodies as follows:

Community Overview and Scrutiny Committee becomes Community Scrutiny Panel  
Corporate Resources Overview and Scrutiny Committee becomes Resources Scrutiny Panel

Infrastructure Overview and Scrutiny Committee becomes Environment and Economy Scrutiny Panel

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Scrutiny Team

15 April 2009

# Overview and Scrutiny

## Annual Report 2008/09



CARLISLE  
CITY COUNCIL



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# Contents

<b>CONTENTS</b>	<b>2</b>
<b>INTRODUCTION</b>	<b>3</b>
<b>PART 1: WORK OF THE INDIVIDUAL COMMITTEES</b>	<b>4</b>
<b>Infrastructure Committee</b>	<b>5</b>
<b>Corporate Resources Committee</b>	<b>7</b>
<b>Community O&amp;S Committee</b>	<b>9</b>
<b>Joint County Scrutiny</b>	<b>10</b>
<b>Informal Scrutiny Chairs Group</b>	<b>11</b>
<b>Councillor Call for Action</b>	<b>11</b>
<b>PART 2: REVIEW OF SCRUTINY</b>	<b>12</b>
<b>Outcomes from Review of Scrutiny</b>	<b>14</b>
<b>Outcomes requiring consideration by Council</b>	<b>15</b>
<b>Other Changes of Practice to be implemented by Scrutiny Members and the Scrutiny Team</b>	<b>18</b>
<b>SUMMARY OF CHANGES PROPOSED FROM REVIEW OF SCRUTINY</b>	<b>25</b>
<b>CONCLUSIONS</b>	<b>26</b>
<b>APPENDIX 1 - POST-IT NOTE EXERCISE WITH SCRUTINY MEMBERS</b>	<b>27</b>

## Introduction

This annual report provides an overview of the work of the scrutiny function during the 2008/9 civic year.

The first part of the report provides brief details of the work of the individual committees. In addition, there is some scrutiny work which is being carried out jointly in Cumbria and this too is detailed.

As Members will be aware, a short Review of Scrutiny Development was carried out with Members in early 2009. This took as its starting point the 'signing off' of the improvement plan which followed the in-depth Snape review in 2005. The purpose of this year's review was to identify a small number of changes which could be made to ensure that scrutiny continues to develop as a Member-led function. As such, the second half of this report identifies the key areas for improvement and the recommendations for change.

### Comment from the Executive

*As two members of the Executive are recent Chairmen of Overview and Scrutiny their input into this Annual Report gives a balanced opinion regarding the present influence of Overview and Scrutiny to the deliberations and outcomes of the Executive.*

*Most of the Agendas of Overview and Scrutiny are now shorter, which results in improved, more detailed and in depth scrutiny. However, there needs to be more clarity in the minutes of the summing up and the resolved items in order to make it clear which points are being made to the Executive for consideration. There have, on occasions, been comments to the effect the Executive note the concerns of Members and this could possibly be avoided with more clarity in what the Executive is requested to do.*

*Overall the Overview and Scrutiny Meetings and Workshops have been informative and helpful to our consultation and debate.*

*The number of Workshops appears to have increased but on many occasions the attendance could have been better. These Workshops are important as they add value to and provide wider input into the work of the Executive.*

## *Part 1: Work of the Individual Committees*

The sections below give brief details of the main elements of work carried out by the committees along with a personal commentary from the Chairs of the Committees.

*“Scrutiny, in my honest view, works best when we leave our party loyalties at the door. I know that members sometimes hark back longingly to the old Committee system; however we have to recognise that that this system has withered in councils up and down the country. This current system is the only system we have, and ultimately its success and failure will rest with no-one but ourselves. “*

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*Cllr James Bainbridge  
Chair, Infrastructure Overview and Scrutiny Committee*

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# Infrastructure Committee

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The Committee's scrutiny has covered a wide range of issues, with a particular focus on waste and recycling. Members have also developed good knowledge of planning, conservation and sustainability issues, which has been effectively applied to scrutiny of planning development briefs. The Committee recommended that the format of the scrutiny workshop on the Caldewgate/Shaddongate development brief should be repeated for other briefs to engage ward councillors and Development Control Committee members in the development stage.

The Commercial Waste task and finish group completed its review in July 2008 and produced a final report to the Executive. The recommendations of this group included that the Council should develop a pilot commercial waste recycling scheme for local businesses. This recommendation was implemented by the Executive and an evaluation of the trial was reported to the Committee in February 2009. The conclusion of the trial was that the Council will continue to develop commercial waste recycling within existing resources.

