



NORWICH
City Council

Committee name: Scrutiny

Committee date: 23/11/2023

Report title: A review of the effectiveness of Scrutiny Committee

Portfolio: Councillor Kendrick, Cabinet member for resources

Report from: Head of legal and procurement

Wards: All wards

OPEN PUBLIC ITEM

Purpose

The purpose of this report is to provide a summary of the scrutiny committee workshop on a review of the effectiveness of the committee.

Recommendation:

It is recommended that the Scrutiny Committee agrees the recommendations to support the effectiveness of the Committee included at Appendix A to this report.

Policy framework

The council has five corporate priorities, which are:

- People live independently and well in a diverse and safe city.
- Norwich is a sustainable and healthy city.
- Norwich has the infrastructure and housing it needs to be a successful city.
- The city has an inclusive economy in which residents have equal opportunity to flourish.
- Norwich City Council is in good shape to serve the city.

The Scrutiny Committee is an important part of the democratic process, helping hold the cabinet to account and exploring how services are performing. As such, a well performing Scrutiny Committee can contribute to all corporate priorities.

Report details

1. At its meeting in September, the Scrutiny Committee requested that the October meeting of the Committee be used to support a review of the effectiveness of the Scrutiny Committee.
2. To start this work, officers designed a survey sent to all councillors which sought to understand members views on a range of questions posed by the Centre for Governance and Scrutiny (CfGS).
3. An informal meeting was held in October and debate focused on:
 - a. The CfGS design principles and understanding the different views in the room as to how to move forwards
 - b. The outcomes of the survey sent to all councillors
 - c. Establishing priority areas of focus
 - d. Agreeing how to move the work forward – for example, for a small group of members to periodically meet with officers to discuss areas of focus and agree how to progress these, or whether officers take forward the work and report back to future meetings
4. A summary of the discussion is as follows:

Setting the work programme

5. Members discussed the selection of topics for the work programme. Concern was raised that a number of items were matters over which the City Council had limited influence, and there should be more focus on areas that fell under the control of the City Council, enabling better outcomes as a result of the Committee's work.
6. Members were supportive of looking again at the TOPIC forms used to put forward work programme suggestions, and making sure that ahead of debates on items considered by the Scrutiny Committee, there was time and thinking on what outcomes were being sought and how the Committee should approach the review – for example, what data may be useful to help the Committee. It was also recognised it may be helpful to look at the current process for considering the work programme, for example having quarterly review meetings.
7. When discussing the work programme, it became apparent that there were concerns with the way the current work programme had been formed and whether there was a degree of political influence involved. Various suggestions were put forward to support the Committee in focusing on its role and the purpose of scrutiny, including a potential mission statement for scrutiny in the constitution; and reviewing its relationship with other members and the executive.

Training

8. Members discussed the training session which was held at the beginning of the year and it was noted that not all members had attended the session. Members considered that all members of the committee should attend training

even if they had sat on the committee before because it was important to reinforce the principles of good scrutiny and keep up to date with best practice.

9. The Head of Legal and Procurement suggested that Democratic Services could send records of who attended training to Group Leaders in order that they could reinforce the importance of attending. At the meeting, it was understood that a session was due to be held at the end of October on the role of the audit and scrutiny committees; this unfortunately has had to be rescheduled and a new date will be provided shortly.

Substitutes

10. Members discussed substitutes attending committee and it was discussed and considered that there should be standing substitutes in place who would have meetings marked in their diary in case they are called upon and who would attend the committee training session.

Relationship with Cabinet

11. Members noted that effective relationships with the executive is important for effective scrutiny. At present, there is limited interaction with the cabinet outside of scrutiny and cabinet meetings, and it would be helpful to look at good practice such as a working protocol and meetings between the Chair of Scrutiny and leading members (such as the leader, cabinet members and group leaders)
12. Cabinet members attended scrutiny committee meetings for items in their portfolio and this was welcomed. However, members were concerned that there is a heavy reliance on officers in presenting and answering questions, with the potential that the Cabinet members could take a more leading role.
13. A report from scrutiny committee with its recommendations was presented at cabinet. Members considered that it would be useful to have a report back from cabinet on which recommendations had been agreed and which refused and why this was the case. Where cabinet significantly disagreed with recommendations from the committee, the relevant cabinet member should be invited back to committee to explain why this was the case.
14. If there were concerns about recommendations made by scrutiny committee then the cabinet member in which portfolio they fell should raise a concern at the earliest opportunity and preferably at the committee which generated the recommendations.
15. Finally, it was considered that the chair of the committee should attend cabinet to present the recommendations of the scrutiny committee and if they were unable to attend volunteers from the committee be sought. It should be clear that they were not restricted in what they say at the meeting, ie not limited to one question.

Promoting Scrutiny

16. Members discussed how to promote the work of the scrutiny committee and ensure the wider membership was aware of its work and importance. Ideas included:

- a. The chair could do an update to all members which could be circulated on e-councillor after every meeting.
- b. Working with the communications team to consider how resident input could be sought on work programme items
- c. Looking at opportunities for the Committee to get “out and about” such as holding meetings in other venues.

