

Chief Executive
Wyre District Council

March 2021

Dear Mr Payne,

Short Scrutiny Improvement Review – CfGS consultancy support

I am writing to thank you for inviting the Centre for Governance and Scrutiny (CfGS) to carry out an evaluation of the Council's scrutiny function. This letter provides feedback on our review findings and offers 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

The purpose of the review was to give the Council an external perspective on how well the current model of scrutiny is functioning, and fulfilling its essential role of policy shaping, holding the Cabinet 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 25th and 26th January 2021. In addition, we observed an Overview and Scrutiny Committee meeting, reviewed key documents, and created and analysed a Member survey. [results in appendix 1]

CfGS met with 13 Members and 8 Officers, including the Council Leader, Deputy Leader, members of Cabinet, Group Leaders, Scrutiny Chair, Members of the Scrutiny Committee, the Council's Chief Cabinet and Senior Leadership Team as well as Governance and Democratic Services Officers.

The review was conducted by 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 Wyre Council in strengthening the quality of scrutiny activities, increasing the impact of its outputs, and through its Members, develop a strong and shared understanding of the role and capability of the scrutiny function.

Summary of findings

1. Positive areas to build upon

1.1. Scrutiny has many conditions for success and can deliver more

Overall, there are no critical issues with scrutiny at Wyre Council and scrutiny works in a largely positive way. Generally, it could be claimed that scrutiny meets its statutory obligations, but there is potential to offer more. It was widely recognised during our review that scrutiny could do much better and improvement was needed to ensure the time and resource dedicated to scrutiny delivered more impact and greater value for the council.

The conditions for successful scrutiny are present; scrutiny enjoys significant support from senior Officers and democratic services, the Cabinet recognises the benefits of scrutiny in terms of good governance and democratic accountability, and Members of scrutiny want to ensure improved outcomes for the council and the communities it serves. There are no single issues that are causing scrutiny's ability to perform.

Wyre Council's long-standing political composition where control rests with a single party group can make scrutiny extra challenging. There is no suggestion that this is in any way wrong or inferior. But where scrutiny has a large majority of its Members which politically support the Cabinet, it requires its Members to be even more mindful of the need to be constructive, independent-minded, objective, impartial and robust, which can sometimes become complex or seem contrived.

Opposition group Members many also feel that at times they are alone in asking difficult questions. A balance of robust public scrutiny and Cabinet accountability that is acknowledged as fair and essential can be developed. In many instances' scrutiny does its best to be challenging, but this is not the norm.

1.2. Officer support

At the senior Officer level there is wide buy-in for scrutiny and it is clear that the Council's corporate management team is committed to supporting scrutiny where it can. For this to work better, scrutiny will need a clear work programme which is more focused on scrutiny of development and progress of strategic corporate objectives and less on operational detail.

1.3. Working groups

When asked about the most successful scrutiny work, many answers suggested that task groups had worked well in the past. It is a common theme in scrutiny that single subject task groups tend to produce a reasonable outcome and a more interesting experience for Members. Wyre may like to consider how this approach could be effective in studying and shaping issues.

However, task groups need to be resourced and supported, so should be used sparingly. They also need clear scoping and proper consultation with Cabinet and Officers to ensure that such activity has wide support and their usefulness maximised. Task groups or other stand-alone scrutiny should not dilute effective scrutiny also happening in committee.

2. Suggested areas of improvement

2.1. Clarity on scrutiny's role and responsibilities

Scrutiny's overall role is to hold the Cabinet to account, to carry out policy development, contribute to improved decision-making, and channel the voice of the public. Generally, this role is well understood, and most Members are able to articulate the purpose and contribution scrutiny should be making. However, it appears that in practice, challenge is not as robust as it ought to be from Members of the administration, and some felt that scrutiny was sometimes being used by the opposition for political purposes.

- Our conversations suggest a need for more clarity on how scrutiny's role is undertaken in a cross-party manner. This is about developing a shared understanding of the particular and unique way for scrutiny to add value to council governance. On a strategic level, there needs to be more of an emphasis on seeing scrutiny as a vital part of council business, with clear ownership regarding its important role in improving policy and holding to account.