## A Personal View from Cllr James Bainbridge, Chair of Infrastructure O&S Committee



*It was a surprise to find myself the Chair of Infrastructure Overview and Scrutiny; however it has been an honour to do so. This year we lost two longstanding members of the Committee: Cllrs June Martlew and Sandra Fisher both passed away. Each had a longstanding, diligent commitment to Infrastructure, and each has been a miss to this committee.*

*Infrastructure is, in my view, the best committee to serve on in order to get the broadest overview of the workings of the Council. Issues before us this year have included Parking, Planning, Tourism, Bulky Refuse, Recycling, Commercial waste, Flooding and Energy Consumption.*

*One of the successes in Infrastructure this year has been the establishment of workshops with Development Control, to explore the Development Briefs which come before this Committee. Members with less knowledge of planning obtain an increased awareness from working with colleagues that do. More importantly the considerations of the Committee are more focused as result.*

*During the year members in a Task and Finish Group explored the issue of Bulky Waste collection. Whilst the committee ultimately felt the impact of the report fell short of what they were anticipating, the study certainly opened up the issue in an honest way. We are also in the first stages of undertaking a T&F group looking into the risks posed of flooding. If this continues into the new Civic Year we hope that it might be of use when the council responds to and adopts the recommendations of the Pitt Report.*

*The two areas of concern I have for the Infrastructure Committee going into the next Civic Year relate to how the committee process can be accommodated within other timescales. For instance, both the North Pennines AONB and the Solway Coastline reports which ought to have appeared before the Committee were truncated by a consultation process which could not be fitted easily within the timescales in which we operate. Secondly, some reports do take a long period of time from inception to appear before the Committee. The example of the consultant's report on highways and parking, which was briefly shown to the committee in a workshop in June before going to wider consultation with the County Council, from which it has yet to return.*

*Infrastructure, in my honest view, works best when we leave our party loyalties at the door. I know that members sometimes hark back longingly to the old Committee system; however we have to recognise that that this system has withered in councils up and down the country. This current system is the only system we have, and ultimately its success and failure will rest with no-one but ourselves.*

A further task group was set up to look at the issue of bulky household waste and whether charges for this service should be introduced. The task group recommended that charges for bulky waste collection could be considered with certain conditions such as charging a flat rate for all collections and charging less for people in receipt of benefits. The task group also recommended that the income generated from charging should be ringfenced to that service area to provide more facilities for recycling, education and enforcement to help tackle flytipping. The Executive agreed to introduce charges but did not accept the recommendations of the task group in implementing these charges. The task group's recommendation to support the development of a recycling partnership with a voluntary agency was supported by the Executive and a feasibility study is being undertaken to look at enhanced partnership working with the third sector.

The Committee has set up a Making Space for Water task group to consider flooding issues, particularly the outcomes of the Pitt Review of Flooding (2007) and how this impacts upon Carlisle. This group's work will continue into the new Civic Year.

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## Corporate Resources Committee

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It has been a busy time for the Committee, with a total of 13 meetings throughout this Civic Year including 4 special meetings to consider Carlisle Renaissance, Shared Management Arrangements with Allerdale and the Medium-Term Financial Plan. The Committee still tends to prefer to consider issues within the Committee arena and will hopefully gradually progress to undertaking more task and finish group work in the next year. This will reduce the number of items on the agenda and hopefully engage Members in interesting and positive projects.

### A Personal View from Cllr Ray Knapton, Chair of Corporate Resources O&S Committee



*Chairing CROS this year has been an enjoyable experience, especially as no meeting encroached far into any afternoon, for this I thank Members for their concise and relevant questioning.*

*The Pay and Workforce Strategy took up most of the Committee's time and does not yet look to be over.*

*The level of general agreement on the scrutiny of Carlisle Renaissance and Property Portfolio Options was helped by the quality of the presentations on the subjects.*

*I would like to thank the Scrutiny Officers Team for their advice and guidance throughout the year.*

A new protocol for the scrutiny of Carlisle Renaissance (CR) has been developed and the Corporate Resources Scrutiny Committee is leading on this work - it will hold two special meetings a year, together with representatives from the other scrutiny committees. This scrutiny commenced in November 2008 with a special meeting which was attended by the Chair of CR and Executive Members who sit on the CR Board. The meetings will continue to monitor the Action Plan of CR and will ensure that the residents and businesses of Carlisle are at the forefront of future plans and developments.

The development of Shared ICT Services with Allerdale has been a major item for scrutiny and the Committee has been involved in scrutinising business cases and agreements, and will continue to monitor the issues throughout 2009/10. The Committee has become more informed in the development of shared services and will be able to develop their scrutiny skills in this area should more services be shared in the future.

During the year Members of the Committee have been involved in monitoring and scrutinising a number of personnel issues such as the Pay and Workforce Strategy, Vacancy Management and Sickness Absence and continue to be concerned about staff morale in changing and challenging times.

The Committee continues to effectively monitor Performance and has led a Task and Finish Group which has been involved in the development of a new template for reporting performance information to all scrutiny committees. From April 2009 scrutiny will receive “live” information rather than data which at times has been over 2 months old. The information that scrutiny will receive will also contain data behind the figures, for example, budget and personnel facts, giving Members more informed reports to assist them in their scrutiny. Members of the Task Group were also involved in the review of the current Performance Indicators against the new National Indicator Set and individual scrutiny committees were tasked with deciding which indicators they wished to monitor over the next Civic Year.

A Task and Finish Group to undertake a scrutiny review into Lease Car Arrangements within the Authority was established towards the end of the Civic Year and a report will be presented to the Executive early in the next Civic Year with the group’s conclusions and recommendations.

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# Community O&S Committee

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This year, the Community Committee has had a slightly lighter workload than in previous years. The Committee agreed the final report from the Migrant Workers Task and Finish Group at the beginning of the year – this report made a number of recommendations for action on issues such as rented housing, English language teaching provision and political leadership on issues of race. The Committee considered the formal response from the Executive in November 2008 and has asked for an update on progress with the action plan at the beginning of the 2009/10 Civic Year. More broadly, the Committee has been monitoring progress with Equality and Diversity issues within the authority.

