

# WINCHESTER CITY COUNCIL

## GOOD SCRUTINY GUIDE

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# SECTION ONE

## What is scrutiny?

The creation of the overview and scrutiny function in local government offers even more opportunity for the City Council to improve the quality of life of its residents.

The Local Government Act 2000 changed how local government was performed. This Act required all councils in England and Wales to introduce new political structures which provide a clear role for the Council, the Executive and non-executive Councillors.

Winchester City Council established a Cabinet system as the Executive to manage the Council's business, and overview and scrutiny bodies to oversee the discharge of the Council's work. This gave the City Council the chance to develop this system to review, challenge and develop what the City Council does, with the aim to make sure the right decisions are being made by Cabinet for the Winchester District.

The full Council sets the policy framework that Cabinet then delivers and political debate mainly happens at full Council. The role of scrutiny is then to act like a watchdog; scrutiny Members make sure that in delivering this policy framework, Cabinet obtains the best possible outcomes for residents of the district, and the way the City Council carries out its work is always improving.

Scrutiny Members can carry out these tasks in a number of different ways – they could invite someone to give evidence to the Panel, they could hold in-depth reviews on a particularly important topic or they could undertake a site visit to help them gather information on a certain issue they are reviewing. Scrutiny Members can use a wide variety of methods to help them undertake their work. This guide will cover some of these methods.

Scrutiny is also an open process carried out on behalf of the whole Council by all the non-Executive Members. To ensure fairness and openness, Members are not allowed to scrutinise a decision in which they were directly involved.

The way the overview and scrutiny bodies do this can be separated into four main roles:

- to hold Portfolio Holders to account for the services within their areas of responsibility
- to contribute to the development of key Council policies and programmes
- to challenge decisions made by Cabinet or individual Portfolio Holders and Officers
- to review the overall benefit to the public from services provided by the City Council and other organisations

To undertake these roles, the City Council has set up the following Committee and Panels:

## **Principal Scrutiny Committee**

The Principal Scrutiny Committee plays a particularly significant role. This Committee keeps an overview of how the Cabinet delivers the priorities and aims of the City Council. Principal Scrutiny Committee can scrutinise any decision made by the Cabinet or by Council Officers. This is to make sure that Cabinet is delivering what the City Council agreed to for the benefit of the district's residents. The Committee is also allowed to review any matter even after it has happened, or ask one of the Scrutiny Panels to do so. It can also 'call-in' a decision that Cabinet has made, or has yet to make, that is outside the agreed budget for that year.

Principal Scrutiny Committee is also the City Council's designated Audit Committee, keeping an overview of the work of both the internal and external auditors and their recommendations.

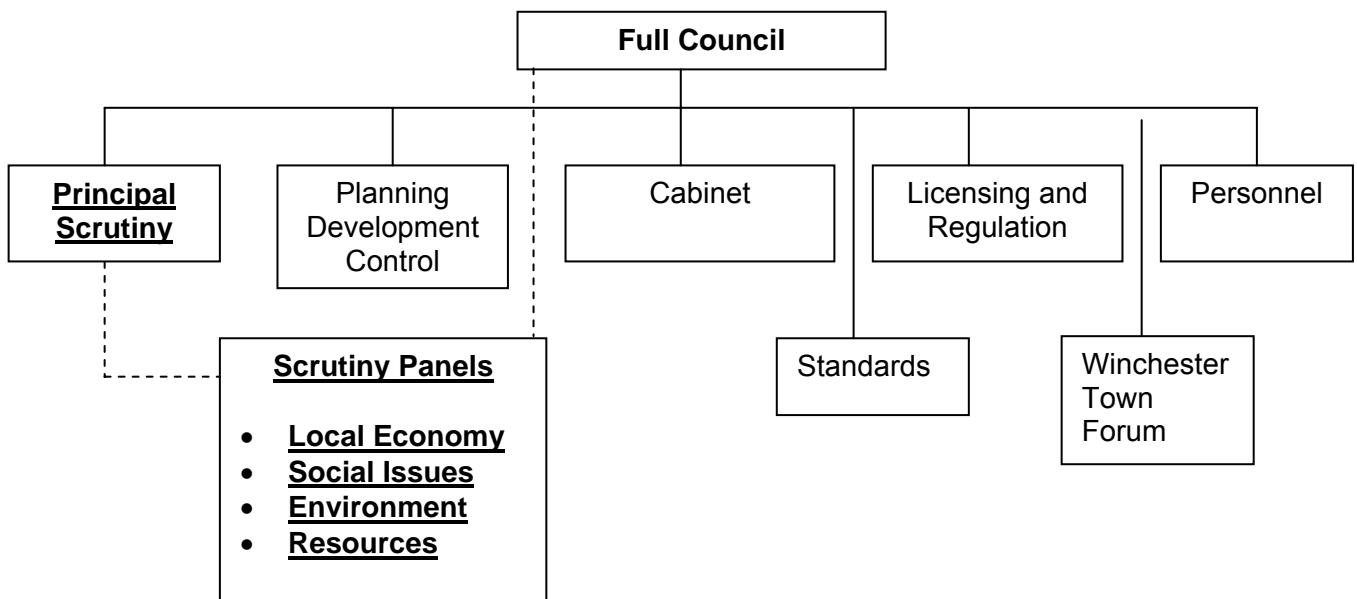
As well as the Principal Scrutiny Committee, there are four Scrutiny Panels with specific areas which they look at. These are:

**Resources Scrutiny Panel**  
**Environment Scrutiny Panel**  
**Social Issues Scrutiny Panel**  
**Local Economy Scrutiny Panel**

The Social Issues Scrutiny Panel also has co-opted members on it. This means that representatives from Tenants and Council Together (TACT) sit on the Scrutiny Panel because part of the Panel's remit is keeping an overview of Council Housing.

The diagrams overleaf show the remit of the Committee and the Scrutiny Panels and how they relate to the City Council's other Committees.

