

Public Document Pack



Tracey Lee
Chief Executive

Plymouth City Council
Civic Centre
Plymouth PL1 2AA

Please ask for Helen Wright, Democratic
Support Officer
T 01752 304022
E helen.wright@plymouth.gov.uk
www.plymouth.gov.uk/democracy
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COOPERATIVE SCRUTINY BOARD

Wednesday 29 May 2013
4.00 pm
Council House, Plymouth (next to the Civic Centre)

Members:

Councillor James, Chair
Councillor Mrs Aspinall, Vice Chair
Councillors Ball, Bowie, Bowyer, Casey, Philippa Davey, Sam Leaves, Murphy and Tuffin.

Members are invited to attend the above meeting to consider the items of business overleaf.

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COOPERATIVE SCRUTINY BOARD

12. DRAFT SCRUTINY HANDBOOK

(Pages 1 - 24)

To receive the draft handbook for the new scrutiny process.



Scrutiny Handbook



PLYMOUTH
CITY COUNCIL

This scrutiny handbook is a guide for members and officers who have an interest in scrutiny and how it works in Plymouth City Council.

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I. Scrutiny in Plymouth

I.1 An introduction to Scrutiny in Plymouth

This handbook is a guide for anyone who has an interest in scrutiny and wants to get a better understanding of how it works in Plymouth.

Overview and Scrutiny was established by the Local Government Act 2000, to support efficient, transparent and accountable decision-making. Overview and Scrutiny has evolved since this Act through the introduction of further legislation such as the Police and Justice Act 2006, the Public involvement in Health Act 2007 and more recently the Localism Act.

In Plymouth, Scrutiny is a councillor led non-party political process by which the Council looks at its own performance, and that of other public sector services, such as the NHS, to check how well they are doing. As part of Plymouth City Council's governance arrangements scrutiny acts as a 'critical friend' to the Executive decision makers.

I.2 Scrutiny Mission Statement

Scrutiny at Plymouth City Council aims to enhance the quality of life for all who live and work in the City by ensuring services are delivered effectively and supporting improvement to the Council's services, policies and performance. Scrutiny aims to be objective, evidence-based, transparent and constructive, and to reflect the interests and concerns of local communities.

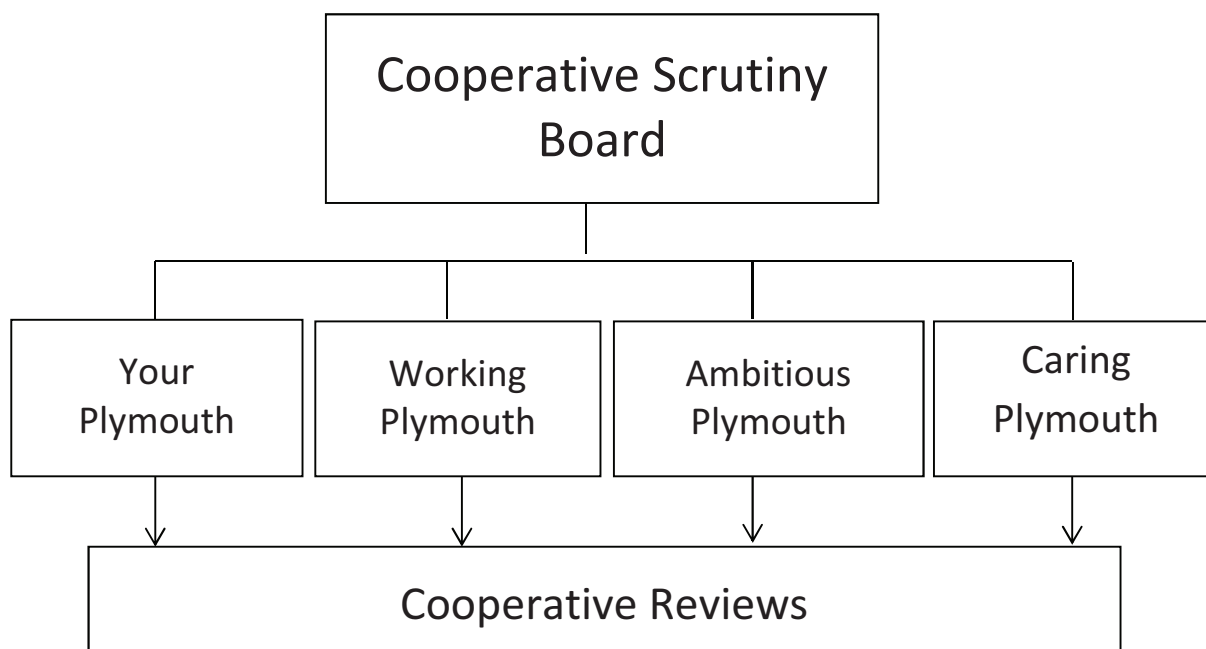
I.3 Key roles of Scrutiny and the Structure in Plymouth

The key roles of scrutiny are:

- Holding the Executive to account;
- Policy development and review through in-depth analysis of policy issues;
- Reviewing and scrutinising the performance of the Council;
- Scrutinising the work and impact of external agencies on the community.

The work of scrutiny in Plymouth is coordinated by the Cooperative Scrutiny Board. To ensure that scrutiny is an independent process, this board has cross party representation and is chaired by a member from a different political group to the Leader of the Council.

The Cooperative Scrutiny Board manages a structure of four scrutiny panels, which includes councillors from all political groups as well as a number of voluntary and statutory co-opted representatives.

