



TRAFFORD COUNCIL

AGENDA PAPERS FOR SCRUTINY COMMITTEE

Date: Wednesday, 29 June 2022

Time: 6.30 p.m.

Place: Committee Rooms 2 & 3, Trafford Town Hall, Talbot Road, Stretford,
M32 0TH

A G E N D A	PART I	Pages
1. ATTENDANCES		
To note attendances, including Officers, and any apologies for absence.		
2. COMMITTEE MEMBERSHIP 2022/23		1 - 2
To note the Membership of the Committee for the 2022/23 Municipal year, including the appointment of Chair and Vice Chair, as agreed at the Annual Council Meeting 25 th May 2022.		
3. COMMITTEE TERMS OF REFERENCE 2022/23		3 - 6
To note the Committee's Terms of Reference for the 2022/23 Municipal year as agreed at the Annual Council Meeting 25 th May 2022.		
4. MINUTES		To Follow
To receive and, if so determined, to agree as a correct record the Minutes of the meetings held on the 7 th of February 2022 and the 9 th of March 2022.		
5. DECLARATIONS OF INTEREST		
Members to give notice of any interest and the nature of that interest relating to any item on the agenda in accordance with the adopted Code of Conduct.		

6. QUESTIONS FROM THE PUBLIC

A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services (democratic.services@trafford.gov.uk) by 4 p.m. on the working day prior to the meeting. Questions must be relevant to items appearing on the agenda and will be submitted in the order in which they were received.

7. SCRUTINY REVIEW IMPLEMENTATION 2022/23

7 - 38

To note the attached report and discuss the implementation of the outcomes of the Scrutiny review in the 2022/23 Municipal year.

8. SCRUTINY COMMITTEE WORK PROGRAMME 2022/23

39 - 52

To consider and amend the draft Scrutiny Committee Work programme for the 2022/23 Municipal year.

9. URGENT BUSINESS (IF ANY)

Any other item or items which, by reason of special circumstances (to be specified), the Chair of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

10. EXCLUSION RESOLUTION (REMAINING ITEMS)

Motion (Which may be amended as Members think fit):

That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

SARA TODD

Chief Executive

Membership of the Committee

Councillors D. Acton (Chair), D. Butt (Vice-Chair), J.M. Axford, G. Carter, G. Coggins, W. Frass, K. Procter, R. Thompson, L. Walsh, B.G. Winstanley, S. Zhi, D. Western (ex-Officio) and M.P. Whetton (ex-Officio).

Further Information

For help, advice and information about this meeting please contact:

Scrutiny Committee - Wednesday, 29 June 2022

Alexander Murray, Governance Officer,
Tel: 0161 912 4250
Email: alexander.murray@trafford.gov.uk

This agenda was issued on **Thursday, 23 June 2022** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

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TRAFFORD COUNCIL**MEMBERSHIP OF COMMITTEES 2022/23****Notes on Membership:**

(1) The Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Scrutiny Committee shall be chaired by a Councillor who is a member of the largest political group on the Council. The person appointed as Vice-Chair shall not be a member of the same political group as the person appointed as Chair.

(3) The Chairs of both the Health Scrutiny Committee and the Children and Young People's Scrutiny Committee shall be appointed as ex-officio Members of the Scrutiny Committee.

COMMITTEE		NO. OF MEMBERS	
SCRUTINY COMMITTEE		11	
		(plus the Chair of Health Scrutiny Committee and the Chair of Children and Young People's Scrutiny Committee as ex-officio Non-Voting Members)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRATS GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
David Acton CH Jill Axford Ged Carter Kevin Procter Rose Thompson Laurence Walsh Barry Winstanley	Dylan Butt V-CH Shengke Zhi	Will Frass	Geraldine Coggins
TOTAL	7	2	1
		1	1

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SCRUTINY COMMITTEE

Terms of Reference

1. To act as the Council's Overview and Scrutiny Committee and Crime and Disorder Committee for the purposes of all relevant legislation including, but not limited to, the Local Government Act 2000 (as amended), and Police and Justice Act 2006.

General Role

2. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
3. In relation to the above functions:
 - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
 - b) to consider any matter affecting the area or its inhabitants
4. In relation to any function within the remit of this Committee:-
 - a) as set out in (b) below to exercise the power to call in, for reconsideration, executive decisions made but not yet implemented set out in Section 21(3) of the Local Government Act 2000.
 - b) The call-in of an executive decision is to be exercised as follows:-
 - i) the decision must not have been designated as urgent by the decision taker
 - ii) the request to call in a decision must be made within 5 working days of the decision being published
 - iii) any 3 members of an overview and scrutiny committee or select committee can ask the Chair of this Committee or, in his/her absence, the Vice-Chair to call in an executive decision
 - iv) in deciding whether or not to approve the request to call in a decision, the Chair or Vice-Chair may consult the Vice-Chair and the chairs of the Select Committees as appropriate
 - v) if the Chair, or Vice-Chair as appropriate, approve the call in of a decision the request to call in the decision must be made to the Chief Executive within the timescale set out in (ii) above

- vi) the Chair may decide, after consulting as appropriate, to call in a decision whether or not a request under (iii) has been received.
5. To put in place and maintain a system to ensure that referrals from overview and scrutiny to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
 6. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
 7. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

Specific functions

8. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy.
9. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
10. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
11. Receive, consider and action as appropriate requests:
 - a) from the Executive in relation to particular issues; and
 - b) on any matters properly referred to the Committee
12. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
13. In relation to the terms of reference of the Committee it may:
 - a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
 - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;

- d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
- e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
- f) question and gather evidence from any other person with their consent.
- g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
- i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
- j) undertake any other activity that assists the Committee in carrying out its functions.

Delegation

14. The Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

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TRAFFORD COUNCIL

Report to: Council
Date: 23rd March 2022
Report for: Approval
Report of: The Scrutiny Committee

Report Title:

Scrutiny Review Outcomes Report

Summary:

This report provides a summary of the work undertaken by the Scrutiny Review Panel including: areas reviewed; areas of success and areas of potential improvement; and details of proposed improvements which are currently being considered by Members.

It should be noted that the scrutiny function review undertaken by the Scrutiny Review Panel and of the Centre for Governance and Scrutiny, has highlighted that Scrutiny function at Trafford is effective and that proposed changes are around process and procedure, rather than fundamental changes.

Recommendations:

That Council is requested to approve the work of the Scrutiny Review Panel, the recommended improvements in section 6 of the report.

Contact person for access to background papers and further information:

Name: John Addison
Background Papers: N/A

Relationship to Policy Framework/Corporate Priorities	The purpose of scrutiny is ultimately to improve the lives of local people through improved public services. To justify the resources allocated to scrutiny it is important to be able to demonstrate that scrutiny work adds value and makes a difference to local people. Effective scrutiny can be demonstrated if it fulfils one or more of the following conditions:
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	<ul style="list-style-type: none"> • it meets the objectives set out by the scrutiny committee • feedback from the public shows that they think there has been the service improvement they desired • the work has helped to achieve corporate or partnership priorities • there is a return on investment, demonstrating scrutiny's impact and outcomes in financial terms.
Relationship to GM Policy or Strategy Framework	N/A
Financial	Note potential financial implications detailed in section 7 of the report.
Legal Implications:	<p>In accordance with the Local Government Act 2000 and Localism Act 2011, authorities are required to have a mechanism by which the Executive can be held to account via a transparent and robust scrutiny function.</p> <p>The review of the Council's scrutiny function was important to ensure that we have an effective scrutiny framework which adds value to the Council's outputs.</p>
Equality/Diversity Implications	N/A
Sustainability Implications	N/A
Carbon Reduction	N/A
Resource Implications e.g. Staffing / ICT / Assets	The resource implications are detailed in the report.
Risk Management Implications	N/A
Health & Wellbeing Implications	N/A
Health and Safety Implications	N/A

1.0 Background

In November 2018, following the submission of a report from the cross-party constitutional working group, Full Council agreed changes to the Constitution in order to increase openness, transparency and public engagement in a number

of governance areas. This work included recommendations to review the Council's Scrutiny function with a view to identifying any areas for improvement.

In July 2021 a cross party scrutiny review panel was established for the purpose of: reviewing the Council's current scrutiny arrangements; considering evidence gathered; and to make recommendations as to how the scrutiny arrangements could be improved. In addition to the internal review the Council engaged the Centre for Governance and Scrutiny to provide an external viewpoint on scrutiny in Trafford.

The review took place over the course of the 2021/22 municipal year with an intention that recommendations are made to annual Council in May 2022 to be implemented for the 2022/23 municipal year.

