

To: All Members and Substitute Members of  
the Joint Overview and Scrutiny  
Committee  
(Other Members for Information)

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Date: 15 April 2016

**Membership of the Joint Overview and Scrutiny Committee**

Cllr Pat Frost	Cllr Simon Inchbald
Cllr Nicholas Holder	Cllr Peter Isherwood
Cllr Paddy Blagden	Cllr Anna James
Cllr Andrew Bolton	Cllr Denise Le Gal
Cllr Maurice Byham	Cllr Denis Leigh
Cllr Carole Cockburn	Cllr Peter Martin
Cllr Jim Edwards	Cllr Kika Mirylees
Cllr Brian Ellis	Cllr David Munro
Cllr Patricia Ellis	Cllr Nabeel Nasir
Cllr Jenny Else	Cllr Libby Piper
Cllr Mary Forszewska	Cllr David Round
Cllr John Fraser	Cllr Richard Seaborne
Cllr Michael Goodridge	Cllr Chris Storey
Cllr Tony Gordon-Smith	Cllr Ross Welland
Cllr Ged Hall	Cllr Liz Wheatley
Cllr Val Henry	Cllr Nick Williams
Cllr Christiaan Hesse	Cllr John Williamson
Cllr David Hunter	

**Co-opted Members from the Tenants' Panel**

Adrian Waller

Terry Daubney

Dear Councillor

A meeting of the JOINT OVERVIEW AND SCRUTINY COMMITTEE will be held as follows:

DATE: MONDAY, 25 APRIL 2016

TIME: 7.00 PM

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,  
GODALMING

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR  
Head of Policy and Governance

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## NOTES FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

### AGENDA

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTERESTS

To receive from Members declarations of interests in relation to any items included on the agenda for this meeting, in accordance with the Waverley Code of Local Government Conduct.

3. JOINT OVERVIEW & SCRUTINY COMMITTEE'S REVIEW INTO THE OVERVIEW AND SCRUTINY ARRANGEMENTS AT WAVERLEY - INTERIM REPORT OF THE SUB-COMMITTEE (Pages 5 - 56)

The Joint O and S Review Sub-Committee was established in October 2015 to carry out a review of the arrangements for Overview and Scrutiny at Waverley. The Sub-Committee has utilised the Centre for Public Scrutiny self-evaluation framework to support the review, along with a self assessment by councillors, and the interim report of the Sub-Committee is now presented to the Joint Overview and Scrutiny Committee for consideration.

Recommendation

**It is recommended that the Committee considers the interim report and provides feedback on the Sub-Committee's findings and recommendations.**

4. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:

Recommendation

That, pursuant to Procedure Rule 20, and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of Part I of Schedule 12 A to the Act (to be identified, as necessary, at the meeting).

5. ANY ISSUES TO BE CONSIDERED IN EXEMPT SESSION

To consider matters (if any) relating to aspects of any reports on this agenda which it is felt may need to be considered in Exempt session.

**For further information or assistance, please telephone  
Emma McQuillan, Democratic Services Manager, on 01483 523351 or  
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## **Interim Report by the Joint Overview & Scrutiny Sub-Committee on the Review of Overview and Scrutiny Arrangements at Waverley.**

### **Foreword – Cllr Pat Frost**

*The principal way in which non-Executive Members may make a positive contribution to the work of the Council is through their role on Overview and Scrutiny.*

*The extent to which the Overview and Scrutiny committees are able to fulfil their purpose effectively depends on having the right structure, procedures and organisational culture to support the process. One of the longstanding challenges for overview and scrutiny is that there is no simple definition of ‘overview and scrutiny’, and no single model of how it should operate.*

*The last Member-led review of overview and scrutiny arrangements at Waverley took place in 2004/05, and responded to feedback from the Audit Commission. In the absence of external scrutiny of the Council’s overview and scrutiny arrangements, it is even more important that Members periodically take time to reflect on their work, and how they support the delivery of Council services, and achieving Council priorities.*

*The feedback received via the Member survey indicates that some newer Members do not feel the role of scrutiny has been clearly articulated; nor is it particularly evident in practice. Feedback from longer-standing Members is that scrutiny tries to do too much, and as a result doesn’t do anything particularly well. It is important that these issues are addressed so that all Members are engaged with the role of overview and scrutiny, and it is valued for its ability to make a genuine contribution to the work of the Council.*

*The Sub-Committee would like to thank those Members that responded to the survey and met with the Sub-Committee to share their views and experiences of overview and scrutiny at Waverley. There is clearly frustration with the current arrangements, but also an appetite to improve. Our research has shown that the issues this Review aims to address are not at all uncommon in local government, and many councils have taken similar steps to those we are proposing to solve their local scrutiny conundrum.*

*This Review is the start of a process to improve scrutiny at Waverley. We anticipate that the next year will involve both training and some ‘learning on the job’ for scrutiny members, and that the work of the Overview and Scrutiny Review Sub-Committee will continue, in order to evaluate the impact of the proposals on the effectiveness of overview and scrutiny, and satisfaction of Waverley Members with their role as scrutiny Members.*

## **Review of Overview and Scrutiny Arrangements in Waverley – Interim Report**

### **1. Purpose of the report**

- 1.1 To present the initial findings, conclusions and draft recommendations of the review conducted into the Overview and Scrutiny (OS) arrangements within Waverley Borough Council, and stimulate discussion.
- 1.2 To obtain feedback from Members on the draft recommendations for OS arrangements at Waverley, to inform the development of the final recommendations of the OS Review Sub-Committee.

### **2. Summary**

- 2.1 The review has been carried out by a sub-committee of the Joint OS Committee, comprising : Cllr Pat Frost (Chairman [Chairman of Corporate OS Committee])  
Cllr Jenny Else (Vice-Chairman [Vice-Chairman of Community OS Committee])  
Cllr Jim Edwards  
Cllr Peter Isherwood  
Cllr Denis Leigh  
Cllr Liz Wheatley
- 2.2 The Executive appointed the Sub-Committee ‘to review the Terms of Reference and arrangements for Overview and Scrutiny at Waverley.’ The Sub-Committee discussed this remit and in view of the length of time since Waverley’s OS arrangements were last reviewed comprehensively, and anecdotal evidence of member dissatisfaction with OS arrangements, it was agreed that the review should be undertaken in the context of evaluating the effectiveness of Waverley’s OS in relation to the four principles of effective scrutiny as defined by the Centre for Public Scrutiny (CfPS).
- 2.3 The CfPS is a national organisation, established in 2003 to promote the value of scrutiny in modern and effective local government. The four principles were developed in 2003 and have been widely adopted and used as benchmark to assess the effectiveness of scrutiny in many local authorities and other organisations operating different models of OS.
- 2.4 According to the four principles, good scrutiny:
  - provides a constructive ‘critical friend’ challenge – holding decision-makers to account
  - amplifies the voices and concerns of the public
  - is led by independent people who take responsibility for their role
  - drives improvement in public services and makes a difference

*CFPS Good Scrutiny Guide 2003*

- 2.5 The CfPS self-evaluation framework provides an objective approach to assessing Waverley’s OS arrangements, by which the Sub-Committee aims to:
- demonstrate the effectiveness of O&S at Waverley
  - identify areas and means for improving O&S at Waverley
  - provide objectivity by identifying evidence that supports the answers to questions in the self-evaluation
  - highlight potential barriers to improvement

The findings may then be used to develop an improvement plan against which performance can be re-assessed in the future.

- 2.6 The Sub-Committee has drawn evidence from a range of sources including:
- the all-Member Survey;
  - interviews with non-Executive and Executive Members;
  - attendance by Sub-Committee Members at a Regional OS Networking Seminar at Rushmoor BC;
  - observation of Waverley Executive meetings;
  - discussion with Cllr Tony Rooth, Guildford BC regarding Guildford’s review of governance arrangements;
  - attendance by Cllr Jenny Else at a CfPS workshop on performance management and scrutiny;
  - review of Waverley OS committees’ agendas and work programmes;
  - desk-top reviews of the OS and governance reviews undertaken by various councils over the past 10 years;
  - academic research and reports on the implementation and impact of scrutiny in local government; and,
  - articles by the Centre for Public Scrutiny identifying good practice in scrutiny.

- 2.7 Our research has shown very clearly that the issues that have been identified as being problematic and challenging for Waverley’s OS function are not unique to Waverley, and have been reported by many other local authorities undertaking similar reviews to this one; and in professional research into overview and scrutiny in local government. It is worth noting, however, that the findings of this review correspond closely to the findings of reviews undertaken 5 -10 years ago, which suggests that Waverley’s OS arrangements and practices have not developed significantly since they were first introduced.

- 2.8 The view of the Sub-Committee is that whilst there are some important structural, procedural, training and resource issues to be addressed that would help OS to be more effective, the fundamental issue is a cultural one, in that OS is not highly valued by Members (both Executive and OS Members) or officers. As a result, over the last 8 years in particular there has been a gradual self-reinforcing decline in the effectiveness of OS. The themes emerging from the review are inter-linked;

the recommendations aim to address the understanding of OS and the way in which OS is undertaken and supported. The recommendations are interdependent and presented as a whole, rather than a menu of options to choose from.

2.9 The following report provides background to OS, nationally and at Waverley; sets out the Sub-Committee’s findings and conclusions, and makes a number of recommendations. In short, OS at Waverley is neither as effective as it could be; nor does it add as much value to the work of the Council as it ought to. OS needs to make improvements in order to effectively hold the Executive to account and make a valuable contribution to the development of policies and delivery of Council services.

## 2.10 Summary of Recommendations:

### **Support and resources**

#### **Recommendation 1**

Council should recognise the need for OS to be adequately resourced in order to maximise its effectiveness, including provision of dedicated officer support for OS, if necessary through redeployment or reallocation of officer time.

#### **Recommendation 2**

Council should recognise the need for investment in training for Heads of Service and Managers across the Council to promote better understanding of the distinctive role and requirements of OS, and how this differs from the role of the Executive.

#### **Recommendation 3**

Council should invest in member development opportunities to support councillors in developing the skills necessary for effective scrutiny work, including:

- training for all members to ensure shared understanding of the role of OS
- training for OS members to enable them to develop in their role, including: training for OS chairmen and vice-chairmen in leading OS; scrutiny skills; using performance management as a scrutiny tool; the role of scrutiny in procurement and project delivery; and, understanding the role of scrutiny in improvement.

### **Culture and understanding of OS**

#### **Recommendation 4**

Council to recognise that the role of OS is to hold the Executive to account, to review and develop policy, and to scrutinise the work and impact of the council and external agencies on the local community. Council should declare its commitment to supporting OS to perform this role effectively.



**Recommendation 5**

Council should recognise the contribution of an effective OS function to the good corporate governance of the council, and the need for OS to work constructively with – but independent of – the Executive.

**Recommendation 6**

Council to support the suggestion that OS Chairmen and Vice-Chairmen should develop regular communication arrangements with 1) Members of the Executive; 2) the Audit Committee Chairman and Vice-Chairman; and 3) Corporate Management Team.

**Recommendation 7**

Council to recognise that party politics will influence the working of OS, especially where the majority of OS members are the same political party as the Executive; but also agree that the place for ‘party political point scoring’ is Council, not OS.

**Recommendation 8**

Council to welcome OS Chairmen and Vice-Chairmen as scrutiny champions, and to recognise the particular attributes needed to fulfil these roles.

**OS Structure**

**Recommendation 9**

OS committees to be aligned with Corporate Plan Priorities, and with broad remits as described in section 9.

**Recommendation 10**

One OS committee formally to be Waverley’s designated Crime and Disorder Committee.

**Recommendation 11**

The role and remit of the Audit Committee to be reviewed with consideration being given to including scrutiny of all aspects of Waverley’s corporate governance, including an annual review of the Constitution, and the Member Code of Conduct.

