



## Report to Overview and Scrutiny Management Committee 19<sup>th</sup> April 2018

**Report of:** Head of Elections, Equalities and Involvement

**Subject:** Effectiveness of local authority overview and scrutiny committees; report of the Communities and Local Government Committee, published 15 December 2017

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**Summary:**

This report provides an overview of the report published by the Communities and Local Government Committee, in December 2017. The inquiry was set up to examine whether the overview and scrutiny model introduced by the Local Government Act 2000 is meeting its objectives and how decision-makers can best be held to account.

A summary of the report's recommendations is provided and potential improvements to the way Sheffield City Council implements its Scrutiny function have been identified.

**Type of item:** The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	X
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	
Other	

**The Scrutiny Committee is being asked to:**

1. Note the summary of the Committee's report and the identified areas for potential improvement in Sheffield's Scrutiny function
2. Provide comments and suggestions regarding taking these forward
3. Consider the potential to feed some recommendations into the Cross Party working group, outlined in section 3.2

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## Background Papers:

**Effectiveness of local authority overview and scrutiny committees: Report of the Communities and Local Government Committee, 15<sup>th</sup> December 2017.**

**Overview and Scrutiny in Local Government Inquiry 2016-17 written evidence submitted by Chair of Overview and Scrutiny, Sheffield City Council**

**Category of Report:** OPEN

## **Report of the Head of Elections, Equalities and Involvement**

**Effectiveness of local authority overview and scrutiny committees: report of the Communities and Local Government Committee, published 15 December 2017**

### **1. Introduction/Context**

- 1.1 The inquiry was set up to examine whether the overview and scrutiny model introduced by the Local Government Act 2000 is meeting its objectives and how decision-makers can best be held to account.
- 1.2 The Committee's report finds that Government must encourage a culture change at local authorities to ensure overview and scrutiny is truly independent of the executive and can properly contribute to improving services for taxpayers. It warns that scrutiny is often not held in high enough esteem, leading to a lack of constructive challenge to improve services for residents. It recommends measures to strengthen the independence of overview and scrutiny committees and for increased scrutiny of combined authorities, Local Economic Partnerships and arm's length bodies
- 1.3 The Committee recommends that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny's evolving role. It also calls on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. It recognises that how scrutiny committees operate is a matter of local discretion, but urges local authorities to take note of the findings of this report and consider their approach.
- 1.4 The report does not recommend any substantial alteration to the system and to some extent mirrors comment made on scrutiny by organisations

such as the Centre for Public Scrutiny over a number of years, particularly around the importance of the culture of the organisation and the issue of parity of esteem for both the executive and scrutiny.

## **2. Summary of issues from the committee's report**

This section of the report provides a summary of the main findings from the Committee. The full recommendations are attached as an appendix to this paper. The findings are presented under 8 sub headings, therefore this summary follows the same format.

### **2.1 The role of scrutiny**

2.1.1 The report references the Francis and Casey reports where scrutiny was ineffective, partly due to being undermined by organisational culture and inability to access the information needed to hold the executive to account. It highlights its role in holding the executive to account, monitoring decisions affecting local residents and contribution to formulating policy.

2.1.2 It also recognises the value of pre-decision scrutiny that can help more informed and considered decision making. It notes the changing context, such as the increase in scrutiny of external bodies, but highlights the absence of any new government guidance since 2006.

2.1.3 The recommendations from this section of the report are, therefore, to revise and reissue the government guidance and for the Local Government Association to consider how best to share innovation and good practice.

### **2.2 Party politics and organisational culture**

2.2.1 This section of the report focusses on organisational culture and the recognition of the value of the scrutiny – both in terms of the positive contributions that it is capable of, and its part in the assurance framework for service delivery.

2.2.2 The report highlights a concern over the relationship between scrutiny and the executive becoming too unbalanced with there being no parity of esteem amongst councillors or officers. One of the solutions put forward is for scrutiny to report to Full Council rather than the executive. This mirrors the relationship between Select Committees and Parliament.

2.2.3 The recommendations contained within this section include the need to recognise the role of Scrutiny in light of experiences in Mid Staffordshire and Rotherham; a proposal for Scrutiny to report directly to full Council instead of the executive, reducing the role of the executive at Scrutiny

meetings (for example not sitting at the committee table with the committee) and strengthening the role of the Scrutiny Committee Chair via independence and legitimacy. It proposes a pilot scheme to evaluate the impact of elected chairs.