<b>Scrutiny Body</b>	<b>Principal Scrutiny Committee</b>	<b>Social Issues Scrutiny Panel</b>		<b>Environment Scrutiny Panel</b>		<b>Local Economy Scrutiny Panel</b>		<b>Resources Scrutiny Panel</b>
<b>Portfolio</b>	Leader / Community Strategy	Housing	Healthy & Inclusive Communities	Planning	Environmental Health	Culture, Heritage & Sport	Economy & Transport	Finance & Resources
<b>Partner-ships</b>	Local Strategic Partnership	Tenants and Council Together (TACT) Housing Forum Health for All Community Safety Partnership Community Learning Partnership Community Legal Partnership		Natural Environment Forum <i>Built Environment Forum</i> Project Integra		Winchester 4 Business Cultural Consortium City Centre Partnership Tourism Partnerships <i>Transport Forum</i>		
<b>Key Strategies</b>	Community Strategy Corporate Strategy Sustainability Strategy	Housing Strategy HRA Business Plan Social Inclusion Strategy Health Improvement Plan Community Safety Strategy		Environment Strategy Local Development Framework (overview)		<i>Economic Development Strategy</i> Tourism Strategy Local Transport Plan Arts Strategy		Financial Strategy Procurement Strategy Workforce Plan
<b>Divisions</b>	Policy Perf & Mgt	Strategic Housing Landlord Services Community Development Revenues (benefits)		Environment Strategic Planning Planning Building Control		Culture Transport Engineering Community Development *Strategic Planning		Secretariat Legal Accountancy IT Revenues Customer Services Estates HR



Principal Scrutiny Committee can make recommendations to full Council, as can the Scrutiny Panels - though both will normally make recommendations to Cabinet initially, as it is responsible for most executive decisions. Full Council is responsible for the overall budget, certain major policies and specific decisions that are required by law to be made at full Council. If the Scrutiny Panel has undertaken a task at the request of Principal Scrutiny Committee it will report back to that body to get its recommendations agreed. The Scrutiny Panels and Committee can therefore recommend a course of action independent of Cabinet.

## **SECTION TWO**

### **The Four Roles of Overview and Scrutiny**

#### **1 Hold Portfolio Holders to account for the services within their areas of responsibility**

The Cabinet system for local government means that the Leader and Portfolio Holders are directly accountable for all of the services provided by the Council. Each of the Scrutiny Panels (other than the Resources Scrutiny Panel) are aligned to two portfolios, and Principal Scrutiny Committee is generally aligned with the responsibilities of the Leader.

This means that Portfolio Holders are asked to present reports on significant services or significant issues within services and are held accountable for the Council's performance. The same system applies to the Leader who presents reports on significant services Principal Scrutiny Committee.

Portfolio Holders are also held to account by the Scrutiny Panels and Principal Scrutiny Committee through performance monitoring. Portfolio Holders are invited to present a quarterly monitoring report on targets in their portfolio. This gives the Panel or Committee a chance to take an overview of progress towards achieving the aims of the City Council's Corporate Strategy for the year and helps to show the clear relationship with the Portfolio Holder's responsibility for the service area.

#### **2 Contribute to the development and review of key Council policies and programmes**

Scrutiny Panels and Principal Scrutiny Committee play a vital role in maintaining an overview of the City Council's work and looking in depth at programmes of work or issues which either have particular significance for residents or have been highlighted as areas of concern. See section three for guidance on how to suggest a topic for scrutiny consideration and how topics are selected.

In order to undertake this work, the Panels and Principal Scrutiny Committee can set up Informal Scrutiny Groups of Members who work with officers in the relevant area to review the issue and report back to their parent body. Their recommendations are then passed to Cabinet for consideration and, if agreed, implementation.

Scrutiny Panels and Principal Scrutiny Committee can also ask for ad hoc reports on aspects of the City Council's business throughout the year.

Both Principal Scrutiny Committee and the Scrutiny Panels can examine policy matters referred to them by Council or Cabinet. Principal Scrutiny Committee can also independently authorise such work to be undertaken. For example they could look at a large project being undertaken by the Council that will have a significant impact upon residents and will use considerable resources.

Principal Scrutiny Committee can do the following in relation to policy development and review:

- a) Help the Council develop its budget and policy framework by looking at policy issues;
- b) Carry out research and consultation when looking into policy issues and possible options;
- c) Put in place mechanisms to encourage community participation and the development of policy options;
- d) Question Members of Cabinet, Committees and Directors/Heads of Service about their views on issues and proposals affecting the Winchester District;
- e) Liaise with other external organisations operating in the area to make sure that working in partnership is in the interests of local people.

Scrutiny Panels can also carry out these functions if Principal Scrutiny Committee or Cabinet asks them to.

### **3 Challenge decisions made by Cabinet or Portfolio Holders**

The Council's constitution allows Principal Scrutiny Committee to 'call in' any issue put to Cabinet involving unplanned expenditure over £50,000. When 'call in' has been used, Cabinet is not able to implement a decision until the matter has been considered by Principal Scrutiny Committee, although the matter may be resolved by the full Council.

Principal Scrutiny also has the power to challenge any decision taken by the Leader or a Portfolio Holder, and can invite both Portfolio Holder and relevant officers to attend a meeting to explain the decision.

The Scrutiny Panels do not have the power to 'call in' decisions.

### **4 Review the overall benefit to the public from services provided by the City Council and other organisations**

Scrutiny Panels are able to scrutinise any matter affecting the Winchester District or its residents relating to their particular areas. To help undertake this important role, they are able to scrutinise services provided by external organisations as well as those provided by the City Council. For example, a Scrutiny Panel would be able to look at an aspect of the County Council's work in the Winchester District.

The Scrutiny Panels and Principal Scrutiny Committee can also review the City Council's partnership working in relevant areas. They are able to look at all aspects of a partnership's work including the City Council's role, performance management and monitoring work programmes.

One difference with this external role is that a Scrutiny Panel or Principal Scrutiny Committee cannot require a representative from those external organisations to come and give evidence. Rather, the Scrutiny Panels and Principal Scrutiny Committee can invite external people to attend to give evidence.



Section Four provides more guidance on the scrutiny of external organisations and partnerships.

## **The Scrutiny Work programme**

The Scrutiny Work Programme is published jointly by the Scrutiny Panels and Principal Scrutiny Committee. The work programme allows scrutiny Members to plan their work and keep an overview of which issues are coming up for discussion. It can also be used by other Councillors, officers or members of the public to find out what will be coming up on a particular Scrutiny Panel's agenda. The work programme is updated at the start of each cycle of Council meetings.

The Programme covers the work of the Principal Scrutiny Committee and the Scrutiny Panels, and any matters referred to them for consideration by the Council, the Cabinet and by other bodies. As well as this there will be regular items on the agenda and financial matters the Principal Scrutiny Committee may wish to call in for detailed review (these affect unplanned expenditure in excess of £50,000).

