

Notes of Scrutiny Assembly Meeting

Review of Scrutiny Arrangements

8th March 2010

Present:

Presenting: Professor Steve Leach

Scrutiny Members: Cllrs. Derek White (Chair), Roger Aveley, Adrian Meredith, Joy Francis, Alan Mackenzie, Karen Tomlinson, Harvey Unwin, Angela McClements, Dennis Allen, Jayne Greenaway, Gill Gree, Louise Lomax, Bill Tomlinson,

Scrutiny Co-optees: Shaukat Ali, Val Lindley, Lynda Baker-Oliver,

Jonathan Eatough	Head of Governance
Fiona Bottrill	Scrutiny Manager
Stephanie Jones	Scrutiny Officer
Sarah Morris	Scrutiny Officer

Introduction by Cllr. Derek White

Derek welcomed all Members and Co-optees. He outlined that the current Scrutiny arrangements had been introduced in January 2009 and that it had been agreed that a review would be undertaken after 12 months to assess how effective these arrangements had been. Derek introduced Professor Steve Leach who had undertaken an independent review and had come to the meeting to present his report and recommendations. Derek made the point that it is up to Scrutiny Members to decide the structure, and that they do not have to accept the recommendations.

Presentation by Professor Steve Leach

Steve said that he had been pleased to be asked to do this work as he has undertaken work in Telford in relation to Scrutiny since scrutiny was introduced to Local Government. He said that this review had taken place over a short period of time and he had heard a wide range of views. This had presented him with a challenge to make recommendations that would take all the views into account.

Professors Leach's presentation is attached. The key themes from his presentation were:

- Strengths of Scrutiny at Telford and Wrekin
- Issues of concern
- Desired outcomes for Scrutiny of proposed changes
- The proposed new structure

- The ways the new structure would work
- Specific proposals

Open Floor – Questions to Professor Steve Leach

Derek White chaired the discussion and requested that questions are short and concise

Welcomed the report and agrees with comments about Cabinet assistants – it is important to engage Conservative Members in the Scrutiny process and the Cabinet Assistant role should be reviewed as it currently rules them out of Scrutiny. This issue has already been raised at Full Council and should be reviewed. I agree that scrutiny has not been effective in holding Cabinet to account. I like the proposed structure – it retains the flexibility of the current system and I agree with the need for Scrutiny training. (AMcC)

Scrutiny can criticise the Cabinet and controlling group – but all parties have Members who do not take part in Scrutiny. Group leaders have a role to play in getting members involved in Scrutiny. Scrutiny needs the resources to be able to undertake its role effectively – I have had a discussion with the Leader and if possible Scrutiny will be resourced as needed. It is not Scrutiny's job to set policy – that is the role of Cabinet - but scrutiny can help in developing policy if it is done with care. If we are going to get involved in policy development we will need to move quickly to respond to Cabinet, we would need to be able to meet frequently and need to have a flexible approach. Scrutiny also needs to follow up recommendations.(DW)

Scrutiny needs to maintain its monitoring role –the Value for Money Scrutiny Group and the Corporate Parenting Group perform important monitoring roles and should be retained. The Audit Committee has undertaken training before meetings – this has been hard work but worth it. (LL)

Performance Indicators are crucial and the Value for Money Scrutiny Group handles this well and should continue the role in monitoring performance indicators and budget consultation. (SL)

Scrutiny does not have a problem in calling Cabinet Members - they attend meetings if asked and if not they are asked why. One of the problems scrutiny has is that we do not have enough staff. (RA)

Scrutiny should be properly supported –the staff team should be maintained at 3 Scrutiny Officers. (SL)

As a Liberal Democrat I have seen both the Labour and Conservative administrations – and have seen that Members from the controlling group can be uncomfortable scrutinising their own group - they can feel that they are being disloyal. There needs to be a culture from the Leader down that effective Scrutiny is welcomed. (BT)

This is a problem I have seen in other authorities. Not many controlling group Members will 'haul in' Cabinet Members but they can have a more proactive

view of policy review and development. It is important to recognise the role of Co-optees – they bring valuable expertise. (SL)

The report proposes that Scrutiny retains Scrutiny Leadership Board and that Scrutiny Panels 1,2 and 3 will be chaired by Lead Scrutiny Members. What will be the role of the other 3 SLB members? Even if the Scrutiny Panels meet quarterly– the informal meetings should be put in the council diary so that they do not clash. (BT)

Scrutiny should retain the lead roles for Scrutiny Leadership Board Members in relation to Cabinet Portfolios (sic). I have not worked through how all Lead Scrutiny Members would undertake a chairing role if there are 3 politically balanced Scrutiny Panels. There would be an expectation that the Scrutiny Panels (there are 2 cross-cutting Panels as well as the three sub-group Panels) would be chaired by a Lead Scrutiny Member – if a non SLB Member chaired a Panel they should be recognised with an SRA. There will be some way of SLB sharing this responsibility. (SL)

If an SLB Member does not have the knowledge to chair a particular Scrutiny Panel the group can agree that another Member can chair – but this will be on a voluntary basis. Under the 'One Council' vision we have to work together on cross cutting issues. The Executive is working to the One Council, One Team One Vision – Scrutiny should also. (DW)

