Overview & Scrutiny Committee

Member Toolkit

1.   ABOUT THIS TOOLKIT

This toolkit aims to give clear guidance on the District Council's Overview and Scrutiny function as well as provide practical advice to all those who take part in the scrutiny process:

- Members of Overview and Scrutiny Committees;
- Cabinet Members;
- Officers;
- Participants;
- Members of the public.

A Framework

The aim is to provide an overall framework within which Overview and Scrutiny in Lichfield can improve and develop to add value to the District Council's activities by helping achieve the District Council's vision, key aims and priorities and meeting the aspirations of the District Council's citizens.

This guide is designed as convenient reference to key information and considerations specifically tailored for Overview and Scrutiny work here in Lichfield, it is not a scrutiny encyclopaedia.

A simple process flowchart can be found at the end of the toolkit.

Learning from Experience

The information provided is drawn from a variety of sources and drawn heavily on good practice and experience to date

This toolkit is a living document which should be developed and adapted as necessary.

Comments and Feedback

Comments and feedback on this guide and suggestions on how future editions could be improved should be sent to:

The Monitoring Officer
Lichfield District Council
Frog Lane
Lichfield

Scrutiny needs to be fully focussed on the things that matter most and on outcomes that make a real difference to citizens.

2. ABOUT OVERVIEW AND SCRUTINY

Overview and Scrutiny is still a comparatively new function for local authorities. It was introduced as part of the modernisation agenda for local government and the Local Government Act 2000 requires Council's to have at least one Overview and Scrutiny Committee.

"Overview and Scrutiny is potentially the most powerful and exciting element of the entire local government modernisation process. It places non-executive members at the heart of policy making and at the heart of the way in which Councils respond to the demands of modernisation."

The development of Overview and Scrutiny in Local Government, ODPM September 2002

What is Overview and Scrutiny?

There is no single definition of Overview and Scrutiny. It therefore should be viewed as an umbrella term covering a wide range of possible roles including:

- Holding the Cabinet to account;
- Policy development and review;
- External Scrutiny.

This suggests an emphasis towards:
- Acting as a watchdog for Cabinet decision-making;

- Checking on whether existing policies are effective and helping to shape new ones;

- Contributing towards the continuous improvement of Council services;

- Reviewing or investigating matters of particular concern either within the District Council or within the Community

The Scrutiny role also provides opportunities for public involvement and debate. 'This can support elected members in taking a community-orientated approach and brings new ideas and experience to scrutiny.

Above all, the process needs to be firmly focussed both on matters of importance, and in making a difference, as this will be key to Overview and Scrutiny reaching its potential and being of value to the District Council and to local people.

Different Skills

This approach differs fundamentally from the previous committee system requiring new ways of working and different skills for all concerned. In particular, to work effectively, Overview and Scrutiny needs to be Member led. **It should be for the Overview & Scrutiny Committee to determine on what areas and forthcoming policies it wishes to focus on whilst still being mindful of the resources available.**

2. ABOUT OVERVIEW AND SCRUTINY

"Members must lead in shaping scrutiny structures, processes, outputs, in devising and revising work programmes and in undertaking in-depth investigation. Members also need to provide clear leadership to Officers supporting scrutiny."

Idea-knowledge.gov.uk best practice guide – Overview and Scrutiny.

Policy Influence

Overview and Scrutiny Councillors can also influence the development of new policies or review old ones to help bring them up to date. This policy development role might be carried out at the invitation of the Cabinet, on their own volition, or in response to public pressure, or perhaps as a result of a call in request.

In practical terms, whether carrying out a review of a District Council decision or helping to develop policies, the processes are very similar. These are described in more detail later in this toolkit.

Opportunity

The scrutiny process provides the opportunity for Councillors to examine the various functions of the District Council, to ask questions on how decisions have been made, to consider whether service improvements can be put in place and make recommendations to this effect. It also provides the opportunity for Councillors to champion issues of local concern to residents and to participate in the development of new policy.

It is quite different from the old committee style of working – the agenda is different in that Members decide the areas they wish to review. Scrutiny Task Groups can meet in an informal atmosphere and they invite those who they believe can help with their deliberations.

Scrutiny *n.*

Close or minute examination.

A searching look.

KEYWORDS TO THE NEW APPROACH

- Evidence based
- Investigative
- Exploratory
- Deliberative
- Cross-cutting
- In depth*
- Outward looking **
- A process rather than a single meeting

*single issue events rather than broad multi-issue agenda – driven events.

** to the community and external as well as internal.

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Overview and Scrutiny Objectives

The District Council recognises the key role Overview and Scrutiny has to play within its modernised structure. The role is emphasised in the overarching objectives for the District Council's overview and scrutiny functions which are set out below:

Overview and Scrutiny Objectives
• **To support the District Council in achieving its vision for the District through its key aims and priorities as detailed in the Strategic Plan.** • **To promote open and transparent decision-making, democratic accountability and to hold the Cabinet to account for its actions.** • **To promote continuous improvement, best practice and innovation within the services, functions and policies which the Council has responsibility for or influence over.**

Overview and Scrutiny Committee

The District Council has a single Overview and Scrutiny Committee to support the work of the Cabinet and the Council as a whole. Citizens may attend and watch meetings of the Overview and Scrutiny Committee where the nature of the business to be considered allows this and contribute whenever public views are invited.

Scrutiny Committee and Panels

The Overview and Scrutiny Committee focuses on the forward plan and our strategic priorities – manifested through the Delivery Plan.

What Does Scrutiny Do?

