



**OVERVIEW AND SCRUTINY COMMITTEE - SITTING AS A SELECT COMMITTEE**

**Date: Monday, 23 September 2019**

**Time: 6.00pm,**

**Location: Shimkent Room - Daneshill House, Danestrete**

**Contact: Fungai Nyamukapa Tel: 01438 242707**

Members: Councillors: L Martin-Haugh (Chair), P Bibby CC (Vice-Chair), S Barr, J Brown, L Chester, M Downing, ME Gardner, S-J McDonough, A McGuinness, J Mead, S Mead, A Mitchell CC, R Parker CC and C Parris

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**AGENDA**

**PART 1**

**1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

**2. DRAFT SCOPING DOCUMENT - SCRUTINY REVIEW OF THE COUNCIL'S SCRUTINY ARRANGEMENTS**

To consider the draft scoping document of the scrutiny review into the Council's scrutiny arrangements.

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**3. PRESENTATION ON CURRENT SCRUTINY ARRANGEMENTS**

To receive a presentation on the current scrutiny arrangements.

**4. SBC SCRUTINY - SELF EVALUATION FRAMEWORK**

To consider the SBC Scrutiny Self Evaluation Framework Scoring Matrix.

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**5. URGENT PART 1 BUSINESS**

To consider any Part 1 business accepted by the Chair as urgent.

## **6. EXCLUSION OF PUBLIC AND PRESS**

To consider the following motions –

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

## **7. URGENT PART II BUSINESS**

To consider any Part II business accepted by the Chair as urgent.

### Template Scoping Document

<b>Overview &amp; Scrutiny Committee</b>	
<b>Scrutiny Review Title:</b>	<b>Scrutiny of SBC Scrutiny Arrangements</b>
<b>Background issues</b> to review – rationale for scrutinising this issue:	Scrutiny Members have raised the issue of reviewing the Council’s Scrutiny arrangements for the last two years. It was agreed that a review should wait until the Sickness review was complete as that was a strategic priority for the council, and also until Statutory Government Guidance was published.
Is this issue covered by the <b>Future Town Future Council Programme?</b>	Reviewing the Council’s Scrutiny Function does not have any direct links to the Council’s Corporate Plan - Future Town Future Council. However, broadly the review is in line with the Council having transparent and accessible processes that provide residents with a function that adequately holds the Executive to account and helps improve local services via its reviews and recommendations.
Is this issue one that raises interest with the public via <b>complaints</b> or Members’ surgeries or with Officers?:	The Council’s Scrutiny function is not an issue that has raised any complaints.
<b>Focus of the review:</b> (State what the review focus will be)	<p><i>The Scrutiny Officer has discussed with the Chair and Vice-Chair of the Overview &amp; Scrutiny Committee and the Senior Leadership Team the approach for the review. It was agreed that the review should use the Centre for Public Scrutiny (CfPS) Self Evaluation Framework Document as the starting point for the review alongside the Housing, Communities and Local Government Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities.</i></p> <p><i>Based on the issues raised by Members, officers have suggested that the following issues could provide a focus for the review by the Committee:</i></p> <p><u><i>Undertake a self evaluation of SBC’s current scrutiny arrangement (using the CfPS self-evaluation framework as a guide to this process) with O&amp;S Committee Members and the Chair and Vice-Chairs of the two Select Committees.</i></u></p>

