

Scrutiny Review Update

Cabinet Member(s): Cllr David Fothergill, Leader of the Council

Local Member(s) and Division: N/A

Lead Officers: Scott Wooldridge – Strategic Manager Governance and Monitoring Officer and Jamie Jackson – Service Manager – Governance and Scrutiny Officer

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Summary

- 1.1.** The Corporate 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'. In support of the Council's organisational transformation, the Council commissioned the nationally renowned Centre for Public Scrutiny to carry out an independent review of the scrutiny function at Somerset County Council (SCC) between March and June 2019. Their findings and recommendations were presented to all 3 Scrutiny Committees and Cabinet in the autumn of 2019 and Full Council agreed the 11 recommendations in January 2020, which can be seen at Appendix 2A. This report is an update on progress made against these recommendations.
- 1.2.** It is important to remind Members that it needs to be recognised that Somerset is not alone on its' journey to improve its scrutiny function. The Government published new Statutory Guidance on Overview and Scrutiny in May 2019 in order to support councils with their improvement work. It should be also highlighted that the Centre for Public Scrutiny (CfPS) assisted the Government with the new guidance.
- 1.3.** The key question throughout the review was "what makes good scrutiny". The following are seen as a guide for good scrutiny:
 1. Provides critical friend challenge to executive policy and decision makers
 - Constructive, robust and purposeful challenge
 - Non-aggressive to create optimum conditions for investigative evidence-based approach.
 2. Enables the voice and concerns of the public
 - Meetings conducted in public
 - Good communication, consultation and feedback.
 3. Carried out by independent minded councillors
 - Councillors actively engage in the scrutiny function to drive improvement
 - Areas are reviewed in an a-political atmosphere.

4. Drives improvement and better outcomes

- Promotes community well-being and improves the quality of life
- Strategic review of corporate policies, plans, performance and budgets.

1.4. This report is being brought forward following an update presentation by the Scrutiny Officer at all 3 Scrutiny Committees in November 2020.

2. Recommendations

2.1. Full Council is asked to note the progress made and further actions and implementations to be made before March 2021 and that a further progress report will be delivered to the May 2021 meeting of Council.

3. Work completed.

3.1 Recommendation 1 – Completed. As already stated an external, independent Scrutiny Review was completed in 2019, the recommendations from which Full Council agreed in January 2020. Many of the bullet points within the recommendation are covered in greater detail within the other recommendations. It important to stress that review and improvement will continue to happen as part of the implementation process. which has informed our recommendations for the council to endorse a programme of cultural transformation and improvements for its scrutiny function over the next 14 months

3.2 Recommendation 2 – Partially Completed. In order to deliver a more agile and flexible working style for scrutiny, Full Council agreed that of the 10 meetings scheduled for each of the 3 Committees per calendar year, 7 would be held as formal, public meetings, whilst 3 would allow for workshops, training, focus sessions and external scrutiny via visits and offsite experiences. In January 2020 the Democratic Services team agreed with the Committee Chairs which meetings would be formal and informal and plans were put in place to maximise the informal sessions, however the ongoing pandemic has understandably resulted in the large majority of the 2020 meetings as formal, public meetings to provide the opportunity for the residents of Somerset to scrutinise the Councils response to Covid-19. In October however the Adults and Health and Children and Families Scrutiny Committees held a joint informal, development session and we are now in place to resume the formal/informal meeting balance.

3.3 Recommendation 3 – Partially completed. The attendance of Cabinet Members at Scrutiny has historically been very good and they have also been happy to provide valuable contributions. The recommendation however was seeking for a greater onus on the Cabinet to introduce and present reports at Scrutiny Committees and this is now happening in certain Committees, with Cllr Chilcott an excellent example, however there needs to be more consistency across all 3 Committees and allow for the relevant portfolio lead and Director to present in unity and allow for both policy and technical challenge and questioning.