2.0 The Review Panel

The Review Panel consists of 11 members, including at least one representative from each of the Council's four political groups. The members of the panel are;

Councillor Acton
Councillor Chilton
Councillor D Western
Councillor Dillon
Councillor Axford
Councillor Dagnall
Councillor Hartley
Councillor Jerrome
Councillor Barclay
Councillor Blackburn
Councillor Newgrosh

3.0 Areas of success and areas of potential improvement

The first part of the review consisted of the Review Panel Members completing the Centre for Governance and Scrutiny self-assessment tool and the creation of a survey on the effectiveness of Scrutiny in Trafford for Members, Executive Members, and Officers. The feedback from this exercise highlighted areas where Scrutiny performed well and potential areas for improvement within the current process.

The potential areas for improvement identified fell into five themes detailed below:

Information – Issues were identified around the information provided to Scrutiny. This included: Scrutiny Members feeling they lacked knowledge to scrutinise topics successfully; a lack of general information on how the Council functioned and Scrutiny's role within the governance structure; and a lack of information made available to Councillors on the work and priorities of the Executive. It was also felt that there was a lack of information made available to Scrutiny from

objective external viewpoints, which made Committee's reliant upon Officer reports and views.

Communication – Issues were raised around both internal and external communications. With regards to internal communications Members and Officers reported a disconnect between Scrutiny and the other areas of Council business. Communications were also felt to be poor between the Executive and Scrutiny and vice-versa with Councillors from both groups stating that they often were unaware of the work of the other. External communication issues were identified around a lack of public engagement.

Work programming – Issues related to the current work programming of the Committee's included: Members not feeling they had opportunity to influence the work programme; Members not knowing how the agenda setting for meetings was conducted; and a lack of involvement of Executive Members and Senior Officers in the creation of the work programme.

Methodology – The feedback received showed that: there were issues around the frequency and length of meetings; there was a lack of opportunity for pre-decision scrutiny; and whilst task and finish groups were seen as a good tool for scrutiny to utilise but it was felt that there was no standardised process in place to ensure they added value. Members also felt that there was not enough accountability built within the Scrutiny function with recommendations often being made, but little or no feedback received on the impact of the recommendations.

Resources – Many of the issues raised, such as the lack of meetings, tied directly to the limited resources available to support the Scrutiny function. This was also felt with regards to the information Scrutiny received and training offered to Scrutiny Members.

4.0 Centre for Governance and Scrutiny Review

The Centre for Governance and Scrutiny conducted an in-depth review of Trafford's Scrutiny function. The review included the appraisal of Scrutiny agendas, minutes, reports, and meetings available through webcasting. In addition to this documentation the Centre for Governance and Scrutiny met with elected Members and Officers including; the Council Leader and Executive Members, Group Leaders, Scrutiny Chairs, Members of the Scrutiny Committees, the Council's Senior Leadership Team, and Officers supporting scrutiny to ascertain their views of Scrutiny and how Trafford's Scrutiny function performed.

At the beginning of the review, Members in the main were happy with Scrutiny at Trafford. They felt support by CLT, engaged by the Executive and supported by Officers.

Following the conclusion of the review the Centre for Governance and Scrutiny produced a detailed report (Appendix 1) identifying the strengths and weaknesses in Trafford's Scrutiny Function. The report contains a list of recommendations of how Scrutiny can be improved within Trafford. Ian Parry

who was the lead author presented the report, its findings, and recommendations to Trafford’s Corporate Leadership Team on the 5th January and the Scrutiny Review Panel on the 17th January.

Radically changing Scrutiny was not something Members felt was required, but that scrutiny needed to continually evolve. The work of the Review Panel has focused on improving Scrutiny in the near term to deliver effective change within appropriate resources.

However, the Review Panel did consider issues such as increased Scrutiny work resulting from an augmentation in scrutiny committees, task and finish groups and collaborative working.

5.0 Outcomes

The Review Panel was pleased that the areas it considered needing improvement correlated with what the Centre for Governance and Scrutiny also identified. To aid with the creation of recommendations, suggestions from Members and CFGS have been broken down into themes for improvement and aligned as outlined in the table below.

Review panel suggestions	CFGS suggestions
Have a more strategic focus on topic selection;	A clearer focus on democratic accountability - Scrutiny of Executive Members should form a key part of the work plan, and Executive Members regularly attending scrutiny to answer questions on items falling within their portfolio responsibilities is vital. Alongside this, we also recommend inviting the Leader to attend scrutiny on a quarterly basis to present an integrated finance and performance report.
More planning of work programme linking with the forward plan and deciding in advance which decisions will have follow up review after implementation;	
Greater involvement of Executive Members in the work programming process;	
Review panel suggestions	CFGS suggestions
Large support for pre-decision Scrutiny	More emphasis on scrutiny as a vital part of Council business and governance - With clear council-wide ownership and understanding of its important role in improving policy and holding to account.
Have a more clearly defined purpose;	
Have clear mechanisms for monitoring actions and achievements;	

Review panel suggestions	CFGS suggestions
Clearer work programming;	Review the process for developing work plans for each scrutiny committee - Engaging Members, Officers, partners and the public to prioritise the topics for review. This process should be led by Members of the Committees and could include a selection criterion to identify appropriate topics for the work plan. We would recommend bringing discussion of the work plan to the beginning of meetings, so emerging or changing priorities can benefit from considered discussion.
Look to influence rather than asking for information;	
Have more Scrutiny with focused Committees able to challenge Executive Decisions;	
Review agendas and ensure they meet corporate priorities;	
For Agenda setting to be done in advance for the year;	
Review panel suggestions	CFGS suggestions
More focused remit of Committees to enable them to drill down into areas;	Developing regular communication and information sharing so that Scrutiny can be a resource that can inform Executive decision making. This could be achieved through holding triangulation meetings between Scrutiny Chairs, Executive Members and relevant Directors to consider future issues and the part which scrutiny could play in testing and shaping these forward plans. It would also present an opportunity to share and discuss opportunities to involve scrutiny as an improvement asset.
Scrutiny should be more responsive and results orientated;	
To have a document which covers all Scrutiny's processes	
Review panel suggestions	CFGS suggestions
To have more focused agendas;	Changing the way that information is provided to scrutiny Members for oversight - Cut back on the number of items coming to scrutiny solely for information, and consider how information on the following matters could be shared with councillors on a monthly basis outside of committee:
To have less presentations that are more focused.	
Need to have access to information from a wide variety of sources	
More cross working with other organisations;	

<p>Should review relationship with other groups and boards to see how they can work together to achieve their aims. For Committees to receive briefings and to be made aware of what is being considered by other Committees and Boards (e.g.: Health Scrutiny and Health and Wellbeing Board).</p>	<ol style="list-style-type: none"> 1) Performance, finance and risk information for council services and those operated by partners; 2) Information about complaints handling; 3) The schedule of key decisions; 4) Details of any major council consultation carried out and their results, and consultations proposed to be carried out; 5) Information on external oversight – data produced by the external auditor and any form of inspection to which council services might be subject.
<p>Review panel suggestions</p>	<p>CFGS suggestions</p>
<p>Wider Membership so all Political Groups represented, perhaps as non-voting co-optees.</p>	<p>Cross-party working could be further strengthened at Trafford. There was a broad agreement that all Members have a duty to uphold their responsibilities as a scrutineer, attend meetings and work towards a shared</p>
<p>More collaboration among Councillors in choosing what to Scrutinise;</p>	

<p>Scrutiny Members to expect to have extra work as part of being on the Committee;</p>	<p>goal in their committee. Members should consider what further work is necessary to address working relationships.</p>
<p>Review panel suggestions</p>	<p>CFGS suggestions</p>
<p>Scrutiny to have a role in the Council's Public Consultation Process – Perhaps through a sub-Committee;</p>	<p>Scrutiny should explore and experiment with ways to allow greater access, openness and involvement with the public. This could include scrutiny going on more site visits in the community, inviting the public to offer ideas for work plans, and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.</p>
<p>Review panel suggestions</p>	<p>CFGS suggestions</p>
<p>All different types of Scrutiny should be utilised with the right style being picked depending on the topic to be scrutinised.</p>	<p>Consider extending the use of task and finish group work – or alternative scrutiny arrangements – To ensure the</p>

<p>The amount of time required by Members for Task and Finish work is clear from the outset;</p>	<p>most effective use of time and resources and to deliver maximum impact.</p>
<p>Review panel suggestions</p>	<p>CFGS suggestions</p>
<p>To have records of issues discussed to be held along with a brief summary of;</p> <ul style="list-style-type: none"> a) who proposed each topic for consideration b) evidence for and speakers heard c) decision to proceed or not briefly justified d) who was the report presented to and what was the immediate outcome e) some test cases returned to and reviewed to consider short term and long-term impact 	<p>Reviewing how the recommendations are made and how impact is measured – This could include putting a ‘recommendations monitoring report’ at the beginning of agendas to orientate scrutiny towards outcomes-focused meetings, alongside an emphasis on finding strong recommendations from questioning to present to Executive as improvement or challenge proposals.</p>
<p>Review panel suggestions</p>	<p>CFGS suggestions</p>
<p>Provide improved training for members;</p>	<p>Consider mandatory scrutiny development and training for all committee members - To develop a common understanding of what “good” scrutiny practice looks like.</p>
<p>Review panel suggestions</p>	<p>CFGS suggestions</p>
<p>Handbook for Scrutiny Members to give them a good basic level of understanding of how the Council operates;</p>	<p>Providing additional briefing or expert involvement as required - To assist scrutiny members in becoming more capable to develop questioning strategies that will deliver high impact and value-adding scrutiny.</p>

