

Scrutiny & Overview Committee Agenda



To: Councillor Sean Fitzsimons (Chair), Councillor Robert Ward (Vice-Chair),
Leila Ben-Hassel, Jeet Bains, Jerry Fitzpatrick and Joy Prince

Reserve Members: Richard Chatterjee, Mary Croos, Felicity Flynn,
Stephen Mann, Stuart Millson and Callton Young

A meeting of the **Scrutiny & Overview Committee** which you are hereby
summoned to attend, will be held on **Tuesday, 11 June 2019** at **6.30 pm** in **Council
Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

Jacqueline Harris Baker
Council Solicitor & Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

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www.croydon.gov.uk/meetings
Monday, 3 June 2019

Members of the public are welcome to attend this meeting.

If you require any assistance, please contact the person detailed above, on the right
hand side.

N.B This meeting will be paperless. The agenda can be accessed online at
www.croydon.gov.uk/meetings

AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any members of the Committee.

2. Minutes of the Previous Meeting (Pages 5 - 16)

To approve the minutes of the meeting held on 30 April 2019 as an accurate record.

3. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Question Time: Leader of the Council (Pages 17 - 32)

Question time with the Leader of the Council, Councillor Tony Newman.

6. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (Pages 33 - 72)

The Committee is asked to review the new Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities.

7. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

PART B

Scrutiny & Overview Committee

Meeting held on Tuesday, 30 April 2019 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Sean Fitzsimons (Chair), Councillor Robert Ward (Vice-Chair), Sherwan Chowdhury, Jerry Fitzpatrick, Joy Prince and Andy Stranack
Also Present: Councillor Leila Ben-Hassan (part), Simon Hall, Jason Perry (part), Scott Roche (part), Manju Shahul-Hameed

PART A

22/19 **Minutes of the Previous Meeting**

The minutes of the meeting held on 5 March 2019 were agreed as an accurate record.

23/19 **Disclosure of Interests**

Councillor Andy Stranack declared a non-pecuniary interest in the 'Proposed Scoped of the new Digital Strategy' item as a family member was a director of a fibre broadband company.

24/19 **Urgent Business (if any)**

There were no items of urgent business.

25/19 **Question Time: Cabinet Member for Economy and Jobs**

The Cabinet Member for Economy and Jobs, Councillor Manju Shahul-Hameed was in attendance at the meeting to provide an update for the Committee on her Portfolio. During the introductory presentation given by Councillor Shahul-Hameed the following points were noted:-

- Strengths within the Portfolio included a 5.46% rise in the number of businesses in the borough since 2015 with a current total of 14,675 businesses.
- There was an enthusiastic business support network within the borough, who had organised the Croydon Means Business campaign.
- There was an Economic Summit held in Box Park 2018, with a second summit due to be held in the Fairfield Halls later this year.
- The borough had been hailed as a centre for enterprise and innovation by the Deputy Mayor for Business.

- The Croydon Digital Public Sector Contract event had been arranged to help businesses sell to the public sector.
- There had been the Croydon Works Health & Social Care recruitment event, which was attended by over 100 residents and resulted in employment for some of the attendees.
- Potential weaknesses included the weekly pay rates rising in Croydon at a slower rate than the rest of London.
- Some of the large scale developments planned for the borough were taking longer to progress than originally anticipated due to the continuing uncertainty over Brexit.
- Potential opportunities included the Creative Campus, which was being developed through a partnership between Croydon Council and Southbank University. This would help local children to access further education within the borough.
- The development of the Metropolitan Centre would lead to improved business opportunities.
- The Gatwick Expansion and the Brighton Mainline development would improve the rail links within the borough.
- Potential threats included the changing structure of retail and the continuing uncertainty over Brexit.

Following the presentation, the Committee were given the opportunity to question the Cabinet Member on her Portfolio. The first question related to the current position of both the Westfield redevelopment and the various housing developments being delivered by Brick by Brick. It was confirmed that the new owners of Westfield, Unibail-Rodamco, had given a strong commitment to Croydon when they had met with the Leader and other Council representatives. The Mayor of London had also met with representatives from Westfield to push for the start of the development. Recently it had been confirmed that the redevelopment would begin in 2020. In the meantime, the Cabinet Member was working closely with the Croydon Bid on a number of projects to retain the vitality of the town centre, including the Christmas Market.

