

THE OVERVIEW AND SCRUTINY COMMITTEE

28 OCTOBER 2013

THE COUNCIL'S ABILITY TO IMPLEMENT ISG RECOMMENDATIONS INFORMAL SCRUTINY GROUP

REPORT OF COUNCILLOR HUTCHISON (CHAIRMAN OF THE ISG)

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REFERENCES:

[OS62](#) – Batch 4 Informal Scrutiny Groups, 18 February 20113

[OS65](#) – Batch 4 Informal Scrutiny Groups Appointments – 18 March 2013

EXECUTIVE SUMMARY:

This is the final report of the Informal Scrutiny Group (ISG) established to review the Council's ability to implement ISG recommendations. The objective of the ISG was to scrutinise the current arrangements at the Council for the implementation of ISG recommendations.

The ISG has met on four occasions starting in May 2013, during which time it heard evidence from senior officers of the Council including the Chief Executive.

Further evidence was provided by way of previous ISG final reports

From the evidence provided at these meetings, members of the ISG have agreed the following report and recommendations.

RECOMMENDATIONS:

That The Overview and Scrutiny Committee consider the recommendations of the ISG as set out below:

Selection of topics

1. 'Overview' and 'scrutiny' should be complementary. The Overview and Scrutiny Committee should take a more strategic approach to its work and selection of topics for consideration by an ISG should reflect this more strategic approach.

2. That before suggesting topics, Members should be encouraged carefully to consider Change Plans, Portfolio Holder Plans and up-to-date key data about the Council's Performance, which need to be available and accessible on the Council's website. All suggested topics for an ISG should have a relatively narrow focus.
3. That when selecting the number of ISG topics for each year, The Overview and Scrutiny Committee gives consideration to the resource implications in light of continued resource constraints and likely number of meetings.
4. To assist The Overview and Scrutiny Committee in setting up an ISG, a supporting document should be prepared by the relevant member or officer that sets out the purpose and likely resource needs of the proposed ISG. This will contribute to making best possible use of Members' and Officers' time.

Size of an ISG, number of meetings and involvement of Portfolio Holders

5. The usual number of Members serving on an ISG should be five or six.
6. Unless exceptional circumstances prevail, an ISG which is correctly defined at the outset and remains focussed, should be able to conclude its business by holding not more than 4 or 5 meetings
7. That discussion with the relevant Portfolio Holder about the financial and other relevant implications of an ISGs work should take place early in the deliberations of any new ISG, as well as at the time when recommendations are being finalised.

Recommendations and follow up

8. The ISG recommendations should be relatively few in number (usually the fewer the better) and the likely timescale of implementation and any resource implications (including officer time) should be detailed against each recommendation.
9. Scrutiny Chairs should be expected to champion an ISGs recommendations to try to ensure full implementation.
10. In addition to the current review of progress on implementing ISG recommendations after a one-year period, a further short report on the extent to which recommendations of an ISG report have been implemented should be brought to O&S two to two-and-a-half years after the first consideration of the report which should then, if necessary, raise any outstanding concerns with Cabinet.

Other ways that members can raise major issues

11. The Chief Operating Officer should remind all elected Members of their right to put items on Council agendas under the Council Procedure Rule 36.

OTHER CONSIDERATIONS:

1. COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO:)

Informal Scrutiny Groups (ISGs) form a key part of the City Council's system of overview and scrutiny and as such provide the opportunity for all non-executive Members to put forward topics that are of particular concern to them, or to the communities that they represent.

2. RESOURCE IMPLICATIONS

At the time of the introduction of ISGs, it was envisaged that there would be 12-18 meetings a year. In practice in the 2012/13 financial year, there were actually 24 ISG meetings and since 1 April 2013 a further 17 ISG meetings up to 30 September. It is apparent from the actual numbers of meetings that more officer time is being required than originally anticipated. When selecting the number of ISG topics each year, The Overview and Scrutiny Committee should give consideration to the likely number of meetings that will take place and the officer time that will be required.

3. RISK MANAGEMENT ISSUES

There are no specific risks associated with the recommendations put forward in this report.

BACKGROUND DOCUMENTS

Files held in the Democratic Services Team, including minutes of previous ISG meetings.

APPENDICES

Appendix 1 Final report of the Informal Scrutiny Group.



