

Observations O&S Committee 14 June 2016

Tewkesbury Borough Council

Reflections on Overview and Scrutiny

Background

Tewkesbury Borough Council undertook a review of the effectiveness of the Overview and Scrutiny Committee in early 2015, following a Corporate Peer Challenge in November 2014. The Peer Challenge had recognised how the OSC was making an impact and was contributing to policy development, but it suggested how the OSC's contribution could be maximised to provide even greater value.

TBC's review of the OSC gathered the views and experiences of the then Committee in February 2015 to identify areas where it might add more value to the council and its borough. An action plan was developed. A workshop on 9 February 2016 refreshed the action plan and gathered views of the OSC, particularly around the work programme, use of performance management information, topic selection for review, the committee's challenge role, its community engagement and training and development. Issues raised also included the value of scrutinising and hearing from external partners and suggested that the use of pre-briefings should be trialled before the OSC meetings.

In welcoming ongoing training and development for OSC members, it was suggested that there was the potential for an independent person to watch and critique the workings of the Committee. Having delivered O&S training for TBC, Ann Reeder of Frontline Consulting was invited to observe the pre-meeting and Committee meeting on 14 June 2016.

The following report highlights the positive areas of activity and suggestions where further development of the function might be possible. The findings and recommendations are set against the outcomes of the O&S review of February 2016 that are reported in Appendix 1 of the report to the OSC (agenda item 14) of 23 February 2016.

Highlights of positive practice are:

- The publication of an annual report of Overview and Scrutiny, which clearly set out the many strengths of the function in Tewkesbury, including specific reviews through task and finish groups, pre-scrutiny, performance monitoring, evidence gathering presentations and effective procedures

- The OSC demonstrated clear commitment to the role with many of the Members attending both the pre-meeting and the Committee
- At the observed meeting, the Chairman was well-prepared and showed good understanding of the issues on the agenda, had a sense of appropriate timings and managed the business well
- There was extremely high level officer attendance with strong support from the Chief Executive, Deputy Chief Executive, Finance and Asset Management Group Manager, Corporate Services Group Manager and the Democratic Services Group Manager. Input from other officers and partners was committed and informed; it might be useful to brief all contributors at the OSC so that they are aware of the time available for their input, the approach they should take to introducing an item and the outcomes the OSC is likely to seek from their item
- The agenda was realistic, being restricted to four regular items (the Forward Plan, Work Programme, Updates from County scrutiny functions and performance management), one presentation from an external partner and four other items (which were mainly to consider progress, though item 11, Corporate Policies and Strategies, more usefully could have fed into the work programming item as evidence for consideration in setting priorities and timescales)
- Members had identified relevant and significant issues for the Work Programme and the particular Committee meeting
- Every item had effective Member participation through focused questioning and follow up
- The Executive Forward Plan was made available to the OSC to inform its Work Programme
- The Committee understood its responsibilities both to provide challenge and to support policy development
- The Committee was focused on issues of concern to the residents of the Borough
- The Committee was constructive, seeking to improve services and ways of working, and to develop its engagement with partners and seek evidence that it could use to inform its work
- The Committee continues to hold pre-briefings in order to prepare well for the meeting (though Members could also use this time to share with each other their anticipated areas for focus, intended key lines of enquiry, prepared questions and likely outcomes; they might also consider holding this one week or so in advance of the OSC in order to engage with presenters and witnesses at an earlier stage to enable them to prepare to respond to particular challenges and concerns)

Given the commitment to improvement shown by the Borough Council, this report from observing the pre-meeting and Committee meeting on 14 June 2016 focuses on possible areas where the Committee might develop its work to become even more effective.

The following chart therefore focuses on the areas listed in the 'Review of effectiveness of Overview and Scrutiny Committee February 2016', reflects on observations from the pre-meeting and Committee meeting of 14 June and makes recommendations for making O&S even more effective for and relevant to Tewkesbury Borough Council, its residents and partners.