**Recommendation 12**

The role and remit of the Joint Planning Committee to be reviewed with consideration being given to including scrutiny of planning performance (including the performance on appeals, and planning enforcement) and overview of planning policy.

**Recommendation 13**

Officers to develop detailed terms of reference, to include both overview and scrutiny roles, and including recommendations on the size of the OS Boards (and Audit [& Governance] Committee) and frequency of meetings.

## **OS Processes and procedures**

### **Recommendation 14**

That Council adopts the principle that OS needs to be selective in identifying the areas it wishes to scrutinise in order to carry out the task properly, and should therefore focus on issues where it can add value.

### **Recommendation 15**

That channels for Member communications are developed so that OS agendas do not have to be used to share information for 'noting' that can be provided in other ways.

### **Recommendation 16**

OS work programmes to include a planned rolling programme of attendance by Executive Portfolio Holders to give an update on their portfolio and answer questions from OS, as part of the OS function to 'hold to account'.

### **Recommendation 17**

The Council's Budget and Policy Framework to be reviewed and OS role in policy review and development and review to be clarified, incorporating the principle that OS is included at a sufficiently early stage to make a genuine contribution to the process.

### **Recommendation 18**

The Council's Performance Management Framework to be reviewed and aligned with Waverley's new Corporate Plan 2016-19 and the Corporate Priorities set out therein. As part of this work, it is recommended that OS members are given specific training on performance monitoring and how to use this tool to drive improvement in council services and customer satisfaction.

### **Recommendation 19**

That the Council supports the 'task and finish' group approach to carrying out scrutiny reviews, and that each of the OS Boards has authority to establish Task and Finish Groups as necessary to complete its agreed work programme. All non-executive members to be eligible to serve on Task and Finish Groups, in order to maximise use of members' interests, skills and experience.

### **Recommendation 20**

The Council to ask the Executive Director and Head of Policy & Governance to instruct officers to develop an action plan to implement the recommendations, and to draw up any changes to the Constitution arising from the agreed recommendations.

### **Recommendation 21**

Council to agree that the implementation of the new OS arrangements should be

kept under review by the OS Management Board, and Members' views on the effectiveness of the new arrangements be canvassed in 18 months time as a means of assessing Member satisfaction with their role.

### **3. Background**

#### National

- 3.1 OS arrangements were introduced to local government in the Local Government Act 2000, which created separate Executive and OS functions within most local authorities. The 2000 Act required that each council have a written constitution, which should specify the functioning of the OS structures (including the number, membership and powers/rights of committees) and define the working of the call-in function; it also introduced a new concept of a 'community leadership role' for councils.
- 3.2 The purpose of introducing the OS role in local government was to ensure that decision-making was efficient, transparent and accountable, and the best decisions are taken in the interests of people and their habitats.
- 3.3 There was little in the 2000 Act to indicate what the scrutiny role should consist of, but subsequent guidance identified four roles for OS:
- Holding the executive to account, including (but not limited to) right of call-in;
  - Policy development and review;
  - Performance management; and
  - Scrutiny of public services delivered by external organisations.

The programme of work for OS should seek to balance these roles according to council priorities, which may change from time to time. Overall, OS should make a positive contribution to the work of the council.

- 3.4 Councils were allowed considerable scope to structure their scrutiny arrangements as they saw fit, and a variety of structures emerged. In the years since OS was introduced in local authorities there has been a considerable amount of research into how the role has been implemented, and how effective it has been.
- 3.5 Although there is more clarity about the value and potential of the OS function in local government, it still presents a challenge to local councils. The lack of prescription around how OS should be put into effect is both a strength and a weakness. What works well in one council, may not be at all effective in another. In order to work, OS needs both the infrastructure to be right – the OS committee structure and the operating procedures and practices – and for there to be a culture throughout the authority that values and respects the role of OS, and encourages and supports Members to explore the full potential of the function.
- 3.6 An LGA report in 2001 recognised that 'holding to account' could be difficult for an

OS committee dominated by the same political party as forms the executive, and this conflict could also extend to senior officers. The authors suggested a set of conditions needed for scrutiny to succeed:

- Member leadership and engagement;
- An executive which is responsive to scrutiny recommendations;
- Genuine working across party groups;
- Effective officer support;
- A supportive culture in the wider officer milieu; and,
- A high level of awareness and understanding of the scrutiny process generally.

(A Hard Nut to Crack? Making Overview and Scrutiny work)

### Waverley

- 3.7 Waverley launched its OS arrangements in 2001 with three OS committees:
- Strategy, Resources & Best Value (Corporate)
  - Housing, Welfare & Community liaison (Community)
  - Planning, Environment & Leisure (Environment & Leisure)
- 3.8 In response to non-Executive members' initial difficulty in getting to grips with their new role, consideration was given to a revised model of working:
- Proposed separation of *overview* and *scrutiny* functions
  - 1 Scrutiny committee – call-in and select committee roles, plus structured series of reviews of topics not part of the Executive forward programme
  - 2 Overview committees – focus on policy flow to the Executive i.e. *pre-decision scrutiny*, policy reviews and monitoring performance against policy and targets.
- 3.9 Identified weaknesses that the proposals were trying to address included:
- Non-Executive members' need for greater feeling of involvement in decision-making compared to the committee system
  - Positive contribution of the overview function would be emphasised
  - Scrutiny function to emphasise positive select committee mode over negative call-in
  - Perceived uneven distribution of workload between the 3 committees
  - Feeling that more reviewing and debating of policy had taken place under the committee system
- 3.10 Arguments against the split were that it was too soon in the implementation of OS to be making changes; splitting overview and scrutiny functions prevented all backbenchers from being involved with all aspects of OS; potential for increased duplication of work between committees; Member expertise could be unutilised; and potential for increased use of call-in by the opposition.

- 3.11 Whilst there was no consensus to change the OS arrangements at that time, the Council agreed that:
- OS be recognised as a resource for the Council;
  - Workload between the three committees to be re-distributed, to reduce parallels being drawn between Corporate OS and the old Policy & Resources Committee;
  - Cross-cutting issues to be allocated by a co-ordinating panel;
  - Training to be provided to develop the roles of OS Chairman and Vice-Chairman
- 3.12 The next substantive members' review of OS at Waverley was in 2004, when the Constitution Special Interest Group (SIG) carried out an in-depth review of OS best practice. This was partly prompted by the Audit Commission's 2004 CPA report which drew attention to two areas of Waverley's OS activity needing improvement – developing challenge in scrutiny, and arrangements for monitoring performance and improvement.
- 3.13 The SIG reviewed the OS committee work programmes, and visited other councils identified by the Audit Commission as demonstrating good practice in OS activity. The review highlighted Waverley's organisational culture and formality of OS meetings as being potential barriers to improvement, and recommended an increased role for members in researching issues and reporting, and closer officer-member working relationship. Proposals to improve OS were considered by the OS committees, but there was no consensus for any significant change in the way of working in order to raise the level of effectiveness, highlighting the cultural problem.
- 3.14 Other than amendments to the Constitution to reflect changes in legislation (including introduction of Councillor Call for Action arrangements) the most significant changes to Waverley's OS arrangements have been:
- In April 2011 – Community and Environment & Leisure OS committees merged to create a Services OS committee (commonly known as Community OS);
  - In April 2012 – Housing moved from Community OS to Corporate OS to even up the workloads between the committees; Housing Improvement Sub-Committee formed to replace the Landlord SIG;
  - In February 2014 – call-in procedure improved to ensure that the reasons for calling-in an Executive decision are specified by the instigator of the call-in; and, in the event of a single party Executive, the Chairmen of the two Overview and Scrutiny Committees should be nominated from the larger minority group on the Council, *subject to the total number of Opposition members on the Council exceeding 10% of the overall membership (in the current composition of the Council, this would equate to 6 members).*
- 3.15 This brief history of OS arrangements at Waverley highlights the fact that there has

been very little development of the OS function since it was first introduced, with only minor adjustment to the service remits of the committees to try and even up the workload. There has been no comprehensive review of OS effectiveness since 2005, and this is reflected in the nature of the findings and recommendations emerging from the current review. The suggestions for improvements in operating practices are similar to those that other councils were proposing in reviews undertaken 10 years ago.

#### **4. Findings – OS at Waverley**

4.1 Councils are required to set out in their constitution their OS arrangements. Most council constitutions are based on the model constitution issued in 2001, amended subsequently to account for legislative changes and local requirements. The terms of reference of Waverley’s OS committees are set out in Article 6 of the Constitution, along with the description of the general role and specific functions. The high-level working arrangements for OS are set out in the OS Procedure Rules.

4.2 Article 6 of the Constitution emphasises the important role that OS has in the Council’s governance framework:

*“Overview and Scrutiny Committees are a key element of executive arrangements. They are the means by which the Executive is held to account for its decisions on the implementation of Council policy and provide an opportunity for a methodical review of performance and the effectiveness of policies; and act as a check and balance on the powers of the relatively small group of councillors who make up the Executive.*

*Effective scrutiny is essential to achieve enhanced accountability and transparency of the decision-making process. Overview and Scrutiny Committees also have a key role in the policy development process, in reviewing budgetary and general policies, making recommendations either to the full Council or the Executive on future policy options and providing the framework for accountable, transparent decisions. The Council is committed to establishing a constructive and creative relationship between the Executive and scrutiny roles in Waverley and partner organisations.*

*The guiding principle of the overview and scrutiny function is that the process should make a positive contribution to the work of the Council.”*

4.3 Generally, the constitutional basis for OS is adequate, although on its own it is not particularly helpful guidance for Members trying to get to grips with this challenging role. The preamble quoted above sets out fundamental principles for OS, but arguably it is the absence of a ‘constructive and creative relationship’ between the Executive and OS that is a key limiting factor in the contribution that OS is able to make to the work of the Council, which is a cultural problem

4.4 Committee remits

Waverley’s two OS committees cover the following service areas, as defined in Article 6. Both committees do ‘overview’ and ‘scrutiny’:

Community O&S	Corporate O&S
Community welfare	Corporate Finance
Older people in the community	Provision of Housing Services
Day centres	Any inspection framework in place
Community safety	Value for Money
Town and village liaison	Corporate and Community Strategies
Rural issues and the voluntary sector	Partnership Working
Environment	Member communications
Planning and major developments	Asset management
Economic development	Information technology including telecommunications
Land drainage	Human Resources including Waverley Training Services
Business Liaison	Corporate Communications and Public Relations
Cultural and leisure provision and youth	Customer Service
	Co-ordinating and publishing information on service performance
	Elections and electoral registration
	Locality Offices

- 4.5 The list of areas covered by each committee reflects both its origins in 2001, and piecemeal revisions over the years. There are a number of anomalies, including:
- some odd combinations (Human resources and Waverley Training Services; rural issues and the voluntary sector), which are legacies of minor amendments to the terms of reference over a number of years;
  - some terms used are no longer relevant, e.g. Value for Money (which followed on from Best Value), and ‘inspection framework’ (previously the Comprehensive Area Assessment);
  - some topic areas are specified in detail (Land drainage; economic development, business Liaison, locality offices); other topic areas are very broad (Environment presumably includes Waste & Recycling, Street Cleaning, Grounds Maintenance, Carbon Management/Reduction; environmental health);
  - some important Council services are omitted e.g. car parking; and should this be a Community item (car parks as community facilities) or Corporate item (management of Waverley asset)?; business continuity and emergency planning [Corporate?]; health and wellbeing, and should this be Community (community welfare) or Corporate (partnership working)?; impacts of welfare reform [Community or Corporate?]).

- there is no connection through OS with Town and Parish Councils, who are one of the Council's key stakeholders;
- Community O&S operates as Waverley's 'crime and disorder' committee, although this isn't explicitly stated in the terms of reference. In accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009, the Committee will consider crime and disorder issues at least once a year and when so doing, will be able to require information and attendance by the relevant responsible authority or co-operating authority.