As reassurance was given to the Committee that the Westfield project was still progressing, it was suggested that further consideration needed to be given to increasing communication about the project to provide reassurance to the wider public.

Brick by Brick continued to develop a variety of housing projects, a number of which would complete this year. There was also a need to work with local landowners to provide new employment land within the borough. To encourage this, the possibility of including a policy on affordable workspaces within the new Local Plan was being investigated.

431 people had been supported on the Better Working Futures programme, to date 72 had entered and been sustained in work. It was advised that the initiative was funded by money given by the Department of Work and Pensions to the Council to work with people unemployed for more than two years and those with complex health conditions and disabilities. People were coming forward to participate in the scheme, but it could be a lengthy process to help people who had been long term unemployed and had complex health and disability issues back into work.

As a follow up, it was questioned whether the long term progress of those who had completed the scheme and been helped into work was monitored. It was confirmed that this information was tracked and to date 60% of the participants who had found employment continued to be employed after six months.

In light of the lack of growth in wages in the borough, compared to the rest of London and the activities of the Mayor of London seemingly focused on the central London business area, it was questioned whether there was a strategy to grow the town centre and attract and retain bigger employers. In response it was highlighted that 99.7% of the businesses in the borough were small or medium sized enterprises (SME's) employing less than 250 employees. The Council did have a scheme that encouraged larger businesses to work with small businesses to provide support. The Council also promoted the Good Employer Charter.

The changes made to planning policy by the Conservative Government allowing the redevelopment of office space to provide residential units had impacted upon the availability of employment space in the borough. As mentioned above, there was an aspiration through the Local Plan to bring back affordable employment space. Recently there had been four delegations from China to the borough which demonstrated that the Council was actively promoting Croydon on an international level.

Croydon's membership of the Coast to Capital Local Enterprise Partnership would be coming to an end, but the Council would continue to be a member of the London Economic Action Partnership (LEAP) and was working with local businesses to gain representation on its Board.

The Committee agreed that it would be useful to invite the Cabinet Member for Economy and Jobs to a meeting in 2019-20 to focus specifically on the Economic Strategy for the borough, as Members remained unconvinced that there was enough of a focus on the wider strategy for the borough.

In response to a request for further details on the 39 children with special educational needs (SEN) who had been helped into either further education, work or placement through working with the Transitions Officer, it was agreed that this information would be provided after the meeting.

It was questioned whether there was a specific senior officer within the Council who had the specialist skills needed to address the needs of the Disabled Workforce. It was confirmed that such an officer was employed

within the Gateway directorate and the role also included a focus on the homeless workforce.

As a follow up, it was questioned whether there was any sign of success in helping employers to make reasonable adjustments for the disabled workforce. It was confirmed that one of the principles of the Good Employer Charter was equalities and diversity. Feedback from businesses had indicated that they had a lack of resources to support people with disabilities or the homeless. As a result the Champions Scheme for businesses had been introduced to encourage larger business to work with smaller businesses on specific areas such as equalities and diversity,

In response to a question about the support provided by the Council for SME's it was confirmed that monthly surgeries were organised for small businesses along with 200 other local business events. The Council continued to promote its Business Rate Relief Fund, which had awarded almost £1m to create new or safeguard existing jobs. There was also the Croydon Enterprise Fund scheme promoted by the Council that had provided almost £400,000 of loans to local businesses.

In response to a question about how success was measured within the Portfolio, it was advised that the number of businesses supported and as a result the number of jobs protected and sustained could be taken as a sign of success. It was highlighted that as part of the Business Rate Relief Fund application process, companies had to confirm their employee numbers and how many jobs would be protected through a successful application.

It was agreed that data on the performance of the TMRW Hub, including its occupancy rates would be provided to the Committee after the meeting.