Review topic	Findings and recommendations of the external observer in June 2016	Recommendations by the external observer
1. Committee Work Programme		
More challenge/review of external partners	<p>On a positive note, this clearly is developing with more partners being invited to the OSC. Arrangements are being made to invite Severn Vale Homes, Healthwatch Gloucestershire and the Fire and Rescue Service</p> <p>At the meeting, the CAB gave an informative presentation, but the session focused more on information gathering than challenge. TBC is a major funder of the CAB, but questioning did not focus on value for money secured through the Council's grant nor sustainability of the service</p>	<p>At the beginning of each Municipal Year, the OSC might identify the key external partners, their relevance to and role in delivering against TBC corporate priorities and meeting residents' needs and programme in their attendance at an OSC</p> <p>Having identified the key partners, the OSC might set out clear objectives for their attendance at an OSC and develop key lines of enquiry for the session in advance, sharing them with the partner in order for them to be prepared to engage with scrutiny and policy development and to focus on significant areas for challenge</p>
Updates from the PCP and County HOSC	Both councillors who are members of the County wide scrutiny functions regularly report back to the OSC, either in writing or in person at the meeting; this is important and to be welcomed	Information items are essential sources of evidence for the OSC and are welcome, but to save time at the meeting, written reports could be circulated in advance so that time is spent on questions to the representatives and the development of comments, concerns and proposals to feed back to the PCP and HOSC through its representatives

Task and Finish Groups	The Committee recognises that it adds significant value through specific reviews and has capacity for two or three per year	The OSC could consider the balance of activity across Committee meetings and other ways of working, and undertake more O&S outside of the meeting. In considering its work programme and receiving agenda items, it could consider, 'should /could we explore this further in a specific review?'
		Having previously undertaken a specific review to help to develop the current Housing, Renewal and Homelessness Strategy 2012-2016, it could have been a proposal within the report for the OSC to set up a TFG to help with the refresh of the Strategy and to assist with the review of outcomes against the current Strategy. This emerged from the discussion, but had it been agreed in advance, this would have been a shorter item at the meeting, officer time waiting until the item was called would have been reduced and the nature of officer input at the OSC clarified eg the item would be referred to a TFG to undertake a project scope for the OSC to consider at its next meeting, working with the officer
2. Performance management information		
Quarterly reporting	This is essential for O&S activity and it is good that the OSC receives these reports on a regular basis	The OSC might explore the areas to focus on from the PM information, especially at a pre-meeting. The RAG ratings and direction of travel indicators could usefully be consistent across all reports and provide the areas for the OSC to focus on first. To ensure that there is full scrutiny of areas of concern eg underperformance or overspending, it might be useful to ensure that Members share out responsibility for specific areas of performance

		Known questions might usefully be shared in advance with the lead member and officer so that any straightforward answers can be supplied before the meeting, leaving more time for those areas that need debate and possible recommendations
Lead Members	Local Government Act 2000 in introducing the Leader and Cabinet model of governance with the Executive Scrutiny split suggests clear political accountability	It would be appropriate for the OSC to be able to challenge the political as well as managerial leadership on policies, strategies and performance
Financial position	This is a significant performance area and was covered well in item 9 and by the Finance and Asset Management Group Manager	Financial reporting should continue as provided Areas of concern with regard to financial information might usefully be raised with the Leader and relevant portfolio holders to ensure political accountability of these matters
PM Sub-group	The OSC was able to challenge performance management information as a Committee; this was effective	The OSC might explore the areas to focus on from the PM information at a pre-meeting or group email in advance of the meeting to save time at the meeting and to ensure that all necessary areas are covered in depth at the Committee The Committee might usefully focus on RAG ratings and direction of travel indicators first To ensure that there is full scrutiny of areas of concern eg underperformance or overspending, it might be useful for Members to share out responsibility for specific areas of performance Known questions might usefully be shared in advance with the lead member and officer so that any straightforward answers can be supplied before the meeting, leaving more time for those areas that need debate and possible recommendations

