

# SCRUTINY

## AN EVALUATION OF THE SCRUTINY PROCESS WITHIN ROSSENDALE BOROUGH COUNCIL

May 2010

## **Rossendale Borough Council**

### **Report of the Overview and Scrutiny Management Committee Evaluation of the Overview and Scrutiny function**

#### **1. Purpose**

- 1.1 The Overview and Scrutiny Management Committee instructed the Scrutiny Support Officer to undertake an evaluation of the Overview and Scrutiny function at Rossendale Borough Council, using the Centre for Public Scrutiny (CfPS) self evaluation framework
- 1.2 The findings from the self-evaluation framework are intended to be used as the basis for developing Overview and Scrutiny further.
- 1.3 It was also agreed to undertake an evaluation of Scrutiny, from an Officer perspective to seek their views on how they feel the scrutiny process worked (The results are highlighted at 5.3 of this report).

#### **2. Context and Background**

- 2.1 Effective Overview and Scrutiny should be: -
  - Cross-party working and non-partisan
  - Independent from the Cabinet
  - Member led, not officer driven
  - Evidence-based and evaluated
  - Engaging the public and reflecting the interests and concerns of local people
  - Making an impact by offering robust recommendations that lead to action by the Council's Cabinet, Council or external Agencies
- 2.2 The Centre for Public Scrutiny (CfPS) is a national organisation, which was established to promote the value of Overview and Scrutiny in modern and effective Local Government.
- 2.3 Acknowledging that each Local Authority carries out its Overview and Scrutiny function in a different way, and with there being no objective measure by which its success can be assessed, the CfPS developed its self-evaluation framework.

2.4 The CfPS's self evaluation framework provides a mechanism for Local Authorities to demonstrate the effectiveness of Overview and Scrutiny and to identify and demonstrate achievements, identify areas for improvement and highlight any potential barriers to improvement within the Council.

2.5 The framework reflects the four principles for effective scrutiny as follows:-

- Providing a 'critical friend' challenge
- Reflecting the public voice
- Leading and owning the process
- Making an impact

### **3 Methodology**

3.1 The Council's Overview and Scrutiny Committee agreed to provide a mechanism for Scrutiny Members to: -

- Demonstrate the effectiveness of Overview and Scrutiny at Rossendale Borough Council
- To identify areas and means for improving Overview and Scrutiny at Rossendale Borough Council

3.2 The Scrutiny Support Officer distributed an evaluation form (based on the four CfPS principles, highlighted at paragraph 2.5). The form was sent to all Members of Overview and Scrutiny and also to Cabinet Members, seeking their views **(Appendix A)**.

3.3 An evaluation form was sent to those Officers who had either presented reports or provided verbal information to the Overview and Scrutiny Committees **(Appendix B)**.

### **4. Evaluation Results (responses received from 10 Overview and Scrutiny Members and 2 Cabinet Members)**

#### **4.1 Provide 'critical friend' challenge to the Cabinet and external agencies**

The general consensus was that Cabinet do take notice sometimes, but other times scrutiny members feel that they are ignored. Other comments were as follows:

<p><i>'One member indicated that Overview and Scrutiny should make sure that Cabinet are questioned on behalf of the public.'</i></p> <p><i>'O &amp; S make recommendations, some accepted, some watered-down, if they don't accept the recommendations they must say why not within 2 months'.</i></p> <p><i>'Increasingly, scrutiny is monitoring external partners inc, CDRP, College, PCT,</i></p>
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*LSP theme groups’.*  
*‘External partners may know about a specific issue’.*  
*‘I have witnessed this when we have reviewed certain policies and strategies to the event of changing some of these’.*  
*‘It was suggested that all partnerships should be prepared to be scrutinised as they have agreed to work on behalf of the community they serve’.*  
*‘Whilst scrutiny does work effectively with the Cabinet, it must be recognised that scrutiny is on an evolving road and that everyone must be committed to that same journey.’*  
*‘I think scrutiny does a good job generally, but Cabinet either takes too long or doesn’t follow scrutiny ideas through’.*  
*‘Scrutiny does not always work effectively with Cabinet because of their attitude towards our recommendations which they give little or no progress towards, which is very frustrating’.*  
*‘I cannot think of a time when O & S did challenge Cabinet’*

Members agreed that external partners were involved in the scrutiny process, but may not know much about the scrutiny function. One member asked that a list of external partners with a duty to co-operate with Scrutiny should be available.

Members were confident that the Chair was the main link between scrutiny, the Cabinet and Senior Management and that she undertakes the role seriously.