- 4.6 The co-ordinating mechanism between the committee that was agreed in principle in 2001 has not been established in practice. This Co-ordinating Mechanism Group would have met "as and when called by the Leader to discuss issues where the flow of decision-making is complex, typically on cross-cutting issues. The flow of time critical issues would also be discussed."
- 4.7 The Co-ordinating Mechanism Group would have comprised the Leader and Deputy Leader, the appropriate Portfolio Holder(s) and the Chairmen and Vice-Chairmen of the appropriate OS committees. Officer attendance was to be limited to the (then equivalent of) the Executive Director and Head of Policy & Governance, and the appropriate Directors or their representatives. The OS Review Sub-Committee feels that a regular meeting of such a co-ordinating group, but meeting at the instigation of the OS Chairmen and including the Chairman and Vice-Chairman of the Audit Committee, would be of great benefit in improving relationships between the Executive and OS Chairmen.

#### Committee Work Programmes

- 4.8 At each OS meeting, the committees receive the latest Executive Forward Plan which schedules the earliest likely date for reports to go to the Executive. The OS committees are invited to identify any items that they wish to have sight of on the way to the Executive (pre-decision scrutiny). This connection between the OS work programme and the Forward Plan is good practice.
- 4.9 However, the short-term nature of the Executive Forward Plan means that upcoming items often are only identified to OS committees when they are at a late stage of development, and beyond the point when OS Members can make a contribution to policy development rather than commenting on a final draft.
- 4.10 In practice, many reports are scheduled by officers to go to the Executive via OS as a matter of course. This is seen as being a form of consultation, but in practice proposals are at an advanced stage of development, and have effectively been given the green light by the portfolio holder. The OS committees are therefore in a difficult position of being asked to pass comments, but have relatively little influence to shape the decision.



- 4.11 The timing of the Community OS committee means that comments can usually be included in the agenda report to the Executive. The comments from Corporate OS committee usually have to be circulated as a ‘to follow’ to the Executive agenda, and risk being overlooked. It has not been the practice of either of the OS chairmen to attend the Executive meeting to present their committees’ comments.
- 4.12 There has typically been no feedback following the Executive to the OS Committees on the outcome of items that have been through pre-decision scrutiny, for example to confirm that the recommendation passed, or to note that the OS committees’ comments were acknowledged. This is something that officers can do to ‘close the loop’. It also gives the OS the opportunity to consider how they wish to monitor performance or undertake post-decision scrutiny.
- 4.13 Business that does not require an Executive decision is not highlighted on the Forward Plan, and can remain out of sight of OS unless officers bring a report to the OS committee for information.
- 4.14 The approach to developing the Committee’s work programme differs between Community and Corporate:
- Community’s “Work Programme” has provided an update (in summary form) on items the Committee has looked at in the past, e.g. Superfast Broadband, Air Quality, Waste and Recycling. It has not been used to programme future committee items. With effect from the meeting in November 2015, officers amended the format to follow the same approach as has been adopted by Corporate, so that the Committee Work Programme is a summary of the items coming to future meetings and can be used to ensure that items do not slip without good reason.
- 4.15 Corporate has developed a forward work programme that tracks items agreed for future meetings. This is a relatively new feature, and the absence of it in previous years has meant that follow-up reports on items discussed by the committee have sometimes been missed.
- 4.16 Both Committees’ agendas tend to be dominated by long reports, written as ‘decision’ reports whether they are destined for a decision at the Executive, or just provided for information. Critically, there is little or no interpretative commentary for OS which would help them to challenge constructively the information presented.
- 4.17 Both OS committees receive regular performance monitoring reports. Although the performance management framework has been reviewed and the presentation of data greatly improved, many of the performance indicators that are monitored lack context, therefore it is difficult for the committees to know what to do with the information they are being given. Performance monitoring is important, but not for its own sake.

- 4.18 Over recent years, the OS committees have used call-in powers infrequently. In a council with a significant political majority, this can be an indication of consensual decision-making; or a reluctance of OS to be seen to be challenging their own Executive. As ‘holding to account’ is a primary function of OS, it is important that alternative approaches to call-in are identified to achieve this in a constructive way.
- 4.19 ‘Holding to account’ also extends to external service providers, and this is an important area in which the work of the OS committees can reflect the public voice and act in its community leadership role. Both Community OS (flooding) and Corporate OS (Mears) have achieved some good work in this respect, but OS Members lack practice in undertaking scrutiny reviews and need more dedicated officer support to help them develop lines of enquiry.
- 4.20 The OS committees have sometimes struggled to identify suitable topics for scrutiny reviews. There is also an issue around lack of capacity to support scrutiny. The Responsive Repairs scrutiny review was well supported by Housing officers because they were keen to have the backing of members in challenging the performance of Mears. Officers may be less keen to scrutinise their own services, or may not have capacity to support scrutiny of a topic that is of peripheral interest to Waverley’s service.

## 5. Findings – Evaluation of Effectiveness

- 5.1 All members were invited to complete a survey which asked members to consider how well Waverley’s OS arrangements addressed the four CfPS principles of effective scrutiny (see 2.4, above).

5.2

<i>Total number of respondents:</i>	19
<i>No. of respondents who have been a member of Waverley Borough Council for less than 1 year:</i>	8 < 1 year 9 > 1 year 2 did not indicate
<i>No. of respondents who are, or have been, a member of Waverley’s Executive:</i>	4 have been/are Exec members 13 have never been Exec members 2 did not indicate

- 5.3 A number of respondents indicated to some or all of the questions that they did not feel they knew enough or had enough experience to be able to comment. This has been useful feedback as it demonstrates that neither the induction training, nor the practical operation of the OS committees, has been effective in explaining the role of the OS function, and more support needs to be given to members to enable them to engage fully with their role on OS.

**5.4 Scrutiny provides a ‘critical friend’ challenge to the Executive, policy makers and decision makers:**

a) Do you think O&S provides an effective challenge to the Executive?

Yes = 3      No = 11      Don’t Know = 5

b) Do you think external partners are involved in scrutiny enough?

Yes = 6      No = 8      Don’t Know = 5

c) Do you think scrutiny works effectively with the Executive and senior management?

Yes = 2      No = 10      Don’t Know = 7

**5.5** Generally, the view seems to be that OS is neither particularly critical, nor particularly friendly: majority group members are reluctant to question group policy; challenge is felt to be discouraged; opposition members felt that their criticisms are shut down; members felt that there was little evidence of the Executive taking note, or being influenced by OS; reports were received by OS too late in the decision-making process to have any meaningful input or influence the outcomes.

The role of external partners generated a mixed response, depending on how the question was interpreted. Generally, it indicates that members are uncertain of the wider potential for co-opting external partners to assist in scrutiny, or for scrutinising services provided by other public bodies.

There was cross-party consensus that the Executive was too isolated, and there was not a good working and constructive relationship between OS and the Executive.

**5.6 Scrutiny reflects the voice and concerns of the public and its communities:**

a) Do you think that O&S publicises itself enough to the public?

Yes = 2      No = 13      Don’t Know = 4

*“As a fairly well informed member of the public, prior to being elected, I was not aware of the O&S function.”*

b) Do you think that the public have been involved in the scrutiny process?

Yes = 3      No = 12      Don’t Know = 4

*“I have seen little evidence of public involvement. Public questions seem to be given lip service and a position is being generated of the ‘council against the people’ as opposed to the ‘council for the people’.”*

- 5.7 The only example that was given of the public being involved in OS was the Tenants’ Panel representatives on the Housing Improvement Sub-Committee and Corporate OS.

Some helpful suggestions were provided as to how the council might go about informing the public of the role of OS and its work.

5.8 **Takes the lead and owns the scrutiny process:**

- a) Do you think that O&S operates with political impartiality?

Yes = 9      No = 6      Don’t Know = 4

- b) Does scrutiny have ownership of its own work programme?

Yes = 6      No = 7      Don’t Know = 6

- c) Do you consider scrutiny to be a worthwhile and fulfilling role?

Yes = 10      No = 5      Don’t Know = 4

*“Yes, but very frustrating, it sometimes feels like a battle.”*

*“It certainly should be. But perhaps it could be more so if we had better more evident communications between O&S and Exec.”*

*“It is essential for good governance which is why it is such a shame that it is not working effectively at Waverley.”*

- d) Do you think O&S has a constructive working partnership with officers?

Yes = 12      No = 0      Don’t Know = 7

*“The relationship seems to be very positive. Perhaps a little more ‘challenge’ would be appropriate? Some of the reports are very bland and I have asked Officers to explain precisely why specific information is being presented and to achieve what end.”*

*“The O&S function is not constructive. I’m sure that many of the O&S members feel they have a good relationship with officers but in my view that is not the point.”*

- 5.9 We acknowledge that there are different perceptions of how politically impartial OS is. Having one party with an overwhelming majority does present an extra challenge for OS members in exercising their roles of holding the executive to account, and supporting the Executive in its work.

There are very mixed views regarding ownership of the OS work programme, which indicates that work programming is an area needing development. The overall perception is that committee agendas are driven by the Executive Forward Plan and officers, and OS members lack the information to be more proactive.

The relationship between members and officers is generally considered to be good, although this view is caveated by some members.

5.10 **Make an impact on service delivery:**

- a) Do you think the O&S function is integrated with corporate processes?

Yes = 5      No = 9      Don't Know = 5

- b) Is there evidence that scrutiny has (or is able) to contribute to service improvements?

Yes = 4      No = 5      Don't Know = 10

- c) Do you think O&S fulfils its policy review and development roles?

Yes = 4      No = 9      Don't Know = 6

*“OS doesn't know how to do this – in terms of policy the executive and senior officers have already determined this and present to the OS committees with a fait accompli.”*

*“It is not within the remit of the O&S committees to develop or review Council policy; they are restricted to ‘commenting’. The Executive determines policy.”*

*“Members come into the process far too late to have any influence over policy.”*

- 5.11 The findings in relation to impact on service delivery indicate that more needs to be done to ensure that the work of OS is focused in ways that allow it to add value, rather than just ‘noting’ and ‘endorsing’.

The only example given of OS having an impact on service delivery is the review of responsive repairs.

The view on policy and development was that OS is involved too late in the

process to have any meaningful input.

- 5.12 Annexe 1 provides a summary of the feedback from member survey responses, highlighting achievements, challenges, how we can improve, and barriers/risks to improvement. We are very grateful to members for the candour of their comments, and hope that we have interpreted their views correctly in our analysis.

## **6. Findings – Interviews with Members**

- 6.1 The sub-Committee met with two non-Executive Councillors together to hear directly from them about their views of how OS operates at Waverley. Both councillors expressed concerns that:
- the Executive appeared to be isolated from non-Executive members;
  - non-Executive Members felt marginalised and excluded from decision-making and policy;
  - non-Executive Members from the majority Group were apprehensive about criticising the Executive;
  - OS committees were used to rubber-stamp decisions that had effectively already been made in private;
  - a number of members appeared to have disengaged from OS as a process, and made no significant contributions at OS Committee meetings;
  - this was reflected in the poor standard of debate that took place at Council.
- 6.2 Subsequently, the sub-Committee met with a third non-Executive member who highlighted: the lack of connection between the work of OS and the Council's corporate vision and priorities; a lack of understanding about the role of OS – it seemed to be doing little more than 'noting' or 'endorsing' reports to the Executive, with little scope to challenge the information being presented; the quality of information supplied to committees did not enable robust challenge of issues and lacked evidence to support conclusions and recommendations ('incomplete, irrelevant and ambiguous').
- 6.3 The Leader of Waverley's Opposition Group was invited to meet with the Sub-Committee. Cllr Williamson emphasised his support for the principle of a strong scrutiny function, but his experience in industry had demonstrated how important it was for everyone to understand the value of the process in order for it to be effective. Cllr Williamson's view was that there needed to be more independent input into the scrutiny process, in order for there to be effective challenge; OS work programming needed to be improved, and there needed to be more opportunity to debate items in committee, rather than the current arrangement where OS could do little more than rubber-stamp recommendations going to the Executive. The risk of the current practices not changing was that back-bench Members could become disengaged and be unwilling to stand again.
- 6.4 The Sub-Committee has also met (separately) with three members of the

Executive to hear their views on OS and the relationship with the Executive, which are summarised below:

Executive Member (1) –

- OS is not effective;
- Uncertain whether all Executive members listen to what OS is saying;
- Important to gather views of OS members on reports, but OS gets information too late in the process to have meaningful input to policy development or decisions;
- Frustrating when it is obvious that OS members have not read a report;
- OS is too passive and not challenging enough;
- Comments from OS not always acknowledged in Executive;
- Decision-making process is tortuous – lead-in time for reports is too long;
- OS committees need to distinguish between items for information and items where they can add value.