3. Choosing areas for review		
Methodology of topic selection	A suggestion form is on the Council's website. There is provision for Members to make suggestions on each OSC agenda in setting and refreshing the Committee Work Programme	The OSC might consider reviewing any existing template, form and criteria for developing, reviewing and refreshing the Work Programme, and specifically for identifying areas for review through other ways of working outside of the Committee eg Task and Finish Groups
Horizon scanning	The list of corporate policies and strategies in item 11 enabled Members to see what is planned for the future, and especially items that might be of interest to and relevance for O&S, and where it could make a difference	<p>The list selectively could feed into the OSC Work Programme</p> <p>Members could be reminded that they can make suggestions for the OSC agenda and Work Programme, whether they are on the OSC or not</p> <p>Trends in complaints and casework of which Members are aware could be fed into work programming by referral to the Chairman and officer for consideration by the OSC</p> <p>There could be an annual work programming event for the Council, all Members and relevant partners to help the OSC to anticipate and prepare for items on which it could make a difference in the short, medium and long term</p>
4. The challenge role		
Lead Members	The OSC received presentations from and scrutinised officers and one partner only. There was no senior political input	<p>Overview and Scrutiny is Member led. It also is a means to hold decision makers such as council executives to account</p> <p>It therefore would be appropriate for the Leader and portfolio holders to be invited to attend the OSC on specific items in order to be held to account for decisions and performance in their portfolio area</p>

		Senior officers then would provide the necessary technical back-up rather than being the people who are held to account, except where they are exercising delegated powers
Pre-briefing	Members and officers seemed to find this useful; it enabled the Committee to identify areas for focus. The senior officer provided an overview of the agenda items and indicated who would be presenting. It was a useful officer briefing of Members immediately in advance of the OSC	<p>Pre-meetings are invaluable for ensuring Committee meetings are effective and achieve outcomes. They often an integral part of Member preparation for O&S. Recognising that Members have full diaries and distances to travel, it might be possible to conduct some of the preparation through email groups</p> <p>However, to enable the development of key lines of enquiry, robust questioning and clarity of outcomes, it would be useful to develop the approach to the pre-meeting and build it into the OSC calendar and the expectation of Members for their participation in O&S and their preparation for Committee meetings.</p> <p>Pre-meetings should help the Council to secure an even better return on investment from the O&S function and more effective use of Member and officer time at the OSC meeting. It would eliminate the need to ask questions of clarification at the meeting, ensure the Members can be given the additional information or answers they require before the meeting and enable more debate and challenge to take place at the Committee</p>
Member challenge	The majority of the OSC had prepared questions and/or were able to follow up answers with supplementary questions. Many were willing to persevere with lines of questioning in order to secure the information they felt they required in order to carry out their O&S role	The pre-meeting could usefully help the Committee as a whole to identify the overall areas for focus from each agenda item and report, the key lines of enquiry that flow from that, the particular questions and likely follow up questions that would need to be asked, and most importantly the outcomes that O&S activity is likely to secure that would make a difference to the Council and its borough

		<p>Questions of clarification might usefully be asked via the Chairman by email to the report author so that time in the meeting is not used on matters that are not central to the challenge and policy development functions of O&S</p> <p>A questioning strategy is essential for specific reviews, but also helpful at OSCs to structure questions around sections of reports or to focus on key areas such as red areas in RAG ratings or direction of travel indicators that cause concern or to enable the Committee to identify proposals for policy development</p> <p>Use of Member champions could enable a sharing out of questioning or further preparation of questioning in advance of a meeting, where Members agree to focus on key areas in order to ensure questions are prepared across a topic or agenda item</p>
<p>Performance Management dynamics</p>	<p>Performance monitoring appeared to be effective at the OSC with excellent information provided for Members.</p> <p>OSC Members asked challenging questions and picked up on some of the areas of concern</p>	<p>A Council Executive is responsible for the performance of Council; the non-executive function is to monitor and comment, raising appropriate concerns and possibly making recommendations for improvement. PM needs to be undertaken therefore at both the Council Cabinet and the OSC, but with timings that enable effective scrutiny and response. The current arrangements seemed to be effective and do not suggest a need for change</p>

5. Role as a 'community' Committee

Take the Committee out into the community

The OSC met in the Council Offices in a committee room for its formal business. This worked well for the holding to account function of senior officers (though to a member of the public, it might not have been clear who was a member of the OSC and who were attending for other reasons eg to present reports, to help to answer questions, to provide other information as required)