As the report highlighted that there were a number of planning conditions focussed towards improving the local economy, it was questioned whether the delivery of these conditions was monitored. It was confirmed that Officers do monitor the conditions to ensure developers remained on track to deliver on their commitments.

It was confirmed that the tender process for contracts awarded by the Council valued between £10,000 and £100,000 was being refreshed, with a report due to be considered by the Cabinet in the near future. This would include a requirement for at least three tender submissions to be sought including two local bids.

As it was previously noted that four delegations from China had visited the borough, it was questioned whether other countries had also been targeted. It was confirmed that there had also been interest from India, with the Council open to interest from other countries.

It was agreed that further information would be provided to the Committee on the applications made to the High Street Fund following the meeting.

Concern was raised about the possible impact from parking charges on businesses with the borough centres. In response it was highlighted that at a recent High Street Conference only one attendee had raised parking as an issue and recently one hour free parking had been introduced in car parks in the borough centres. Additionally Save the High Street had recently carried out a survey which had shown that parking was not one of the top ten issues for high street businesses. Information on the attendees of the High Street Conference was requested.

The Chair thanked the Cabinet Member on behalf of the Committee for her attendance at the meeting.

Information Requests: Following the discussion of this item the Committee requested the following information to be provided after the meeting:-

1. Further information on the businesses that attended the High Street Conference event.
2. Further information on the award of the High Street Fund.
3. Performance information, including occupancy rates of the TMRW Hub.
4. A further breakdown of the 39 Special Educational Needs Children to confirm the numbers helped into further education, employment or work placements through working with the Transitions Officer.

Conclusions: Following the discussion of this item, the Committee reached the following conclusions:-

1. The wide range of events and activities being organised within the Economy & Jobs Portfolio was to be welcomed.
2. There was significant concern that despite a wide range of events and activities being organised, there seemed to be little data to allow an assessment to be made on whether the outcomes from this work was having a positive impact on the wider economy within the borough.
3. The Committee was concerned about the decline of Croydon as a major centre of employment compared to other parts of London and the South East over the last 20 years, and remained unconvinced that there was a wider strategy to reverse this decline.
4. The Committee agreed to add to its work programme for 2019/20 an item to focus specifically on the higher level, strategic themes relating to the creation of employment opportunities, the attractiveness of Croydon as a place for businesses to locate to, and the promotion of the economy in Croydon.

Recommendation: The Scrutiny and Overview Committee agreed to recommend that the Cabinet Member for Economy and Jobs be invited to a meeting of the Committee in 2019/20 to discuss the strategic approach to job

creation, business attraction, and the promotion of the economy in the borough as a place to do business in.

26/19 **Proposed Scope of the new Digital Strategy**

The Committee received a report setting out the proposed scope for the new Digital Strategy. In attendance at the meeting for this were:

- Councillor Simon Hall - Cabinet Member for Finance and Resources
- Councillor Manju Shahul-Hameed - Cabinet Member for Economy and Jobs
- Neil Williams - Chief Digital Officer
- Dave Briggs – Head of Digital Operations
- Opama Khan – Head of Digital Place

During the introductory presentation on this item the following was noted:-

- The majority of the responsibility for the Digital Strategy fell within the Finance and Resources Portfolio, but the areas concerning the wider borough including the Smart Cities work streams came under the Economy and Jobs Portfolio.
- It was noted that the Government had produced a new code of practice for all local authority digital services. The Council's most recent IT Strategy had expired in 2014 and did not focus on the wider digital remit proposed for inclusion within the new Strategy.
- It was confirmed that the Strategy would be structured around three main themes – Digital Council, Digital Services and Digital Borough.
- Within the Digital Council theme, it was highlighted that there was already a good range of hardware and software in the Council, although there were issues around the wi-fi in the Town Hall to resolve. At present the service was in the process of transitioning away from Capita to a system using multiple vendors who were experts in their respective fields.
- Going forward, there would be some learning and development required to upskill staff on the use of software and a need to embed a digital culture within the wider Council.
- A potential threat to the Digital Council theme was the limited market for business specific software, but the Council was due to join the London Digital Declaration with other local authorities, which would increase the ability to influence software providers.