The Chairmen of Principal Scrutiny Committee and the Scrutiny Panels meet informally each cycle, along with Party Group Leaders and Cabinet representatives. This meeting is called Scrutiny Liaison Meeting and ensures the co-ordination of the scrutiny work programme between the different bodies. This is important to avoid duplication of effort and to ensure that the work is undertaken at the most effective time.

Any Member is also entitled to ask for an item to be included in the scrutiny work programme and included on the next relevant Scrutiny Panel or Committee's agenda.

The work programme is available on

<http://www.winchester.gov.uk/SubTopic.asp?id=SX7AD5-A77FB5C1>

For more detail on the procedure rules of the Scrutiny Panels and Committee and their remit, please see the City Council's Constitution which can also be found at <http://www.winchester.gov.uk/SubTopic.asp?ID=489> or contact the Committee Administrator for Principal Scrutiny Committee on 01962 848217 for a copy.

## **SECTION THREE**

### **Scrutiny Reviews**

#### **How to suggest a topic for scrutiny consideration**

There are various ways an issue for review by a Scrutiny Panel or Principal Scrutiny Committee can be suggested. Any Member of the Council can identify an issue for possible scrutiny consideration through the Chairman of the most appropriate Scrutiny Panel or Principal Scrutiny Committee. Members of the public are also welcome to suggest topics for review. Forms for suggesting a topic for scrutiny consideration can be found on [www.winchester.gov.uk](http://www.winchester.gov.uk) or by contacting the Committee Administrator for Principal Scrutiny Committee on 01962 848217.

Review topics are then assessed for their suitability using criteria shown below. Review topics are deemed unsuitable if they only relate to a specific resident's case and can be dealt with through our complaint procedure.

#### **Criteria for selecting topics for scrutiny**

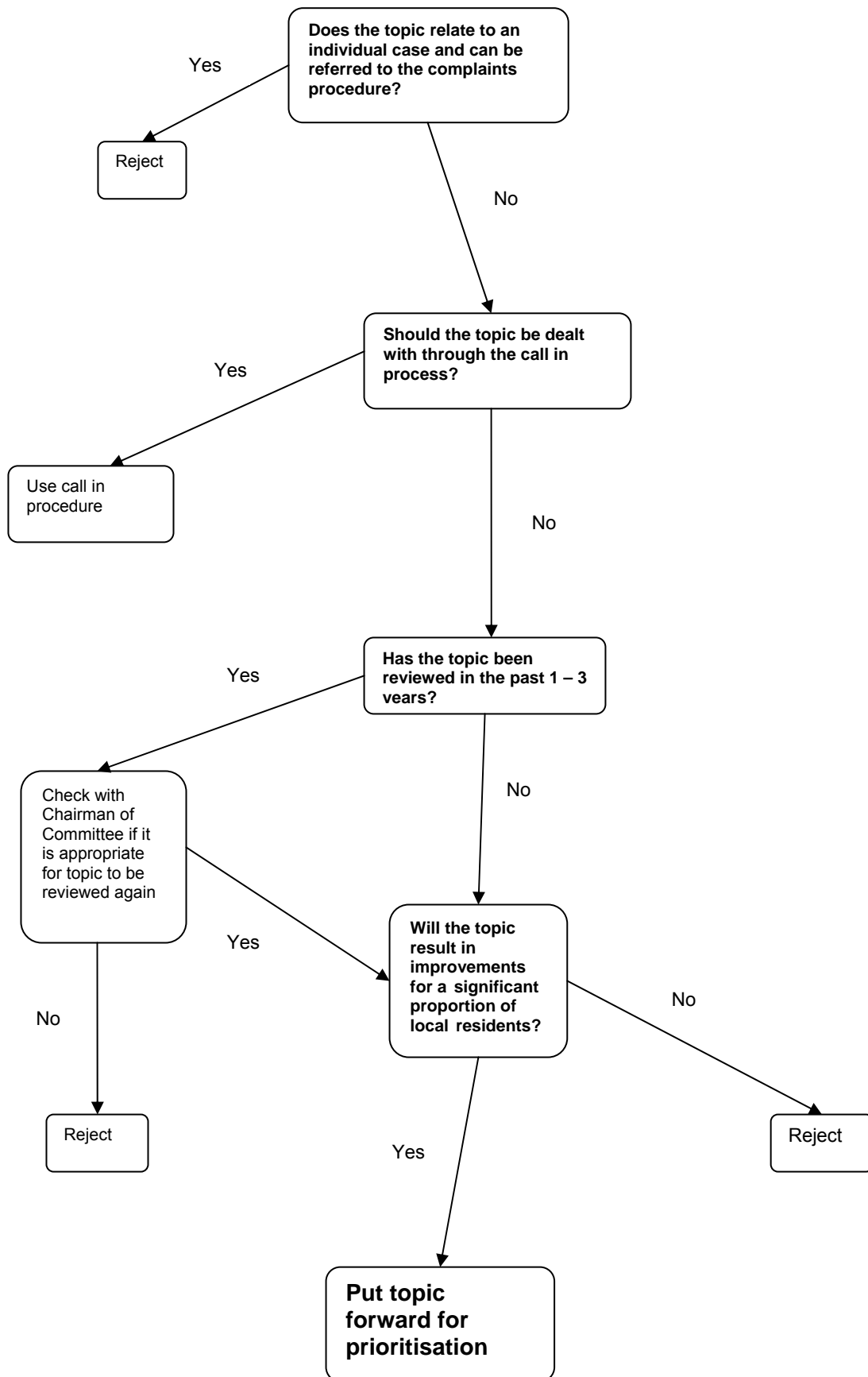
To ensure that the work of the Scrutiny Panels and Principal Scrutiny Committee is focused on key areas of the City Council's work for residents, and that value for money is achieved by making the best use of valuable time, selection criteria will be applied to suggested topics. This will make sure that scrutiny reviews that will make the most difference to the district's residents are undertaken.

The Scrutiny Panels and Principal Scrutiny Committee cannot get involved in specific applications and cases where applicants have a right of appeal. This will include planning and licensing matters, as well as individual cases dealt with by the Personnel Committee and the Housing Appeals Committee.

Topics will be assessed using these criteria and selected by the Chairman of Principal Scrutiny Committee and the Scrutiny Panels. These topics will then be submitted for endorsement by the Principal Scrutiny Committee and/or Cabinet. The Scrutiny Panels are advised to undertake only two major reviews a year (running consecutively) which require informal meetings in addition to the main formal meetings of the Panels. Therefore the two topics scoring the highest under the Panel's remit will be put forward for review in this manner. Other smaller reviews which can be dealt with on the formal Panel agenda should also be dealt with using these criteria and selected to fit in with to the Panel's work programme.