The challenge and support function of the OSC is to hold executive decision makers to account. It therefore is appropriate for it to meet at the Council Offices in its formal committee role (though perhaps in a 'select committee' style seating arrangement so that it is clear who the OSC Members are and so that those who are there to be held to account are present for those items only and in the opening of a horseshoe for clarity of accountability)

From time to time the overview and scrutiny function might require the OSC to test the information it receives in officer reports. The OSC might usefully therefore gain insights from others who commission, provide or use services. This evidence gathering and 'triangulation' (testing of evidence with others) occasionally might usefully take place in other settings, including the places where services are provided and in other ways eg Member surveys of customer insight where there is council service provision eg leisure centre users, car park users

From time to time the OSC might decide to invite expert witnesses, residents, service users, external commissioners or providers to provide evidence for its overview and scrutiny activity. It might, on such occasions, be more appropriate for the 'hearings' to take place in venues that are more convenient or conducive to those from outside the Council setting. This could enable them to feel more comfortable in addressing the OSC Members or to providing more sensitive information that will inform the O&S activity

		<p>Use of other venues might involve logistical challenges or demand more officer set up time or incur additional costs; the decision needs to be taken with regard to the effectiveness of the scrutiny that is likely to result and the return on investment for the Council from such activity, which could be a considerable benefit to better informed decisions, savings for the Council or improved service</p> <p>Objectives, target participants and likely benefits would need to be clear for the OSC activity to be moved from the Council Offices from time to time</p>
<p>Working Groups into the community</p>	<p>Tewkesbury Borough Council conducts a number of Task and Finish Groups, some of which relate to services that are provided by partners and services that are used by the public</p>	<p>From time to time the overview and scrutiny function is undertaken in Task and Finish Groups. These are specific reviews of particular services. This form of Overview and Scrutiny particularly benefits from customer insights and could usefully involve O&S activity taking place in the community. A scoping template for specific reviews and other ways of undertaking scrutiny could usefully include questions to help the TFG to identify the objective, ways of working, potential witnesses and locations of any evidence gathering</p> <p>These specific reviews could gain insights from those who commission, provide or use services. This evidence gathering could take place in places where services are provided and in other ways eg Member surveys of customer insight where there is council service provision eg leisure centre users, car park users to feed into a review of a service or policy. Expert witnesses, residents, service users, external commissioners and providers are potential sources of evidence for overview and scrutiny activity, and in locations appropriate to them It might therefore for particular reviews and on such</p>

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6. Training and development		
Training	Tewkesbury Borough Council has been providing training for its councillors, including its OSC members, on a regular basis, including induction programmes. This has been welcomed by Members	Induction and continuing learning and development are invaluable for councillors as roles develop and change over time, including new requirements and expectations. Learning and development usefully can draw on Members' experience and insights, offer external good practice and build on the positives that already exist in the Council
Ongoing training	TBC provides ongoing training through ad hoc activity	This usefully could continue from time to time when memberships change or structures and responsibilities develop and change
Quarterly bulletin	TBC has produced a quarterly bulletin on O&S	This is useful and could be sustained in order to provide updates of good practice and reviews
CfPS link	Members have been advised of the Centre for Public Scrutiny website and its email bulletin	The CfPS publishes guidance and shares good practice, and is an essential reference point for O&S

		Members. It is useful to receive their regular alerts and participate in the Knowledge Hub Scrutiny Practitioners Group www.cfps.org.uk
Learning from others	<p>The Tewkesbury Borough Council O&S Chairman and Officer participated in a Gloucestershire wide Action Learning Set on Overview and Scrutiny that was facilitated by the CfPS a few years ago.</p> <p>There are regular updates provided from the Gloucestershire Police and Crime Panel and the Health Scrutiny Committee</p>	<p>It will be useful to sustain the regular updates from County wide scrutiny activity</p> <p>The CfPS runs seminars and conferences from time to time that enable Members to talk with other O&S members in other councils</p> <p>The Scrutiny Practitioners Group and the CfPS website enable a sharing of good practice, including the feeding in of effective O&S activity from Tewkesbury</p>