Fig. 1 Plymouth City Council's scrutiny structure

1.4 Scrutiny and decision-making in Plymouth

Scrutiny is integral to the Council's decision making structure seeking both to influence and hold to account. It aims to have a constructive relationship with the Council, the Cabinet and the other bodies that make up the democratic structure.

Plymouth City Council is made up of 57 elected members who are democratically accountable to residents in their wards. All councillors meet together in the form of the City Council and are responsible for deciding the council's overall policies and for setting the budget each year; this is termed the Budget and Policy Framework.

The Leader and Cabinet are appointed by the City Council and are responsible for most day to day decisions, with some decisions delegated to Cabinet sub-committees, Cabinet Members and Plymouth City Council Officers.

The City Council appoint members to form the Cooperative Scrutiny Board and the scrutiny panels it manages to support the work of the Council and to hold the Cabinet to account for the decisions that it takes.

The Cabinet can ask scrutiny to undertake reviews on its behalf, although ultimately scrutiny determines its own work programme and the issues that it will review.

Scrutiny has a number of important roles and its relationship with the Cabinet is vital for its ability to effectively undertake these roles. Probably the most important role is in holding the Cabinet to account for the decisions it takes and seeking to influence policies and strategies as they are developed. Most of this work is undertaken in formal public scrutiny meetings, although for more in-depth reviews the scrutiny panels will commission a small task group to undertake this work, the task group is termed a 'Close-up Review'.

At the end of each Close-up Review a report is produced detailing findings and making recommendations. The recommendations are then submitted to Cabinet, via the Cooperative Scrutiny Board, to be formally accepted, and then scrutiny will monitor the progress against the agreed recommendations in its role of holding the Cabinet to account.

Scrutiny can also hold the Cabinet to account in the more formal process of 'Call-in', whereby a number of councillors identify a concern with a particular decision that has been taken and begin a process to 'call-in' the decision for the Cooperative Scrutiny Board to review.

The City Council also appoints a number of quasi-judicial committees to make decisions in relation to planning applications and licensing matters. Scrutiny does not have a relationship with the quasi-judicial committees and does not have any powers to review planning or licensing decisions. However, if there is a concern identified in the council's policies in relation to these areas then scrutiny can investigate the policies and make recommendations to the Cabinet or Cabinet Member responsible for these areas.

2. Roles of Scrutiny Panels, Members and Officers

2.1 Role of Cooperative Scrutiny Board (the Board)

The Board is responsible for ensuring that there is an effective scrutiny function in Plymouth City Council.

The Board works collectively to both manage and coordinate the scrutiny work programme to maintain an overview of the work of all scrutiny panels and to ensure that there is approval and progress on all Cooperative Reviews agreed.

The Board has a critical role to ensure that constructive relationships with the Cabinet and Senior Officers are developed and maintained across the scrutiny function to make certain that Cabinet Members and Senior Officers are effectively held to account.

The Board has a role to –

- Ensure that scrutiny is publicised and communicated in a way that will increase understanding of the role, both within and externally to the Council;
- Challenging the decision-making process using formal procedures, such as 'Call-in';
- Consider and determine requests for Cooperative reviews;
- Consider and determine requests for Councillor Calls for Action;
- Monitor the progress of all scrutiny reviews, ensuring their completion in a reasonable time;
- Provide a robust check on the outcome of scrutiny reviews;
- Ensure scrutiny of performance is embedded within the scrutiny process;
- Encourage the involvement of all interested parties and stakeholders, individuals, voluntary and community groups in scrutiny matters and contribute to the recruitment and retention of co-opted representatives;
- Maintain a detailed understanding of panels' work programmes. This will ensure the risk of duplication is minimised and that the Board can effectively manage the overall scrutiny work programme.

2.2 Role of the Scrutiny Panels

There are currently four scrutiny panels made up of councillors and voluntary and statutory co-opted representatives.

The four scrutiny panels are:

- Ambitious Plymouth
- Caring Plymouth
- Working Plymouth
- Your Plymouth

In carrying out their work the scrutiny panels have a fundamental role to undertake the following:

Holding the Cabinet to account

- Regular liaison meetings between Lead Members and respective Cabinet Members;
- Challenging the decision-making process;
- Requesting Cabinet Members and Senior Officers to attend scrutiny panel meetings;

Policy Review and Development

- Services and Cabinet Members should involve overview and scrutiny at the early stages of policy and plan making. This means that it is possible to address concerns before a formal decision is proposed;

Challenging Performance and Reviewing Quality

- Scrutiny panels can use performance monitoring information to hold the Cabinet to account;
- Monitoring information can be used to identify issues that the scrutiny panel might need to review;

Reflecting the voice and concerns of the public

- Scrutiny panel meetings are held in public (unless they are considering exempt information). This means that the public and media are welcome to attend;
- Scrutiny panels can appoint a number of co-opted representatives, these can be individuals from all sectors of the local community;

Monitoring Recommendations

- Scrutiny panels monitor and challenge the implementation of previously agreed recommendations from scrutiny and other reviews and follow these up if necessary.

Role of the Scrutiny Chair

The scrutiny panel Chair has a key role to ensure effective scrutiny in Plymouth by:

- Providing focus and direction in meetings;
- Providing an in depth understanding of the role of the panel;
- Developing an in-depth understanding of own role as chair;
- Understanding the role of scrutiny support officers;
- Providing effective meeting management;
- Ensuring that adequate resources are provided;
- Understanding the resource requirements of the panel and any Cooperative Reviews it sponsors;
- Understanding the potential role of each scrutiny officer;
- Ensuring the development and contribution of all panel members.