Scrutiny is intended to play an important role in ensuring the District Council's services are efficient and effective and meet the needs of local people. Through the Overview and Scrutiny Committee the District Council's performance is examined and the decisions of the Cabinet are monitored. There is a call-in facility[1] which can require a decision that has been made by the Cabinet but not yet implemented to be reconsidered or reviewed and in some cases the Cabinet could be asked to reconsider their decision. Although there is no provision to overrule or change a decision considerable influence can be exerted through this process.

The Overview and Scrutiny Committee may be consulted by the Cabinet or the Council on forthcoming decisions and on the review and development of policy. These may lead to reports and recommendations advising the Cabinet and/or the Council on policies, budget, service delivery and community issues, or on matters relating to partners or other external organisations.

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The full terms of reference of the Overview and Scrutiny Committee and Task Groups are detailed in the District Council's Constitution at Article 6 of Part 2.

What Doesn't Scrutiny Do

Scrutiny does not get involved in minor matters or individual concerns which are not of wider community significance. These need to be pursued through the appropriate Service, Ward Councillors or with the Cabinet Member responsible for the matter in question. Scrutiny does not deal with individual complaints. These are addressed through the District Council's complaints procedure and not through the scrutiny process.

There are a limited number of other topics which are not appropriate for scrutiny, such as matters that are subject to legal proceedings and these are highlighted in Section 5.

Where Does Scrutiny Fit In?

Figure 1 outlines the political arrangements and responsibilities of the District Council, the Cabinet and the main committees that have been set up to deal with various aspects of the District Council's business including Overview and Scrutiny.

What Powers Does Overview and Scrutiny Have?

The Overview and Scrutiny Committee powers stem from the Local Government Act 2000 and are established in the District Council's Constitution.

In summary, within its terms of reference, the Overview and Scrutiny Committee has power to:

General Role

- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;

- make reports and/or recommendations to the Council and/or the Cabinet in connection with the discharge of any functions;

- consider any matter affecting the area or its residents;

- exercise the right to call in, for reconsideration, decisions made but not yet implemented by the Cabinet;

- assist the Council and the Cabinet in the development of its budget and policy framework;

- consider any Councillor Calls for Action requiring scrutiny through the formal scrutiny process.

- appoint any Scrutiny Task Groups to investigate or carry out any of these tasks and report back to the committee.

- conduct research, community and other consultation in the analysis of policy issues and possible options;

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- consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and

- question members of the Cabinet and officers about their views on issues and proposals affecting the area.

- review and scrutinise decisions made by and performance of any member exercising executive functions and officers both individually and over time;

- review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;

- question any member exercising executive functions and officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives, or projects;

- make recommendations to the Cabinet and/or the Council arising from the outcome of the scrutiny process;

- question and gather evidence from any person (with their consent);

- consider and make recommendations on a Councillor Call for Action;

- challenge a decision of the Cabinet or an officer not to classify a certain decision as "key".

- The Overview and Scrutiny Committee may also review policies and procedures in connection with any regulatory functions exercised by Planning and Regulatory & Licensing Committees, and Sub-Committees thereof, or by officers, but such a review shall not include scrutiny of any such decision relating to an individual application for determination, consent, licence, permission etc.

In carrying out its role the Overview and Scrutiny Committee may:

- Require Cabinet Members and Officers of the authority to attend before it to answer questions;
- Invite other persons to attend meetings of the Committee;
- Appoint ad-hoc scrutiny task groups;
- Refer matters to the ad hoc scrutiny task groups for investigation and consideration;
- Co-opt persons who are not elected Members to assist with a specific investigation.

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Committee and Task Group Membership

The Members and Chair of Overview and Scrutiny Committee are appointed annually by full Council. The Overview and Scrutiny Committee may set up ad hoc Task Groups on a task and finish basis to undertake specific assignments should the need arise. The Chair and Members of such groups are appointed by the Overview and Scrutiny Committee Chair.

> **TIP**
>
> **The Overview and Scrutiny Committee's functions, powers and procedural rules are set out in detail in the District Council's Constitution.**

The minimum number of Councillors who can meet and take decisions is one quarter of the whole number of Members (a quorum),[2] "The quorum of a meeting will be one quarter of the whole number of Members. During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman at the time the meeting is adjourned. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting."

Councillor's Role

Councillors serving on the Overview and Scrutiny Committee and/or Task Groups will receive a considerable amount of paperwork to read and will attend quite a few activities in relation to a specific review. Councillors will decide on what to consider, how the meetings will be undertaken, who will be invited to attend the questions to be asked. Having received and heard all the information the task group will consider its conclusions and make recommendations within a report to be considered by the Overview and Scrutiny Committee. The recommendations will then be passed on to the Cabinet, specific Cabinet Member or to the Council for their consideration.

Councillors who are members of the Cabinet may attend Overview and Scrutiny Committee to answer questions on their Cabinet responsibilities.

Both Members and Officers should see the process as a partnership.

Participants appearing before the Overview and Scrutiny Committee or Task Group should not be made to feel as if they are under interrogation nor should the process be confrontational. This unnecessarily risks defensiveness and obstruction rather than the openness and co-operation required to get the best potential benefits for local people.

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[2] Update ref in Constitution.

However, Members are expected to ask probing questions in order to get the information that they need.

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Officer Roles

Officers have two main roles to play. Firstly in supporting Overview and Scrutiny and Members throughout the Overview and Scrutiny process. This will include giving guidance and advice on the process and activities, providing background information, research, professional and technical information and administrative support.