Review panel suggestions	CFGS suggestions
Meet more often but have shorter meetings;	Cross-party pre-meetings for scrutiny committees should be established - With a specific focus on identifying priorities and Members working together to develop lines of enquiry so that recommendations are more likely.
Conducting deep dives into fewer areas rather than shallow review of many topics;	
Review panel suggestions	CFGS suggestions
More specialised officer support;	That additional dedicated, specialist officer support would provide greater capacity for scrutiny to develop and would recommend that this is considered further. Our view is that scrutiny could grow and deliver greater value if this specialist scrutiny support was available. An officer with specific knowledge and experience could be a real advantage.
Have additional resources so officers can provide stronger support to Scrutiny Members;	
Review panel suggestions	CFGS suggestions
More Training for Scrutiny Members	More skills development support is offered for the key roles of Chair and Vice-Chair.
Review panel suggestions	CFGS suggestions
	A review of the current approach to financial scrutiny, MTFS/ budget scrutiny and the scrutiny of commercial arrangements. We have produced guidance on financial scrutiny with CIPFA1, setting out scrutiny activity to complement the Council's annual financial cycle. The guide suggests ways to move budget and finance

	scrutiny beyond set-piece scrutiny 'events and quarterly financial performance scorecards being reported to committee.
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6.0 Recommendation to improve Scrutiny at Trafford

The following table: lists recommendations to address the areas for improvement identified in the table above; links to the themes Members felt required attention; and provides an outline for when changes should be made.

Recommendation to improve	Theme area of improvement	When
That the Leader be invited to the first meeting of the main Scrutiny Committee at the beginning of each municipal year.	<ul style="list-style-type: none"> • Information • Communication • Work programming 	Municipal Year 2022-23
<p>That an informal meeting between each Scrutiny Committee and the relevant Executive Members take place between Annual Council and 10 days before the first meeting of the respective Scrutiny meeting to:</p> <ul style="list-style-type: none"> • Speak to the Executive Member(s) and Officers about their priorities for the coming municipal year, • Discuss the current Forward Plan and Council Risk Register, • Provide details of any major Council consultation to be carried out and their results, as well as consultations proposed to be carried out; <p>Hear any suggestions for topics from the Executive and Officers.</p>	<ul style="list-style-type: none"> • Information • Communication • Work programming • Methodology 	Municipal Year 2022-23
That the relevant Executive Members be given a standing invite to each Scrutiny Meeting to either seek Scrutiny views on a matter or raise areas of potential scrutiny.	<ul style="list-style-type: none"> • Information • Communication • Work programming • Methodology 	Municipal Year 2022-23
That each Scrutiny Committee select between 3 and 5 work programme items per municipal year	<ul style="list-style-type: none"> • Communication 	Municipal Year 2022-23

<p>depending on resources required for each topic from the selection form/criteria.</p> <p>This will be done at the start of the municipal year (before late July). With additional space available within the work programme to handle hot topics that arise during the course of the year.</p>	<ul style="list-style-type: none"> • Work programming • Methodology 	
<p>Each topic suggestion for inclusion on a committee's work Programme is to be considered against a topic selection form/criteria (Example attached as Appendix 2), with the results presented to the Chair and Vice Chair for sign off.</p>	<ul style="list-style-type: none"> • Communication • Work programming • Methodology 	Municipal Year 2022-23
<p>That each topic selected for Scrutiny will have a topic resource identifier form filled in. This form will outline the terms of reference for the topic, identify what resource/method of scrutiny is required and key stake holders etc.</p>	<ul style="list-style-type: none"> • Communication • Work programming • Methodology 	Municipal Year 2022-23.
<p>That Scrutiny will work with the Executive Members and Officers at the start of the municipal year to identify areas for improvement or where Scrutiny can add value through pre-decision Scrutiny.</p>	<ul style="list-style-type: none"> • Communication • Work programming • Methodology 	Municipal Year 2022-23
<p>That a report should be provided to CLT and the Executive once scrutiny work programmes have been agreed at the start of each municipal year, highlighting a timeframe for items, and any resources/assistance required from the wider council to assist Scrutiny.</p>	<ul style="list-style-type: none"> • Communication • Work programming 	Municipal Year 2022-23
<p>That Scrutiny topics relevant to each portfolio should be tracked by DMT's.</p>	<ul style="list-style-type: none"> • Communication • Work programming 	Municipal Year 2022-23
<p>That all topics/work programme items proposed for scrutiny are to have a clear purpose and not to just seek information or receive an update. But be based on community concern, known issues or improvement required. (These will be in the topic selection form/Criteria)</p>	<ul style="list-style-type: none"> • Work programming • Methodology 	Municipal Year 2022-23

<p>That relevant Officers and/or Executive Members be invited to Agenda setting meetings to discuss with the Chair and Vice Chair requests for information and how it will be presented to the Scrutiny Committee.</p> <p>Agenda setting meetings for Scrutiny Meetings should be set at the start of the municipal year and shared with relevant partners if they will be required to attend.</p>	<ul style="list-style-type: none"> • Communication • Work programming 	<p>Municipal Year 2022-23</p>
<p>That at the conclusion of a scrutiny topic, recommendations are submitted to the Executive in a reasonable time period (not to wait to the end of the municipal year) and;</p> <p>At the time recommendations are submitted to the Executive, a date when the Committee wishes to receive a response by should also be included. This should be no more than 6 months after being considered by the Executive.</p>	<ul style="list-style-type: none"> • Communication • Methodology 	<p>Municipal Year 2022-23</p>
<p>That at the conclusion of the municipal year but before purdah (if applicable that year), a Scrutiny Review will be held by the Chair of the main Scrutiny Committee and the Statutory Scrutiny Officer. This review will be held in the evening and open to all Members and Chief Officers, to review the effectiveness of the scrutiny year, highlight its achievements/good practices, success of recommendations and consider areas for continued improvement.</p> <p>This meeting will be included on the Committee timetable agreed by Annual Council.</p>	<ul style="list-style-type: none"> • Communication • Methodology 	<p>Municipal Year 2022-23</p>
<p>That a Scrutiny Toolkit be written and provided to all Members and Chief officers that outlines the role, remit and powers of Scrutiny.</p>	<ul style="list-style-type: none"> • Information • Communication • Work programming • Methodology • Resources 	<p>Municipal Year 2023-24</p>

That the Council's website for Scrutiny be refreshed, encourage public participation and that it updates monthly with an overview of the work the Committees are undertaking and progress that is being made. Also, greater use of the Council's social media to obtain resident input and communicating the progress and impact of scrutiny work.	<ul style="list-style-type: none"> • Information • Communication • Work programming • Methodology 	Late Summer 2022.
That all Scrutiny Committees have political representation from all parties on the Council and if any Committee due to Proportionality does not, then an invitation from the relevant chair to the Group Leader be made offering a place of one non-voting Member.	<ul style="list-style-type: none"> • Methodology 	Municipal Year 2022-23.
That each topic selected for Scrutiny will have a topic resource identifier form filled in. This form will outline the terms of reference for the topic, identify what resources are required and key stakeholders etc.	<ul style="list-style-type: none"> • Communication • Work programming • Methodology 	Municipal Year 2022-23.
That each meeting of Scrutiny should have a work programme report as part of its Agenda. This report should outline the work of the committee for the municipal year, timeframes, method of scrutiny etc.	<ul style="list-style-type: none"> • Information • Communication • Work programming • Methodology 	Municipal Year 2022-23.

If the above suggestions are approved by Members, the process for Scrutiny would be as outlined in Appendix 3.

7.0 More Scrutiny and Support

The review identified that some Members were not clear on the support available to them in order to conduct Scrutiny Topics within the Council. The Governance Team currently supports the Council's Scrutiny function with two Officers offering a third of their time.

In supporting the Scrutiny function, the Governance Team currently:

- Work with the Chair and Vice Chair to manage the annual work programme;
- Provide support for Scrutiny Members, including providing advice on scrutiny in line with statutory guidance and best practice, and producing briefing papers, background materials, key lines of enquiry, arranging seminars etc.;

- Carry out and commission qualitative and quantitative research to support topics including data gathering and analysis, case studies and examples of good practice to inform the scrutiny process;
- Source external experts to contribute information to agenda items at formal meetings and to working groups;
- Support working groups, including managing the project plan; drafting terms of reference; providing advice on virtual and remote techniques to gather evidence and engage with stakeholders during the health emergency, and drafting reports in consultation with the chair;
- Promote Scrutiny across the Council and externally, including production of reports and publicity to show what has changed as a result.
- Co-ordinate and administer agenda planning meetings with the Chair, Vice Chair, Scrutiny and Senior Officers in advance of committee meetings. This will include advising Officers and partner agencies of the information required;
- Administer the committee meetings including sending out agenda papers to Councillors;
- Produce the minutes of the meeting and update the action and recommendations trackers;
- Provide governance support to working groups and conferences including arranging venues and providing administrative support.