2.3 Role of the Scrutiny Panel Members

Scrutiny panel members have an important role to play in ensuring that there is effective scrutiny carried out within Plymouth by:

- ensuring that there is effective scrutiny of relevant Cabinet Members and Services and contributing to policy development;
- scrutinising the work of the partnership structure and the Council's contribution to it;
- playing an active role in carrying out scrutiny reviews including using effective questioning skills at panel meetings; and taking part in relevant assigned tasks to help gather evidence in support of a review;
- working with the scrutiny officers to exercise the right to 'call-in' decisions taken by or on behalf of the Cabinet;
- attending all meetings of their allocated scrutiny panel;
- reading relevant papers, reports and agendas in preparation for scrutiny panel meetings;
- work collectively with the scrutiny Chair and other scrutiny panel members to ensure that there are appropriate response to all issues referred to the panel by the CSB;
- work collectively with the scrutiny Chair to ensure that communities of Plymouth and service users are able to get involved in and inform the work of scrutiny as well as highlighting areas of service practice and policy, that are of concern to the public and elected members;
- work with the scrutiny Chair and other panel members to help promote the work of the scrutiny panel through the local media and presentation of findings.

2.4 Role of the Lead Officer

The Scrutiny panel Lead Officer has a role to ensure effective scrutiny in Plymouth by:

- providing strategic officer support;
- providing a source of specific knowledge and expertise in the area under review;
- co-ordinating the department's input into the scrutiny panel;
- advising on and accessing information and providing evidence including written reports;
- providing guidance to ensure focus on relevant issues;

- contributing to a thorough understanding of the challenges to a successful service delivery in their area;
- regularly meets with Chair, Vice-Chair, relevant portfolio holders and relevant Directors/AD's about forthcoming trends/issues that relate to the scrutiny panel's terms of reference;
- providing support to the Panel Chair to ensure that the Panel's work programme is coherent and properly managed;
- drafting the scrutiny panel's annual scrutiny reports, liaising with Policy, Performance and Partnership Officers, Democratic Support Officers and the Chair and Vice-Chair;
- supplying the operational/administrative assistance necessary to co-ordinate any Cooperative Reviews 'sponsored' by the Panel and drafts the report and recommendations arising from the meeting(s);
- attending each scrutiny panel meeting.

2.5 Role of the Scrutiny Officer (DSOs)

The Democratic Support Officer has a responsibility for supporting the scrutiny function in Plymouth by:

- organising and attending each meeting, whether of the Panel or a Cooperative Review;
- compiling agendas, which includes liaising with Officers regarding deadlines for and content of reports and briefing notes;
- drafting minutes and producing action lists, where appropriate;
- co-ordinating referrals from the Management Board or Cabinet/Council and vice-versa;
- providing professional advice, guidance, organisational support and assistance to the Panel with respect to scrutiny processes;
- supporting the democratic process and its objective of improved community engagement;
- advising on the constitution, protocols and the forward planning of the Council to ensure sound and timely development of recommendations;
- co-ordinating fact-finding events and submission of information which contribute to a successful review;
- co-ordinating the process for drafting the annual scrutiny report.

3. Scrutiny Work

3.1 Terms of Reference for the Scrutiny Panels

The four scrutiny panels have each its own terms of reference to ensure that work between scrutiny panels is focussed, relevant to the priorities of the council and mitigates against duplication.

All scrutiny panels' terms of reference can be found in the constitution.

3.2 Selecting Scrutiny items

The scrutiny function should reflect the Council's corporate priorities, as set out in the Corporate Plan 2013 – 2016.

Members of each scrutiny panel have the opportunity at the beginning of each year, and subsequently at each panel meeting, to submit suggestions for topics to be reviewed by the scrutiny panels.

3.3 Pulling together a Scrutiny work programme

Selecting the right issues for a scrutiny work programme is always a challenge. Everything can be seen as important! But to make the best use of panel members' time and to achieve measurable results for scrutiny work, then scrutiny panels need to prioritise.

At the start of each municipal year each scrutiny panel is provided with an update on the challenges, priorities and issues that are expected over the next 12 months on the Directorate and service areas that each panel is responsible for. This information is provided by Senior Officers and Cabinet Members and partner organisations and provides a good basis for each scrutiny panel to identify issues to be suggested for inclusion in the work programmes.

Work Programme Management Tool Summary

Stage 1 – Prioritising

The first stage is to produce a shortlist, from all the issues raised and suggested for potential work programme issues.

To help panels do this, the Work Programme Planning tool is available to assist scrutiny panels to identify the priority of each item and therefore determine when the panel needs to review the item.

Stage 2 – Removing Issues

Using the Work Programme Planning tool, scrutiny panels should be able to remove those issues that are not considered a priority and will therefore not form part of the panel's work programme.

Stage 3 – Scoping

The panel should now have a much reduced list, containing only issues that are of the highest priority for the scrutiny panel to review in the current municipal year.

At this stage the panel should identify and be clear about the following:

- what it wants to achieve from each suggested topic;
- the information required to be provided on each suggested topic;
- the Cabinet Member(s) involvement on briefing the panel on each suggested topic;
- the Council officer(s) involvement on briefing the panel on each suggested topic.