> **TIP**
>
> **See box overleaf for details of Officer support for Overview and Scrutiny.**

Secondly in giving evidence to the Overview and Scrutiny Committee and to answer questions. The information Officers give should as far as possible be confined to factual statements and explanations relating to policies and decisions as appropriate. Officers should avoid being drawn into discussions on the merits of alternative policies where this is politically contentious.

Officers will be given the terms of reference for a review, the topics/issues to be explored and the questions likely to asked.

Officers should be open and co-operate fully at meetings. They should not just limit themselves to answering questions but should also provide information they feel would be useful for Members to know. This will help to ensure the best possible service improvements and community benefits result from the scrutiny process.

Public Roles

Public involvement, as previously mentioned, is an important part of the Overview and Scrutiny process and members of the public may get involved in a number of ways:

- By attending meetings as observers
- By submitting representations relevant to a particular scrutiny item when invited to do so
- By appearing as a participants at a scrutiny meeting when invited to do so.

Public involvement is an

Important part of the

Overview and Scrutiny

Process.

Style

Overview and Scrutiny meetings will be open to the public and media unless confidential matters

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are being discussed. They are less formal than old style Committee meetings with considerable discussion between Officers and Members. Both Officers and Members should see the process as a partnership.

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Officer Support for Overview and Scrutiny	
Role	Responsibilities
Lead Officer	**General Support** The Governance Manager will provide the Senior Officer advice for the Overview and Scrutiny function **Support for Scrutiny Inquiries** A lead Officer will be appointed for each scrutiny item. This will be relevant Leadership team member or lead officer from a relevant service. Their role is to provide the Committee or task group with professional and technical information and advice relevant to the issue under scrutiny, if requested to do so. This may mean that they are asked to provide written and/or verbal reports, policy documents or other appropriate information or evidence. They will also provide support to the Committee or task group in collating and assimilating the information/evidence and assisting the assigned Governance Officer in drafting the Report based on Members findings and recommendations.
Committee Support	The Principal Governance Officer will provide liaison with the Cabinet, Overview and Scrutiny Committee and the Chair of the task group. They would also provide supporting information for the issue under scrutiny, for example Cabinet/Committee reports. Assistance would also be given in providing administrative support and issuing invitations for witnesses and drafting the Panel's final report from the relevant Governance Officer.

NB. All support Officers are not expected to attend all meetings but on an as required basis.

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Call-in Arrangements

Holding the Cabinet to account is a key overview and scrutiny function. The so-called call-in power referred to earlier enables Cabinet, or Cabinet Member delegated decisions to be referred back by the Overview and Scrutiny Committee for reconsideration by the original decision maker prior to their implementation or for review and scrutiny by a full Council Meeting.[3]

> ### TIP
>
> See the Council's Constitution for what are Cabinet Functions

Call-in Procedure

All requests to call in a key decision must be made within five working days of the decision and can be made by:

- The Chair or Vice-Chair of Overview and Scrutiny Committee; or

- 5 members of the relevant Overview and Scrutiny Committee; or

- the Leader of the Principal Minority Group; or

- Ten non-Cabinet Members.

The call-in will require the Head of Governance & Performance to call a meeting of the relevant Overview and Scrutiny Committee to consider the decision. The decision will not take effect until the call-in procedure has been concluded.

The Overview and Scrutiny Committee will normally meet within ten working days. They may refer the decision back to the decision-making body or on to Council, indicating their concerns, when they consider a decision is contrary to the Policy Framework or contrary to, or not wholly in accordance with the Budget. Where the matter is referred back to the Cabinet, the Cabinet shall reconsider the matter within 28 days (except that in August that month shall not be included in the calculation of the period of 28 days).

The Overview and Scrutiny Committee, having scrutinised the decision, agree that it should be implemented it will become effective after a period of five working days. If a decision is referred back to the original decision maker, they may choose whether or not to amend the decision before implementing it. Again the decision takes effect five working days after reconsideration of the decision.

In appropriate cases including cases involving proposals to change the Council Policy framework, or new policies, the Overview and Scrutiny Committee may refer the matter to the Full Council to review and scrutinise the decision. Where the matter is referred to Council, the Council may not determine Executive functions that are delegated to the Cabinet if these are within Policy Framework and the Budget and must first give the Cabinet the

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[3] Cross ref updated constitution

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opportunity to comment on any proposed changes to the Policy Framework and Budget.

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Council

The Cabinet

Responsibilities
- Economic Development, Local Plan, Parks & Leisure
- Community Engagement
- Regulatory, Housing & Health
- Major Projects
- Finance, Procurement and Revenues & Benefits
- Climate Change & Recycling

Appointments Committee

Joint Waste Committee

Overview & Scrutiny Committee ← **Task & Finish Groups**

Planning Committee

Regulatory & Licensing Committee ← **Licensing & Consents Panels**

Audit & Member Standards Committee ← **Hearings Sub Committee**

← **Review Sub Committee**

Employment Committee

Disciplinary and Grievance Appeals Committee

Investigatory and Disciplinary

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4. SELECTING TOPICS

The selection of topics for scrutiny is the first and most critical step in the entire scrutiny process to ensure the objectives the Council has set are achieved.

Effective selection of scrutiny topics will result in the outcomes adding value to the overall work of the Council, result in tangible benefits for local people and motivate all involved to go on to do more of the same.

Scrutiny must add value to the work of the Council and produce worthwhile outcomes for local people.

The other key practical consideration in topic selection is capacity. Members and Officers have a finite amount of time to invest in scrutiny, but the number of scrutiny topics is potentially very large, far exceeding the Council's capacity to deal with them all in a thorough and effective way.

As stressed at the outset, scrutiny therefore needs to be fully focussed on the things that matter most and on outcomes that make a real difference.