Requests for reviews to be undertaken need to be submitted by March so that the reviews can be slotted into the scrutiny work programme and adequate officer support earmarked.

The first stage of selection assesses whether the suggested topic should be rejected or would be better examined in another way, such as via the complaints process. The second stage prioritises the topics according to their relevance and the impact and outcomes hoped to be gained by doing the review. This prioritisation will be done at the Scrutiny Liaison Meeting.



## Prioritising issues for selection

Using these criteria, award one point for each criterion that the proposed issue for review meets and then rank reviews according to how many points they received.

Criteria	Score
Issue has been identified by Members as a key issue through contact with their constituents	
A service has been performing less effectively than is required	
A service is ranked as important by the community through Citizen Panel or other surveys	
High level of user dissatisfaction	
High level of budgetary commitment to the service area	
A pattern of significant budget overspends or under spends	
A local priority (as expressed in the Corporate Strategy or the Best Value Performance Plan)	
A national priority (as expressed in relevant legislation or guidance)	
Issue raised by external auditors or internal auditors.	
Issue referred by Cabinet or Principal Scrutiny Committee	

## Final considerations

When scheduling the scrutiny reviews into the scrutiny work programme, it is important to have regard for these last two questions:

- Is the review time dependent? Does it need to be undertaken immediately or can it be scheduled later in the work programme to avoid overloading the Committee or Panel's work programme?
- What Member and Officer resources will be needed to undertake the review?

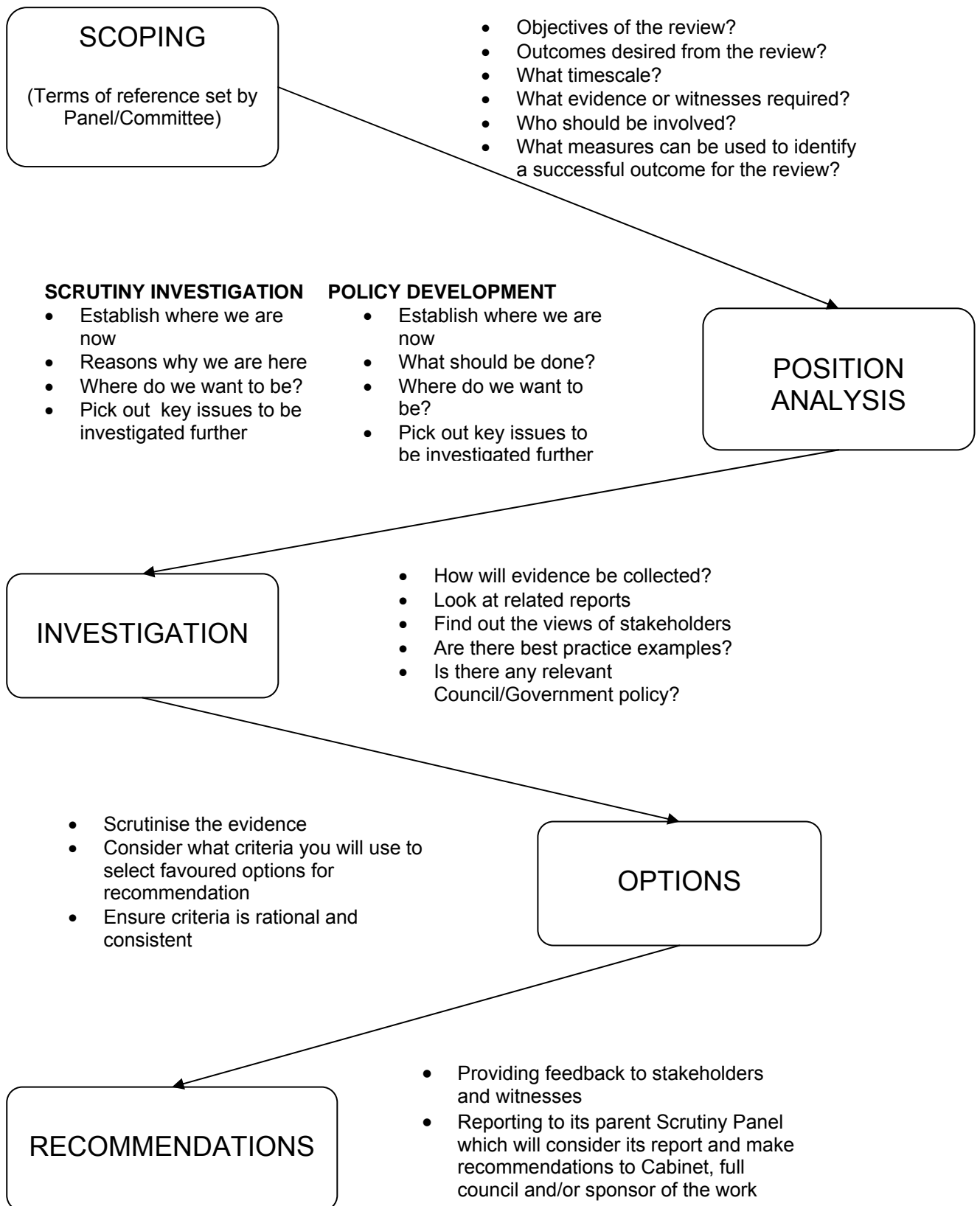
## Undertaking Scrutiny Reviews

In order to look at a selected issue more in depth, Principal Scrutiny Committee or the Scrutiny Panels may appoint an Informal Scrutiny Group (ISG) to review a particular issue. This group generally consists of Members of the relevant Scrutiny Panel or Committee. Sometimes the work will be undertaken at Panel meetings without the need for a Group.

An ISG is different to an Informal Member/Officer Working Group (IMOWG). An IMOWG is a group set up by Cabinet (as opposed to a Scrutiny Panel or Committee) and led by the relevant Portfolio Holder to undertake preliminary work on policy development.

If a review covers a topic which cuts across the remit of more than one Scrutiny Panel, then the Panel conducting the review can invite the Chairman of the other Panel to attend the meetings.

