

Overview & Scrutiny 'fitness  
check'

## **Follow up report**

Sunderland City Council  
February 2010

## Introduction

In September 2008 the Improvement and Development Agency (IDeA) undertook a 'fitness check' on the overview & scrutiny function at Sunderland City Council. The fitness check assessed where Sunderland then stood against the four principles of effective scrutiny, identified by the Centre for Public Scrutiny (CfPS) and made recommendations for improvement where appropriate.

It was agreed that the IDeA would undertake some follow-up work to assess the progress Sunderland has made in responding to the recommendations made following the fitness check and the impact that these and the wider changes in scrutiny are having.

The follow-up was done in February 2010 by a team comprising Robin Stonebridge, CfPS associate and former IDeA member peer (part of the original fitness check team) and David Armin, Improvement Manager, IDeA. After reviewing a self-assessment prepared by the council, the team visited Sunderland on 15 and 16 February and interviewed Chairs and Vice Chairs and members of scrutiny committees, officers from the central scrutiny team in the Chief Executive's Office and liaison officers from departments, the Leader of the Council, the council's Chief Executive and partner representatives. The team was also able to observe a scrutiny committee meeting.

The follow-up was more limited in scope and depth than the original fitness check and it was agreed that it should focus on progress on key issues identified by the fitness check, making particular reference to partnership scrutiny – an increasingly important issue for scrutiny in Sunderland, as elsewhere. The contents of this report are largely based on what councillors, officers and partners said during the interviews. Notwithstanding the 'lighter touch' of this follow-up work, it was able to identify clear evidence of the changes which are taking place in scrutiny in Sunderland, and the progress being made.

The team would like to thank Charlotte Burnham, Head of Overview & Scrutiny and her team for the support they gave us, both in planning our work and during our time at Sunderland and those councillors, officers and partners we interviewed for their open and full contributions during our discussions.

This report sets out our key messages in the Executive Summary, our main findings against each of the four principles of effective scrutiny and suggestions for further improvement in key areas which we hope the council will find helpful.

## Executive summary

1. The team noted a real change in scrutiny at Sunderland. Perceptions of scrutiny, in particular among officers and partners, are much more positive. It is now seen to be much more business like, helping the council to make better decisions. The council's leadership recognises that scrutiny adds value and relations with the executive are good, based on an understanding of the legitimate role of scrutiny to provide challenge to decision making, policy implementation and performance improvement.
2. The council sees scrutiny as part of its wider Community Leadership Programme, contributing to the good governance of the council and responsiveness to its communities. It can do this through ensuring transparency of decision making and accountability and the opportunities it presents for further engagement with local communities. Allied to the creation of the new post of Head of Overview and Scrutiny, reporting to the Chief Executive, and the increased resourcing of the scrutiny function, this has contributed to the enhanced status scrutiny now enjoys. Committee chairs and councillors very much appreciate the strengthening of scrutiny support. This has included the appointment of two Assistant and a Trainee Scrutiny Officer, providing additional research capacity to complement the existing Scrutiny Officers and the commitment and enthusiasm the Head of Scrutiny has brought to this role. There is healthy financial provision made to enable scrutiny to conduct and report publicly on its work.
3. The council's political leadership took what was a difficult decision to offer three scrutiny Vice Chairs to members of the opposition parties. Partners and officers expressed their respect for the way councillors undertake scrutiny in a largely apolitical way in what remains a political context. Councillors spoke of their commitment to scrutiny and their intention not to let party politics detract from their scrutiny activities. Our strong impression is that the appointment of Vice Chairs from the opposition is seen as a success which can be built on.
4. A number of the systems that underpin scrutiny have been strengthened. The Forward Plan is well laid out and regarded as helpful in enabling scrutiny of key decisions and workload planning, and information on the website has improved. Task and finish groups are providing scrutiny members with new and different ways of working. There has been significant councillor development work around the role of scrutiny. 'Meet and greet' events have been held with partners to enhance their understanding of scrutiny, which now needs to be used as a basis for constructive challenge to partnerships. The new External Scrutiny Protocol is clear, positive and very well presented.
5. It is recognised that scrutiny at Sunderland is still in transition and a number of challenges remain. Approaches are not yet fully embedded or consistent. The re-alignment of scrutiny committee responsibilities to follow the themes of the sustainable community strategy and Council Improvement Plan allows scrutiny to be properly strategic. However this new focus for scrutiny requires a much broader perception of the scrutiny role, and these new ways of working and areas of responsibility are not yet fully understood, but this is clearly work in progress. The pace of change has been great and there now needs to be a period of consolidation to enable members of scrutiny committees to become

familiar with and better shape their roles. All councillors need to feel that they can influence work programmes for their committees. Scrutiny related councillor development may need to be reviewed to ensure that it continues to be well focused, takes account of councillors preferred learning styles and supports the development of basic scrutiny skills such as questioning and use of information, along with understanding of partner organisations roles and responsibilities.