Structured Approach

To achieve this, a structured approach to topic selection is essential. In this way the unimportant, the inappropriate and non-priorities can be filtered out in a consistent, open and transparent way.

The 4-step topic selection process that follows provides a practical framework for this.

Topic Suggestion Process

Topics can be suggested in a number of ways. The Overview & Scrutiny Committee should monitor the Council's own Forward Plan and Delivery Plan and suggest forthcoming decisions or policy developments be considered. Cabinet Members could also request Overview & Scrutiny input to either aid policy development or to investigate concerns. Any Member of the Council can also request the Overview & Scrutiny Committee consider a topic. Any suggestion should be mindful of resources available and capacity to undertake the work effectively and with clear expected outcomes. To help Members in this, the form at Annex 1 should be used and submitted to the Principle Governance Officer (PGO) or Overview & Scrutiny Chair and/or Vice-Chair to aid the following selection process

Topic Selection Process

The box below sets out the 4 steps involved in scrutiny topic selection. An explanation of each step follows on from this.

In practice, the Scrutiny Topic Assessment Template at Annex Form 2 can be used. When completed this provides a record and evidence of why a particular topic has been selected or rejected.

This form will be filled out initially by the PGO in consultation with the relevant Head of Service/Service Manager. This this then be discussed with the Overview & Scrutiny Committee Chair and Vice-Chair to go through the

4. SELECTING TOPICS

following steps. Once priority and addition to the work programme is agreed, the PGO will establish practical time frames and report back. These forms will be available for the Overview & Scrutiny Committee to discuss and consider.

Topic Selection Process	
STEP	**ACTION**
1	Test topic against topic rejection criteria. Reject if criteria met.
2	Test topic against project selection criteria. Reject if criteria **not** met
3	Set out/evaluate the Rationale for selection.
4	Prioritise to ensure focus on the things that matter most.

4. SELECTING TOPICS

Step 1 – Initial Rejection Criteria

The first step is to test potential topics against the initial rejection criteria shown below.

Topic Rejection Criteria

- The matter is already being addressed elsewhere.

- The matter is subjudice or prejudicial to the Council's interests.

- The matter is a specific case falling within the complaints procedure.

- The matter is an individual disciplinary or grievance matter.

- The matter is unlikely to result in improvements for local people.

Step 2 – Initial Selection Criteria

Topics not rejected at Step 1 are then tested against the initial selection criteria shown in the box below.

Topic Selection Criteria

- Improvements for local people are likely

- Community/Corporate priority area

- Key issue for the public

- Key issue identified in the Strategic Plan

- Current high level of dissatisfaction

Step 3 – Rationale

Topics that have passed the initial tests in Steps 1 and 2 go through to Step 3.

Here the rationale for each topic needs to be clearly set out and demonstrated. A framework for doing this is given below.

Topics clearly having a real rationale for scrutiny with poor supporting evidence and unclear or insignificant outcomes should be filtered out and rejected.
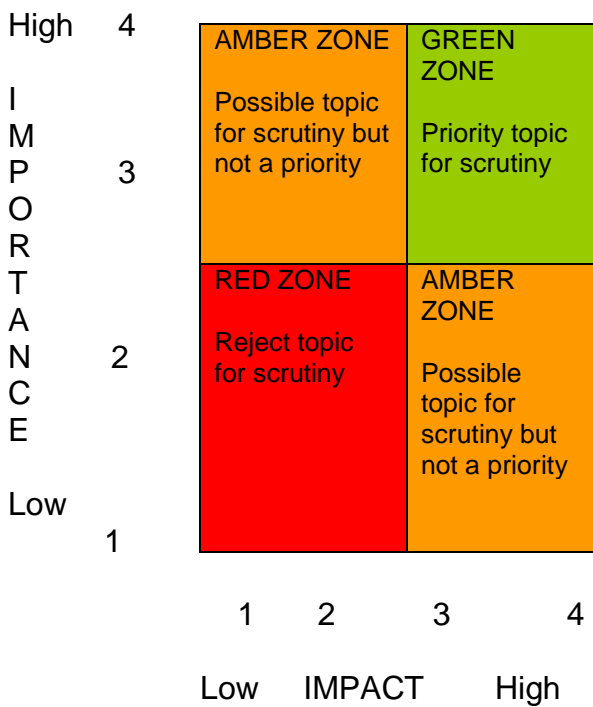
Rationale for Scrutiny

Topic /Issue	Rationale	Evidence	Desired Outcome
	Why would we do this? How does it link to the Council's Key Aims and Priorities? What benefits could result?	What evidence is there to support the rationale and need for scrutiny inquiry/review? What are the facts?	What would we wish to achieve in undertaking scrutiny inquiry/review? Is the desired outcome likely to be achieved and why?

Step 4 – Prioritise

Topics successfully passing through the first three steps of the selection process are then scored on a scale of 1-4 for both importance and impact and plotted on the Priority Grid.

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Priority Grid

High 4

I
M
P   3
O
R
T
A   2
N
C
E

Low

      1

| | AMBER ZONE

Possible topic for scrutiny but not a priority | GREEN ZONE

Priority topic for scrutiny |
| | RED ZONE

Reject topic for scrutiny | AMBER ZONE

Possible topic for scrutiny but not a priority |

       1   2   3   4

      Low   IMPACT   High

To help with the scoring, the guide below is designed as an aid for consistency.

Each long-listed topic is scored for importance and impact on a scale of 1 to 4 using the scoring guide below.

Importance – how well a topic fits with the Council's key aims as defined in the Strategic Plan.

