



South Cambridgeshire District Council Scrutiny Improvement Review



Report

April 2020

Review of Scrutiny

Introduction

South Cambridgeshire District Council believes that the essential role of scrutiny is to help to shape policy, actively support good decision-making and hold the executive to account. To do this effectively the council recognises that its scrutiny function and Members need to develop a clear and shared understanding of the role, purpose and objectives of scrutiny, and to engage constructively in its work.

Members are clear that scrutiny needs to be strong on prioritisation, develop strategic work programming and engage in evidence-based, objective enquiry. It must have a measurable impact on policy, service delivery and executive decision making.

South Cambridgeshire Council is an authority with a Liberal-Democrat political majority. The council endeavours to be open, inclusive and supportive of cross-party working where possible. Scrutiny has been consistently supported and resourced by the authority but has not been evaluated externally for some time. There is nothing to suggest significant problems or serious flaws in current ways of working. Like many authorities, SCDC has taken a conscious decision to reflect and review its scrutiny process in order to build, where possible, on existing good practice.

SCDC has set itself some bold corporate objectives to secure a sturdy financial base for the council through an ambitious investment income generation strategy and careful management of its costs. It also intends to support its local economy and small local businesses, through improving access to council contracts. Its housing programme aims to double the council's housing stock and increase the number of affordable homes in the district. Alongside these ambitions the council plan focuses significant resources on its green agenda - planning to be carbon neutral by 2050 together with a range of other green initiatives.

The council plan will present considerable challenges in its implementation and delivery. It will equally place a significant responsibility upon its scrutiny function to ensure that strategy, plans and targets, together with key-decisions are robustly and objectively scrutinised.

The Centre for Public Scrutiny (CfPS) were invited to undertake a Scrutiny Improvement Review and identified some principal areas of focus for evaluation. These have been considered using CfPS's Scrutiny Improvement Review (SIR) method.

The CfPS SIR method aligns with both latest statutory guidance and best practice experience accumulated by CfPS over many years. This review also takes into account the latest government (MHCLG) guidance on Overview and Scrutiny in Local Authorities (May 2019) and the latest Good Scrutiny Guide (published by the Centre for Public Scrutiny – July 2019).

The Centre for Public Scrutiny

CfPS is the leading national body promoting and supporting excellence in governance and scrutiny. Its work has a strong track record of influencing policy and practice nationally and locally. CfPS is respected and trusted across the public sector to provide independent and impartial advice.

CfPS is an independent national charity founded by the Local Government Association (LGA), Local Government Information Unit (LGIU) and Chartered Institute of Public Finance Accountants (CIPFA). Its governance board is chaired by Lord Bob Kerslake.

Review outline

To conduct a review of the Council's scrutiny arrangements.

The Council wishes to explore what it can do to further strengthen the quality of its scrutiny arrangements and develop them in light of challenges and opportunities ahead.

Scope

- **Culture.** The mindset and mentality underpinning the operation of the overview and scrutiny process. This will involve a focus on the Council's corporate approach to scrutiny.
- **Information.** How information is prepared, shared, accessed and used in the service of the scrutiny function.
- **Impact.** Ways to ensure that scrutiny is effective, that it makes a tangible and positive difference to the effectiveness of the council, and to local people.

Further to discussion with officers, the following broad areas of focus were identified, which are explored by way of the Scrutiny Improvement Review method:

- Prioritisation, timeliness and focus of the work programme (informed by a clear, well-articulated role for scrutiny overall).
- The current scrutiny committee structure. Considered on the basis of scrutiny focus, members' needs and expectations, and whether other structures and formats might be more appropriate for carrying out scrutiny work.

Evidence sourcing

The following elements are used as a framework for further discussion on those issues and areas most important to the Council.

1. Organisational commitment and clarity of purpose
2. Members leading and fostering good relationships
3. Prioritising work and using evidence well
4. Having an impact

These four elements were used to ensure that all key aspects of SCDC's scrutiny activity are evaluated and mapped against the SCDC-specific areas of focus identified above.

Evidence gathering consisted of:

- **Desktop work.** A general check of the Council's constitution and rules of procedure insofar as they relate to scrutiny, recent work plans, scrutiny scopes and review reports. This will provide an evidence base for the rest of the work;
- **Interviews.** Including the Leader of the Council, leading Members in scrutiny (Chairs, Vice Chair, Opposition Group Leader, Cabinet Members, other scrutiny Members, Senior Corporate Officers, Statutory Scrutiny Officer, and democratic services officers.
- **Observation.** The Scrutiny and Overview Committee.