Towards the end of the year, the Committee took part in a Crime and Disorder Reduction Partnership (CDRP) workshop considering aspects of the ‘stronger’ element of the partnership’s work. It is hoped that the committee will be involved in developing the CDRP’s strategic plan for 2009/10.

Members of the Committee sat on the working group to oversee the development of the Community Support Review and its recommendations. When the report came to Committee, the Members asked for a special meeting to consider it and make detailed comments back to the Executive. One of the recommendations from the Committee was that a working group of Members and officers be set up to take forward the improvement recommendations. This working group has now been initiated and three Members of the Committee have been appointed on to it, to work with the Portfolio Holder in developing final proposals for change.

The Committee also considered progress with the Housing Strategy and related matters such as the new Homelessness Strategy. The Committee oversaw progress against the new Partnership agreement between the City Council and Carlisle Housing Association. This agreement followed on from the 5-year legal agreement between the two bodies that lasted until December 2007.

## A Personal View from Cllr Peter Farmer, Chair of Community O&S Committee



*I believe that Scrutiny is an essential part of the Council's procedures for ensuring that the Executive is scrutinised and, if need be brought to task for the way they have dealt with certain items of Council business.*

*The Community Overview and Scrutiny committee has a very wide remit and, I believe, the committee does an excellent job within its terms of reference. As far as I am concerned, I take very seriously my job as Chairman and I know that the rest of the committee are also dedicated to the way we deal with things.*

*We are particularly pleased with the excellent scrutiny carried out on Carlisle Housing Association's proposed changes. This threatened to be a hard piece of work with many possible pitfalls but the Committee worked hard to bring the matter to a more than satisfactory conclusion - an excellent example of scrutiny at its best.*

# Joint County Scrutiny



The Cumbria County Joint Scrutiny Overview Group comprises two scrutiny Members from each of the District Councils and the County Council and meets quarterly. Cllr Peter Farmer and Cllr Rutherford were the City Council's Members for 2008/9. The group is intended to provide a forum for discussion and information sharing on scrutiny matters that have countywide implications. If it considers it appropriate, the group sets up a task and finish group to carry out subject-based work – the intention is that these task and finish groups are made up of scrutiny Members from within the authorities who have knowledge or expertise in the area being scrutinised.

This civic year has seen continued efforts by this group to define the arrangements for scrutiny of the Local Area Agreement. This has resulted in successful proposals for a formal Joint Cumbria Scrutiny Committee which will focus mostly on the outcomes of the Cumbria Local Area Agreement. As part of the discussions involved in setting up this committee, it was recognised that if such a committee was to succeed, it was essential that it was properly resourced and managed. Agreement was reached to provide an officer to support the work of the Committee, jointly funded by the 6 District Councils and the County Council. At the time of writing, recruitment is underway for this post.

In drawing up this arrangement, Cumbria is at the forefront of developing joint scrutiny arrangements in two-tier areas. The committee will start its work in June/July this year and nominations will be required for two Members to sit on the Committee at Annual Council. Both Members should be drawn from the membership of the Carlisle City Council scrutiny committees. In line with the recommendation on scrutiny chairs (see below), it is recommended that one of **these two Members be drawn from the political groups not represented on the Executive.**

## *Recommendation:*

*Council agrees that two Members be nominated to the Joint Cumbria LAA Scrutiny Committee at Annual Council and that one of these be drawn from the political groups not represented on the Executive*

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## *Informal Scrutiny Chairs Group*

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At the end of the 2007/8 Civic Year, Council agreed that the O&S Management Committee would be replaced with an Informal Scrutiny Chairs Group. The purpose of this group is to provide strategic oversight for scrutiny issues, as required. The group comprises the three chairs and two representatives from the Labour group and met three times during the year – they determined the arrangements for the scrutiny of Carlisle Renaissance and also agreed the final recommendations to emerge from the Review of Scrutiny. The flexibility of the new arrangements has proven useful and appropriate – the group can meet to resolve issues as and when they arrive, rather than adhere to a calendar of formal meetings.

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## *Councillor Call for Action*

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The Councillor Call for Action (CCfA) is a development from the Local Government and Public Involvement in Health Act 2007. This provides elected members with a mechanism to formally request a relevant scrutiny committee to consider an issue in their ward for further investigation, if all other actions fail. The CCfA provisions will be introduced on 1 April 2009 and may have a significant impact on the work of the scrutiny committees.

The legislation extends the rights of Members to refer a local government matter not just to the Committees of their own Authority, but in the case of two-tier areas such as Cumbria, to the Committees of the relevant District/Borough or County scrutiny committee, irrespective of whether they are a Member of that authority.

The Cumbria County Joint Scrutiny Overview Group has developed joint guidance to help Members decide whether they have a valid CCfA, and details of how to lodge a CCfA at any of the seven Local Authorities in Cumbria. This common approach will minimise confusion for Members and provide a joined-up support mechanism for them.

