



**Committee and Date**

Council  
30<sup>th</sup> March 2023

Item

Public



## Scrutiny Improvement Review 2022

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<b>Cabinet Member</b> (Portfolio Holder):	All		

### 1. Synopsis

During 2022/23 the Council invited the Centre for Governance and Scrutiny to undertake a review of Overview and Scrutiny. Opportunities to inform improvements include reviewing the committee structure and remits and the number of Members per committee.

### 2. Executive Summary

- 2.1 The Centre for Governance and Scrutiny (“CfGS”) to carried out a Scrutiny Improvement Review (“SIR”) in September and October 2022. The review highlighted that whilst there were strengths and good practice in how the Council undertook overview and scrutiny, these were not always consistently applied, and that there were opportunities to make further developments and improvements.
- 2.3 This paper shares the report of the SIR (see appendix 1) and reflects the emerging high-level actions being taken and the associated timeframe that will be followed to implement the learning from the review. The review report is structured around 4 headings and 10 sub-headings:

### **Organisational commitment and clarity of purpose**

- Clarity on scrutiny's role and purpose
- Scrutiny resourcing
- Potential of greater pre-decision scrutiny, welcoming scrutiny input

### **Prioritising work and using evidence well**

- Meeting efficiency and Scrutiny challenge

### **Members leading and fostering good relationships**

- Relationship between Executive and Scrutiny
- Relationships between officers and Members
- Structure

### **Making an impact**

- Annual report
- Task and Finish groups
- Public engagement

2.4 The SIR report makes 13 recommendations across these areas for the Council to consider to further develop how it undertakes Overview and Scrutiny. These are listed under the 4 report headings below:

### **Organisational commitment and clarity of purpose**

- Developing regular communication and information sharing so that Scrutiny can be a resource that can inform Executive decision making.
- Regular Communication and information sharing should also include the extension of the practice of Green Papers with scrutiny members to further develop pre-decision scrutiny.
- Training to develop an appreciation of the Scrutiny function and potential
- Greater prominence given to scrutiny and democratic representation on the Council's website.

### **Prioritising work and using evidence well**

- Greater visible alignment with the ambitions in the Shropshire Plan
- Building upon the approach taken to work programming
- Tracking and follow up of recommendations
- A dedicated programme for member training and development.

### **Members leading and fostering good relationships**

- The Council changes the current scrutiny committee structure.
- Involve all members of scrutiny, regardless of party, in direction setting and scrutiny leadership. This should include consideration of opposition Vice Chairs and a wide range of members chairing task groups and leading on scrutiny work.
- Development of a Cabinet-Scrutiny Protocol.

### **Making an impact**

- A more thorough methodology applied to investigative work, including triangulation of evidence and undertaking of primary research.
- A refreshed approach to the annual report focussing upon impact of scrutiny work.

- 2.5 Responding to the review report and the identification and development of the actions to address them is being taken forward in a cross party and collaborative manner. Group Leaders have been meeting and will continue to meet to discuss options, the Chairs of the Overview and Scrutiny committees have met, and the CfGS will be invited to facilitate a workshop on the report that all members will be invited to attend.
- 2.6 The SIR report identified that there was the opportunity to review the structure of the Overview and Scrutiny Committees to strengthen the links to the priorities in the Shropshire Plan and to the directorates of the Council. As there are four priorities and four 4 directorates it is proposed that there be four Scrutiny Committees. It is further proposed that each of the Scrutiny Committees consist of 11 members of the Council.

### 3. Recommendations

Members are asked to:

- 3.1. Support, through their involvement and commitment, the collaborative approach to developing Overview and Scrutiny at the Council in response to the review and on an ongoing basis
- 3.2. Confirm the proposed change to the number of Overview and Scrutiny Committees 4 committees that will take effect from the Annual meeting of the Council in May 2023. (See Appendix 2 for the proposed committees)
- 3.3. Confirm that there will be 11 Members on each Overview and Scrutiny Committee.
- 3.4. Agree that the Monitoring Officer makes all necessary changes to the Constitution that are required to reflect the new Overview and Scrutiny Structure.

## REPORT

### 4. Risk Assessment and Opportunities Appraisal

- 4.1. Effective Overview and Scrutiny is a feature of the Council's governance arrangements, where the Council is operating executive arrangements. There are a range of factors that could result in risks to Council of not doing Overview and Scrutiny effectively. These include the failure to
  - challenge and hold decision makers to account.
  - link O&S work to the delivery of the council's priorities and risk management – failure to demonstrate added value
  - carry out thorough and appropriate research to make evidence-based recommendations.

