

## NOTE FOR SCRUTINY & OVERVIEW COMMITTEE ON THE NEW APPROACH TO SCRUTINY

### 1. Introduction and background

This paper is designed to set out new ways of working for scrutiny – in particular, the operation of new systems for members to bring focus and prioritisation to their work. This new approach to work programming will be supported by member training and a more targeted system for sharing information with councillors, which is itself being complemented by work to draft a Protocol on Members' access to information.

This follows two sessions with Scrutiny Improvement Reference Group earlier in 2021. At these sessions the findings of the CfGS “scrutiny improvement review” (SIR) were discussed, and there were discussions about the steps that should be taken in response.

The recommendations of the SIR, which members agreed to take forward, were as follows. Following conversations with members and officers CfGS suggested (and Reference Group agreed) that Recommendations 1, 5 and 6 needed to be taken forward as a matter of priority (with training and development support alongside, as covered in Recommendation 8), and this paper focuses on those matters specifically.

#### Short-term recommendations

- 1: Take action to ensure that scrutiny can play an immediate role in the Council's financial recovery.
- 2: Secure meaningful commitment to scrutiny from the executive side of the organisation
- 3: Determine scrutiny's role within the wider governance framework, particularly with regard to quarterly progress monitoring on the Council's new Action Plan [now the Renewal Plan].
- 4: Establish a Scrutiny Co-ordination Group.
- 5: Set a more consistent approach to the provision of information to scrutiny councillors.
- 6: More systematic prioritisation of the work programme.
- 7: Bring more focus and rigour to scrutiny in committee.
- 8: Identify and act on short term member and officer training and development needs to address the above

There is also a handful of recommendations designed for the medium term.

Following councillors' discussions, proposals were taken forward to the council's Executive Leadership Team of senior officers (ELT) to secure buy-in. ELT are now moving to put in place the support arrangements needed for the new system to work.

It is suggested that a version of this paper is submitted to the scrutiny committee meeting due to be held on 7 September.

### 2. The overall focus of the new system

#### 2.1 Scrutiny needs to become more focused on critical matters where it can make a real difference

CfGS has provided support to a number of councils either under formal intervention, or in receipt of intensive Government/sector support.

The introduction of formal intervention, and the highlighting by external bodies of a council's weaknesses, often leads to a drive to over-scrutinise – to feel a need to review and scrutinise everything. This kind of overcorrection is logically driven but within limited resources, attempts to look at everything end up in the result of not being able to look at anything adequately – scrutiny becomes rushed and superficial. Such scrutiny often ends up being very focused on inputs and outputs – for example, the mechanics of RAG rating and performance management, and the querying of the contents of individual lines on a budget.

A common theme for successful scrutiny under these conditions is the need for an exclusive focus on the core factors that the council needs to act on in order to stabilise and improve. This is explained fully in section 4 of this paper.

## **2.2 Scrutiny must be carried out in a way that makes best use of limited resources**

The changes proposed in this paper have been designed to fit within the resources currently available to carry out scrutiny in Croydon. In doing so, they take account of the need for all officers to provide support to scrutiny and scrutiny councillors – not just officers working in democratic services. Understanding the role of a wider range of officers in supporting scrutiny is an important part of the new system.

Overall the need to operate within existing resources means:

- A **more systematic approach to member/officer discussion** between meetings on what matters committee propose to be investigated, informed by access to high quality information. The Access to Information Protocol (currently under development) will provide further consistency to avoid the need for ad hoc determination of which information may or may not be provided to members;
- Members will need to plan agendas carefully to maximise impact. Part of the plans envisage **six-weekly planning meetings between chairs and workstream leads** (with a single planning meeting covering all four committees) where members make practical judgements about the organisation of agendas and the work programme subject to the rules we discuss above. These would not be places where scrutiny is conducted;
- Each committee meeting will need to be limited to **two substantive items per agenda (alongside an assumption that each item would take 1 hour / 1 hour 15 mins to effectively consider)**. Processes for identifying these matters are discussed in more detail below. This approach will limit the volume of preparation required from officers and members as well as focusing more time where it really matters. It will also make it easier for scrutiny committees to focus, where necessary, on holding executive members to account, as well as posing questions to officers;
- Task and finish work will continue in the medium term, to accommodate the need to establish the other scrutiny arrangements covered in this paper, and to reflect the need for a short term focus on the Renewal Plan.

The work programming approach described in this paper has been designed to allow the scrutiny function to add significant value to the council improvement journey, in particular the implementation of the Renewal Plan.