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

For example a topic scoring 3 for importance and 3 for impact would fall within the green zone, indicating it as a priority for investigation.

Similarly a topic scoring 1 for both importance and impact would fall within the red zone indicating rejection.

Topics falling within the amber zones would indicate possible topics for scrutiny but not as a priority. Selection would then depend on the overall demands on the Overview and Scrutiny work programme and the capacity to undertake further inquiries.

TIP

Use the Topic Assessment form at Annex Form 1 to help with topic selection.

4. SELECTING TOPICS

Scoring Guide for Priority Grid	
SCORE	**INDICATOR**
IMPORTANCE 0	No evidence that the topic is related to the Council's key aims and priorities. Reject
1	Some evidence that the topic is related to the Council's key aims and priorities but only indirectly
2	Good evidence linking topic to Council's key 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 0	No potential benefits likely to result. Reject
1	Minor potential benefits or benefits affecting only one Ward/Customer/Client Group
2	Minor potential benefits affecting two or more Qards/Customer/Client Group or, Moderate potential benefits affecting only one Ward/Customer/Client Group
3	Moderate potential benefits affecting two or more Qards/Customer/Client Group or, Substantial potential benefits affecting only one Ward/Customer/Client Group
4	Substantial potential benefits community wide or for a significant proportion or section of the community.

The topic selection process involves Members applying their collective knowledge, experience and judgement throughout. The tools provided above and at Annex Form 2 are to enable selection of topics in a structured and consistent way,that can be recorded and justified if necessary.

Officers will support and advise Members on topic selection having regard to the agreed criteria.

Exceptionally where an inquiry would be prejudicial to the Council's interests, the Chief Executive or Monitoring Officer may advise the relevant Overview and Scrutiny Committee and the Council that it should not proceed.

Proper regard needs to be given to the Council's Equalities standard in making assessments against these indicators to ensure the interests of minority groups are not prejudiced.

5. SETTING WORK PROGRAMME

Responsibility

As previously mentioned it is Overview and Scrutiny Committee's responsibility to select scrutiny topics and develop and set an annual work programme for itself in consultation with Officers.

Main Considerations

In drawing-up the work programme, Overview and Scrutiny Committee members need to ensure that:

- All main overview and scrutiny roles are included
- All the topics to be considered are priorities, will help achieve the Scrutiny functions objectives and that there is a balanced and achievable workload for each committee
- The workload does not exceed the capacity to do a thorough job.

Main Roles

As previously outlined in Section 2, the main overview and scrutiny roles are:

- Holding the Cabinet to account and acting as a watchdog for Cabinet decision making.
- Policy development and review by checking on whether existing policies are effective and helping to shape new ones.
- Value for money and contributing toward the continuous improvement of Council services.
- External scrutiny and reviewing or investigating matters of particular concern

either within the Council or within the Community.

Types of Tasks

Topics included in the work programme may take the form of regular, on-going tasks such as the scrutiny of annual service plans or the annual budget, or alternatively, one-off issues.

The Overview and Scrutiny Committee together with the Cabinet and Officers will contribute to work programmes by suggesting topics that they feel need reviewing, or areas requiring policy development.

Selected Topics

Topics should only be included in the work programme once they have been selected through the process detailed in Section 4.

Sufficient Capacity

In putting the work programme together the Overview and Scrutiny Committee along with its Chair and Vice –Chair and will need to have regard to Members' capacity to deliver the programme and Officers' capacity to support them in that task.

In practice it is unlikely that Overview and Scrutiny Committee will have the capacity or resources to complete more than two or three in-depth reviews in any one year or more than 5 or 6 task groups.

A good maxim would be "if in doubt leave it out". Far better to do a few topics well, than many topics poorly.

5. SETTING WORK PROGRAMME

Work Programme Development

The 7-step process shown in the box below provides a practical framework for developing a work programme. An explanation of each step follows on from this.

Work Programme Development Process	
Step	**Action**
1	Identify Potential topics/issues
2	Select topics for Scrutiny
3	Oversee workload and check for balance
4	Check resources
5	Timetable work
6	Finalise for approval by the Overview and Scrutiny Committee
7	Review and update

Step 1 – Identify potential topics/issues

- Review the Forward Plan, Cabinet agenda and Members decisions etc (leave capacity in the programme to pick up issues during the year).
- Consider issues for potential policy review or development (e.g., what is not working well, where are the gaps in policy, input on major consultation documents.)
- Consider issues for potential in-depth review/inquiry (e.g., significant community concerns, major problem areas, poorly performing services, consistent areas of substantial over/under spending etc.)
- Identify 'standard' items for scrutiny and programme in at the outset (e.g., annual budget and departmental service plans.)
- Consider areas for external scrutiny where significant community concerns exist (agency/partner plans, multi-agency plans e.g., Community Safety Strategy, Community Plan)
- Invite suggestions from scrutiny topics from Members of the Council, the Cabinet, Officers and the Public.

Step 2 – Select Topics for Scrutiny

- Filter and prioritise each potential issue for review or policy development through the topic selection process detailed in Section 4.
- Include topics/issues identified as priorities i.e., 'green zone' topics, in draft work programme shortlist.
- Place 'amber zone' topics on a reserve list and use to help balance the programme if required.
- Reject non-priorities.

Step 3 – Oversee Workload and Check for Balance

- Overview and Scrutiny Chair and Committee to regularly review the draft work programme to

ensure we focus on strategic priorities.
- Are all Overview and Scrutiny functions included?
- In consultation with the Chair/Vice Chair programmes to be adjusted accordingly using reserve list topics to help balance as appropriate.

