



Scrutiny Toolkit



Stockton-on-Tees
BOROUGH COUNCIL

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The main aims of this manual are to:

- Explain the scrutiny process and provide a framework within which it should be undertaken
- Provide information on the structure, remits and protocols of the Thematic Select Committees at Stockton Council
- Offer guidance to Members, Officers and other individuals taking part in the scrutiny process

Where can I get further advice?

You can contact an officer of the Scrutiny Team (see page 2) or e-mail scrutiny@stockton.gov.uk

The scrutiny pages on Stockton Council's website can be found at:
www.stockton.gov.uk/scrutiny

Other useful web pages are set out below:

www.cfps.org.uk

www.directgov.uk

www.idea.gov.uk

www.parliament.uk





What is Scrutiny?

What do we mean by scrutiny?

Scrutiny is a process which reviews decisions, policies and performance that affect the Borough. It is designed to complement and act as a 'critical friend' when working with the Executive and Council services.

The scrutiny process not only provides a means of reviewing the Council's own achievements against its planned targets, but also enables reviews to be carried out in relation to services provided by other public organisations on issues causing public concern. Scrutiny does all of this inclusive of all stakeholders, including local people.

This can be done in many ways, including; providing the opportunity for Members to examine various functions of the Council, to ask questions on how decisions have been made, to consider whether service improvements can be put in place and to make recommendations to this effect. It also provides the opportunity for Councillors to champion the issues of local concern to residents and participate in the development of new policy.

How can scrutiny influence Council policy?

Policy Development has been the main focus of revised scrutiny arrangements for Stockton, implemented in 2006. Scrutiny is able to influence Council policy in two ways – first by reviewing the impact of policy decisions already made and helping to bring them 'up to date' and second, by influencing the development of new policy. The scrutiny function might carry out the policy development role at the invitation of the Executive Scrutiny Committee/Cabinet.

The Councillor's Role

Councillors serving on Select Committees will be responsible for undertaking a number of different tasks. First, they will have to consider the scope of the review and agree a project plan. As part of this, the Committee will have to decide who will be invited to provide 'evidence' in relation to this topic, what questions will have to be asked, who and what resources are required to complete the review and the timescales involved. The Select Committee will, having completed the review, consider its findings and report recommendations and enter into discussions with key stakeholders to assess the feasibility of proposed recommendations.

It may, on occasion, be appropriate for Select Committees to make recommendations to organisations other than the Council, for example, NHS or other agencies.





Cabinet Members also have an important role in working with non-executive Councillors to formulate the scrutiny work programme, to provide information and guidance on Council priorities via the Scrutiny Liaison Forum, and to respond fully to any recommendations resulting from scrutiny reviews.

It is also the Chair's responsibility to present the final report to Cabinet for endorsement.

The Officer's Role

Proactive support and engagement from all officers will be required to maximise the value added from delivering the scrutiny review programme. Officers will be required to work collaboratively to provide information to the Select Committee and answer Member's questions. The information should, as far as possible, be confined to factual statements and explanations relating to policies and decisions. Officers will always be provided with the terms of reference for the review, a copy of the project plan and likely questions to be asked/topics to be explored.

Link Officers are those at managerial level who have been assigned to a Committee in order to promote sign posting to relevant information and technical support. Further information can be found under 'Scrutiny Roles and Responsibilities' and 'Role of Officers at Select Committee Meetings.'

Public involvement

Greater involvement by members of the public in Council activities is one of the main objectives of the Authority, and 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 Executive on policy development.

Once it has formed its recommendations on proposals for development, a Select Committee will prepare a formal report and submit it for consideration by Cabinet or external body.





Regular 'tri-partite' meetings are arranged in order to facilitate liaison between Select Committees and Cabinet. These meetings will include relevant Chair/Vice Chair, Cabinet Member, Link Officer, Scrutiny Officer and Corporate Director(s), and will take place at the start of a review (to discuss the scope and direction of a review), midway (to review progress and emerging issues) and at the end of the review process (to discuss findings and draft recommendations).





Stockton Borough Council's Scrutiny Arrangements

Powers of overview and scrutiny

The main legislative provisions of the Local Government Act 2000 in relation to scrutiny enable Committees and their Members to:

- 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 (see p.17)

The Police and Justice Act introduced powers for the scrutiny of local crime and disorder matters, principally through scrutiny of the Crime and Disorder Reduction Partnership (CDRP). At Stockton, the Housing and Community Safety Select Committee performs this role.

The Committee has power to:

- consider crime and disorder related Councillor Calls for Action
- consider the actions of the CDRP
- make reports to the local authority and relevant partners

In order to fulfil their duties, Committees must consider crime and disorder matters at least once a year although crime and disorder matters could also be looked at through the full variety of methods available.

Under scrutiny powers, information can be required from police forces, police authorities, fire and rescue authorities, probation authorities and parish councils in relation to crime and disorder functions. Attendance at scrutiny meetings can also be required as well as a requirement to respond formally to recommendations

Duty to Co-operate

Scrutiny Committees have powers to require information and attendance before scrutiny committees from:

- Officers of the Council
- Members of the Council Executive (ie. Cabinet)
- Local NHS bodies in relation to planning, provision and operation of health services in the area
- Police forces, Police Authorities, fire and rescue authorities, probation authorities and parish councils in relation to crime and disorder functions

The Council, local NHS bodies and police forces etc. are also required to respond formally to select committee reports and recommendations.





Select Committees may also engage with other public service providers, partners and organisations; the ability to seek co-operation remains but they cannot be compelled to co-operate.

Policy Review

Involves the undertaking of investigative, deliberative reviews of policy and can take a number of forms. For example, a review might examine how well a policy has been implemented and whether the desired outcomes have been met; it also often involves the conducting of wide-ranging reviews of policy from large, cross-cutting issues, those that concentrate on the bigger picture, to smaller, detailed examinations of specific issues. A number of approaches can be taken to carry out a policy review, from following a parliamentary select committee approach, with a focus on oral hearings and written evidence, to more creative approaches, including public meetings, consultation exercises and mystery shopping.

Policy Development

The overview and scrutiny process can provide non-executive Councillors with the valuable opportunity to undertake work in policy development. It provides a role for Select Committees to become involved with the policy considerations of Council services, and undertake policy analysis on behalf of, or in conjunction with, services.

Monitoring of Performance Management

Performance management is used to improve team performance, based on the principles of measurement, appraisal, action and monitoring. However, it can manifest in very different forms depending on whether the aim is to further improve good performers, or deal with underperformance.

Scrutiny can help in terms of developing a performance oriented culture and identifying areas where concentration of change management efforts are needed by holding decision makers to account.

Performance management information may be used to identify topics for future in depth scrutiny reviews as well as inform the findings of individual reviews.

Regular high level performance reports are presented to Executive Scrutiny Committee with relevant information cascaded to Select Committees.

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 well-being 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 external organisations, 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. For example, Committee Members, when selecting a topic for consideration, will take into consideration public views expressed through:

- Voluntary, community and faith groups
- Local Strategic Partnership (Renaissance)
- Evening Gazette/Local News
- Ward Surgeries
- Members' Postbags

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, i.e. taking meetings outside of the "Town Hall" (schools, Community Centres), collecting evidence in smaller groups, holding public meetings.

It is also important that Select Committees consider how to reach a wide range of communities, including hard to reach groups and achieve a balance of views. As part of the planning for reviews, a consultation plan will be developed to determine the most appropriate consultation mechanism for the review.

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 advertise ongoing work, invite opinion and involvement and assist select committees undertaking consultation.

A communications plan will be developed for each review.

Ensuring corporate priorities are met

The aim of overview and scrutiny committees is to ensure that Council priorities reflect community interests accurately and address national and regional concerns as appropriate.





Efficiency, Improvement and Transformation (EIT) Programme

Since 2009, the Council's Select Committee have been supporting the Council's EIT Programme through Scrutiny Led EIT reviews or by providing independent challenge to officer led EIT reviews. The programme of EIT reviews ensures that all Council services are reviewed with equal rigour and as part of an overall corporate strategy. The overarching aim of these reviews is to establish efficiencies in the service area, as well as identifying improvement areas and opportunities for business transformation.

From the outset of the EIT programme, it was clear that full Member involvement in the programme would be a key success factor with Elected Members bringing invaluable input through their roles as customers, policy makers and community representatives. Scrutiny involvement is embedded in all EIT reviews. However, it was clear that the volume of work would make it impossible for the Council's Scrutiny Committees to lead on all the reviews. A distinction was therefore made between reviews which would be scrutiny led and reviews which would be officer led.

Scrutiny led reviews have followed the same approach as any other in depth scrutiny review although tools were developed to assist Members in this relatively unfamiliar territory. These have included the development of key questions to interrogate base line information and challenge emerging options. Scrutiny led reviews have focused on the more public facing services where Members can have the most meaningful input.

Conversely, officer led reviews have focused in the main on "back office" functions which can be undertaken more effectively by officers. However, Members still receive reports at key stages for further input and challenge. This happens following collection of base line data and analysis of options and gives Members the opportunity to highlight issues from their perspective.

Close involvement of scrutiny with the EIT process at Stockton has helped it to remain transparent, accountable and open to Stockton residents and has enabled Councillors to have a meaningful input into decisions on future service priorities.

Although the initial three year EIT programme in Stockton is due to come to an end in 2012, it is clear that the efficiency agenda is here to stay and that work will continue in the quest to find further efficiencies, identify waste, and implement and review the services changes and transformations. Ongoing involvement of Members is essential for the process to remain transparent and challenging.

A flowchart illustrating scrutiny involvement in the EIT process together with the key questions to interrogate baseline and challenge options, is attached at **Appendix 15**.

Councillor Call for Action

A Councillor Call for Action (CCfA) provides ward members with the opportunity to ask for a discussion to take place at overview and scrutiny committees on issues where local problems have arisen and where all other methods of resolving the issue have been exhausted.

If Members are unable to find a resolution, they will have the option to request that the matter be discussed at a meeting of a relevant scrutiny committee by making a Councillor Call for Action. The process is designed to be a last resort and may not provide an immediate solution.





A CCfA can be requested by any Council Member. Ward councillors will need to exercise their judgement, using this guidance, to decide whether the issue constitutes a CCfA. It is at this stage that Members should be clear that they have explored all avenues for a means of resolving the issue.

If a Member wishes to take forward the CCfA, then a request will need to be completed in writing and will need to cover the following points:

- Description of topic
- Why are you raising this topic?
- Who or what does it affect?
- What has already been tried in order to resolve the issue?
- What outcomes do you think should be possible from discussion of a CCfA on this issue?
- Any other relevant information to support the CCfA request

The CCfA Guidance for Stockton (including the pro forma to submit a call for action) is attached at Appendix 14.

Petitions

The Council's Constitution includes a petitions scheme. Any petition containing a minimum of 50 signatures, presented in either hard copy format or electronically to the Council, will receive an acknowledgement from the Council within 10 working days of receipt and will include details of the timescale for the matter to be determined/considered further by the Council.

If a petition organiser feels that the Council has not dealt with their petition properly, the petition organiser has the right to request that the Council's Executive Scrutiny Committee (or other most appropriate Select Committee if the Executive Scrutiny Committee has already been involved in consideration of the petition) review the steps that the Council has taken in response to the petition. Should the committee determine that the Council has not dealt with the petition adequately, it might use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the full Council. Once the appeal has been considered, the petition organiser will be informed of the results within 10 working days. The results of the review will also be published on the Council's website.

Full details of the Council's petitions scheme can be found on the Council's website at www.stockton.gov.uk/yourcouncil/egenda/petitionscheme/





Equality Issues

The Council's Single Equality Scheme states that:

"We will achieve equality of opportunity by removing direct and indirect discrimination wherever it exists. We recognise that people may be disadvantaged because of their: age; gender; race, colour, ethnic, national, cultural or social origin; disability; religion and belief, or non belief; marital status, family circumstances, or caring responsibilities; sexual orientation; class, level of income, or housing circumstances; or a variety of other circumstances and actively work to reduce and ultimately eliminate this advantage."