- 3.4** Recommendation 4 – Completed. The Monitoring Officer and the Scrutiny Manager are assured that political pre-meetings before Scrutiny meetings have ceased and this has been reflected in the positive, cross-party approach to challenge and perhaps more significantly recommendations. This allows for effective and independent scrutiny.
- 3.5** Recommendation 5 – Partially completed. All 3 Committee chairs have adopted a more stringent approach to information or update based reports on their agendas, however the ongoing pandemic has made this more challenging as understandably Members have needed to receive timely and formal updates from members of the Senior Leadership Team. In addition the Scrutiny Manager is intending to agree a new information sharing process for all 3 Scrutiny Committees by the end of 2020.
- 3.6** Recommendation 6 – Completed. The number of items on each agenda was the one recommendation that Full Council agreed an amendment from the Centre for Public Scrutiny's report. The CfPS recommended a maximum of 2 items per agenda, in order to provide more thorough and productive scrutiny, however it wasn't considered the Council as a whole was in a position to do so at that point and therefore a maximum of 4 agenda items was agreed. By March 2021 the aim is to reduce the number of agenda items to 3, noting the challenge this may provide for the Adults and Health Scrutiny Committee, who have such a broad, multi-organisational remit.
- 3.7** Recommendation 7 – The Scrutiny Manager will draft and agree a new work programme methodology with the 3 Scrutiny Chairs and Vice Chairs by the end of November 2020, for implementation in the December meeting cycle. This is to ensure a standardised approach across all 3 Committees and needs to allow for the programmes to be member driven.
- 3.8** Recommendation 8 – Partially completed. Work had been commenced to ensure there was greater clarity for all of those attending meetings as to who was who and what role they had at the meeting or within the wider Council, however since May 2020 our meetings have been virtual. This had led to different challenges in order to ensure those attending are clear who they are listening or speaking to and all 3 Scrutiny Committee Chairs have responded excellently to the demands of chairing virtual meetings. Clearly this is an area that needs further work as and when the Council's recommences face to face meetings.
- 3.9** Recommendation 9 – Partially completed. All the Scrutiny Committee agendas include a public question time slot and the impact of the pandemic has required the meetings to be much more accessible, via electronic means, however it should be noted that the level of questions and public attendees has reduced at Scrutiny Committees during the last 8 months and this needs to be factored in when the Democratic Services team considers how to broaden the public and wider community engagement and input.

3.10 Recommendations 10 and 11 – Partially completed. Member training is an area the Democratic Services team have had to reduce delivery of during 2020, as a result of capacity issues and the pandemic, which in turn has necessitated the bulk of the member training delivered in 2020 be IT specific. However following the recent appointment of a new member of staff with training expertise within the Democratic Services, this is a priority area for the team in winter 2020, with a particular focus on Scrutiny and bespoke coaching and mentoring for Chairs and Vice Chairs.

4. Other options considered

4.1. There were no other options considered. The recommendations are being implemented as a part of the Council's review of its democratic arrangements and following consideration of the 2019 statutory Scrutiny Guidance and the Centre for Public Scrutiny review.

5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

5.1. Effective scrutiny plays a key role in the efficient delivery of public services and drives improvements within the Council, this underpins the Council headline vision ensuring 'improving lives' is prioritised. The work of the Council's Scrutiny Committees covers the breadth and depth of the Council's business plan, encompassing the four key aims – better infrastructure, safer communities, fairer opportunities and healthier lives, therefore improvements in the Council's scrutiny function will directly impact on the delivery of the plan.

6. Consultations and co-production

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

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

6.3. 20 County Councillors attended the Scrutiny review Member workshop in September and currently 42% of all County Councillors sit on one of the Council's 3 Scrutiny Committees.

7. Financial and Risk Implications

7.1. 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 and officers, the possibility of conducting scrutiny in different ways, including increased use of visits and travel around the County. The recommendations will result in a moderate increase of expenditure relating to Member expenses and training budget requirements compared to 2019/20 levels. However this should

be considered alongside a reduction in officer demand, especially at a senior level, to prepare reports, briefings and member and officer attendance as a result of a reduced number of formal Committee meetings from 2020.

- 7.2.** The cultural transformation required, improved work planning and policy advice support will require dedicated officer resources in addition to what the council provides currently through the Democratic Services Team. Additional scrutiny officer support is now in place within Democratic Services, which together with training for members, will be essential to support successful implementation by March 2021.

8. Legal and HR Implications

- 8.1.** There are no legal implications. 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.

9. Other Implications

9.1. Equalities Implications

There are no equalities implications.

9.2. Community Safety Implications

There are no community safety implications.

9.3. Sustainability Implications

There are no sustainability implications.

9.4. Health and Safety Implications

There are no health and safety implications.

9.5. Health and Wellbeing Implications

There are no health and wellbeing implications.

9.6. Social Value

Not applicable.

10. Scrutiny comments / recommendations:

- 10.1.** During November 2020, all three Scrutiny Committees have received an update on the implementation of the recommendations and although there were no additional recommendations, the feedback has been incorporated within the

report commentary. There were a couple of areas that they asked were specifically highlighted within this update to Full Council.

- There is clear agreement that the Committees are keen to be involved early in policy development and wholly support the proposal to move away from the current solely meeting based structure of scrutiny and make relevant visits to frontline services and staff. However there was discussion regarding the scaling back of formal Committees to a 5/5 ratio of formal and informal and perhaps a ratio of 7 formal and 3 informal during a year would work better initially.
- The Committees expressed an interest in securing co-opted Members with relevant expertise, including those with health, carers and environmental backgrounds.

11. Background Papers

- 11.1.** Supporting governance, scrutiny and member support in Somerset County Council – Centre for Public Scrutiny - May 2019 (Appendix 2A)