The review identified that there is currently limited support for the scrutiny function due to limited officer resource. An increase in resources to increase officer support made available to scrutiny was recommended by both the Review Panel and the Centre for Governance and Scrutiny as being necessary to help improve the Scrutiny function within the Council.

It was identified that additional dedicated, specialist officer support would provide greater capacity for scrutiny to develop and would recommend that this is considered further. The view being that scrutiny could grow and deliver greater value if this specialist scrutiny support was available and that an officer with specific knowledge and experience could be a real advantage.

Notwithstanding the resource recommendations, it is proposed that the changes detailed in section 6 of the report would be supported by the existing resource in the Governance Team.

Both the review by Members and from the Centre for Governance and Scrutiny identified that task and finish groups at Trafford had been successful. Members recognised that more scrutiny was required, be it through more Task and Finish groups, or through the identification of more Scrutiny Committees to support the existing three meetings.

Whilst the proposed changes detailed in section 6 will be supported by existing resources within the Governance Team, those resources will need to be kept under review throughout 2022/23 to ensure that the improvements

can be successfully progressed as proposed. In accordance with the review recommendations, any additional growth or development of or support for the scrutiny function, above what is proposed in section 6, would likely result in a requirement to increase officer resource made available to support scrutiny. In such an instance, a budget to increase resource levels would need to be secured.

8.0 Evolving Scrutiny

The Review Panel will meet in the new municipal year towards the end of 2022 to consider how Scrutiny is progressing, see if the changes have made the perceived impact and if future changes to Scrutiny are required. The Review Panel will make any suggested changes to the first Annual Review of Scrutiny in 2023.

Final Report



Mrs Sara Todd
Chief Executive
Trafford Council

Dear Mrs Todd,

Short Scrutiny Improvement Review – CfGS consultancy support

I am writing to thank you for inviting the Centre for Governance and Scrutiny (CfGS) to carry out an evaluation of Trafford Council's scrutiny function. This letter provides feedback on our review findings and offers suggestions on how the Council could develop its scrutiny process.

As part of this feedback stage, we would like to facilitate a workshop with Members and Officers to reflect on this review and to discuss options for improvement.

Background

Trafford Council commissioned CfGS to advise and support a Member Review Panel, and Members and Officers, in the review of the Council's scrutiny function. The aim is to ensure that scrutiny is effective in delivering accountability, improving policy and decision making, and makes a quality contribution in the delivery of Council plans and overall improvement.

The Council has not undertaken a comprehensive review of its scrutiny arrangements for some time and wants to check and test that scrutiny meets the Council's high expectations of democratic accountability, and that decision-making and scrutiny is effective and impactful.

Trafford's current scrutiny arrangement consists of an overarching Scrutiny Committee, plus a Children and Young People Scrutiny Committee and a Health Scrutiny Committee.

CfGS undertook a review of these scrutiny arrangements, involving evidence gathering online through conversations with Members and Officers during November 2021. In addition, we observed recordings of scrutiny meetings and reviewed key documents on the Council's website.

CfGS met with elected Members and Officers, including the Council Leader and Executive Members, Group Leaders, Scrutiny Chairs, Members of the Scrutiny Committees, the Council's senior leadership team and officers supporting scrutiny.

The review was conducted by:

- Ian Parry – Head of Consultancy, Centre for Governance and Scrutiny
- Kate Grigg – Senior Research Officer, Centre for Governance and Scrutiny

The findings and recommendations presented in this letter are intended to advise the Council and the Member Review Panel on strengthening the quality of scrutiny activities, increasing the impact of its outputs, and through its Members to develop a strong and shared understanding of the role and capability of the scrutiny function.

Summary of findings

1. Scrutiny has the conditions for success

The conditions for successful scrutiny are clearly present at Trafford; there is a shared understanding from Members and Officers that good governance involves scrutiny, and when used effectively scrutiny can add value to decision-making. All of those interviewed believed that improvements are needed to make scrutiny more effective and to add greater value.

Given that Members recognise the benefits of change and improvement, this presents a good opportunity for the Council to refresh the way in which scrutiny operates. Change could aim to elevate scrutiny so that it is recognised as a strategic function and is used as a resource for corporate improvement.

Our review identified a number of positive indicators for scrutiny, most notably; the positive attitude and commitment of Members and Officers, the mature cross-party working in the scrutiny context, the overall capacity and range of experience of Members as well as the strong belief that more could be achieved. There were other positive behaviours and practices which this report will also highlight. We therefore commend the Council and its Members for their professional approach to scrutiny.

2. Officer support and organisational culture

We were assured that the Council's senior leadership team are committed to supporting scrutiny. Through our conversations, Members were very positive about the assistance they received from Officers who support scrutiny and were highly complimentary about the quality of Officer support within the Council's resource constraints.

Organisational culture was also identified as foundational in improving the quality of scrutiny, and it was noted that scrutiny mainly operated in space that was generally free from adversarial political activity and was largely collegiate. The Council's ability to effectively carry out day to day business, as well as to confidently plan for the future, rests on the strength of organisational culture. This includes but is not limited to:

- Mutual respect between Members – within the context of robust political debate and disagreement, and Members respecting Officers as professionals;
- Members and Officers understanding their mutual roles and responsibilities – in the most basic sense, that Councillors lead on strategy and overall direction, while Officers lead on delivery and implementation.

These cultural aspects above are present at Trafford, but more could be done to engage earlier with Executive members to help shape and improve through early constructive challenge. Furthermore, there is a real opportunity for Scrutiny to be better aligned with core corporate plans of the council.

We would also like to note that we felt that additional dedicated, specialist officer support would provide greater capacity for scrutiny to develop and would recommend that this is considered further. Our view is that scrutiny could grow and deliver greater value if this specialist scrutiny support was available. An officer with specific knowledge and experience could be a real advantage. We acknowledge that the ongoing review of the Governance Services' structure may offer an opportunity to explore this further.

3. Clarity on scrutiny's role and responsibilities

Scrutiny's overall role is to hold the Executive to account, to carry out policy development, contribute to improved decision-making, and channel the voice of the public. A good scrutiny function is one that provides not only effective challenge but is recognised and valued as a body that positively influences policy development.

Through our evidence gathering, Members involved in scrutiny could articulate the role that scrutiny should play in being an integral part of the council's governance structure and contributing to the council's budgetary and policy making function. However, some Members seemed to be unclear on how exactly scrutiny should be holding the Executive to account. We heard that meetings could spend a lot of time focusing on officer presentations and less time in discussion and scrutiny mode.

In practice the strategic challenge of Executive Members needs to be strengthened. Within meetings we found that scrutiny tends to focus on Officers and Officer reports - where Executive Members are involved in scrutiny meetings this can be light touch rather than an exploration of current policy, or decisions where Scrutiny can play a valuable role in shaping and improving.

Scrutiny needs to recognise its role and responsibility in holding Executive Members to account, ensuring questions are directed to the relevant portfolio holder and are linked to clear priorities. Scrutiny's success is measured by the impact it has on positively shaping and improving policy and key decisions.

The Executive and Scrutiny both want more emphasis on shaping policy, challenging and holding to account. Therefore Scrutiny will need earlier access to and involvement with the core policy and decision-making activities of the Executive. Our discussions concluded that the Leader, Executive Members and Scrutiny all recognise and agree that greater collaboration and engagement would be strongly beneficial.

We recommend:

- **A clearer focus on democratic accountability** - Scrutiny of Executive Members should form a key part of the work plan, and Executive Members regularly attending scrutiny to answer questions on items falling within their portfolio responsibilities is vital. Alongside this, we also recommend inviting the Leader to attend scrutiny on a quarterly basis to present an integrated finance and performance report.
- **More emphasis on scrutiny as a vital part of Council business and governance** - With clear council-wide ownership and understanding of its important role in improving policy and holding to account.

4. Collaborative approach to scrutiny

Scrutiny is the forum for the evidence-based discussion about issues affecting local people where challenge is welcomed and encouraged. Members told us that they felt that politics was not a strong feature of Scrutiny, although there are instances of where politics can feature.

In any democratic institution, there will be differences of opinion and disagreement about policy and decisions - this should be accepted. However, if Scrutiny encounters become too politically charged or adversarial this can diminish mutual trust and respect and lead to defensive and negative outcomes, rather than resulting in creative and useful exchanges.

We heard that proactive engagement between Scrutiny and the Executive could be improved both before and during Scrutiny meetings.

There is also mixed level of engagement from those who sit on Scrutiny, with some Members showing minimal levels of involvement within committee meetings. Engagement, contributions and challenge from all Members of Scrutiny is essential if individuals Members wish to have an influence on shaping decisions, and if Scrutiny is to fulfil its role in being a space for cross-party inquiry. This not only requires attendance, but background preparation for the meeting.