An Equality Impact Assessment (EIA) is a tool to enable individuals and services to think carefully about and measure the impact that procedures, policies and strategies will have on all its service users and whether they are likely to have a positive or negative impact across the six diversity strands:

- Age
- Faith
- Race
- Disability
- Gender
- Sexual Orientation

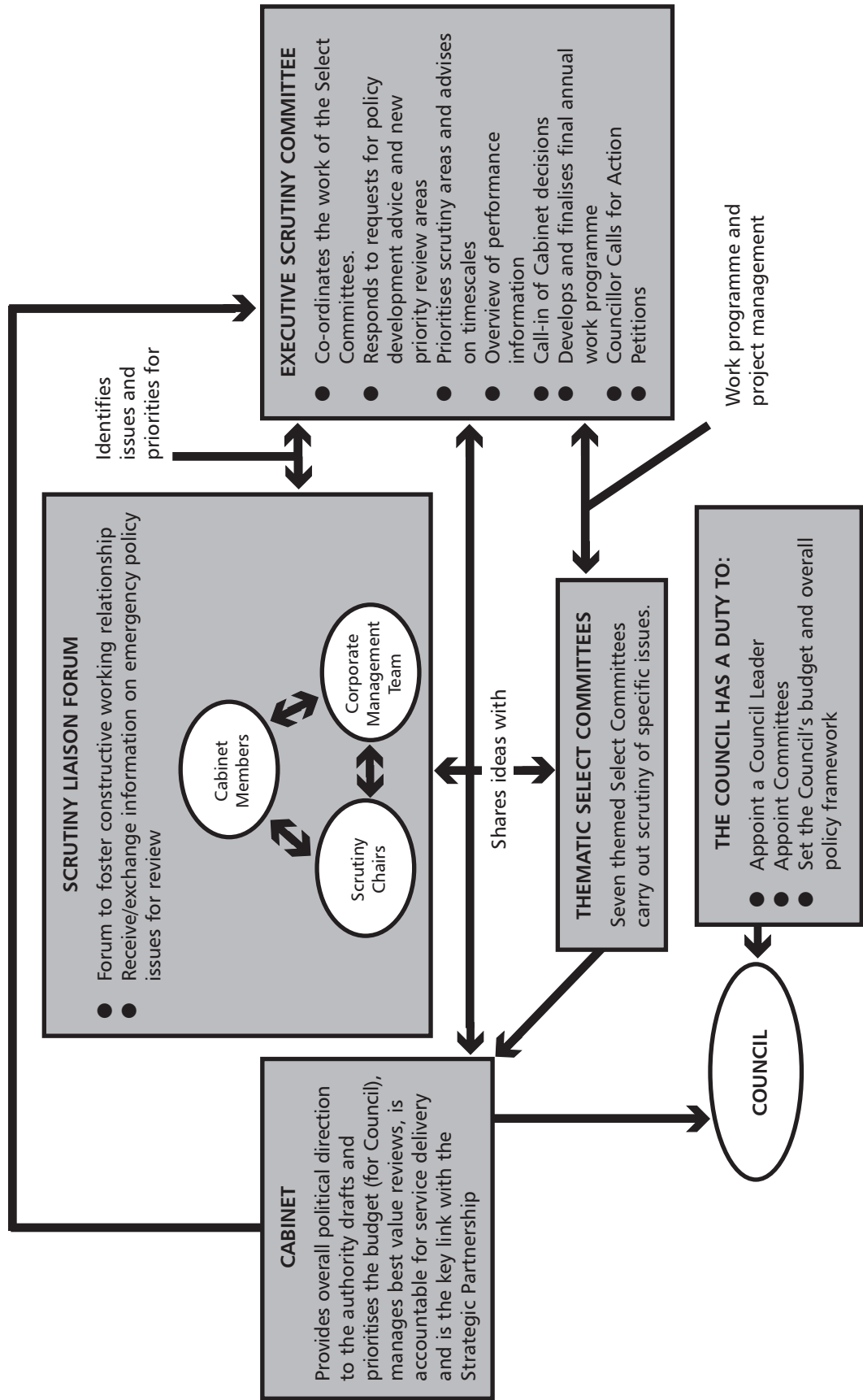
The impact of scrutiny is invariably beneficial to achieving improvements for equalities especially in relation to the role of scrutiny in policy development. As part of the planning and preparation for scrutiny reviews, Scrutiny Officers will consult with the Diversity Team to identify whether there are any likely equality issues which would need to be taken into account during the review process and seek advice on how best to consult and engage with particular groups through the scrutiny review.

Where Equality Impact Assessments exist for a particular policy or function under review, these will be provided to Select Committees for scrutiny. Where Equality Impact Assessments do not exist they will be completed as part of the Select Committee's work.





Stockton-on-Tees Borough Council – Political arrangements and responsibilities





The Committee Structure

Structurally, scrutiny in Stockton takes the following form:

- The Executive Scrutiny Committee (see **Appendix 4** for main tasks)
- The Scrutiny Liaison Forum (See **Appendix 5** for main tasks)
- Seven Select Committees, the functions of which are described below (see **Appendix 6 and 7** for main tasks)

Executive Scrutiny Committee

The Executive Scrutiny Committee has an overview and co-ordination role, particularly in relation to the overall work programme of the scrutiny section. Some of the other key tasks of the Committee include:

- taking input on suggested areas for scrutiny work
- co-ordinating the scrutiny work programme, managing any changes in year (i.e. between annual meetings) and ensuring no duplication of work
- responding to requests for policy development advice raised by Cabinet
- responding to new priority review areas
- prioritising potential scrutiny areas and advising on timescales
- determining how any new priority reviews will be resourced in the year
- overview of performance information to inform the scrutiny work programme
- responsible for dealing with 'call-in' of Cabinet decisions (See **Appendix 2** for further information)
- determining the validity of Councillor Calls for Action (See **Appendix 14** for further information)
- consider valid petitions requiring Council Officers to give evidence
www.stockton.gov.uk/yourcouncil/egenda/petitionscheme/

Scrutiny Liaison Forum

The Scrutiny Liaison Forum is a meeting of the Cabinet Members, Select Committee/Executive Scrutiny Committee Chairs, and the Corporate Directors. The purpose of the forum is to identify possible areas for future scrutiny reviews. The Forum will receive briefings from Cabinet Members, Corporate Management Team and Executive Scrutiny on emerging policy development areas, in addition to considering any special issues that require scrutiny. This forum will undertake appropriate liaison with the Executive Scrutiny Committee to enable the development of the scrutiny work programme.





Select Committees

- Arts, Leisure and Culture Select Committee
- Children and Young People Select Committee
- Corporate, Adult Services and Social Inclusion Select Committee
- Environment Select Committee
- Health Select Committee
- Housing and Community Safety Select Committee
- Regeneration and Transport Select Committee

The seven Select Committees in Stockton Borough Council are responsible for undertaking the majority of policy review and development work, and whilst each of the Select Committees has specific functions, they do share a general role, which is to:

- Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions
- In accordance with the terms of the Constitution, make reports and/or recommendations to Cabinet or full Council in connection with the discharge of any functions
- Consider any matter affecting the area or its inhabitants

Select Committees undertake much of this work through the production of **scrutiny reviews**.

Select Committees usually review topics falling under their theme, however, the Council's Constitution does give Executive Scrutiny Committee the flexibility to allocate other issues to Select Committees in order to ensure that key priorities are addressed.

Membership of Committees

The Council are responsible for deciding which Committees are to be created and for appointing the Councillors (including the Chairs) to each Committee. Each Select Committee has 9 Members, including a Chair and Vice-Chair, who are not members of the Cabinet and who are not all members of the same political party, but are proportionally politically representative of the Council as a whole.

Membership also includes 2 Parent Governor Representatives and 2 Diocesan representatives with voting rights when considering education matters.





A 'quorum' (the minimum number of Committee members who can meet and take decisions) is a third of the membership of the Committee, which is a minimum of three elected Members. The quorum is five on Committees where education matters are under consideration.

What is the status of the Select Committees?

The Committees act in an advisory capacity, reporting to Cabinet on their findings. As with the Executive Scrutiny Committee, they do not have any delegated powers. Both Executive Scrutiny Committee and Select Committee meetings are held in public unless there is any information considered to be of a confidential or exempt nature.

What are the roles of Committee members and how are they supported?

Appendix 8 illustrates the roles and responsibilities of Members and the support provided by officers.

The Scrutiny Team has an overall role of providing support to Scrutiny Committees which will add value to the Council's services and benefit the community.

'Witnesses' are those invited to attend a Committee to provide data and information etc, to help in the process of scrutinising the issue under investigation. Witnesses may be officers of the Council or its Members or relevant people from outside the Council such as partner organisations or experts in a particular field.

Issues which fall within the remit of more than one Select Committee

Where an issue falls within the remit of more than one Select Committee, the Executive Scrutiny Committee will decide whether a single Select Committee should take primary responsibility for the item, or whether a work-sharing arrangement between a number of Committees would be more appropriate.





Health Scrutiny

Legal Framework

The Health and Social Care Act 2001 (now superseded by the NHS Act 2006) introduced the concept of health scrutiny. This provided certain councils with the ability to review local NHS services through their nominated Health Overview and Scrutiny Committee (HOSC). These powers and the relevant duties imposed on NHS bodies are summarised as follows:

- Local authorities with social services responsibilities are required to establish a health scrutiny committee with the role of reviewing local health service matters, and making reports and recommendations to NHS bodies as appropriate;
- NHS Trusts have a duty to provide health scrutiny committees with information on the planning and provision of health services, and to attend meetings as required;
- NHS Trusts are required to consult health scrutiny committees on substantial developments and variations to services that affect local residents;
- NHS Trusts have a duty to respond to reports and recommendations from health scrutiny committees within certain timescales (28 days if response required);
- Health scrutiny committees are able to delegate health scrutiny powers to other authorities including District Councils, to co-opt from other local authorities, and to undertake joint scrutiny with other local authorities (NB. a joint committee must be formed in certain circumstances, ie. when a proposed substantial variation affects more than one local authority area).

Role of Health Select Committee

At Stockton, the Health Select Committee undertakes the role of the health scrutiny committee. In addition to maintaining an overview of and reviewing local NHS services, the powers of health scrutiny provide for a real opportunity to examine health inequalities, in order to seek to improve health outcomes for local people. Past reviews have looked at dental health and the impact of excess alcohol consumption in the Borough.

HOSCs also have the right to include a statement of assurance in the Quality Accounts that are produced by local health provider Trusts. Quality Accounts are an annual report on a Trust's priorities for quality improvements, and a review on progress against the previous year's priorities.

Health scrutiny committees work closely with Local Involvement Networks, or LINKs. Stockton-on-Tees LINK is an independent group of people who have an interest in health and adult social care services and gives them a chance to influence how they are run. Regular communication takes place between the Health Select Committee and the LINK.

Information on the work programme of the Committee and copies of final reports can be found at www.stockton.gov.uk/scrutiny





Health Consultations

Section 244 of the NHS Act 2006 governs how health scrutiny must be involved in consultation on any proposals to make a substantial variation to local health services.

In response to a section 244 consultation, the Health Scrutiny Committee must consider:

- Whether, as a statutory body, the scrutiny committee has been properly consulted;
- Whether, in developing the proposals for service changes, the health body concerned has taken into account the public interest through appropriate patient and public involvement and consultation;
- Whether a proposal for change is in the interests of the local health service

Should the health scrutiny committee not feel that these conditions have been met, the committee is able to refer the matter to the Secretary of State, or the Independent Regulator, Monitor, in the case of Foundation Trusts.

Where proposals for a substantial variation to services affect more than one local authority area all affected Local Authorities must establish a Joint Scrutiny Committee to respond to the consultation.

When a joint committee is established the individual local authority scrutiny committee loses the right to consider the proposal unless it needs to exercise the power of referral to the Secretary of State for Health following the joint committee process.

Representatives on joint HOSCs must be politically proportional to the membership of their local authority unless all authorities agree to waive the requirement. As with other forms of scrutiny, Cabinet Members are excluded from serving on joint health scrutiny committees.

Section 242 of the NHS Act 2006 is also relevant. This places NHS Trusts under a general duty to involve and consult local patients and public in the planning and operation of health services. It is generally accepted as good practice that scrutiny committees will also be kept up to date with local developments, and not just those that are considered 'substantial'.

Further guidance on substantial variations, and the operation of joint committees in this scenario, is available from the Scrutiny Team.

Joint Working

Members also regularly participate in two discretionary joint health scrutiny committees.

The **Tees Valley Health Joint Scrutiny Committee** comprises three Members from each of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland, and Stockton Councils.

A number of health services are now provided at a Tees-wide level, and the Committee also allows for issues common to all to be investigated, for example cancer screening.





The **North East Regional Joint Health Scrutiny Committee** is made up of one Councillor from each of the North East's twelve local authorities and meets as a minimum twice a year. The Committee maintains an overview of regional services for example the North East Ambulance Service, responds to relevant consultations on behalf of the region, and is able to investigate issues of regional concern.

The Chair of the Health Select Committee is the Council's representative on the Regional Joint Committee.

Both these Joint Committees are discretionary but may be able to consider consultations on substantial variations should a proposal affect all of the member councils.

New Developments

Potential changes to the roles and responsibilities of the NHS and local authorities mean that councils could have a much greater role in co-ordinating local health services, and a direct responsibility for the provision of local public health services. How councils exercise of this role will need to be overseen and monitored by the health scrutiny function.





Therefore there is wide scope for your work as a Councillor to have an impact on improving health outcomes. Within the scrutiny function, alongside Health Select Committee, Members on the all thematic Committees have a role to play. For example:

Arts, Leisure and Culture	reviews local cultural and leisure services, including the operation of Tees Active, an independent trust set up to manage the Borough's leisure centres.
Children and Young People	examines services such as youth clubs and social care
Environment	considers matters related to the built and natural environment
Regeneration and Transport	looks at issues include employment and sustainable travel
Housing and Community Safety	work includes local housing providers and partners including the police
Corporate, Adult Services and Social Inclusion	examines issues including the needs of older people, and other specific groups in the Borough

Community Advocate

As community leaders, Councillors are ideally placed to know the health needs of the local population and to identify priorities for the local area.

Policy Development and Decision Making

Cabinet and Council agree the strategies that direct the Council's business. In partnership with other local bodies, the Sustainable Community Strategy and documents including the Joint Strategic Needs Assessment are produced and identify the health and wellbeing needs of the Borough. Councillor representation forms an important part of this process.

As an employer

The Council is a major employer within the Borough, and a healthy workforce will contribute to the Borough's overall health as well as maintaining high standards of service delivery.

Workplace health initiatives can have a wider impact as staff act as advocate both in terms of their day-to-day role, and the participation in the community as residents.





Skills for Scrutiny

Scrutiny in Context

Scrutiny Committees operate in a very different way to traditional committees and there is now a clear responsibility for Members to set the agenda.

Members are required to assess and probe, to question and 'dig beneath the surface'. There will therefore be the expectation that Members will be skilled in questioning and listening, in analysing evidence and data and be conversant with Performance Indicators, comparative data and financial processes. Members may be guided by Officers who will provide technical input and project management support.

Openness and Inclusivity

Scrutiny processes should be open and inclusive – that is, working for and with community agencies and partners to achieve common goals. Members should be prepared to receive information 'raw' from users in the community, or from questionnaires, 'mystery shopping' or other forms of consultation.

What skills are required for effective scrutiny?

Below are some of the skills necessary to carrying out effective scrutiny:

- **Chairing Skills (Appendix 9)** – for effective meetings
- **Project Planning Skills** – the ability to plan events to reach the desired conclusion taking into account resources and timescales.
- **Team Working** – getting members of a scrutiny committee or Task and Finish Group working together towards a common goal
- **Questioning Skills** – understanding different types of questions and when each can be used most effectively e.g. the ability to probe for information
- **Listening skills** – genuinely listening to others whose views and opinions may differ from your own
- **Analytical skills** – the ability to review and interpret data and reach conclusions





Development Support available to Members and Officers

As part of their induction programme, all Members will receive both a brief overview of the role and work undertaken by the Council Scrutiny Committees, followed by a basic introduction to the role and functions of scrutiny. This will provide a starting point for them to assess their personal and professional development and support needs to become fully involved and play an effective role within the scrutiny function.