### 3. Training and support in the new system

The process described in this paper will require that both councillors (chairs and committee members) and officers are provided with support to understand their roles, obligations and responsibilities. Training and development is an important part of the improvement process – it will help councillors and officers to master their roles and responsibilities in new systems, and ensure that they have the skills and expertise to further develop the scrutiny function in the future.

#### Councillor-facing activity

Councillors themselves need to play a part in developing and agreeing sustainable, robust development arrangements. As such, we welcome members' views on the below development plans.

#### *Traditional training and development sessions*

The fundamentals of scrutiny	Covering scrutiny's legal powers and providing introductory information on the new approach to scrutiny at Croydon set out in this paper, including the need for focus to ensure effective scrutiny.
Scrutiny of the Renewal Plan	Explanation of how practical scrutiny of the Renewal Plan will work in detail, informed by the systems that underpin the plan.
Scrutiny and information	Covering the main types of information that councillors are likely to see in the information digest and how to interpret it – also covering councillors' information rights as set out in the Access to Information Protocol / Procedure Rules
Scrutiny, audit and oversight of financial management	Session for both scrutiny and audit committee members setting out mutual roles and responsibilities, especially around financial oversight and risk, as set out elsewhere in this paper.

#### *Self-directed learning*

CfGS has a range of written materials on effective scrutiny, some of which will be redrafted to meet the needs of Croydon's members, to provide manageable opportunities to learn from the experiences of other councils, and to benefit from national research on the value of scrutiny in an improving organisation.

CfGS will identify good practice in other councils and direct Croydon members to webcasts of meetings which will provide good examples to inform members' development.

We will develop a suite of material based on where gaps might exist elsewhere in the training and development programme, and where councillors express in interest in expanding their knowledge.

#### *Training and development incorporated into the design of scrutiny work*

- Skills in topic selection – which will be built into the way that matters are proposed for inclusion on the work programme. We will provide ongoing support on work programming, integrated with the wider proposals in this paper;
- Skills in planning and preparation – focusing on how to achieve constructive, strategic outcomes from scrutiny’s consideration of an issue and setting out an approach to achieve them. This will involve developing more consistent scopes for scrutiny’s involvement in an issue, and assisting with the planning and design of individual scrutiny meetings;
- Team building skills, and questioning skills. This will include creating spaces within and beyond committee meetings where councillors can discuss priorities and objectives – it will be linked to the the need to collectively develop lines of questioning in committee meetings;
- Skills in analysis of information (in particular the kinds of information that councillors will see that relate to the Renewal Plan) – this will also support councillors to be more self-servicing in their use of information;
- Relationship management skills – with those from within and beyond the council. Councillors will be supported to integrate an awareness of partnership working into the way they work – recognising that not only the council will be involved in the delivery of business-critical issues;
- Skills and methods in working with the public (depending on the extent to which scrutiny work in 2021/22 includes plans for public-facing working, or the need to gather evidence directly from local people). In the short term we do not anticipate sustained work with the public, but enhancing members’ capacity will involve being prepared to design new systems, which councillors can lead, for gathering insights and views from local people.

CfGS will also support the preparation of role profiles for scrutiny chairs and workstream leads.

#### *Peer support provided by the LGA*

One to one coaching and mentoring will focus on developing the skills of chairs, vice chairs and scrutiny workstream leads. Coaching can focus on:

- Peer observation of committee meetings, and supporting chairs to consider how committee management can be made more effective, in terms of the timing of agendas (and meetings overall) and the management of committee questioning, as well as ensuring that individual items and meetings overall have clear outcomes;
- Scrutiny leadership between meetings – the selection of items for the work programme and the management of relationships between members of the committee, senior officers and Cabinet members;
- Other personal development needs which might be identified.

#### Officer-facing activity

For senior officers and others preparing reports to members, this will be:

- General support to senior managers to understand and act on the new arrangements, particularly in the first two committee cycles. This support would start as soon as possible and continue through to the end of the year, and would involve one formal workshop (which would explain the fundamentals of scrutiny and the powers of committees) followed by informal, ad hoc support as required.

- Support to link officers for workstreams and committees. We suggest that each committee and workstream should have a single, named executive-side officer to act as a primary source of contact – we would provide these individuals with bespoke support;
- Support to report authors. Where matters are identified through the work programme for committee agendas, identified report authors would benefit from support from CfGS to ensure that the outcomes and objectives of bringing that issue to scrutiny are understood.