Stage 4 – Reviewing

This stage is conducted at each panel meeting under the agenda item 'Work Programme 2013 – 2014'. This agenda item allows the panel the opportunity to reflect on and determine whether the work programme remains relevant, focussed and manageable. Panels should consider –

- are the top priorities clear, and do the panel understand what it wants to achieve on each priority;
- is the timescale for each priority area clear – does it need revising;
- Are there any new issues that have been identified that need including on the work programme.

3.4 How scrutiny work is done

Having decided on their work programme priorities, scrutiny panels have a number of ways in which they can approach their work.

Work programme items at a scrutiny panel

Work programme items are specific items of business that the panel will review at one of its agreed public meeting dates.

Assigned tasks

Assigned tasks are specific tasks allocated to an individual panel member. This may include the panel member undertaking research, going on site visits and meeting to Cabinet Members or Plymouth City Council Officers. The findings from the assigned task are then presented by the member to the panel at one of the agreed public meetings.

Assigned tasks are often used to complement the full work of the scrutiny panel and the emphasis is on ensuring that scrutiny is a member led process with members taking responsibility for key pieces of work.

Cooperative Reviews

Any elected member can request a Cooperative Review by completing and submitting a Project Initiation Document (PID) to the Cooperative Scrutiny Board.

The cooperative Review will then be set up, comprising of a select number of members, to review a specific issue over a set period of time.

When all the evidence has been collected and reviewed a report will be produced presenting the Cooperative Review group's conclusions and recommendations.

3.5 Call-in process

'Call-in' is a process where the Cooperative Scrutiny Board can recommend that an executive decision which has not yet been carried out is reconsidered by the decision maker.

The following executive decisions can be called-in:

- Decision of the Leader of the Council;
- Cabinet decisions;
- Cabinet Member decisions;
- Executive decisions under joint arrangements

Any three councillors can call-in a decision by 4:30pm on the fifth working day after the decision was published (usually a Friday).

Decisions are called in by sending a call-in form to the Monitoring Officer or emailing it to democratic.support@plymouth.gov.uk

Reasons for a call-in must be given and be one of the following:

- An executive decision believed to be outside the budget and policy framework;
- The decision-making process was deficient in some way (e.g. the decision maker did not consult people who should have been consulted);
- The decision maker did not consider alternative courses of action;
- The decision maker did not take into account relevant factors;
- The decision was wrong in law of fact.

When a decision is called-in the Monitoring Officer will tell the relevant officer, the Chair of the body which took the decision and the Cabinet Member.

The Cooperative Scrutiny Board will consider all decisions which are called-in within 10 working days of the call-in being approved, and can decide to:

- Confirm that the decision should be implemented, the decision can then be acted on immediately;
- Recommend that the decision maker should reconsider the decision in light of the comments expressed by the Cooperative Scrutiny Board;
- Refer the decision to the City Council to consider the call-in;
- Send comments to the City Council on any decision that recommends changing the budget and policy framework.

3.6 Annual Report

Early in the new municipal year the scrutiny annual report is produced, describing the work of the scrutiny function during the previous year, and providing evidence of the impact of this work.

The draft report is agreed by the Cooperative Scrutiny Board for submission to Council. The report is then published on the Council's website.

3.7 Councillor Call for Action (CCfA)

The Local Government and Public Involvement in Health Act 2007 introduced the Councillor Call for Action (CCfA) from 1 April 2009. This guide sets out how Plymouth City Councillors can use this power.

What is a Councillor Call for Action?

In their day-to-day role, Councillors identify concerns in their communities and try to resolve them by talking to the Council and other service providers. If they can't resolve a particular issue they can make a 'Councillor Call for Action' which asks for the matter to be referred to the Cooperative Scrutiny Board for further investigation.

Any Councillor can refer an issue to the Cooperative Scrutiny Board. Issues must relate to the City Council's functions, affect all or part of the Councillor's ward or any

person who lives or works in the ward and can include matters that the Council and its partners are delivering.

The Police and Justice Act 2006 makes provision for a CCfA for crime and disorder and community safety issues. In practice, referrals made relating to these issues should be dealt with in the same way as other CCfAs.

How does it work?

The Councillor attempts to resolve the issue at a local level in the usual way e.g. raising it as casework with the appropriate officer and/or cabinet member, through the formal complaints procedure of the Council, with the relevant partner organisation, questions to Council/committee, a motion on notice to the City Council and so on.

If these approaches don't resolve the matter or if it is a persistent matter, the Councillor can refer the issue to the Democratic and Member Support Manager (by using the CCfA obtained from the Democratic Support Office) who will discuss it with the chair of the Cooperative Scrutiny Board.

It should be noted that the CCfA is intended to be a measure of last resort and may not be considered until all other avenues have been tried.

Criteria for considering requests for a CCfA

Background information

Has enough information been provided to enable a view to be taken as to:

- which service/functions of the City Council or partner organisation are most relevant to the CCfA?
- whether the request relates to the Councillor's ward or to a person who lives or works in the ward?
- what steps have already been taken to try and resolve the issue?

Outcome

Has the Councillor clearly stated the desired outcome?

Use of existing procedures

Have the City Council's procedures (or partners' procedures) for resolution of issues been used without success? Councillors will need to demonstrate that they have taken reasonable steps to resolve the matter.

History

- Has the same issue been the subject of a previous CCfA?
- Is the length of time that has elapsed between the date of the last action by the Councillor to try to solve the problem and the request for the CCfA such that the CCfA can no longer be regarded as a timely and suitable method of resolution – a time bar of 6 months is suggested.