The initial learning needs assessment, conducted on a one-to-one basis with an officer from the member learning and development team (or on-line) enables members to further discuss and identify appropriate training and support mechanisms to fit their individual needs.

Each member will have the opportunity to identify their own Personal Support Programme (PSP) and will be offered the training and development support they require afterwards.

Throughout your term of office the Member Development Officers are happy to have further discussions with you with regard to your professional development needs. As your role within the scrutiny function becomes embedded, you may identify further training to enable you to enhance your role.

For further information relating to personal and professional development, please contact:

Nigel Hart
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How to Develop a Work Programme

There are many activities that scrutiny can undertake and it is vital to prioritise and allocate resources to promote an effective work programme which support the Council's priorities.

The Scrutiny Liaison Forum is held in addition to thematic Select Committees to enable ideas for future scrutiny work to be shared, discussed and passed to the Executive Scrutiny Committee for overall consideration.

It is important to adopt a structured approach when considering issues for the scrutiny work programme.

Points to consider when developing the scrutiny work programme:

- Consider the rationale for each issue for review – check link and value added to corporate priorities
- Use of the Scrutiny Liaison Forum to discuss ideas
- Identify issues for potential policy review and development (eg by taking soundings from your ward/party/partners, etc)
- Consider the resources that would be required
- Refer to budget, audit and inspection reports
- Where appropriate, involve partners, stakeholders and the public
- Allow flexibility to enable topics to be included as they arise
- Priority for topic/issue within overall scrutiny work programme

Input into the Scrutiny Work Programme

The facility exists throughout the year for individual Members and Select Committees to suggest an item for inclusion onto the Scrutiny Work Programme. The Scrutiny Team will log any suggestions received throughout the year. Unless the issue is urgent, all suggested topics will be considered and prioritised together through initial discussion at Scrutiny Liaison Forum prior to agreement of the annual work programme by Executive Scrutiny Committee. Where a matter is urgent, Executive Scrutiny Committee can consider requests mid year. Executive Scrutiny Committee will need to be mindful of the capacity of Select Committees to undertake the work but could consider a task and finish group approach as an alternative.

Suggestions can come from a variety of sources:

- A member of the public could suggest an item via the Council's web site or by contacting the scrutiny team or a Councillor
- Individual Members may submit a suggestion for a scrutiny topic at any time. Prior to Executive Scrutiny Committee agreeing the following year's work programme, all Members are sent a pro forma to complete to propose topics





- Select Committees may suggest a topic at any meeting under the Work Programme item which is a standing item on each agenda
- Key partners are invited to submit suggestions for scrutiny prior to Executive Scrutiny Committee agreeing the following year's work programme
- Corporate Management Team and all Heads of Service are invited to submit suggestions for scrutiny prior to Executive Scrutiny Committee agreeing the following year's work programme. Officers are reminded to feed in any suggestions from staff within their service area

Prioritising the Work Programme

It is important to have a framework to:

- Identify positive contributions to Stockton's corporate priorities and to demonstrate good practice
- Identify possible areas of conflict between key priorities
- Address overlaps and gaps
- Maximise benefits

It should add value by:

- Allowing transparency during the scrutiny process
- Stimulate dialogue and debate
- Generate new ideas
- Encouraging "joined up" thinking
- Increasing awareness of issues

In order to help with prioritising suggestions, Members and officers are asked to complete a pro forma which asks for a summary of the issue, key concerns and outcome for scrutinising the topic. The pro forma also asks for an assessment of the public interest justification, likely impact of the review, current performance and whether other reviews are known to be planned in this area. Based on the information provided, the scrutiny team score suggestions. The score is not binding but merely a tool to help with prioritisation of topics. Where a suggestion is received from a member of the public or external body, the scrutiny team will complete the pro forma. A copy of the pro forma and guidance is attached at **Appendix 3**).





Carrying out a Scrutiny Review

Scrutiny sets aside party politics and concentrates on getting a balanced view of the issues in question, presenting a fair and unbiased report on the outcomes and making recommendations which are in the best interests of the community served.

Once topics for the work programme have been agreed, the thematic Select Committees are able to begin the business of detailed planning for the scrutiny review.

Taking a project management approach will ensure effective working and clear outcomes which add value to service delivery and policy development

The key identifiable stages of a scrutiny review (**also see Appendix 10**) are as follows:

- Stage 1** Identifying an issue/topic for review.
- Stage 2** Agreeing the scope and developing the project plan for the scrutiny review
- Stage 3** Gathering evidence
- Stage 4** Reporting
- Stage 5** Feedback, evaluation and monitoring

Stage 1 Identifying an issue/topic for review

This process is usually kick-started by the Scrutiny Liaison Forum, which is attended by the Scrutiny Chairs, Cabinet Members and members of the Council's Corporate Management Team, who will work to ensure that any issue identified is a corporate priority. Appropriate issues may therefore be identified through the following sources:

- Corporate priority areas, as identified within the Community Strategy or Council plan
- Issues arising from items included in the Authority's Forward Plan
- Cabinet/Council requests
- Issues identified by Members (perhaps through ward surgeries, complaints from constituents, etc)
- Identification of poor performing services or where there is a high level of public dissatisfaction (identified through resident surveys, consultation exercises, levels of complaints, etc).
- Topical issues (perhaps the subject of media attention or public concern)
- Issues raised by external inspection and/or audit





Once issues have been identified, they are reported back to Executive Scrutiny Committee who will make a final decision on the number of topics to be reviewed in the municipal year and allocates the reviews to thematic select committees.

The Executive Scrutiny Committee undertakes a work programme co-ordination role to ensure that topics are not duplicated by more than one policy select committee.

Stage 2 Agreeing the Scope and developing the scrutiny review

Following agreement of an issue for review, work can commence on agreeing the scope and terms of reference for the review. At this stage consideration should be given to the following factors:

- Setting clear and realistic objectives
- Identifying information requirements, which may include research information, performance indicator information, financial information, legislative requirements and best practice information
- Identifying evidence required
- Identifying participants in the review (individuals from whom the Committee would like to obtain evidence) and in what form the evidence should be presented (e.g. written report, oral presentation)
- Establishing the review methodology (e.g. meetings, working groups, visits, presentations, 'mystery shopping')
- Establishing the degree of consultation that will be required and appropriate consultation techniques
- Setting the time-scale for the review – including identifying how the outcomes of the review will feed into the planning framework (e.g. the Medium Term Financial Planning cycle)
- The extent of Officer support required

The draft scope and project plan will be discussed at a Tri-partite Meeting before the Select Committee confirms it and commences the review.





Stage 3 Gathering Evidence

Members of the Select Committee will determine the information and evidence needed for the purposes of the review, and Scrutiny Officers will co-ordinate submission. Information/evidence may be required from a wide range of sources and could include:

- **Written evidence/information** – This may be provided by relevant Council Officers, Members, stakeholders, representatives from the public or private sector organisations or statutory organisations, academic or ‘specialist’ witnesses
- **Oral evidence** – Which can be obtained from a wide range of sources, including service users and service providers
- **Consultation** – This can include questionnaires, surveys, public meetings, focus group sessions and consultation via ‘Viewpoint’ (Stockton’s Residents Panel)

Evidence received by the Committee should be carefully examined, discussed and debated to allow the Select Committee to agree its recommendations. The Chair’s role is key here in ensuring all have an opportunity to participate and to achieve a consensus. It is also important that evidence is “triangulated” to achieve a balance of views.

Stage 4 Reporting

Once all appropriate evidence has been collected, a Committee is in a position to make recommendations in relation to the issues being scrutinised. An important aspect of this process is that any resulting recommendations should be SMART, an acronym meaning:

- Specific
- Measurable
- Achievable
- Realistic
- Timely

It is most important, though, that the recommendations are evidence-based, and relate to and result from the information and evidence provided. A further Tri-partite Meeting is arranged to discuss the draft recommendations.

Once the Committee agrees its recommendations, the Scrutiny Officer will draft a report based on the findings and recommendations. The draft report will be circulated for consultation with review participants prior to presentation to Cabinet/Council. The Chair of the Committee will present the report to Cabinet.





The scrutiny report should follow a standard reporting format that is:

1. Foreword
2. Acknowledgements
3. Select Committee membership
4. Original Brief, taken from the Scoping Document
5. Executive summary including recommendations
6. Introduction
7. Background – local and national picture, including facts and figures, performance information, comparators and survey trends to set the context
8. Evidence/findings – including who was consulted and summarising the evidence provided by them
9. Conclusions – Following analysis of the evidence, what conclusions can be drawn? Theme if necessary and appropriate
10. Recommendations (if not contained in main evidence/findings section)
 - a. Should support and address the original issue/topic
 - b. Should support improving/developing service/policy
 - c. Should support effective use of resources
 - d. Should support delivery of efficiency gains
 - e. Should support delivery of value for money
11. Appendices





Stage 5 Feedback, Evaluation and Monitoring

The scrutiny process will not end with the presentation of the final report and Members will need to build into their project planning exercise measures to:

- Feedback the results of the review to participants, such as service providers, witnesses, consultees, etc
- Evaluate the effectiveness of the review process
- Monitor the outcomes of any recommendations that are implemented as a result of the scrutiny process.

Feedback

The review will need to establish the key messages linked to the recommendations that are to be fed back and who, how and where they will be fed back.

Evaluation

Immediately at the end of the review, an evaluation will provide a learning opportunity for Members and Officers by addressing the following questions, to be presented to the Executive Scrutiny Committee, who will pass experiences on to all Select Committees:

- What went well and what did not go well?
- Were the objectives achieved?
- Was the necessary information available?
- Were appropriate witnesses interviewed?
- Will the recommendations be acted upon?
- Will it make a difference?
- How effective was the communication and consultation with partners and the community?
- Did Members have the right skills?





Monitoring

The Committee should also undertake monitoring of its recommendations after Cabinet/Council have endorsed the report and an appropriate period of time has passed. This should assess whether or not recommendations are being acted upon and help evaluate the impact the scrutiny review has had. This will contribute to the Annual Scrutiny Report.

Following approval of recommendations, the relevant departmental link officer, in consultation with the relevant Cabinet Member, will draw up an action plan briefly setting out how the decision will be implemented, including any success measures and timescale for implementation.

The Action Plan will be submitted to the relevant Select Committee within one month of the approval of recommendations or the next available date, and will enable the Select Committee to schedule a date to receive a report reviewing progress.

The relevant link officer, in consultation with the relevant Cabinet Member(s), is responsible for collating the report on progress to the Select Committee at the appropriate time. The Link Officer/Cabinet Member states their view of where progress currently lies. The relevant Cabinet Member and relevant link officer will attend the meeting of the Select Committee to discuss progress in relation to the recommendations.

If the Select Committee does not agree with the view of the Cabinet Member on progress, the Select Committee may need to give further guidance on what will demonstrate achievement and ensure that this is clearly understood. The final arbiter as to the status of a recommendation where there is a disagreement between the Select Committee and Cabinet/officer view will be the Executive Scrutiny Committee/Council (ultimately).

There may be instances (particularly with older recommendations) where the Select Committee may take the view that other developments now supersede the need to achieve the recommendations. Where, as a result of the review process, further issues or concerns emerge, these issues will be recorded and brought to the attention of the Executive Scrutiny Committee who will decide whether they warrant further review work.

The Executive Scrutiny Committee will also receive a regular overview on the implementation of previous recommendations across the Scrutiny function.

Following the initial report on progress in respect of review recommendations, further reports will be submitted to Select Committees on a quarterly basis in respect of progress against recommendations not signed off by the Select Committee as complete.





Where recommendations are subject to approval and implementation by external bodies, the body concerned will be encouraged to report back to the Select Committee as set out in this process.

Where recommendations are not approved by Cabinet or other approving body, a record will be kept of all these recommendations and the performance of the service will be reviewed by the Executive Scrutiny Committee as part of the work programme setting process.





Scoping and Developing the Scrutiny Review Proforma

Scrutiny Chair/Project Director:	Contact details:
Scrutiny Officer/Project Manager:	Contact details:
Departmental Link Officer:	Contact details:
1. Which of our strategic corporate objectives does this topic address?	
2. What are the main issues?	
3. The Thematic Select Committee's overall aim/ objectives in doing this work is:	
4. The possible outputs/outcomes are:	
5. What specific value can scrutiny add to this topic?	





6. Who will the Committee be trying to influence as part of their work?	
7. Duration of enquiry?	
8. What category does the review fall into?	
Policy Review	Policy Development
External Partnership	Performance Management
Holding Executive to Account	
9. Extra Resources needed? Would the investigation benefit from the co-option of an "expert" witness?	
10. What information do we need?	Primary/new evidence/information
Secondary Information (background information, existing reports, legislation, central government documents, etc.)	
Who can provide us with further relevant evidence? (Cabinet Member/portfolio holder, officer, service user, general public, expert witness, etc.)	What specific areas do we want them to cover when they give evidence?
11. What processes can we use to feed into the review? (site visits/observations, face-to-face questioning, telephones survey, written questionnaire, etc.)	
12. In what ways can we involve the public and at what stages? (consider whole range of consultative mechanisms, local committees and local ward mechanisms)	
13. Diversity – How will we address the six strands of diversity (age, disability, faith and belief, gender, race, and sexual orientation) in order to uphold the Council's Single Equality Scheme?	