Officer support will also include practical support to scrutiny officers to undertake their roles in producing overview reports, and supporting Chairs/ Vice Chairs in meetings to ensure consistent adherence to the new approach.

## 4. The detail of the new system

### 4.1 General principles

At their meeting on 15 June, scrutiny councillors agreed the general terms of the new approach to the prioritisation and delivery of scrutiny work to which this paper refers. The changes are informed by several practical principles:

- Scrutiny will focus only on strategic issues relating to **business-critical matters**, and in particular the Croydon Renewal Plan;
- Scrutiny of those matters will relate to a **limited number of areas** where the council is developing policy, and input into matters where **trends** exist which suggest that persistent challenges and weaknesses require that a given issue be escalated for consideration by a committee;
- Scrutiny activity will be **better co-ordinated** between committees;
- Scrutiny will receive **regular advice** from the s151 officer and Monitoring Officer to assist in the development of the work programme and to ensure that scrutiny's work aligns with wider improvement activity;
- Scrutiny's work will be carried out with an awareness of **risk**. The development of the work programme will be informed by an understanding of where areas of risk lie, and as such liaison with GPAC (or its successor committee) will be required. However, scrutiny will not examine risk itself or the authority's management of risk, as these are matters for GPAC;
- The **timely and proportionate** provision of accurate and relevant information will be central to the above.

These principles are also informed by the focus of the Croydon Renewal and Improvement Plan on the creation of new performance management and oversight systems. These plans are designed to align with that activity.

The exclusive prioritisation of scrutiny's work onto business critical activities, including council improvement and recovery, is a critical part of this work. It will involve a reduction of the number of substantive items being considered per meeting, and a reduction in the length of those meetings. At least in the short term, it will involve a reduction in task and finish activity.

## 4.2 “Business-critical” issues

While there are a wide range of activities in which scrutiny could conceivably be involved, focus and prioritisation are critically important.

It has already been agreed that business critical activities will be divided into three workstreams, as follows.

### **Workstream 1: Corporate recovery (led by the Scrutiny and Overview Committee)**

- Proportionate oversight of the delivery of council’s plans for improvement – primarily the delivery of the Renewal Plan;
- Oversight of the delivery of a balanced budget for 2020/21 and a sustainable balanced budget for 2021/22 alongside a robust MTFs.

### **Workstream 2: Ensuring that scrutiny understands and acts on the impact that strategic risks may have on the delivery of the Renewal Plan (led by the Scrutiny and Overview Committee)**

- Understanding where risks lie, and how they are being managed, to ensure that scrutiny uses these insights to inform its wider work. It is important for scrutiny to understand strategic risks facing the authority because it helps the function to understand how those risks will impact the delivery of the Renewal Plan.
- The RIPI and Rapid Review both highlighted councillors’ lack of awareness of risks. This workstream will involve liaison with GPAC to ensure a distinct role for scrutiny. This will be about ensuring that the scrutiny function is aware of ongoing and emerging risk matters, consideration of which can inform its wider work programme;

### **Workstream 3: Supporting local people and keeping them safe (split between CYP, HSC, SEH)**

- Oversight of the safety and effectiveness of services in relation to:
  - Adult social care, with particular reference to oversight of the Council’s response to the diagnostic review being undertaken by the LGA;
  - Children’s services, and particularly services provided to unaccompanied asylum seeker children (UASC);
  - Economic recovery post-pandemic with particular reference to the Growth Zone.

Councillors have agreed that each workstream will have a **scrutiny lead member** responsible for keeping a watching brief on emerging information and issues relating to that workstream and taking an active role alongside scrutiny committee Chairs. The identity of these lead members has yet to be designated. This will provide more leadership responsibilities on scrutiny for a wider range of members, aiding in member development and Chair succession planning.

In future the work programme will comprise of a mix of matters relating directly to this list, which meet one of the following two criteria:

- **anticipated some time in advance** (and likely to relate to longer-term policy development). Councillors will be supported to identify a limited, proportionate number of areas relating to critical business, where the council is planning to overhaul, evolve or refine its policies, and where the involvement of scrutiny would add clear value.

- **matters escalated** using the systems described in the “proposed workflow for work programme” below. We anticipate that only a small number of matters will be escalated in this manner. Matters escalated this way would relate to trends – where medium term challenges and pressures exist – rather than individual points of data which might cause concern. In this way, escalation to scrutiny provides a backstop to the other improvement and oversight systems currently being put in place.

In doing this it is proposed that separate, general, standalone items for Cabinet member questions do not continue, and that Cabinet members be instead invited to attend to give evidence and answer questions on substantive agenda items.