Executive Member (2) –

- Reports should come out earlier; very frustrated at the lead-in times for reports getting to committee;
- OS is not challenging enough of the Executive and Portfolio Holders;
- Suggest that scrutiny of planning policy would be better done through Joint Planning Committee.

Executive Member (3) –

- Being on the Executive is like being on a treadmill, and there is no time to pause and reflect on how the process is working;
- There is a culture of paranoia within the Executive, and complacency about the size of the political majority, which means that there is a perception that no effort needs to be made to be transparent;
- All meetings seem to be a race against the clock, including Executive meetings;
- The Executive should show more respect to those who ask questions of it, whether they be members of the council or the public: they are all Waverley residents and deserve better than a petty response;
- Public perception of the Council is not good, and that is a problem that needs to be collectively owned and addressed by Members and officers;
- There doesn't seem to have been one trigger for the current situation; it's developed over a period of time; but some new members are already feeling disillusioned and disenfranchised; everyone needs to take responsibility for failings, otherwise we can't move forward;
- Feedback from OS to the Executive lacks context, so it is difficult to understand how comments were arrived at; they need to be communicated better;
- Collectively the council needs to be more transparent, more open, more

coherent, and shouldn't be so defensive and risk averse; there needs to be more of a 'can do' culture;

- Waverley is working for the same residents as our Town and Parish councils, and the County Council; we need to get better at communicating and working together for the benefit of our residents.

6.5 This testimony is disheartening, but it emphasises the importance of the review being undertaken and of there being an appetite for positive changes in the culture and practices of governance

## 7. Findings – Research findings

7.1 In the years following the introduction of overview and scrutiny in local government, there was a considerable amount of research carried out into the scrutiny process and the challenges it presented. More recently, research has tended to focus on the particular challenges of scrutinising health and social care, police and crime, and devolution.

7.2 Whilst the intention of this OS review is to look forward to improved OS arrangements at Waverley, it would be unwise to ignore the good work that has been done in studying OS practices and structures, and the conclusions drawn from this work. The following themes are reported widely in the reports referenced in the Bibliography:

- The existence of a scrutiny co-ordinating body is a vital guard against issues falling between committee remits, against overlap between committees, and between issues getting lost in the division, practised by some local authorities, between 'overview' and 'scrutiny'.
- Where no scrutiny officers exist the overview and scrutiny roles are noticeably underdeveloped, lacking a champion within the authority to make sense of the role.
- OS is challenging – when done well, it has huge potential to add value to the work of a council and provide a fulfilling role for non-Executive members; done poorly, it adds no value, and can be the cause of frustration among non-Executive members, and disengagement from the process which weakens it further.

7.3 The importance of having an effective, robust OS function is brought home to any councillor who reads the sections of the Francis Report 2013 (Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry) and the Casey Report 2015 (Report of Inspection of Rotherham Metropolitan Borough Council) that refer to the culture and working practices of the OS functions at, respectively, Stafford Borough Council and Rotherham Metropolitan Borough Council. For example: "Inspectors concluded that overview and scrutiny [at Rotherham MBC] had been deliberately weakened and under-valued. The structures and processes look superficially adequate, but the culture has been one where challenge and scrutiny



were not welcome.” [Casey Report 2015, page 76]

7.4 The CfPs is a national organisation which was established to promote the value of OS in modern and effective Local Government. The CfPs aims to do this through a number of measures, including the production of guidance, advice on best practice and the promotion of information sharing. The CfPS has been carrying out annual surveys of overview and scrutiny in local government since 2004, and tracked trends in key areas of OS working. Its research has shown that since OS was introduced in 2001 there has been a steady improvement in the implementation and outcomes; although there is evidence that cuts to the resources available to support Overview and Scrutiny has impacted on effectiveness.

7.5 **2013-14 Survey highlights:**

*Resourcing*

- Dedicated officer support for scrutiny continues to fall (ave FTE in 2013/14 1.75 compared to 2.04 in 2012/13) and at its lowest since 2004;
- Fewer scrutiny functions supported by one or a team of dedicated scrutiny officers, and combined support provided through the council’s democratic services or policy functions is increasingly common;
- Dedicated scrutiny budgets continue to decline (ave budget in 2013/14 £3447 compared to £4015 in 2012/13) and at lowest since 2004;
- Lack of officer resource is seen as being a bigger barrier to improvement of scrutiny than lack of financial resources;

*Impact and Influence*

- Over two-thirds of councils have a formal system for monitoring OS recommendations; where OS recommendations are monitored there is a more positive view of the impact scrutiny has and that scrutiny is fulfilling its potential.
- Survey responses suggest that when an authority places little value of scrutiny, the effectiveness of scrutiny is diminished – it is a mutually reinforcing vicious cycle.

*Political factors*

- Party control does not appear to impact significantly on the perceived value or impact of scrutiny; although some indication that scrutiny is better developed in councils with no single party political control.
- No evidence that a large committee size has a negative impact on effectiveness of scrutiny; although having fewer committees has a positive impact.

7.6 **2014/15 highlights:**

*Resourcing*

- Dedicated officer support for scrutiny increases slightly, to ave FTE 1.87 (NB higher response rate to survey) but continued decline in the number of dedicated scrutiny officers, now at its lowest since 2006. Combined roles most common in district councils.

- Dedicated OS budgets continue to fall, to £3277 in 2014/15.
- Lack of resources indicated as being second biggest barrier for scrutiny's involvement in major changes in the council (together with opposition from the executive and senior officers).

#### *Transformation and practitioner skills*

- Over four-fifths of responding councils said that their council was, or would be, undertaking some form of major transformation project. Of these, almost one-quarter said that OS was not involved, or only marginally.
- Lack of resources indicated as being second biggest barrier for scrutiny's involvement in major changes in the council (together with opposition from the executive and senior officers).
- Almost one-fifth said that they did not believe scrutiny was able to expose wrongdoing or poor decision-making in their council.
- Almost one-fifth said that they did not believe councillors were able to effectively undertake their role due to lack of training and development opportunities.

#### *Impact and influence*

- Over three-quarters of councils have a formal system for monitoring OS recommendations;
- Councils that report scrutiny having a larger impact on the lives of local people are those better able to monitor the progress and impact of recommendations effectively.
- Councils reporting more positively against characteristics of effective scrutiny tend to be more positive about scrutiny, feel that it is valued by the authority, and better resourced.
- Councils reporting they had more robust work programming arrangements tended to be those scoring more highly on various measures of effectiveness.
- Less than one-third of councils indicated that their OS had made challenging/ambitious recommendations;

7.7 The Sub-Committee has noted the following comment from the 2014/15 CfPS annual survey –

“When asked what would make the significant improvement to scrutiny's work within a council, the top responses were additional training/resources, higher member engagement, and greater engagement and trust between scrutiny and other areas of the council, particularly the executive.”

## **8. Findings – Comparison with other councils**

8.1 There is a vast number of reports available detailing the reviews undertaken by councils of their OS functions. With the support of officers, the Sub-Committee has considered a small number of these. Up until 2012, the emphasis of these reports was very clearly on reviewing the effectiveness and arrangements for OS; the

CfPS evaluation framework has been used extensively. Since 2012, there has been a greater focus on reviewing wider governance arrangements, responding to the powers contained in the Localism Act 2011.

8.2 Examples of OS reviews that have been considered include:

- Hull City Council (2012) [Unitary]
- Bournemouth (2010) [Unitary]
- Rossendale (2010) [Borough]
- Northampton (2009 and 2012) [Borough]
- South Derbyshire (2007) [District]
- Merton (2006) [London Borough]
- Medway (2003) [Unitary]

These have confirmed that many of the criticisms of Waverley’s OS function expressed by members have been experienced elsewhere, and the actions that these councils have taken to try improve the way in which their OS function operates have provided some useful guidance for the Sub-Committee in drawing up the draft recommendations.

8.3 The Sub-Committee is aware that its terms of reference do not extend to a review of Waverley’s governance arrangements as a whole. It is interesting to note that there was no particular enthusiasm expressed by members through the survey of wanting to revert to a committee system. However, the Sub-Committee has been keen to understand the drivers for change in governance arrangements at other councils, particularly where dissatisfaction with the OS function has been given as a contributory factor.

8.4 In January 2014, the CfPS and Local Government Association published guidance for councils considering changes to their governance arrangements (“Rethinking Governance”). This report included case studies, and a summary of councils who had moved to a committee system, had made other changes to their governance arrangements, were considering a governance change, or had considered a governance change and decided against it. The majority of the councils that have moved to a modern committee system are Unitary, County, Metropolitan or London Boroughs. The Sub-Committee was more interested in the examples of District Councils, as they were more relatable to Waverley. Brief details are provided in Annexe 2.

8.5 The Sub-Committee has noted that a number of councils have adopted so-called ‘hybrid’ arrangements, that retain the Strong Leader and cabinet/executive model, but have redefined the role of non-Executive members and the OS function in relation to the Executive functions. Sevenoaks and Tunbridge Wells councils have adopted similar arrangements, with the Cabinet/Executive being supported by Cabinet/Executive Advisory committees whose role is primarily that of ‘overview’ i.e. policy development and review, and a separate ‘scrutiny’ committee. This is

also the model that Guildford Borough Council has adopted. As noted in paragraph 3.8 above, this approach has previously been considered at Waverley.

- 8.6 The Sub-Committee was particularly struck by the outcomes of the review undertaken by Basildon Council in to the potential for changes in governance arrangements arising from the Localism Act 2011:
- (i) there was not a strong, Council-wide desire to change the model of governance (unlike in those councils that had opted to implement a committee system); Members' dissatisfaction was not caused by the Leader and Cabinet model itself but the way in which it operated (ie the problems were cultural rather than systemic) and could be addressed through either governance model; there were considerable risks related to changing governance arrangements, which would be a commitment for at least 5 years.
  - (ii) The Review recommended that the Council should retain the Leader and Cabinet model of governance; and, that measures be implemented to increase the engagement of backbench and opposition members to allay the perception of increased disenfranchisement arising from the current operating of this model of governance.

## 9. Findings – Committee structure and Work programming

### Structure

- 9.1 The Sub-Committee has looked at OS committee structures operated by other councils. However, as noted above, there is no one perfect, or even preferred model: each council has to develop an approach that works for them.
- 9.2 OS committees can be organised on the basis of
- Services/directorates
  - Executive portfolios
  - Corporate priorities
- Or, a combination of these models e.g. by separating 'overview' and 'scrutiny' functions as in the hybrid governance model.
- 9.3 Whilst there is no hard line separating 'overview' and 'scrutiny', the usual distinction that is made is that 'overview' relates to policy development and review (pre-decision scrutiny) and 'scrutiny' is post-decision (to question why it has been made, to seek clarification on the justification for the decision, or perhaps to propose an alternative). This is the basis on which the OS responsibilities have been split under the hybrid arrangements operated by Sevenoaks, Tunbridge Wells and Guildford Borough Councils.
- 9.4 In practice, dwelling on the theoretical differences between 'overview' and 'scrutiny' may not necessarily be helpful. Scrutiny is often used as shorthand to describe the

whole process, but ‘scrutiny’ can be perceived as a negative/critical activity, especially if the services being scrutinised are the Council’s own. By treating ‘overview and scrutiny’ as a collective term, the focus can then be on the four principle roles:

- Holding the executive to account, including but not limited to call-in of decisions,
- Policy development and review
- Performance management, and
- Scrutiny of public services delivered by external organisations.

