

Scrutiny Committee End of Term Report

Lead Officer: Emily McGuinness, Scrutiny Manager
Contact Details: emily.mcguinness@southsomerset.gov.uk or 01935 462566

Purpose of the Report

This report looks to review the work of the Scrutiny function at South Somerset District Council over the past four years and look at the challenges ahead in the light of recent events relating to a lack of effective Scrutiny in public sector agencies such as the Rotherham Child exploitation scandal and the failings at Mid Staffordshire PCT.

Action required

That members of the Scrutiny Committee consider and comment on the report.

The past four years of Scrutiny at SSSDC

List of Scrutiny Reviews

Below is a list of some of the in-depth Task and Finish Reviews that have been carried out by Scrutiny members over the past four years:

- **Choice Based Lettings – HomeFinder Somerset**
This was a very lengthy and detailed review which worked across the County to review the Choice Based Letting arrangements – members sought to make recommendations that would achieve a high performing Choice Based Lettings system that was easily accessible, understandable and fair. To deliver a service that is best in its class and serves the needs of the community. The review focused on the customer experience/perspective.
- **Council Tax Reduction Strategy - Award Winning**
Thorough review of a proposed change in legislation how to deliver changes in South Somerset – this review won a National Good Scrutiny Award and all of the recommendations were adopted by the Executive and Full Council.
- **Economic Development Strategy**
Whilst not the subject of a formal Task and Finish Review, Scrutiny did make a number of recommendations on the style and content of the document which were agreed by the Executive.
- **Budget**
Scrutiny played an active role in both budget setting and budget monitoring. As part of the annual budget setting process Scrutiny have previously been involved in the assessing and commenting on the unavoidable budget pressures identified by officers – this robust scrutiny process has contributed to a significant reduction on the number of such bids submitted. As part of the 2015/16 budget setting process, a Task and Finish Group spent time understanding in some detail the risks and rewards involved in budget setting and the level of skilled judgement required from Finance officers. In addition, Scrutiny regularly receive budget monitoring reports throughout the year.

- **Performance Management**

Following the announcement that the inspection regime overseen by the Audit Commission was to cease, Scrutiny members made a series of recommendations to the Executive on which indicators should be retained to reflect local needs and priorities. They were part of the process in designing how performance information is presented and reported.

- **Employment Support Assessment**

This review was conducted on behalf of the Portfolio Holder who was concerned that a change in government policy was adversely affecting some residents. Evidence was gathered from a number of internal and external sources and several case studies were constructed to show the impact of the change in policy – this information was presented to the Portfolio Holder who was able to use to support his case with government ministers.

- **Cultural Strategy**

A Task and Finish Group was established to review a revised Cultural Strategy produced by Somerset County Council. The group considered best practice models and made a series of recommendations on both the style and content of the Strategy.

- **Equalities Strategy**

This was a good example of where early engagement of members through the Scrutiny process can lead to a positive outcome for the council as a whole. Scrutiny members were involved from the outset in the development of this important corporate strategy and the Executive and subsequently Council, were able to agree the document, confident that it had been robustly scrutinised.

- **Access to Maternity Services by the Gypsy and Traveller Community**

South Somerset District Council was the only district council to be selected to undertake a review as part of a national scheme looking at effective scrutiny of health. This review was supported by a consultant, funded by the Department for Health and the outcomes were fed into a national programme. This review helped to demonstrate that Health Scrutiny is an area for improvement in the future, especially as Somerset County Council has some of the most limited Health Scrutiny arrangements in the country.

- **Flooding**

Following two successive years of extreme flooding, South Somerset District Council led a countywide review of the issues relating to both the cause and effect of flooding. A Flooding Summit was arranged and attended by over 100 local and regional delegates who listened to a series of national experts and participated in solution focused workshops. A Flooding Action Plan was subsequently produced and adopted by all 6 Somerset Authorities and was a source document for the Somerset Levels and Moors Flooding Action Plan. This Review won a national award for joint scrutiny.

- **Partnership review**

This was a very in-depth and lengthy review looking at the whole range of 'partnerships' that the authority was involved with. The Task and Finish group researched a recommended SSDC definition of a partnership and devised a checklist for what an effective partnership was. Each of the partnerships was then assessed against this criteria and recommendations were made to the Executive about SSDC's continued involvement. Subsequent to this review, members looked at the issue of

Outside Bodies and made a subsequent set of recommendations relating to effective member representations on such bodies.

- **Social Housing Fraud**

Members considered the issue of social housing fraud and the role the district council could and should play in reducing it. The Task and Finish group worked with national bodies as well as local social housing providers and identified several areas, particularly relating to data sharing that could be improved. Recommendations were made and endorsed by the Executive and Council as well as by registered social landlords.

