

TRAFFORD COUNCIL

Report to: Scrutiny Committee
Date: 16th March 2022
Report for: Decision
Report of: Statutory Scrutiny Officer

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 the Scrutiny Committee:

- i) Notes the work of the Scrutiny Review Panel;**
- ii) Agrees the proposals as detailed in the report; and**
- iii) Recommends approval of the proposals to the Executive and Council.**

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.
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	<p>Effective scrutiny can be demonstrated if it fulfils one or more of the following conditions:</p> <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

- 1.1 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.
- 1.2 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.
- 1.3 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

- 2.1 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

- 3.1 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.
- 3.2 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

- 4.1 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.
- 4.2 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.

- 4.3 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.
- 4.4 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.
- 4.5 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

- 5.1 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
Have a more clearly defined purpose;	

Have clear mechanisms for monitoring actions and achievements;	ownership and understanding of its important role in improving policy and holding to account.
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
To have less presentations that are more focused.	
Need to have access to information from a wide variety of sources	

<p>More cross working with other organisations;</p>	<p>could be shared with councillors on a monthly basis outside of committee:</p>
<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 goal in their committee. Members should consider what further work is necessary to address working relationships.</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>	

Review panel suggestions	CFGS suggestions
<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>
Review panel suggestions	CFGS suggestions
<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 most effective use of time and resources and to deliver maximum impact.</p>
<p>The amount of time required by Members for Task and Finish work is clear from the outset;</p>	
Review panel suggestions	CFGS suggestions
<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>

Review panel suggestions	CFGS suggestions
Provide improved training for members;	Consider mandatory scrutiny development and training for all committee members - To develop a common understanding of what “good” scrutiny practice looks like.
Review panel suggestions	CFGS suggestions
Handbook for Scrutiny Members to give them a good basic level of understanding of how the Council operates;	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.
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;	

Have additional resources so officers can provide stronger support to Scrutiny Members;	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.
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.

6.0 Improvement Proposals to improve Scrutiny at Trafford

6.1 The following table: lists proposals 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.

Proposal to improve	Theme area of improvement	When
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<p>That the Leader be invited to the first meeting of the main Scrutiny Committee at the beginning of each municipal year.</p>	<ul style="list-style-type: none"> • Information • Communication • Work programming 	<p>Municipal Year 2022-23</p>
<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 	<p>Municipal Year 2022-23</p>
<p>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.</p>	<ul style="list-style-type: none"> • Information • Communication • Work programming • Methodology 	<p>Municipal Year 2022-23</p>
<p>That each Scrutiny Committee select between 3 and 5 work programme items per municipal year 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"> • Communication • Work programming • Methodology 	<p>Municipal Year 2022-23</p>
<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 	<p>Municipal Year 2022-23</p>

<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 	<p>Municipal Year 2022-23.</p>
<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 	<p>Municipal Year 2022-23</p>
<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 	<p>Municipal Year 2022-23</p>
<p>That Scrutiny topics relevant to each portfolio should be tracked by DMT's.</p>	<ul style="list-style-type: none"> • Communication • Work programming 	<p>Municipal Year 2022-23</p>
<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 	<p>Municipal Year 2022-23</p>
<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</p>	<ul style="list-style-type: none"> • Communication • Methodology 	<p>Municipal Year 2022-23</p>

<p>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>		
<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>
<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.</p>	<ul style="list-style-type: none"> • Information • Communication • Work programming • Methodology 	<p>Late Summer 2022.</p>
<p>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</p>	<ul style="list-style-type: none"> • Methodology 	<p>Municipal Year 2022-23.</p>

Group Leader be made offering a place of one non-voting Member.		
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 are required and key stake holders 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.

6.2 If the above proposals are approved by Council, the process for Scrutiny would be as outline in Appendix 3.

7.0 More Scrutiny and Support

7.1 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 Councils Scrutiny function with two Officers offering a third of their time.

7.2 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.

7.3 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.

7.4 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.

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

7.6 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 though the identification of more Scrutiny Committees to support the existing three meetings.

7.8 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

8.1 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.