9.5 The sub-committee has identified the following points that we feel are important in developing the OS structure:

- The statutory requirement is for there to be ‘at least one’ OS committee.
- The Audit Committee, in practice, performs a similar function to OS and the role of this committee could be expanded to include, for example, the annual review of the Treasury Management Framework. As an aside, it has been noted positively that a number of councils have an Audit & Governance Committee, whose remit includes an annual review of the Constitution and the Member Code of Conduct (supported by a Hearings Sub-Committee).
- There may be potential to develop the role and remit of the Joint Planning Committee to include scrutiny of planning performance (including the performance on appeals, and planning enforcement) and overview of planning policy.
- Having a body that coordinates the work programmes of the OS committees is recognised good practice. This role can be undertaken as part of the remit of one of the OS committees, or it can operate as a private meeting of OS chairmen and vice-chairmen.
- One OS committee needs to be formally designated in the Constitution as the Council’s Crime and Disorder Committee, as this is statutory requirement.
- Both Corporate and Community OS committees have a standing sub-committee – Housing Improvement and Performance. There is some concern about the potential for duplication between parent and sub-committee, which is not an efficient use of Members’ or Officers’ time.
- There is no wish to develop a structure for OS that requires more committee meetings than currently.

9.6 OS structure at Waverley has always been along service lines. The risk of this approach is that cross-cutting themes may be overlooked. A structure based on corporate priorities is more challenging, but provides a clear link between the work of OS and the strategic objectives of the council. The new Corporate Plan priorities ([Annexe 3](#)) highlight cross-cutting themes that have not previously been an explicit focus for OS (Customer service, and Procurement and commissioning) as well as

the more familiar service areas falling under the themes of Community Wellbeing and Environment. Importantly, it includes clear statements of the outcomes that the Council aims to achieve over the life of the Plan.

- 9.7 The Sub-Committee has discussed an OS committee structure based on three committees linked to the Corporate Priorities for 2016-19:
- A Community Wellbeing OS committee and an Environment OS committee could focus on helping the Council deliver on its stated Corporate Priorities through overview and scrutiny of the work of the Council’s customer-facing services, and also the services of external partners whose work contributes to community wellbeing and enhancing Waverley’s environment.
  - The cross-cutting Corporate Priorities of delivering excellent Customer Service and Value for Money, could be scrutinised by a third ‘Corporate’ OS committee. The remit of this committee would also include management of the overall OS work programme, and the ongoing review and development of the OS function at Waverley.
- 9.8 The Sub-Committee has considered the need for a separate OS committee covering the Housing service, as this is such a significant part of the Council’s business. Currently, Corporate OS Committee and the Housing Improvement Sub-Committee aim to scrutinise different aspects of Waverley’s Housing Service. However, it is challenging in this two-tier approach to ensure that issues receive wide enough exposure to Members without duplicating items across both committees.
- 9.9 Delivery of the Housing service clearly falls within the Community Wellbeing corporate priority. However, how it is delivered in terms of customer service and satisfaction, and value for money, arguably could be considered as part of the delivery of the cross-cutting priorities. With a more co-ordinated and selective approach to work-programming, that focuses on the outcomes that the Council’s services aim to deliver, a separate Housing OS committee may not be required.

Work programming

- 9.10 At the risk of repeating ourselves, the roles of OS are:
- Holding the executive to account, including but not limited to call-in of decisions,
  - Policy development and review
  - Performance management, and
  - Scrutiny of public services delivered by external organisations.

These are the outputs of the OS function through which it contributes to delivering the aspirational outcomes of the Corporate Plan. The inputs to the OS process include reports and presentations from officers or invited witnesses, and questioning and research directed or undertaken by Members.

- 9.11 The most challenging aspect of OS work is ‘holding to account’ as this is generally seen as requiring a specific decision to be challenged via a ‘call-in’. It is easy for academics to suggest that a confident Leader and Executive will welcome a call-in as an opportunity to justify its decision making. In practice, it can be difficult for OS members of the same party as the Executive to appear to challenge decisions in public. It is also recognised that the opposition members are also constrained in their ability to ‘hold to account’ if there is insufficient number to trigger a call-in.
- 9.12 There are other ways in which OS can ‘hold to account’ the Executive, without challenging any one decision in particular. For example, at the beginning of the year, the OS committees can agree a rolling programme of invitations to their Portfolio Holders to attend the committee and give a short update on key issues and risks within their service areas, and take questions from Members.
- 9.13 As stated previously, the ability of OS to make a genuine contribution to policy development and review depends on their being included in the process early enough. The short-term nature of the Executive Forward Plan means that by the time a report is on its way to the Executive for a decision, it is generally too late for OS to have any significant input to shape the outcome.
- 9.14 Either the Forward Plan needs to have a longer timespan to enable items to come to be identified by OS at an earlier stage in their development, and/or areas of policy development and review need to be clearly identified at the start of the year, in Service Plans, so that OS committees may schedule in a review at an appropriate stage. This is an essential part of the OS work programme development, but depends on the information being available to OS.
- 9.15 As a start, it would be helpful if the Budget and Policy Framework as set out in the Constitution was clearer about the timeframe for these key Council Policies, and if there was a reference guide to the supporting policies and their review dates.
- 9.16 Performance management is an important part of OS work. The Sub-Committee is not convinced that the current approach to performance management is providing OS with the right tools to scrutinise the work of the Council and help drive improvement – if anything, the aim seems to be to try and convince OS that there is little need for improvement. Where performance indicators are red or amber, there is little critical analysis provided, and excuses are given. It is also unclear what the relevance of some of the performance indicators have to corporate priorities and managing service delivery.
- 9.17 The covering report to the Corporate Plan submitted to the Executive and Council in February 2016 clearly states that the Corporate Plan *‘forms a vital part of the Performance Management Framework for the Council. The objectives contained in the Plan are delivered through annual Service Plans ...’*. We agree that the delivery of the Corporate Plan should be supported by the Performance

Management Framework, and therefore recommend that the Performance Management Framework is reviewed to ensure that the performance management indicators are relevant to the new corporate priorities and are a useful tool by which officers and OS can monitor performance and achievement against the Corporate Plan.

- 9.18 OS Committees have had mixed success in identifying suitable topics for in-depth scrutiny. There are some useful criteria that can be used to test whether topics are suitable for scrutiny, but a simple test is to consider how the work will make a difference or add value: the work of OS should lead to improvements in service delivery, improvements in customer satisfaction, or more effective services.
- 9.19 This emphasises the need for scrutiny topics to be carefully articulated and scoped, which will indicate the time and resources needed to carry it out. A scrutiny review does not necessarily mean an in-depth review with a separate sub-group of members to undertake the work. It may be a one-off meeting or workshop, or a simple report to the committee (a 'spotlight review'). A Task & Finish Group will be expected to produce more in-depth outcomes than a discussion in a committee report, but it is important that the approach of the review is appropriate and proportionate to the subject being considered.
- 9.20 Waverley's two OS committees have largely operated independently of each other, with no deliberate co-ordination of their work programmes. Where there is ambiguity around which OS committee should consider a report, this tends to be resolved by officers. Areas of business that obviously cut across committee remits have been submitted to a joint meeting of the OS committees, which is sensible but not provided for in the Constitution.
- 9.21 The role of the 'Corporate' OS committee could include managing the overall OS work programme and agreeing how the workload will be shared between the committees and within the remits of the committees. The development of the OS work programme should be done collectively by all OS members, starting with the preview of Service Plans in January each year. The aim should be to present a report to the Council in April re-capping what OS has achieved in the past year, and the initial work programme for the next year, which would allow the whole Council sign-up to the OS programme.
- 9.22 Other sources of items for the work programme are commissions from the Executive, complaints (what are the trends? What does the annual report tell us?), councillors ward work, and the feedback from the public (add a question to the citizens survey, or have a facility on the website to allow the public to submit ideas). It is important that the OS work programme has capacity to allow items to be added to it during the year if new issues for scrutiny are identified.



## 10. Conclusions and Recommendations

- 10.1 The implications of the four principles of effective scrutiny are that scrutiny should:
- Be challenging in the way in holds the executive to account;
  - Contribute to problem-solving and service improvement;
  - Incorporate a high level of stakeholder and public engagement
  - Focus on longer-term strategic issues, in alignment with the council's priorities; and
  - Investigate, where appropriate, issues of public concern even where the council is not the lead authority in dealing with them.
- 10.2 The evidence provided by Members clearly indicates that the perception is that Waverley's OS function is not effective. Whilst it is evident that there are examples of good work being undertaken by Waverley's OS committees, these positive contributions happen despite the weaknesses in the OS infrastructure and culture. In principle, Members would like to see a more inclusive approach to decision-making, including a more timely and meaningful opportunity to contribute to policy development and pre-decision scrutiny; and, to undertake real scrutiny of issues of importance.
- 10.3 Whilst this report appears to be very critical, the evidence points to Waverley's OS function being no worse than many other councils, but falling short of best practice. There has been a lack of development of the OS function over the last 10 years, and there are still ties to the old committee system approach in which Members expect to see everything, and officers expect to put everything in front of Members.
- 10.4 Waverley not only needs to bring its OS committee remits up to date, but we also need to update our working practices so that they are more focussed on outcomes. OS members need to choose between prioritising our work programme so that we select fewer items to scrutinise properly; or we continue to try and have oversight of everything, do little to add value to the work of the Council, and live with the frustration that we should be doing more.
- 10.5 In undertaking this review of OS arrangements we have considered the role that the Audit Committee plays in scrutinising the work of the Council. We feel that there is scope to expand this role, but also recommend that the work of the Audit Committee and OS committees are better aligned to avoid duplication, and to facilitate cross referral from Audit to OS of topics for future scrutiny.
- 10.6 Member communication has been a recurring theme in the review. This includes the way in which information is communicated to Members by officers; communication between the Executive and non-Executive Members; and between the Executive and committee Chairmen and Deputy Chairmen. There needs to be a more open and coherent approach to working so that we are confident that we are all working for the collective purpose of doing our best for Waverley residents.

- 10.7 There are four areas of change that can contribute to a more effective OS function:
- Changes in support and resources
  - Changes in OS structure;
  - Changes in processes and procedure;
  - Changes in culture and understanding of OS.

The most important of these is the last – changes in the culture in which OS operates, and in the understanding of the role of OS.

- 10.8 The recommendations below aim to establish some high level principles about the OS function and arrangements at Waverley that will be the foundation for an improvement plan of more detailed actions. It is not the intention that this list is treated as a ‘pick ‘n’ mix’ of options, but as a list of interdependent requirements.
- 10.9 Your comments – are particularly welcome at this stage as it is vital that the final report, recommendations and action plan are owned and endorsed by all members, and that all members commit to engaging with OS.
- 10.10 **Support and resources**

**Recommendation 1**

Council should recognise the need for OS to be adequately resourced in order to maximise its effectiveness, including provision of dedicated officer support for OS, if necessary through redeployment or reallocation of officer time.

**Recommendation 2**

Council should recognise the need for investment in training for Heads of Service and Managers across the Council to promote better understanding of the distinctive role and requirements of OS, and how this differs from the role of the Executive.

**Recommendation 3**

Council should invest in member development opportunities to support councillors in developing the skills necessary for effective scrutiny work, including:

- training for all members to ensure shared understanding of the role of OS;
- training for OS members to enable them to develop in their role, including: training for OS chairmen and vice-chairmen in leading OS; scrutiny skills; using performance management as a scrutiny tool; the role of scrutiny in procurement and project delivery; and, understanding the role of scrutiny in improvement.