- Within the Digital Services theme, evidence indicated that was a high volume of people accessing Council services online. However, a significant amount of work was needed to improve the quality of the user experience, with only 30% of enquiries resolved through online services.
- Through improving the online service for customers there was potential to make savings and also allow the Council to focus its resources towards those with more complex needs who were not able to access self-serve.
- Potential threats to the delivery of the Digital Services theme included there being no sustained funding in place for its ongoing delivery and also the need to overcome public distrust due to how the service operated in the past.
- For the Digital Borough theme, the strengths included decent broadband coverage within the borough and the Croydon Tech City legacy.
- Weaknesses included the lack of coverage for fibre broadband, which was a priority to address and that the Tech City had been disbanded due to stagnation.
- Opportunities included the existing support to promote Croydon as a tech destination and the scope in Croydon to participate in Smart City trials.
- Potential threats included the continued doubt over the Westfield project and Brexit hampering ambitions. There was also the need to work with providers to deliver fibre broadband.
- Since the Chief Digital Officer, Neil Williams, had been appointed in October 2018, the Council had signed the Local Digital Declaration which gave a commitment to a set of declarations including the Digital Service Standards.
- The Service had been renamed as the Croydon Digital Service (CDS), which included the merging of a number of former separate areas and programmes. The focus was now on developing the team after its restructure away from a traditional IT team to one that met the Digital Service Standards. Services such as software support and web development were in the process of being brought back in-house. Work had also commenced on the web site redesign and rebuild.
- As part of the process of drafting the Strategy, input was being taken from a variety of sources. It was not envisioned that the final Strategy would be a lengthy document. Instead it would focus on the Council's current status regarding digital, where it wanted to be and how it would get there. The Strategy would be supported by public road maps that

confirmed in more detail what the Council was doing. This would enable the Service to be held to account.

Following the presentation, the Committee were given the opportunity to ask questions about the Digital Strategy. The first question concerned the possible resistance from staff across the Council to the proposed changes and how these would be overcome. It was acknowledged that this would be a significant challenge for the team to overcome. The shift from an IT team to a Digital Service focussed upon user needs would be key to the process, as it would allow CDS to have open conversations with teams on what they were trying to achieve. This would allow CDS to gain the trust of staff that they were delivering the best solutions even if this involved changing processes and practices. At present, there seemed to be a willingness across the Council to welcome the introduction of the new Digital Service.

It was highlighted that data sharing seemed to be a big issue for the organisation, which took a long time to do, particularly when sharing with external partners. It was agreed that there was a need for the Council to be able to quickly move data around in a way that kept the data safe. To achieve this there would be a need to look at innovative solutions, such as building new technology to fit on top of existing systems used by the Council and its partners to enable data sharing.

It was confirmed that at present some of the software used across the Council was operating under separate contracts, but where possible these would be brought under the remit of CDS.

To widen the input into the Digital Strategy, the team had been having consultation stands in local shopping centres and would be looking to carry out more public consultation going forward.

As there had been a number of different IT strategies produced by the Council in the past that had met with varying degrees of success, it was questioned how the Digital Strategy would be different. In response it was highlighted that the world was totally different to when the previous strategies had been produced, with digital ways of working embedded in everyday life. The Corporate Plan also set out how the Council would interface with the public, including locality based working which would be facilitated by digital systems.

It was questioned whether there was leadership support for the new strategy and whether there should be shared ownership. It was confirmed that leadership development was part of the work undertaken as part of the Strategy to deliver a shared understanding.

The decision to keep the Digital Strategy concise was welcomed, but it was suggested that there should be more information included about the Council's strategy to assist those residents unable to access the Council digitally. It was confirmed that digital inclusion would form part of the strategy. Assisted digital was a separate stream and was about the duty of care to ensure that anyone was able to access Council service regardless of ability.