Guidance and further details about CCfA can be found on our website: [http://www.carlisle.gov.uk/council\\_and\\_democracy/council\\_departments/scrutiny.aspx](http://www.carlisle.gov.uk/council_and_democracy/council_departments/scrutiny.aspx)

## Part 2: Review of Scrutiny

This year, we carried out a short 'Review of Scrutiny' with the aim of establishing some specific actions to improve scrutiny. The improvements are based on the experiences and views of scrutiny Members, combined with best practice from around the country. This process had three main stages:

1. A questionnaire was developed to assess views of the effectiveness of scrutiny at present along with ideas for improvement. In January 2009, this was sent to all Members (separated out into scrutiny Members, executive Members and others) along with senior officers and those who have had some engagement with one or more of the scrutiny committees. Eighty-eight questionnaires were sent out and we had a 53% response rate. The text box below gives some of the key findings – the full results from the questionnaire can be found on the scrutiny web pages.

- 68% of respondents thought that scrutiny was 'excellent' or 'good' at undertaking in-depth scrutiny reviews
- 57% of scrutiny Members said that scrutiny is not able to influence executive decisions;
- Only 18% of respondents judged as 'good' the effectiveness of scrutiny at considering and influencing the budget process – the remainder said it was 'poor' or 'fair'
- Only 29% of scrutiny Members considered that the scrutiny agenda was set by Scrutiny Members, rather than the Executive;
- 79% of respondents considered the scrutiny support officers to be 'excellent' or 'good'
- Clarity of recommendations made by scrutiny committee – around 50% said they were 'excellent' or 'good' and around 50% said they were 'fair' or 'poor'
- Appropriateness of response from Executive to scrutiny – 18% said they were 'excellent' or 'good' and 82% said they were 'fair' or 'poor'

2. A workshop was held for all scrutiny Members in February. One of the key inputs to this workshop was the results from the questionnaire which helped highlight those areas where improvement efforts should be focussed. The other main input was research on best practice from elsewhere. Throughout the workshop, discussion was focussed on

achieving the four principles of effective scrutiny that have been established by the Centre for Public Scrutiny:

- Provides 'critical friend' challenge to executive;
- Voice concerns of the public;
- Independent process led by the Members;
- Drives improvement in public services.

The workshop was very well received and provided some clear indications of the sorts of measures which scrutiny Members want introduced. Towards the end of the session, Members were asked to put their own suggestions for change on post-it notes for discussion within the group. These post-it notes are reproduced at Appendix 1.

3. Using the outputs from the workshop, the scrutiny team developed the proposals for change and these were put to the Scrutiny Chairs Group at their meeting on 18<sup>th</sup> March. From this, the final recommendations as detailed below were developed.

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## *Outcomes from Review of Scrutiny*

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Perhaps the most important factor which emerged from the workshop work was the need to make the Scrutiny Committees more member-led. There has, to date, been a heavy emphasis on the role of the chairs of the Committees but, following on from this review, the focus will now be on ensuring that all scrutiny Members are involved in contributing to and defining the way that the Committees go about their work.

The outcomes are separated out into two sections – firstly, there are some issues and recommendations which require consideration by Council. The second section details the changes which can be implemented by the Scrutiny Members and the Scrutiny Team.

Progress with implementing all the changes resulting from this review will be monitored by the scrutiny team and the Scrutiny Chairs Group. A meeting of the Scrutiny Chairs Group will be held in Autumn 2009 to consider initial progress and any obstacles encountered. A detailed update on progress will be included in the 2009/10 Scrutiny Annual Report.



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# *Outcomes requiring consideration by Council*

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## **Forward Plan**

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Members were very clear in the workshop session that there was a need for scrutiny Committees to set their own work programmes – this echoed the finding from the questionnaire that only 29% of scrutiny Members thought the scrutiny agendas were set by scrutiny members, rather than driven by the Executive. This view seems to be a function of items being designated as Policy and Budget Framework matters in the Forward Plan and scheduled to come to a scrutiny meeting, often without any consultation with the scrutiny Members or the scrutiny team. Clearly, this runs against the principle of best practice that the scrutiny committees themselves must decide which items they wish to see. It is also worth emphasising that there is no constitutional requirement for every Policy and Budget Framework matter to come to scrutiny. Members at the workshop also suggested that the pattern of the Executive receiving a report, referring the same report on to Scrutiny and then taking a final decision after seeing Scrutiny’s comments was leading to a stale process.

To enable scrutiny committees to control their own agendas, some relatively simple changes to the way the Forward Plan is presented and managed are required:

- Instead of stating that an item will come to the relevant scrutiny committee at a given meeting, each item should include the date on which the final decision will be taken by the Executive and the date of a meeting on which it *could* come to scrutiny;
- At each meeting of each of the scrutiny committees, the committee will consider items in the Forward Plan under their remit and decide whether they want to consider the item. Where the timing of the Forward Plan and the Committee meeting do not allow for this, the Chair of the Committee will need to take a decision as to whether to take the item or not.

In addition to giving Members more control over their agendas, this approach would be consistent with best practice of scrutiny committees considering fewer items but in more depth. Council is asked to support this new approach.