- 10.11 Reasons for the recommendations:

There is clear evidence that OS is most effective when it is adequately supported with a dedicated officer. The role of scrutiny support includes:

- supporting OS chairmen and vice-chairmen in coordinating and controlling OS work programmes and committee agendas;
- providing briefing material
- facilitating Task and Finish Group meetings (and servicing OS committee meetings)
- developing an OS Handbook, to assist Members, officers, stakeholders and partners, and the public in understanding the work of OS
- Promoting the OS function within the council and to external stakeholders and the wider community (including developing webpages, media engagement [with Communications], engagement with Town & Parish Councils).

Whilst dedicated Scrutiny support is important, it does not mean that officers in the service directorates are not also responsible for understanding and supporting the particular role and requirements of OS. To this end, officer training is needed to ensure that the different roles of OS and the Executive are understood; and the member-led OS work programme is addressed with appropriate reports and information that meet its specific requirements.

The feedback from the member surveys also shows that more training is needed for all Members to help them understand the role of OS and the skills needed to carry it out. It is vital that all Members have a shared understanding of the role of OS at Waverley, including members of the Executive: today's Executive members may be tomorrow's OS members.

The role of OS is challenging; a clear understanding is needed of how OS members fulfil the requirements of OS without crossing the line into trying to manage services. To this end, OS chairmen and vice-chairmen need to have training specifically in leading and chairing OS; and, all OS members need training in the particular skills needed to carry out in a modern council.

## 10.12 Culture and understanding of OS

### **Recommendation 4**

Council to recognise that the role of OS is to hold the Executive to account, to review and develop policy, and to scrutinise the work and impact of the council and external agencies on the local community. Council should declare its commitment to supporting OS to perform this role effectively.

### **Recommendation 5**

Council should recognise the contribution of an effective OS function to the good corporate governance of the council, and the need for OS to work constructively with – but independent of – the Executive.

**Recommendation 6**

Council to support the suggestion that OS Chairmen and Vice-Chairmen should develop regular communication arrangements with 1) Members of the Executive; 2) the Audit Committee Chairman and Vice-Chairman; and 3) Corporate Management Team.

**Recommendation 7**

Council to recognise that party politics will influence the working of OS, especially where the majority of OS members are the same political party as the Executive; but also agree that the place for ‘party political point scoring’ is Council, not OS.

**Recommendation 8**

Council to welcome OS Chairmen and Vice-Chairmen as scrutiny champions, and to recognise the particular attributes needed to fulfil these roles.

10.13 **Reasons for the recommendations**

There is strong feeling among Members that the Executive, and to a certain extent, the Corporate Management Team, lack respect for and understanding/appreciation of the positive contribution OS can make to the work of the Council.

Non-Executive members may feel marginalised, frustrated and disengaged from decision-making, due to the lack of opportunity to contribute through OS. Opposition members perceive this marginalisation as a function of their being the opposition, and perhaps do not appreciate how widely this feeling is shared.

Communication between the Executive and OS needs to be developed to strengthen the sense and reality of collective purpose. Whilst it would be a matter for the majority political group, the Sub-Committee suggests that Executive members benefit from spending at least one year on the back benches, and involved in the OS function, in order to understand better the relationship between the OS and Executive functions.

Party politics cannot be entirely ignored, and may have a strong influence on the OS work programme, but OS is more effective when members work across traditional party lines to serve communities’ needs, and the contributions of all members should be treated with respect.

Chairmen and Vice-Chairmen roles require particular skills and attributes; these need to be made explicit in role descriptions, and those members taking on these roles should be prepared to take part in training and development to enhance their skills.

10.14 **OS Structure**

**Recommendation 9**

OS committees to be aligned with Corporate Plan Priorities, and with broad remits as described in section 9, above.

**Recommendation 10**

One OS committee formally to be Waverley’s designated Crime and Disorder Committee.

**Recommendation 11**

The role and remit of the Audit Committee to be reviewed with consideration being given to including scrutiny of all aspects of Waverley’s corporate governance, including an annual review of the Constitution, and the Member Code of Conduct.

**Recommendation 12**

The role and remit of the Joint Planning Committee to be reviewed with consideration being given to including scrutiny of planning performance (including the performance on appeals, and planning enforcement) and overview of planning policy.

**Recommendation 13**

Officers to develop detailed terms of reference, to include both overview and scrutiny roles, and including recommendations on the size of the OS Boards (and Audit [& Governance]) Committee) and frequency of meetings.

10.15 Reasons for the recommendations

An OS structure aligned to Corporate Plan priorities provides a direct connection between the work of OS and the work of the Council, and will help to drive a more coherent approach to the work of OS.

Best practice in OS recommends that there is a co-ordinating body to oversee work programming and ensure that OS committees’ time is used to best purpose. The intention is that the OS Management Board membership will include the Chairmen and Vice-Chairmen of the Community Wellbeing and Environment Boards and enable transparency in managing the OS function.

The findings of the review indicates that Waverley members want a more inclusive approach to decision-making, with more opportunity to contribute to policy development and pre-decision scrutiny at a point in the process when their input can be taken into account. Members also want to be able to undertake genuine scrutiny. Neither of these roles can be undertaken effectively if agendas are overloaded. The Sub-Committee suggests that there needs to be more discretion about what comes to OS committee, more use made of other ways of imparting information to Members, and more frequent OS meetings, i.e. six times a year, to align OS better with the Executive timetable and avoid the OS function delaying

decision-making.

Audit Committee has an important role in scrutinising the work of the Council through oversight of the internal audit function. It is important that the work of OS does not duplicate the internal audit plan, and that the outcomes of internal audit can inform the work of OS. There are topics that Corporate OS currently considers that would be better suited to Audit Committee. By including the Member Code of Conduct in the remit of Audit Committee, there is scope to replace the Standards Panel with a Hearings Panel as a standing sub-committee of Audit Committee. And, by giving Audit Committee responsibility for reviewing the Constitution, there is more transparency and Member connection with this aspect of corporate governance.

Joint Planning Committee currently meets as required to determine planning applications that meet the criteria as set out in the constitution. The Area Planning Committees currently receive on a quarterly basis the same report on planning enforcement (requiring the Planning Enforcement Team Leader to attend 16 committee meetings a year) and a brief summary of recent appeal decisions. If the Joint Planning Committee met once a quarter, it would reduce duplication in respect of the planning enforcement report (the information is for the Area Committees to note, and can be provided to Members outside of the committee); and appeals decisions from applications across the borough, and the learning from them, can be better shared through Joint Planning. As far as OS has input to planning policy, this would arguably be better done by members who have received training in planning and practice planning through their work on Joint Planning and Area Planning Committees.

#### 10.16 OS Processes and procedures

##### **Recommendation 14**

That Council adopts the principle that OS needs to be selective in identifying the areas it wishes to scrutinise in order to carry out the task properly, and should therefore focus on issues where it can add value.

##### **Recommendation 15**

That channels for Member communications are developed so that OS agendas do not have to be used to share information for 'noting' that can be provided in other ways.

##### **Recommendation 16**

OS work programmes to include a planned rolling programme of attendance by Executive Portfolio Holders to give an update on their portfolio and answer questions from OS, as part of the OS function to 'hold to account'.

##### **Recommendation 17**

The Council's Budget and Policy Framework to be reviewed and OS role in policy review and development and review to be clarified, incorporating the principle that OS is included at a sufficiently early stage to make a genuine contribution to the process.

**Recommendation 18**

The Council's Performance Management Framework to be reviewed and aligned with Waverley's new Corporate Plan 2016-19 and the Corporate Priorities set out therein. As part of this work, it is recommended that OS members are given specific training on performance monitoring and how to use this tool to drive improvement in council services and customer satisfaction.

**Recommendation 19**

That the Council supports the 'task and finish' group approach to carrying out scrutiny reviews, and that each of the OS Boards has authority to establish Task and Finish Groups as necessary to complete its agreed work programme. All non-executive members to be eligible to serve on Task and Finish Groups, in order to maximise use of members' interests, skills and experience.

10.17 Reasons for the recommendations:

OS agendas include too many items that are for information or that offer no genuine opportunity for OS to add value; reports are submitted that have no clear purpose for OS, other than for officers to say that they have 'consulted' with members. OS should look more widely for possible review topics than just what is put before them by officers, including suggestions from other non-executive members, commissions from the Executive, local community groups and members of the public. Other information sources can be used to identify topics for review, including resident surveys, complaints, and members' ward work.

Communication with Members needs to be reviewed. There are other ways that information can be provided to Members other than via committee agendas, e.g. through newsletters or online, and these should be developed in order to release valuable committee time for more meaningful work. A higher priority needs to be put on communication with Members on ward matters; and on communication with Town and Parish Councils, recognising the high proportion of Waverley Members who are 'dual-hatted'.

'Holding to account' is one of the primary functions of OS, but it is not limited to 'calling-in' specific decisions. A rolling programme of attendance at OS by Executive Portfolio Holders will ensure that there is opportunity for OS to hear directly from Portfolio Holders, and to provide challenge on areas of concern.

Members have indicated that they want a more inclusive approach to policy development and review than currently exists. They want to be involved earlier in policy development, not presented with a document on its last stop before the

Executive, and that may have already been to an informal Executive meeting. If OS is only involved at a late stage, and without having the opportunity to consider the options and evidence, it cannot be effective – it means that scrutiny is reduced to supporting or rejecting a course of action already decided upon.

Performance management is one of the key functions of OS; to carry out this role, the performance management framework needs to be aligned with the Corporate Plan and the priorities and objectives set out in it.

The Constitutional requirement that the Executive must approve an OS sub-committee is not in the spirit of OS being independent of the Executive, and OS owning its own work programme and processes. Restricting membership of a sub-committee to those OS members of the parent committee potentially excludes interested members who could make a valuable contribution to a scrutiny review. The formality of a sub-committee is not always conducive to carrying out a short, sharp scrutiny review, and Task and Finish Groups would allow a greater degree of flexibility. It is proposed that the working principles of Task and Finish Groups are set out in a Protocol, to be developed by Officers.

- 10.18 And finally, this report concludes with recommendations for the implementation of the outcomes of this OS Review, and the continuing review of the OS function over the coming Council year to ensure that outcomes are achieved.

**Recommendation 20**

The Council to ask the Executive Director and Head of Policy & Governance to instruct officers to develop an action plan to implement the recommendations, and to draw up any changes to the Constitution arising from the agreed recommendations.

**Recommendation 21**

Council to agree that the implementation of the new OS arrangements should be kept under review by the OS Management Board, and Members' views on the effectiveness of the new arrangements be canvassed in 18 months time as a means of assessing Member satisfaction with their role.



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## Summary of Member Survey feedback

### Achievements

- Emphasis on pre-decision scrutiny – OS work programmes relate well to Executive Forward Programme.
- Call-ins used rarely.
- Some good examples of OS engaging with external agencies e.g. flooding review.
- OS Committees scrutinise Service Plans and the draft Budget each year.
- Co-opted members from the Tenants Panel on Corporate OS and Housing Improvement Sub-Committee.
- Weydon Lane former tip site – OS instrumental in establishing a Special Interest Group to enable local community to contribute their views directly.
- Some good examples from Community OS of exploring public concerns (flooding, 20's plenty, Cranleigh railway line)
- OS is politically impartial - the scrutiny process is not 'whipped'.
- Executive Forward Programme is a key source of information for the work programme.
- Good example of scrutiny of council contractors (Mears).
- Performance indicators are monitored quarterly; Housing Improvement Sub-Committee monitors complaints and voids performance at each meeting.

