Somerset County Council
Scrutiny for Policies and Place Committee
– 7th November

Review of Scrutiny function

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Cabinet Member: N/A
Division and Local Member: N/A

1. Summary

1.1. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the Council and, if done well, amongst other public service providers too. While scrutiny has matured in Somerset over the years, it still faces challenges.

1.2. As part of organisational transformation and taking forward Peer Challenge recommendations, the Council has undertaken a thorough review of its scrutiny function. The review has considered best practice from other councils and the latest Government statutory guidance in May 2019. Our review has also involved working with the Centre for Public Scrutiny (CfPS). Their covering report along with final review report (attached as Appendix A) provide the Committee with an opportunity to consider a series of recommendations and suggest any further developments they consider appropriate.

1.3. The majority of the recommendations in this report combine both the short term improvements that can be taken forward from the CfPS report along with recognising that the necessary cultural improvements to develop and embed better scrutiny form part of a longer term programme of work commencing before the end of 2019 through until March 2021.

2. Issues for consideration / Recommendations

The Committee is asked:

2.1. to endorse and recommend to Full Council that the Council implements a programme of cultural transformation and improvements to its scrutiny arrangements by March 2021, including the provision of additional resources in the Democratic Services Team and members training budgets to deliver the enhanced scrutiny arrangements;

2.2. to endorse 10 of the 11 recommendations within the Centre for Public Scrutiny's 'Supporting governance, scrutiny and member support in Somerset County Council' report as detailed on pages 9 and 10 of Appendix A; The Committee is asked to agree to an alteration to Recommendation 6 within the CfPS report and limit the number of agenda items to an absolute maximum of 4, rather than two as currently recommended, as this more accurately reflect the current position of the Authority and the size of the workload.

2.3. to consider and make any further recommendations it considers appropriate to include as part of the Scrutiny Review with reference to the Government's new

statutory guidance, best practice from other councils and the members workshop held in September 2019;

2.4. to support all recommendations relating to the Scrutiny Review being recommended by Full Council on 27th November 2019 and for the improvements to be taken forward from January 2020 to March 2021;

2.5. The Scrutiny for Policies and Place Committee to receive a quarterly progress report on the improvements and review of scrutiny arrangements.

3. Background

3.1. The Council undertakes an annual review of its democratic arrangements and its Constitution to ensure they remain fit for purpose for the organisation and meet its legal duties.

3.2. The Communities and Local Government Select Committee undertook an inquiry into the effectiveness of scrutiny in local government in 2017. The select committee's report identified a number of areas for improvement. This work has led to the development of the new statutory Scrutiny Guidance which was published in May 2019.

3.3. While Scrutiny has matured in Somerset over the last decade, it still faces challenges. These have included officer driven agendas, Scrutiny Committees being used as a 'tick box' for agreeing new policy and not providing the Committees the opportunity to add value, limited member engagement and overcrowded agendas and work programmes.

3.4. The Peer Challenge in 2018 identified, as one of the key recommendations, that 'Somerset County Council should review its scrutiny arrangements as part of making it more effective, ensuring all councillors are equipped to play an active role and contribute to the policy making and key decisions affecting the future of Somerset's residents and the council, and that its governance arrangements are reflective of this.' In parallel, as part of the organisational transformation work it was recognised there was a need to improve the Council's scrutiny arrangements. As a result the Council commissioned the nationally renowned Centre for Public Scrutiny to carry out an independent review of the scrutiny function at SCC between March and May 2019. This involved attending all 3 Scrutiny Committees (Place, Adults and Health and Children and Families) during April and conducting a Member survey, before producing an initial draft report in late May. This was subsequently reviewed with the Leader, Deputy Leader and Scrutiny Chairs and Vice Chairs in June.

3.5. Following receipt of the draft Scrutiny Review report the Leader and the 3 Scrutiny Chairs agreed that the next step should involve an all member workshop to discuss the report, the recommendations within and consider these alongside the recent issued national guidance and the council's transformation work. The workshop was held in September, where members received an introductory briefing on the recently published statutory Scrutiny guidance for councils, an appraisal of the scrutiny arrangements and scrutiny resources at Devon County Council, provide a valuable opportunity for members to discuss the ideas and opportunities to make scrutiny more effective. The workshop provided the opportunity for members to discuss the Centre for Public Scrutiny's report and other ideas that members had for improving scrutiny prior to the report formally considered at all 3 Scrutiny Committees in November, as well as Cabinet, ahead of the recommendations being presented to Full Council in November. The workshop was facilitated by Ian Parry, from the Centre for Public Scrutiny who wrote the CFPS's report.