- **Non Domestic Rates – Discretionary Relief**

This Task and Finish Group sought to ensure that any revised policy in this area met with the needs of the Council Plan and supported the essential and widely varied voluntary and non-profit making organisations within South Somerset. However, members also had to recognise that a proportion of the assistance given to such organisations through Discretionary Rate Relief is paid by the local taxpayer and as such the Council has a duty to ensure public funds are spent wisely and that there is transparency and accountability in the decisions made.

The Task and Finish group succeeded in making a number of recommendations on key policy principles and proposals to be included within the revised policy taking into account the impact and risks of doing so.

In addition to this, the Scrutiny Committee has also requested reports and/or presentations on a number of topics to allow members to develop a broader understanding of the wide range of services provided by the authority. Examples of such reports requested in the past such reports are:

- The Local Strategic Partnership
- Review of key corporate projects such as the design and build of the Ranger's Centre
- More detail behind performance information – for example, employee sickness absence figures and % of Planning appeals overturned etc

Until this year, Scrutiny has had a programme of presentations from all Portfolio Holders – giving an opportunity for more detailed discussions with Executive members about their service priorities etc. This proved a useful way of helping to familiarise non-executive members with the wide ranging Portfolios.

A further key role of Scrutiny as defined by the Centre for Public Scrutiny in their founding four principles of effective Scrutiny is to hold the Executive to account. At South Somerset this is very effectively achieved by holding the Scrutiny Committee meeting two days prior to the Executive. Consideration of the Executive reports forms a standing item on every Scrutiny Agenda and as such both senior officers and members attend to answer any questions raised by Scrutiny members. All Scrutiny comments are noted and reported during the Executive meeting. This arrangement has become so accepted that the Leader will almost always ask for Scrutiny comments prior to opening an item for wider debate.

As a result of this approach, Scrutiny have been able to identify issues in advance of Executive members being asked to make decisions, and officers have been able to provide the decision makers with the necessary additional information, thus undoubtedly improving the decision making process.

Feedback

As mentioned above, the Scrutiny function at South Somerset has been recognised externally through three Centre for Public Scrutiny Good Scrutiny Awards, and whilst these accolades are always welcome, satisfaction amongst those who engage with the Scrutiny function on a more regular basis is arguably more important.

Over the past four months, all those attending Scrutiny Committee meetings have been asked to complete a short feedback questionnaire.

Officers attending all stated that they felt discussion was well focused and that members seemed well briefed and on the whole asked pertinent and relevant questions. All those responding felt that Scrutiny makes a positive contribution to the decision making process and enables issues to be highlighted in a timely fashion. It is pleasing to note that all those responding agreed with the statement that Scrutiny Committee is generally a positive environment - facilitating constructive debate. Only one issue was identified as needing further consideration and that related to the attendance of officers at Scrutiny Committee. This issue, along with the other points raised under that later section of '**Areas for future consideration**' will be discussed with the Scrutiny Committee post May 2015.

National Scrutiny context

Scrutiny at South Somerset, whilst still facing the same constraints and risks as other local authorities, has managed to thrive in the right organisational culture and environment. Looking back over the past four years there have been numerous examples of where Scrutiny has been able to make real and lasting contributions to the work of the authority and the communities we serve.

Our well- developed pre-decision and service review based Scrutiny really has demonstrated the point that there is no substitute to the analysis of an issue or service which Scrutiny is well placed to do and where input from non-executive members can bring out choices and alternatives that otherwise might never have seen the light of day (INLOGOV 2013)

An era of increased focus on transparency and local accountability can only strengthen the case for effective scrutiny – knowing that decisions and actions will be subject to a robust scrutiny process can only lead to improved decision making and contribute in no small way to a 'no surprises' collaborative culture.

Going forward into the next four years, we are well placed to continue to maintain and develop a scrutiny function that is pivotal in promoting improvement, efficiency and collaboration by building on past successes and our experiences should. As the public sector landscape continues to evolve, Scrutiny will need to widen its scope to include all public sector agencies and look to hold those agencies to account for the services they deliver to our residents.

The role of Scrutiny is increasingly important as SSDC, like most other public sector bodies responds to the challenge of continued financial constraints balanced against rising public expectations.

Recent failures of effective internal challenge via Scrutiny that have occurred elsewhere are unlikely to be unique and we need to ensure that the positive working relationships that have developed between SSDC officers and members remain and continue to be developed and supported. This will ensure that our Scrutiny and governance arrangements are fit and ready to identify and tackle any problems if and when they should arise.

The main challenges / common characteristics associated with failing Scrutiny, as stated in the recent reports into failings in Rotherham and Mid Staffordshire are:

- Single party supremacy
- A dominating personality with influence (Elected or officer)
- Fear of been seen to criticise your own party colleagues
- Reduction on dedicated Scrutiny resources.

There is no evidence that any of these issues impact on our Scrutiny function.