Summary of findings

1. Overall assessment:

- 1.1 Overall the Council has a strong ongoing commitment to scrutiny in terms of the level of activity undertaken, and time and resource dedicated across the organisation. Scrutiny is respected and valued in the Council, political leaders and Executive Members are very supportive. Scrutiny therefore has a relatively high level of esteem.
- 1.2 There is a clear realisation and commitment from Members and Officers that scrutiny could be more effective and productive. Everyone interviewed welcomed the opportunity to make changes and improvements. Senior Members, Political Leaders, Corporate Directors and the Chief Executive also support the need for change - to enable scrutiny to improve.
- 1.3 From its current base, in terms of Member engagement, resources, council support and ambition, there is a strong platform upon which scrutiny could successfully develop.
- 1.4 Members expressed an interest in scrutiny but felt that its focus and work was having less impact than they would like and at times lacked sufficient focus on strategic issues. Scrutiny Members overall have an appetite to achieve more.
- 1.5 There are some barriers and practices that may need to be addressed and Member development gaps supported if progress, which is clearly desired by the council, is to be realised.
- 1.6 Scrutiny does make every effort to be strategic and focus on the areas of importance, although in practice its application sometimes falls short of this ambition. Scrutiny can very often become a 'conversation' or an information exchange or become too operational and council performance focused.
- 1.7 There are missed opportunities for scrutiny to add value and to be an integral part of the Council's corporate plans and overall improvement. This is not for the want of trying, but for scrutiny to be more strategic, there needs to be change from both scrutiny and the Executive, to draw closer together to create a purposeful role and agenda. If the council wants scrutiny to place more emphasis on shaping, challenging and holding to account, then scrutiny will need the support and early access to information and operate as an integral part of policy and decision-making activities of the Cabinet.
- 1.8 The Leader and Cabinet Members attend Scrutiny meetings as contributors but are often not sufficiently held to account and constructively challenged. Cabinet members and the Leader expressed support for a more challenging style of accountable scrutiny. This could be readily achieved with more planning and engagement.
- 1.9 There is excellent and proactive support from the Scrutiny Team and Governance Services in assisting Members in developing work programmes, managing agendas and liaising with Council departments and external partners to generate reports, evidence and information. This is recognised and widely appreciated by Scrutiny Members and senior officers.

2. Members, meetings and agendas:

- 2.1 Members engage in scrutiny and understand that it plays an important role. However, there is inconsistency when Members describe its role and purpose and Members can lose sight of key objectives in holding decision-makers to account and shaping policy.
- 2.2 Overall, most members work hard to ask useful and enquiring questions, but scrutiny meetings can often tend to favour detail over strategy and may overlook the bigger picture. Some Members can tend to prefer to ask information-gathering questions, rather than exploring and challenging ones. Greater emphasis could be given to improving and shaping policies and decision through enquiry and constructive challenge.
- 2.3 The council operates a single Scrutiny and Overview Committee. This was observed on 13th February 2020. Other agendas and minutes from previous meetings have also been reviewed.
- 2.4 The committee has a short pre-meeting for all members which highlights areas of the agenda which the committee may focus on and discussed areas they decide to explore. This was a good simple planning session which could be even more valuable had more time, than the approx. 20 minutes, been available. Alternative meeting times or the use of video/teleconferencing conferencing facilities for pre-meetings could assist this in the future.
- 2.5 Our observation noted that there were 15 items on the committee agenda. This meant that time allocation was very difficult to manage. After working through routine committee matters, there were still 7 substantive items.
- 2.6 Scrutiny of items relating to council finance did not seem to be sufficiently explored. This could again be due to an over-busy agenda, however ways to allow more comprehensive scrutiny of budgets and financial matters should be considered. The Committee Chair and Vice-chair are keen that budget scrutiny takes place earlier in the cycle and has additional support so that Members can engage and contribute more effectively.
- 2.7 Reports presented to the committee can often make demanding reading. The agenda pack on the 13th February was almost 100 pages. Reports can also be technical and detailed which can prevent Members from fully engaging. Reports could contain a short, clear summary which also offers some useful scrutiny signposts (such as risks and challenges) to assist engagement and effectiveness. Reports could also be better designed, with content presented to help scrutiny to enquire and objectively challenge. Scrutiny may at times find that this is difficult when faced with complex reports, which can often be favourable to the subject or proposal under consideration.
- 2.8 At the committee meeting on 13th February only a couple of items were explored in any depth, due to the long agenda and inevitable time constraints. It meant that the meeting was unable to provide only a light overview of most of the agenda items. There is a recognition that having fewer items but explored in greater detail would increase scrutiny's impact.
- 2.9 Whilst all Members took the opportunity to speak at committee, the engagement and contribution varied with just a few members asking most of the more penetrating questions and having most of the 'air-time'.

