

Supporting scrutiny in Rushcliffe Borough Council



Review report

October 2018

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Report Summary

Introduction

1. The Centre for Public Scrutiny (CfPS) was commissioned by Rushcliffe Borough Council (CBC) to advise and support an internally-led review on the effectiveness and impact of their current approach to overview and scrutiny.
2. We would like to thank those elected scrutiny members, cabinet members, officers and partners who took part in interviews, survey and observations for their time, insights and honesty.

Scope and methodology

3. The scope of the report was to 'assess the current approach to scrutiny and make recommendations aimed at improving its impact and effectiveness in Rushcliffe BC'. We explored the value and impact of scrutiny in terms of:
 - Effectively holding the executive to account
 - Contributing to policy-making
 - Acting as a voice for the public
 - Whether scrutiny is organised in the best way to have an impact and move at pace
 - Its overall value to the council's effectiveness
4. Specific areas to be included were:
 - How well the role of scrutiny is understood within the council and amongst external stakeholders and the perception of its value?
 - How the public are involved in the work of scrutiny?
 - How focused and well managed the work programmes are in relation to corporate priorities and issues of immediate concern?
 - How effectively scrutiny constructively challenges executive decisions?
 - How much impact scrutiny has had, for example in relation to the performance of the council, its partners and within the borough?
 - How members are trained and supported to undertake scrutiny and how this contributes to their broader development?
5. The principle questions we will use for evidence gathering are:
 - What do people want to be different?
 - What would good look like for Rushcliffe BC?
 - What works already?
 - What new things could be tried?

6. Evidence gathering included:

- Desk research of key council documents, agendas, minutes, work programme, etc.
- Member survey
- Observations of scrutiny meetings
- Interviews with key members, officers and partner stakeholders

A copy of the member survey results can be found at Appendix A and details of the meetings observed and interviews undertaken can be found at Appendix B.

Summary of findings

Context

7. The importance of good governance and the value of accountability and openness in local government is well documented, and scrutiny is a key contributor. In the context of austerity across all public services, challenges in relation to demand and the need for clear accountability - scrutiny's role is even more significant. The recent Communities and Local Government Select Committee review into local government scrutiny confirmed that the culture of an organisation is vital to ensuring independent and effective challenge. Government is planning to issue new guidance for local government scrutiny and our findings and recommendations to take into account CfPS expectations in relation to this. For Rushcliffe, it is important that scrutiny does challenge but also actively contributes to the operational working of a high performing council in a diverse and fluid environment which is focused on maximising the use of scarce resources.
8. Many councils have been undergoing significant change and transformation. RBC's approach to partnerships, different approaches to service delivery and income generation is seen as leading the way and has positioned the council well to respond to current challenges. For some organisations, this change to new ways of working has required scrutiny to become more responsive and flexible and to use its time and resource more intelligently. This has proven extremely challenging for many councillors. But without these changes, scrutiny will become irrelevant.
9. RBC has seen political changes relatively recently with the appointment of a new Council Leader and changes to Cabinet and Scrutiny roles. The new Council Leader and Chief Executive are ambitious for the people of Rushcliffe in terms of improving outcomes, tackling important issues around housing growth, the economy, supporting residents and delivering excellent services. To achieve this, they recognise that the pace of delivery in the council needs to be maintained and the Council needs to have its voice heard within the region and beyond. The role of effective and focused scrutiny in adding value and supporting this ambitious agenda is crucial in providing transparency.

An appraisal of current overview and scrutiny

10. **Council approach to scrutiny:** Rushcliffe is a well-run, high performing council and scrutiny is well managed and runs well as a function.

The council has transformed over the last decade and the opportunity is now being taken through this review to see how scrutiny should adapt to reflect these changes. The council is keen to evolve scrutiny to ensure it is making an appropriate and positive contribution to how the council now operates within the continuing uncertain financial climate and develop itself to align more fully to the corporate priorities

Based on the interviews and feedback received, it is widely recognised that scrutiny could add more value given the time and effort that it dedicates to the function.

There is also a desire by the council leadership to be democratically and publicly accountable for their policies and decisions. Generally, members enjoy scrutiny and do not see it as underperforming, but they do want it to achieve more and would welcome new ways to develop its role to play a more constructive role.

11. **Scrutiny's purpose and democratic accountability.** Most members described the role of scrutiny has holding the corporate officers and the organisation to account and to ensure that services are delivered efficiently and offer good value. This is valid activity but there is clearly a deficit of democratic accountability. There are no recent examples of Cabinet Members being held to account by scrutiny although mechanisms do exist within the Council's Constitution to enable this (see paragraph 21 below).