Project Plan Proforma

Chair/Project Director Councillor		Contact Details 01642 Email:	
Scrutiny Officer/ Project Manager		Contact Details 01642 Email:	
Departmental Link Officers		Contact Details	
KEY TASK	DETAILS/ACTIVITIES	DATE	RESPONSIBILITY
Scoping of Review	Information gathering		Scrutiny Officer Link Officer
Tri-Partite Meeting	Meeting to discuss aims and objectives of review		Select Committee Chair and Vice Chair, Cabinet Member(s), Corporate Director(s), Scrutiny Officer, Link Officer
Agree Project Plan	Scope and Project Plan agreed by Committee		Select Committee
Publicity of Review	Press Briefing at start of review		Chair, Link Officer Press Officer Scrutiny Officer
Obtaining Evidence			Select Committee
Members decide recommendations and findings	Review summary of findings and formulate draft recommendations		Select Committee





KEY TASK	DETAILS/ACTIVITIES	DATE	RESPONSIBILITY
Tri-Partite Meeting	Meeting to discuss finding of review and draft recommendations		Select Committee Chair and Vice Chair, Cabinet Member(s), Corporate Director(s), Scrutiny Officer, Link Officer
Circulate Draft Report to Stakeholders	Circulation of Report		Scrutiny Officer
Final Agreement of Report	Approval of final report by Committee		Select Committee, Cabinet Member, Corporate Director
Consideration of Report by Executive Scrutiny Committee	Consideration of report		Executive Scrutiny Committee
Report to Cabinet /Approving Body	Presentation of final report with recommendations for approval to Cabinet		Cabinet/ Approving Body





Appendix 1

Guidance - Engaging Members of The Public and external witnesses

The scrutiny process presents the Authority with an exciting and unique opportunity to engage members of the public, partners and stakeholders in its work. Developing ways in which these groups can contribute meaningfully to the scrutiny process is a key task facing the authority.

Members of the public, local authority partners and stakeholders can be involved in the scrutiny process in a variety of important ways. For example, they may provide evidence and information as witnesses, or they can give their views as service users and consultees.

External participants to the scrutiny process might include:

- Voluntary/community sector organisations
- Service providers
- Service users
- Representatives from professional organisations
- Representatives from the private sector
- Experts in the subject area
- Other Council's

External participants and meeting attendance

When external witnesses are invited to participate in the scrutiny process, it is important that they are made to feel welcome and to ensure that they understand the functions and remit of the Committee, the scope of the review in process, the procedures to be adopted and their role in the process. To this end, all external participants are issued with a 'Guide for those attending Select Committees as external witnesses (**Appendix 11**) which was created by the Scrutiny Team for distribution along with the scope and project plan for the review. The Chair of the Committee should also introduce attendees to people present at evidence gathering sessions and provide a brief introduction to proceedings.

The Committee, when arranging the participation of external witnesses, should also be aware of any special needs the witnesses might have, and make every effort to cater for this.





They should also be prepared to collect evidence from witnesses in a variety of different ways. Some external witnesses might be happy to present at a full meeting of the Committee, whilst other consultees might prefer to participate on a one-to-one, or less formal basis.

Committees should also, during the scoping exercise, make every effort to ensure that 'hard to reach' groups are included, as appropriate (i.e. people who are elderly, young people, people with disabilities or sensory loss and people from Black and Minority Ethnic backgrounds).

Venues

Accessibility and informality of venues will be an important consideration. A venue which may be entirely suitable for a formal, traditional meeting, may not be appropriate when attempting to encourage real public involvement.

Some factors to be considered when deciding on an appropriate venue will include:

- Is the venue welcoming and non-threatening to participants?
- Is the venue familiar/well known?
- Is the venue convenient in terms of public transport?
- Is the venue physically accessible? (for example, for people with a disability or people with impaired mobility?)
- Is an induction loop available, where appropriate?
- Is the venue suitable for presentation purposes, where appropriate?
- Time of the meeting?





Publicising the Scrutiny Review

Prior to commencing a scrutiny review, the Select Committee should consider how it might engage the appropriate level of public involvement. Publicity measures 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 Stockton News and in the Staff Newsletter, 'Keeping You in Touch'

To engage a wide range of communities, the Scrutiny Team will also consider:

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

As part of the planning for reviews, the Scrutiny Team will liaise with the Council's communications and consultation teams input into the scope and project plan for reviews.





Appendix 2

Guidance - Calling In Cabinet Decisions

The Call-in Procedure

Call-in is the mechanism which ensures that all non-executive members and persons with voting rights in respect of education matters, such as Parent Governor and Diocesan Representatives, play an active role in scrutinising Cabinet decisions prior to their implementation. It is the process by which the Executive Scrutiny Committee can be convened to consider a decision of the Cabinet.

Decisions that are subject to call-in are:

- Cabinet decisions
- Key Officer decisions
- Key decisions under a joint arrangement with responsibility for an Executive function

Within the terms of the Constitution, a decision may be called-in if it can be demonstrated that the decision was not taken in accordance with the principles of decision making contained within Article 13 of the Council's Constitution. Article 13 sets out the context in which decisions must be made, specifically that decisions must be made with regard to:

- a) proportionality (i.e. that the action must be proportionate to the desired outcome);
- b) due consultation and the taking of professional advice from Officers;
- c) respect for human rights;
- d) a presumption in favour of openness;
- e) clarity of aims and desired outcomes;
- f) an explanation of what options have been considered and giving the reasons for decisions

A request to call-in a decision will only be considered when there is a request from at least six Members of the Council (excluding Cabinet Members); or two Education Representatives with voting rights in respect of education matters.

The Council's Proper Officer is responsible for determining the validity of any Call-in.

The request to Call-in a decision must be made in writing by completion of the prescribed form, which can be submitted to the Proper Officer either in hard copy or via e-mail. Six or more Members or any two Education representatives with voting rights may sign a single copy of the form. Alternatively, individual forms,





including e-mail versions, may be submitted in respect of the same decision provided that the number of signatories amount to at least six Members in respect of each relevant decision (or two signatories in the case of Education Representatives). E-mail requests for call-in will only be accepted on an individual basis. Call-in requests must contain specific details which clearly explain why the Member(s) requesting Call-in consider that the decision has not been taken in accordance with the principles outlined above. At this stage Member(s) should also identify any persons they deem appropriate to invite to a meeting of the Executive Scrutiny Committee to give further evidence, e.g. Cabinet Member.

The request to Call-in a decision must be made within four working days of the publication of the decision (i.e. by 12 o'clock midnight on the fourth day) and each decision can only be subject to the Call-in procedure once.

When the Proper Officer is satisfied that a valid Call-in has been received, the decision in question will be submitted to the Executive Scrutiny Committee for consideration within 6 working days of the expiry of the Call-in period or as soon as reasonably practicable thereafter.

All Members of the Council and appropriate Officers will be notified of the date and time of the Executive Scrutiny Committee meeting. If the Committee does not meet within the specified time period, or meets and does not refer a matter back to the decision making body, the original decision will become effective.

The Role of the Executive Scrutiny Committee

The Executive Scrutiny Committee, upon consideration of a decision which has been subject to a valid Call-in, can take the following actions:

- if the Executive Scrutiny Committee agrees with the decision, it need take no further action and the decision will become effective immediately at the close of the Scrutiny Committee meeting

OR

- if the Executive Scrutiny Committee does not agree with the decision, it may refer it back to the decision making body for reconsideration, providing a statement of reasons for the referral. The Cabinet's reconsideration of the matter, and subsequent decision, (i.e. whether to amend or retract the decision) will be final.

OR

- if the Executive Scrutiny Committee does not agree with the decision and, having taken appropriate advice, it considers the decision is contrary to the Council's policy framework or approved budget/Medium Term Financial Plan, or is not within the Cabinet's remit or powers, it can refer the matter to Council.





To aid its deliberations the Executive Scrutiny Committee may require a Cabinet Member or Members and appropriate Officers to attend meetings to respond to questions relating to the decision.

If the Executive Scrutiny Committee recommends that the matter should be referred back to Cabinet for reconsideration, all Members, including Education Representatives, who signed the Call-in petition, will be invited to the relevant Cabinet meeting.

Joint Arrangements

The Council and / or the Cabinet, in order to promote the economic, social or environmental well being of its area may:

- enter into arrangements or agreements with any person or body
- co-operate with, facilitate or co-ordinate the activities of any person or body
- exercise on behalf of that person or body any functions of that person or body

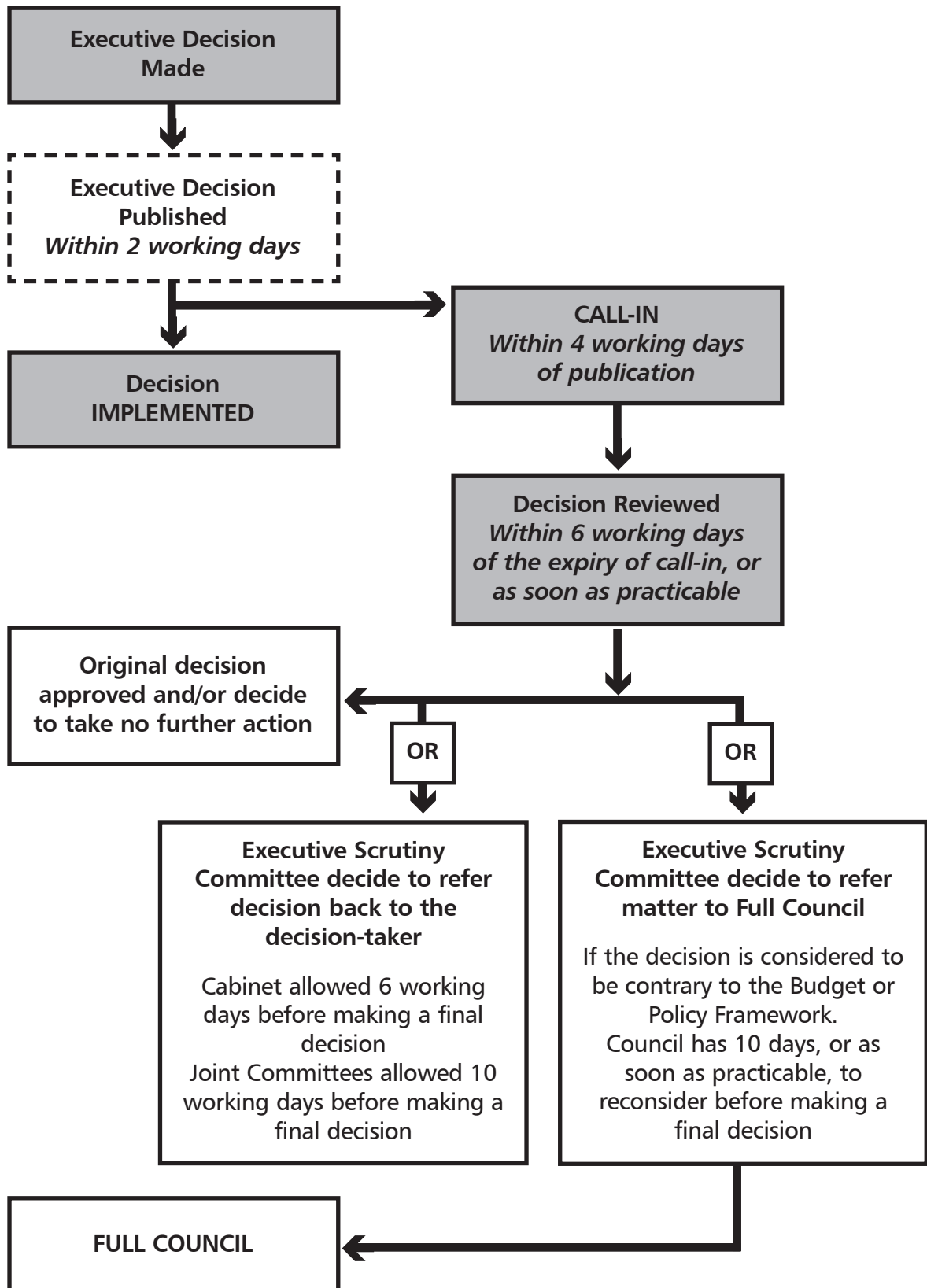
Decisions made under joint arrangements, which involve executive functions, are subject to Call-in via the procedure and within the time-scales outlined above.

Joint arrangements relating to Stockton-on-Tees Borough Council are detailed in Part 3 of the Constitution.





Stockton Borough Council - Call In Process





Appendix 3

Select Committee Work Programme - suggested review and proforma

Summary of issue you wish to be scrutinised, including key concerns and outcome for scrutinising the topic?

NOTE: ENTRIES BELOW RELATE TO ISSUE CATEGORIES OF THE PICK PROCESS. PLEASE REFER TO THE EXPLANATION NOTES TO THIS FORM FOR FURTHER INFORMATION.

Public interest justification:

Impact on the social, economic and environmental well-being of the area:

Council performance in this area if known:

Keep in Context (are other reviews taking place in this area?):

Signed:

Date:





PICK Priority Setting

P for Public Interest

Members' representative roles are an essential feature of Scrutiny. They are the eyes and ears of the public, ensuring that the policies, practice and services delivered to the people of the District, by both the Council and external organisations, are meeting local needs and to an acceptable standard. The concerns of local people should therefore influence the issues chosen for scrutiny. Members themselves will have a good knowledge of local issues and concerns. Surgeries, Parish Councils, Residents Associations and Community Groups are all sources of resident's views. Consultation and Surveys undertaken by the Council and others can also provide a wealth of information.

I for Impact

Scrutiny is about making a difference to the social, economic and environmental well-being of the area. Not all issues of concern will have equal impact on the well-being of the community. This should be considered when deciding the programme of work, giving priority to the big issues that have most impact. To maximise impact, particularly when scrutinising external activity, attention should also be given to how the committee could influence policy and practice. Sharing the proposed programme of reviews with Members, officers and key partners will assist this process.

C for Council Performance

Scrutiny is about improving performance and ensuring the Council's customers are served well. Members will need good quality information to identify areas where the Council, and other external organisations, are performing poorly. There is no shortage of Performance Indicators available and areas where performance has dropped should be our priority.

K for Keep in Context

To avoid duplication or wasted effort priorities should take account of what else is happening in the areas being considered. Is there another review happening or planned? Is the service about to be inspected by an external body? Are there major legislative or policy initiatives already resulting in change? If these circumstances exist Members may decide to link up with other processes or defer a decision until the outcomes are known or conclude that the other processes will address the issues. Reference should also be made to proposed programmes of work in the Council's plans and strategies.