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- 2.10 There is good cross-party working and little evidence of political management activity. Generally, Scrutiny Committee Members get along and co-operate with each other. Member behaviour is cordial and respectful. The independence of scrutiny and of political groups is maintained and respected
- 2.11 The committee Chair is appointed from the opposition group, which appears to work well. The committee is chaired fairly and efficiently, and the Chair and Vice-Chair work effectively together to manage the meeting. The Chair and Vice-Chair work as an effective team and work hard to promote the role of scrutiny and to build its impact within the council.
- 2.12 The Chair draws conclusions and consensus together well and there are some examples of where scrutiny has successfully used its influence. The committee could be even more productive by more consistently finding strong recommendations or outcomes from their enquiries to present to Cabinet as improvement or challenge proposals.
- 2.13 Our observations suggest that scrutiny could more clearly set out its objectives in specific agenda items, which would assist the committee to construct key lines of enquiry and develop outcomes that may add more value.
- 2.14 The meeting room itself was well laid out, with name plates clearly identifying Councillor members of the committee. This could also be extended to officers so that the public can differentiate. Public access and facilities are good and there is a regular place early on the agenda for public questions.
- 2.15 Whilst trying to encourage public engagement is recognised that this is difficult, exploring and experimenting with ways to allow greater access, openness and involvement could include:
- Simple video recording via website
 - Community listening panels
 - Meetings held in public places
 - Invite public to offer ideas for work programmes
 - Greater use of social media channels

3. Structure and work programming:

- 3.1 As a single Scrutiny and Overview Committee there is potentially a massive volume of issues that scrutiny could focus on. It would be very easy for scrutiny to run out of capacity. It is therefore crucial that it prioritises well. There is a selection and prioritisation model included in the committee's work programme schedule. However, it is unclear how often this is used. If applied more effectively it could help to ensure that the committee is focused on the important, mission-critical areas and avoids becoming too operationally focused.
- 3.2 The current work programme is concentrated on a relatively small number of items per month, which would seem sensible, but subsequent agendas seem to become much larger, leading to the committee running short on 'bandwidth' to ensure thorough scrutiny of the agenda items.

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- 3.3 The Scrutiny Committee does intend to be focused on strategic matters, but this may become hindered at times by the lack of early access to the Cabinet forward plan. This lack of early visibility can therefore mean that Scrutiny is not provided with a sufficient timeframe for effective pre-decision scrutiny. The committee therefore uses a lot of its energy examining operational performance and detail. The big, high impact areas embedded in the council's corporate plan and the Cabinet's forward plan are therefore more difficult to integrate with the work programme of the Scrutiny Committee at the most optimum time. The work programme and agendas could be better aligned to the Cabinet forward plan, together with key areas of delivery or policy development within the council corporate plan. Scrutiny should be able to engage earlier and be supported in this task.
- 3.4 There is a real intent to engage in pre-decision scrutiny and the committee regularly scrutinises Cabinet reports. However, this may not be where scrutiny can offer maximum value. As outlined above, for scrutiny to offer greater impact and value and to help shape or constructively challenge Cabinet proposals, the work of pre-decision scrutiny needs to operate more up-stream as things are forming rather than at the point when decisions are imminent. Pre-decision scrutiny is a key function of scrutiny and it is an area that could be developed further. The Committee Chair strives to bring scrutiny into play earlier and have more impact in pre-decision activity. Again, for this to work effectively Scrutiny will need greater co-operation and a whole council commitment to integrating scrutiny in the decision and policy forming process. This may mean that Scrutiny has access to forward decisions, possibly months before final Cabinet approval. Scrutiny will then be able to make the bigger, positive and constructive contribution that everyone seeks and strives for.
- 3.5 Scrutiny of the council budget and medium-term financial plan can take up a significant amount of scrutiny capacity. Alongside this it may also want to scrutinise any 'alternative budget' presented by Opposition Members. Each quarter the council's revenue and capital budget updates and its treasury report are presented for scrutiny. This presents scrutiny with a dilemma as this can either squeeze capacity which can reduce its ability to cover other key areas or else budget scrutiny is not completed as comprehensively as it could. Again, observing other councils may help, particularly perhaps those who include a finance sub-committee meeting quarterly (and more frequently during the budgeting period) to allow members to dedicate scrutiny time to this vital area.
- 3.6 Similarly, the council has an ambitious investment programme which is geared to providing future income. It also has a number of shared services and outsourced arrangements. It would appear that scrutiny is unable to tackle this subject as effectively as it would clearly wish to. This may be due to commercial confidentiality issues, or as in previous examples in this report, the necessary and appropriate information not reaching scrutiny early enough. Scrutiny of commercial undertakings is frequently a challenge for councils, but there are solutions which offer proper scrutiny within the constraints of commercial confidentiality. Members inevitably expressed frustration at not being able to get scrutiny closer to the commercial business of the council. The role of scrutiny in this space would therefore benefit from further review and exploration of options as to how it may play a more significant and effective role.