## 5. Ensuring access to information for scrutiny

A new approach to the prioritisation and focus of scrutiny’s work overall requires a new approach to the provision to scrutiny of information held by the authority.

As a baseline, information provision must meet statutory requirements and Government guidance, which says that “scrutiny members should have access to a regularly available source of key information about the management of the authority”.

Any new approach must recognise resource limitations and the need for member scrutiny to focus on business-critical activity (as noted above).

### 5.1 How should information be made available?

The primary means of sharing information will be by way of a regular information digest whose contents are focused on the council’s wider improvement activity, and consistent with the requirements of statutory scrutiny guidance. Members would receive, initially, training and support to understand this information. The exact method by which it would be shared is explained in the section below on workflow (section 5).

The information which will form part of this digest includes:

- The CRP performance report;
- Digest of savings proposals delivery;
- The organisational health dashboard;
- Summary Complaints data;
- The Forward Plan;
- GPAC forward plan / work programme;
- Departmental performance, finance and risk reports, by exception only;
- PMO reports (RAG rated and providing information by exception, if available).

ELT have signed up to this approach, and the first of these information digests is currently under development.

We expect that information production cycles will mean that not all of the information set out above will be available in the same way at the same time. This is unlikely to present significant problems – the purpose of the exercise is to allow councillors to identify and act on trends in the data, rather than individual data points. We have several expectations of how this information will be used:

- It will allow members to identify and understand cross-cutting issues evidenced by data from multiple sources, and performance and improvement trends (rather than individual points of data or individual reports);

- It will frame scrutiny's engagement with critical matters which are high profile and where political oversight, and input, are likely to be especially useful to the authority and the community at large;
- It will result in a significant reduction in the volume of direct requests for information from councillors to officers. The way that such direct requests will be managed will form part of the subject of the council's member access to information protocol, currently under development.

## 6. Next steps

The below timetable is set out as an illustration of how we consider this process might be managed in the coming weeks and months.

Until new arrangements are in place we anticipate a process of transition where committee chairs use emerging information to put in place changes to the work programmes of their committees.

Late August	<p>Agreement of these plans with the council's senior leadership and with Scrutiny Improvement Reference Group.</p> <p>Begin collation of first information digest</p>
7 September	<p>Committee takes report setting out:</p> <ul style="list-style-type: none"> <li>• this new approach overall, providing an opportunity to confirm explicit member ownership of the new process.</li> <li>• agreement of workstreams and workstream leads.</li> <li>• New arrangements for work programming</li> <li>• Training and development arrangements to support this approach.</li> </ul>
September	<p>First information digest produced; first planning meeting (also to be used to identify opportunities to integrate training and development into scrutiny work).</p> <p>Formal training and development for scrutiny councillors begins, to continue until the end of the calendar year.</p> <p>Internal communications for council officers on the changes; initial workshop for officers.</p>
Late November	<p>After the end of the second cycle of ordinary planning meetings, a light touch review by CfGS of the effectiveness of the new system, to identify the need for possible changes (especially in light of the outcome of the October governance referendum).</p>

## Appendix: Proposed workflow for work programming

Information is provided to councillors by way of an information digest on a six-weekly basis



**Advice provided by the statutory scrutiny officer in consultation with Chair on what matters arising from the information digest might be escalated to committee – where**

- A business-critical matter is affected or involved;
- Performance, finances, or risks relating to that matter, are a cause for concern, and have been a cause for concern for some time (i.e. there is a downward trend or the prospects for improvement appear, on the data, to be uncertain);
- Evidence for that contention can be found across multiple information sources.



**A six-weekly meeting for chairs and workstream leads to decide on the appropriate approach for escalation.** This meeting will consider potential items for all forthcoming meetings – it will not be a pre-meeting for a single meeting or committee. It would provide an opportunity for councillors to satisfy themselves that scrutiny's involvement in the issues identified would benefit from scrutiny's input. Members would be supported at this meeting by the s151 officer and Monitoring Officer, the Director of Policy, Programmes and Performance, and the Head of Democratic Services.



**Notice provided to officers of the need to provide reports and to attend committee.** Notice would provide information on councillors' specific expectations in escalating the matter, and would assist officers to ensure that the right person/people will be present to participate in discussion. It would also help officers to determine what additional information might be provided, at committee, to assist member discussions on the issue.



**Following the meeting, the relevant Chair to debrief with officers on the effectiveness of debate and discussion, as well as following up on any relevant recommendations.**