We recommend:

- **Developing regular communication and information sharing so that Scrutiny can be a resource that can inform Executive decision making.** This could be achieved through holding triangulation meetings between Scrutiny Chairs, Executive Members and relevant Directors to consider future issues and the part which scrutiny could play in testing and shaping these forward plans. It would also present an opportunity to share and discuss opportunities to involve scrutiny as an improvement asset.
- **Cross-party working could be further strengthened at Trafford.** There was a broad agreement that all Members have a duty to uphold their responsibilities as a scrutineer, attend meetings and work towards a shared goal in their committee. Members should consider what further work is necessary to address working relationships.

5. Scrutiny's focus and workplan

There is a recognition that Scrutiny at Trafford needs to focus on more strategic issues, where it can have influence, and that Scrutiny should input into the decision-making process at an earlier stage than it does currently.

Scrutiny has a tendency to be more retrospective, rather than forward looking. It is important that scrutiny carries out reviews and assess performance, but there is a missed opportunity for it to add value to council policy and strategy through greater emphasis on the big challenges and opportunities ahead for the Borough.

The Council's corporate plan should direct Scrutiny's focus, but business does not always seem to be aligned with either the Council's overall priorities, the 3-month rolling programme of Executive decisions or with pressing performance or risks - when topics are reviewed the focus tends to be operational rather than strategic or outcome focused.

There is also an opportunity to hold the Council Leader to account for the delivery of the Council plan and integrated performance and financial position of the council. We believe this would also be welcomed by the Leader as part of his duties to the council.

Task and finish style working was cited as some of the most successful examples of scrutiny by Members, where it has selected key issues to scrutinise and to explore. These could be further improved if Scrutiny focused on making compelling, quality recommendations based on its activity.

There is also some good work by Scrutiny in advance of the budget. Through 3 structured sessions it is able to explore budget issues in greater detail. This can be further built upon for greater impact if Members are able to construct more probing and challenging lines of enquiry. This will take further pre-planning and Officer input to assist Members in building core knowledge.

Finance scrutiny also tends to spend time looking at reviewing budgets rather than future, emerging and potential future risk issues. It may need to refocus its attention on the future challenges and operating environment of the council.

Work planning is key to ensuring Scrutiny stays focussed on strategic issues where it can make an impact, whilst making the best use of time and resources. From our conversations we noted that many Members felt that they have little opportunity to influence work plans, and the way that issues are prioritised. Trafford's Scrutiny function may need to consider how it organises its work plans in a way that is led by all Members of the committees in order to have ownership over committee activity.

It is important to emphasise that work planning is an ongoing process and not just a one-off event. Whilst a workshop will help identify priorities and provide structure to work for the months ahead, there will need to be flexibility in the work plan and time set aside to regularly revisit the relevance of topics in meetings as the local context changes.

We recommend:

- **Review the process for developing work plans for each scrutiny committee -** Engaging Members, Officers, partners and the public to prioritise the topics for review. This process should be led by Members of the Committees and could include a selection criteria to identify appropriate topics for the work plan. We would recommend bringing discussion of the work plan to the beginning of meetings, so emerging or changing priorities can benefit from considered discussion.
- **A review of the current approach to financial scrutiny, MTFS/ budget scrutiny and the scrutiny of commercial arrangements.** We have produced guidance on financial scrutiny with CIPFA¹, setting out scrutiny activity to complement the Council's annual financial cycle. The guide suggests ways to move budget and finance scrutiny beyond set-piece scrutiny 'events' and quarterly financial performance scorecards being reported to committee.

6. Scrutiny committee structure and scheduling

We found no major Member concerns about the current structure of Scrutiny, although we heard comments about an additional committee. Our view is that more committees would not necessarily generate more quality output or offer additional value, although it would potentially increase activity and need for more resources.

Instead, we would like to raise the opportunity to obtain greater value from task and finish groups or alternative formats of scrutiny.

We were told about several successful examples of task and finish group work. Scrutiny could benefit from further use of task and finish groups or spotlight events where single issues of major importance to the Council or community can be considered and explored in greater detail. This can add significant impact and quality to scrutiny activity. But T&F must be clearly scoped, resourced, time-limited and with clear objectives to be useful and effective.

¹ CfGS & CIPFA (2020) 'Financial scrutiny, practice guide' - https://www.cfgs.org.uk/wp-content/uploads/Financial-scrutiny-practice-guide_proof3.pdf

Task and finish style working is often where scrutiny can do its best work by focussing on a single issue and drilling down to provide clear analysis to inform policy making. Trafford councillors get this, but in practice the scoping and delivery of task and finish can suffer from unclear objective setting and 'mission drift'.

We suggest that additional thought and planning is given to scoping, objective setting, inclusion of the Executive and timescales. Other forms of specific, single-issue scrutiny can be considered as useful to the way Trafford focuses on key issues. These can include; Spotlight Sessions (1 item scrutiny meetings) and Inquiry days (1day longer scrutiny to involve interest groups and evidence providers).

We recommend:

- **Consider extending the use of task and finish group work – or alternative scrutiny arrangements** – To ensure the most effective use of time and resources and to deliver maximum impact.

7. Scrutiny's output and impact

Overall, the general view is that Scrutiny does a good job. However when asked more specifically about Scrutiny's output and impact most Members and Officers found it difficult to point to consistent work that has made a real difference, or tracking recommendations that have been accepted and implemented.

Substantive items considered by Scrutiny committees the conclusion of the discussion did not always have an articulated outcome or recommendation. Otherwise, Scrutiny business could be seen as solely for the purpose of obtaining information or to obtain updates. The practice of reports being presented 'to note', or inviting speakers only to share information, should be avoided.

Scrutiny must be clear in its purpose and to add value no value to the issue or subject being considered. If scrutiny can't add value, then arguably the subject should not reach the agenda. As a matter of general principle, items for information or updates could be shared with Members as briefing notes outside of committee, leaving more capacity for constructive activity.

An effective scrutiny function should be able to review recommendations in 6- or 12-months' time to see that the outcomes have made a difference or added value. Improving systems to monitor the Executive's response and implementation of recommendations that have been accepted will help track scrutiny's outcomes and Councillors' perceptions on the effectiveness of work.

When members of the Executive and senior Officers are asked to attend, Scrutiny Committees would benefit from being clear about what the aims and objectives are of the session (including clarity over the content of any reports and presentations). Through our recommendation of establishing pre-meetings in the next section, this can also improve Scrutiny's impact by allowing the space to create a shared understanding and trying to discuss beforehand what recommendations the committee might make on the day, and how the Executive might respond to them.

In carrying out 'external' scrutiny work, it is important to ensure that scrutiny has a clear focus on objectives and is able to influence outcomes concerning the topic discussed.

We recommend:

- **Changing the way that information is provided to scrutiny Members for oversight -** Cut back on the number of items coming to scrutiny solely for information, and consider how information on the following matters could be shared with councillors on a monthly basis outside of committee:
 - Performance, finance and risk information for council services and those operated by partners;
 - Information about complaints handling;
 - The schedule of key decisions;
 - Details of any major council consultation carried out and their results, and consultations proposed to be carried out;
 - Information on external oversight – data produced by the external auditor and any form of inspection to which council services might be subject.

- **Reviewing how the recommendations are made and how impact is measured** – This could include putting a ‘recommendations monitoring report’ at the beginning of agendas to orientate scrutiny towards outcomes-focused meetings, alongside an emphasis on finding strong recommendations from questioning to present to Executive as improvement or challenge proposals.

8. Chairing, member development and meeting preparation

Scrutiny’s success is dependent on the right Members, with the right capabilities and attributes, leading and managing the scrutiny function. Scrutiny Chairs have a vital task in leading the committee, ensuring that it builds and maintains strong relationships with the Executive, Officers and relevant external partners.

Chairs can also lead on setting the working culture of scrutiny, helping it to set and uphold high standards of behaviour, engagement and debate, ensuring good cross-party working. The lack of opposition Members involved in scrutiny chairing roles was raised as an issue in our evidence gathering. Although there is no single ‘right’ approach to selecting chairs - the emphasis ought to be on selecting chairs based on skill set and capability and providing ongoing training and support.

Scrutiny provides an excellent opportunity to support Members in getting an in-depth understanding of issues across the Council’s services. To get the most out of scrutiny, Members need a clear sense of what is required of them as committee Members and the work involved which allows good scrutiny to happen.

Many Members were unsure of how to achieve impactful scrutiny, some were also open about a lack of understanding about the specific areas they are asked to scrutinise. Members felt that more briefings to provide them with core knowledge, especially on more complex or technical issues would be welcome and equip them better as scrutineers.

We heard that the quality of questioning in scrutiny varies; in some instances, it is forensic and probing, but it is often more general and exploratory and sometimes superficial. Trafford is clearly committed to Member development, and training was raised by some Members who were clearly aware of the gaps in their knowledge and understanding.