Vexatious

Is the matter vexatious/not reasonable? (Likely to cause distress/disruption or irritation without any proper or justified cause).

Discrimination

Is the subject matter discriminatory? (Discriminates against another in relation to their race/religion/faith/belief/sexual orientation/gender/disability).

Referral to scrutiny

The Chair of the Cooperative Scrutiny Board will consider the request and inform the Councillor whether they accept the request. In the event of disagreement between the Councillor and the chair, the matter will be referred to the Assistant Director of Democracy and Governance.

Reasons the Chair of the Cooperative Scrutiny Board may not agree to take the CCfA forward to the Cooperative Scrutiny Board could include:

- Not enough information has been provided;
- More could be done to resolve the issue at local level;
- The matter has recently been examined by scrutiny;
- The matter is the subject of an ombudsman complaint or other official complaints procedure;
- The matter is excluded by legislation. For example, planning and licensing applications/appeals;
- The CCfA is vexatious or discriminatory.

The Democratic and Member Support Manager will notify the Councillor, within 14 days of the request being made, of the outcome of the initial consideration of the CCfA request.

The Councillor may reply to the Chair with further information to support the CCfA.

If the CCfA is accepted, the Cooperative Scrutiny Board will include the CCfA on the agenda at the first available business meeting following the initial consideration of the request.

Role of the Cooperative Scrutiny Board

The Cooperative Scrutiny Board will hear from relevant witnesses, including the Councillor submitting the CCfA, and reach a conclusion as follows:

- Write a report setting out their findings and recommendations to Cabinet/a partner organisation as appropriate;
- Decide that the CCfA matter is complex that needs further investigation and refer the matter to another body for more detailed scrutiny (refer it to the appropriate scrutiny panel or set up a task and finish group);
- Decide not to take any action.

The outcome of the meeting will be published and details sent to the Councillor who submitted the CCfA, relevant Cabinet Members and partners (subject to the rules on confidential and exempt information).

The Councillor who submitted the CCfA will advise the individual(s) who made the initial representations of the outcome of the CCfA.

Where Cabinet Members and partners are asked to take action to resolve a particular issue they will be asked to make a formal response to a future meeting of the Cooperative Scrutiny Board within 28 days, complying with the new requirement, the Duty to Respond.

4. Cooperative Reviews

4.1 Selecting ideas for a Cooperative Review

4.1.1 Background

Scrutiny panels can decide to undertake a detailed investigation of an area of concern by conducting a scrutiny review; at Plymouth City Council this is termed a Cooperative Review. The scrutiny panel will task a small sub-group (Cooperative Review panel) of its members to undertake the majority of the research and evaluate the evidence.

The Cooperative Review panel is responsible for interviewing witnesses, engaging service users and the public where appropriate, and for drafting the recommendations to be included in the final Cooperative Review report.

The relevant scrutiny panel is responsible for making sure the work and recommendations of the Cooperative Review panel are monitored and that the panel's members are kept well informed of the progress.

4.1.2 Cooperative Review Project Initiation Documents (PID)

In order to begin the process of holding an in-depth review, a Cooperative Review, members or a scrutiny panel need to complete a Project Initiation Document (PID) and submit it to the Cooperative Scrutiny Board for consideration.

4.1.3 Scoping a Cooperative Review

In order to be effective, every Cooperative Review must be properly project managed. This is to make sure that the review achieves its aims and has measurable outcomes. One of the most important ways to make sure that a review goes well is to ensure that it is well defined at the outset. This way the review is less likely to get side-tracked or be overambitious in what it hopes to tackle. The Cooperative Review panel's objectives should be as SMART (Specific, Measurable, Achievable, Realistic and Time-Bound) as possible.

The Cooperative Review Project Planning document has been designed to help each scrutiny panel undertaking a review to think through the purpose of a review, and exactly what the members hope to achieve. A good scoping document is also a great communication tool in helping others to understand what the review is about. Once agreed, the document should therefore be circulated to all relevant officers, stakeholders and potential witnesses, as well as being placed on the public website.

4.1.4 Tracking a Review

One member of the Cooperative Review panel should be nominated as the Chairman at the outset. This role as well as chairing the meeting will have a set responsibility for keeping track of the review, how the agreed recommendations are being dealt with and updating the lead scrutiny panel on the reviews progress when required. This will ensure that the review keeps to its agreed relevant lines of enquiry and that the scrutiny panel is able to effectively evaluate the impact of the review, usually 12 months later.

4.1.5 Officer Support

Scrutiny panels have independent officer support through the panel's appointed Democratic Support Officer and a nominated Lead Officer. These two officers in consultation with the Chair will project manage any agreed Cooperative Reviews and ensure the following:

- Tasks are clarified and allocated appropriately;
- An agreed timetable is kept to and meetings are set up accordingly;
- Facilitate all meetings and any actions that are required;
- Advise witnesses and officers called to attend any of the Review meetings;
- Reflect back to members the evidence gathered and ideas that are developed;
- Provide a list of potential recommendations that have been identified from the evidence gathered and ideas developed.

4.1.6 Rationale

There are some key reasons and rationales that members need to consider for undertaking a Cooperative Review. Rationales for agreeing a Cooperative Review include the following:

- The issue has been identified as an area of concern for the public;
- Poor performing service areas (evidence provided from performance indicators and the 'Have your Say' complaints provision);
- A high level of user dissatisfaction with a service area;
- Public interest on an issue identified in the local media;
- A high level of budgetary commitments/overspends to a service area;
- A Council Corporate priority area;
- A Central Government priority area;
- An issue raised by external auditors;
- New government guidance or legislation;
- An opportunity to make a positive impact on a service area or community.