	<p><u>Once the self-evaluation module is complete the findings can be sent to the CfPS who have said that an LGA funded (free to the Council) review can be undertaken by the CfPS</u> <u>Consider agreeing a Scrutiny &amp; Executive Protocol</u></p> <p>Aims/Outcomes:</p> <ul style="list-style-type: none"> <li>• That, where possible, the Scrutiny and Executive Members and Senior Officers of the Council have an opportunity to reflect on the current arrangements, where possible identify good practise, and make recommendations for areas that could be improved upon.</li> <li>• That, where there are found to be areas for improvement, Members make SMART (Specific, Measurable, Achievable, Relevant and Time Bound) recommendations to improve the function</li> <li>• That, resource permitting, the review delivers those improvements to how it conducts scrutiny</li> </ul>
<p><b>Timing issues:</b> Are there any timing constraints to when the review can be carried out?</p>	<p>Officers will advise at the meeting if there are any timing issues to consider. The review will have to fit in with the timing of the other Select Committee review work programme items. It would be hoped that most of the work could be conducted outside of formal committee meetings and concluded by the end of the 2019 calendar year.</p>
<p>The Committee will meet on (provide <b>dates</b> if known):</p>	<p>Dates: Day/Month/Time/Venue</p>
<p><b>SBC Leads</b> (list the Executive Portfolio Holders and SD's Heads of Service who should be engaged as part of the process):</p>	<p><i>Officers have suggested the following people:</i></p> <ul style="list-style-type: none"> <li>• <i>The Leader</i></li> <li>• <i>C.E. Matt Partridge</i></li> <li>• <i>Strategic Director, Tom Pike (Lead Strategic Director who has overall responsibility for the scrutiny function)</i></li> <li>• <i>Interim Strategic Director, Richard Protheroe (SD that line manages Constitutional Services)</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Chair &amp; Vice-Chair of the three scrutiny committees</i></li> <li>• <i>Seeking wider Member input</i></li> <li>• <i>Some 4<sup>th</sup> tier Managers who have gone through a scrutiny review</i></li> </ul>
Any <b><u>other witnesses</u></b> (external persons/critical friend)?:	To be identified by the Committee at the scoping meeting. <i>Possible options identified by officers:</i> <ul style="list-style-type: none"> <li>• <i>Critical Friend – Would it be appropriate for this review to invite an officer/Member from another local authority to speak as a “critical friend”? Invite a Scrutiny Officer/Chair from another authority to review evidence and come to a meeting to provide a view on the Council’s arrangements</i></li> <li>• <i>CfPS to act as an independent third party organisation to provide a view on the Council’s arrangements</i></li> <li>• <i>Local residents/stakeholders who have taken part in previous reviews</i></li> </ul>
<b>Site Visits</b>	Site visit to District Council(s) (x2 if they can be identified and arranged); also that those Council(s) have some similarity with SBC and operate a similar meeting structure (like a select committee).
<b><u>Allocation of lead Members</u></b> on specific individual issues/questions:  Any other Questions Members wish to cover:	To be identified by the Committee at the scoping meeting.  Members will ask questions on the following areas (list the issues to address during the interviews): <ol style="list-style-type: none"> <li>1. Work programming</li> <li>2. Scoping</li> <li>3. Evidence</li> <li>4. Final reports/recommendations</li> <li>5. Monitoring outcomes</li> <li>6. Council Priorities</li> </ol> <i>Depending on what major strands are identified in the scope these can be allocated to lead Members.</i>

<b><u>Process</u></b>	It is recommended that having agreed a scope that a locally devised self-evaluation framework scoring matrix be used to score the current arrangements (the matrix has used the characteristics of the CfPS Self-Evaluation Framework but focused on 6 key areas of (1) work programming (2) scoping (3) evidence (4) reports & recommendations (5) monitoring and (6) Council priorities. The scoring matrix may need to be used over 2 meetings to gather evidence alongside these meetings some case studies/visits to other authorities could be undertaken; following this the findings should be shared with Executive Members and SLT to reach an agreed position. Once this is agreed a session could be held with CfPS to share the results and to receive their input if it is agreed to pursue this element.
<b><u>Site visits and evidence gathering in the Community</u></b>	As above – some Members and officers to visit other authorities to see how they undertake scrutiny.
<b><u>Equalities and Diversity issues:</u></b> The review will consider what the relevant equalities and diversity issues are regarding the Scrutiny subject that is being scrutinised	To be identified by the lead Member –  <u>Equalities &amp; Diversity Issues</u> – Are there any E&D issues to consider in this review? –  Yes, the review could consider whether the current arrangements for addressing equality and diversity issues in the way scrutiny is undertaken are adequate?
<b><u>Constraints</u></b> (Issues that have been highlighted at the scoping stage but are too broad/detailed to be covered by the review):	<i>To be identified by the Committee at the scoping meeting 23 September 2019</i> (These issues can be captured and dealt with via other means – Briefings/email/officer action etc)  The style and tone of this review should be that it focuses on getting the approach and focus right rather than focusing on being prescriptive about changes to committee structures. The outcomes should focus on: how we do it; what we do; skills & capacity; how improved outcomes are achieved.  If the review agrees to undertake a Scrutiny and Executive Protocol that this be considered following the review as a possible outcome.
<b><u>Background Documents/data</u></b> that can be provided to the review	<i>As identified by the Committee at the draft scoping meeting 23 September 2019:</i> Evidence requested: <ul style="list-style-type: none"> <li>• Government Statutory Guidance on Overview and Scrutiny in Local and Combined</li> </ul>