From the recordings of committee meetings there is little evidence of co-ordinated questions or Members acting as a team with clear lines of inquiry. Pre-meetings could allow Members to give voice to their objectives for meetings and allow mutual motivations to be understood and questioning strategies to be agreed. It is likely that differences will remain and will in some cases

be significant, but the airing of these differences will make it easier for Members to understand where consensus is possible.

We recommend:

- **More skills development support is offered for the key roles of Chair and Vice-Chair** – To provide them with the confidence they need in leading the scrutiny function.
- **Consider mandatory scrutiny development and training for all committee members -** To develop a common understanding of what “good” scrutiny practice looks like.
- **Providing additional briefing or expert involvement as required -** To assist scrutiny members in becoming more capable to develop questioning strategies that will deliver high-impact and value-adding scrutiny.
- **Cross-party pre-meetings for scrutiny committees should be established -** With a specific focus on identifying priorities and Members working together to develop lines of enquiry so that recommendations are more likely.

9. Public engagement

Scrutiny should explore and experiment with ways to allow greater access, openness and involvement with the public. This could include scrutiny going on more site visits in the community, inviting the public to offer ideas for work plans, and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.

Thank you and acknowledgements

We would like to thank the Chairs, Members of the Scrutiny Committees, Executive Members and Officers who took part in interviews for their time, insights and open views.

Yours sincerely,

Ian Parry,
Head of Consultancy

Centre for Governance and Scrutiny | 77 Mansell Street | London | E1 8AN

Tel: 020 7543 5627 / Mob: 07831 510381 (preferred)

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DRAFT Trafford SCRUTINY TOPIC ASSESSMENT - SELECTION CRITERIA

1.0 Defining Scrutiny Topics

For every item on the work programme / new referral, it should be clear:

- What is the issue / activity / project under consideration?
 1. A brief outline of the matter being referred / the question being asked - What is Scrutiny being asked to do?
 2. e.g. undertake a full review of the subject? Investigate / interrogate different policy options? Be consulted on final proposals before decision making? Monitor outcomes / implementation?
- What are the reasons for / expected benefits of involving Scrutiny in this matter?
- Is there a specific deadline for this piece of work?

1.1 Topic Selection Criteria

The topic should meet at least one of the following:

- Improvements for local people likely.
- Community/Corporate priority area.
- Key issue for the public.
- Poor performing service.
- High level of dissatisfaction.

2.0 Topic Rejection Criteria

The topic should not meet any of the following:

- The issue is already being addressed / being examined elsewhere and change is imminent
- The topic would be better addressed elsewhere (and will be referred there)
- Scrutiny involvement would have limited / no impact upon outcomes
- The topic may be sub-judice or prejudicial to the Council's interest
- The topic is too broad to make a review realistic
- New legislation or guidance relating to the topic is expected within the next year
- The topic area is currently subject to inspection or has recently undergone substantial change
- Simply for information.

3.0 Scoring

Each topic is scored for Importance and Impact on a scale of 1-4 using a scoring guide. (Scoring Topic Assessment Template attached for information).

Importance – how well a topic fits with the Council’s key aims and priorities.

Impact – likely potential impact of outcomes from a scrutiny investigation of the topic in terms of community benefit.

4.0 **Scoring Guide**

Importance

- 1 Some evidence that the topic is linked to the Council’s key aims and priorities but only indirectly.
- 2 Good evidence linking topic to Council’s aims but not to Council’s current priorities.
- 3 Good evidence linking topic to Council’s key aims and priorities.
- 4 Strong evidence linking topic to Council’s key aims and priorities.

Impact

- 1 Minor potential benefits or benefits affecting only one ward/customer/client group
- 2 Minor potential benefits affecting two or more wards/customer/client groups or, moderate potential benefits affecting only one ward/customer/client group.
- 3 Moderate potential benefits affecting more than one ward/customer/client group, or Substantial potential benefits affecting one or more ward/customer/client group.
- 4 Substantial potential benefits community wide or for a significant proportion or section of the community.

Appendix

- 2 Scrutiny Topic Assessment Template

DRAFT



SCRUTINY TOPIC ASSESSMENT TEMPLATE

SCRUTINY TOPIC SELECTION ASSESSMENT

TOPIC:	
SUGGESTED BY:	DATE:

STEP 1: REJECTION CRITERIA MUST NOT MEET ANY OF THESE:		STEP 2: SELECTION CRITERIA MUST MEET ONE OF THESE:	
<input type="checkbox"/> Already being addressed		<input type="checkbox"/> Improvements for local people likely	
<input type="checkbox"/> Matter subjudice or prejudicial to Council's interests		<input type="checkbox"/> Community Strategy/Corporate priority area	
<input type="checkbox"/> Specific case falling within complaints procedure		<input type="checkbox"/> Key issue for public	
<input type="checkbox"/> Individual disciplinary or grievance matter		<input type="checkbox"/> Poor performing service	
<input type="checkbox"/> Unlikely to result in improvements for local people		<input type="checkbox"/> High level of dissatisfaction	
Select	Reject	Select	Reject

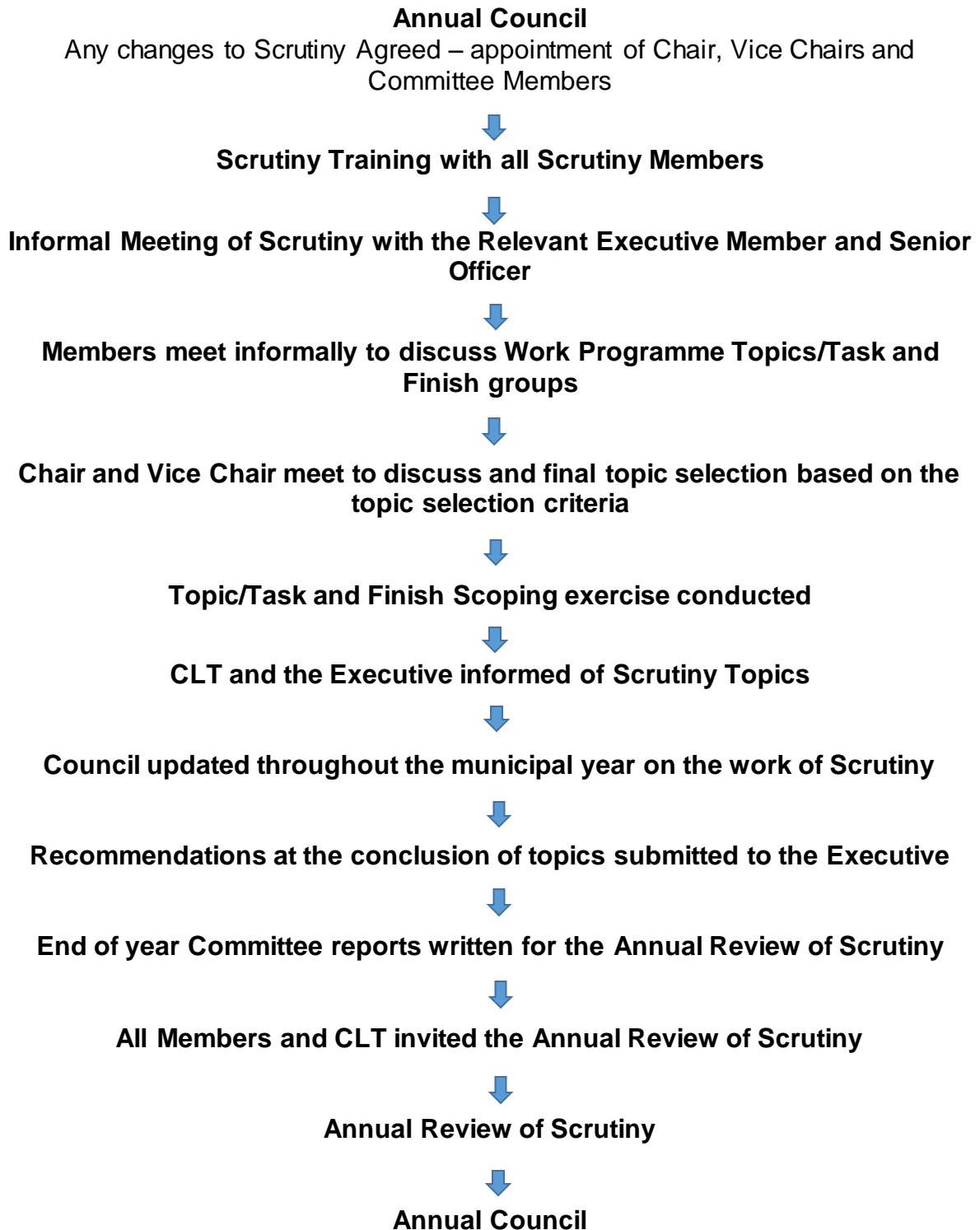
STEP 3: PRIORITISE			
SCORING GUIDE			
IMPORTANCE SCORE INDICATOR		IMPACT SCORE INDICATOR	
Score 0	No evidence that topic is related to the Council's key aims and priorities. Reject	Score 0	No potential benefits likely to result. Reject
1	Some evidence that topic linked to the Council's key aims and priorities but only indirectly.	1	Minor potential benefits or benefits affecting only one ward/customer/client group
2	Good evidence linking topic to Council's key aims but not to Council's current priorities	2	Minor potential benefits affecting two or more wards/customer/client groups or, Moderate potential benefits affecting one ward/customer/client group.
3	Good evidence linking topic to Council's key aims and priorities	3	Moderate potential benefits affecting more than one ward/customer/client group or, Substantial potential benefits affecting one or more ward/customer/client groups
4	Strong evidence linking topic to Council's key aims and priorities	4	Substantial potential benefits community wide or for a significant proportion or section of the community.
See attached for Council's key aims and priorities			