Our Scrutiny successes are testament to the prediction made by the Audit Commission back when the Local Government Act 2000 was introduced, they said, *"...new political management arrangements will ensure a proper balance and a healthy tension between the Executive and Scrutiny. Without both being adequately resourced and respected, it is unlikely that you will get a high performing, dynamic council"*

The Jay report into the events in Rotherham stated that in the best councils, Leaders welcome the opportunity to give Scrutiny the responsibility for tackling some of the difficult issues, often involving several agencies, and starting from where people are at rather than where the Council is at.

We have worked hard to make sure that Scrutiny is not a place where political differences are played out. We acknowledge that we operate in a political environment but the Scrutiny Committee's commitment to an issue/evidence based approach has meant Scrutiny recommendations have been well received and respected. Delivering this effective cross party working is not easy but is essential to the continued success of Scrutiny at South Somerset.

For some time the Centre for Public Scrutiny (CfPS) has warned of the danger of seeing Scrutiny as an optional add-on, an area in which to reduce resources. The recent problems in both Rotherham and Mid Staffs PCT, amongst others, have more than demonstrated that effective Scrutiny is an essential component of a healthy democracy.

A recent article in the Local Government Chronicle (04/02/15) identified the issues that should form the basis of an urgent national review of Scrutiny (something that is being called for by the Communities and Local Government Select Committee).

Firstly, it was cited that over 80% of all Scrutiny Chairs are appointed from the majority party. Based on the most up to date information held by the Centre for Public Scrutiny, SSDC is the only authority which automatically appoints an opposition chair of Scrutiny.

Officer and senior member resistance and obstruction as well as being 'regularly blocked in attempts to get information' were identified as major concerns for Scrutiny in over 60% of authorities. The value of the effective working relationships that we have invested in developing over the past few years pay dividends in largely avoiding such issues at SSDC.

The article concludes by stating that many local authority Scrutiny functions are characterised as 'being controlled and limited by both political and organisational culture'. Judging by the feedback and breadth of reviews undertaken, this is not a definition that could be applied to Scrutiny at SSDC.

In conclusion, Scrutiny at SSDC is effective and has many notable successes of which those members involved and the wider organisation should be proud. There are however, areas for further work in the future.

Effective multi-agency Scrutiny will become increasingly important and so working with the County Council to develop more robust Health Scrutiny arrangements should be a priority for the incoming Scrutiny Committee.

Perhaps the most pressing challenge will be to continue to demonstrate the need for an adequately resourced and well performing Scrutiny function in a climate of continually reducing resources. This report goes some considerable way in demonstrating the value the Scrutiny function and those members who work within it, bring to SSDC.

Concluding Comments from:

Chair of Scrutiny:

Scrutiny provides Councillors with the chance to work closely with Officers and staff on all levels at SSDC as well as working with outside bodies when in a Task and Finish group such as Council Tax Reduction Strategy or Flooding.

Although Scrutiny may only make recommendations, the need to ensure all our work is backed up by sound evidence adds considerably to Councillors' skills which used together with the professional support of Scrutiny Managers has helped produce the outcomes in this report.

I feel that the quote below from a senior Officer summarises how far Scrutiny has come and the important role we play:

My experience is that our members taking part in the scrutiny process often ask incisive questions in a constructive manner, their work adding value and transparency to the process.

Leader of Council:

South Somerset District Council has always had a reputation for effective cross party working one key matters affecting the district and the introduction of a highly effective Scrutiny function has added to that reputation. In the process it has brought serious added value to some very difficult issues and made a major contribution to evolving policy and good, effective decision making. A joint, countywide scrutiny led by South Somerset looked at the aftermath of the floods in 2012/13 and made recommendations that helped shape the way in which Councils responded to the 2013/14 major flood event. The Council Tax Benefit Reduction Scheme was a major piece of work involving a broad cross section of members looking at the individual impact on vulnerable residents in considerable depth and detail. The outcome was a scheme that proved to be fair and affordable. Not only does Scrutiny hold the Executive to account, it helps shape policy and ensures member engagement in service areas that affect the public. At South Somerset strong leadership and highly effective officer support for Scrutiny has created a force for good and I value its input into the democratic process.

Chief Executive

A key component of a successful Council is the effective interaction of Councillors through the formal structures that the Council operates. It is acknowledged that a well run and respected Scrutiny Committee not only adds value to the decision making process but also

enhances the reputation of the Council through constructive challenge. In my opinion SSDC actually takes this one step further: a number of knotty problems have been set for Scrutiny, whether in relation to flooding, the budget of the Council Tax reduction Scheme, and each time Scrutiny has produced a report that has provided the template for subsequent Council ratification. The Scrutiny Committee is a real asset to the Council and provides a model of cross party engagement for others to aspire to.