Step 4 – Timetable

- Timetable the draft work programme as appropriate having regard to the Council's schedule of meetings and other relevant factors (e.g., holiday periods and significant other work commitments).
- Adjust as necessary to resolve any potential conflicts.

Step 5 – Check Resources

- Consider the resources needed to carry out draft work programmes as allocated i.e., Member time, officer capacity, budget requirements.
- Refine draft programme accordingly (having regard to relative priorities and other relevant considerations.)

Step 6 – Finalise for Approval

- Finalise draft work programme for approval by the Overview and Scrutiny Committee.

Step 7 –Review and Update

- Keep work programme under regular review, adjusting and updating as necessary and as new topics and suggestions are received and prioritised.

6. Task Groups

Having a Task Group

Member Task Groups are a good way to look at a particular matter in more detail. They can take a variety of forms, from detailed policy development to a short, sharp concentrated focus on an issue.

They offer the opportunity to use a variety of more diverse working methods (working flexibly to adapt to the needs of different reviews), including making visits, and use of interviews and publicity events to encourage community participation and public engagement in overview and scrutiny. Unless advantageous not to do so, all Task Groups should be held virtually to aid this flexibility and allow maximum participation from Members, Officers and any other persons required.

The chart overleaf gives a quick route map through the process, the main considerations involved and the roles of Members and Officers at each stage.

This section of the toolkit also provides other practical guidance, hints and tips to help ensure a successful outcome for all concerned.

Stage 1 – Topic Selection

Task Group topics are pre-selected and agreed by the Overview and Scrutiny Committee following initial discussions with the Chair and Vice-Chair during the topic selection process.
Topic selection has been dealt with in some detail in Section 4 of this guide, however, it is worth restating the importance of getting this right.

Membership of a Task Group

Membership to a Task Group can be any non-Cabinet member of the Council. Once the requirement for a Task Group has been agreed, the Principle Governance Officer will email all Members with details of the Task Group including estimated time commitments required and request volunteers to join. Councillors should think about their own workload before committing.

Task Group Chairs will be paid a Special Responsibility Allowance and will be picked by the Overview & Scrutiny Chair and Vice-Chair but consideration will only be given to those who have indicated an interest to chair such meetings and have completed the available training.

TIP

Bookmark and use the route map chart to guide you through the Task Group process

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Be Modern and Innovative

When planning a Task Group, try to think of innovative and imaginative ways of working. Rather than a series of meetings, you could for example hold a half or one-day conference with stakeholders then follow this with a separate meeting to analyse the outcome.

Make good use of visits to locations affected by the issue. Find out how best practice Councils deal with such

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issues. Be outward looking in approach; visit other local authorities or independent operators to see how they do things.

When looking for further information for your review, consider whether you might be able to 'piggy-back' onto relevant consultation exercises currently taking place

Stage 2 – Scoping the Task Group

Scope Inquiry – The scoping exercise is initially drafted by Officers and completed by the Task Group at the first meeting. Scoping an inquiry involves clearly setting out:

- Its objectives
- Desired outcomes
- Terms of reference
- Key issues and areas of focus
- The risks involved How and where the evidence should be taken
- Timescale
- An outline of the main information requirements:

  Documents/evidence participants (including any relevant experts) Consultation/research Site visits

- Officer support
- Main targets for findings and recommendations

Careful scoping of a Task Group is essential in order to make it as effective as possible. If a review is too broad it may not be possible to marshal sufficient resources to complete it within an acceptable

timescale. Worse, it might lose direction and focus and end up with muddled recommendations leading to ineffective action.

TIP

Annex Form 3 provides a template and checklist for scoping an inquiry/Task Group.

Prepare Project Plan – Once the inquiry scope is decided, Officers will prepare a project plan for Members to consider. This will provide a logical schedule of the activities and meetings etc required to carry out the inquiry as efficiently as possible. A project plan template is provided at Annex Form 4. In the form given it will enable the broad timetable for each stage of the inquiry process to be mapped. This plan is an aid and it should be remembered that timescales can change and so should be regularly reviewed by the Task Group and amended if required.

Stage 3 – Collecting Information

Identify Information – Having completed the scope for a Task Group and the information required, its sources and methods for obtaining it, need to be identified.

The starting point is to think about in detail and jot down what information is going to be needed to fulfil the objectives of the Task Group. For example, background on relevant Council or Government

6. Task Groups

Policy, recent related reports, best practice examples, information from customers or residents about their experiences of a particular service or issue.

Source Information – Next, thought needs to be given to where and how can the information be sourced. For example, can documents and other written material be obtained informally from known contacts or websites or will a formal request be required? Will the information need to be gathered first hand within the community or at site visits? Would focus groups or workshops provide an informal and useful way of obtaining some of the evidence required? How can the evidence or hard to reach groups be obtained? Are expert opinions or research required? If so how are they to be obtained? If more formal oral evidence is thought appropriate, how are potential witnesses to be approached and invited to do so? Would a visit to another local authority known for best practice in a relevant area be helpful in achieving the inquiry's objectives.

Consider Participants – Participants can have a key role to play in helping scrutiny bodies to fulfil their objectives. They may be anxious to apprehensive about meeting a Task Group or not knowing what to expect. They therefore need to be treated with the courtesy and consideration and be properly briefed on what the Task Group is about, where, when and how it is to be conducted and what questions they are likely to be asked.

Stage 4 – Considering the Evidence

Analyse – Once all the information/evidence has been collected the Task Group consider and analyse it and discuss and debate how the information gathered helps to meet the Task Group objectives.

