

1.1 This paper presents comparative information as to how a number of Local Authorities discharge their Overview & Scrutiny (O&S) function; it also highlights some instances of good practice in O&S across England and Wales.

1.2 The BHCC Scrutiny team questioned their counterparts in a number of other Local Authorities with regard to how their Scrutiny systems operate. The authorities were chosen either:

(a) because they have been recognised as exemplar organisations for O&S (i.e. by the Centre for Public Scrutiny: CfPS). Local Authorities approached included Birmingham, Cardiff, East Lindsey, Maidstone, Tameside and Tunbridge Wells.

(b) because they are useful comparators for Brighton & Hove (e.g. similar demographics or similar political situations). Local Authorities approached included Wolverhampton, Stockton and Plymouth.

or

(c) because they are near neighbours. Local Authorities approached were East Sussex and West Sussex.

1.3 It swiftly became apparent that few, if any, Local Authorities can be directly compared to Brighton & Hove in terms of their O&S function. Some of our respondents have atypically large O&S budgets (Birmingham, due to its sheer size; Cardiff due to its success in accessing Welsh Assembly funding); others operate in a climate where both a council's Executive and its Scrutiny function are dominated by one political group (East Hertfordshire, West Sussex etc). There are few, if any councils which are of a comparable size to Brighton & Hove, and which have a similar political make up; and, even if direct comparators could be found, they would almost certainly have been running a Cabinet system (and therefore a full Scrutiny system) for the past nine years, which would put them in a very different position from Brighton & Hove.

1.4 We asked each of our respondents 10 questions, initially by email, although we followed up in several instances with phone calls. Responses to these questions were varied, although they tended to divide on relatively predictable lines according to each council's budget for O&S, its political make-up etc. There would therefore be little value in reproducing every response to these questions. Instead we have summarised the general responses to each question, and have concentrated on the answers which we felt to be of the greatest interest, either because our respondents identified them as representing good

practice, because some other body (e.g. CfPS) so identified them, or because they differed significantly from general practice.

2. QUESTIONS AND RESPONSES

2.1 How many Overview and Scrutiny Committees do you have and what is the general remit of each? How often does each committee meet?

- There was a good deal of variation here, although much of this was fairly predictable, with very large authorities running the most committees, and small authorities the least.
- Birmingham City Council has 12 standing scrutiny committees, one for each portfolio holder on the council's executive, with additional committees looking at health and co-ordinating the work of O&S. (However, Birmingham has 120 Councillors and a very large budget to play with.)
- East Lindsey District Council (Lincolnshire) has a single Overview committee which selects topics for scrutiny, and two Scrutiny committees which undertake reviews. Harrow DC has only two committees: a general scrutiny committee and one dedicated to examining performance and finance.
- The majority of authorities we spoke to operate several O&S committees mirroring a council's directorates, its cabinet posts (although with some doubling-up involved), or which are based around major themes (health and well-being etc).
- Most councils hold scrutiny meetings on a two to three month cycle (i.e. 4-6 a year). Some councils, particularly those with the greatest resources, hold much more frequent meetings (monthly, in the case of Birmingham and Cardiff).

2.2 Is there a co-ordinating committee and if so, what is its role? Does it coordinate work plans for other committees or are committees responsible for their own work plans?

- There was considerable variance here, with some councils having a co-ordinating committee, either formally or via custom and practice. Other councils do not have any committee fulfilling this role. Councils which do not have a co-ordinating committee generally arrange regular informal meetings between the O&S committee Chairs to plan work etc.

- In Stockton, an Executive Scrutiny Committee co-ordinates the work of O&S as well as scrutinising corporate performance and handling Call-Ins.
- In Cardiff ,there is no co-ordinating committee, but there are informal 'Chairs' Liaison' meetings held (in private) every two months or so.
- In Maidstone, each committee is responsible for its own work programme, but a co-ordinating committee made up of Chairs and Deputy Chairs meets twice a year to oversee the work planning process.
- In Birmingham, the Co-ordinating Committee oversees the portfolios of the council's Leader and Deputy Leader, approves the annual programme of scrutiny reviews across O&S, determines where new responsibilities should be scrutinised (i.e. scrutiny of partnerships, Councillor Call for Action), and seeks to encourage thematic links across the entirety of O&S. However, each individual O&S committee determines the details of its own work programme.