Outcome:
Date:

Topic priority guide			
Score 1-4	Reject topic		
Score 5-6	Possible topic for scrutiny		
Score 7-8	Priority topic for scrutiny		
Outcome:	<input type="checkbox"/> Select	<input type="checkbox"/> Reserve List	<input type="checkbox"/> Reject

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Scrutiny Work Flow



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Trafford Scrutiny Committee 2022/23 Work Programme

Wednesday 29 June 2022 – 6:30pm, Committee Rooms 2&3, Trafford Town Hall				
<i>Report submission deadline – midday Tuesday 21 June 2022</i>				
Item	Information	Executive Member(s)	Lead Officer(s)	Comments
Manchester Airport	Manchester Airport has asked Scrutiny if it wished to consider - the next stage of investment plans and other related issues.			
Work Programme	For the Committee to consider suggestion received by the Scrutiny Committee from Executive Members and Lead Officers. To also put forward suggestions of items to be considered during the year.			

Wednesday 21 September 2021 – 6:30pm, Committee Rooms 2&3, Trafford Town Hall

Report submission deadline – midday on Monday 13 September 2022

Item	Information	Executive Member(s)	Lead Officer(s)	Comments
Carrington Relief Road (next stage of delivery)				

Wednesday 9 November 2022 – 6:30pm, Committee Rooms 2&3, Trafford Town Hall

Report submission deadline – midday on Tuesday 1 November 2022

Item	Information	Executive Member(s)	Lead Officer(s)	Comments
Budget Presentation	To receive an outline of the budget position for 2023/24 to inform the Budget Scrutiny process	Cllr Tom Ross	Graeme Bentley	

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Budget Scrutiny

There are two Budget Scrutiny sessions scheduled for the 29 November and 1 December 2022. Discussions at these sessions, will help formulate the Scrutiny Committee’s Budget Scrutiny report to the Executive (To be presented to Scrutiny at the 11 January 2023 meeting).

Wednesday 11 January 2023 – 6:30pm, Committee Rooms 2&3, Trafford Town Hall				
<i>Report submission deadline – midday on Tuesday 3 January 2023</i>				
Item	Information	Executive Member(s)	Lead Officer(s)	Comments
2022/23 Budget Scrutiny Report	A report produced by the Scrutiny Committee providing its recommendations on the 2023/24 Budget Proposals.	N/A – Report of the Scrutiny Committee		

Wednesday 8 March 2023 – 6:30pm, Committee Rooms 2&3, Trafford Town Hall

Report submission deadline – midday on Tuesday 28 February 2022

Item	Information	Executive Member(s)	Lead Officer(s)	Comments

Ongoing Task and Finish work

Item	Information	Executive Member(s)	Lead Officer(s)	Comments
HIAMP	Highway Maintenance, Pot Holes etc			
Disability Access	Work ongoing following interim report in March 2020			
Travellers	Work ongoing following interim report in March 2022			Response to interim report went to Executive 20 June 2022. To come to Scrutiny.

Items to be scheduled				
Item	Information	Executive Member(s)	Lead Officer(s)	Comments
Cost of placing all Parks into field of trusts.	Scrutiny was asked by Full Council to consider a piece of work to; Review the costs and particularly of placing all our parks and green spaces into Field of Trust.			
Homelessness	(Data shared via email with reports by exception) Annual Report?			Reports to include previous year data for comparison.
Budget reports	Economic risks identified by budget Scrutiny be reported by exception to the Committee			

	during the 2022/23 municipal year.			
Increase in Direct Payments	Possible Task and Finish Group topic suggested by Budget Scrutiny			
EV Charging Points				
Amey seven year review	For a report to come detailing the outcome of the seven year review.			
Finance and Change Programme				

TRAFFORD COUNCIL

Report to: Executive
Date: 20th June 2022
Report for: Decision
Report of: Executive Members for Housing and Neighbourhoods,
Environmental Services and Economy and Regeneration

Report Title

Scrutiny Committee – Gypsy & Travellers Task & Finish Group

Summary

The Scrutiny Committee has considered the issue of visits by Gypsy, Roma and Traveller people in Trafford following a number of temporary encampments in the Summer of 2021. A Task and Finish Group was established and reported its findings in March 2022 (see Appendix 1). This report sets out a proposed response to the recommendations of the Scrutiny Committee

Recommendation(s)

It is recommended that that the Executive:

- (i) Notes the recommendations of the Scrutiny Committee Task & Finish Group**
- (ii) That in response to the recommendations of the Task & Finish Group, directs the Corporate Director, Place to:**
 - a. Investigate in more detail the siting of temporary toilet provision at encampments**
 - b. Investigate suitable consultees on Gypsy, Roma and Traveller issues within the Local Plan**
 - c. Explore the feasibility of providing a Temporary Stopping Place within the Borough and provide a further report on the matter by December 2022**

Contact person for access to background papers and further information:

Adrian Fisher Director of Growth & Regulatory Services – Adrian.fisher@trafford.gov.uk

Background Papers: None.

Implications:

Relationship to Policy Framework/Corporate Priorities	Suitable accommodation or facilities for Gypsy, Roma and Traveller people supports the objective Reducing Health Inequalities. A range of evidence suggests that these communities generally suffer worse health outcomes when compared to the settled population.
Relationship to GM Policy or Strategy Framework	The 2018 Greater Manchester Gypsy and Traveller and Travelling Showperson Accommodation Assessment Update 2018 provides a strategic context for identifying Gypsy, Roma and Traveller needs.
Financial	There is a cost to the provision of bins – although this is more cost effective than incurring clean-up costs after visits are completed. However, it still represents an overall cost burden for which there is no current budget provision. Costs associated with the provision of sites or facilities will vary considerably according to location and circumstances. A negotiated stopping place might cost in the tens of thousands – a more sophisticated temporary site is the hundreds of thousands – and a permanent residential or transit site at least £1-2 million. Rent is normally payable for the use of such facilities. The incurring of additional costs would need to be addressed through the Medium Term Financial Plan process, with consequent savings or funding identified to avoid adding to the Council's financial budget pressure.
Legal Implications:	The Council addresses unauthorised encampments under Sections 77-78 Criminal Justice and Public Order Act 1994. The Police possess powers under sections 61 of the same Act.
Equality/Diversity Implications	Gypsy, Roma and some Traveller people are protected against discrimination under the Equality Act 2010 in England (Travelling Show People and 'New Age' Travellers do not enjoy protection). Section 149 of the Act provides that public authorities, when exercising their functions, must have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons with protected characteristics and those that do not share them. Where exercising public functions such as the provision of education and health services, public authorities are required to have due regard to this equality duty.
Sustainability Implications	The Provision of suitable accommodation supports the 'social' element of sustainable development.
Carbon Reduction	None directly arising

Resource Implications e.g. Staffing / ICT / Assets	Each visit by Gypsy, Roma and Traveller people requires significant input from Council staff, notably amongst Environmental Health, Environmental services and where necessary Adults and Children's services. Providing suitable temporary accommodation is also a complex and resource intensive activity.
Risk Management Implications	Unauthorised incursions on to public or private land can pose risks for the public or individuals through the deposition of refuse or lack of adequate sanitation
Health & Wellbeing Implications	Providing suitable accommodation promotes better health amongst people who are travelling through a locality – by providing better sanitation, clean water and refuse facilities
Health and Safety Implications	The cleaning up of sites following encampments may have implications for health & safety

1.0 Background

- 1.1 The Scrutiny Committee on 16 March considered the Interim Report of the Gypsy, Roma, and Traveller Visits Task and Finish Group. This group was established in November 2021 following a summer of several unauthorised encampments by visiting gypsies and travellers.
- 1.2 The Report sets out the key conclusions from a training session for Councillors as well as some of the issues faced by Gypsy, Roma, and Traveller Communities in the United Kingdom. The Report also makes a series of recommendations to the Executive; according this report now responds to each of those recommendations.