### ***Recommendation:***

***Council requests the Leader to amend the Forward Plan process so that each item has a date on which it could come to a scrutiny committee but that the Committees select which items they wish to see.***

## Selection of Chairs

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Best practice is clear that the scrutiny chairs should be spread across all the political parties –

*“The guidance [from Government] should require proportionality in the chairing of O&S Committees”* (paper by Andrew Coulson, Institute of Local Government, 2007)

*“A further obstacle often quoted in the operation of effective scrutiny is the practice of councils appointing chairs of scrutiny committees all of whom are members of the same political group(s) as the members of the executive. We will propose legislation to ensure that this practice can no longer operate.”* (Shared Responsibility, Local Government's contribution to improving people's lives, A Policy Statement from the Welsh Assembly Government)

At the workshop the scrutiny Members backed a proposal to divide the chairs as follows: one chair from each political party, one vice-chair from each political party – but that the chair and vice-chair on each committee should not be from the same party. This proposal seems to match best practice with a practical option which may be politically acceptable. Several authorities specify in their constitution how the chairs and vice-chairs will be shared across the political parties. This is a matter for Council to consider – it may be an issue where Council concludes that amending the constitution would be the most sustainable approach to solving this problem.

### ***Recommendation:***

***Council considers amending the Overview and Scrutiny Procedure Rules in the constitution to require that each of the three largest political groups have one scrutiny chair and one vice-chair (on separate committees).***

***If Council does not wish to amend the constitution, to urge the leaders of the political groups to ensure that informal arrangements are established to ensure that each of the three largest political groups have one scrutiny chair and one vice-chair (on separate committees).***

## Ending the ‘Old Committee System’

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It is a common problem in local authorities for scrutiny committees to slip back into working in ways that closely resemble the ‘old committee system’. This can be a result of unchanged practices by both Members and officers. With this in mind, some authorities have changed the

name of these bodies from 'committees' to 'panels'. We believe this may be useful here too – along with amending the names of the panels to make them more intelligible to the public.

<b>Old Name</b>	<b>Proposed New Name</b>
Community Overview and Scrutiny Committee	Community Scrutiny Panel
Corporate Resources Overview and Scrutiny Committee	Resources Scrutiny Panel
Infrastructure Overview and Scrutiny Committee	Environment and Economy Scrutiny Panel

***Recommendation:***

***Council considers amending the names of the scrutiny bodies as follows:***

***Community Overview and Scrutiny Committee becomes Community Scrutiny Panel***

***Corporate Resources Overview and Scrutiny Committee becomes Resources Scrutiny Panel***

***Infrastructure Overview and Scrutiny Committee becomes Environment and Economy Scrutiny Panel***

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## *Other Changes of Practice to be implemented by Scrutiny Members and the Scrutiny Team*

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All the issues detailed below were discussed at the Members Workshop and received strong backing. As such, it is planned to make these changes from the beginning of the 2009/10 municipal year. They have been grouped under headings of 3 of the CfPS's 4 Principles of good scrutiny.

- 'critical friend' challenge to executive;
- Voice concerns of public;
- Independent process led by the Members;
- Drives improvement in public services

It is our view that if the first three principles are adhered to, the fourth 'drives improvement in public services' will be met as a result.

### **Principle 1: 'Critical Friend' Challenge to Executive**

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#### **Questioning Portfolio Holders**

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During 2008/9, we worked with the Committee Chairs and Portfolio Holders on a number of occasions to arrange for a given Portfolio Holder to attend a committee meeting for a particular item to answer Members' questions. The items selected were those which had a big 'policy' element and the agreed attendance of the portfolio holder was highlighted on the agenda.

However, Scrutiny Members who attended the workshop in February concluded that there was still too little direct questioning of portfolio holders at Committee meetings. Even for those items where the portfolio holders were in attendance, much of the questioning remained focused on the officers. This is a clear weakness as it means that scrutiny is failing to hold the Executive to account in formal committee meetings. There is a balance to be struck between questioning Portfolio Holders about policy and questioning officers on technical matters, but the emphasis at present remains too heavily on questioning officers on all matters.

Two small changes were suggested to improve this:

- To ensure that scrutiny members are more comfortable and better prepared to question Portfolio Holders, time will be set aside in the pre-meeting briefing for Members to develop a questioning plan. Questioning plans may also be developed for other agenda items. To accommodate these changes, all briefing meetings will start at 9.15.
- Members asked that the seating arrangements be changed so that Portfolio Holder sat at the front of the area, with the officers behind. This can partly be achieved by the arrangement of tables but will also need vigilance by the Chair and the Committee as a whole;

It should be emphasised that the scrutiny team will communicate with the Portfolio Holders to ensure that they have a clear understanding of the likely areas for questioning and that, if possible, an indication of the time when the item will be dealt with is given.

### Quality of Resolutions and Responses from the Executive

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The results from the questionnaire showed that there was concern about the quality of recommendations made by scrutiny committees and the quality of responses made in return by the Executive.

As far as the quality of resolutions from scrutiny is concerned there was an acknowledgement within the workshop that too much effort was focussed on ‘summing up’ (the discussion is captured within the minutes in any case) and that sometimes the resolutions made by the committees are insufficiently clear. One Member at the workshop stated that “recommendations need to be sharper and more focussed.” Clearly, there is a balance to be struck to ensure that some limited summing up is carried out but, most importantly, that the Chair can formulate a resolution which represents the views of the whole Committee.

The scrutiny Members agreed that efforts should be focussed on making short, clear resolutions that fulfil the 3 key tests:

- What is the Committee asking for?
- Who is expected to provide it?
- When should it be provided by?

It is the job of the Committee Chairs and the other Members of the Committees to ensure that resolutions meet these requirements.

