

Appendix 3: Review of scrutiny arrangements: responses from county councillors

Section 1: Member comments (January 2018) which have been taken into account when drafting the proposals:

1) How can Scrutiny best inform the future direction of the Council? (Such as issues relating to RPPR, policy setting, resource allocation and operating principles.)

- By having a wide ranging selection of options to use as appropriate.
- Reporting is at best opaque: figures, KPIs are presented in different formats which makes issues difficult to follow. Big picture + Overview + Detail is needed, not just detail.

2) How can Scrutiny be better supported to carry out in-depth forward looking reviews? Do the current arrangements help or hinder this work?

- By having an open approach for members to bring forward suggestions for possible reviews
- In the first few years of scrutiny we had project managers from outside services – the idea was independent managers.
- An in-depth induction to ASC would be helpful ie. visit department, talk to managers; ie. kick the tyres so scrutiny Members get a better understanding of current structures.
- With less money it is getting harder for scrutiny to come up with meaningful outcomes and we have struggled with some topics. It is becoming increasingly likely that Members will take a view in scrutiny and then adopt a different [more political] stance at Cabinet/Full Council, especially when budgets are concerned; managing this potential conflict of roles is possible but can be challenging, especially for new Members.
- Team Members up together – experienced and less experienced – even across the political spectrum.

3) Are the current scrutiny arrangements the best fit to the way the Council now works? Could they better reflect the Council's operating principles of: One Council; Partnership and Commissioning?

- Some committees do a lot, some do only a little.
- Instead of having such a regimented department approach, a broader view could be taken ie. Children's and adult social care?
- There were cross cutting scrutiny committees 1999 – 2001: has there been an assessment of how they worked?

4) Which areas of practice work well and are effective under the current structure?

- It takes a long time for new Members to understand the full extent of what the Council does in all its detail; scrutiny can help by its promotion of an 'exploration' approach – it's important not to seek to restrict scrutiny.
- Webcasting scrutiny committees (except for HOSC) is not a good idea because:
 - increased chances of 'politicisation' of scrutiny

- it means Members hold back

5) General comments and suggestions

- Agree with the views of the scrutiny Chairs.
- The independence of scrutiny is key to facilitating Member motivation to do scrutiny – eg. not being given the impression of being watched over.

Section 2: comments from Members on the proposals (received since 5 March 2018):

	Comments / proposals	Response
1	Dissolve the Scrutiny Chairs steering group and replace it with a Chairs and Vice Chairs group so that all political groups are involved.	This proposal is part of the proposed changes outlined in the report at paragraph 2.10. The Chair and Vice Chairs group would also include the Chair of the Audit Committee.
2	The People Scrutiny Committee should have two vice chairs because of width of services to be scrutinised. One vice chair could specialise in Children's Services and the other Adult Social Care. Specifically they could chair project boards.	Additional vice chairs could help to increase enthusiasm and 'ownership' of scrutiny by Members, reducing the likelihood of overlooking important topics. This proposal could help to share the scrutiny leadership responsibility. On the other hand, having more vice chairs might undermine the fundamental aim of the review to reduce 'silo' thinking. The Chairs and Vice Chairs group would grow in size from 8 to potentially 10 Members (if both scrutiny committees had an extra vice chair) and this might be considered too large to operate efficiently.
3	Scrutiny steering group perhaps chaired by the Chair of the Audit Committee to work out topics for scrutiny agendas and get updates from project boards.	Currently, the scrutiny Chairs appoint a chair and, unless there is a desire to change this process, the same process would continue with the group of Scrutiny Chairs and Vice Chairs in the new structure. Project boards would, generally speaking, report to the parent scrutiny committees and then to Full Council (via Cabinet).
4	Scrutiny training should be given by outside chairs or former councillors.	Scrutiny training is addressed in section 3 of the report. This suggestion will be added to the list in paragraph 3.10.
5	Cabinet attendance should be at the discretion of Chairs and committees. Cabinet Members and officers in the gallery at start of meeting then invited to meeting by chair with agreement committee.	The need to clarify the role of Lead Members in scrutiny has been recognised (see paragraph 3.3 of the report). Very recently the government has published its response to a Communities and Local Government Committee report indicating that it