- engage partners and providers.
  - ensure that structures and models of operation are fit for purpose and match ambition and available resources.
  - ensure that O&S can operate as the voice of communities.
  - draw on member knowledge and experience to inform policy development.
- 4.2. To mitigate, tolerate or eradicate these risks, enablers for effective scrutiny include:
- Operating in an apolitical manner.
  - Clarity of vision and purpose
  - Overview and Scrutiny support availability, capability and capacity
  - Effective engagement and commitment by Members and officers at all levels, including Cabinet, Opposition Leaders, Scrutiny Chairs and Senior Officers who play a central role in setting the tone and direction
  - Robust Work programming and prioritisation of topics with clear objectives and expected impacts
  - Ensuring that Overview and Scrutiny work will add value to the Council and communities e.g. through strong links between work programme topics and the integrated strategic plans that set out the actions and timescales to deliver the priorities in the Shropshire Plan
  - Access to and availability of robust data and intelligence
  - Good relationship with partners and providers
- 4.3. Overview and Scrutiny Committees have remits that cover the breath of the work of the Council, as well as looking externally including Health Services and provision through Health Overview and Scrutiny requirements.
- 4.4. The proposed structure for the Overview and Scrutiny Committees provides the opportunity to put in place strong links to the priorities in the Shropshire Plan to support an outcome focus to their work, as well as ensuring that, where required, the committees can be sighted on a directorate.
- 4.5. Topics for Overview and Scrutiny Committee work programmes are identified based on a number of different considerations which include an understanding of risks to the Council (e.g. failure to deliver the Shropshire Plan), employees, to service users themselves, and to communities. These may be identified through reviewing performance information and comparing with others, changes to national and local policies, budget information, feedback from customers/service users, feedback from partners/providers, and reports from regulators.
- 4.6. During overview and scrutiny work evidence will be gathered that builds on this understanding to inform the development of conclusions and evidence-based recommendations.
- 4.7. The use of external peer challenge such as that offered by the CfGS provides objective review and feedback about what is working well and the opportunities to develop the effectiveness and impact of overview and scrutiny.

## 5. Financial Implications

- 5.1. Effective overview and scrutiny produces evidence-based recommendations. These can be informed by learning from best practice and an understanding of “what works” at other similar local authorities, as well as developing a robust picture of what the situation is locally based on data, intelligence and insights. Where adopted recommendations can help with the efficiency and effectiveness of services that can be delivered differently, as well as informing the development of current and new policies.
- 5.2. There are no direct financial implications associated with this report. However, opportunities to develop how the Council undertakes overview and scrutiny in the future may benefit from a small budget. Whilst this will depend on how the development takes place this may include seeking input from external experts, carrying out meetings and engagement in communities and at venues relevant to topics, overview and scrutiny specific training and development, and accessing additional data and information that may need to be purchased.

## 6. Climate Change Appraisal

- 6.1. All reports to Overview and Scrutiny committees, as with all council committees, include appraisals of the impact of the report content on climate change.
- 6.2. Overview and Scrutiny Committee work programmes directly link to the Shropshire Plan priorities, including Healthy Environment which is built around climate change and carbon reduction, and the natural and historic environment.
- 6.3. Climate change and carbon reduction related issues are directly identified in the remit and therefore focus of the Place Overview Committee i.e.
  - delivery of the agreed lower carbon footprint and emissions targets, including air quality, by the Council and its partners;
  - actions to protect, enhance and value Shropshire’s our natural resources and respect the historic environment;
  - arrangements to safeguard and promote a clean and green environment;
  - the delivery of work to reduce landfill and waste;
  - management and development of the physical and digital infrastructure

## 7. Background

- 7.1. During 2022 some Members constructively challenged the Council on whether it was being as effective as it could be carrying out overview and scrutiny. The challenge was received positively and options to look at opportunities to make improvements were identified and put in motion.

- 7.2. The Council took the step to increase capacity in the resource committed to support Overview and Scrutiny committees in the planning, delivery and reporting of their work. This involved identifying an Overview and Scrutiny Manager and advertising to fill the second Overview and Scrutiny Officer post.
- 7.3. In addition, the Council also invited the CfGS to carry out a SIR of the Council's overview and scrutiny arrangements. The purpose of the review was to invite objective external challenge that would draw on best practice and learning from other Local Authorities and combine this an understanding of Shropshire Council to make recommendations for improvement.
- 7.4. The review was carried out in the Autumn 2022 with the review report being received in the new year. To date it has been made available to all Members through their Group Leaders and discussed with Group Leaders and Scrutiny Chairs. The CfGS have been invited to facilitate a workshop session for all Members to consider the report.
- 7.5. A collaborative approach is being taken to develop the response to the report and the recommendations within it. It is important to ensure that overview and scrutiny is owned by the Members who are also central to how effective and successful it will be. This starts with the identification of the actions that will be taken, and then in the ongoing activity as the committee's carry out their work, make their evidence-based recommendations, and follow-up on the progress and impact where their recommendations had been accepted.