6. Engagement with the public remains a challenge for scrutiny at Sunderland. A stronger communications strategy may help, stressing the difference that scrutiny is now making. The Children and Young People and Learning Scrutiny Committee's membership consists of both statutory and non-statutory co-opted members. The council should build on this and extend the use of co-optees across all of the scrutiny committees (where appropriate), supported by the recent introduction of the Co-optees Protocol, which will support the wider objectives of the Community Leadership Programme.
7. The new area committees provide opportunities for further community engagement. The council is working through the relationship between the area and scrutiny committees, with a view to using area committees to 'scrutinise' and seek resolution of local issues while scrutiny committees address issues that impact across Sunderland. Area committees introduced new governance arrangements in June 2009, including the introduction of an area review role along with enhanced representation through the Sunderland Partnership, key service providers and the voluntary and community sector. We were made aware of some concerns among partners regarding their role in these new arrangements. Developing this relationship and how area committees work effectively alongside the council's partners and scrutiny committees is recognised as a key area for development.
8. The scrutiny committees meet on a four weekly cycle, with ten meetings each municipal year. This gives an impression to some councillors and officers of being 'on a treadmill' with much routine business and reports for noting. The council may wish to consider if this is the best use of councillors, officers and partners time and if fewer formal meetings and more task and finish groups (still reporting to the Committees to gain support to their conclusions and agree recommendations) would lead to more effective scrutiny. It may be helpful to review meeting cycles within scrutiny and relate these to key decision making timetables within the council's other functions. Practice in some authorities suggests that an effective arrangement is to schedule scrutiny management committees half way between executive meetings, so that they can both review up-coming decisions and those already made and responses to reports from scrutiny. The meeting cycles of other scrutiny committees can then follow the management committee, so that scrutiny recommendations can reach other decision makers in a timely fashion, without distorting the scrutiny process, while building strong relations between the scrutiny management committee and the executive.
9. Sunderland has made significant investment in scrutiny, in terms of enhanced officer support and councillors' time. It now needs to ensure that it gets the full value from this in terms of impact in improving public services. There is growing evidence that scrutiny is having such an impact and there are examples of this in terms of reviews leading to changes in council policy and proactive, pre-decision

scrutiny leading to better decisions in the first place. The scrutiny team is piloting the use of the *Performance Plus* performance management system to more rigorously follow-up and monitor the implementation and impact of scrutiny decisions, beginning with the Prosperity and Economic Development Committee. *Performance Plus* is used across the council and to monitor the LAA so this approach should further integrate scrutiny with Sunderland's wider performance management arrangements. The council should build on this pilot to ensure it can clearly demonstrate the impact that scrutiny is having and communicate this within the council, to partners and the wider public.

# Findings

## Providing critical friend challenge to the executive and partners

### *Roles and relationships*

- The status of scrutiny has increased significantly – the council's leadership recognises the value that scrutiny can add and its status is underpinned by the new post of Head of Scrutiny reporting to the Chief Executive.
- Monthly meetings between the Leader, Chief Executive, Chair of the Scrutiny Management Committee and Head of Overview and Scrutiny are providing a basis for developing and maintaining the necessary relationships.
- Perceptions of scrutiny are much improved, in particular among officers and partners who see it as much more business like and adding value to the development and implementation of policy and performance improvement.
- Scrutiny liaison officers group includes senior managers from departments, allowing it to operate more strategically and with greater leverage. The impact of scrutiny findings and recommendations appear to penetrate through the Council's departments to a far greater extent than at the time of the first health check 18 months ago.