	<p>Authorities <a href="https://www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities">https://www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities</a></p> <ul style="list-style-type: none"> <li>• Notes from the Centre for Public Scrutiny (CfPS), Government Scrutiny Guidance Symposium (attached)</li> <li>• CfPS Scrutiny Evaluation Framework (<a href="https://www.cfps.org.uk/wp-content/uploads/CfPS-Scrutiny-Evaluation-v2-SINGLE-PAGES.pdf">https://www.cfps.org.uk/wp-content/uploads/CfPS-Scrutiny-Evaluation-v2-SINGLE-PAGES.pdf</a> )</li> <li>• Current Scrutiny Committees Terms of Reference and Work Programmes <a href="http://www.stevenage.gov.uk/content/committees/96416/Part4E-Overview-and-Scrutiny-Procedure-Rules-updated-October-2016.pdf">http://www.stevenage.gov.uk/content/committees/96416/Part4E-Overview-and-Scrutiny-Procedure-Rules-updated-October-2016.pdf</a></li> </ul> <p>Work Programmes -</p> <p><a href="https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=151&amp;MId=4388&amp;Ver=4">https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=151&amp;MId=4388&amp;Ver=4</a></p> <p><a href="https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=154&amp;MId=4389&amp;Ver=4">https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=154&amp;MId=4389&amp;Ver=4</a></p> <p><a href="https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=133&amp;MId=4268&amp;Ver=4">https://democracy.stevenage.gov.uk/ieListDocuments.aspx?CId=133&amp;MId=4268&amp;Ver=4</a></p> <ul style="list-style-type: none"> <li>• LGA Guidance - <a href="https://www.local.gov.uk/sites/default/files/documents/tomorrows-people-guide-ov-f48.pdf">https://www.local.gov.uk/sites/default/files/documents/tomorrows-people-guide-ov-f48.pdf</a></li> </ul>
<p><b><u>Agreed Milestones and review sign off</u></b> -To be agreed by Members and officers</p>	<p><i>Formal response from Executive Portfolio Holder (Executives have a Statutory requirement to respond to Scrutiny review recommendations two months after receiving a final report and recommendations of a review: <b>Date Executive Portfolio responses are expected</b> (dependent on the final report &amp; executive portfolio response template publishing date): <b>DD MM YY</b></i></p> <p><b><i>Date for monitoring implementation of recommendations – final sign off (typically one year from completion of the review): <b>DD MM YY</b></i></b> (Close to this date the Select Committee will receive a report at a Committee meeting to agree the final sign off of the review recommendations)</p>

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### Scrutiny Self Evaluation Framework Scoring Matrix