2.3 Do you have a formal link between Overview and Scrutiny and the Executive- are there any meetings between Scrutiny Chairs and cabinet members, for example? How are the directorates involved; are there formal directorate meetings?

- In general, few of our respondents reported having formal systems in place to facilitate dialogue between O&S members and Cabinet members. However, most councils seem to encourage informal liaison between Scrutiny and Executive members, and some authorities make a point of ensuring that Scrutiny engages with the Executive before embarking on major pieces of work (i.e. Scrutiny reviews/panels).
- In Wolverhampton O&S does not have formal links with the Cabinet, but often seeks to brief Cabinet Members on the outcome of scrutiny reviews before reviews are published. (This sometimes helps get scrutiny recommendations accepted, but doesn't always work out.)
- Before and after each scrutiny review, Stockton arranges a meeting between the Scrutiny Chairman, the Deputy Chairman, the relevant Cabinet Member, the relevant Director and Link Officer. These meetings are intended to help scope panel work and to ensure that there are no surprises for the executive in terms of panel recommendations.
- In Cardiff, O&S has no formal links with the Executive, but O&S Chairs are regularly invited to attend Cabinet Member Chairs' meetings.

- Birmingham has no formal O&S/Executive link, but informal meetings are often arranged between CMs and Scrutiny Chairs.
- Maidstone has no O&S/Executive link at a member level, but the Head of Scrutiny has a standing invite to all DMT meetings so that he can advise O&S members on emerging issues.
- Harrow has quarterly meetings involving the council's Leader, Deputy Leader, the Chairman of Scrutiny and the Chief Executive.
- Tameside has an Overview (Audit) Panel where Scrutiny Chairs sit alongside Cabinet members.

2.4 Could you say what the political make up of your council and how does Overview and Scrutiny reflect this? How much are the different political groups involved?

- There was, predictably a wide range of responses here, and various ways of reflecting the political balance of a council via its O&S function.
- In Wolverhampton all Scrutiny Chairs come from the governing group (or its informal coalition partner), but all Deputies are from the main opposition group and panel Chairs are usually also from this group.
- In Birmingham all O&S Chairs and Deputies come from the governing coalition.
- In Maidstone each O&S committee elects its own Chair and Deputy.

2.5 How do you get Members involved in Scrutiny? How do you get their interest and keep it?

- Almost all our respondents identified this as being one of the major challenges they had faced since adopting a scrutiny system. Whilst no council seemed confident that they had totally managed to convince all their members of the value of scrutiny, we did receive some useful suggestions on how members can best be involved.
- Stockton recommended that O&S committee work programmes should be 'owned' by committee members, that topics of broad public interest should be identified, and that members should be encouraged to visit other councils and to make 'site visits' to service providers etc. wherever possible.

- Birmingham note that member enthusiasm for O&S is essentially determined by the political groups rather than by council officers: if all the political groups buy in to scrutiny, members are likely to be enthusiastic and engaged.
- Maidstone suggested that members should be heavily involved in work planning. Maidstone holds an annual workshop involving all scrutiny members and senior officers from the council's directorates at which subjects for scrutiny review are identified.
- Cardiff stressed the value of encouraging O&S members to visit other authorities, expert witnesses etc, both in terms of engaging with members and in terms of producing high quality O&S work. It was pointed out that many eminent people who were happy to meet a delegation from Cardiff council may not have been quite so willing to travel to Cardiff to do so.
- Tameside produces very short, focused O&S committee agendas with a maximum of 5 items (including minutes, procedural business etc.) This brevity allows members to prepare fully for one or two topics rather than expecting them to be well informed about a very wide range of issues. To further support members, Tameside circulate confidential briefing notes in advance of meetings, and hold pre-meetings for committee members directly before the public meetings begin.

2.6 How many officers do you have to support the scrutiny function and how is this arranged? Do other teams, e.g. Democratic Services/ service teams assist?