### *Process and practice*

- Development of a good range of protocols and guidance, including that for external scrutiny developed by the council and the Sunderland Partnership.
- The use of the Forward Plan has much improved and provides a useful tool for scrutiny.
- The thematic approach now adopted (eg. the alignment of scrutiny committees to the sustainable community strategy and Council Improvement Plan priorities) enables a strategic approach, but it can be more difficult to understand and is giving rise to some confusion among councillors as to where issues and responsibilities lie.
- More generally, it is recognised that scrutiny at Sunderland is still in a period of transition and the new approaches are not yet fully embedded or consistent.

### *Skills and support*

- The addition of two Assistant Scrutiny Officers and a trainee to the existing team of three Scrutiny Officers has strengthened the capacity of the central scrutiny team – for example to undertake research – which is valued by the Chairs and members of scrutiny committees.
- The changes in scrutiny have been accompanied by both councillor and officer development, including workshops and skills training and reference to scrutiny in induction processes.

**Issues for consideration**

Councillors need to ensure that they scrutinise the effectiveness of partnerships and the outcomes they achieve – scrutiny is not an alternative governance body for external agencies. Member development activities should be reviewed to ensure that they remain well focused and include the roles and responsibilities of partner organisations and key skills such as effective questioning and use of evidence. This has been a period of rapid change for scrutiny – a period of consolidation may now be required to reduce the risk of fatigue and alienation particularly among councillors.

## Reflecting the voice and concerns of the public

### ***Roles and relationships***

- Like many other places, Sunderland is not yet fully exploiting the potential of scrutiny to enhance public engagement.
- Partners have high expectations of overview & scrutiny, including its ability to engage with and express the views of the public.
- Relationships between scrutiny and the new area committees are developing. It is envisaged that area committees will focus on resolving local issues while referring issues with implications across Sunderland to the relevant scrutiny committee (in addition to agreeing levels of services beyond the basic level of provision within budget limits).
- Some concern among partners at their role in area committees was identified during the review. They are finding area committees more political and inquisitorial than scrutiny.

### ***Process and practice***

- Provision of public information much improved, including through the website which includes the Forward Plan of key decisions.
- From our meeting observation, it may not have been clear to a member of the public who were councillors, officers of the council, partner representatives or specialist witnesses etc. and the use of acronyms in presentations and reports may present a barrier to understanding by a lay audience.

### ***Skills and support***

- Use of co-optees in Sunderland remains limited to the Children, Young People and Learning scrutiny committee. Co-optees can provide an opportunity to introduce wider perspectives and experiences to scrutiny and improve access to 'hard to reach' groups.

### **Issues for consideration**

In order to increase engagement with members of the public more work on a communications strategy is required. This should emphasise the outcomes from scrutiny activity and its impact, which will also be helpful within the council and among partners. More should be done to develop the trust and confidence to increase the use of co-optees across other scrutiny committees, building on the experience of Children, Young People and Learning. The council should examine its ability to commission third party work on behalf of scrutiny, for example to engage with and research 'hard to reach' groups. Developing the role of partners in respect of area committees and the relationship between these committees and scrutiny is a key area for development.



## **Lead and own the scrutiny process on behalf of the public**

### ***Roles and relationships***

- Scrutiny at Sunderland is now widely regarded as member led. Officers and partners acknowledge and value this.
- There is respect for the council's leadership in having made available three Vice Chair positions to members of the opposition. This is generally regarded as being successful and demonstrates that the main opposition groups, along with the ruling group, are committed to more effective scrutiny.
- Officers and partners acknowledge that councillors conduct scrutiny in a largely apolitical way, while recognising councillors operate in a political environment.
- Informal meetings of scrutiny Chairs and Vice Chairs are used to share experiences and good practice across committees and to help shape the future direction of scrutiny in Sunderland.

### ***Process and practice***

- Annual Scrutiny Conference used to identify key issues for Sunderland, reflecting community and council priorities and used to inform scrutiny work plans and ways of working.
- Councillors vary in their knowledge and understanding of the changes that have taken place and some front-line councillors expressed frustration at what they see as their limited ability to influence work programmes.
- Some councillors expressed concern at the uneven spread of work across the municipal year. Following Annual Council, developing work programmes after the Scrutiny Conference and the summer recess, most work on scrutiny reviews is done in the second half of the year, along with budget consultation etc. Some Chairs are now looking to 'front load' work programmes more.
- The team were able to observe one scrutiny committee meeting. This was business-like and well run, but most reports and presentations were for information with few recommendations or referrals made. Some officers and councillors felt that the four weekly cycle led to insufficient preparation time.
- Task groups are valued by councillors and officers and provide a more flexible way of working and an opportunity to examine issues in more depth.