Officers will collate the evidence received and support Members in formulating their findings and recommendations.

Findings - It is important that any findings and recommendations are drawn out of the evidence and adequately supported by it.

Consensus - The aim is to achieve a consensus that the Chair of the Task Group needs to ensure that all Members have had an opportunity to contribute their views.

Stage 5 – Report

Draft Report – Based on Members' findings and recommendations, Officers will prepare a draft Task Group report for Member approval using a standard reporting format.

Accuracy Check – The approved draft report will be circulated to key contributors to check for factual accuracy.

Finalise the Report – any resultant amendments will be reported back to the Task Group who will then finalise and approve the report for its Chair to normally present to the Overview & Scrutiny Committee.

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Stage 6 – Feedback and Action

Options - Following the report stage, the Overview & Scrutiny Committee will either, once debated, accept the Task Group's findings and recommendations and pass these on to Cabinet or request more work is done.

Stage 7 - Monitoring

Arrangements - To ensure the overview and scrutiny function is effective, suitable arrangements will need to be made to monitor the implementation of the adopted recommendations. This can be done by building in time for such monitoring into a work programme at appropriate intervals and commissioning progress reports from Officers.

Further Scrutiny – Where Members are not satisfied with progress or the action taken they may decide that further scrutiny should be undertaken.

8. SKILLS FOR OVERVIEW AND SCRUTINY

Scrutiny – Open and Inclusive

As part of the District Council's ambition to be a good Council it is vital that the overview and scrutiny process should be open and inclusive – working for and with the community and partners to achieve common goals.

This means that, in order to carry out the scrutiny role effectively, Members will need well developed questioning and analytical skills

Whilst overview and scrutiny is part of the new local political arrangements, scrutiny Members should set aside party politics and concentrate on getting a balanced view and in making fair unbiased reports on findings and recommendations.

Skills for Scrutiny

Chairing Skills – an obvious key skill for those chairing an Overview and Scrutiny Committee or Task Group.

Work/Project Planning Skills- the ability to plan events to a conclusion taking into account resources and timescales.

Team Working – Getting members of a Scrutiny Committee or Panel working effectively together towards a common goal.

Questioning Skills – definitely not 'interrogation' skills but the ability to probe for information.

Listening Skills – genuinely listening to others whose views and opinions may differ from your own.

Analytical Skills- the ability to review and interpret data and reach conclusions based on clear evidence.

What Skills are Needed?

Members either individually or collectively will already possess a lot of the personal skills required but the new focus will be in bringing these together in a way that ensures confidence in the outcomes and recommendations at the end of the scrutiny process. A key factor here will be ensuring that the findings and recommendations are supported by evidence. This provides transparency in the scrutiny process.

In many respects Members' own 'toolkit' of skills for carrying out an effective scrutiny of an issue are no different from many other business skills. Some of the key skills needed to carry out an effective scrutiny operation are highlighted in the box above.

The success of scrutiny is so dependent of having an effective Chair and as a result of this further guidance on this important role is provided below.

8. SKILLS FOR OVERVIEW AND SCRUTINY

Chairing Skills

To get good and effective results Overview and Scrutiny Committees and Task Groups need a good chair in the same way that an orchestra needs a good conductor. Whilst there is no substitute for receiving some formal training in chairing skills (and indeed is a requirement), this section contains some brief practical guidance which can be applied not only to scrutiny meetings but also to running meetings in general.

A scrutiny inquiry needs a good

Chair in the same way an

Orchestra needs a good conductor.

Here are some common reasons why people dislike meetings.

Meeting Dislikes

- The purpose is unclear
- Wrong participants attending
- Failure to start on time
- People who cannot put their views properly
- Irrelevant talk
- Chair does not stick to the Agenda
- Rudeness: personal attacks
- One item is allowed to hijack the meeting
- Goes on t-o-o l-o-n-g
- Unclear decision
- No decision
- Poor or no follow up

.

The Effective Chair

A good Chair needs to be fairly assertive to ensure meetings meet their objectives. Assertiveness taken to the extreme can be see as aggression and an aggressive Chair will impose their own views on the meeting, for example, they shout others down, put people down, hog the discussion and clearly get impatient.

The assertive Chair on the other hand controls the meeting by allowing others to get their points over, maintains a balanced discussion, sticks to the Agenda and discourages deviation and delay. They will be firm but fair, open and frank and clearly and confidently make points. Importantly, they will represent the will of the meeting – be in tune with it.

8. SKILLS FOR OVERVIEW AND SCRUTINY

Preparation for a Meeting

The Chair is responsible for drawing up the Agenda for each meeting in advance with the support of the Principal Governance Officer. A bit of careful preparation beforehand will make a major contribution to ensuring a meeting runs smoothly and effectively.

> **TIP**
> Use the checklist opposite to help draw up effective, well structured and informative Agendas.

Ideally, the framework for the next meeting should be set at the end of the last meeting. If Members help contribute to the Agenda beforehand they will have some ownership of it.

The effect of this is that they, as well as the Chair, will have a vested interest in getting through the Agenda and achieving a positive outcome.

Training and Development

The training programme for Members and Officers is designed to cover the key skills areas outlined above. It also includes training on the key aspects of Overview and Scrutiny and on the use of this toolkit. The programme is delivered in digestible modules and at times convenient for the majority of participants.