With regard to the quality of the Executive responses to scrutiny, it is worth noting that 71% of scrutiny members thought the appropriateness of their responses was 'poor'. Although the scrutiny Committees can improve the quality of their own resolutions and recommendations, there is clearly a need for full and meaningful responses to scrutiny resolutions. It is recognised that these responses may often be negative but, where a committee's view is not shared by the Executive, the Executive should make this clear along with the reasons behind its position.

There was also some discussion about improved monitoring of resolutions from scrutiny to ensure that scrutiny Members can see where change has resulted from their recommendations. Although a system already exists to monitor scrutiny resolutions and Executive responses, it does not lend itself to easily establishing where genuine change has resulted from a Committee's work. The scrutiny team will work with colleagues in Democratic Services to develop a system for monitoring some recommendations from the scrutiny committees and a system for feeding this information back to scrutiny Members on a regular basis.

### Informal meetings between Chair and Portfolio Holders

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For the last two years, there have been regular (usually 6 monthly) meetings between the Chair of each Committee (and sometimes the Vice-Chair) and the relevant Portfolio Holders. The intention of these informal meetings is for sharing information on what work the Committee is doing and the sort of work it has planned within its programme. As important is that these meetings provide an opportunity for Executive members to identify future policy proposals on which the given Committee may wish to do some policy development work.

These meetings have not been entirely effective and one suggestion to improve them was to also invite the relevant Directors to these meetings and to make the meetings a little more formal than at present. It is proposed that this change is introduced for the 2009/10 year. The scrutiny team will aim to diarise the two meetings for each Committee at the beginning of the Civic Year. The meetings will remain informal.

### Principle 2: Voice Concerns of Public

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#### Task and Finish Group Working

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The questionnaire results and workshop confirmed that Members found the Task and Finish (T&F) Groups one of the most interesting and productive elements of scrutiny work. Recent examples of the Migrant Workers review, two pieces of waste work in the Infrastructure O&S

Committee and the ongoing Lease Cars review show how work can be topical, interesting and important. The clear corollary of Members' views is that we should aim to do more T&F work.

As one of the contributors to the workshop suggested, one way to engage more with the public would be to "identify subject matter of interest to the public". Clearly, this is a role for Members in ensuring that the work programme of the Committees represents the concerns of their constituents.

### Improving Budget Scrutiny

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A key finding from the questionnaires was that only 21% of scrutiny Members thought that the budget scrutiny process was effective. At the workshop, many Members said that they felt the budget scrutiny started too late and so it was difficult to really contribute. There was also some comment on how realistic it was to effectively scrutinise the budget in its entirety – perhaps a more targeted approach would be more successful.

Following discussion at the workshop, it was considered that the most appropriate way of resolving this would be to carry out a piece of Task and Finish Group work considering how budget scrutiny could be improved with particular reference to examining best practice from elsewhere. This piece of work has already begun and will continue into the beginning of 2009/10. However, if the findings from this work are to influence the budget scrutiny process for 2009/10, it is important that the work concludes quickly in the new civic year.

### More involvement and co-option of public and other representatives

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From ideas put forward during the workshop, Members are keen to make sure that members of the public e.g. service users or their representatives, take more part in scrutiny. We can attempt to change this relatively easily – by always examining the agenda and identifying opportunities to invite people along for particular items. In some circumstances, it may be appropriate to consider changing the time of a meeting to ensure that members of the public can attend.

Members also suggested that there is room to explore more co-option onto Task and Finish Groups. There are two elements to this:

- Co-option of Members who are not on scrutiny but have a particular knowledge or interest in the work being undertaken by a Task and Finish Group;
- Co-option of members of the public – perhaps service users – or representatives from other organisations onto a Task and Finish Group.

We have already experimented with the second of these options – as part of the Migrant Workers review, a member of the Russian community was co-opted onto the Task and Finish Group – and will explore both in the future.

### **Principle 3: Independent Process Led by the Members**

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#### **More working Individually or in Pairs/Specialist Members**

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Many scrutiny committees around the country have got a little ‘stuck’ in the Committee ways of doing things – Carlisle is no different in this. In particular, the Committees often find themselves requesting further information to come back in the form of an officer’s report to a future meeting.

However scrutiny Committees have considerable freedom in the way in which they operate. Rather than always requesting future reports or additional information from an officer, it may be appropriate in some situations for one or two Members of the Committee to volunteer instead to do some work outside of the meeting and bring information back to the other committee Members. Or where there is some urgency to the Committee’s request, the individual or pair of Members could gather the necessary information and circulate it to Members by e-mail. As with other recommendations, developing more individual/pairs working would be in-line with more of a Member-led approach to scrutiny.

This way of working has already been tried within the Migrant Workers Task and Finish Group in 2007/8. This was considered successful and also suggests that Task and Finish Groups may be one of the best places to further develop this style of working.

Going one step further, best practice established elsewhere (and recommended in the Snape report) is the use of ‘Specialist Members’ which would utilise scrutiny Members who are interested in a particular topic – these members are designated as the ‘specialist’ for the Committee on this subject. Examples might include a specialist Member on Housing for Community O&S Committee or a Waste Specialist for Infrastructure O&S Committee. It will be up to each Committee to decide how many specialist Members to designate and who these will be – it is suggested that some initial decisions are made at the beginning of the civic year.