Again, the Committee Chair has consistently raised this weakness and has made stringent efforts to get it addressed. It is recognised that scrutiny could have greater access, within the reasonable constraints of commercial confidentiality, to preview

objectives and scrutinise in overview the intent, risk and value etc of these investments. Given the level of council investment and activity this should arguably take up more scrutiny time than it currently does. There are ways to shape commercial scrutiny and this could also be assisted through studying other councils with similar arrangements.

- 3.7 Task and finish groups seem to be used effectively. There appears to be support from Members to use this option to focus on helping to shape policy or exploring issues of community concern where the council or its partners may need to respond. These T&F assignments or similar focused 'project scrutiny' can if used well, build more versatility and agility for scrutiny. It is essential however, that these are limited to only two or three per year, have a detailed scope and timeframe (max 8 weeks) and have a clear objective which delivers a useful product. To ensure appropriate officer support, it is suggested that only one T&F operates at a time.
- 3.8 Greater consideration and planning may be necessary to make information and evidence gathering for scrutiny clear and relevant and allow officers to appreciate the value and impact of scrutiny's role.
- 3.10 There are plans to hold more scrutiny committees in different locations around the district, this community-based approach will help to connect this important function of the council with the communities it serves.

4. Support and resources:

- 4.1 There is a small, experienced team of Officers who support scrutiny. They are proactively engaged in advising Chairs and Members on their roles and in developing scrutiny activity. Members told us that they do feel in control of their own work programmes and agendas.
- 4.2 It is possible that Members could also play a greater role in how scrutiny operates and is resourced. Members could be more central in the preparing of programmes, projects and agendas, or researching issues and helping each other to be well-prepared and informed. It might be worth exploring how simple currently available technology such as closed social media groups, conference and video calling, and the use of shared file systems could give members more capacity to share, discuss and plan their scrutiny activities.
- 4.3 The council's website has useful content on scrutiny, which is relatively easy to access and has helpful guidance. The site is up-to-date and offers a good public oversight of scrutiny activity.

5. Relationships, behaviours and culture:

- 5.1 The role of scrutiny in 'holding to account' is not used consistently, although there are some signs that this is recognised, and efforts have been made to improve. However, our observation and interview evidence would suggest that political accountability could be made stronger and be a more constant feature in the committee meeting. Often there seems to be a preference to challenge and hold officers to account. The principle of scrutiny's duty to hold the Leader and Cabinet Members to account, could be refreshed and strengthened. The council may also choose to adopt Cabinet accountability sessions to allow scrutiny to examine the work programme and progress of individual Cabinet Members.
- 5.2 Cabinet Members frequently attend Scrutiny, but their function is vague. They often introduce reports and may later make useful comments. However, there is no obvious democratic accountability for decisions, performance, delivery and policy. The Leader and Cabinet are very supportive of scrutiny and recognise its value. They also seem to support a more central role in being held to account, supported by their officers for technical advice. The experience from elsewhere is that when Cabinet Members attend and are the focus of the questioning, a more strategic exchange takes place and better recommendations, or advice is achieved.
- 5.3 The Chair and Vice-Chair of Scrutiny attend Cabinet. Good practice suggests that the Executive and Cabinet meet regularly to discuss and share future plans, to try to build better alignment and ensure that scrutiny is more closely involved in policy and decision shaping.
- 5.4 Relationships between political groups are generally co-operative in the context of scrutiny. Clearly there are differences in policy and approach, but all Members appear to work towards a similar goal in committee.