Key Areas	Current Procedure (brief description + presentation for each column) (Score 5 high 1 low)	Scrutiny & Executive Member Involvement (Score 5 high 1 low)	SLT involvement (Score 5 high 1 low)	Strengths (Commentary)	Weaknesses (Commentary)	Overall score (out of 15)	Opportunities for improvement (to be completed by Members & Officers at the meeting)
1.Work Programming	<p>Work programming starts in Jan/Feb. Scrutiny Members provide Scrutiny Officer with issues. Council's Social Media canvass views of public. Issues brought to Members in Committee reports in March, following discussion with SDs and ADs.</p> <p><u>Score of current procedure:</u></p>	<p>Each Scrutiny Member is invited to contribute ideas. Response rate is a little over 50%</p> <p>Executive Members are not able to direct the work programmes of the Scrutiny Committees. On occasions the Executive have requested scrutiny members to review a strategically important issue such as Sickness management at the Council.</p> <p><u>Score Member Involvement:</u></p>	<p>SLT receive details of the ideas that Members have raised when the report is being drafted. Following Members decision at the 3 meetings in March the work programme items for each committee are shared with SLT to agree timings and commitments.</p> <p><u>Score of SLT Involvement:</u></p>	<p>There is a long lead-in time allowing Members, Officers and the Public opportunities to influence what is scrutinised.</p> <p>Suggested work programme items go through a vigorous selection process to agree items.</p> <p>The process is Member led with the final decision sitting with Committee Members to agree their own work programmes</p>	<p>There is a limit to the number of items that can effectively be addressed by the three Committees so choices have to be made regarding what stays on the work programme.</p> <p>It could be argued that prioritisation could be improved.</p> <p>Agreeing a work programme before a new municipal year with potentially new Members and Chairs on a committee ties the committee to the programme.</p> <p>Testing potential impact/benefits of a review</p>	<p><u>Score out of 15:</u></p>	
2.Scoping	<p>Each substantive review item has a scoping document drafted and presented to the Select Committee for consideration. At the work programming stage it is agreed which items require a scope. The scoping document includes what the issue is that Members wish to scrutinise, who to interview, what info to collect, which areas Members wish to take a lead on? Etc.</p> <p><u>Score of current procedure</u></p>	<p>Currently the Chair and Vice-Chair receive an early draft copy of the scoping document. Scrutiny Members are then invited to comment and change the scoping document at a committee meeting.</p> <p><u>Score Member Involvement:</u></p>	<p>SLT receive a copy of the draft scope written by the Scrutiny Officer. A meeting is convened or there are emails between the Scrutiny Officer/SD &amp; ADs and the Chair &amp; Vice-Chair. SLT provide comment on content.</p> <p><u>Score of SLT Involvement:</u></p>	<p>Scoping provides a focus for the review and establishes who to interview and which evidence to collect.</p> <p>The form provides a simple document for Members and officers to complete.</p>	<p>It is hard for Members to determine probable or possible outcomes from a review until the review is undertaken.</p> <p>Even though scoping establishes an outline of issues to investigate, evidence to obtain and a list of who to speak to, it is still possible for there to be "mission creep"</p>	<p><u>Score out of 15:</u></p>	

