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   <u>Summary of Recommendations:</u>

Support and resources

<u>Recommendation 1</u>
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.

<u>Recommendation 2</u>
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.

<u>Recommendation 3</u>
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

<u>Recommendation 4</u>
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.

<u>Recommendation 5</u>
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 can 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 paragraph 6 of the covering report.

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 committees need to be selective in identifying the areas they wish to scrutinise in order to carry out the task properly, and should therefore focus on issues where value can be added.

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 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 committees 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.