PICK Scoring System

Public Interest: the concerns of local people should influence the issues chosen

Score	Measure
0	no public interest
1	low public interest
2	medium public interest
3	high public interest

Impact: priority should be given to the issues which make the biggest difference to the social, economic and environmental well-being of the area

Score	Measure
0	no impact
1	low impact
2	medium impact
3	high impact

Council Performance: priority should be given to the areas in which the Council, and other agencies, are not performing well.

Score	Measure
0	'Green' on or above target performance
1	'Amber',
2	low performance 'Red'

Keep in Context: work programmes must take account of what else is happening in the areas being considered to avoid duplication or wasted effort.

Score	Measure
0	Already dealt with/ no priority
1	Longer term aspiration or plan
2	Need for review acknowledged and worked planned elsewhere
3	Need for review acknowledged

Each topic will be scored under each category as indicated above. Where a category is not applicable, no score will be given.





Appendix 4 - Executive Scrutiny Committee

Terms of Reference

1. To keep under review the overall effectiveness of the scrutiny process and the select committee structure; to consider how the process and structure can be improved and developed further and to make appropriate recommendations for change to Cabinet and the Council.
2. To receive and consider input from all non-Cabinet Members, Cabinet Members and employees on suggested areas for scrutiny work, including views from the Scrutiny Liaison Forum on emerging policy development review topics and from the thematic select committees, quasi judicial committees/ appeals panels on their priority areas for review.
3. Taking this into account, to consider, prioritise, develop and co-ordinate the scrutiny work programme, ensuring that there is efficient use of the Select Committees' time, that the potential for duplication of effort is minimised and managing any changes in year (ie between annual meetings).
4. To undertake appropriate liaison with the Scrutiny Liaison Forum on policy development issues and future review topics.
5. To receive and respond to requests from Cabinet and/or the full Council for policy development advice and new priority review areas, allocating them if appropriate to one or more of the relevant thematic Select Committees.
6. Within this context, to be responsible for the prioritisation, co-ordination and monitoring of scrutiny work programmes and activities, advising on timescales, liaising as appropriate with each thematic Select Committee and determining how scrutiny reviews will be resourced.
7. Where matters fall within the remit of more than one Select Committee, to determine which of them will assume responsibility for any particular issue, or whether there is a need for joint working, and to resolve any issues of dispute between Select Committees.
8. To maintain an overview of, and to monitor performance information to inform the scrutiny work programme.
9. To "call-in", scrutinise and comment on the Cabinet's executive decisions; the key decisions of the Council's Officers and executive joint arrangements key decisions.
10. To identify the need for and to support and co-ordinate the delivery of overview and scrutiny training for members and co-opted members.
11. Under the Council's Petition Scheme to consider valid petitions requiring appropriate Council Officers to give evidence and to take or recommend appropriate action in accordance with the scheme.
12. Under the Council's Petition Scheme, to carry out a review requested by a petition organiser dissatisfied with the way the organiser's petition has been dealt with by the Authority, unless the Committee has previously been involved in considering the matter. In such cases, the review will be undertaken by one of the Council's Select Committees.





Membership of Committee

A Chair, plus the Chairs of the seven thematic Select Committees together with such other Members as are necessary to achieve political balance.

Two diocesan representatives and two parent governor representatives will be entitled to attend as voting members of the Committee when it is dealing with education matters. The presence of such members on the Committee has no implications insofar as achieving political balance is concerned.





Appendix 5 - Scrutiny Liaison Forum

Terms of Reference

1. To provide a Forum to foster and develop a closer, more constructive working relationship between the Cabinet members, the Corporate Management Team and Scrutiny Chairs and thereby assist in the efficient and effective working of scrutiny and the scrutiny work programme in order to deliver the Council's key priorities and secure added value.
2. To receive briefings from Cabinet Members/Corporate Management Team and Scrutiny Chairs on emerging policy development areas.
3. To consider the current scrutiny work programme position and progress in delivering its aims.
4. To consider and ensure support for the current scrutiny work programme and its delivery.
5. To consider any special issues which may require urgent policy development advice or scrutiny work.
6. To undertake appropriate liaison with the Executive Scrutiny Committee on future policy development issues and review topics.

Membership

To include:

The thematic Select Committee Chairs; the Chair of the Executive Scrutiny Committee; Cabinet Members and the Corporate Management Team.





Appendix 6 - Thematic Select Committees

Terms of Reference

1. To provide the Executive Scrutiny Committee with views on the Select Committee's priority areas for policy development and review insofar as the relevant thematic area is concerned, and any other matter considered appropriate that reflects the corporate priorities.
2. Following liaison with the Executive Scrutiny Committee, to adopt a programme of time-limited scrutiny reviews in relation to specific policy development and review of existing policy as regards the relevant thematic area, and any other matter considered appropriate that reflects the corporate priorities.
3. To monitor and review performance information relating to its thematic area.
4. To undertake a review under the Council's petitions scheme, where a petition organiser is dissatisfied with the way the Authority has dealt with the organiser's petition and has asked for a review, and the Executive Scrutiny Committee has previously been involved in dealing with the matter under the scheme.
5. Within their terms of reference, Select Committees will:
 - (i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
 - (ii) in accordance with the terms of the Constitution, make reports and/or recommendations to Cabinet or full Council in connection with the discharge of any functions;
 - (iii) consider any matter affecting the area of its inhabitants.
6. Within the context of their policy development and review role, Select Committees may:
 - (i) assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
 - (ii) conduct research, undertake community and other consultation in connection with the analysis of policy issues and possible options;
 - (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - (iv) question members of the Cabinet and Senior Officers about their views on issues and proposals affecting the area;
 - (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
 - (vi) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;





- (vii) Question members of the Cabinet and Senior Officers about their decisions and performance, whether generally in connection with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (viii) Make recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process;
- (ix) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address Select Committees and local people about their activities and performance; and
- (x) Question and gather evidence from any person (with their consent).

Annual Report

Select Committees should report annually to the Executive Scrutiny Committee and full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

Membership

All thematic Select Committees will be politically balanced, however committees can set up sub-groups which do not have to be balanced in order to focus on particular tasks.





Appendix 7 - Health Select Committee

1. To provide the Executive Scrutiny Committee with views on the Select Committee's priority areas for policy development and review insofar as health is concerned.
2. Following liaison with the Executive Scrutiny Committee, to adopt a programme of time-limited scrutiny reviews in relation to work in partnership with other organisations on reviewing local health issues and the health service, in particular to review and scrutinise matters relating to the health service in the Authority's area in accordance with regulations under Sections 75 and 244 of the National Health Service Act 2006.
3. To monitor and review performance information relating to its thematic area.
4. To respond to health consultations with the exception of responses to "significant variations"* which will require Council Approval prior to submission to the relevant health body. (*as defined in the NHS Act 2006).
5. To undertake a review under the Council's Petition Scheme, where a petition organiser is dissatisfied with the way the Authority has dealt with the organiser's petition and has asked for a review, and the Executive Scrutiny Committee has previously been involved in dealing with the matter under the scheme





Appendix 8 - Scrutiny Roles and Responsibilities

ROLE	RESPONSIBILITY
<p>Chair – Executive Scrutiny Committee</p>	<p>In addition to carrying out effective chairing responsibilities as identified for Select Committee Chairs, the Chair of the Executive Scrutiny Committee will ensure the overall effectiveness of the scrutiny process and promote further development and improvement.</p> <p>The Chair will promote fairness of opportunity and ensure that each Select Committee receives adequate support for their individual reviews. The Chair, together with the Head of Democratic Services, will prepare and present to Council an Annual Report. In respect of 'call-in' items, the Chair will ensure that constitutional requirements are met and submit any recommendations to Cabinet for consideration.</p>
<p>Member of the Executive Scrutiny Committee</p>	<p>Councillors on the ESC, be they Chairs or Members of Select Committees, will work together to ensure that an appropriate work programme is determined and that reports are presented giving details of alternative scrutiny issues for consideration by the full ESC.</p> <p>Members will assist in determining an appropriate response when considering 'call-in' items to Cabinet.</p>
<p>Chair – Select Committee</p>	<p>The Chair of the Select Committee has a role both as the project director, and as a member of the select committee "team". The key role for the Chair is to act as a broker, negotiator, conciliator and facilitator to ensure that everyone gets the opportunity to make a contribution and that they are heard and considered. The Chair must also ensure that members of the Committee treat individuals with courtesy and not with hostility. The Chair also needs to have planning and project management skills in order to consider and determine what information the Committee is likely to require to enable it to fulfil its role, and to ensure meetings are scheduled to maximise the work programme of the Committee. The Chair will need to determine how the Committee will involve witnesses and consultees.</p> <p>In terms of undertaking reviews, the Chair has to ensure that the objectives of the review are clearly set out and understood, and to ensure that officer support, independent and expert advice is available to the review. Finally, it is the Chair's role to present, an evidence-based report on the outcome of the review for submission to Cabinet.</p>





ROLE	RESPONSIBILITY
Member of a Select Committee	<p>Councillors on select committees cannot be members of the Cabinet, and no Councillor can be involved in scrutinising a decision in which they have been directly involved. Councillors need to make sure that they respect the privacy and confidence of individuals and organisations who are invited to attend to give evidence, and to treat 'witnesses' with courtesy and not with hostility (they are not 'on trial'). Councillors support the chair in getting the work done to ensure evidence-based reviews are undertaken within set timescales and that scrutiny adds value.</p>
Co-opted member of a Select Committee	<p>Co-opted members are representatives of the community who have expressed an interest in being involved in the scrutiny process or who have been invited to participate. They are an important element of the Committee because they bring with them a wealth of knowledge from outside the Council. This serves to broaden the Committee's scope of understanding of some of the issues under review. In addition to these members of the Committee, it is possible for the committee to co-opt members with specific skills, expertise or knowledge, for specific reviews. As it deals with all scrutiny functions relating to education, the Children & Young People Select Committee has specific voting representatives from the Church and parent governors. However, if the Committee is reviewing issues within its remit other than education, these representatives may participate in the meeting, but will not have a vote.</p>
Member of the Scrutiny Liaison Forum	<p>The Scrutiny Liaison Forum is attended by the Scrutiny Chairs, Cabinet Members and Corporate Directors. Members of the forum are responsible for identifying and prioritising emerging policy development review topics and liaising with the Executive Scrutiny Committee on the scrutiny work programme.</p>
Link Officer	<p>The link officer is an officer at managerial level from the department relevant to the remit of the Select Committee. They are not members of the committee but are required to attend each scrutiny Committee meeting. They serve in a signposting role identifying the most appropriate officer in their department to give information and/or evidence on a particular matter. Their role may include supplying "technical" information relevant to the issue under scrutiny, if requested by the committee.</p>





ROLE	RESPONSIBILITY
	<p>This may mean that they are asked to provide written and/or verbal technical reports on the issue under scrutiny, and to provide the relevant documents/information as appropriate.</p>
<p>Head of Democratic Services</p>	<p>The Head of Democratic Services is the Council's designated Scrutiny Officer and accountable for the efficient and effective delivery of scrutiny arrangements in Stockton-on-Tees Borough Council in conjunction with Executive Scrutiny, Scrutiny Liaison Forum and the Thematic Select Committees.</p>
<p>Scrutiny Team Leader</p>	<p>The Scrutiny Team Leader is responsible for the project management of all scrutiny reviews to ensure effective delivery of scrutiny in Stockton-on-Tees Borough Council.</p>
<p>Scrutiny Officer</p>	<p>The Scrutiny Officer provides non-administrative support to each scrutiny Committee in that he or she provides help with defining the annual work programme, suggests research approaches, carries out research as appropriate, provides timetables to enable the Committee to undertake their work programme effectively, assists the Chair in issuing invitations for witnesses to attend the Committee and in drafting the Committee's final report. The Scrutiny Officer also provides liaison with the link officer.</p>
<p>Democratic Services Officer</p>	<p>The Democratic Services Officer provides all administrative support to the Committee, including the taking of, writing up and circulation of minutes within agreed timescales, venue provision and organise the provision of supporting information, such as officer reports.</p>
<p>Internal witnesses</p>	<p>Members of staff and Cabinet members may be asked to attend a Select Committee meeting to provide evidence pertinent to a particular review. Witnesses from within the Council cannot choose whether or not to attend a Committee meeting, although if the proposed date is not convenient it can be re-scheduled. At the meeting, they may be asked to explain any particular decisions or series of decisions they have been involved in, the extent to which actions taken by them (or staff within their remit) implement Council policy, or their own performance and the quality of the work for which they are responsible is carried out.</p>





Appendix 9 - Briefing Note

Chairs/Vice-Chairs

Outlined below is some practical guidance in this key skill area.

Some people dislike meetings. Here are some reasons you will probably recognise and have experienced yourself:

Why people dislike meetings
The purpose is unclear
Wrong participants attending
Failure to start on time
People who cannot put their views properly
Irrelevant talk
Chair does not stick to agenda
Rudeness; personal attacks
One item is allowed to hijack the meeting
Goes on too long
Unclear decision
No decision
Poor or no follow up





How to spot an effective Chair

There are many types of meeting, such as formal committees, public meetings, small group work, conferences, etc, and they all require different types of chairing. Outlined below is a checklist to help you identify a good Chair – try it out at your next meeting.

An effective Chair
Gets obvious pleasure from the group's achievement
Helps to interpret, clarify and summarise
Helps move the discussion on
Gets a result which participants accept as the will of the meeting
Shows commitment to achieving the objective of the meeting
Uses controls to impose the group's will onto anyone diverting or delaying the meeting
Holds respect through impartiality
Is the meeting's server, not its master

Preparation for the meeting

A bit of careful preparation beforehand will make a major contribution to ensuring a meeting runs smoothly and effectively.

Scrutiny Officers will arrange agenda planning meetings for Chairs, Vice Chairs and relevant officers in advance of agendas for meetings being issued.

Agendas

The Chair is responsible for drawing up the agenda for each meeting in advance. Ideally the framework for the next meeting should be set at the end of the last meeting. In this way the Chair can make sure that all Members have an opportunity to contribute to the agenda and to the identification of guest speakers or witnesses.