Winchester
City Council

THE COUNCIL'S ABILITY TO IMPLEMENT ISG RECOMMENDATIONS INFORMAL SCRUTINY GROUP

REPORT OF THE CHAIRMAN

1. Introduction

- 1.1 Informal Scrutiny Groups (ISGs) form a key part of the City Council's system of overview and scrutiny. They provide the opportunity for all non executive Members to put forward topics that are of particular concern to them, or to the communities that they represent. These are then subject to in-depth scrutiny by a small group of Members. An ISG culminates in a final report which is considered by The Overview and Scrutiny Committee with recommendations going forward to Cabinet.
- 1.2 ISGs require that a significant amount of Member and officer time is spent scrutinising Council business (and indeed that of other partners), and the process runs the risk of lacking credibility if their recommendations are refused by Cabinet or not implemented in an expedient fashion once approved. Cabinet, via the most relevant portfolio holder, should ideally provide feedback to The Overview and Scrutiny Committee should it have any immediate concerns of what has been proposed in ISG recommendations. This ISG aimed to review the success or otherwise to date of ISG recommendations being implemented, and to offer guidance on how to improve the likelihood of the Council's ability to implement future recommendations.

2. Terms of Reference

- a. To review previous ISG recommendations and whether they have been successfully implemented,
- b. To ascertain the factors that make a good ISG recommendation which is likely to be supported by Cabinet and implemented and imbedded in Council business,
- c. To review whether stronger links should be made with Portfolio Holders during an ISG to help ensure the success of ISG recommendations.

2.1 The ISG held four meetings:

Meeting	Date	Topic
1	8 May 4.30 -6pm	Review of recommendations from previous ISGs Evidence taken from scrutiny leads
2	20 May 4.30-6pm	Evidence taken from: <ul style="list-style-type: none"> • Chief Executive • Lead officers involved in previous ISGs
3	10 June 4.30-6pm	Evidence taken from: <ul style="list-style-type: none"> • Group leaders • Portfolio Holders
4	1 July 4.30-6pm	Recommendations and final report

3. ISGs – the experience so far

3.1 In April 2011 the City Council moved to new arrangements for the scrutiny of projects, programmes and services. At the heart of the new approach was a strengthened role for Informal Scrutiny Groups (ISGs), with Scrutiny Panels being replaced by an envisaged 12-18 ISG meetings a year which worked on specific topics of importance to the Council or our communities. Council was anxious to ensure that topics for consideration by those ISGs came from a wide variety of sources: not just Cabinet or officers but also from backbench members and a wider spread of groups or individuals.

3.2 *This* ISG (hereinafter ‘the Group’) examined how the new arrangements have worked in their first two years while also considering what happened to the recommendations made by some earlier Scrutiny Panels - these included the scrutiny reports on Planning Enforcement (2008) and Public Conveniences (2009).

3.3 There are many ways in which the scrutiny process can and should enhance the work of the City Council. These include:

- contributing to improving public services in the District not least by pointing to ‘best practice’ elsewhere or suggesting more cost-effective ways of achieving the Council’s objectives,
- amplifying the concerns of the public,
- providing a constructive challenge to Cabinet members and helping hold them to account.

3.4 ISGs have contributed – and continue to contribute – to the work of the Council in all these ways.

3.5 The current process for dealing with ISG recommendations is as follows:

- ISG final report is discussed and supported – with or without qualifications – by The Overview and Scrutiny Committee,
- The Portfolio Holder decides whether they respond to the report at Cabinet or via a Portfolio Holder Decision Notice (PHDN), depending on the scale of the recommendations and budgetary implications,
- The relevant officer will draft the Cabinet report or PHDN,
- The recommendations are officially agreed either at Cabinet or by PHDN,
- Agreed recommendations are implemented,
- An agenda item is placed on the scrutiny work programme a year from the date that The Overview and Scrutiny Committee agreed it, so that progress against the recommendations can be reviewed. This report is written by the Lead Officer from the ISG. The relevant PH should be invited to attend the O&S meeting where it will be discussed.

3.6 The Group recognised that many Scrutiny reports have now been through some or all of the above process and have triggered many improvements in the work of the Council. Officers who gave evidence to the Group acknowledged that many ISG recommendations have been helpful. The Group could not find examples of ISGs whose recommendations had been completely neglected or rejected. Nevertheless the Group is aware that three barriers can be observed to the implementation of particular ISG recommendations. These are:

- Whether Cabinet wants the recommendation to be implemented,
- Whether the financial resources are available,
- Whether officers want the recommendation to be implemented.

3.7 These barriers are far from insuperable. One administration can implement recommendations which proved not to be a priority for its predecessor; and it may take years for resources for full implementation of a particular recommendation to be found. Sometimes the recommendations of an ISG can still be relevant and resonant many years after the ISG has reported.