It is important that these reviews are properly scoped and structured. This will make sure that the time allocated to the review is used to the best effect and value for money is achieved in all activities. The guidance below seeks to help Members and officers run the reviews effectively. The following diagram will be useful to follow when conducting a review for scrutiny



### Gathering evidence

The investigation stage of carrying out a scrutiny review is vital. Thought should be given at the beginning of this process about how evidence will be gathered. It may be possible for the scrutiny review Members to identify different ways of collecting

evidence. For example, rather than hold a series of meetings, hold a one day conference with stakeholders followed up with a separate session to analyse the outcomes, visit locations / organisations affected and visit other local authorities or partners to find out how they approach such issues.

There may also be existing or ongoing consultation exercises which the scrutiny review can 'piggy back' on to gain the views of stakeholders.

When taking evidence from various officers and external people, it is helpful to send them an advance list of questions or key issues that you would like to cover with them. It will help them prepare themselves and gather the necessary information, even if supplementary questions are put to them during the meeting.

## **Points to consider when taking evidence from witnesses**

- Allocate enough time to question and hear the views of witnesses
- Consider the service user's perspective
- Consider how to communicate with hard to reach groups
- Consider the room layout for meetings with witnesses
- Consider the venues for meetings with witnesses
- Consider how to feedback the recommendations of the review.
- Consider whether the process should take place in the Panel or through an informal process such as the ISG – whichever is more suitable for the purpose

## **Points to consider when analysing evidence**

The aim of undertaking a review is to look at how the best possible outcome for the community can be achieved. To help Members consider how this can be done, it might be helpful to think about the following points to guide them in their thinking:

**Challenge** – asking questions about services and not accepting easy or convenient answers

**Compare** – looking at others who provide similar services but to a better standard to find out how they raised their performance

**Compete** – making sure that services are provided competitively

**Consult** – asking those who receive services to see how well they are being delivered, and those who do not receive them to find out why not

Achieving '**Value for Money**' is also a key consideration, and part of this is examining whether a service is being provided efficiently, effectively and economically.

## **Follow up**

If Cabinet has accepted a review's recommendations, it is important to programme in a follow up report which examines progress made in implementing the review's recommendations. This should be set in the work programme for approximately a

year after the recommendations are passed (or an appropriate timescale) to allow sufficient time to have passed.

# SECTION FOUR

## Guidance for Members

### Role of Members in overview and scrutiny

By taking an overview of the City Council's work and scrutinising it where appropriate, Members play several key roles:

- providing leadership and direction for scrutiny
- making recommendations based on their deliberations
- being responsible for the outputs and outcomes of scrutiny

The primary aim of overview and scrutiny is to ensure the work of the City Council is achieving positive outcomes for the residents of Winchester District, and to intervene where these are not being achieved in key areas.

This, therefore, should be the focus of any Member undertaking scrutiny. As the role of overview and scrutiny is important but linked to finite time resources for both Members and officers, attention should be focused on issues of significance to the community.

### Probity and Scrutiny Members

Although there is no guidance which prevents Members meeting with their political groups before a scrutiny committee meeting, Members should be aware that there is a rule which requires Members to disclose if a party whip is applied in the following circumstances:

- a) scrutiny of a past decision of Cabinet, a committee or an individual or
- b) the performance of any member of Cabinet.

### Role of Chairman and Vice-Chairman

The constitution states that Principal Scrutiny Committee will be chaired by Members of parties different to that of the Leader. This reinforces the distinction between the Cabinet's functions and those of overview and scrutiny.

The role of the Chairman of Principal Scrutiny Committee is significant in that he or she takes the lead for all matters involving overview and scrutiny.

All Chairmen of Scrutiny Panels or Committee play a key part in guiding the work programme and ensuring that appropriate areas for scrutiny are being examined by Members.

In the absence of the Chairman, the Vice-Chairman will take over their role and lead meetings of the Scrutiny Panel or Principal Scrutiny Committee.

### Key areas for questioning



Appendix 3 lists some sample questions which are intended to guide Members in their thinking for overview and scrutiny.

In addition to these, there are several other significant areas to consider during the scrutiny process. Members will want to bear in mind the following important questions, including some which are statutory obligations for the City Council:

- ❖ Does the service or issue under scrutiny affect social inclusion in the district?
- ❖ Are there any implications for residents living in the rural area of the district?
- ❖ Are there any implications for residents not living in the rural area of the district?
- ❖ Does the service or issue under scrutiny have any implications for people with disabilities?
- ❖ Does the service or issue under scrutiny have any implications for residents from black or minority ethnic backgrounds?
- ❖ Does the service exclude or negatively impact any other groups, individuals or sections of the community?
- ❖ Does the service or issue under scrutiny present any opportunities for promoting community safety?
- ❖ Does the service or issue under scrutiny have regard for sustainability?

## **Guidance for Portfolio Holders**

Appendix 2 provides guidance for when Portfolio Holders will be invited to attend Scrutiny Panels and Principal Scrutiny Committee.

## **Scrutinising external organisations**

The Scrutiny Committee and Panels can look at anything related to the well-being of the Winchester District's residents within their particular area. One of the ways they can do this is by scrutinising external organisations.

The City Council can look at the work of any external organisation relevant to the remit of the Committee or Panel. The key difference between examining the work of the City Council and that of an external organisation is that the Committee or Panel cannot require representatives from the organisation to attend a meeting and give evidence.

However, external organisations can still be invited to send representatives to answer questions from the scrutiny Committee or Panels, submit evidence or meet people appointed by the Committee or Panels to help with their investigation,

The Committee and Panels can review the overall benefit to the public from services provided by other organisations in a similar way to how it reviews the City Council's work.

Previous examples of the City Council using this power to scrutinise external organisations work have included informal scrutiny groups questioning representatives of the Hampshire Constabulary and Hampshire County Council.

Hampshire County Council also has a specific duty to scrutinise health issues, and have established a Health Review Committee. The City Council can feed into the work of this Committee through the Chairmen of each Committee or Panel.

## Scrutinising partnerships

The City Council is involved in a number of partnerships which work for the benefit of those who live, work and visit the Winchester District. The work of these partnerships is also open to scrutiny by the City Council's Principal Scrutiny Committee and Scrutiny Panels in a similar manner to scrutinising the City Council's own work.

The table on page 5 lists the more significant partnerships which the City Council is involved in and aligns them to each of the Scrutiny Panels and Principal Scrutiny Committee.

## Sources of help and support for Members

There are several sources of advice and support for Members involved in scrutiny.