2.2.4 The change to lines of accountability is put forward as a way of rebalancing the relationship between executive and scrutiny and to provide greater independence. The benefit of such an approach would be that the executive would be more accountable in its response. The two month gap that is recommended, however, comes with a risk that reports can become out of date before they have even been responded to. Regardless of which model is adopted, the executive need to be provided with adequate timescales to develop their response, however, this timescale should be as streamlined as possible.

### **2.3 Accessing information**

2.3.1 The report references cultural challenges, such as unwillingness of some councils to release budget proposals until just before cabinet, which can affect the ability to scrutinise.

2.3.2 The committee heard of examples where the withholding of information, often on the grounds of commercial sensitivity, blunted scrutiny's effectiveness.

2.3.3 There are a number of recommendations made under this heading, including; the need for all councillors scrutinising services to have access to the necessary financial and performance information, with no restrictions to this based on commercial sensitivity, an "automatic need to know" policy for scrutiny committees, a greater role for external experts such as universities and finally the importance of community/service user engagement.

### **2.4 Resources**

2.4.1 The report highlights concerns over parity of esteem between scrutiny and the executive shown by differences in resource, status, and risk of conflict (or perceived conflict in balancing corporate or administration priorities with the challenge role of scrutiny.) Without adequate resource, the report finds that the impartiality of officers and independence of the scrutiny members is at risk.

2.4.2 The Committee therefore stresses the importance of access to independent and impartial policy advice for Scrutiny Committees and recommends that council's consider their resourcing of this support. They also recommend the strengthening of the role of Statutory Scrutiny Officer, with seniority and status to the equivalent of corporate management teams.

### **2.5 Member training and skills**

2.5.1 The report stresses the importance of ensuring that scrutiny members are sufficiently supported in terms of training and skills including subject knowledge and listening and questioning skills. It therefore recommends that the Department for Communities and Local Government to monitor, review and refresh these arrangements.

## **2.6 The role of the public**

2.6.1 The report recommends that the revised and reissued guidance to authorities should encourage Council Leaderships to allocate sufficient resources to enable the promotion of the role of the public in scrutiny activities. It also recommends consideration is given to the role of digital engagement. The LGA is encourage to consider how it can support local authorities with this.

## **2.7 Scrutinising public services provided by external bodies**

2.7.1 In order to ensure that Scrutiny Committees can monitor and scrutinise services provided to residents, effectively, the report supports the “follow the council pound” proposals from the Centre for Public Scrutiny and recommends that Scrutiny have the power to oversee all taxpayer-funded services.

2.7.2 The report specifically recommends the need to be able to monitor the performance and effectiveness of Local Economic Partnerships (LEPs), and to require them to provide information to scrutiny and to attend meetings when required.

## **2.8 Scrutiny in combined authorities**

2.8.1 The Committee expressed concern about the effective scrutiny of Metro Mayors, and recommended making scrutiny a fundamental part of devolution deals, with adequate resourcing for this purpose.

## **3 Government response to the select committee’s report.**

3.1 The Government published its response to the findings of the Select Committee in March 2018. A written response for each of the recommendations was provided.

3.2 The table below summarises this response.

<b>Recommendation</b>	<b>Response</b>
1: Proposed revisions to Government guidance on scrutiny committees	<p>The Government acknowledges that the current guidance was issued in 2006 and is happy to ensure it is updated. New guidance will be published later this year.</p> <p>The response acknowledges all of the specific recommendations to be included within the guidance with the following exception “the Government believes that</p>