### Challenges

- Pre-decision scrutiny of policy and decisions happens too late in the process for contributions from OS to be taken on board.
- Reports received by OS are effectively Executive reports – putting them through OS first appears to be a tick-box exercise; officers do not understand the different role of OS.
- Lack of clarity about how OS comments are relayed to the PFH and Executive and little if any acknowledgement that they have been seen and considered.
- Executive appears not to always value the input of OS
- Little evidence that comments affect the Executive's decisions; impression is that decisions are made 'off camera'. Executive is too isolated.
- Little opportunity to question PFHs directly and 'hold to account'. Even when PFHs attended OS, the purpose was not explicitly to 'hold to account'.
- Questioning by Group members is discouraged and treated as disloyalty; challenge by opposition is dismissed.
- Executive and senior management give the impression they are dismissive of any work other than what they do or want done. Executive members do not involve back bench members in any decision making.
- Limited capacity to scrutinise external partners and service providers.
- Minimal engagement with the public - rare that there are informal or formal public questions, or public in the gallery.

- Key issues (Local Plan, SANG, Brightwells) effectively have been barred from scrutiny – Executive defensive; lack of transparency about basis on which decisions are being made.
- Questioning by Group members is treated as disloyalty;
- Lack of transparency and openness
- Lack of scrutiny officer support means that there is no capacity to support OS in scrutinising external agencies, or issues.
- Lack of scrutiny officer support means that there is no independent resource to support OS in scrutinising Waverley services.
- Confusion between Scrutiny and SIG – OS lost control of Weydon Lane issue when it became the subject of a SIG.
- Public unaware of OS role or do not understand it.
- Demonstrating impartiality when Conservatives have such a large majority.
- Executive members and CMT do not champion Scrutiny; contribution of OS member is not valued.
- OS has to seek approval of Executive to establish Sub-committees.
- Pre-decision scrutiny of policy and decisions happens too late in the process for contributions from OS to be taken on board.
- Reports received by OS are effectively Executive reports – putting them through OS first appears to be a tick-box exercise; officers do not understand the different role of OS.
- Too many reports are for noting; too many reports on the agenda to allow time for discussion.
- Lack of coordination of business between committees; confusion over committee remits – risk of overlap and omissions; uneven workload between committees
- For OS members to do scrutiny better, they may need to stop doing some things.
- Lack of dedicated officer support to assist OS Chairmen and to support the committees.
- Training and practice – more help for members and officers to help them understand the role of OS.
- Outcomes need to be followed through and recommendations tracked.
- Pre-decision scrutiny of policy and decisions happens too late in the process for contributions from OS to be taken on board.
- Reports received by OS are effectively Executive reports – putting them through OS first appears to be a tick-box exercise; officers do not understand the different role of OS.
- Lack of clarity about how OS comments are relayed to the PFH and Executive and little if any acknowledgement that they have been seen and considered.
- Little evidence that comments affect the Executive’s decisions; impression is that decisions are made ‘off camera’.
- Little opportunity to question PFH directly and ‘hold to account’. Questioning by Group members is treated as disloyalty;
- Difficult to determine the relevance of some performance indicators, and what OS is meant to do with the information it is being given.

- Some members lack trust in the performance
- Lack of scrutiny officer support.

### How can we improve?

- Clearer brief about why PFH should attend OS.
- Include PFH question time on OS agendas, 2 -3 times a year.
- Better communication needed between PFH and OS Chairmen & Deputy Chairmen required to share understanding of future plans and priorities and where OS can add value.
- Better communication needed between OS Chairmen & Deputy Chairmen and Corporate Management Team to share understanding about how OS can contribute to the corporate agenda.
- Involve OS in policy development and review at an earlier stage – at least one committee cycle before a decision is to be taken.
- More training for members needed to help them understand the broader role of scrutinising external agencies.
- Develop an OS handbook or toolkit to assist OS members in fulfilling their role.
- Cyclically review the work of outside bodies to which Waverley appoints representatives.
- Challenge OS members to be more proactive, and raise the level of debate
- Raise the profile of OS within the Council e.g. OS minutes to be submitted and presented to the Executive, or Council by the Chairmen.
- OS Comments on significant Executive matters to be presented by the OS Chairmen or Deputy Chairmen.
- With right level of support, OS could assist the Council demonstrate to the public how recommendations are reached and decisions made – more open government.
- Issue regular press releases; develop a proactive communication protocol, including statements from the Chairmen.
- Develop more informative webpages about OS. Consider an OS Newsletter; review the OS annual report format.
- OS minutes to be submitted and presented to the Executive or Council by the Chairmen.
- Develop an OS handbook or toolkit to assist OS members in fulfilling their role, and communicating the role of OS to the public.
- Promote opportunities for the public to contribute via *Making Waves*, *Homes & People* and Citizens' Panel.
- Executive could commission OS to investigate matters of public concern.
- Engage public and community groups in developing the OS work programme
- Promote OS better with the Town and Parish councils.
- Constitution to allow OS committees to establish their own sub-committees &/or Task & Finish Groups.
- More clarification needed between role of OS and role of SIG – preference should be to refer a subject to OS.

- Councillors to have more understanding of party politics role within OS and reinforce non political scrutiny; emphasise distinction between Council (political) and OS (non-political).
- Members to be more pro-active and raise the level of debate e.g. have a mid-year 'state of the borough' debate at Council.
- Establish a formal co-ordinating body between OS committees and the Executive and CMT, to allocate review topics on the basis of capacity. OS to be more selective about what it scrutinises.
- Review the OS committee Structure – how many committees? What do they cover - service areas, corporate plan themes?
- Corporate Plan and Service Plans to be used to identify issues for scrutiny.
- Scrutiny reviews to be clearly scoped, and have SMART goals with a clear end result.
- OS members to be more robust in challenging the information that is presented.
- Allow opposition to have a Deputy OS Chair post if they do not qualify for a Chair.
- Consider different ways of communicating with Members and sharing information – it doesn't all need to be via a Committee report
- Monitoring programme needed to track recommendations; invite Executive members to report back.
- Training for councillors (and officers) on how to conduct an Inquiry.
- More preparation in identifying topics for review, and what the purpose is.
- Better use of the Corporate Plan and Service Plans as basis on which to build the OS work programme.
- Allow OS to contribute to policy review and development at an earlier stage - demonstrate transparency
- Involve OS in the Council's improvement process.
- OS needs to have a clearer understanding of improvement work.
- OS needs to be seen as part of the toolkit for helping to improve the Council.

### **What are the risks/barriers?**

- PFH not being comfortable with taking questions on their portfolio.
- Lack of preparation by OS members means questioning is not constructive.
- Forward Programme timetable does not give enough advance notice of upcoming items to enable OS to have input at a suitable point in the process.
- No dedicated OS support restricts the potential for OS to scrutinise external agencies.
- Executive and CMT does not take the role of OS seriously and ignores its needs
- Frustration with culture can lead to disengagement and negativity by Members.
- No dedicated OS support constrains the effectiveness of OS
- Lack of public profile for OS
- Executive dismissive of OS
- OS lack skills and practice to do an effective job.

- Unwillingness to invite public criticism.
- Only the most political public will be interested – may be giving a voice to ‘trouble-makers’.
- Public Questions are only given lip service – impression given is ‘council against the people’ rather than ‘council for the people’.
- Terminology – scrutiny can be construed as negative and adversarial; some authorities call their OS committees ‘improvement panels’ – a more positive approach.
- No dedicated OS support constrains the capacity and effectiveness of OS
- Executive appears not to always value the input of OS, and the role of OS in demonstrating transparent and accountable decision-making.
- Executive does not take the role of OS seriously and ignores its needs
- Frustration with culture can lead to disengagement and negativity by members
- Potential for frustration with OS role to extend to Council as a whole
- No dedicated OS support constrains the effectiveness of OS
- Executive appears not to always value the input of OS
- Executive does not take the role of OS seriously and ignores its needs
- Strong leadership model
- Frustration with culture can lead to disengagement and negativity by members
- Potential for frustration with OS role to extend to Council as a whole

Annexe 2

District and Councils that have reviewed their governance arrangements since 2011 Localism Act:

<b>Council</b>	<b>Drivers for Change</b>
Stroud	<p>Overarching reason for a change to a committee system was to engage more members in a meaningful dialogue about policy in a public forum. The Conservative Group had held the majority for many years and in May 2012 they lost control to an alliance of Lab, Green and LibDems (Lab majority). Following a reconvened AGM on 24 May the Leader gave 1 year's notice of the introduction of a Committee System. This would allow committee members to take ownership of the decisions that they were making instead of decisions being made by the Executive or Cabinet. Outcome – Moved to the committee system in May 2013 following a resolution in November 2012. 4 politically balanced committees deal with functions previously dealt with by Executive and OS; appointment of sub-committees discouraged but T&amp;F groups may look at policy formation and scrutinise performance.</p>
Sevenoaks	<p>In broad terms, Members' concerns about Leader &amp; Cabinet model were summarised as: a perception of remoteness/inaccessibility of portfolios; feeling of disengagement from influence and decision-making; lack of training and development (succession planning for future Cabinet members); and, need to streamline the system to match the resource available. [Sevenoaks Cabinet report 23 April 2013] Outcome – new hybrid governance structure implemented May 2013, comprising Leader &amp; Cabinet plus 5 Cabinet Advisory Committees (mapped on to Cabinet portfolios) and one Scrutiny Committee.</p>
Tunbridge Wells	<p>The leader was concerned that the old structure reduced open discussion and transparency, increased distrust with the public and media, led to an over emphasis on post decision scrutiny and caused disconnect between the cabinet and wider council. It was hoped that a new system would lead to transparent, efficient and inclusive decision-making which allows for greater participation by non-executive members. As the driving factor was to involve more back bench members in the decision making process, this could have been achieved by pre-scrutiny on all Cabinet decisions. However, the then Leader wanted a more collaborative approach to decision making. Outcome – new hybrid governance structure, of Leader &amp; Cabinet plus 3 Cabinet Advisory Committees (mapped on to Cabinet portfolios) and one Scrutiny Committee.</p>
Fylde	<p>Key factor driving the governance change was a local pressure group who had a variety of supporters including a number of independent councillors. They viewed the Leader and Cabinet system as inherently undemocratic and believed that all elected councillors should undertake</p>

	<p>decision-making. The ruling Conservative Group were not supportive of the change and campaigned against it. A referendum was held (on 22 May 2014) with a ‘yes’ outcome after which the new committee arrangements were developed by a Council working group and implemented from May 2015.</p>
<p>Canterbury</p>	<p>There was an increasing demand by the public to change the system of governance from the Leader &amp; Executive system to a committee system. A petition was started in early 2014 by a local campaign group. In light of the petition the Council decided to review the options available, and subsequently decided that a committee system would be the most appropriate model of governance. When the decision was taken by Full Council in July 2014 to implement a committee system after the next city council elections in May 2015, c. 2000 of 6,500 needed to trigger a referendum had signed the petition.</p> <p>A new committee structure was implemented from May 2015.</p>
<p>Guildford</p>	<p>The reasons for the review were set out in the Joint OS report (April 2015):</p> <p>GBC had sitting councillors that had worked under the old pre-2001 committee system and the executive arrangements (Leader &amp; Executive, Strong Leader). There was a feeling that the current arrangements were not fulfilling needs of governance.</p> <p>In 2012 a motion to Council had been tabled seeking agreement to investigate changes to governance arrangements. This noted that many councillors were unfamiliar with the differences between the executive arrangements and the committee system. Steps were taken to improve understanding and operation of OS as it was felt that the perceived weakness of scrutiny was a significant factor in the discontent with the executive arrangements.</p> <p>In October 2014, a second motion was tabled, and agreed, to investigate changes to governance arrangements. Of significance to this was a petition started in June 2014 by a group of residents who were concerned about councillors’ involvement in the Council’s decisions and issues raised in connection with the consultation process on the Draft Local Plan. The petition was asking for a referendum on a return to the committee system of governance. If a valid petition had been presented the cost of a referendum would have been in the region of £110,000; if the result was positive for change, the new arrangements would have had to have been introduced by May 2016; GBC would then have been unable to change its governance arrangements for 10 years without a further referendum.</p> <p>The outcome of the review (to adopt hybrid arrangements) was shared with the petition organisers at an early stage, and they indicated that they would be satisfied with this arrangement.</p> <p>Guildford Borough Council undertook a review of its governance</p>