If Members help contribute to the agenda beforehand, it will encourage them to have ownership of the meeting, and as a result will have a vested interest in getting through the agenda and achieving a positive outcome. Examples of positive outcomes might include:

- Reviewing a topic/service of public interest
- Getting general consensus concerning recommendations for Cabinet
- Good debates which result in conclusions being drawn



Outlined below is a checklist to help you create an effective agenda

Drawing up an agenda		Tick
1	Have all worthwhile items been considered for inclusion?	
2	Are the items arranged in order?	
3	Are there too many or too few items?	
4	Are the items worded clearly?	
5	Do any items need to be grouped with others – e.g. will a decision on one help with a decision on another?	
6	Are the items needing more discussion placed near the start when minds will be fresher?	
7	Will participants be prepared for the discussion it will involve them in?	
8	Do Members need any extra information in support of items?	
9	What documents should you send out with the agenda?	
10	Will the agenda reach all Members in good time – is there enough time to read all the supporting information?	
11	Has the agenda been arranged so that those involved in only one or two items need not be present for the whole meeting?	
12	Is the venue, timing, etc., suitable for those attending?	

To consider during the scrutiny process:

- Providing leadership and direction to the scrutiny process
- Continually ensuring that the work is Member-led
- Engaging all Members of the Committee
- Prioritising the work of the Committee
- Co-ordinating the work with that of other Chairs/Vice-Chairs
- Leading the Committee's preparation and presentation of reports
- Continually reviewing the list of people invited to give evidence, and ensuring that they are invited
- Ensuring that witnesses invited to give evidence have been properly briefed on the process by Scrutiny Officers



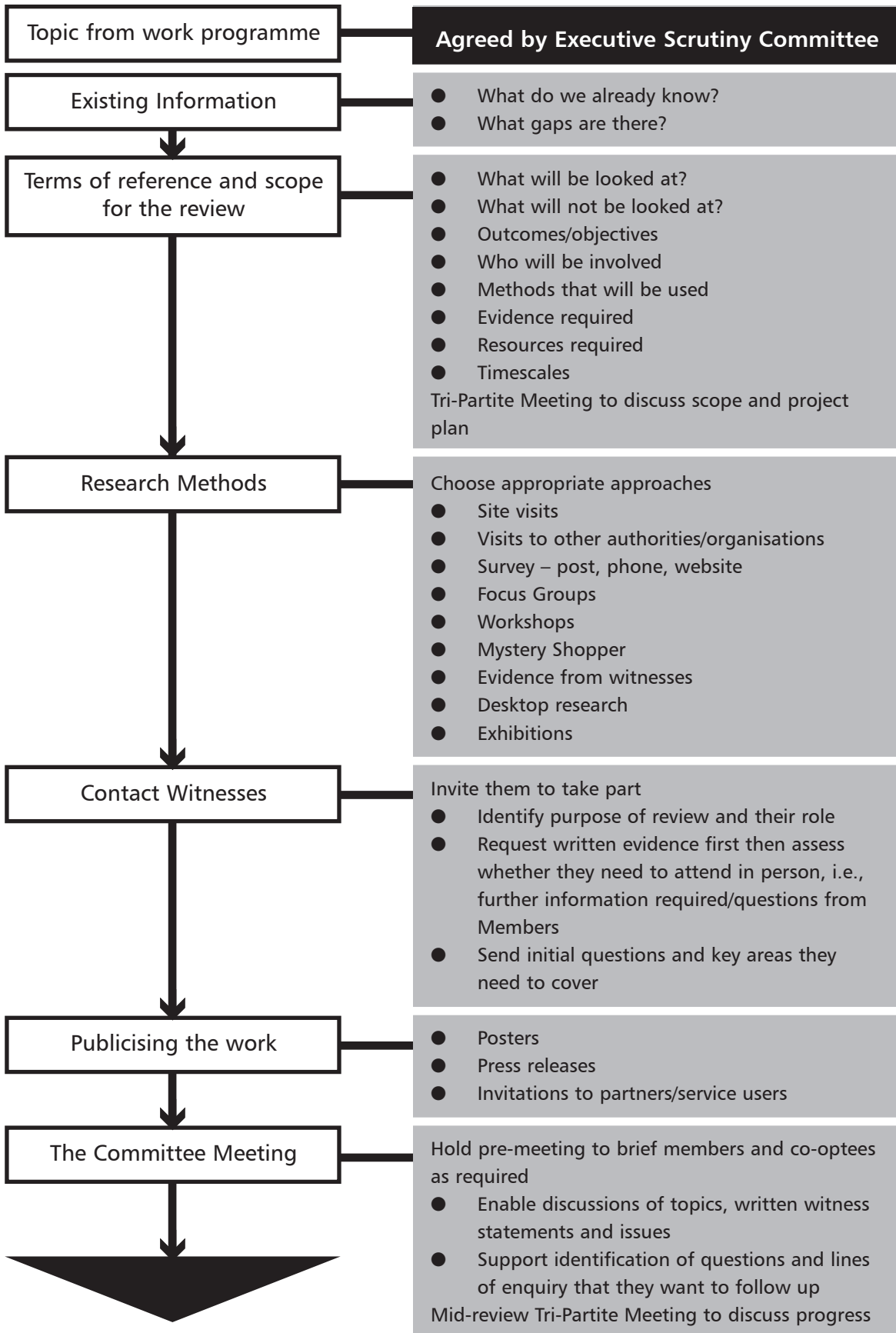
- Ensuring that Officers giving evidence are aware of the new style of working. It should be emphasised that scrutiny Committees are not traditional committees, and therefore not subject to the usual presentation of formal recommendations. Instead, it should be made clear that they are giving evidence, and instead might wish to present 'proposals for consideration'
- Considering your style. Scrutiny should be about understanding, evidence-based investigation and recommendation for improvements. The Committee should not become confrontational or adversarial with people giving evidence
- Giving regular consideration as to whether the Committee is 'on topic'. If difficulties arise, then consult the appropriate scrutiny officer AS SOON AS POSSIBLE

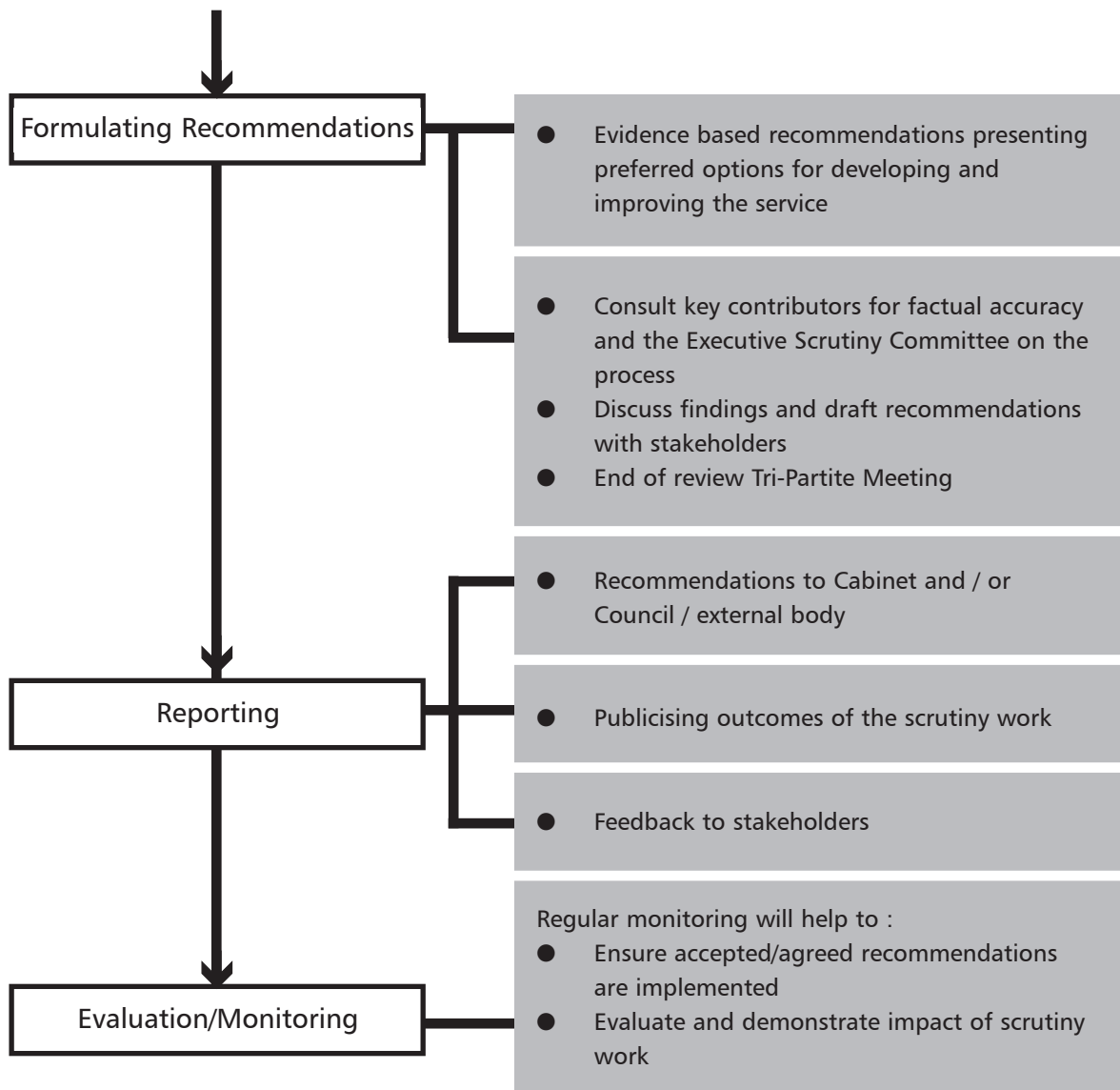
To consider during preparation and presentation of the report.

- Working with the appropriate Scrutiny Officer to decide what will be included in the final report
- BEING SELECTIVE. Don't try to include everything – only the salient points and recommendations.
- Using appendices for evidence rather than including it in the main body of work.
- Presenting clear recommendations – what are you recommending and to whom?
- Making sure that you can substantiate the findings of the Committee. Remember that scrutiny is an evidence based process and the findings and recommendations should reflect this.
- Presenting the report to the Cabinet
- Ensuring that arrangements for monitoring and feedback are in place



Appendix 10 - Stages of A Scrutiny Review







Appendix 11 - Guide for those Attending Select Committees as external witnesses

This leaflet is designed to give guidance to anyone providing information or attending a Scrutiny Committee at Stockton Borough Council.

What is Scrutiny?

Scrutiny helps to ensure that local people receive high quality services and involves using a common sense approach to checking that the Council's services and policies meet the needs of local people according to the Council's own aims and standards. Scrutiny work is carried out by the Council's Select Committees.

Select Committees

The Council has seven themed Select Committees comprising 9 Councillors on each. Parent Governor and Church Representatives are co-opted onto Committees when considering education matters.

Select Committees examine, review and challenge the work of the Council – in essence, a watchdog role. In addition, the Health Select Committee reviews health services provided by the NHS. Select Committees cannot make decisions but make recommendations to the Council and other organisations. The Committees are as follows:

- Arts, Leisure and Culture
- Children and Young People
- Corporate, Adult Services and Social Inclusion
- Environment
- Health
- Housing and Community Safety
- Regeneration and Transport

Depending on the issue with which you are involved, you will be asked to give information to or attend one of these Committees.





Scrutiny Reviews

One of the key ways that Select Committees examine how well services and policies work is through in-depth investigations. Each Select Committee will usually carry out two in-depth reviews each year.

In-depth reviews give the opportunity for Councillors to hear directly from expert witnesses and service users.

Views can be sought in a variety of ways such as site visits by Councillors and by using questionnaires. Often witnesses are invited to attend Select Committees to share their expertise and experiences.

Attending a Select Committee to Provide Information

Meetings are usually held in a Committee Room or other appropriate venue. An officer will meet you on arrival. In the room are Members of the Committee and advisers. Reporters may be present and details of the meeting published in the press.

The Scrutiny Team endeavours to give approximate times for when your item is likely to be discussed. However, as items may run over there may be a short waiting time. The Scrutiny Officer will show you where to sit and assist if there are any difficulties. If you have been invited to attend a Select Committee meeting:

- You will be fully briefed on the background to the scrutiny review by the Scrutiny Officer before the meeting and advised about the information required
- You may be asked to give a short presentation or to provide written material. Councillors will ask questions on the information provided. Sometimes the Scrutiny Officer will be able to give guidance as to the questions Councillors may ask. However, on the day, Members may ask other questions.
- Ensure that written information is clear and concise and avoid jargon and unnecessary technical references
- You may bring an adviser(s) with you to the meeting
- You may be asked to attend for the whole meeting to comment on the evidence of other people attending the meeting
- Meetings are held in public so be careful not to give confidential information either in written documents or verbally
- You can claim reasonable out of pocket expenses

The Committee will hear your views in an impartial manner and without passing comments.





The Council appreciates the time and commitment made by those attending and will show courtesy and respect at all times.

What if I can't answer a question?

This is not a problem. If you are able to supply the information at another time, Members will be pleased to receive it (the Scrutiny Officer will make arrangements with you). If Members ask about information which you are unable to supply because it is not directly related to your areas of expertise or interest, simply explain this to the Committee. If you are able to point Members to another source of information, this will be welcomed.

What happens next?

When the Select Committee has concluded its scrutiny review, a report is drawn up with recommendations. This report is then considered by the Cabinet, the Council's main decision making body or to other organisations where appropriate.

Anyone who has attended a Select Committee to provide information will be sent a copy of the final report and advised of the decision of the Cabinet on the recommendations.

Following approval of recommendations, an Action Plan is drawn up setting out how the recommendations will be implemented.

Where can I find further information?