	<p>each council should decide for itself how to resource scrutiny committees, including how much access to senior officers is appropriate to enable them to function effectively.</p>
<p>2: That DCLG works with the Local Government Association and Centre for Public Scrutiny to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered</p>	<p>The Government will give further consideration to this recommendation.</p> <p>The Government is happy to explore with the sector how best to establish the impact of elected chairs on scrutiny committees' effectiveness, but is not yet convinced that running pilot schemes is the best way to achieve this.</p>
<p>3: Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator</p>	<p>The Government does not accept this recommendation.</p> <p>The Government firmly believes that each individual authority is best-placed to decide for itself how to support scrutiny most effectively.</p>
<p>4: That the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them</p>	<p>The Government does not accept this recommendation.</p> <p>The key requirement for effective scrutiny is that the culture of the council is right. Where councils recognise the benefits effective scrutiny can bring, and put in place suitable arrangements, it is working well. Local authorities with a strong culture of scrutiny may invite regular reports to full council on the state of scrutiny in the council and this idea will be reflected in the updated guidance.</p>
<p>5: The Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the Local Government Association and on the wider effectiveness of local authority scrutiny committees</p>	<p>The Government does not accept this recommendation. Local authorities are independent bodies and it is for them to ensure that their scrutiny arrangements are effective.</p>
<p>7: The Government to make clear how LEPs are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line</p>	<p>The Government agrees on the importance of clear and transparent oversight of Local Enterprise Partnerships (LEPs). The Industrial Strategy made clear the continuing important role of LEPs in delivering local economic growth.</p>

<p>with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required</p>	<p>The Government committed in the Industrial Strategy White Paper to reviewing the roles and responsibilities of LEPs and to bringing forward reforms to leadership, governance, accountability, financial reporting and geographical boundaries. Working with LEPs, the Government committed to set out a more clearly defined set of activities and objectives in early 2018. MHCLG will write to the Select Committee following the conclusion of this Ministerial review into LEPs to provide an update.</p>
<p>8: We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported.</p>	<p>The Government accepts this recommendation.</p> <p>Combined authorities are subject to existing relevant legislation applying to local authorities, including the strong finance and audit requirements around ensuring value for money and sustainability. Local democratic accountability, including through the scrutiny of directly-elected mayors, is a crucial and fundamental aspect of devolution.</p>

#### **4 What does this mean for the people of Sheffield?**

- 3.1 A “health check” has been carried out on Sheffield’s scrutiny function and this is summarised in the following section. This reflects how effective the scrutiny of Sheffield’s services is in terms of ensuring accountability and quality of service delivery for the residents of Sheffield.
- 3.2 It should also be noted that the Council has established a cross party Member working group to explore ideas to improve the way Council meetings work in order to improve openness and accessibility and increase efficiency and effectiveness of meetings. The second phase of work is to consider a wider review of public engagement with Council decision making and this is an area which it is proposed will be progressed in 2018/19 in consultation with the Member working group.
- 3.3 This area of work would include:
- reviewing the process for petitions to make sure that they are considered by the most appropriate body or decision maker and the public are aware of the process and outcomes
  - progressing audio/video recording of meetings and access to the recordings

- exploring how members of the public might ask questions of decision makers and decision making bodies.
- 3.4 Some of the recommendations in this section, particularly in 3.7 could be dovetailed into the work of this working group.

### **3.5 The role of scrutiny**

- 3.5.1 In recognition of the need to update the role of Scrutiny within the Council, a full refresh of Scrutiny guidance, is therefore recommended, in line with the Committee's findings, with a view to re-launching and raising awareness of it across the organisation. It is suggested, however, that this is done after the government has launched the new national guidance, as promised in their response.

### **3.6 Party politics and organisational culture**

- 3.6.1 Executive members at Sheffield City Council (SCC) attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Whilst they may sit at the table with the committee (along with other witnesses), the distinction in roles is clear.
- 3.6.2 The report highlights other risks to the non-partisan approach by scrutiny, including how chairs are appointed. SCC currently appoints opposition members as Vice Chairs.
- 3.6.3 In terms of a potential way forward for SCC regarding these recommendations, Scrutiny could develop an "offer" for full Council in terms of when they might refer issues to Scrutiny and how these might be considered. Different circumstances and issues may require differing approaches, which could be encompassed in this offer. This is recommended as a more flexible approach, rather than taking all Scrutiny reviews to full Council for debate.

### **3.7 Accessing Information**

- 3.7.1 SCC councillors, including those sitting on Scrutiny committees, have rights of access to information and we comply with these requirements. Scrutiny committees are often provided with confidential documentation that is not publicly available in order to ensure they have all of the information available to them to enable proper scrutiny of the matter before them. A scrutiny committee can also request clarification of a matter from officers. Whilst the report focusses on an ask of Government to revise guidance around scrutiny committees having an automatic need to know, perhaps the challenge for SCC is around ensuring people are aware of what information exists and how best to engage with it, which links into the section on Member training and skills.
- 3.7.2 The report notes the difficulty of employing specialist advice due to budgetary issues though SCC has numerous examples of inviting



external experts to give evidence. Scrutiny could potentially make more use of local universities, inviting academics to assist members to understand issues. The role of external expertise in this way may be best deployed to strengthen Scrutiny's role in the triangulation of evidence, seeking to verify and/or challenge evidence provided from within the Council. Other external partners could also assist with this, for example HealthWatch.