Meeting Agenda Checklist		
1	Is the venue, timing etc suitable for the audience? Will certain groups find it difficult or impossible to attend? Is it accessible to and equipped with facilities for those with physical/sensory disabilities? Can the meeting be conducted over zoom or MS teams	
2	Have all worthwhile items been considered for inclusion?	
3	Are the items arranged in order of importance – i.e., most important item first?	
4	Are there too many or too few items?	
5	Are the items worded clearly?	
6	Will all members understand the point of including these items?	
7	Do any items need to be grouped with others – e.g. will the decision on one help with the decision on another?	
8	Are the items needing more discussion placed near the start when minds will be fresher?	
9	Will they be prepared for the type of discussion it will involve them in?	
10	Do Members need any extra information to support any of the items?	
11	What documents should you send out with the Agenda?	
12	Will the Agenda reach all the Members in good time?	
13	Has the Agenda been arranged so that those involved in only one or two items need not be present for the whole meeting?	
14	Check for confidentiality of any items and take these at the end of the meeting.	

Lichfield
district council

REQUEST BY MEMBER OF THE COUNCIL
FOR A SCRUTINY TOPIC

Topic: _____

_____

Reasons for Request and Supporting Information (continue on a separate sheet if necessary)

Reasons for Topic Request	• why should topic be reviewed? • how does it link to Council's strategic aims and priorities? • What benefits could result?
Supporting Evidence:	• what evidence is there to support the reasons and need for a scrutiny inquiry? • what are the facts?
Desired Outcome:	• what would you wish to see happen as a result of any inquiry? • Why do you think the desired outcome is achievable as a result of an inquiry?

Name: Councillor ……………………………………………….

Date: ……………………………….

Please complete and return this form to the Principle Governance Officer
christine.lewis@lichfielddc.gov.uk

Guidance Notes

1. Members can request the Overview and Scrutiny Committee to hold an inquiry into an important subject or matter of concern in the District. It need not relate purely to services provided by the Council and could cover any matter relating to local residents or businesses.

2. The Council focuses its scrutiny activities on the things that matter most and on outcomes that can make a real difference for local people. It simply has not got the resources to look at everything that might be suggested and therefore has to prioritise. The Council's topic selection criteria and process is set out in the Overview and Scrutiny Toolkit which all members will have received a copy of. It can also be viewed on the Council's intranet and website. The Toolkit includes other useful information about how Overview and Scrutiny works in Lichfield and a summary of the Council's vision, key aims and priorities. These will be useful to refer to when filling in your reasons for the scrutiny inquiry on this form.

3. Scrutiny does not get involved in minor matters or individual concerns which are not of wider community significance. These need to be pursued through the appropriate Service Unit, Ward Councillors or Cabinet member responsible. Nor does scrutiny deal with individual complaints which are dealt with through the Council's complaints procedure. Other topics not appropriate for scrutiny include: matters already being addressed, matters subjudice or prejudicial to the Council's interests, individual disciplinary or grievance matters and matters unlikely to result in improvements for local people.

Lichfield
district council

SCRUTINY TOPIC SELECTION ASSESSMENT

Topic::	Suggested by:
	Date:

STEP 1: Rejection Criteria:

- Already being addressed
- Matter subjudice or prejudicial to Council's interests
- Specific case falling within complaints procedure
- Individual disciplinary or grievance matter
- Unlikely to result in improvements for local people

Reject ☐

Step 2: Selection Criteria:

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

Select ☐

Specify reason(s) for rejection:	Specify reason(s) for rejection:

STEP 3: Rationale for Selection for Topics Passing Steps 1 and 2

Rationale for Selection	Evidence	Desired Outcome
• Why would we do this? • How does it link to Council's Key Aims and Priorities? • What benefits could result?	• What evidence is there to support the rationale and need for scrutiny inquiry/review? • What are the facts	• What would we wish to achieve in undertaking scrutiny inquiry/review? • Is the desired outcome likely to be achieved and why?

STEP 4: Prioritise – Score for **Importance** and **Impact** and plot on grid

Importance Score

Supporting Evidence:

Impact Score

Supporting Evidence

		High 4	**AMBER ZONE** Possible topic for scrutiny but not a priority	**GREEN ZONE** Priority topic for scrutiny
	I M P O R T A N C E		**RED ZONE** Reject topic for scrutiny	**AMBER ZONE** Possible topic for scrutiny but not a priority
		Low		

1	2	3	4
Low		IMPACT	High

Scoring Guide			
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 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 only one ward/customer/client group.
3	Good evidence linking topic to Council's key aims and priorties.	3	Moderate potential benefits affecting more than one ward/customer/client group, or Substantial potential benefits affecting one or more ward/customer/client grups.
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

OUTCOME:	☐ Select	☐ Reserve List	☐ Reject
Date:	Refer to:	☐ Full O&S Committee	☐ Task and Finish Group

Overview & Scrutiny Task Group
Subject scoping document

Lichfield district council

Review topic	Task Group membership	
	Chair	
	Members	

Objectives	Desired outcomes

Terms of Reference

Key issues	Risks

Timescale			
Start		**Finish**	

Information requirements and sources
Documents/evidence (what/why)	

Witnesses (who, why?)	
Consultation/research (what, why, who?)	
Site visits (where, why, when?)	

Officer support	
Lead Officers	.
Committee Clerk	Chris Lewis

Target body for findings/recommendations (e.g. Cabinet, Council etc)

All Task Group reports are to be submitted initially to the parent Overview and Scrutiny Committee(s)

O&S TASK GROUP PROJECT PLAN		TOPIC:														

STAGE AND TASK	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
1. TOPIC SELECTED															
2. SCOPE INQUIRY • complete project outline • Complete project plan															
3. COLLECT EVIDENCE • source information															
4. CONSIDER EVIDENCE															
5. REPORT															
6. FEEDBACK & ACTION															
7. MONITOR															