3.8 Not all members leading Scrutiny Groups have been satisfied with the process set out in paragraph 3.5 above. The length of the process – from initiation to decision on recommendations – was questioned. The Group recognises that the City Council now has real capacity issues and that officer time is a seriously scarce resource. While believing that there are many strengths in the current ways of conducting scrutiny, the Group believes that the improvements in process laid out in the recommendations below are desirable and achievable.

4. What makes for an effective ISG report
- 4.1 The conception and birth of an ISG are of critical importance in the eventual production of an effective report. Scrutiny Groups tend to be more successful when they ask themselves a focussed question. While part of the purpose of scrutiny is to challenge the Administration, ISGs tend to be more effective when they relate closely to topics to be found in the Council's Change Plans or Portfolio Holder's plans.
- 4.2 Scrutiny is also about giving a voice to communities and – from this perspective – the focus of an ISG report may come from asking how an area of the Council's performance can be improved or from studying the Council's performance data and/or identifying one or more areas in which the Council is underachieving.
- 4.3 The City Council's work does not exist in a vacuum. There is much to be learned from 'best practice' in other authorities and from local government in other countries. ISGs should be encouraged to see the City Council's work in this wider context; and to recognise that the City Council has a 'community leadership' role even on issues for which it may not have direct responsibility. Officers from other authorities or organisations could be invited to attend an ISG meeting as expert witnesses when appropriate.
- 4.4 Scrutiny Groups should be neither too small nor too large. A group of five or six members enables different perspectives to be shared and a strong consensus to be reached. Groups of more than six are likely to prove unwieldy and more costly in member and officer time. **Unless exceptional circumstances prevail, an ISG which is correctly defined at the outset and remains focussed, should be able to conclude its business by holding not more than 4 or 5 meetings.**
- 4.5 One suggestion put to the Group was the possible introduction of 'single member' scrutiny groups to enable in-depth pursuit of issues in which particular members had particular expertise or concerns. While the Group is keen to see every opportunity taken for the Council to draw on the expertise of members as well as of experts in the wider community of Winchester, the Group believes that rather than encourage 'single member' scrutiny groups, the attention of all members should be drawn to the provision in the City Council's constitution under the Councillor Call for Action heading. This gives members the right to refer to the Overview and Scrutiny Group any matter which relates to the discharge of the City Council's functions and affects all or part of the electoral area for which the Member is elected. There are some exclusions to this 'right' but it allows members to raise important issues that they may feel are being neglected in the normal cycle of Council business.
- 4.6 The formulation and presentation of recommendations by ISGs are of particular importance if recommendations are to be implemented. The Group favours a small number of focussed recommendations headed by an even smaller number of key recommendations with resource requirements clearly listed against each recommendation and timescales indicated ('quick wins';

medium-term – those likely to take more than six months to implement; and longer term – where it is recognised that implementation may take years).

- 4.7 The Group believes that more involvement of the relevant Portfolio Holder (PH) at an early stage in the work of an ISG is likely to be beneficial to the Council as a whole. While ISGs may see the need to produce challenging reports they should do so after discussion with the PH about the budgetary implications and other consequences of what they are proposing to recommend. Wherever possible recommendations should be recorded on Covalent, incorporated into PH plans and include timescales for completion.
 - 4.8 When it comes to implementation of recommendations the Group supports the current review of progress on implementing recommendations after a one-year period. Scrutiny Chairs should be expected to champion an ISGs recommendations to try to ensure full implementation and the Group believes that it would be advantageous if a further short report on the extent to which recommendations of an ISG report have been implemented is brought to O&S two to two-and-a-half years after the first consideration of the report which should then, if necessary, raise any outstanding concerns with Cabinet.
 - 4.9 This is in recognition of the fact that some recommendations have longer-term implications and, sometimes for good reasons, take time to be fully implemented. The Group also recognises that ISGs are a part of the total work of the Council and that it is up to all members to follow the progress of implementation of an ISGs recommendations and to speak at Council meetings when progress with implementing an ISGs recommendations appears to be taking too long.
5. Conclusions
- 5.1 The ISG concluded that some aspects of ISGs were working well although there was room for improvement and that these improvements could be achieved by the implementation of the recommendations in this Report.
 - 5.2 There had been good examples in the past of a successful ISG and Members cited the ISG that looked at Young People and Employment had achieved tangible results.
 - 5.3 The ISG considered that the majority of recommendations for in-depth scrutiny reviews that were provided by the Centre for Public Services were already included within the ISGs own final recommendations.