2.0 Matters Raised and Response

Recommendation One: Purchase a set of mobile facilities (including bins and toilets) with Trafford Council branding for rapid deployment on any area of land that the Gypsy, Roma and Traveller community are temporarily visiting.

- 2.1 The deployment of euro bins / waste bins is already in place for temporary visits via Amey. Upon notification of the encampment this is actioned and collection and clean-up of litter and waste then follows. Some encampments utilise the bins but recent experience demonstrates that some sites still require clean ups as the bins have not been used by all of the travellers.
- 2.2 The provision of Toilets is a more complex issue – it is more difficult in terms of storage, collection and clean up. Toilet facilities would need a specialist contractor to handle and deal with the waste – with consequential costs arising. It is recommended that the siting of temporary toilets is investigated in more detail.

Recommendation two: In accordance with Section 10 of the Planning Policy for Traveller Sites 2015 the Council identify specific sites within Trafford for use by the Gypsy, Roma and Traveller communities for the next 5 years, to be included in the Local Plan.

- 2.3 In 2018 the GMCA commissioned an update of the [Greater Manchester Gypsy & Travellers Accommodation Assessment](#). This provides a strategic overview of the need for pitches across the City region – and concluded that there was a need for 44 residential pitches and 59 Transit pitches at that time across Greater Manchester
- 2.4 It is a key role of the Local Plan to ensure that the housing needs of the Borough are fully met – and this includes accommodation for Gypsies, Roma and Travellers. As part of the preparation of the Local Plan, the Council undertakes a full Housing Needs assessment – a subset of which is Gypsy & Travellers Accommodation Assessment – this will consider the need for residential pitches (a permanent base for a group) and also for transit pitches – to accommodate those who are passing through the Borough.
- 2.5 The need to identify sites is dependent on the results of the assessment – which will take a long-term view of the issue. Should a need be found then it will be the task of the Local Plan to identify and allocate a suitable site(s) to meet that need. Permanent sites are frequently in private hands but can be provided via a Local Authority or Registered Housing Provider; Transit sites are most commonly run by (or on behalf of) a Local Authority.
- 2.6 Accordingly, this recommendation will be met by existing programmed activity.

Recommendation three: Ensure that Ward Councillors are contacted as soon as a Gypsy, Roma, and Traveller community visit is known about and ensure they are kept up to date on action being taken.

- 2.7 Officers from Regulatory Services already ensure that ward councillors are contacted as soon there is a traveller encampment on Council land in their ward, and they are also regularly kept up to date on action being taken.
- 2.8 Accordingly, this recommendation is met by current practice on the issue.

Recommendation Four: Take a proactive approach to communications around Gypsy, Roma, and Traveller community visits via positive messaging through local and social media.

- 2.9 There will be the opportunity to provide positive messaging in connection with the Local Plan and provision of suitable sites. The ability to provide positive media on visiting encampments will depend significantly on the location and circumstances of such visits.

Recommendation Five: Arrange for Gypsy and Traveller Cultural Awareness Training to be rolled out to Councillors, staff, and partners.

- 2.10 The Scrutiny Committee has already arranged cultural awareness training via a specialist provider. It is recommended that further cultural awareness training be integrated into the Council's overall approach to equality and diversity.

Recommendation six: Ensure that either local representatives of the Gypsy, Roma, and Traveller community or the Charity Friends, Families, and Travellers are consulted on any plans affecting Gypsy, Roma, and Traveller communities in Trafford.

2.11 The Local Plan consultation database has historically contacted and consulted [The Showmen's Guild of Great Britain](#).

2.12 The Strategic Planning and Growth Team is currently contacting the [Friends, Families and Travellers](#) charity and [The Traveller Movement](#) to establish whether they and/or their members wish to be contacted and consulted on future plans regarding the identification and allocation of additional pitches within the borough.

Recommendation seven: Assess the feasibility of implementing a negotiated stopping policy within Trafford for Gypsy, Roma, and Traveller communities and to produce a report detailing the findings for the Scrutiny Committee to consider by the end of 2022.

2.13 A negotiated Stopping Policy usually allows gypsies and travellers passing through an area to resort temporarily to an unofficial site, usually in Council ownership. This could be disused land or an underused section of highway where basic temporary facilities are provided. A limit of 28 days is frequently set for any stays in these facilities.

2.14 The benefit of such a policy is that it provides somewhere for visiting gypsies and travellers to stay, without inconveniencing users of other land (for example playfields or parks). The difficulty often arises in seeking to identify any suitable site for this use.

2.15 It is suggested that the matter be explored further and a report be submitted to The Executive and Scrutiny Committee by December 2022 in line with the Committee's recommendation.

Recommendation Eight. Explore and clarify Trafford's response to the Police, Crime, Sentencing and Courts Bill in relation to unauthorised encampments

2.16 Under the Police, Crime, Sentencing and Courts Bill, the Government is legislating to create a new offence for England and Wales, and an accompanying power for the police to seize property (including vehicles), where individuals reside or intend to reside on land with a vehicle without permission. The offence will be committed if a person who resides or intends to reside with a vehicle on land fails to leave the land or remove their property without reasonable excuse when asked to do so by the occupier of the land, their representative or a constable and they have caused, or are likely to cause, significant damage, disruption, or distress (including anti-social behaviour).

2.17 A person guilty of this offence will be liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale (currently £2,500), or both.

2.18 The Bill also amends the Criminal Justice and Public Order Act 1994 ("the 1994 Act") to broaden the list of harms that can be subject to the direction to leave under

section 61(1)(a) (these replicate the damage, disruption and distress included in the new offence but will not be “significant”) and increase the period in which persons directed away from land must not return from three months to 12 months. Amendments to the 1994 Act will, in addition, allow police to direct trespassers away from roads.

- 2.19 Currently, Section 61-62 of the 1994 Act provides the police with two powers to remove unauthorised encampments where:
- The unauthorised campers have caused damage to the land or property on the land (except highways).
 - They have used threatening, abusive or insulting words or behaviour to the occupier, a member of the occupiers’ family, or their employee or agent.
 - There are six or more vehicles on the land.
- 2.20 The 1994 Act also gives local authorities powers to evict unauthorised encampments under sections 77 and 78 of the Act. These powers are not affected by the proposals in the Bill.
- 2.21 Once enacted, the Bill will create a new criminal offence for intentional trespass, and will extend the powers the police have to direct trespassers to leave land.
- 2.22 The Government’s view is that criminalisation of intentional residence on land without consent, and the extension of existing powers in the 1994 Act, will provide police with sufficient powers to effectively and efficiently enforce against a range of harms caused by some unauthorised encampments. The offence and strengthened police powers could also deter unauthorised encampments from being set up in the first instance.
- 2.23 The Act received received Royal Assent on 28 April 2022. The Council did not comment on the Bill during its provisional stages.
- 2.24 The Act will now complement the approach taken by the Council when visits are made to public land. Currently The Environmental Health Team have delegated powers to deal with illegal traveller encampments on Council land. Officers from Regulatory Services must first carry out a site visit to confirm the location of the encampment and clarify whether it is Council owned land. They then carry out another visit accompanied by the Police, for a site assessment and welfare enquires to be made.
- 2.25 If there are no welfare needs, officers then seek approval from the Corporate Director to initiate legal action to remove the travellers under section 77 of the Criminal Justice and Public Order Act 1994. A revisit to the site with the Police will then be made to issue the travellers with a legal notice, giving them 24 hours to leave the site. If the travellers are still on site after this period, officers would then need to apply for a Court Order from Manchester Magistrates Court which will give the Council the legal powers to evict the travellers.
- 2.26 The whole process under Section 77 can take 7 days, however, if the Police utilise their powers under Section 61 of the Act, they can move them within 24 hours.

2.27 Recently Environmental Health have added a further option of using a bailiff company to evict the travellers. Private Bailiff Companies utilise common law to move encampments and this can be executed within 24 hours for immediate removal. Private Bailiffs are a more costly option for evictions, and therefore the use of the Section 77 powers will be the normal, default process that will be followed in the majority of cases, with Private Bailiffs only being used in exceptional circumstances. For example, in cases where Environmental Health resources are stretched, where there is a group of travellers moving from site to site within the borough and a quick eviction may discourage this, or where there is an urgent need to move the travellers from a site (for example, the encampment will prevent an organised event taking place on Council land) and the Police are not willing to use their Section 61 powers. With the new powers of the Act the police may be better able to move visiting groups off land, where appropriate, without the Council having to step in.

Other Options

The Executive could choose not to explore the issues in more detail.

Consultation

No Consultation required to produce this report. Consultation will be undertaken as part of the Local Plan as set out in the report

Reasons for Recommendation

To fully respond to the recommendations of the Scrutiny Committee

Urgency of Decision

Not applicable

APPENDIX 1 – attached.

Key Decision (as defined in the Constitution): No
If Key Decision, has 28-day notice been given? N/A

Finance Officer Clearance - PC
Legal Officer Clearance TR

[CORPORATE] DIRECTOR'S SIGNATURE

(electronic) 

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

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