It is also seen as helpful in involving councillors in the process of decision-making. Members and officers recognise that it can make a positive contribution to the future decision-making of the council. Scrutiny is also used as a helpful way to scrutinise partners and to give officers feedback on progress and performance of service delivery. Partners welcome scrutiny and report that the experience is positive. Scrutiny allows councillors (particularly new ones) to get a deeper understanding of the organisation/ services.

12. **Clarity of vision/ the corporate plan.** There is a lack of understanding or visibility of the council's corporate plan. The main outcomes can be described but there is little that sits below it that scrutiny can grasp hold of in terms of informing their priorities. This may exist in the organisation, but it is not used. Members are very passionate about their local areas but lacking a sense of what the purpose and priorities are for the organisation.

We were provided with little evidence of the role of scrutiny in setting the council's budget or medium-term financial plan. An internal briefing and Q&A session is held for all members. There is limited public scrutiny of the budget. RBC scrutiny lacks an overview and scrutiny role which oversees the Corporate Plan, MTFS etc.

13. **Scrutiny work programme and committee structure.** There is certainly a lot of scrutiny activity happening in Rushcliffe, with four permanent committees. Confusion was expressed by some people about the purpose of each committee. Agendas are usually full, and many reports are comprehensive. There are some examples where scrutiny is seen to have made a difference (most from came from specific task and finish projects, but this type of activity has been limited of late with only two task and finish groups taking place in the last two years. More generally however scrutiny was described by most people as being ineffective in relation to impact and the amount of work involved in support of scrutiny.
14. **Public involvement and external focus.** Scrutiny is currently mainly internal in its focus looking at council processes and reviewing decisions. There is little evidence of scrutiny acting as the voice of the public (apart from using specific ward issues to highlight concerns). It is positive to note the introduction of a public question time at Cabinet meetings. This seems to be used by members of the public to ask searching questions and is a positive step in providing transparency and accountability. The leaders of the opposition also have an opportunity for questions. Lessons from here could be applied to scrutiny.
15. **The quality of scrutiny undertaken/ behaviours.** Most scrutiny takes place in committees and there is little evidence of members acting as a team with clear lines of inquiry. This is leaving space for un-co-ordinated individual questions (often focused on specific ward issues), some of which result in scrutiny happening but not usually by design. Meetings begin at 7pm and can continue after 9pm and with four committees to support, these long, late evening meetings are seen as an increasing burden on a smaller officer team.
16. **Evaluation and review.** An annual report is produced which sets out the activities and achievements of scrutiny. It was however difficult for members and officers to recall where scrutiny had made an impact during the year.
17. **The scrutiny support function.** The function is well-supported by a dedicated team of officers with a strong mix of experience and skills. Members and officers are well engaged and positive about their role. There are known processes for work programming planning, agenda setting and managing the meetings.

Summary of recommendations

18. For Rushcliffe to continue as a high performing council and to reflect changes to how it operates, there are some areas where it could consider making changes:
19. **Impact and cost-effectiveness** – Reflecting the changes to how the council works and the officer resource available to support scrutiny, a review of the existing scrutiny model could provide the following benefits:
- An opportunity to better align with the council's priorities or Cabinet portfolios.
 - Give a clearer view of the purpose of scrutiny and an opportunity for members to improve their knowledge by focusing on a specific area of council business.
 - Utilise the best skills available in the member group and focus training and support.
 - Reflect the fact that council staffing has reduced in the last few years.
20. **Agree scrutiny's role and purpose.** Getting a shared view of scrutiny's role and purpose is vital. The focus of scrutiny in RBC has developed over time and become custom and practice (i.e. the operational holding to account of officers). The opportunity should be taken to review and refresh the purpose. Undertaking this as a joint exercise would provide a route for Cabinet to demonstrate its commitment to being challenged. It could also form part of the work programming process.
21. **Democratically accountable, publicly held to account** – A change in behaviour ensuring that it is the cabinet member that is held to account. Currently the majority of scrutiny activity involves report reviewing and questioning of the Rushcliffe officers. They do a good job and are engaged in the process, but this approach often leads to an operational rather than strategic or policy focus and missing the democratic accountability element of scrutiny's role. Members of scrutiny need to activate the Council's Constitution appropriately (namely, Part 4 - Standing Orders – Overview and Scrutiny Paragraph 13). The mechanisms to hold the Executive to account exist but are not exercised by scrutiny. Improved training during the induction of new councillors following the 2019 Borough Council Elections and more advanced training for existing councillors as a result of the scrutiny review should raise member's awareness and confidence in their roles.
22. **More focused work programming** – The work programme is currently based on historic plans and routine items. Many items are part of an annual, rolling programme of review with little challenge where scrutiny can add value. There is an opportunity here for a collaborative approach to work planning, led by members which reflects the needs of residents, council priorities and builds in flexibility to respond as issues arise.