The specialist Members will work outside of the formal committee meetings to build their knowledge and make sure that the Committee as a whole is better informed and more able to pursue proper scrutiny of the given area.



## Development Sessions

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A commonly identified weakness in the work programmes of scrutiny committees is that they are insufficiently Member-led. One of the main mechanisms to help overcome this is to hold regular 'development sessions' outside of the formal committee cycle. This was an idea that was attractive to Members and so the following will be adopted from 2009/10:

- At the beginning of the civic year, an informal session will be held with each Committee to look at the work of the Committee in the previous year and map out ideas for work in the forthcoming year. This will include Members' ideas for subject review work and other issues;
- Half-way through the year, a further development session will be held to refresh the content with Members' wishes;

This approach will reinforce the existing constitutional right for any scrutiny members to put items on the scrutiny agenda and should ensure that all scrutiny members feel that they 'own' their committee's work programme.

## 'Wash-Up' Sessions

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Other authorities have found it helpful to hold a very short (just 5 or 10 minutes) session at the end of each committee meeting to review how the meeting went and ensure any changes or additional requirements are known for future meetings. We will introduce this change next year.

## Member Training

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An encouraging result from the questionnaires was that 83% of scrutiny Members said that they felt adequately trained to carry out their scrutiny role effectively. Induction for new scrutiny Members is provided by the scrutiny team.

At the beginning of the year, training in chairing skills was made available to the Chairs of the three scrutiny committees through the Achieving Cumbrian Excellence (ACE) programme (now part of the Cumbria Improvement and Efficiency Partnership). In addition, one spin-off from the IDeA Migration Excellence programme was that we were able to engage the officer and Member peers to provide questioning skills available to all scrutiny Members in summer 2008.

Bespoke training on budget scrutiny was provided for Members of the Corporate Resources O&S Committee and this will be repeated every year for new Members of the Committee, and as a refresher for existing Members. The scrutiny team also made scrutiny Members aware of other training opportunities throughout the year e.g. those put on by the Centre for Public Scrutiny or the Local Government Information Unit – so that they could make use of their own training budgets if they wished.

The following 4 subjects were selected by Members as those areas where they would like to see training efforts focussed:

- Conducting effective budget monitoring
- Working effectively with the Executive
- Working with partners to strengthen scrutiny
- How to conduct in-depth scrutiny reviews

The budget monitoring request will be considered as part of the Task and Finish group work on budget scrutiny. We will pass the other answers provided in the questionnaires to the Members' Development Group for consideration in plans for providing training.

In addition, we will review the guidance documents provided by the scrutiny team to ensure that they assist Members in implementing the outcomes of this review. For example, we will produce some short guidance on making better recommendations and how to be a specialist Member.

## *Summary of Changes Proposed from Review of Scrutiny*

Change	Description
<b>Forward Plan Changes</b>	Amend the way that items are listed on the Forward Plan and enable the scrutiny committees to choose which items to consider
<b>Selection of Chairs</b>	Consider amending constitution to ensure that Scrutiny Chairs are shared across all political parties
<b>Rename Scrutiny Committees</b>	Rename the Scrutiny bodies as 'panels' and simplify names
<b>Questioning Portfolio Holders</b>	Briefing meetings to start at 9.15 to enable question planning and seating arrangements to be changed to ensure that Portfolio Holders are more prominent
<b>Quality of Resolutions and Responses from the Executive</b>	Scrutiny resolutions to be clearer, better responses from Executive insisted on. Also, improved monitoring of scrutiny outcomes
<b>Informal meetings between Chair and Portfolio Holders</b>	Meetings expanded to include Directors
<b>Task and Finish Group Working</b>	Successful way of working – to be expanded
<b>Improving Budget Scrutiny</b>	Widespread Member dissatisfaction with budget scrutiny – Task and Finish group will consider how to improve
<b>More involvement and Co-option of Public and Other Representatives</b>	Explore ways of co-opting Members who are not on scrutiny and also members of the public or representatives of service users onto Task and Finish Groups
<b>More working individually or in pairs/Specialist Members</b>	Rather than always working as a whole Committee, more work to be done individually by Members or in pairs. Also, a small number of 'Specialist Members' to be designated to develop knowledge and expertise in particular areas.
<b>Development Sessions</b>	Hold sessions outside of the formal Committee meetings to ensure that all Committee Members have input to the development of the work programme
<b>'Wash Up' Sessions</b>	Brief informal session to be held at the end of each Committee Meeting to review how it went and make any changes for future meetings
<b>Member Training</b>	Members generally felt adequately trained to carry out scrutiny but additional needs will be passed on to the Members' Development Group

## *Conclusions*

The Committees have continued to scrutinise the Executive and engage in policy development work in 2008/9 and there were some areas of considerable success. There are changes afoot for scrutiny – a new Joint Cumbria Scrutiny committee is now being set up to provide effective scrutiny of the Cumbria Local Area Agreement and its outcomes. The Councillor Call for Action provisions will be introduced on 1 April 2009 and this may have a significant impact on the work of the scrutiny committees.