## **8. Centre for Governance and Scrutiny – Scrutiny Improvement Review 2022**

- 8.1 The Scrutiny Improvement Review was structured around 4 key areas identified from the feedback and challenge provided by Members. These were:
  1. Organisational commitment and clarity of purpose.
  2. Members leading and fostering good relationships.
  3. Prioritising work and using evidence well.
  4. Making an impact.
- 8.2 The review was carried out using online face to face interviews and onsite interviews at the Shirehall that took place across 18 meetings involving 29 officers and Members including the group Leaders and Scrutiny Chairs. The review was also informed by desktop research looking at key documents and viewing recordings of Overview and Scrutiny Committee meetings, and a survey of Members, with the results included in the review report.
- 8.3 The review identified that the Council has good foundations to build-on how it delivers overview and scrutiny and recognised that the timing is good for the Council to look at developing and strengthening arrangements and approaches.

*“Shropshire has many of the elements present to achieve an effective scrutiny function. There are already pockets of good practice ... “*

*“Members and Officers tend to have good relationships based on trust. This is a strong base from which to develop Scrutiny.”*

*“... there is a real sense of the opportunity ... to achieve an effective Scrutiny function for the benefit of the residents of Shropshire.”*

It highlighted areas of focus for the Council to take forward and address.

*“... there are underlying political tensions”*

*“Scrutiny is not universally understood or able to make the contribution to good governance and Council direction setting that it could do.”*

*“... more work could usefully be undertaken to align the Scrutiny work programme with issues that matter to the people of Shropshire and the Shropshire Plan.”*

It also recognized that the Council had been taking action after Members shared their challenge, before the review took place.

*“Resourcing has been an issue, but is now well on the way to being resolved.”*

- 8.4 The review made 13 recommendations under the four areas of focus which are set out in paragraph 2.4. Work is underway to respond to findings and recommendations of the Scrutiny Improvement Review. This is at an early stage and has started with engagement with Group leaders, Scrutiny Chairs and Senior Officers. This will be followed by a session for all Members which the Centre for Governance and Scrutiny will be invited to facilitate.
- 8.6 The response to the findings and recommendations has been progressed in two stages. The first stage has involved looking at options for the structure of the Council’s Overview and Scrutiny Committees, and the second stage will address how overview and scrutiny will operate.
- 8.7 The work to identify a future structure has considered how the function could add most value and achieve a best fit with the Shropshire Plan priorities and with the organisational structure of the Council. The proposed structure of 4 Overview and Scrutiny Committees would take effect from Annual Council. Additionally, it is proposed that there are 11 Members on each committee. More information on the committees, including their proposed remits, is set out in Appendix 2.
- 8.8 Seeking agreement of structures and the number of Members on each committee at an earlier stage to the operational developments will allow the membership of committees to be developed ready for Annual Council in May 2023. This also provides more time and greater opportunity for operational development to be identified and shape the Overview and Scrutiny improvement plan.
- 8.9 A key milestone and an underpinning activity for the Overview and Scrutiny Committees will be carrying out the work programme development for 2023/24 and into 2024/25. The consistent approach for this is expected to be a feature if the improvement plan including the prioritisation of topics and how

overview and scrutiny investigations are carried out and will add value. The target for the development of the work programmes by each committee will be in May and June to follow shortly after Annual Council.

- 8.10 The proposal, identification and prioritisation of topics will also identify topics that will be better delivered through the Member training and development programme recommended by the review.

## 9. Conclusions

- 9.1 The SIR provides a springboard from which the Council can revisit its plans and approach to Overview and Scrutiny. It gives the opportunity to ensure that structure follows strategy in the form of the Shropshire Plan and reflects the way the council works through its directorate structure.
- 9.2 The review has also reinforced the importance of all members being engaged in overview and scrutiny work, seeing and feeling the added value that is achieved and can be achieved. The success of overview and scrutiny will be heavily influenced by Member ownership and leadership.
- 9.3 Overview and Scrutiny Committees can add significant value for the organisation, the delivery of the priorities in the Shropshire Plan and for Shropshire Communities. They have a unique position being able to make evidence-based recommendations to inform decision making and look at the progress and impact of implementing decisions. This is particularly relevant at a time when the Council is working hard to ensure that it is making its resources go as far as possible.
- 9.4 The SIR report recognised that the Council is in a good position to move Overview and Scrutiny forwards and ensure that it is realising its potential and the benefits it can deliver. Overview and Scrutiny has an important role to play contributing to good governance and taking positive action and development work will help to avoid the likelihood that it drifts.



**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

**Local Member:**

All

**Appendices**

Appendix 1 – Centre for Governance and Scrutiny, Scrutiny Improvement Review Report 2022

Appendix 2 – Proposed structure and remits of Shropshire Council Overview and Scrutiny Committees

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