6. Development, skills gaps:

- 6.1 SCDC is fortunate to have a strong pool of talent and experience among its Members. Many councillors have relevant backgrounds and experience who bring a very useful set of skills to all areas of the council. Good practice also suggests that Members' interests, experience and background knowledge can also be useful in allocating a spread of skills to committees.
- 6.2 Training and development were raised by some Members, who were clearly aware of the gaps in their knowledge and understanding. There is also a fairly high number of new councillors with limited experience of local government scrutiny who would benefit from further training and development.

7. Contribution, performance and value-adding:

- 7.1 Scrutiny impact is the key issue. A high volume of scrutiny activity does not necessarily deliver quality outcomes.
- 7.2 While scrutiny has made significant progress and there are examples of good practice, and positive results, it could have even greater impact and its 'product' make a significant difference. This ambition and desire should be shared as a council-wide issue and be addressed by ensuring that scrutiny has the support, parity, access to timely information and early engagement to allow it to operate in a more strategic way.
- 7.3 Scrutiny and Cabinet could collaborate further. Scrutiny needs to provide a regular source of quality recommendations to Cabinet, and Cabinet needs to provide clear feedback so that scrutiny's effectiveness and contribution can be tracked.
- 7.4 Scrutiny at SCDC can overburden itself with too much activity and full agendas focused on reports. Doing less, but doing it really well, is worth considering. Asking the question; 'what value can scrutiny add to this' before agreeing to spend time on it is also a useful test. Scrutiny's output must aim to shape and improve policy and decision-making as well as transparently testing the suitability of decisions being considered by Cabinet in the future.
- 7.5 Further consideration of pre-scrutiny activity would be useful as this has a crucial role in shaping, improving and influencing future Council plans. Pre-scrutiny of executive decisions, through selective scrutiny of Cabinet forward programmes and the Council plan could add significant impact. This would require a change in practice by enabling earlier access to information.
- 7.6 From our observations and evidence gathering the committee may benefit from ensuring greater clarity about what it is trying to achieve or what impact they are aiming to make. Similarly, the process for deciding what is important to scrutinise and what is not, is sometimes unclear. The committee cannot scrutinise everything, nor is it necessary to do so, therefore establishing realistic priorities based on clear objectives is essential. It is therefore necessary to 'let go' of too much operational scrutiny and focus most the committee's resource on strategy and policy.

8. Recommendations:

These recommendations are for discussion. They are presented for consideration as potential areas of improvement, with further assistance and planning.

- 8.1 **Work programme prioritisation and focus.** Developing a clear methodology focused on SCDC's key corporate or community priorities should itself be a priority. Items on the work programme should have a clear rationale to justify their inclusion and a clear system for selection.
- 8.2 **Scrutiny and Cabinet needs to work more collaboratively.** This will achieve stronger pre-decision scrutiny, allow greater influence and contribution to policy shaping and supply more high-quality recommendations. A triangulation meeting held bi-monthly could include Scrutiny Chair and Vice Chair, Cabinet Member or Leader taken in relevant rotation and Scrutiny Officers plus relevant service area Officers. The purpose of this would be to jointly scope future areas for scrutiny to develop, but without compromising scrutiny's independence and authority.
- 8.3 **Bring Cabinet public accountability and transparency into more focus at scrutiny committees.** Cabinet Members or the Leader (if appropriate) should be the main focus of scrutiny questioning and accountability sessions. This would take on a more parliamentary select committee approach.
- 8.4 **Explore additional scrutiny of commercial and investment areas of the council.** This could be through a finance and investment sub-committee that scrutinises budget, commercial activity, investment strategy and the medium-term financial plan.
- 8.5 **Reduce the reliance on officer presentations and cabinet reports.** Instead, scrutiny should set its objective for each subject to be considered and material presented or verbally reported by Cabinet members, with officer assistance.
- 8.6 **Expand public participation and community involvement.** This will strengthen scrutiny and its external focus. Develop the idea of holding more committee meetings in other parts of the South Cambridgeshire District.
- 8.7 **Consider further use of task and finish and other 'set piece' scrutiny techniques.** Focused events or enquiry days can highlight major areas of policy development or community concern.
- 8.8 **Adopt a Member and Officer scrutiny development and skills programme.** This will support greater understanding of the role of scrutiny and improve its effectiveness.

We recommend that a Member workshop is held to consider the findings of this review and to engage in ideas for change and improvement.

Acknowledgments and thank you

The Centre for Public Scrutiny (CfPS) was commissioned by South Cambridgeshire District Council to advise and support an internal review on the effectiveness and impact of their current approach to overview and scrutiny.

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