Resources

17. Members noted that scrutiny committee did not have a dedicated scrutiny officer; that instead, it was part of the role of a Senior Democratic Services Officer, and proposed that Council should consider if there were sufficient resources to justify the appointment of a scrutiny officer to support work programme development and to arrange visits for the committee or for witnesses to be called.

Overall

18. Arising from the Committee’s debate, a set of recommendations were agreed that are included at Appendix A for the Committee’s agreement.
19. Committee members recognised that there may be opportunities for further development and exploration, however the recommendations put forward represented a significant step and it would be useful to revisit this topic once the initial recommendations had been moved forwards.

Consultation

20. This report is the result of consultation with members of the committee. No other specific consultation has been undertaken on this report.

Implications

Financial and resources

21. Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council’s stated priorities, as set out in its Corporate Plan 2022-26 and budget.
22. Potential financial considerations will need to be assessed as the effectiveness work is developed. For example, if the Scrutiny Committee wish to receive more training, then resources would need to be identified for this.

Legal

23. The statutory basis for the Scrutiny Committee is established by the Local Government Act 2000. The Council is further obligated to consider and take into account the government’s statutory scrutiny guidance when discharging scrutiny functions.

Statutory considerations

Consideration	Details of any implications and proposed measures to address:
Equality and diversity	None
Health, social and economic impact	Health Scrutiny is undertaken by the statutory Norfolk Health Overview Scrutiny Committee, which the Council appoints a representative to
Crime and disorder	Police Scrutiny is undertaken by the statutory Police and Crime Panel, which the Council appoints a representative to
Children and adults safeguarding	None
Environmental impact	None

Risk management

Risk	Consequence	Controls required
Ineffective scrutiny can have a detrimental impact on the effective democratic operation of the Council	This risks ineffective decision making, insufficient accountability and opportunities for improvement being missed	Undertaking the review enabled the scrutiny committee to look at its effectiveness and assess how it could be most impactful in undertaking its role.

Other options considered

24. The Scrutiny Committee evaluated the options it would like to take forward in undertaking the review.

Reasons for the decision/recommendation

25. Effective scrutiny is an important part of the Council's governance systems. This review is intended to strengthen the role and purpose of the Committee.

Background papers:

None

Appendices:

Appendix A: Recommendations on the review of the effectiveness of the Scrutiny Committee

Contact officer: Leah Mickleborough, Head of Legal and Procurement

Email address: leahmickleborough@norwich.gov.uk



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Appendix A: Recommendations on the review of the effectiveness of the Scrutiny Committee

1. There should be quarterly meetings between the Chair of the Scrutiny Committee and group leaders to review the Scrutiny Committee work programme, recommendations and any areas of concern
2. The Council should develop a scrutiny-executive protocol to outline the relationship and expectations between the Scrutiny Committee and cabinet
3. There should be reinforcement of the need to attend training, supported by group leaders.
4. Democratic Services should send reports of training attendance to group leaders
5. The Scrutiny Committee to have named, standing substitutes who are expected to include meetings in their diaries in the event members of the Committee cannot attend, and should attend committee training
6. The Committee should have a mission statement in the constitution explaining its purpose and role
7. Each item on the work programme should be supported by a clear intention as to what outcomes are being sought from the review.
8. The TOPIC forums used to establish items on the work programme should be focused more on outcomes sought and what evidence, witnesses and data is desired to support a review by Scrutiny
9. TOPIC forms should be circulated to members ahead of consideration of each item and members should be expected to feedback on what evidence they would wish to see; key witnesses they expect to be present; what lines of enquiry they may wish to explore, and what areas should be covered in the report
10. For the review of the constitution being undertaken to look at how meetings of the whole council can focus most on matters which the Council has most influence on
11. Cabinet members should be expected to be the primary presenter of reports or issues at scrutiny, with operational support from officers; cabinet members should also lead on responding to questions, referring operational questions to officers to respond to
12. When recommendations are made to Cabinet, there should be a report back to the Scrutiny Committee on which recommendations were agreed, and which were disagreed (and why)
13. The Chair should attend Cabinet to present the scrutiny recommendations. If the Chair is unable to attend, a volunteer should be sought from the

scrutiny committee to attend in their place and present the findings

14. If Cabinet members have concerns with the scrutiny recommendations, they should ideally raise these at the meeting at which the recommendation was raised, and if that is not feasible, to raise them with the scrutiny committee as early as possible.
15. Where the Cabinet significantly disagrees with the Scrutiny Committee, the cabinet member will be asked back to the scrutiny committee to explain why that was the case
16. To review ways to promote the outcomes of the scrutiny committee and the benefits of scrutiny work done
17. To work with the communications team to look at ways to encourage feedback and input from members of the public head of each scrutiny item
18. The Chair of the Scrutiny Committee to do a circular to all members following each scrutiny committee summarising what happened and the outcomes, to be shared on eCouncillor
19. The Council should consider whether there are sufficient resources to justify the appointment of a scrutiny officer to support the work programme development and the consideration of items on the work programme, such as scheduling and briefing witnesses to attend
20. Review opportunities of the Scrutiny Committee to get out and about in the community and broaden how it undertakes its work
21. Look at changing the approach to the work programme setting, for example a quarterly more formal review
22. To present these recommendations to the November meeting of the Committee, with a 6 monthly check-in on how they have progressed