I agree with the report and welcome the recommendations. We have not been able to hold the Executive to account. Scrutiny gets to see reports just before they go to Cabinet. There is a need to change the culture – Cabinet needs to trust and work with Scrutiny. (AMac)

Increasing trust works both ways – Cabinet are asking for your help as community representatives, Scrutiny Members can provide a political slant to policy development that officers cannot. It is good to ask for more openness and advance warning of changes. (SL)

I agree that Scrutiny should look at cross cutting issues – we should work with the different priorities across the Council and different agencies – no one has an overview. (AMac)

Scrutiny needs to pick the cross cutting issues for policy development carefully and in discussion with Cabinet. (SL)

The report says that we should keep 6 people on SLB – but there is still an issue about SRAs for non SLB Chairs. There is an issue with the Forward Plan to identify things that Scrutiny should look at – but Jonathan is taking this forward. Scrutiny should monitor recommendations – Birmingham talked about the 'black hole syndrome'. Page 19 of the report – if an informal sub group (e.g. Corporate Parenting) undertakes work that requires formal action this will need to go back to the formal Children's Services Scrutiny Panel – but these would only be every 3 months. It is important that the chairs of the Sub Groups have relevant skills and knowledge and understand the remit of the

group and what it is able to do without recourse to the Children's Services Panel. There also needs to be a good balance of members on the group. When the CYP Scrutiny commission received reports on Campus Telford we were told that there was nothing to update – even after 3 months – but I can understand the frustration of the education co-optees (on Campus Telford) as there is no route for broader education issues to come to Scrutiny. We need to be able to respond to issues quickly and be able to hold officers and Cabinet Members to account. (KT)

Corporate parenting has worked well and this should continue as a sub group of the Children's Scrutiny Panel – but the work of the Campus Telford Sub Group should be part of the formal Panel. The Corporate Parenting sub-group would not need to be politically balanced and it is more important that the committed members are kept on the group.(SL)

There is a problem with the attendance at Scrutiny – it is left to the few to carry the function. This is not party political – but for all groups. We can't afford the luxury of carrying Members who don't take part. It should be up to Group Leaders if Members don't decide which Scrutiny to be involved with Leaders should tell them.(GG)

The problem of getting members involved is a group discipline issue – this will be partly remedied if Cabinet Assistants are brought in. Members will get involved if they can see that Scrutiny is making a difference. Training can make scrutiny more attractive. Most authorities are the same – 1/3 of Members are active in Scrutiny, 1/3 are involved in Panels but not task and finish groups and 1/3 are not active – but focus on ward work etc. (SL)

It is a problem if Members attend meetings but do not ask questions. Co-optees put in a lot but do not claim any expenses or allowances. Scrutiny will not get any more allowances. The Constituted panels would have meetings in between their quarterly meetings, and this could provide development opportunities for other members to develop chairing skills. We have a blank canvass – we can decide how Scrutiny will work and we must make it work for us. (DW)

The person who decides if a call in is legal should be elected. I disagree that this role should be undertaken by the Monitoring Officer. How will the decision about the Scrutiny arrangements be made?(HU)

The decision about call in is currently made by the chair of SLB who is advised by the Monitoring Officer. The role of the Monitoring Officer is to give impartial advice. If the decision were taken by the monitoring officer it would be not seen a political decision. (DW / JE / SL)

Scrutiny Leadership Board will decide on the new arrangements. (DW)

The report has made clear the way the council works – (as a Co-optee) I did not understand before. It makes it difficult for co-optees to contribute if you do not understand how things work. (LBO)

We are working with Shropshire to make sure that co-optees have a vote on the Joint Health Scrutiny Committee. We must value the work that co-optees do and recognise the benefit of having non party political people involved in Scrutiny. (DW)

Can we clarify section 5.14 of the report – “If the council wishes to restrict scrutiny SRAs to 6, then the implication is that the SLB member who does not chair a panel should not receive an SRA.” (BT)

I have made this recommendation – for me it is an issue of fairness. Chairing a Panel or Sub Group is a more onerous role than Lead Scrutiny Member on SLB (if not chairing a sub group) This is ultimately a decision for Members and will depend on finances. (SL)

Cabinet Assistants role is to help the Cabinet Members – the Cabinet members ask the assistants to look at particular issues and report back. (JF)

It is not scrutiny’s job to look at role of Cabinet Assistants – this is a decision that must be made by the party. (DW)

Where is the flexibility for people to move around to look at the issues that they are interested in rather than being pigeonholed? (JG)

How can we make this work if the Panels are politically balanced? (DW)

The formality increases the ‘clout’ of the Scrutiny Panel. If they meet quarterly work can still be done in between meetings. Any interested members can take part in these interim meetings. (SL)

We do not vote at Scrutiny Meetings –there could be core Members (as there are now) that are expected to attend, but it should be made clear that if other Members are interested they can attend. (BT)

The political balance should not matter as Scrutiny is not political. (RA)

The Scrutiny Panel meetings could be open meetings with a core of members who can vote. (DW)

What happens after this meeting? (DA)

It was agreed when this review was commissioned that a report would go back to Scrutiny Leadership Board on the 25th March. Having heard the views from this evening, SLB will make recommendations to Council Constitution Committee on the 13th April and any changes to the constitution will be made at Full Council on the 29th April. (FB)