### General Scrutiny Support:

Jacky Adams:            Head of Performance and Management  
Ext. 2356

Antonia Perkins:        Policy Officer  
Ext. 2314

### Committee Administrators:

David Blakemore:      Principal Scrutiny Committee, Social Issues Scrutiny Panel  
Ext. 2217

Colin Veal:              Environment Scrutiny Panel  
Ext. 2438

Nancy Howarth         Local Economy Scrutiny Panel  
Ext. 2235 (Wednesday – Friday lunchtime only)

Frances Maloney       Resources Scrutiny Panel  
Ext. 2155

Training is also available for all Members on scrutiny, as well as specific training for Members who are scrutiny Chairmen.

Directors and Heads of Division can also offer support in their specific areas. The City Secretary and Solicitor maintains an overview of the scrutiny process.

Lastly, all officers have a duty to provide all Members of the Council with independent and impartial advice, not just Members of Cabinet.

Appendix 6 lists useful websites and publications on overview and scrutiny.

# SECTION FIVE

## Guidance for officers

Officers of the City Council also need to play a key role in supporting Members whilst they are performing their overview and scrutiny function. Officers need to:

- support Members in their roles
- provide overall management of the scrutiny process
- provide independent and impartial advice to all scrutiny councillors

Officers may be asked to provide evidence to Principal Scrutiny Committee or a Scrutiny Panel. This might be because of a discussion on a topic at a scrutiny meeting where more information is required, or as part of a scrutiny review. This evidence can be provided in several ways:

- In a report
- In an oral presentation (preferably accompanied by some brief written handouts and in addition to a written report sent out in advance to the meeting – this may not always be possible; for example if an external person is invited to present to the scrutiny Members)
- In a brief visual presentation (inc. power point presentation, overheads, flip charts etc)

However, site visits or a meeting in an external location may also be appropriate. Sometimes a combination of these will be the best method of presenting evidence.

### Written reports

Written reports to Scrutiny Panels or Committees will need to be in the format shown in appendix 5.

These reports should:

- explicitly relate to one of the four key roles of scrutiny
- be concise and factually accurate
- draw out the key points for discussion
- explain any jargon, acronyms, abbreviations and technical terms used
- address the specific questions the Panel has asked
- refer to relevant policy and key documents where necessary
- express clearly what is being asked of the Panel or Committee (neither Panel nor Principal Scrutiny Committee can made decisions themselves. They can, however, make recommendations to full Council)

## Attending meetings

As an officer, you are likely to be asked to attend a scrutiny meeting in one of three roles:

- to support the Portfolio Holder
- to present a report
- to give evidence to the scrutiny Members

Where a report or presentation is called for, the author of the report will normally attend along with the relevant Head of Division or Director to present the information and answer questions.

Meetings are normally held in the evening starting at 6:30pm. The Panel or Committee Members usually sit around a table boardroom style, with one side of the table saved for officers and Portfolio Holders. Officers will be called to sit at the table when their item comes up on the agenda.

A brief presentation of any written evidence should be given, which will be followed by Member discussion and questions. All answers should be addressed to the Chairman.

Where appropriate, you will be advised on the context of the information required and you may be given subject areas that are likely to be covered.

If Members request information that you do not have, simply say that you do not have the information to hand, but that you will forward this information by email to the Panel as soon as possible after the meeting. In some cases you may be asked to provide additional information at a subsequent meeting.

You will be sent a draft copy of the minutes following the meeting, and given the opportunity to comment on their factual accuracy within an agreed timescale.

The sources of support listed in section four are available to advise on any queries about providing evidence or attending meetings.

## SECTION SIX

### Guidance for members of the public and external witnesses

Under the terms of the Council's Constitution, Scrutiny Members may question Members of the Cabinet and City Council officers to gain evidence to undertake scrutiny.

From time to time, Scrutiny Panels may also invite non-Council employees to address them, such as residents and stakeholders or representatives of other public or private sector organisations.

#### How can members of the public take part in scrutiny meetings and inquiries?

Members of the public are always welcome to attend meetings of the Scrutiny Panels and Principal Scrutiny Committee (with exceptions where confidential items are under consideration). The formal meetings are usually held at the Winchester Guildhall at 6:30pm, and the dates of meetings are on the website [www.winchester.gov.uk](http://www.winchester.gov.uk). Members of the public have a right to raise matters within the scope of the public participation guidance at the Public Participation session at the start of all Scrutiny Panel or Committee meetings.

Some matters on the agenda are confidential and therefore members of the public should be aware that these items will be discussed by Members in private.

There are two main ways for members of the public to take part other than as an observer:

a) by submitting a request for an issue to be examined. This can be done via an electronic form on the Winchester City Council website, or by contacting the Committee Administrator for Principal Scrutiny Committee for a copy of the form. These must be submitted by March for consideration as a part of the annual programme. There may, however, be other ways in which an issue can be dealt with by scrutiny, therefore the March deadline might not be the only opportunity to have an issue scrutinised. Please contact the Committee Administrator for Principal Scrutiny Committee (01962 848217) for advice.

b) by requesting (or being invited) to give evidence as a witness.

(Scrutiny does not deal with individual queries, concerns or complaints. If you are not satisfied with a service received from the Council, please use the Council's complaints procedure.)

There is set criteria for selecting items for scrutiny. The suggested item will be considered along with other set Council items to assess whether it should be looked at and the person who suggested the topic will be informed accordingly. If it is decided to proceed with consideration of the issue, the person will be informed of arrangements made to look at the topic.

Members of the public also have the right to present a petition at Principal Scrutiny Committee or at one of the Scrutiny Panels and address the meeting. At the invitation of the Chairman, they can address a Scrutiny Panel or Principal Scrutiny Committee meeting as well.

If you would like further information on how to request an item for scrutiny, please contact the Committee Administrator for Principal Scrutiny Committee at the City Council on 01962 848217 or email [css@winchester.gov.uk](mailto:css@winchester.gov.uk)

## **What happens if I am asked to be a witness?**

When a Scrutiny Panel or Committee requests witnesses on a particular topic, it may ask for written evidence or it may ask people to attend in person. For members of the public this is entirely voluntary, however their views and experience will be invaluable in providing the necessary evidence to the Committee or Panel in order that every aspect is considered in the examination of the subject matter. When an issue is reviewed which involves the work of external agencies, the Scrutiny Committee or Panels may invite a representative from that agency or public sector organisation to give evidence.

## **Written Evidence**

The evidence should be self-contained and paragraphs should be numbered for ease of reference. Where a longer submission is unavoidable, a one-page summary of the main points should be used with use clear headings to sub-divide the main report.