Please feel free to contact the Scrutiny Team:

Tel: 01642 528158

E-mail: scrutiny@stockton.gov.uk





Appendix 12 - Role of Officers at Select Committee Meetings

Link Officer

For each Select Committee Scrutiny Review there is a designated link officer. The link officer is an officer at senior level from the department relevant to the remit of the Select Committee Scrutiny Review, who work with the Scrutiny Officers to aid the committee in its work. They serve in a signposting role identifying the most appropriate officer in the Council, or appropriate external bodies, to give information and/or evidence on a particular matter. Their role may include supplying “technical” information relevant to the issue under scrutiny, if requested by the committee. The role of the link officer also includes ensuring the Head of Service/Corporate Director is kept informed of the Select Committee’s work throughout the review.

Link Officers are expected to attend every Select Committee meeting during the review, or send an appropriate substitute. The draft minutes of each meeting will be sent to the link officer for them to check for factual accuracy. The Committee will produce a final report at the end of a review; this will be compiled by the Scrutiny Officer. A copy of the draft version will be provided to the Link Officer for comments.

Link Officers are also expected to also attend tripartite meetings, which take place at the beginning of the scrutiny review, midway, if it is a long review, and the end of the review. The Chair, Vice Chair, Cabinet Member, Corporate Director and Scrutiny Officer also attend these meetings. At the first tripartite meeting the scope and project plan for the review is discussed. The Link Officer’s role is to advise on the scope and project plan, and recommend possible witnesses and documentation to gather evidence from. The draft scope and project plan is subject to discussion and confirmation at the first Committee meeting of the review. At this first meeting, it is sometimes appropriate for Link Officers to give a presentation to the Committee in order to provide an overview of the subject under discussion.

If a tripartite meeting is scheduled to take place mid way through the review, this meeting is used to assess the progress made and the way forward with the review. The final tri partite meeting is where the findings and draft recommendations of the review are discussed. The link officers’ role at this meeting is to answer from a service perspective any technical issues raised including the practicalities of implementing the proposed recommendations.

Following a review, recommendations that have been agreed by Cabinet (or relevant body) are subject to the monitoring process. It is the Link Officer’s responsibility to draw up an action plan for the implementation of the recommendations, with target dates, in conjunction with relevant officers, and in consultation with relevant Cabinet Members. The Action Plan is considered by CMT and then reported to the Select Committee by the Link Officer at the earliest opportunity

The Link Officer is required to co-ordinate the implementation of the action plan with relevant officers and report back to the committee with an initial Progress Report, with the Cabinet Member also in attendance. This is usually 6 months after consideration of the Action Plan. Select Committees are then provided with further Progress Updates





on progress of all outstanding recommendations, as part of the committees' quarterly monitoring cycle until all recommendations have been fully implemented. The Scrutiny Team will request information from the Link Officer for these Updates, but attendance at Committee meetings will not usually be required at this stage.

Internal Witnesses

In addition to the designated Link Officer, members of staff and cabinet members may be asked to attend a select committee meeting to provide evidence pertinent to a particular review. These officers will be identified by the Link Officer when the scope and project plan is being discussed at the tri partite meeting, or at the initial Committee meeting. Witnesses will be given an outline of the review and given initial questions and key areas that they need to cover in their evidence. In addition, officers may be identified during the review if an issue arises that has not been considered at preparation stage and further evidence is needed.

Witnesses from within the Council must attend, although if the proposed date is not convenient an alternative date may be sought. At the meeting, they may be asked to explain any particular decisions or series of decisions they have been involved in, the extent to which actions taken by them (or staff within their remit) implement council policy, or their own performance and the quality of the work for which they are responsible is carried out. Witnesses will receive draft minutes of the meeting to check for accuracy.

Advice for Officers Attending Select Committees

Before the meeting:

- Collect the key information you need in good time. Scrutiny Officers will advise you when the information will need to be provided prior to the despatch of committee papers
- Look carefully at the list of questions if provided and ensure that you do not promote your own views about the issue.
- Refer to terms of reference for the issue under review when considering responses to questions
- Do not assume that committee members have specialist knowledge. Ensure that evidence given, particularly of a technical nature, is easy to understand.

At the meeting:

- Check Members' understanding
- If you can't answer a question, offer to supply the information at another time or direct the Committee to a more appropriate source
- Offer any other information that might be useful to the Committee
- Provide handouts so that key data can easily be used as evidence later

Remember that information given to Select Committees is made publicly available so be careful how you express your views both in written documentation and verbally.





Appendix 13 - Monitoring: Action Plan and Progress Report proformas

1. Scrutiny as a function, needs to track progress to:
 - Ensure that agreed recommendations are implemented
 - Measure what has been achieved as a result of the scrutiny recommendations - a fundamental part of the performance monitoring for scrutiny

2. Following approval of recommendations, the relevant link officer, in consultation with the relevant Cabinet Member, will draw up an action plan briefly setting out how the decision will be implemented, including any success measures and timescale for implementation. The Action Plan will be in the format set out below:

Recommendations	Proposed Actions	Success Measures	Responsibility	Date

3. The Action Plan will be submitted to the relevant Select Committee within one month of the approval of recommendations.

4. Quarterly reports are then considered by the Committee

5. The relevant link officer, in consultation with the relevant Cabinet Member(s), is responsible for collating the report on progress to the Select Committee in the format set out below:





Recommendation, Responsibility	Anticipated Date for completion	Evidence of Progress	Assessment of Progress (Categories 1-4)
Details of the recommendations agreed by Cabinet, including the responsible person and date for completion.		<p>Evidence to support the achievement of the recommendation or the current position.</p> <p>This evidence should be in as a concise a form as possible and refer back to the original action plan and success measures.</p>	<p>The category that the recommendation is considered to be within.</p> <p>The specified category will be confirmed after discussion with the Select Committee at the progress meeting.</p>

6. The reports monitoring the recommendations from EIT reviews includes a section for officers to state financial savings and HR implications.
7. The Link Officer/Cabinet Member states their view of where progress currently lies according to the criteria set out in the following categories:

1. Achieved (Fully)	The evidence provided shows that the recommendation has been fully implemented within the timescale specified
2. On Track but not yet due for completion	The evidence provided shows that implementation of the recommendation is on track but the timescale specified has not expired.
3. Slipped	<p>The evidence shows that progress on implementation has slipped.</p> <p>An anticipated date by which the recommendation is expected to become achieved should be advised and the reasons for the delay.</p>
4. Not Achieved	<p>The evidence provided shows that the recommendation has not been fully achieved.</p> <p>An explanation for non achievement of the recommendation would be provided</p>





Appendix 14 - Councillor Calls for Action (CCfA) Guidance for Members

1. This guidance is intended to help Members understand the process surrounding Councillor Calls for Action, and outlines guidelines that should be used to determine the validity of a CCfA request. Also included is a copy of the form that should be used to submit a request.
2. Councillor Calls for Action have been introduced following legislation, specifically the Police and Justice Act 2006, and the Local Government and Public Involvement in Health Act 2007, that allows for Councillors to be able to refer matters of local concern to overview and scrutiny committees.
3. The IDeA and Centre for Public Scrutiny (CfPS) have produced national best practice guidance and copies of this are available from the Scrutiny Team and on the intranet. This document is based on the national guidance, however the guidance is not intended to be prescriptive and therefore has been adapted to suit local needs.

Introduction

4. Councillor Calls for Action provide ward members with the opportunity to ask for a discussion to take place at overview and scrutiny committees on issues where local problems have arisen and where all other methods of resolving the issue have been exhausted.
5. Ward councillors already play a key role in their communities and CCfAs are intended to improve their ability to act as champions for local concerns.
6. CCfA should be viewed within the context of the wider changes to local authorities, scrutiny and partnership working. The increased powers of overview and scrutiny functions to work more closely with partners and across organisational boundaries means that scrutiny is in a stronger position to resolve a wider range of issues; for example, by using the duty to co-operate.
7. The provisions included in the Police and Justice Act 2006 (as amended by the Local Government and Public Involvement in Health Act 2007) include the power to examine 'local crime and disorder matters' as part of a CCfA. Under the LGPIH Act, 'local government matters' can also be examined. This should be interpreted in the broader sense, in line with the area based focus of the Comprehensive Area Assessment, and the general partnership approach that is now a major feature of local authority work.



How it will work at Stockton Council

8. Members may recognise that there is a genuine issue of local concern that is outstanding in their ward. Members may have become aware of the issue themselves, or it may have been highlighted by residents and groups in the community. As part of their routine ward-related work, councillors will attempt to solve such an issue. Members will be aware of the range of techniques already at their disposal in order to effect change or resolve issues, and these include:
 - Questions and formal motions at committees and Council
 - Communication with MPs and other local politicians
 - Input into scrutiny reviews
 - Informal discussions with officers or other Members
 - Requests for service on behalf of residents
9. Residents also have a range of methods that they can use in order to take up their concerns, including:
 - Complaints and comment procedures;
 - Petitions;
 - Letter writing;
 - Contacting inspectorates and other monitoring bodies direct.
10. If Members are unable to find a resolution, they will have the option to request that the matter be discussed at a meeting of a relevant scrutiny committee by making a Councillor Call for Action. The process is designed to be a last resort and may not provide an immediate solution. However, CCfAs can provide:
 - the chance to discuss a pressing issue in an independent, neutral forum, and to bring it to a wider audience;
 - an opportunity to discuss a problem with the sole aim of solving it;
 - a high-profile process owned by the ward councillor.
11. A CCfA can be requested by any Council Member. Ward councillors will need to exercise their judgement, using this guidance, to decide whether the issue constitutes a CCfA. Ward councillors can reject this option, or agree to champion them. It is at this stage that Members should be clear that they have explored all avenues for a means of resolving the issue.
12. If a Member wishes to take forward the CCfA, then a request will need to be completed in writing and will need to cover the following points:
 - Description of topic
 - Why are you raising this topic?
 - Who or what does it affect?
 - What has already been tried in order to resolve the issue?

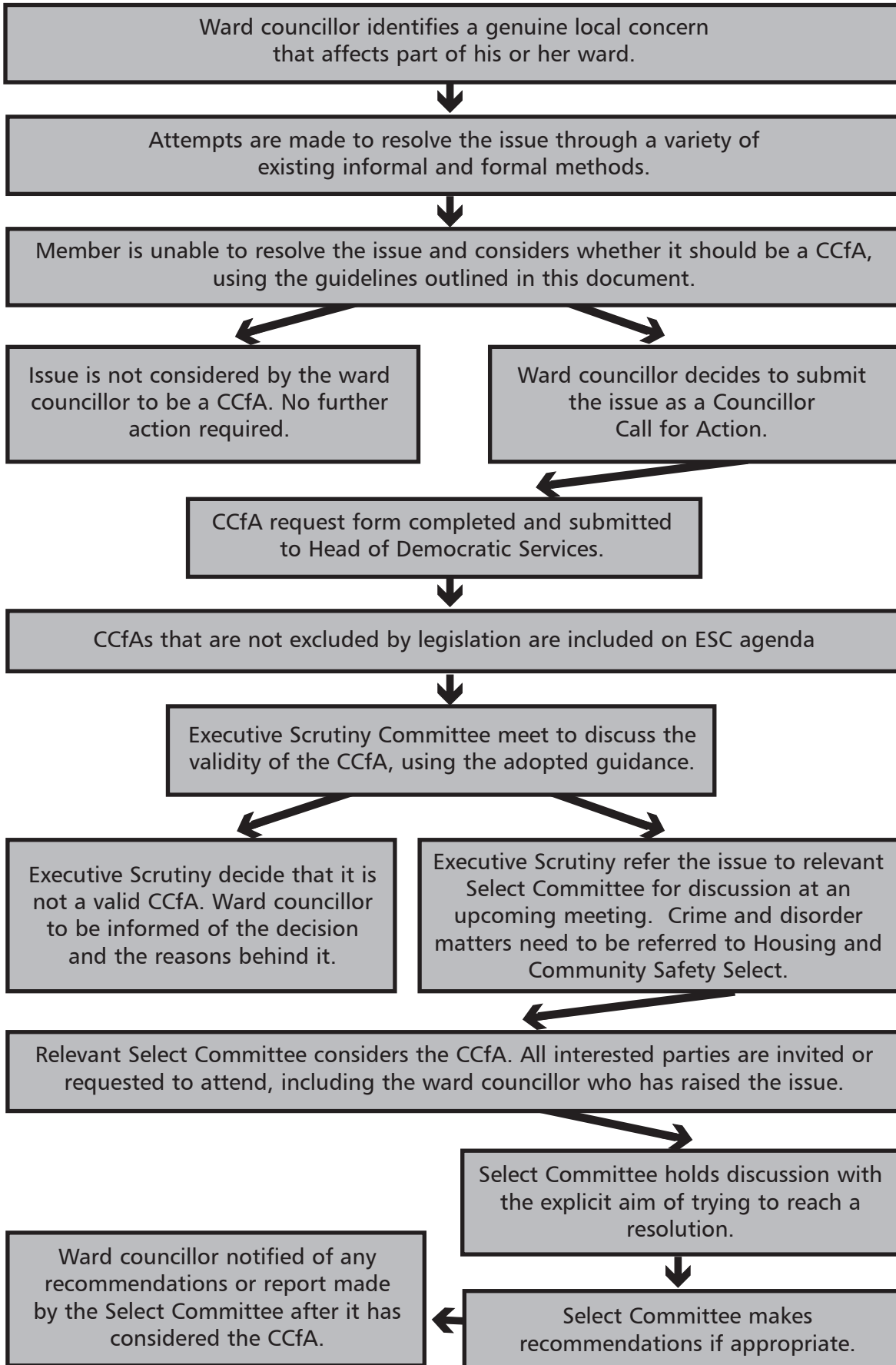




- What outcomes do you think should be possible from discussion of a CCfA on this issue?
 - Any other relevant information to support the CCfA request
13. The completed request will need to set out the issues, and what has already been attempted in order to resolve them. Alternatively, a proforma that can be used is appended to this guidance. The request should be submitted to the Head of Democratic Services.
 14. Using its status as the co-ordinating body for scrutiny at Stockton, Executive Scrutiny Committee will act as the depository for all CCfAs received (apart from those considered to be excluded by legislation – see para 25). ESC will consider the supporting information provided by the Councillor, and decide on the validity of the request. If the CCfA is approved, it will then be referred to the relevant Select Committee for inclusion on the next meeting's agenda where practical. Alternatively, ESC may consider the CCfA in detail itself, or form a Task and Finish Group. This may be particularly appropriate when Select Committees are especially busy with existing review work.
 15. Please note: For crime and disorder matters, the CCfA will need to be referred to the Housing and Community Safety Select Committee as this has been designated as the Council's 'Crime and Disorder Committee' in order to fulfil the obligations of the Police and Justice Act 2006. A key part of any crime and disorder committee's role is that CCfAs that relate to local crime and disorder matters must be considered by that committee.
 16. CCfAs should be considered by a committee in their entirety, and therefore when an issue is related to crime and disorder but other issues are also involved (for example, an issue surrounding anti-social behaviour that regularly takes place in a particular park that has long been in need of re-development), the matter will be considered by Housing and Community Safety Select Committee but the Chair of any other relevant Select Committee will also be co-opted onto the Committee for the relevant meeting, in a non-voting capacity.
 17. ESC will need to give consideration to the overall scrutiny work programme when considering the timescales involved with a CCfA request.
 18. Relevant parties would be requested to attend the meeting of the Select Committee, including the ward councillor who initiated the CCfA.
 19. If a CCfA request is turned down by Executive Scrutiny Committee, the Member concerned needs to be notified of the decision and the reasons for it.
 20. Should a Select Committee choose to make recommendations or a report following consideration of a CCfA, the Member needs to be provided with a copy of any recommendations or reports made in relation to the matter.