Key Areas	Current Procedure (brief description + presentation for each column) (Score 5 high 1 low)	Scrutiny & Executive Member Involvement (Score 5 high 1 low)	SLT involvement (Score 5 high 1 low)	Strengths (Commentary)	Weaknesses (Commentary)	Overall score (out of 15)	Opportunities for improvement (to be completed by Members & Officers at the meeting)
3.Evidence Gathering/site visit/interviews	Depending on the review site visits are set up. Information is sought from ADs and lead officers as well as desk top research compiled by Members who agree to take lead roles and the Scrutiny Officer. Setting up of interviews and areas to invite lines of enquiry.  <u>Score of current procedure</u>	Members are involved with preparing questions for witnesses, attending site visits and undertaking their own desk top research using the internet and talking to resident and community groups to gather information.  <u>Score Member Involvement:</u>	ADs and Lead Officers take a lead on site visits and in providing evidence that Members have requested.  <u>Score of SLT Involvement:</u>	Members who carry out their own desk top research and evidence gathering is a very welcome development over the last few years as it adds independence to the process.  Interviews –Questioning skills  Site visits -	The decision making about what information /evidence/questions to ask etc. has an impact on what evidence and ultimately what recommendations the Committee make. If a particular emphasis is taken with questioning then the outcomes may be less productive than they could be, i.e. closed questions with witnesses	<u>Score out of 15:</u>	
4.Final reports & recommendations	Nearing the end of the review the Scrutiny Officer drafts a report which is sent to the Chair & Vice-Chair as well as the lead officer/Assistant Director for comment.  Once agreed the draft report goes to Committee for Members to comment on and then a final version is published.  <u>Score of current procedure</u>	The Chair and Vice-Chair receive a copy of the first draft for comment prior to sending to the whole Committee.  Scrutiny Members own this process and have an opportunity to agree, amend or add additional recommendations prior to the final report being published.  <u>Score Member Involvement:</u>	SDs & ADs have an opportunity to amend the wording of reports and recommendations in consultation with the Chair's agreement. Ultimately the final word should be with the elected Member.  <u>Score of SLT Involvement:</u>	The review process makes Members and officers focus on practical outcomes that the Executive need to consider.  The report provides a clear narrative of the issues that Members considered and why they are making specific recommendations.	Similar to above if the emphasis and direction of questioning is focused on a particular issue then the recommendations can be slanted towards this view.  On occasion reviews generate too many recommendations which can dilute the impact of the review, so splitting recommendations to high, medium and low priority or short or long term can help.  Is it a top priority to consider for the Future Town Future Council corporate plan?	<u>Score out of 15:</u>	
5.Monitoring outcomes	As part of the monitoring of recommendations and agreed actions, reports are responded to within the Statutory deadline of two months from the publishing date. In addition Members agree a suitable period to bring matters back to Committee to monitor progress, this is normally	Executive Portfolio Holders and relevant officers receive a template document detailing the recommendations following the publishing of final reports.  <u>Score Member Involvement (both Scrutiny &amp; Exec):</u>	The relevant ADs and officers meet up with the Executive Portfolio Holder within the Statutory 2 month period to agree the response to the recommendations.  <u>Score of SLT Involvement:</u>	Once reports and Recommendations are agreed a template document is used to circulate the recommendations to the relevant Executive Portfolio holder and ADs/Officers for response. This makes the lines of responsibility clear and also makes	Beyond the Statutory 2 months Executive response to reports and recommendations and the six month or yearly monitoring of reports there is no fixed way at present to continue monitoring review actions and outcomes.	<u>Score out of 15:</u>	

<b>Key Areas</b>	Current Procedure (brief description + presentation for each column) (Score 5 high 1 low)	Scrutiny & Executive Member Involvement (Score 5 high 1 low)	SLT involvement (Score 5 high 1 low)	Strengths (Commentary)	Weaknesses (Commentary)	Overall score (out of 15)	Opportunities for improvement (to be completed by Members & Officers at the meeting)
	either six months or a year later.  <u>Score of current procedure:</u>			sure that a response is received.			
6.Council Priority	Within the scoping process, Scrutiny Members are invited to reflect on the suitability of the subject matter being scrutinised and whether this fits with the Council's core priorities?  <u>Score of current procedure:</u>	Scrutiny Members are invited to agree the work programme items through the process explained above, this provides adequate time to test the suitability of the issue and whether it links to the Council's priorities.  <u>Score Member Involvement:</u>	SD & ADs are able to comment on the suitability of a work programme item when the work programme is being considered and also at an early stage in the scoping process.  <u>Score of SLT Involvement:</u>	At its best Scrutiny brings a focus to important local matters that the Executive are not able to focus as much time and attention on, examples of this are the reviews into Damp, Mould and Condensation in Council Properties, Meetings with Rail Companies & Public Health discussions, Indoor Market, Sickness review are some recent examples.	Sometimes the choice of review items are not linked to the Council's direct priorities or services and sometimes are not linked with the Future Town Future Council priorities. However, this can also be argued that there are benefits to this e.g. looking at Rail, Bus users, Public Health etc. which are not council services but are important to local people.	<u>Score out of 15:</u>	

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