One of the main areas of focus discussed by the Members present, was that the report was focusing on an ideal scenario for 'pure scrutiny' and did not necessarily completely reflect the reality of day to day Local Authority and Committee working styles and politics. There was also concern raised that the report was in parts generic and Members felt that what the Council adopts should be more Somerset specific. This is reflected in the amended recommendation relating to the number of agenda items and a consensus that Cabinet Members and the relevant Director should co-present agenda items, rather than a select Committee style approach, which Members agreed didn't consider appropriate for Somerset County Council.

3.6. The report of the Centre for Public Scrutiny, attached as Appendix A, gives a comprehensive analysis of the current arrangements and contains 11 specific recommendations for how scrutiny might be improved at the Council. Several of these recommendations can be defined as logistical or practical changes and therefore are relatively easy and straightforward to implement. Other recommendations are more cultural and these will take longer to embed and will require a change of approach throughout the Council by Members and officers.

The easier to implement changes include reducing the number of formal committee meetings in order to provide each scrutiny committee with the opportunity to focus its available resources on areas such as the development of commissioning plans, undertaking more partnership scrutiny, review opportunities for services improvements and doing more scrutiny outside of formal committee meetings e.g carrying out visits to frontline services and greater use of task and finish groups. Improvements to work planning (including quarterly joint work planning meetings across the committees), more focused agenda setting, improved meeting layouts, as well as a strict adherence to no 'for information' report as part of any formal agenda, would be relatively straightforward to implement during 2020.

3.7. The cultural work that has been identified will require a more gradual introduction, as members assume more ownership with the work programme and actively suggest and pursue items they wish to be considered, as well as Cabinet and officers making greater use of utilising Scrutiny as a sounding board early in policy development and consider their recommendations when shaping decisions and focusing on outcomes. There must also be an emphasis of greater ownership and engagement by all Scrutiny Committee Members, as well as a depoliticising of scrutiny where possible, for example removing the need for political group pre-meetings and replacing with pre-meetings for all Committee members, to agree themes of questioning and specific areas of interest. These types of changes will take time to embed and as result the intention is to have implemented and fully embedded all of the recommendations by March 2021, to align with the new quadrennium. It is however anticipated that all Members will begin to notice changes to the way scrutiny is working and conducted with an immediate effect.

3.8 Although the CfPS's report is comprehensive and suggested improvements and amendments in a number of areas, the Committee are invited to suggest other areas or issues that could be addressed at this time and can be incorporated in the overall review. Officers are especially keen to seek the Committee's views on the relationships with Cabinet members, senior officers and also how they would like to be consulted and incorporated within policy development.

4. Consultations undertaken

4.1. Page 11 of the Centre for Public Scrutiny's final report details the Members and officers who were met with on an individual basis.

4.2. All Members were invited to take part in an online Scrutiny survey. Over 40% of Members completed the survey, the results of which form part of the Centre for Public Scrutiny's final report.

4.3. 20 County Councillors attended the Scrutiny review Member workshop in September.

5. Implications

5.1. While there are no direct budget implications within the CfPS recommendations, the review of other councils and the new statutory guidance identifies the need for more scrutiny training and development for members, the possibility of conducting scrutiny in different ways, including increased use of visits and travel around the County. These recommendations will result in increased Member expenses and training budget requirements. However this should be considered alongside a reduction in officer demand, especially at a senior level, to prepare reports, briefings and attend a reduced number of formal Committee meetings from 2020.

5.2. The cultural transformation required, improved work planning and policy advice support will require dedicated officer resources in addition to what the council provides through the Democratic Services Team. The Strategic Manager, Democratic Services has reviewed other councils and the CfPS recommendations and has identified, as a minimum, the need for an additional

scrutiny support officer within the Democratic Services team. This additional officer resource and training resources for members forms are an integral part of the recommendations as they will be essential to support successful implementation by March 2021 and will have specific responsibility for policy research, liaison with members and officers throughout the Authority and scrutiny training and development.

6. Background papers

6.1. Supporting governance, scrutiny and member support in Somerset County Council – Centre for Public Scrutiny - May 2019

6.2. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities – Ministry of Housing, Communities and Local Government – May 2019

Note For sight of individual background papers please contact the report author