- Unsurprisingly, large authorities tend to have large O&S teams and small authorities fewer O&S staff. It also seems to be the case that O&S is most likely to be a discrete service in larger authorities – it is obviously easier in practical terms to run a large team as a relatively separate entity than a small one. Most O&S services seem to receive a good deal of admin support from their colleagues in Democratic Services.
- Wolverhampton has 5 Scrutiny officers and a Head of Scrutiny. All administrative support is provided by Democratic Services. Wolverhampton O&S sits within the council's policy team.
- Stockton has 4 Scrutiny officers, including a team leader. All administrative support is provided by Democratic Services.
- Cardiff has a Head of Scrutiny, 7 Scrutiny officers and 4 Scrutiny researchers. The O&S team was, until recently, discrete from any other council services, and was responsible for its own admin. It has now

been amalgamated with Democratic Services (and downsized – the above figures represent the new, slimmed-down, O&S team), as part of a council-wide service redesign, and DS is doing some of its admin. Formerly Cardiff used to regularly second officers from other departments into its O&S team. The intention here was for Scrutiny to gain knowledge of other directorates, and for returning secondees to champion O&S once they returned to their substantive posts. However, a number of these secondees opted to pursue O&S posts in other authorities rather than returning to their original jobs, and this initiative has now been abandoned.

- Birmingham has a Director of Scrutiny (with his own office staff), 19 Scrutiny officers and a Media Manager. Democratic Services clerk all O&S committee meetings.
- Maidstone has 2.5 FTE Scrutiny posts and is responsible for its own admin.
- Harrow has a service manager and 3 Scrutiny officers. All administrative support is provided by Democratic Services.
- Tameside has a six person O&S team, working out of the council's Performance directorate. The team does all its own admin.

2.7 How do you involve the public and stakeholders/ other partners? Do you have much public involvement?

- In general, our respondents agreed that it was difficult, if not impossible to interest members of the public in O&S unless the topic chosen was one of pressing public concern.
- Harrow has established a 'Pool of Advisers': members of the public who are willing to sit as co-optees on various Scrutiny reviews (all Harrow Scrutiny panels feature community co-optees). Harrow had previously involved members of the community in its O&S work, but the people involved had tended to be the 'same faces' (members of representative bodies, former Councillors etc.) It was thought that this approach risked excluding parts of the community and the council therefore advertised for a pool of volunteers in the local media. Around 20 people have agreed to be part of the Pool.
- Birmingham concentrate on getting members of the public involved in Scrutiny panels rather than in day-to-day committee work (as they feel the latter is never going to engage significant numbers of people).

2.8 Do the committees have a role in performance monitoring, and if so, how is this managed?

- Our respondents were fairly equally split in terms of performance monitoring, with some councils routing most performance data via a dedicated O&S committee, and others delegating performance monitoring to the individual O&S committees. There was a general feeling that 'raw' performance information was of relatively little use to O&S.
- Tameside try not to swamp members with performance information, as they do not believe that it generally leads to good Scrutiny. However O&S does review LAA indicators on a quarterly basis, and there has been in-depth work on particular Performance Indicators (PIs).
- In Cardiff, O&S works closely with the Performance team to ensure that performance data is meaningful to O&S members. Cardiff is currently exploring the idea of O&S performing a quasi-regulatory role in some instances – i.e. that an O&S oversight of particular services might provide enough assurance to an external regulator for the regulatory regime to be somewhat relaxed, directly benefiting the services concerned.

2.9 Do the committees have a role in policy development and if so, how is this managed? How are any ideas taken forward, how well are they received by the Executive?

- In general most policy development work seems to channelled through scrutiny reviews with scrutiny committees undertaking little forward looking policy development .
- In Birmingham, major O&S recommendations are debated at Full Council rather than at Cabinet. If Council accepts an O&S recommendation, it will then ask the Executive to implement it.
- A number of Council's secure policy development roles for scrutiny through a more strategic approach to establishing scrutiny panels than currently undertaken in Brighton and Hove. This is typically achieved through an annual trawl of issues from all Members, partner organisations and local residents. All sensible suggestions are then scoped and a priority list of topics for detailed scrutiny review developed.

2.10 Do you hold any single issue/ task and finish panels-if so, how are these arranged and coordinated? What types of topics are covered?

- All the councils we spoke with ran some form of 'task and finish' panels, and there seems to be general agreement that these are the most effective way for Scrutiny to effect change, as well as the format which most engages public attention. Several councils plan their panel work well in advance (i.e. annually). There are obvious advantages here in terms of co-ordinating (and 'theming') work across O&S, and in terms of managing budgets, member commitments etc. However, joint O&S decision making clearly impacts upon the autonomy of individual committees.
- Harrow has a wide range of panels, ranging from single meeting 'challenges' to standing reviews. Topics for review are agreed annually.
- Cardiff runs a number of task and finish panels, and seeks to do work jointly with other Welsh local authorities (there seems to be Welsh Assembly funding specifically targeted at this kind of partnership working).