### ***Skills and support***

- Wide range of development activities provided for scrutiny members and officers and Heads of Service, including facilitation by external experts

#### **Issues for consideration**

The council needs to ensure that all councillors feel they have sufficient opportunity to influence work programmes. It may be time to review the cycle of formal meetings, so these are less frequent with more task & finish groups. The Management Committee could continue to meet more frequently to enable scrutiny to continue to track Cabinet decisions. Further use should be made of the Chairs' meetings to reflect on practice and learn, extend this into the scrutiny committees and strengthen organisational memory.

## **Making an impact on public services**

### ***Roles and relationships***

- Increasing recognition that scrutiny can and has improved public services in Sunderland among councillors, officers and partners.
- Examples cited of scrutiny having an impact include:
  - Review of frozen meals service leading to changes in implementation
  - Removal of parking restrictions adjacent to the City Hospital
  - Educational psychology service – scrutiny review and work by officers led to improvement in ratings by schools from bottom to top quartile
  - Greater public engagement and understanding of issues associated with investment in a major waste treatment plant with partner authorities
  - Helping the Children’s Trust to achieve a more rigorous approach to safeguarding and raising profile of the council’s role as corporate parent
  - Review of Dementia Strategy a well regarded piece of work
  - On-going work expected to have an impact includes the reviews of allotments and health inequalities.
- In addition to leading to identifiable change in policies and performance, proactive scrutiny is believed to be leading to better, more informed decisions such as regarding the waste treatment plant and a range of regeneration projects.

### ***Process and practice***

- Some councillors referred to the previous practice of Cabinet accepting scrutiny recommendations ‘subject to resources being available’. We understand this should no longer be the case as resourcing of recommendations is built into consideration of scrutiny reports and the council’s budget process.
- The council is piloting use of the *Performance Plus* IT system to monitor the implementation and impact of scrutiny recommendations as part of its overall performance management framework.
- Performance monitoring and review is being focused towards higher risk areas for the council and partners, such as potential CAA red ‘tag’ / flag areas.

### ***Skills and support***

- Strengthened scrutiny team provides more research and analysis for scrutiny committees and scrutiny liaison officers ensure departments provide information

#### **Issues for consideration**

The council needs to ensure that it does effectively track recommendations made by scrutiny, the response by Cabinet and in turn implementation and impact. Evidence of this will be important in demonstrating the value of scrutiny within the council and externally. Consideration could be given to the role of committees and the Management Committee in quality assuring the recommendations of task & finish groups and committees respectively to ensure they are ‘smart’ and make a difference.

## Suggestions for further improvement

It is evident that there has been real progress in scrutiny at Sunderland since the time of the original fitness check. As part of the wider Community Leadership Programme it is seen as a key part of the council's governance arrangements and there is a growing recognition of the positive impact it is having on the delivery of public services.

To build on the progress made and further strengthen scrutiny at Sunderland we make the following recommendations for consideration. These are presented against the cross-cutting themes which underpin the CfPS principles of effective scrutiny:

### Roles and relationships

- a) Allied to a review of the meeting cycle for scrutiny committees (see b) below), consider extending the role of the Scrutiny Management Committee in monitoring the Forward Plan and key decisions by Cabinet on behalf of the other scrutiny committees; in quality assuring recommendations made by those committees and offering critical friend challenge to colleague scrutineers before their work is seen by a wider audience.

### Process and practice

- b) Consider a review of the current meeting cycle and the further use of task & finish groups
- c) Ensure that all councillors have sufficient opportunity to influence scrutiny work programmes
- d) Ensure that the implementation and impact of scrutiny recommendations is monitored and managed effectively, building on the pilot arrangements and use of the *Performance Plus* system for the Environment & Prosperity Committee
- e) Strengthen the communications strategy, highlighting the impact that scrutiny is having and the opportunities for the public to be engaged with scrutiny

### Skills and support

- f) Consider the use of co-optees across other committees, building on the experience gained by the Children, Young People & Learning committee
- g) Explore the use of third party organisations to help scrutiny reviews engage with 'hard to reach' groups
- h) Review member development to ensure that it remains well focused and includes coverage of the roles and responsibilities of partner organisations and basic scrutiny skills such as questioning and the evaluation of evidence
- i) Make further use of the Chairs and Vice Chairs' meeting to reflect on practice and share learning across all scrutiny committees.