Written evidence is usually required at least two weeks before the meeting.

## **Oral Evidence**

If you are giving oral evidence you will be told in advance the specific area of inquiry you will be questioned about and where possible you will receive guidance on the questions you may be asked.

Witnesses may be asked to attend the whole meeting, so that they can be invited to comment on the evidence of other witnesses.

Where the Committee or Panel calls for a Council witness, it may be left to the directorate to decide which of its officers should represent it at the hearing, or it may request a named officer.

The Scrutiny Committee and Panels nearly always take evidence in public and representatives of the press may also be present. If there are particular reasons why a witness wants to give some or all of their evidence in private, the relevant Committee Administrator should be consulted well in advance of the meeting. However, witnesses will have the right not to answer particular questions in public sessions where they believe that their answer would contain confidential information.

## **How will the meeting room be set out?**

Members at the meeting usually sit around a table in boardroom style. There is one empty side of the table where witnesses will be invited to sit. There is seating at the back of the room for the public and a table to the side for the press.

If you identify yourself to the Committee Administrator on arrival at the meeting, they will show you where to sit and try to answer any other questions you may have about the meeting.

Form for submitting topics for scrutiny consideration

**Suggestion of topic for scrutiny consideration**

Winchester City Councillors should scrutinise the following matter:	
Topic:	
Please state why, and provide any relevant background material:	
What would you like this review to achieve?	
Link to Corporate Strategy (Please see <a href="http://www.winchester.gov.uk">www.winchester.gov.uk</a> for a list of priorities or contact the Chief Executives Department on 01962 848100)	
Name:	
Address:	
Contact telephone number:	
Date:	

Please return to the Committee Administrator for Principal Scrutiny Committee, City Offices, Colebrook Street, Winchester, SO23 9LJ or email [css@winchester.gov.uk](mailto:css@winchester.gov.uk)

**Guidance**

- 1 Please complete this form if you feel that there is a subject which should be scrutinised by Winchester City Council. It does not necessarily need to



relate to services provided by Winchester City Council and can cover anything which affects local residents or businesses.

- 2 The Council focuses its work on scrutiny on issues and outcomes that can make the most difference to local people. It has limited resources and so it will not be able to look into all topics suggested to it for scrutinising. The Council has set criteria (available on [www.winchester.gov.uk](http://www.winchester.gov.uk) under 'Overview and Scrutiny') which it uses to assess all topics for suitability and impact on the local community, and select those it will take forward for scrutinising.
- 3 The Scrutiny Panels do not look at individual matters or those which do not relate to a significant section of the community. Issues other than these need to be pursued either through the relevant directorate at the City Council or through the relevant Ward Member. Information on your Ward Member or on the City Council's directorates can be found on [www.winchester.gov.uk](http://www.winchester.gov.uk) or call 01962 840222. Individual complaints about the City Council should be taken up through our complaints procedure (also set out on the City Council's website).
- 4 Topics will be considered in April so that the chosen reviews can be programmed into the relevant Scrutiny Panel or Committee's work programme, and sufficient officer support obtained.

### Attendance by Portfolio Holders at Principal Scrutiny Committee and the Scrutiny Panels

#### 1 Performance Monitoring

- 1.1 The relevant Portfolio Holder will be invited to attend Principal Scrutiny Committee or the Scrutiny Panels for all performance monitoring reports. This will reinforce a clear relationship with the Portfolio Holder's responsibility for the service area.

#### 2 Informal meetings of Principal Scrutiny Committee and Scrutiny Panels

- 2.1 When Principal Scrutiny Committee or a Scrutiny Panel are meeting informally before a formal, scheduled meeting, Portfolio Holders are not required to attend unless invited to do so by the Committee or Panel's Chairman.

#### 3 Portfolio Holder held to account or challenging a decision made by Cabinet or a Portfolio Holder

- 3.1 The relevant Portfolio Holder may be invited to attend a meeting of Principal Scrutiny Committee or a Scrutiny Panel if:
- a decision of Cabinet is being called in by Principal Scrutiny Committee
  - a Portfolio Holder is being held to account by the relevant Panel or Committee; or
  - a decision made by Cabinet or a Portfolio Holder is being challenged.
- 3.2 It is recognised, however, that Portfolio Holders are accountable for the Council's policies and key outcomes and not the day-to-day management of the Council's services.

#### 4 Reviewing the overall benefit to the public from services provided by the City Council and other organisations

- 4.1 When Principal Scrutiny Committee or a Scrutiny Panel are examining broader issues related to the City Council's service, the Portfolio Holder will not be expected to attend unless specifically required and invited to do so by the Chairman.
- 4.2 If a partner organisation has been asked to attend Principal Scrutiny Committee or a Scrutiny Panel, the Portfolio Holder will not be expected to attend unless specifically required and invited to do so by the Chairman.

#### 5 Informal scrutiny reviews

- 5.1 The Portfolio Holder will not be required to attend meetings of Informal Scrutiny Groups, unless specifically invited to do so and requested to give evidence by the Chairman of the group.

- 5.2 The relevant Portfolio Holder will be invited to attend Principal Scrutiny Committee or a Scrutiny Panel when they are receiving the final report of an informal scrutiny review for discussion prior to the recommendations being submitted to Cabinet.
- 6 Organising its own work in an efficient and effective manner
- 6.1 When Principal Scrutiny or a Scrutiny Panel are meeting to discuss their work programme and other arrangements for their meetings, the Portfolio Holder will not be required to attend.
- 7 Seating Protocol
- 7.1.1 The protocol for seating when Portfolio Holders are requested to a meeting is that they will be invited to sit at the table along with their supporting Director when they are involved in an item. For the remaining items, Portfolio Holders are asked to remain seated in the public area.
- 8 General
- 8.1 All Members can attend formal meetings of Principal Scrutiny Committee or a Scrutiny Panel in the public gallery. If they so wish. They can also ask to make comments as a ward councillor, with the leave of the Chairman – who should normally be contacted in advance of the meeting. Members will normally also be allowed to remain for any exempt items. However, they may have to leave a meeting if a previous decision to which they were a party is the subject of the scrutiny review.

### Sample questions for scrutiny

#### General:

- What are the main outcomes/benefits for residents?
- Are there any equalities issues? E.g. for black and minority ethnic residents, residents with disabilities, those living in rural areas?
- Are there any sustainability implications?
- What is the link to the Council's corporate priorities
- If no link to corporate priorities – is this an area which should be considered as a future priority?
- Are users' needs central to the service?
- To what extent are service users' expectations and needs being met?
- To what extent is the service achieving what the policy intended?
- Are we delivering value for money?
- Have users of the service been consulted?
- Have the City Council's partners been consulted?