4.1.7 Methodology and Approach

It is important to think about what types of enquiry will be used to gather evidence and why. This is likely to be influenced by several factors including the actual topic itself, the need for expert advice/training and how easy it is likely to be to gather relevant evidence and information. Possible approaches to research include:

- Issuing questionnaires and surveys;
- Mystery shopping;

- Site visits, job shadowing and observations;
- Document analysis;
- Interviewing experts;
- Interviewing witnesses and service users;
- Facilitating public meetings, seminars and drop-in sessions;
- Comparisons with other authorities and benchmarking exercises;
- Joined up working with other panels, partnerships and neighbourhood forums etc.
- Commissioning research activities;
- Workshops and focus groups;

4.1.8 Time Management

A vital part of the Cooperative Review project management is specifying timescales for when things should be done, for example:

- A projected start date for the review;
- Frequency of meetings;
- Deadline for recommendations and draft report;
- A projected completion date;

When agreeing timescales it is important to consider:

- Are there any key service deadlines that need to be met;
- Who needs to contribute to the report and when will they be available;
- Clashes with other meetings in the Committee calendar;
- Deadlines for progressing recommendations through the relevant Committees e.g. Co-operative Scrutiny Board, Cabinet and Council etc.
- When should the parent scrutiny panel receive an update and review the progress of the Close-up Review panel.

4.1.9 Witnesses and experts

An important part of the scoping process is deciding who should be called as a witness. Cabinet members and senior officers are required by the Constitution to attend scrutiny meetings to explain why decisions have been made, poor performance statistics etc. It is possible that further witness evidence could be gathered by requesting other people to attend the Cooperative Review meetings. These other witnesses could include:

- Senior Managers/Chief Officers;
- Service users;
- External partners;
- Business representatives;
- Voluntary and Community Groups;
- Professional experts.

4.1.10 Documents for Analysis

It is beneficial to ascertain at an early stage which documents would assist the Close-up Review. Documents can take a variety of forms including:

- Government guidance or legislation;
- Local policies and strategies;

- Performance plans and performance indicators;
- Departmental service plans;
- Consultation exercise evidence;
- Budget data;
- Minutes and agendas of previous meetings;
- Newspaper articles;

4.1.11 Site visits

Site visits to observe how services are working can be very instructive and can help the Cooperative Review panel collect evidence from officers, experts and service users. When collecting evidence informally it is always important to advise people that information provided could be used in a published report.

4.1.12 Publicity

Good publicity is important in order to fully engage the public in a scrutiny review and influence the effectiveness of a Cooperative Review. A scrutiny review should always prepare a press release to be submitted to the Communications Team at the start of any review. Other potential ways that a Close-up Review can get publicity is through:

- A newspaper advert;
- A Radio interview;
- Publicity leaflets;

4.1.13 Resources

It is a good idea at the scoping stage to estimate the amount of time in person hours that will be required for the review in order that support Officers can effectively project manage the Cooperative Review. Additional expenditure such as expenses, travel costs, publicity and research commissioning etc. should also be taken into account.

4.1.14 Barriers and Risks

The Cooperative Review needs to be achievable in the timescales set, and in order for the review to contribute good scrutiny the outcomes need to add value. To ensure this is the case the project planning stage should identify if there are any risks, barriers or obstacles that could threaten the review.

4.1.15 Indicators of success

Each review should set out to establish some key indicators which will determine if the review had been a success and had achieved its original purpose. Having an idea at the planning stage of what a successful review would look like is useful in demonstrating what the review is attempting to achieve and avoiding any potential straying from the topic. Success indicators could include:

- Identifying local needs;
- Evaluating alternative options or ways of delivering a service;
- Identifying potential recommendations for Cabinet;
- Identifying potential areas within a service that could be improved;

4.1.16 Tracking and Evaluation

It is important to decide at the outset when the outcomes of the review should be monitored and evaluated. This is important to gauge the effectiveness of the recommendations agreed and understand the response to these recommendations. Usually this monitoring and review is scheduled on the parent scrutiny panel's work programme 12 months after the review is published.

There are many ways that the scrutiny panel can assess the effectiveness of the review, some of which include:

- Invite a Cabinet Member to provide an update on what has happened since the review;
- Invite relevant officers to provide a report on what has happened since the review;
- Invite witnesses from the Cooperative Review to provide a verbal update at a scrutiny panel meeting

4.2 Cooperative Review Reports

Once the Cooperative Review group has completed its evidence gathering and agree its conclusions and recommendations, a report of the findings will be drafted by the scrutiny officers supporting the group.

When the group has prepared its draft report, the scrutiny officer will send a copy to all witnesses, officers and Cabinet Members involved throughout the process to check for factual accuracy.

The draft report is then submitted to the Cooperative Scrutiny Board, so that it is satisfied that the Cooperative Review addressed the concerns identified in the original PID. Following this the Cooperative Scrutiny Board approves the report and its findings and recommends the report for submission to Cabinet and any other relevant agencies, if the recommendations relate to them.

All Cooperative Review reports are published on the Council's website.

5. Scrutiny Meeting Procedures

5.1 Pre-meeting arrangements

Chairs and Vice-Chairs of all scrutiny panels are encouraged to hold pre-meetings with the scrutiny officers, at least six weeks in advance of the next scrutiny panel meeting.