2.2. Collaborative approach to scrutiny

Scrutiny is meant to be a forum for the evidence-based discussion of issues affecting local people. Most agreed with the principle that scrutiny is more effective when it is a collaborative approach between Members, with politics left at the door (as much as is practicably possible), and an equal voice given to all. Members recognised this and could give examples of when scrutiny has dealt with contentious matters, and the importance of having strong and productive working relationships within committees.

There is a mixed level of engagement from scrutiny Members, and as indicated, Members of the opposition tend to show greater levels of involvement within committee meetings. Robust challenge from all Members of scrutiny and an active opposition are healthy signs in any democratic body.

- There was a broad agreement that all Members have a duty to uphold their responsibilities as a scrutineer, attend meetings and work towards a shared goal in their committee. This is an aspect that needs further emphasis.

2.3. Scrutiny – Cabinet relationship

It is important to have a culture of trust, transparency and mutual respect between scrutiny and the Cabinet, to enable open and candid exchanges. Without regular communication and information sharing, scrutiny will be unable to act in a supportive capacity to the Cabinet. Positive engagement between the Cabinet and scrutiny, both formal and informal, is vital to the scrutiny process.

We heard that overall, there is limited constructive challenge of Cabinet decisions. To achieve effective democratic accountability scrutiny needs to primarily focus on the Cabinet, ensuring questions are directed to the relevant portfolio holder. There is evidence of Officers in some cases being scrutinised more than Cabinet Members. The experience from elsewhere is that when Cabinet Members attend and are the focus of the questioning, a more strategic exchange takes place and better recommendations achieved.

- The Council may consider reviewing the Cabinet-Scrutiny arrangements to outline and reaffirm expectations, and to improve communication and co-ordination between scrutiny and the Cabinet. A Cabinet-Scrutiny agreement could help with the practical workings of scrutiny as well as the cultural dynamics. It might also be useful for feedback on scrutiny's recommendations to be more formalised and recorded in order for the committee to monitor the progress of their output.

2.4. Scrutiny's focus

There is a recognition that scrutiny needs to focus more on strategic issues, where it can have influence, and that scrutiny should input into the decision-making process at an earlier stage than it does currently. The overall high quality of scrutiny's task groups is evidence that this part of the system is working well. However, scrutiny work in committee does not always benefit from the same focus.

Scrutiny should focus its attention on cross-cutting issues which affect communities across the district, avoiding parochial issues affecting single wards. There are missed opportunities for scrutiny to add value and to be an integral part of the Council's corporate plans and overall improvement.

- For scrutiny to be more strategic there needs to be change from both scrutiny and the Cabinet. If the Council wants more emphasis on shaping policy, challenging and holding to account, then scrutiny will need earlier access to and involvement with the core policy and decision-making activities of the Cabinet.

Scrutiny would benefit from a clearer focus on where the committee can add value or influence change. For the majority of the substantive items on scrutiny agendas there is not a clearly articulated outcome from scrutiny's consideration of the topic. Many meetings are totally driven by officer reports with less evidence of Members owning the work of the committee. When topics are reviewed the focus tends to be operational rather than strategic or outcome focused. Often, reports do not ask Members to "do" anything other than to note or comment. Recommendations (the real value of scrutiny) are relatively rare and therefore the impact of scrutiny is more difficult to quantify.

- We noted that scrutiny could be more involved in the budget process, and at an earlier stage for any meaningful input. Scrutinising the Council's finances, including the medium-term financial plan, monitoring financial and operational performance, together with the Council's Business Plan could be more thoroughly, robustly and constructively scrutinised.

2.5. Work programming

Work programming is key to ensuring scrutiny stays focussed on strategic issues where it can make an impact, whilst making the best use of time and resources. In this respect prioritisation is essential, and scrutiny could benefit from an agreed methodology to filter and select topics for the work programme. Furthermore, scrutiny will need to organise a work programme that is Member-led in order to have ownership over committee activity.