- 3.7.3 The report also highlights the value of service user's perspective and public experiences in addition to officer testimonies. A number of SCC scrutiny activities have done this such as working with the Equality Hub Network on the hate crime review, and engaging with carers groups and young people on other areas. Surprisingly the review does not reference anything around the role of co-optees or observers.
- 3.7.4 Involvement of user groups and consultation forums in this way is most effectively achieved around specific issues, although wider groups could be engaged in the work planning process too.
- 3.7.5 It is therefore recommended that a standard format for Scrutiny reviews is developed, which provides guidance to task groups about including this kind of consultation and involvement in their work. This should assist with the development of a more rigorous approach to both obtaining and interpreting information available to them.

### **3.8 Resources**

- 3.8.1 SCC scrutiny is currently supported by 2.2 FTE officers, a slight increase of .2 over the last few years, though officers also support other areas of work within PPC (taking care not to conflict with their scrutiny roles). There have been several reviews over the last 5 years which have led to reducing the number of formal meetings and agenda items to enable more in-depth scrutiny of topics at formal meetings and reviews. Task and finish groups are also increasingly working with officers from the relevant services. In terms of numbers, scrutiny support is not far off the level of corporate policy support provided to the executive and the officers are on the same level. However the staffing resource does constrain activity and there is no dedicated scrutiny budget to support or commission separate research activity to support scrutiny.
- 3.8.2 A method of working, which has been used in SCC, with some success already, is to ensure regular liaison between the Committee Chairs and not just Cabinet Members and Executive Directors, but also the Senior Managers that regularly attend Committees and contribute significantly to the annual work programme.
- 3.8.3 The report suggests looking at the role of the Statutory Scrutiny Officer (SSO). The SSO role is currently with the Head of Elections, Equalities

and Involvement who managed the scrutiny officers. Activity includes engaging with EMT on a quarterly basis to ensure appropriate attention is being given to the work programme and with the Chair of OSMC around planning and training. This role could be further enhanced by strengthening the quality assurance role and the channelling of EMT input to the work planning process.

### **3.9 Member training and skills**

3.9.1 In addition to covering scrutiny at inductions for new members, SCC runs training for scrutiny members on questioning skills, understanding data and performance management, and more specific training on areas such as safeguarding. We also offer one to ones with scrutiny officers for new members. However it is not compulsory and not all members choose to attend. Scrutiny Chairs have also benefitted from attending national conferences and networking events.

3.9.3 Anecdotal feed-back from Members suggests that there is a need for information giving activities specifically targeted at Councillors for example briefings and seminars. It is also important to fully understand Members needs in this area so it is proposed to develop a questionnaire to elicit their views.

### **3.10 The role of the public**

3.10.1 SCC involves people through open meetings, public questions and petitions, task and finish reviews, and people can raise issues to be considered by Scrutiny. However, on the whole the public do not attend the meetings in significant numbers and public awareness of the scrutiny function is limited. Digital methods of including the general public could be further explored and one specific suggestion would be to set up a Chair's Blog on the Scrutiny web pages.

### **3.11 Scrutinising public services provided by external bodies**

3.11.1 The approach to 'following the pound' (where scrutiny would have the power and responsibilities to oversee taxpayer funded services where the services are funded, wholly or in part, by local authorities) is partly a response to the increasing complexity of governance where services are delivered in partnership – by public bodies or commercial organisations. We are not aware of any instances where access to information has been denied to members on scrutiny or service providers have refused to attend meetings. However we have found that external bodies are not always clear about the role of scrutiny and expectations around the publication of material. Scrutiny officers help to facilitate this relationship.