This meeting is to ensure that the planning of scrutiny meetings is relevant and effective and that the following issues are all picked up at an early stage:

- Discuss any issues or concerns that were raised at the last scrutiny meeting;
- Identify the agenda items and be clear about what is being requested for the next scrutiny meeting;
- Discuss what background information is required for each agenda item and how it should be presented;
- Identify who will be invited to attend the meeting (Officers and Cabinet Members);
- Discuss any potential media or promotional activities;

5.2 Who attends Scrutiny meetings

5.2.1 Officers and Cabinet Members

The Cooperative Scrutiny Board and scrutiny panels may require the attendance of any Cabinet Member or Senior Council Officer to assist in the consideration of council decisions or functions of the Council. Other lower level officers may also be invited to attend the scrutiny meetings to provide evidence or assist in reviews.

The usual attendance at a scrutiny panel meeting is as follows:

- All panel members nominated to the scrutiny panel;
- The Lead Scrutiny Officer and Democratic Support Officer;
- Other Officers invited to attend by the Scrutiny Officers;
- Cabinet Members invited to attend by the Scrutiny Officers.

As the Scrutiny meetings are held as public meetings, any officers, councillors or members of the press and public can also attend.

5.2.2 External Witnesses

Often it is helpful to draw on expertise from outside of the council to help provide evidence and advice in the course of a scrutiny review. This may include representatives from partner agencies, experts in a particular field, representatives from other local authorities, and members of the local community with experience of a particular issue. Scrutiny bodies do not have the power to compel such individuals to attend, but they can bring enormous value if they are willing to be involved.

5.2.3 Co-opted Representatives

In some cases committees may feel it is appropriate to invite individuals from outside the council, to serve on a committee or a task group as a co-opted representative for a time-limited period while a specific issue is being addressed.

Co-opted representatives participate in the committee's work as equal members. They have access to the same information and can fully contribute to discussions, questioning and making recommendations, but they do not have voting rights should a vote be necessary.

Use of co-opted representatives from outside the council can bring considerable benefits in helping scrutiny engage with the public and particularly excluded communities. Co-opted representatives can also bring particular expertise that is lacking within the existing membership, and offer an independent perspective.

5.3 Conduct of Scrutiny meetings

5.3.1 Councillor-officer relations

Scrutiny should be conducted in an open and constructive way. Scrutiny members and chairmen in particular, should ensure that all meeting attendees are treated with courtesy and respect. When discussing an issue with council officers, questions should (as far as possible) be limited to facts and explanations of policies, decisions and

actions. This is supported by the protocol on councillor and officer relations in the Council's Constitution.

5.3.2 Engaging the local community

An important aspect of scrutiny is engaging local communities in the democratic process about issues that matter to them. All scheduled panel meetings are held in public, although occasionally a part of the meeting may need to be held in private if the material being considered is sensitive or confidential.

Cooperative Reviews are also usually held in public, with the option to meet in private where appropriate – for example when the group is planning the detail of the review, or discussing its recommendations. Task groups decide which of their meetings will be held in public and public notice is given in accordance with the Access to Information Standing Orders of the Council's Constitution.

5.3.3 Meeting procedure

The formal procedures outlined in the Committee Standing Orders in the Council's Constitution are generally not appropriate to the scrutiny process. These procedures can be helpful in circumstances where members are struggling to reach a consensus, and different views need to be reflected through a formal vote, but this should be the exception to the rule.

Scrutiny meetings can be held in a variety of venues, both within the Council Chamber and outside in the community, according to the style of meeting and the issue in question. The seating arrangements may also be varied according to the format of the meeting.

Further information on conduct of scrutiny meetings can be found in Part D of the Council's Constitution.

5.4 **Declarations of Interest**

At the start of each panel meeting, panel members will be asked to state whether they have an interest in any item on the agenda which might prevent them from taking part in the discussions.

Plymouth City Council – Overview and Scrutiny

Plymouth City Council has a Leader and Cabinet system of governance. While full Council still sets the overall budget and policy framework within which decisions are made, the decisions themselves are made by 8 Cabinet members each responsible for a specific area of Council policy.

An Overview and Scrutiny Management Board and Overview and Scrutiny Panels have been set up to monitor and question the decisions made by the Cabinet members. The Board and Panels can also examine Council policies and suggest improvements in Council services. The Board and five politically balanced Overview and Scrutiny Panels have been established to aid the Council's programme.

While the Cabinet makes all of the Council's decisions within the budget and policy framework set by full Council, it is the Overview and Scrutiny Management Board and Panel's role to provide checks and balances of accountability in the new political structure.

What does 'overview' mean?

Each Panel is responsible for examining the Council policy falling within its particular remit. They can decide to take an 'overview' of one area of policy, for example the library service, and look at how the Council provides that service.

Often a task and finish group, a small working group of members, is established to carry out a review. The Panel/Committee will look at what the Council is doing well and how it can improve its service, taking into account the views of expert witnesses, members of the public and examples of best practice elsewhere in local government.

To obtain the input of external groups and individuals, the Panel/Committee will use a number of methods. They might put a press release in the local paper asking for written submission from interested people, or they might consult the Council's Residents' Panel or carry out a survey of local opinion. They might also invite groups and individuals, concerned with or interested in the Panel/Committee current investigation to speak at a Panel meeting.

What does 'scrutiny' mean?

The Board and Panels also have a more inward looking role. They have a duty to examine or 'scrutinise' documents such as the budget and corporate plan before they become Council policy. Councillors also have the responsibility to monitor decisions taken by Cabinet Members.