**4.2 Reflecting the Voice and Concerns of Local Communities**

Overall, members felt that whilst scrutiny does publicise itself to the public, they were unsure as to whether the public listened and would only use the scrutiny process if they actually needed it. It is sometimes difficult to engage with the public.

Scrutiny has undertaken a number of topics which the public were involved in. These included the public conveniences task and finish group and a joint scrutiny review with Lancashire County Council looking at bus shelters. Questionnaires were published on the websites as well as being available in libraries, health centres etc.

One member felt that scrutiny does not publicise its work to the general public other than on the web, although not everyone has access to the internet. It was suggested that Overview and Scrutiny need to use other forms of media to communicate better with the communities to inform and encourage to be more involved and more importantly interested.

To help us establish a clear work programme each year, the public are asked for their views via numerous channels. There is a scrutiny form on the Council’s

website available to any member of the public who want to raise an issue through scrutiny, and this is available throughout the year.

#### **4.3 Take the lead and own the scrutiny process**

The role and contribution of Scrutiny has improved over the last 2 or 3 years and Members felt it was a worthwhile and fulfilling role.

Overall Members agreed that scrutiny operated with political impartiality.

Scrutiny does have ownership of its own work programme. Once ideas are received from the different channels, these are then discussed at length by the Overview and Scrutiny Management Sub Committee who follow a selection criteria to prioritise its work. This is then presented to the full Management Committee for approval.

Most Members agreed that scrutiny had a constructive working partnership with Officers.

#### **4.4 Make an impact on service delivery**

Although Members were aware of the financial constraints, it was noted that time and commitment of scrutiny is under resourced.

There was lots of evidence to imply that scrutiny had contributed to improvements, which includes partnership working (health, CDRP, LCC). Overview and Scrutiny was a vehicle for members to express their views and challenge Cabinet decisions, ie value for money.

Several Task and Finish Groups have investigated and reported back to both Overview and Scrutiny Management and the Cabinet.

### **5 What did Scrutiny achieve over the last 12 months**

Overview and Scrutiny is one of the better, more enjoyable and business-like Committees to sit on and Task and Finish Group work does allow Scrutiny to make changes on behalf of the Community.

It has been part of the challenging process, both through Policy Scrutiny and Performance Scrutiny, with a lot of hard work from the Scrutiny Officer and Committee Members.

It was an interesting year looking at a number of areas including; dentistry, older people's services, new hospital build. Also, the performance monitoring was a good piece of work, calling in those Officers not achieving targets.

All achievements from the Scrutiny process are contained in our Annual Report.

## **6. How do you think Scrutiny works and how can we Improve?**

Need for smaller, 'bite-size', yet more in-depth investigations into areas of public concern.

Need for scrutiny to be more actively promoted and publicised in the community to encourage public participation and improve public perception of how the Council works.

Scrutiny works to a certain extent, but Cabinet need to be more responsive to our recommendations and in a more positive way.

Scrutiny should target a specific budget spend to see whether there is good value for money as Overview and Scrutiny will surely play a major role in achieving savings within the budget.

Concern was expressed by one Member as to the process of a recent value for money review.

A Member commented that some issues seem to make it onto the Work Programme with considerable ease.

Scrutiny should focus on real issues rather than detail – do important issues get lost amongst issues that are ultimately not essential?

## **7. Findings**

After all the evidence was gathered, the following key findings in relation to the Overview and Scrutiny process at Rossendale were as follows:

### **7.1 Scrutiny/Cabinet Relationship**

Some members felt that the relationship between the Cabinet and Scrutiny is not always as strong as it might be, as there is no agreed way of working.

Need to join up partnership working at Cabinet level with Overview and Scrutiny. Cabinet can then see how Overview and Scrutiny helps develop partnership working.

Need for more effective working with the community.

## 7.2 Officer Evaluation Findings

Of the 15 Officers who replied, 12 had attended meetings to provide a report or give verbal evidence, whilst 3 had provided written evidence for the Chair to report.

All but three respondents were 'very satisfied' with the support from the Scrutiny Officer, whilst the three indicated 'satisfied'. Positive comments were made in respect of the Scrutiny Officer assisting Officers in preparing for meetings and providing sufficient time to prepare their reports, although one respondent felt that the date the report was required was not made clear.

All Officers felt that they were given sufficient notice regarding their request for attendance at a meeting, but one respondent indicated that she was requested to attend a meeting by the Head of Service, but was given very little details. The same respondent also commented that she would have benefitted from more information being provided about the reason for her attendance.