- 3.11.2 The report highlights the role scrutiny can play whilst external contracts are still being developed. This helps all parties understand that the service will still have democratic oversight.
- 3.11.3 Currently the Sheffield Combined Authority (SCA) has a joint Sheffield City Region (SCR) Overview and Scrutiny Committee to exercise scrutiny functions over its activities and decisions (and those of formal committees and the LEP). This comprises 14 members and has a political balance. Each local authority appoints at least one elected member to the joint Overview and Scrutiny Committee. In some cases, but not SCC, this is the chair of each authority's own overarching scrutiny committee.
- 3.11.4 The joint SCR Overview and Scrutiny Committee will produce an annual work plan which will be made available to the public on the SCR CA website. SCR website says SCR's scrutiny procedures are currently being reviewed and strengthened in relation to the 'Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016' statute.
- 3.11.5 Although this section and the following one relate to specific sub regional bodies, the same issue might also apply to the Fire Authority and the Police and Crime Panel. A more consistent and formal link between local Scrutiny Committees and the relevant sub regional/city region authorities would enhance communication and more effectively feed issues between the two tiers. It is therefore recommended that formal links between Sheffield's Scrutiny and these sub regional governance structures are further explored

### **3.12 Scrutiny in Combined Authorities**

- 3.12.1 Primarily an issue for the SCR combined authority who have appointed a full time scrutiny officer, though with the proposed introduction of a Mayor from May 2018, and in line with point above, there is a need to explore more formal links.

## **4. Recommendations**

Section 3 of this paper has highlighted some responses to the Committee's report which could be initiated by Sheffield City Council. In summary these are as follows:

- 4.1 A full refresh of SCC's Scrutiny guidance, in line with the Committee's findings, with a view to re-launching and raising awareness of it across the organisation. To be completed after the government has launched the new national guidance, as promised in their response, and to be

communicated via the Directors group and issued to all report authors for the Scrutiny Committees.

- 4.2 Scrutiny could develop an “offer” for full Council in terms of when they might refer issues to Scrutiny and how these might be considered. Different circumstances and issues may require differing approaches, which could be encompassed in this offer.
- 4.3 Consider the use of local universities and other bodies such as HealthWatch, the involvement of user groups and consultation forums in the triangulation of evidence.
- 4.4 Incorporate number 3 above into a standard pro forma to be used for scoping Scrutiny reviews.
- 4.5 Further enhance the role of SSO by strengthening the quality assurance role and the channelling of EMT input to the work planning process.
- 4.6 Consider information giving activities specifically targeted at Councillors for example briefings, seminars etc... and conduct a members survey on member development issues and needs
- 4.7 Set up a Chair’s Blog on the Scrutiny web pages.
- 4.8 Consider establishing a more consistent and formal link between local Scrutiny Committees and the relevant sub regional/city region authorities

## **Appendix – Recommendations from the Communities and Local Government Committee’s report.**

### **The role of scrutiny**

1. We therefore recommend that the guidance issued to councils by DCLG on overview and scrutiny committees is revised and reissued to take account of scrutiny’s evolving role. (Paragraph 12)

2. We call on the Local Government Association to consider how it can best provide a mechanism for the sharing of innovation and best practice across the scrutiny sector to enable committees to learn from one another. We recognise that how scrutiny committees operate is a matter of local discretion, but urge local authorities to take note of the findings of this report and consider their approach. (Paragraph 13)

### **Party politics and organisational culture**

3. However, all responsible council leaderships should recognise the potential added value that scrutiny can bring, and heed the lessons of high profile failures of scrutiny such as those in Mid Staffordshire and Rotherham. (Paragraph 19)

4. To reflect scrutiny’s independent voice and role as a voice for the community, we believe that scrutiny committees should report to Full Council rather than the executive and call on the Government to make this clear in revised and reissued guidance. When scrutiny committees publish formal recommendations and conclusions, these should be considered by a meeting of the Full Council, with the executive response reported to a subsequent Full Council within two months. (Paragraph 23)

5. We believe that executive members should attend meetings of scrutiny committees only when invited to do so as witnesses and to answer questions from the committee. Any greater involvement by the executive, especially sitting at the committee table with the committee, risks unnecessary politicisation of meetings and can reduce the effectiveness of scrutiny by diminishing the role of scrutiny members. We therefore recommend that DCLG strengthens the guidance to councils to promote political impartiality and preserve the distinction between scrutiny and the executive. (Paragraph 25)

6. It is vital that the role of scrutiny chair is respected and viewed by all as being a key part of the decision-making process, rather than as a form of political patronage. (Paragraph 27)