What happens at the meeting?

Meetings are held on weekdays and take place in the Council House, on occasions meetings may take place in local venues for example community centres, schools etc.

Meetings aim to be professional but relatively informal. We appreciate your involvement and will do all we can to make you feel comfortable and welcome.

At the meeting:

- Panel/Committee Members, or their substitutes, will be present along with a Democratic Support Officer who will provide procedural advice and assistance to the Chair and take minutes of the meeting.
- Generally, meetings are held in public session and it is possible that members of the press and public will also be present.

- At the beginning of the meeting, there will be a number of formal items of Business that the Chair will go through such as agreeing formal minutes of previous meetings and noting any apologies or substitutions from councillors.

When it comes to the agenda item that you will be asked to discuss, the Chair or Lead Member will introduce you to the Panel/Committee and ask you to give a brief introduction of your work, how you are connected with the Panel/Committee current topic of inquiry and any areas of particular importance or specialisation you might have.

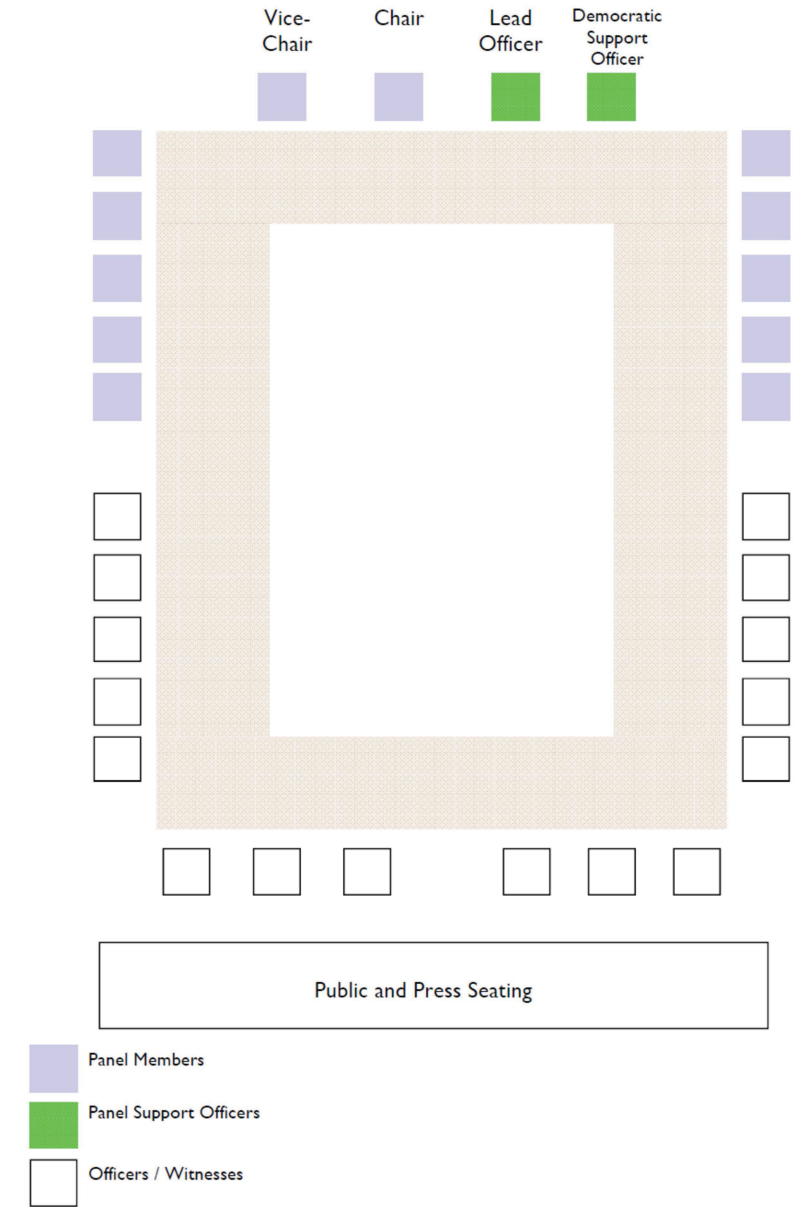
- Once introductions have been completed, the meeting will change into a question and answer session based on any supporting information attached to the agenda.
- Please always assume that all papers which have been distributed have been read by all present at the meeting prior to it commencing.
- Whilst these are Council meetings, the structure tends to be informal, with free and open discussion.
- Notes of discussion will be taken which will help in the production of a formal record of the meeting which will be used as a reference if any particular issues are raised after the meeting.
- If you feel at any time that you might be discussing personal information, such as financial or personal details of yourself or a third party, or details of a business contract for example, this is known as Part II information and you can ask for this part of the meeting to be conducted in private. The public and press will be asked to leave and whilst notes of the meeting will be produced, the detail of the discussion will be available only on a very restricted basis, the democratic support officer can provide advice on this ahead of the meeting.

If you are invited to attend a scrutiny meeting, the room will be set out as at the end of this document.

Your name will be printed on a nameplate to indicate where the Panel/Committee would like you to sit and all members of the Panel/Committee will have their own name plates, so you will be able to tell exactly who has asked a question, or who you need to refer to in an answer

Figure 2. Guide to Scrutiny Meeting Room Layout

Guide to Scrutiny Meeting Room Layout



*The layout of the room is a guide and may be subject to change depending on the type, content and location of the meeting being held.

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