



Open Report on behalf of Andrew Crookham, Executive Director - Resources

Report to:	Overview and Scrutiny Management Board
Date:	29 September 2022
Subject:	Review of the Scrutiny Function

Summary:

This report presents the findings and action plan as a result of the review into the scrutiny function by the Centre for Governance and Scrutiny.

Actions Required:

The Overview and Scrutiny Management Board is invited to: -

- 1) consider the findings of the Scrutiny Review; and
- 2) endorse the action plan arising from the Review.

1. Background

- 1.1 Lincolnshire County Council utilises the specialist model of scrutiny support, employing three specialist scrutiny officers to cover a range of committees, panels and working groups.
- 1.2 Following some high-level discussions with Group Leaders on the effectiveness of scrutiny, a review of the scrutiny function was commissioned. The Centre for Governance and Scrutiny (CfGS) undertook this work during March 2022.
- 1.3 CfGS was given the remit to:
 - explore the relationship between democratic services and scrutiny in providing expertise and support to the scrutiny function;
 - test the service's ability to meet the expectations of Executive and Opposition Members in regard to democratic accountability;
 - health-check the transparency, impact and effectiveness of decision-making;
 - assure the Council that it is taking an innovative approach; and
 - examine whether its framework maximised the impact of scrutiny within its governance arrangements.

- 1.4 The review was conducted by seeking feedback from a number of stakeholders including elected Members, and senior officers; observing meetings; and reviewing reports. A common theme from interviews with officers and Councillors was the desire to see scrutiny provide robust, constructive challenge, which is key to giving the public confidence in the Council's decision-making.

2. Details

- 2.1 The feedback from the review was essentially very positive with a general view that Lincolnshire performs well when compared with other local authorities – particularly excelling in:

- preparation and dedication of scrutiny councillors;
- execution of Pre-Decision scrutiny;
- profile and importance of the scrutiny function amongst officers;
- cross-party working; and
- capable and professional team members.

- 2.2 The remit of the review asked for commentary on the effectiveness of our support model for the Scrutiny Function which was provided as well as identifying three areas for development:

- Clear Separation between the Executive and Scrutiny;
- Strategic Questioning; and
- Scrutiny Ownership of the Scrutiny Work Programme.

Each of these areas are addressed in turn below and detailed with suggested remedies within the associated Action Plan attached at Appendix 1.

PERFORMANCE OF SUPPORT MODEL

- 2.3 Our specialist model of scrutiny is one that the CfGS endorses. In their annual scrutiny survey, they found that the specialist model was more likely to be associated with effective scrutiny and that: *“Although effective scrutiny is possible under a range of models (...), CfGS considers that the specialist model provides the best opportunity for robust, constructive, high-quality support to councillors.”* However, the reviewer observed that there was often confusion from those looking in, about the differences between the roles of Scrutiny Officers and Democratic Services Officers, particularly at meetings.

The Action Plan seeks to address this through a series of remedies to help avoid future duplication of effort and inhibited capacity through overlap between the roles of Democratic Services Officers and Scrutiny Officers and having clearer demarcation between the two.

SEPARATION BETWEEN THE EXECUTIVE AND SCRUTINY

- 2.4 The Council's current Executive/Scrutiny protocol encourages communication between Executive Councillors and Scrutiny Committees. Executive Councillors are invited to all scrutiny meetings and scrutiny chairmen are expected to present the scrutiny comments at meetings of the Executive. However, the review recommends consideration of a different relationship for items of policy development and pre-decision scrutiny.

To provide a more strategic approach to questioning, it is recommended that Executive Councillors present policy development reports at scrutiny meetings and participate in Q&As with chief officers. However, it is recommended that Executive Councillors attend as observers for pre-decision items and that feedback from those meetings is provided in the form of recommendations, rather than simply comments.

STRATEGIC QUESTIONING

- 2.5 The Action Plan suggests ways to improve the effectiveness of questioning to provide robust constructive challenge. These include Scrutiny Officers playing a proactive role in supporting lines of enquiry for the committee. This is dependent on the ability to free up the capacity of Scrutiny Officers to carry out this role.

SCRUTINY OWNERSHIP OF WORK PROGRAMME

- 2.6 A common theme of the various reviews of scrutiny undertaken in recent years has centred on scrutiny's ownership of the scrutiny work programme and the Action Plan seeks to address this point. There is likely to be a need for capacity within the system to cater for last minute scrutiny items, but an annual scrutiny conference/workshop, informed by the Council's forward plan, can go a long way to giving scrutiny councillors clearer direction. Key to the success of this approach is the engagement in the process of scrutiny members.

3. Conclusion

- 3.1 Group Leaders have considered the comments made by the reviewers and it is believed that in delivering the Action Plan it will address each area of the scrutiny function identified for improvement.
- 3.2 The impact of delivery will be that the capacity of the scrutiny team to meet this demand will be increased through the clear role definition between Democratic Services Officers and Scrutiny Officers. This will have a small capacity impact on the Democratic Team which is currently being considered.
- 3.3 The overall impact will be that a stronger challenge and dialogue between scrutineers and the Executive will be created which will, in turn, enhance decision-making.

4. Consultation

a) Risks and Impact Analysis

There are no risks arising from this report.

5. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Scrutiny Review Action Plan

6. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Correspondence from CfGS	Democratic Services, LCC, County Offices, Newland, Lincoln

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