	<p>arrangements in 2014, and has now implemented hybrid arrangements, similar to those adopted by Sevenoaks and Tunbridge Wells, which came into operation in January 2016.</p> <p>The most significant impact is on the role of OS, as it will effectively be split between two Executive Advisory Boards (EABs) and one OS committee.</p> <p>The aims of the proposals have been to:</p> <ul style="list-style-type: none"> <li>• Make all councillors feel involved in part of the process of running the Council (especially backbench councillors from all political groups).</li> <li>• Draw on the talents and interests of all councillors.</li> <li>• Enable experienced councillors to develop near-professional knowledge and competence and allowing new councillors to learn quickly.</li> <li>• Increase engagement with stakeholders and public.</li> </ul>
<p>Mole Valley</p>	<p>In 2001, Mole Valley opted to retain their committee system (population &lt; 85,000).</p> <p>Following a governance review in 2008, Mole Valley moved to a Leader &amp; Cabinet model, as it was believed that this would deliver improved public accountability with clearly identified responsibilities. It would also lead to streamlined decision-making, delivering greater efficiency and effectiveness; it would allow closer working between members and officers; more democratic due to clear split between executive and scrutiny.</p> <p>A further review was carried out in 2013 and the Leader and Cabinet model was retained, with some modifications for decision-making in relation to significant decisions which go to Executive via Council and then OS.</p>
<p>Basildon</p>	<p>An OS Task &amp; Finish group was set up to consider the potential for changes in governance arrangement arising from the Localism Act. The report in March 2013 concluded with the recommendation to retain the Leader and Cabinet model.</p> <p>Conclusions – there was not a strong, Council-wide desire to change the model of governance (unlike in those councils that had opted to implement a committee system); Members’ dissatisfaction were not caused by the Leader and Cabinet model itself but the way in which it operated (ie the problems were cultural rather than systematic) and could be addressed through either governance model; there were considerable risks related to changing governance arrangements, which would be a commitment for at least 5 years.</p> <p>Recommendations – that the Council should retain the Leader and Cabinet model of governance; and, that measures be implemented to increase the engagement of backbench and opposition members to allay the perception of increased disenfranchisement arising from the current operating of this model of governance.</p>

## Corporate Plan 2016-2019

### Page 1

#### **Our vision is to make Waverley a Better Place to Live and Work**

Introduction by Leader and Executive Director

### Page 2

#### **Our Achievements**

Over the life of our previous Corporate Plan we:

- delivered a brand new leisure centre in Godalming and refurbished centres in Farnham, Haslemere and Cranleigh at an overall cost of £9.5m which has increased the usage at our centres by nearly 20%
- launched a new garden waste service which has doubled the amount of green waste collected and trebled the number of customers using this service
- introduced a new street cleaning fleet and achieved much improved standards of street cleanliness across the Borough working closely with our contractor Veolia.
- invested £33.7 in refurbishing our housing stock and have delivered 156 affordable homes over the past four years
- prevented 1,798 households from becoming homeless and continue to have the lowest use of temporary accommodation for homeless households in Surrey.
- undertook a robust and successful emergency response to the Christmas floods in 2013 and continue to work with different agencies to ensure a better defence against flooding in the future.
- protected funding to the voluntary sector by providing annual grants of £3/4 million to maintain citizens advice and day centre facilities and other services which support the needs of vulnerable people.
- successfully created a brand new facility for Brightwells Tennis Club in 2015 including a new club house and tennis courts as part of our on-going plans for the redevelopment of the Brightwells area in Farnham
- refurbished 11 play areas throughout the Borough and two skate parks.
- secured the future of Godalming Football Club on its present site by granting the Club a new 30 year lease
- made savings on our office space in Godalming and enabled the co-location of essential front-line services from other organisations.

## Page 3

### Our Borough

Waverley is a beautiful place to live and work. It has good quality housing, good transport connections, first class schools, active communities, good health facilities, and a diverse range of leisure and recreational opportunities

Situated in south west Surrey it covers 345 square kilometres of predominantly rural countryside, much of which is designated Green Belt and an Area of Outstanding Natural Beauty with extensive areas of heath and woodland. Waverley is shaped by four distinct settlements; Godalming, Farnham, Haslemere and Cranleigh which bring with them a rich mix of historical perspective and identity. The local economy has shown itself to be relatively resilient through the recent economic difficulties and the Borough has an above average level of economic activity. Although the Borough is relatively affluent and has been voted on a number of occasions one of the best places to live in the country, it is not without its challenges. These challenges present the Council with opportunities constantly to reassess the best and most effective way to deliver services.

### Our Council

Waverley Borough Council provides over 110 local services to a population of around 121,000. These services include housing, planning, refuse collection, recycling, leisure and recreational facilities, countryside management and regulatory services such as Environmental Health and Licensing. The Council provides essential services to support older people and vulnerable families and works with other agencies to enhance the wellbeing of residents. Our services are delivered either directly by the Council or in partnership with a range of organisations including the private sector, other public sector partners, charities and local and community groups.

Despite the pressure on spending across the public sector nationally, Waverley's robust financial platform enables us to continue to invest in the future and improve our service delivery. We are now developing the Borough blueprint for the future in the form of the Council's Local Plan setting out how we will support the success of our communities and businesses over the coming years.

## Page 4

### Local and National Pressures

Whilst Waverley is a large rural borough it is highly constrained in planning terms as much of the area is designated as Green Belt. This results in pressure for development land which in turn leads to high house prices. The rural nature of the Borough also gives rise to issues relating to aspects of social isolation and proximity to services.

The major demographic pressure facing Waverley is the aging population. With 20% of the current population being over 65 this will inevitably present a challenge to our services for the future and all support providers.

The high cost of housing makes it difficult for first time buyers and for employers looking to recruit local employees. Although there are good rail and transport links running north south through the Borough there are rural transport and infrastructure issues especially for those who do not have easy access to transport.

National pressure on public sector finances means that Waverley will see its funding from central government being withdrawn over the next three years. Waverley will therefore need to seek ways of becoming independent of Government funding within this time.

## Page 5

### **What we want to achieve in the next four years**

We are an ambitious Council seeking to deliver top class services. In the next four years we will continue to ensure our services are accessible, designed for residents and customers and delivered in an efficient and cost effective way.

As part of the Government's deficit reduction plans we will receive more funding cuts in the next few years and this will further test our initiative and skill in delivering essential services to our residents. Nevertheless, we have high expectations that we will find ways of delivering more with less.

We will embrace new technology and look to deliver services in ways that best suit our residents in this increasingly digital age. However we recognise our diverse population and we will continue to provide a variety of communication channels being very aware that not everyone has access to the internet.

Waverley's aging population poses a number of challenges to our services. It also presents us with opportunities for delivering new services in the areas of leisure, recreation, telecare, housing and initiatives in the area of independent living for older residents. We will need to work collaboratively with other organisations to make this happen and to make the best use of diminishing resources. In the next four years we will be exploring the best ways to work in partnership for the benefit of Waverley residents.

## Page 6

### **Our Priorities**

#### **Customer Service**

We will strive to make continuous improvement in customer service and engage, listen to and understand the needs of our residents.

##### **Priority 1**

We aim to deliver excellent, accessible services which meet the needs of our residents by

- consulting and engaging our customers to ensure services are designed and delivered appropriately

- ensuring high standards and quality of care and professionalism in dealing with customer enquiries
- ensuring our services are accessible and our response to customers is fair and meets our equality standards
- maintaining a range of communication channels to ensure we provide maximum access to information about Council services
- focusing on new and improved processes to enhance customer service

## Page 7 & 8

### Community Wellbeing

The wellbeing and prosperity of our varied communities is at the heart of everything we do. Through the provision of affordable housing, leisure and recreational facilities, support for older people and vulnerable families as well as support for local businesses we will endeavour to secure the wellbeing of our communities.

### Priority 2

We will support the wellbeing and vitality of our communities by -

- providing community leadership to champion the local issues that most affect our residents
- continuing to invest in the council's housing stock to maintain decent homes and to deliver affordable housing across the Borough, including a major development project at Ockford Ridge in Godalming
- preventing homelessness and giving people housing options
- investing in the delivery of new community facilities on the Farnham Memorial Hall site including day centre services
- implementing a Health and Wellbeing Strategy and action plan to deliver activities and services to improve the lives of Waverley residents
- implementing an Aging Well Strategy which will support older people to lead healthy and independent lives
- implementing a Leisure Strategy which identifies the needs and demands for leisure services in the next 10 years
- providing high quality public protection services such as Licensing, Building Control and Environmental Health to maintain the health and safety of our residents
- implementing a Cultural Strategy to plan effectively for culture and the arts in Waverley for the next 10 years

- supporting young people to train and further their potential through Waverley Training Services

## Page 9

### Environment

Waverley is a beautiful place to live and work and we want to make it even better. The Council has an important role in the stewardship of the land we own and manage on behalf of others. Through the Planning service we can influence and support the aspirations for development in our towns and villages. We will also continue to invest in making Waverley a clean and sustainable place.

### Priority 3

We will strive to protect and enhance the environment of Waverley by -

- delivering a Local Plan which will support good development in Waverley, achieve sustainable housing needs for the future and contribute to the wellbeing of our communities
- continuing to encourage our residents to improve the quality and rate of recycling to 55%
- reducing the amount of household waste that is mistakenly put into recycling to under 5% by 2019.
- increasing the number of customers of the garden waste scheme by 20% by 2019 so as to reduce the amount of garden waste in household and recycling collections
- improving street cleanliness by ensuring 95% of streets cleaned are carried out to the top two grades of cleanliness measured against average yearly figures
- supporting the preparation of Neighbourhood Plans to deliver locally led growth
- managing our green spaces to ensure they offer biodiversity, remain attractive and continue to be safe for our communities to enjoy
- bring forward proposals for a new visitor centre at Waverley's flagship attraction at Frensham Ponds

## Page 10

### Value for Money

The Council faces enormous financial challenges over the next four years. We want to maintain and enhance our service delivery and will do this by careful financial management and planning.

## Priority 4

We will continue to provide excellent value for money that reflects the needs of our residents by -

- taking a sustainable and robust approach to our financial planning in order to continue to deliver excellent services and to live within our means
- seeking ways to be independent of Government funding within five years
- using and investing in assets to enhance service delivery and to maximise value and income
- supporting the needs of businesses and the local economy to enhance the prosperity of our Borough
- identifying other groups who can use our services and thus share the cost base
- maximise commissioning opportunities associated with new and renewed contracts to improve working relationships and thus improve services

## Page 11

### Our Approach

Within the Council we have made major strides in developing a culture based on inclusion and communication, placing a strong emphasis on objectives, performance and outcomes. Any organisation needs good teamwork to achieve great outcomes. We asked our teams what values were important to them in order to be able to deliver good customer service. These are the values our staff told us were important to them and they have become our organisational values:-

#### Openness

In Waverley we value **openness and honesty** where **communication** is **clear and constructive** and actions are **transparent**.

#### Excellence

In Waverley we value **excellence**, working in a **consistent** and **professional** way to achieve the highest standards possible, taking the time to recognise and **celebrate success**.

#### Fairness

In Waverley we value **fairness and respect**, working with **integrity** to ensure that everyone is treated well and has **equal access** to the **opportunities** available.

#### Team Work

In Waverley we value **team work and collaboration**, with **approachable** staff **actively contributing** to our shared corporate goals.

## Taking Ownership

In Waverley we value taking **ownership**, where everyone feels **personally committed** to issues at hand and is working towards a **positive outcome**.