All but one respondents who attended the meeting indicated that they were satisfactorily briefed prior to the meeting on the purpose of their attendance and the nature of the information the Committee had requested.

All but four of the respondents were satisfied with the type and relevance of questions asked by the Committee. Four Officers felt that the Committee could have asked more questions, with one respondent indicating that 'There was a need for more probing and in-depth questioning'.

When asked 'what further support would be beneficial to witnesses/participants', the following comments were received:

*'Be prepared for long meetings – sometimes items early on the agenda may generate much discussion and you may be required to wait longer than you expect before your item is tabled'.*

*'List of panel members in advance'*

*'Notice of questions to be asked before the meeting, so that Officers can be fully prepared'*

*'The Committee need to understand that some people have no administration support and therefore some officer who are under pressure have to do their own research and report writing'.*

*'Clear explanation as to reason for attendance, what information is required, plenty of advance notice and clear date that report is to be supplied by. It is assumed that the person with lead responsibility is doing this, but it isn't happening and perhaps needs to be done by Scrutiny Officer as well as lead officer.'*

Respondents were asked to provide general comments about their experience or suggest any ways in which the Overview and Scrutiny process could be improved and the following comments were received:

*'It would be really helpful if there was some sort of flowchart on the intranet detailing the process for getting documents through Overview and Scrutiny'*

*'Members generally need to ask more probing questions rather than making statements. Need also to ensure their focus is on customer outcomes'*

*'As it was my first time attending an O & S meeting, I felt the direct support I received was excellent'.*

*'It has been used as a catalyst to raise the profile of the older person issues/role of champion'.*

*'The O & S process gave the chance for the Leisure story to be told in an appropriate forum with appropriate questioning. I always felt quite comfortable and I thought that the committee was professional and understanding towards the situation presented to them'.*

*'Possibly rotate the order of items so that regular Officers are not always last on the agenda when presenting their reports'*



## 8. General Observations

- a) Rossendale Borough Council is committed to improving the effectiveness of its Overview and Scrutiny function. Currently there are some recognisable strengths and good practice. Members and Officers have a shared commitment to achieve sustainable improvement. In particular, there is a desire to develop the ability and confidence of members to undertake their various Overview and Scrutiny roles and responsibilities
- b) The enthusiasm to improve scrutiny and make it more effective is paramount to the Council. Members are beginning to articulate their views on what they want from scrutiny.
- c) The Council's Overview and Scrutiny arrangements ensure the separation and independence of their role. Scrutiny is open to the public and there are a number of systems in place to publicise these meetings, although not many members attend unless there is a specific issue 'close to their heart'.
- d) Clear opportunities now exist to achieve more effective Overview and Scrutiny and the authority needs to ensure that it can position itself in order to achieve this potential. This will involve continued ownership and commitment from Members and Officers, and the involvement of both in shaping further developments and innovations.
- e) Overview and Scrutiny sets its own work programme following consultation with the public through the media, posters in Council owned premises (one stop shop etc) and also Officers and Members of the Council are asked for their views on topics for scrutiny.
- f) An Annual Report is published in June, with bulletins being produced at least twice a year.
- g) Portfolio Holders are sent copies of agendas for Task and Finish Groups and attend Overview and Scrutiny meetings, as appropriate.
- h) The work on the transition of the Leisure Review was a good example of both working alongside the Cabinet and reflecting the concerns of the local community.
- i) Work was still required to enable members to develop their confidence and question Officers more. Scrutiny also needs to build its credibility and profile within the Council and with external partners. Members also need to ensure that Scrutiny work is restricted to areas where they can realistically make a difference. The 'so what' factor.

- j) The Chair is proactive and has a vision for what Overview and Scrutiny should be, and is committed to making it a success.
- k) The role of Scrutiny in performance management has over the years become very successful and through effective challenges to Officers of the Council, they realise the importance of how they perform within the Council.
- l) The role of Policy Scrutiny is beginning to progress and whilst generally positive about the quality of information they receive, there can be issues with timings when looking at the Forward Plan, as sometime it is difficult for the committee to use the Plan to inform their work programme. It would be beneficial if scrutiny could be involved at a much earlier stage to influence and shape new policies. This would require discussion at Management Team level to filter the information down to individual service areas.
- m) Members also need the freedom to carry out work in areas that the Council and its partners have not necessarily identified as priorities. Often, it is in these areas that scrutiny can add most value. It is critical to get these foundations right, so that the scrutiny function can maximise its contribution to the decision-making process and service planning in the Council.
- n) Scrutiny is conducted in a non party political atmosphere and makes the required impact on the way the authority performs.
- o) The term `scrutiny' can sometimes be seen as negative and intrusive.