7. We believe that there are many effective and impartial scrutiny chairs working across the country, but we are concerned that how chairs are appointed has the potential to contribute to lessening the independence of scrutiny committees and weakening the legitimacy of the scrutiny process. Even if impropriety does not occur, we believe that an insufficient distance

between executive and scrutiny can create a perception of impropriety. (Paragraph 30)

8. We believe that there is great merit in exploring ways of enhancing the independence and legitimacy of scrutiny chairs such as a secret ballot of non-executive councillors. However, we are wary of proposing that it be imposed upon authorities by government. We therefore recommend that DCLG works with the LGA and CfPS to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered. (Paragraph 35)

### **Accessing information**

9. Scrutiny committees that are seeking information should never need to be 'determined' to view information held by its own authority, and there is no justification for a committee having to resort to using Freedom of Information powers to access the information that it needs, especially from its own organisation. There are too many examples of councils being uncooperative and obstructive. (Paragraph 37)

10. Councils should be reminded that there should always be an assumption of transparency wherever possible, and that councillors scrutinising services need access to all financial and performance information held by the authority. (Paragraph 41)

11. We do not believe that there should be any restrictions on scrutiny members' access to information based on commercial sensitivity issues. Limiting rights of access to items already under consideration for scrutiny limits committees' ability to identify issues that might warrant further investigation in future, and reinforces scrutiny's subservience to the executive. Current legislation effectively requires scrutiny councillors to establish that they have a 'need to know' in order to access confidential or exempt information, with many councils interpreting this as not automatically including scrutiny committees. We believe that scrutiny committees should be seen as having an automatic need to know, and that the Government should make this clear through revised guidance. (Paragraph 42)

12. We note that few committees make regular use of external experts and call on councils to seek to engage local academics, and encourage universities to play a greater role in local scrutiny. (Paragraph 45)

13. We commend such examples of committees engaging with service users when forming their understanding of a given subject, and encourage scrutiny committees across the country to consider how the information they receive from officers can be complemented and contrasted by the views and experiences of service users. (Paragraph 47)

## **Resources**

14. We acknowledge that scrutiny resources have diminished in light of wider local authority reductions. However, it is imperative that scrutiny committees have access to independent and impartial policy advice that is as free from executive influence as possible. We are concerned that in too many councils, supporting the executive is the over-riding priority, with little regard for the scrutiny function. This is despite the fact that at a time of limited resources, scrutiny's role is more important than ever. (Paragraph 61)

15. We therefore call on the Government to place a strong priority in revised and reissued guidance to local authorities that scrutiny committees must be supported by officers that can operate with independence and provide impartial advice to scrutiny councillors. There should be a greater parity of esteem between scrutiny and the executive, and committees should have the same access to the expertise and time of senior officers and the chief executive as their cabinet counterparts. Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator. We also call on councils to consider carefully their resourcing of scrutiny committees and to satisfy themselves that they are sufficiently supported by people with the right skills and experience. (Paragraph 62)

16. We recommend that the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them. (Paragraph 65)

## **Member training and skills**

17. It is incumbent upon councils to ensure that scrutiny members have enough prior subject knowledge to prevent meetings becoming information exchanges at the expense of thorough scrutiny. Listening and questioning skills are essential, as well as the capacity to constructively critique the executive rather than following party lines. In the absence of DCLG monitoring, we are not satisfied that the training provided by the LGA and its partners always meets the needs of scrutiny councillors, and call on the Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the LGA and on the wider effectiveness of local authority scrutiny committees. (Paragraph 76)

## **The role of the public**

18. The Government should promote the role of the public in scrutiny in revised and reissued guidance to authorities, and encourage council leaderships to allocate sufficient resources to enable it to happen. Councils should also take note of the issues discussed elsewhere in this report regarding raising the profile and prominence of the scrutiny process, and in so doing encourage more members of the public to participate in local scrutiny. Consideration also needs to be given to the role of digital engagement, and we believe that local authorities should commit time and resources to effective digital engagement strategies. The LGA should also consider how it can best share examples of best practise of digital engagement to the wider sector. (Paragraph 82)

## **Scrutinising public services provided by external bodies**

19. Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens. We support the CfPS proposal that committees must be able to 'follow the council pound' and have the power to oversee all taxpayer-funded services. (Paragraph 90)

20. In light of our concerns regarding public oversight of LEPs, we call on the Government to make clear how these organisations are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required. (Paragraph 96)

## **Scrutiny in combined authorities**

21. We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported. (Paragraph 104)