	Comments / proposals	Response
		<p>intends to publish guidance later this year. The guidance, when it arrives, may help to determine a more detailed response to this suggestion.</p>
6	<p>We should re-look at our approach to call in. Here in ESCC, call-ins are unusual and unwelcome. Is that approach seen everywhere?</p>	<p>There are currently no proposals in this report to change the call-in procedure and no comments about the process were received during the Member consultation.</p> <p>Different authorities have radically different approaches to call-in so there isn't a 'usual' model or approach in existence that we are aware of.</p> <p>Additionally, the way that we operate Cabinet meetings (where all Members can contribute) is more open than many authorities. If call-in procedures were to be examined, the way the Executive makes decisions should also be looked at more widely to avoid duplication.</p>
7	<p>A list of Members' attendance should be kept. If Members frequently don't attend or get substitutes, the political group should be informed.</p>	<p>Members' attendance is currently published for scrutiny committees but not for review boards. Member Services could, if desired, notify Group Leaders accordingly as suggested (to include review boards).</p>
8	<p>Under the proposed structure, Council services affected by ESBT and C4You will fall under the remit of the People Scrutiny Committee.</p> <p>Given the complexity and volume of material requiring scrutiny and the importance of ESBT and C4You to the Council, we recommend that the People Committee establishes a standing review board or sub-group to undertake detailed scrutiny of these programmes over at least the next 1-2 years. This would provide a level of continuity from the existing scrutiny arrangements and help the committee manage the workload.</p> <p>A level of continuity of membership would also be helpful if this could be achieved</p>	<p>It should be left to the members of the relevant scrutiny committee to determine how best they think ESBT should be scrutinised.</p> <p>Ongoing scrutiny could be maintained by a standing review board if that is desired. Equally, the People Scrutiny Committee might wish to explore alternative ways to take this work forward.</p> <p>It is intended to ensure that scrutiny projects currently underway will be mapped against the new structure so that no work is lost.</p> <p>Continuity is a factor that Members may wish to take into account when appointments to the new committees are being decided.</p>
9	<p>HOSC of course has a statutory role and a very full agenda.</p>	<p>There are no proposals to change HOSC.</p>

	Comments / proposals	Response
10	Audit should retain some best value functions – efficiency as well as regularity has long been a function of audit in the private sector.	<p>The legal requirement to undertake Best Value Reviews disappeared years ago. It is unnecessary and indeed undesirable to have an overarching general Best Value remit in the Audit Committee.</p> <p>All scrutiny committees should be very mindful of Best Value in scrutinising the areas for which they have responsibility. It is preferable, and more efficient for Best Value to be considered by specialist scrutiny committees which will have a better understanding of the areas covered than a more general committee would. It also avoids the risk of duplication of work.</p>
11	Automatically put Audit on council agendas which will strengthen the armour of scrutiny even it is never used.	The Audit Committee will be able to report to Full Council on issues of relevance as it wishes. There is little perceived benefit in having an Audit item on every council agenda in the absence of a specific purpose.
12	The Audit committee should have the right to call in Cabinet decisions within 4 days.	Call-in is a process reserved for scrutiny. The Audit Committee, as set out within these proposals and in compliance with CIPFA guidance, is not a scrutiny committee.
13	I have concerns about the inclusion of Community Safety in the “People” Committee – or at least part of that area. It is an appropriate location for crime, abuse issues etc but in my view when it is dealing with issues about Transport it belongs in the “Place” Committee where Transport sits. I’m talking about issues eg 20mph speed limits, road crossings etc. To divorce these kind of issues from those dealing with the highways strikes me as perverse.	As highlighted by this comment, Community Safety is one of those activities that could potentially sit with either committee. The proposal as it currently stands reflects a suggestion that community safety would best fit with the People Scrutiny Committee and this does not limit the scrutiny of safety aspects of highways matters from being discussed at the Place Scrutiny Committee.