23. **Scrutiny work programme and scrutiny in action** – proactively moving away from items to note and comment, or basic performance reporting. Advance planning will help scrutiny focus add value. Executive manager support should be employed to ensure effective scrutiny through the advice and guidance given to members.

There is currently an over-reliance on committee-based scrutiny. Panels are seen as more effective but resource intensive. Members could look into how different approaches are used which build on members' interest and give scrutiny more focus and less resource intensive.

24. **Review of the structure of scrutiny committees.** Whilst there are benefits to the current scrutiny panel structure, it is leading to confusion about which committee looks at what (even from some of the existing committee members). If this structure is to be maintained, work is needed to be stricter about item allocation and equally importantly when items are removed and how it relates to the work programme and the corporate strategy.
25. **Greater use of time-limited task and finish groups.** Members spoke positively about their experience of task and finish groups. Evidence shows they can have a positive impact if focused on areas where scrutiny can add value. There are a wide range of models, systems and approaches to managing committee meetings, and to carrying out task and finish groups, which RBC can trial and adapt to its own circumstances.
26. **Member training and development.** Members are very keen to improve, but many lack basic scrutiny skills. Members would benefit for collectively receiving the same essential skills training, alongside extended key skills including researching and questioning techniques. Scrutiny chairs and task and finish leaders would also benefit from advanced skills training involving objective setting, team-building and other leadership essentials. The 2019 Borough Council Elections present an excellent opportunity through the induction of new councillors and training of all councillors through the ongoing training programme.

Conclusion

27. There are solid foundation stones in place for Rushcliffe to make changes which will deliver purposeful scrutiny that is valued and makes a difference.
28. The recommendations in this report require commitment from senior officers and the council's leadership. Scrutiny councillors, and the officers who support them, cannot make scrutiny effective, and enhance its impact, on their own. Part of the change will require a shift in approach from the senior political leadership which makes it receptiveness to scrutiny challenge.

Rushcliffe Scrutiny Survey – Member Results

14 responses

Summary:

The number of received responses was lower than expected and results should therefore be considered to be informative rather reflecting a wider member view.

The overall trends are the following:

- Councillors are generally positive about scrutiny's work and the majority see it as somewhat effective 64%;
- Most councillors do not see the primary role as holding the executive to account. Only 3 responses saw this as the main responsibility of scrutiny. Other members have a wide range of views on its purpose including: holding officers to account or the corporate team, checking that the council gives value for money etc
- There is a small difference of opinion about the work programme with the majority 64% believing that it is set at the beginning of the year and remains fixed, whilst 36% believe that it is responsive and flexible.
- There is a range of views on who leads the scrutiny programme with most indicating that officers were responsible (5 responses) followed by members leading the programme (4 responses) with some responses opting for who committee or chair of committee Overall it would suggest that most members believe that it is mainly members, chair or executive are in control of the programme. Our review would indicate that members have only a limited involvement.
- Scrutiny at Rushcliffe enjoys good working relationship with senior officers, executive function, and scrutiny support systems. Almost all responses were positive on this question.
- Councillors feel that they may be over-reliant on officers in terms of providing information, and there seems to be a need to diversify the ways of getting scrutiny evidence.
- Overall councillors feel that scrutiny committee chairs are effective in their role.
- Members feel that scrutiny is effective in task and finish assignments.
- In terms of priorities there was a small consensus around housing and growth with a number of widely different opinions on future priorities.
- Councillors are on the whole satisfied with the training and support they receive, with a small number indicating that they were not satisfied
- Councillors feel that going forward scrutiny needs to be more focused, should be able to showcase its value, and involve residents more often.

Evidence gathered

On-site – meetings and interviews

Scrutiny members

Scrutiny panel chairs

Opposition councillors

Cabinet members

Leader of the Council

Corporate team supporting scrutiny

External partners

Scrutiny panel observation

Member survey (14 responses)

Document and website review