#### Developing policy:

- What evidence is there to support this approach?
- Why are we doing this?
- What are we trying to achieve and how will this be measured?
- Are we doing what users/local residents want?
- Are there any results/side effects of the policy?
- How does this link to other existing policies – both those produced by the City Council and those produced by partner organisations?

#### Performance management:

- What can we improve?
- Is performance improving, steady or deteriorating?
- How has performance been assessed? What is the evidence?
- Is the service capable of meeting planned targets/standards?
- What change to capability is needed?
- Are areas of achievement and weakness fairly and accurately identified?
- To what extent is the service meeting any statutory obligations or national standards and targets?
- Are local performance indicators relevant, helpful, and meaningful to Members, staff and service users?
- How do we compare with others?

#### Partnership working:

- How does the work of the partnership contribute to the City Council's corporate priorities?
- What resources (staff time/money) are being put into the partnership?
- What demonstrable outcomes are being achieved by the partnership for residents?
- What role does the City Council play in the partnership? Is this the right role? If not, how should it be changed?

Planning template for a scrutiny review

<b>1. Background information</b>				
Scrutiny members				
Principal Scrutiny Committee / Environment Scrutiny Panel / Local Economy Scrutiny Panel / Resources Scrutiny Panel / Social Issues Scrutiny Panel				
Issue to be scrutinised				
Reasons for scrutiny (please tick)	Cabinet/Portfolio Holder to account	Policy review	External scrutiny	Other
Summary				
<b>2. Project information</b>				
Aims and objectives				
<b>3. Project team</b>				
Scrutiny Committee member				
Scrutiny support officers				
WCC officers/outside experts				
<b>4. Research methodology</b>				
Existing/current research				
Type of information needed				
Method of gathering information				
Witnesses				
Site visit				
Method of analysing information				
<b>5. Research timetable</b>				
Start date				
Research				
Analysis				
Reporting				
End date				

Report Number

**XXXX Scrutiny Panel – date**

**Title of Report**

**Report Author and contact details**

Purpose of the Report

The Scrutiny Panel is asked to consider this matter as part of its role in

- holding the XXX Portfolio Holder to account.\*
- acting as a critical friend in examining proposals for the development or review of key Council policies and programmes.\*
- challenging a decision made by Cabinet or a Portfolio Holder.\*
- reviewing the overall benefit to the public from services provided by the City Council and other organisations.\*
- organising its own work in an efficient and effective manner.\*

*\*Authors are asked to delete those that do not apply. If none of the above applies, please contact Committee Administration to discuss the reason this report is needed and where it should be referred to.*

*If it would be helpful, add a further sentence to explain what has triggered the report. For example*

This report was requested at the previous meeting of the Scrutiny Panel, in light of issues identified from the quarterly monitoring report.

Links to the Corporate Strategy

*Insert a short sentence explaining how this links to the present Corporate Priorities. If there are no clear links to the Corporate Priorities, explain why it should be considered in the absence of such a link – for example it may be raising an issue that Members would like Cabinet to consider giving higher priority as part of the annual review of the strategy.*

Executive Summary

*This section should briefly introduce the report and draw out the key issues it covers.*

*While the section should be kept as concise as possible it should be more than an extension of the title and should allow Members to understand the key points being referred to them. For example, a quarterly monitoring report should draw attention to key achievements and key areas where progress is not on target, with an indication of any action being taken to address this.*

*Ideally this section should run to no more than one side of A4 and, together with any appendices, should provide sufficient information to allow the Scrutiny Panel to carry out its work. If this is not possible, a small number of additional pages can be added as shown in this example.*

*When writing this section authors should remember that the purpose of this report is to aid the scrutiny or overview of an issue by Councillors who are not experts in that issue. It is not a decision making report.*

*Text in this section should not be justified.*

### Recommendation

*This should help guide the **Scrutiny Panel** in its consideration of the report. In the Scrutiny Review and discussions that have taken place between Members following that, there is a desire to see Cabinet being more clearly accountable for decisions, with scrutiny acting as a 'critical friend'.*

*The precise nature of recommendations will depend on the purpose of the report (see first section). However, it is important that 'recommendations' reflect the role of scrutiny and do not treat Scrutiny Panels as if they were former Committees.*

### **Background Documents**

*Any documents not in the public domain **MUST** be listed and stored securely in a manner that will allow them to be retrieved on request for a period of not less than four years.*

*Reference to other useful background documents, including previous reports, should also be included, with hyperlinks (where possible) to allow them to be viewed.*

### **Appendices**

*Appendices should be used to provide detailed information or to attach drafts of documents being referred to the Panel for its consideration.*

\*\*\*\*\*

### Additional Information

*Where information is required in addition to the executive summary and appendices, this should be set out in this section. It should seek to expand on the information contained in the executive summary, not repeat that summary. Information should be kept brief and to the point.*

Useful websites

[www.cfps.org.uk](http://www.cfps.org.uk)

The Centre for Public Scrutiny provides guidance and research on scrutiny and contains a library of scrutiny reviews conducted by local authorities.

[www.idea.gov.uk](http://www.idea.gov.uk)

The Improvement and Development Agency's site that provides information on best practice research and other useful topics.

[www.info4local.gov.uk](http://www.info4local.gov.uk)

A one-stop portal to get quick and easy access to information on websites of central government departments, agencies and public bodies.

[www.local-pi-library.gov.uk](http://www.local-pi-library.gov.uk)

An off-the-shelf set of defined local authority performance indicators produced by the Audit Commission and the Improvement and Development Agency (IDeA).

[www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)

The Audit Commission acts as a watchdog for central and local government.

[www.lgiu.gov.uk](http://www.lgiu.gov.uk)

Local Government Information Unit: The LGIU is an independent research and information organisation supported by over 150 councils and the local government trade unions.



Acknowledgements

How to do cross cutting Best Value Review – Inter Authorities Group  
Jane Foot 2001

Arun District Council Scrutiny Guide 2003

A guide to overview and scrutiny in Buckinghamshire County Council

Northamptonshire County Council's scrutiny guide

Shepway District Council: Guide to Overview and Scrutiny 2003/04

St Edmundsbury Scrutiny Guide 2003