## **9. RECOMMENDATIONS**

9.1 That there be improved working relationships between Cabinet and Overview and Scrutiny by

- a) The Chair of Overview and Scrutiny having ad-hoc meetings with the Cabinet to discuss general concerns/issues which may arise.
- b) That in accordance with Section 21B of the Local Government Act 2000, the Cabinet must respond to the Overview and Scrutiny Committee's published recommendations within two months. Therefore it would be appropriate to have a designated Cabinet Lead Officer to remind them of timescales for responding to Overview and Scrutiny reports.

9.2 The Scrutiny Support Officer continues to work closely with Officers of the Council and provide information to them on reasons for requesting their attendance at a Scrutiny Committee.

- 9.3 There is a need for Members of Scrutiny to develop their questioning techniques.
- 9.4 That a list of partners with a duty to co-operate with Scrutiny, as defined in the Local Government and Public Involvement in Health Act 2007, be circulated to Members of Overview and Scrutiny.

Thanks to all Members and Officers who responded to the Evaluation.

**APPENDIX A**

**Four principles of good scrutiny and key questions included in the evaluation framework**

**1. Provide 'critical friend' challenge**

a) Do you think scrutiny provides an effective challenge to the Cabinet?

Yes  No

**Please comment** .....

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b) Do you think external partners are involved in scrutiny enough?

Yes  No

**Please comment** .....

.....

c) Do you think scrutiny works effectively with the Cabinet and senior management?

Yes  No

**Please comment** .....

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**2. Reflect the voice and concerns of the public and its communities**

a) Do you think that scrutiny publicises itself enough to the public?

Yes  No

**Please comment** .....

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b) What ways are there to improve interaction with the public?

**Please comment** .....

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c) Do you think that the public have been involved in the scrutiny process?

Yes  No

**Please comment** .....

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### 3. Take the lead and own the scrutiny process

a) Do you think scrutiny operates with political impartiality?

Yes  No

**Please comment** .....

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b) Does scrutiny have ownership of its own work programme?

Yes  No

**Please comment** .....

.....

c) Do you consider scrutiny to be a worthwhile and fulfilling role?

Yes  No

**Please comment** .....

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d) Do you think scrutiny has a constructive working partnership with officers

Yes  No

**Please comment** .....

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**4. Make an impact on service delivery**

a) Do you think the scrutiny workload is included in corporate processes?

Yes  No

**Please comment** .....

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b) What evidence is there to show that scrutiny has contributed to improvements?

**Please comment** .....

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**5. What do you feel scrutiny achieved over the last 12 months?**

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- 6. How do you think scrutiny works in Rossendale and how can we improve? (please be open and honest about what you feel is good and how we can improve)**

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**OVERVIEW AND SCRUTINY- OFFICER EVALUATION FORM**

Name .....

Service Area .....

As you have attended/asked for a verbal report for Overview and Scrutiny, I would be grateful if you could spare a few minutes to answer the following questions to help us evaluate the effectiveness of scrutiny. Your feedback will assist in the continuous improvements of the Overview and Scrutiny process.

**1. What was the nature of your involvement in Scrutiny?**

Attend meeting  Provide written info

Other (please specify) .....

**2. How satisfied were you with the support you received from the Scrutiny Support Officer (in terms of aiding your preparation, liaising about the format of the meeting, information required)?**

Very satisfied  satisfied  dissatisfied

Additional comments .....

.....

**3. Do you think you were given sufficient notice regarding the request for your attendance at a meeting or to provide information?**

Yes  No



Additional comments .....

4. If you attended a meeting, were you satisfactorily briefed prior to the meeting on the purpose of your attendance and the nature of the information that the Committee wanted to receive?

Yes  No  Could have been better

Additional comments .....

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5. Were you satisfied with the type and relevance of questions asked by the Committee?

Yes  No  Could have asked more

Additional comments .....

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6. What further support, if any, would be beneficial to witnesses/participants?

Comments .....  
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7. If you would you like to make any general comments about your experience or suggest any ways in which the Overview and Scrutiny process could be improved please use the space below.

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**THANK YOU FOR COMPLETING THIS EVALUATION FORM**

Please return to Democratic Services, Room 213, Futures Park, Bacup, OL13 0BB or email to [carolynsharples@rossendalebc.go](mailto:carolynsharples@rossendalebc.go)