

SCRUTINY PROGRAMME BOARD – 9 JUNE 2011 DISCUSSION BRIEF

POWERS OF OVERVIEW AND SCRUTINY

The main legislative provisions of the Local Government Act 2000 in relation to scrutiny enable Committees and their Members on behalf of the public to provide a process which is more “transparent” and to “engage” local people as much as is possible.

- Review and/or scrutinise
 - Decisions made by Cabinet and Council Officers in relation to key decisions
 - Actions carried out within the remit of the Council
 - The performance of the Council in relation to targets and policy objectives

- Have the right to call in and examine (in accordance with the agreed timescale), decisions made by Cabinet, before the decision is implemented. Powers for health overview and scrutiny also derive from the Health and Social Care Act 2001.

Public involvement

Scrutiny is an ideal mechanism for liaising and working with the public. Members of the public are welcome to attend scrutiny meetings to hear information being received and discussed, and should be given the opportunity to contribute wherever possible. Members of the public might themselves be invited to provide information on a topic where they have a particular interest.

Scrutiny – a collaborative process

The Council’s scrutiny arrangements have been designed to work collaboratively whilst allowing independence to help deliver continuous improvement – reviewing existing policies, practices and working with/on behalf of the Cabinet on policy development.

Once it has formed its recommendations on proposals for development, an Overview and Scrutiny Committee will prepare a formal report and submit it for consideration by the Cabinet. The Council may consider the report of the Overview and Scrutiny Committee at its next appropriate meeting.

External Scrutiny

The work of scrutiny does not lie solely within the Council, and under part 1 of the Local Government Act 2000, councils are given the power to do “anything they consider likely to promote or improve the economic, social or environmental wellbeing of the area”. Increasingly, governance arrangements mean that local authorities work in partnership with other organisations in the public, private and voluntary sectors to target resources on local priorities. Scrutiny provides an opportunity to investigate the work of outside bodies, and how they impact on the community the Council serves. It also provides Councillors with many opportunities to enhance their community leadership role.

Engaging the public and other partner organisations

An important role for the Councillor is to encourage community participation in

decision-making, and scrutiny is an ideal vehicle for the involvement of individuals and organisations.

The public and outside organisations (such as voluntary, public and commercial organisations) are able to influence the scrutiny process at a variety of points in any scrutiny review.

The views of members of the public, external organisations and other such stakeholders are also sought when a Committee is collecting evidence for a scrutiny review. A variety of methods can be used depending on the type of evidence needed and who is providing it. Options can include:

- | Surveys and questionnaires (postal, face-to-face, e-‘voting’)
- | Public meetings
- | focus groups
- | road shows
- | conferences and seminars
- | workshops

As stated above, the method of evidence collection is also determined by who it is being collected from. Some of the larger organisations with many professional staff might be happy to attend Committee meetings to provide oral evidence. Smaller groups or individuals might find this off-putting, and prefer to provide evidence in other ways. This gives Members the opportunity to identify other ways of collecting evidence, for example, taking meetings outside the Town Hall (schools, community centres), collecting evidence in smaller groups, holding public meetings.

It is also important that Overview and Scrutiny committees consider how to reach a wide range of communities, including elderly people, faith groups, disabled people, lesbians and gay men, ethnic minority groups and people whose first language is not English.

In addition, the Council Constitution makes provision for Overview and Scrutiny Committees to be entitled to recommend to Council the appointment of a number of people as non-voting co-optees to the Committee or any sub-committees. This enables non-Council members to be included as members of scrutiny panels.

Engaging the Media

The scrutiny process provides an ideal opportunity for Members to highlight the work they are doing through the local (and national) media. Local newspapers, radio and television, are all able to inform the public of ongoing work, invite opinion and involvement and assist Overview and Scrutiny committees undertake consultation.

Publicising the Scrutiny Review

Prior to commencing a scrutiny review the O&S Committee should consider how it might engage the appropriate level of public involvement. Public measures, using the press office where appropriate, could include:

- Issuing a press release to inform the public about the proposed scrutiny

review

- Informing any particular interest groups or user groups about the proposed scrutiny review
- Making information available in all Council Offices, Libraries, Leisure Centres, Housing Offices, etc
- Placing appropriate information on the internet and intranet
- Placing appropriate publicity in the local press

To engage a wide range of communities, the committee services team will also consider:

- Publicising scrutiny events on local radio
- Placing publicity in community centres
- Communicating with faith groups and the voluntary sector
- Making scrutiny materials available in various languages.