A flowchart demonstrating the process can be found on the following page:







Resolutions

21. It should be recognised that in some cases it would be fair to assume that discussion of a CCfA at a committee will not necessarily lead to immediate solutions to complex issues that have been of concern for a considerable period of time. However, CCfAs will enable ward councillors to trigger a formal response by service providers, and ensure that an issue is discussed in an open and transparent manner.
22. National guidance suggests that attempts to find a solution will be helped by:
 - The councillor bringing the CCfA being clear at the outset as to what he or she expected to get out of the process;
 - The committee discussion focussing on these expected outcomes;
 - The committee challenging the expected outcomes at the outset, if they felt that these outcomes were unreasonable.
23. This would allow success of the CCfA to be judged against these initial aims.

Guidelines when considering a CCfA request

24. When considering whether to take forward an issue as a CCfA request, ward councillors must consider whether the issue is appropriate, and so the following guidelines should be used in order to help Members make this decision.
25. Legislation specifically excludes certain types of matters from being considered as part of a CCfA, in order to prevent inappropriate matters from being included on a committee agenda. These include:
 - requests that are seen as 'vexatious' or 'not reasonable' are excluded. National guidance indicates that there is no rigid test but that a vexatious request would be one that is likely to cause distress, disruption, or irritation, without proper or justified cause. It is considered best to view 'not reasonable' as being a qualifier to the word 'vexatious', as a vexatious request is likely not to be reasonable, and a request that is not reasonable is likely to be vexatious.
 - However, a persistent request may still be valid as it may relate to a systematic problem that has not been resolved. In terms of situations where a request may be considered vexatious for political reasons, it should be the subject matter that is the deciding factor, rather than the personality of the individuals involved.
 - If a CCfA is refused due to it being clearly vexatious, clear feedback will need to be provided to the Councillor concerned in order to set out the reasons why.
 - A discriminatory CCfA may be one which implies or clearly states that a group of people or an area receives better, or worse, services on account of that group's predominant religion, race, sex, or other characteristic, as covered by discrimination legislation. These are excluded by legislation.





- Requests that relate to appeals as part of the quasi-judicial process (ie. planning applications, licensing decisions, and all other areas where individuals have an alternative method of appeal/complaint) are excluded.

CCfA requests that fall into these categories will not be included on an agenda for Executive Scrutiny Committee. Ward Councillors who make such a request will need to be informed of the reasons as to why it has been refused, and ESC be informed of the action taken.

26. Ward councillors should also have regard to the following guidelines when considering a request and they should be used by Executive Scrutiny Committee when it considers the validity of any CCfA request:

- A CCfA should relate to issues that are of genuine local concern, within the particular ward that the relevant Councillor represents;
- All reasonable efforts should already have been made to resolve the issue. CCfAs should be seen as the last resort, with issues only being referred to a scrutiny committee once all other avenues have been exhausted;
- It is already accepted that scrutiny is not a method of dealing with individual complaints about a service and so these should not be used as the basis for a CCfA. The Council and other partners have established complaints procedures already in place;
- However, if it appears that a number of complaints have been made in relation to similar issues, this may indicate that there is a 'systematic' failure and if this appears to be the case, a CCfA could be considered;
- In addition, it may be appropriate to examine complaints information when considering a CCfA at Committee, as happens with other scrutiny reviews;
- A CCfA request is not appropriate for questioning decisions that have been taken but not yet implemented (call-in provisions may be used for this);
- Issues that affect more than one ward, and that may reflect a broader policy issue, could still be looked at as part of the setting of the work programme for the usual scrutiny review process;
- Alternatively, a CCfA may be highly relevant with regard to a scrutiny review that is already planned. Members may make the decision to consider the CCfA as part of that review, if timescales allow.

27. It is advised that specific criteria for the automatic rejection of a request should not be used, as each CCfA will need to be examined on its own merits.



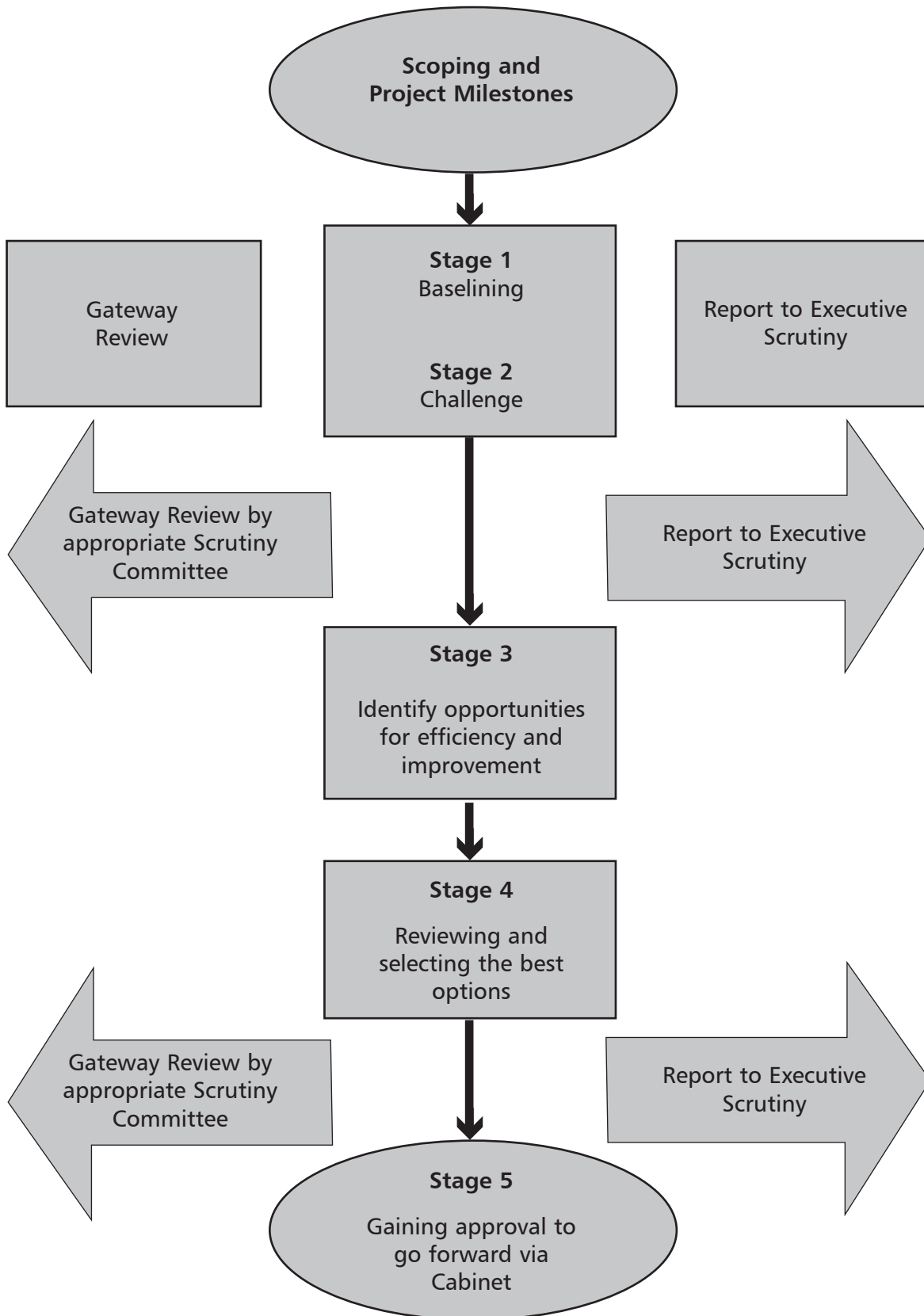


Sample CCfA Request Form

Councillor Call for Action Request Form	
Description of topic	Please provide as much detail as possible to describe the issue, with examples if possible
Why are you raising this topic?	Please explain why you are putting forward the topic
Who or what does it affect?	Are you able to say how many residents (for example) the issue affects?
What has already been tried in order to resolve the issue?	Please indicate what has been tried and the outcomes of these attempts.
What outcomes do you think should be possible from discussion of a CCfA on this issue?	It will assist the committee if you can suggest outcomes from the discussion.
Any other relevant information to support the CCfA request	
Name:	Ward:
Please submit this form to: Head of Democratic Services, Democratic Services, Municipal Buildings.	



Appendix 15 - EIT Review Flowchart





Efficiency, Improvement and Transformation (EIT) Reviews – Baseline Questions

Service Baseline / Initial Challenge	Guidance	Information
<p>Description of Current Service Baseline</p>	<p>Who provides the service? History of how the service was formed and why it exists How is the service provided? What influences impact on the service (political, social, financial, technological)? How does the service perform? What does inspection tell us about this service? What resources are used? What assets are used to deliver the current service? Are there any limitations or barriers affecting the delivery of the service? If the service is outsourced or provided by a third party, how are service standards monitored? Could the service be provided through a different mechanism?</p>	
<p>Challenge</p>	<p>Who are the customers and what are their needs now? How are service users consulted and how do their views shape delivery? How satisfied are the customers? How do you communicate with your users? How are these services promoted / marketed?</p>	
<p>Customer Baseline</p>		





Service Baseline / Initial Challenge	Guidance	Information
<p>Customer Challenge</p>	<p>What do Viewpoint Surveys/ internal audit reports tell us about the service?</p> <p>Are there customers who could use the service but don't?</p> <p>Are there customers using the service who shouldn't be?</p> <p>Who are the customers of the future and what are their needs?</p> <p>What is likely to impact on demand for these services in the future?</p> <p>What do complaints/ compliments tell you about these services?</p>	
<p>Aims & Objectives Baseline</p> <p>Challenge</p>	<p>Is the service required by statute?</p> <p>Is there a statutory level of service?</p> <p>Is the service responsive or proactive or a mixture?</p> <p>Is the service needed?</p> <p>What would happen if the service was not provided either in whole or part?</p> <p>How would the service react to new pressures?</p> <p>What capacity would be required to deal with additional / new demands?</p>	





Service Baseline / Initial Challenge	Guidance	Information
<p>Aims & Objectives Challenge</p>	<p>Who provides a similar service to this using a different delivery mechanism e.g. external partnerships, shared services etc?</p>	
<p>Relevance / Context Baseline / Challenge</p>	<p>How does the service fit with the overall aims of the Council? How does the service contribute to key policy areas? What policies, plans and strategies impact on the service e.g. statutory, policy, function, other services? Are there any political judgements / decisions involved in determining the level of service?</p>	
<p>Financial / Resource Considerations Baseline</p>	<p>What are the costs of the service? Capital and revenue costs What is the level of 3rd party expenditure? What contracts or other arrangements are in place (spend analysis)? What is the Council's commitment to contracts / other arrangements? Do you have any charging policies? How have Gershon efficiency savings impacted on the service and how was the service planning to meet future Gershon efficiency targets? How will the current financial climate affect the service?</p>	



Service Baseline / Initial Challenge	Guidance	Information
Financial / Resource Considerations Challenge	<p>How can you demonstrate that the service is cost effective overall?</p> <p>Do external contracts offer value for money?</p>	
Service Drivers	<p>What do we need to change and why?</p> <p>What are the main drivers of change?</p>	

Efficiency, Improvement and Transformation (EIT) Reviews – Options Analysis

Service Options	Guidance	Information
Initial Service Delivery Options	<p>What options are there?</p> <p>What would the associated impact of these options be on the service, users, and area? (indication only)</p> <p>Have these options been successful elsewhere?</p> <p>What would each of these options achieve? (outcomes – cashable savings, increased customer satisfaction etc) (Indication only)</p> <p>Are these options compatible with Corporate priorities and are they likely to have political support?</p>	

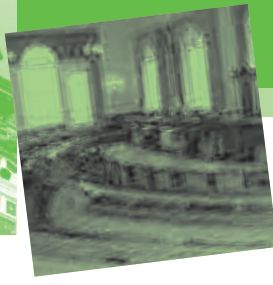




Service Options	Guidance	Information
<p>Advantages and Disadvantages</p>	<p>What does a SWOT analysis tell you about each option for change?</p> <p><i>The following questions should all be answerable from the SWOT analysis</i></p> <p>Are the benefits achievable?</p> <p>Could any of these options have an adverse effect?</p> <p>What are the risks?</p> <p>How long will the change(s) take to implement?</p> <p>How long before any benefit is realised?</p> <p>Are the benefits sustainable?</p> <p>Are the changes worth making?</p> <p>What resources will be required to implement the preferred option(s)?</p>	<p>Workwise – Please remember to consider the principles associated with the Council’s approach to workwise, e.g. could more flexible working deliver results, would technology enable different ways of working, could you use your assets differently or not all?</p>



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