Members recognise that their committee work programme should be owned and managed by them. However, we detected during the review that work programmes are influenced mainly by Officers. Some Members also felt that the work programme was overly influenced by Officers. There also appears to be an absence of a clear rationale for how topics are selected or excluded, which is Member driven and owned.

- We recommend that process for developing the work programme of the scrutiny committee engages Members, Cabinet, Officers and appropriate partner organisations in considering the topics for review. This will help ensure that Members' work in scrutiny makes the most effective contribution possible on the most important issues to the district. Work programming could take place through a Member workshop, where a shortlist of priority topics for the next 12 months are identified according to an agreed selection criteria and rationale. That topics are then filtered through an agreed scoring system to provide a final shortlist for consideration in the work programme.

It is important to emphasise that work programming is an ongoing process and not just a one-off event. Whilst a workshop will help identify priorities and provide structure to work for the months ahead, there will need to be flexibility in the work programme and time set aside to regularly revisit the relevance of topics as the local context changes.

- Currently the work programme is the last item on the agenda at scrutiny meetings, we would recommend bringing it to the beginning, so it can benefit from more considered discussion rather than being subject to the inevitable end of meeting fatigue.

2.6. Meeting preparation

From our observations of committees, there is little evidence of co-ordinated questions or Members acting as a team with clear lines of inquiry. It has been highlighted that a number of Members do not prepare sufficiently for scrutiny meetings, leading to the presentation of Officer reports that should have been read in advance and a missed opportunity for insightful questioning. It is important the time spent in committee is well spent.

A small number of Members felt that reports were long and make demanding reading, which may prevent some Members from fully engaging. The practice of submitting reports for noting, for information, or inviting speakers only to share information, should be avoided. All of the above measures regarding meeting preparation will result in shorter, sharper meetings.

- The Council could consider introducing pre-meetings before formal committee between all scrutiny Members to provide the space to set common objectives and possibly to reach consensus on lines of enquiry and questioning strategy. This could be easily achieved using Teams or Zoom to reduce time and travel.

2.7. Member development

Scrutiny provides an excellent opportunity for broader Member engagement and to support Members in getting an in-depth understanding of issues. To get the most out of scrutiny, Members need a clear sense of what is required of them as committee Members and the work involved which allows good scrutiny to happen.

We observed that the quality of questioning varies; in some instances, it is probing, but it is often more general and exploratory, and sometimes superficial. The Council is clearly committed to Member development, and training was raised by some Members, who were clearly aware of the gaps in their knowledge and understanding.

- We suggest further 'refresher' scrutiny training, with an update on scrutiny essentials, as well as a focus on good questioning skills and chairing skills. For some Members, a more bespoke approach through coaching, mentoring or one-to-one training may be more effective to achieve the standards desired by Members and the Council.

2.8. Chairing

Scrutiny Chairs have an important role in providing leadership, modelling constructive behaviour and ensuring well managed meetings. It is a difficult task to manage meetings and fulfil other key roles such as advocate and leader. It is expected that the Chair leads the overall purpose and objective of each agenda item and ensures that the committee stays on track to achieve their task.

We noted that the Chair is respected and works hard to lead the committee. His task is made more difficult by the weaknesses in the committee and the core skills of members.

- We would also suggest that the Chair would benefit from further skills and leadership training and development

2.9. Committee structure

The single Overview and Scrutiny Committee would appear to be a sensible arrangement, there is no justification for additional committees. The capacity and impact of the committee could be achieved if required through the use of 'one-off' scrutiny events such as task & finish groups, enquiry sessions, or extra single subject meetings.

2.10. External engagement

Regarding public engagement, scrutiny could explore and experiment with ways to allow greater access, openness and involvement. This could include inviting the public to offer ideas for work programmes and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.

2.11. Member workshop

This review incorporates a Member Workshop to share and discuss the review findings and recommendations to build and improve scrutiny. We would welcome an early date to arrange this.

Thank you and acknowledgements

We would like to thank the Chair, Members of the O&S Scrutiny Committee, Cabinet Members, and Officers who took part in interviews for their time, insights and open views. We would also like to thank Emma Keany for her help and support in organising this review.

Yours sincerely,

Ian Parry
Head of Consultancy