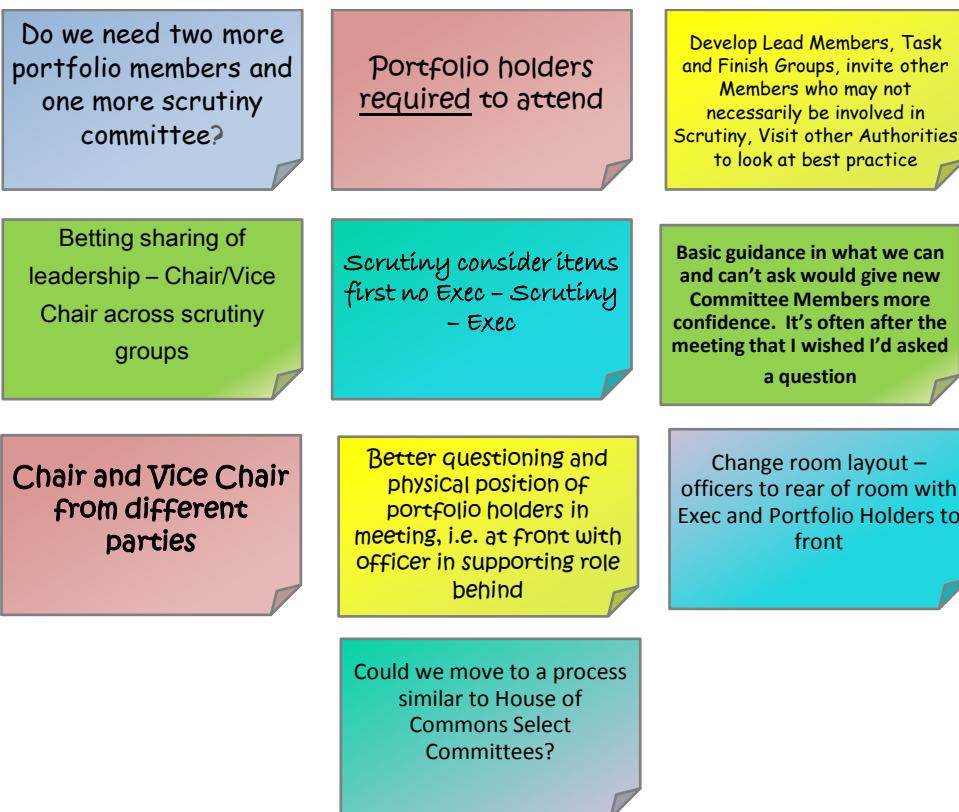
The review of scrutiny has identified some specific areas for improvement – the strongest, unifying theme of these changes is the need for scrutiny Members to truly lead the scrutiny process. Scrutiny Members are asking for some changes to be made to the way that scrutiny chairs are selected, the way the Leader’s Forward Plan is used and changes to the names of the Committees. In addition, a number of specific changes to scrutiny practice have been outlined and these will be implemented by Scrutiny Members and the Scrutiny Team in 2009/10.

## Appendix 1

The post-it notes below are taken from the workshop held with scrutiny Members in February and show the ideas put forward by those Members to improve scrutiny. They are listed under the Centre for Public Scrutiny's 4 Principles of effective scrutiny.

### *Providing Critical Friend Challenge*

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## Reflecting Public Voice

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*Identify a subject matter of interest to public!*

Ask neighbourhood forums to consider topics and feedback

Look at location of meetings

Look at timing of meetings

It's often after scrutiny that the public become aware of what we are doing or have done, we need to be able to inform the public in a way that they can understand

Co-opt public specialists  
eg Housing, health,  
business, unions

Invite members of the public who have particular knowledge of issue to contribute to questions and discussion

# Leading and Owning the Process

Experienced Independent Members never gets the chance to participate in scrutiny

Make use of more experienced Councillors not just a "make up the number" system. We only have one Independent with years of experience but he is "politically" excluded

*Involve as many non-chair Members in taking a more active role. Either in Task and Finish Groups or individual information gathering (specialists)*

Formalised meeting at start of year between chair, vice-chair, portfolio holder and director

*More Member involvement in designing agendas*

**Lead Members in Scrutiny for specific topics**

Take appointment of Chairs out of political arena, possible rotate by Party (Vice Chair becoming Chair following year)

Some meetings to be held in the evening

Chairs and officers should meet prior to agendas being published to delete chaff and insert items of interest

Start pre-meeting earlier to enable better strategic questioning

*Setting own agenda and work programmes*

A more standardised forum to detail responses from the Committee and responses from the Executive, ie one piece of paper with a response taking one side from each

Better preparation before meeting - discussion by phone/email between members so not coming cold to meeting

Chairs/Vice-Chair/Officer should meet prior to meeting to discuss needs and/or agenda etc.

More meaningful meetings between group prior to and after Scrutiny to discuss planning of questions and outcome after

Having Task and Finish Groups is a good idea giving more involvement on items

Start meetings at 9am or 9:30am

## Making an Impact

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*Monitoring/evaluating outcomes so can see if and where making an impact*

Recommendations need to be sharper and more focused

To make a proper impact we need face to face meetings with Exec, and in particular, Portfolio Holders

Establish Lead Members for important work ie budget process

Start budget process earlier - priority setting when finances are tight

Lead Members working all year on specialist subject for feedback to group

*Shorter and more focused agendas (could allow more valuable pre-meeting time)*

Monitor issues where scrutiny feels their views have been ignored by the Executive

Regular "Tripartite" meetings between lead member/Chair/Portfolio holder/Director to feedback to Scrutiny