As the strategy would place digital ways of working at the centre of the Council, it was questioned whether there was sufficient ongoing budget allocated to achieve its aims. It was confirmed that significant transformation resources had been allocated, as well as significant amounts in the capital programme. Looking forward to 2020-21 it would be necessary to put in a growth bid for the core budget. It was likely that the budget could be balanced through savings achieved in other services from adopting new digital processes.

It was agreed that open data should be referenced in the Digital Strategy. Data was a theme cross cutting across the strategy and the need to publish open data would form part of this.

It was noted that the responsibility for social media content sat within the Communications team. It was agreed that further work was needed to enhance the Council's social media presence and the Digital Service would need to work with Communications to ensure the benefits that could be derived from these platforms were maximised. The Committee agreed to include this as a recommendation to the Cabinet Member for Finance and Resources.

It was suggested that the Digital Strategy should also make reference to the Library Service, as the use of technology would become increasingly important for the future delivery of this service. In response it was highlighted that a Library Strategy was due to be considered by the next meeting of the Cabinet and included proposals to transform the purpose of libraries. This would include reconsidering opening hours and other proposals to reinvent the libraries as community assets such as agile delivery and meeting user needs, which would need the support of CDS to deliver.

It was highlighted that the report did not indicate that the Smart City project would be included within the Digital Strategy, which was questioned. In response it was advised that it was important to base any Smart City projects around the actual needs of residents, such as providing support for people suffering from dementia. The final Strategy would include an update on the current thinking on Smart Cities.

It was confirmed that the Digital Strategy was due to be considered by the Cabinet in July 2019. Much of the detail would be outlined in the aforementioned public road maps, with a prototype for this being developed.

The Chair thanked the Cabinet Members and the officers for their attendance at the meeting and extended an invite for them to return to the Committee in twelve months to provide an update on progress made with implementing the Digital Strategy.

Conclusions: Following the discussion of this item, the Committee reached the following conclusions:

1. The Committee welcomed the enthusiasm of the representatives from the Croydon Digital Service team and felt that their engagement with the questions of the Committee was to be commended.
2. The Committee were reassured that there was a genuine vision for the Digital Strategy.
3. Although the Committee were reassured about the vision for the Digital Strategy, concern remained as to whether the wider culture of the organisation would hinder its delivery, as history has shown that previous improvements was slow to be delivered or were never achieved. As such it was concluded that it would be important to review the progress of embedding the Digital Strategy within the Council in twelve months.
4. The Committee had concerns about the Council's current presence on social media and the usability of the council's website, and agreed that the Digital Strategy should directly address the need for Croydon Digital Service to work with the Communications team to improve the performance in this area.
5. The Committee was keen to know how this strategy would incorporate the council's commitments to openness and transparency, in particular its commitment to promotion of open data, and accessibility of information for both businesses and residents.

Recommendation: The Scrutiny and Overview Committee agreed to recommend the following to the Cabinet Member for Finance and Resources:-

1. That the Digital Strategy should specifically reference how the Council's social media presence, including its website, will be improved.
2. To ensure that improvements are delivered the strategy needs to be supported by a work plan that has measurable outcomes, where progress against targets can be assessed and monitored by the public and Councillors.
3. The concepts of transparency and open data needs to be embedded within the new strategy, and the strategy needs to include how it will assess improvement of these concepts over time
4. That the progress made on the Digital Strategy be reviewed by the Committee in twelve months.

27/19 **Annual Report from the Chairman of the Children & Young People Sub-Committee**

The Chair of the Children and Young People Sub-Committee, Councillor Robert Ward, provided a report for the Committee, which was set out in the supplementary agenda. This report provided an overview of the work of the Sub-Committee in the past year, scrutinising the progress made on the

Children's Improvement Plan. During the introduction of the report by the Chair of the Children and Young People Sub-Committee the following points were noted:-

- The principle used as a basis for the work of the Sub-Committee was that they needed to address the key areas highlighted by Ofsted. However this needed to be balanced against the need not to create unnecessary duplication of work already going on elsewhere.
- It was recognised that there had possibly been too much flexibility in the work programme of the Sub-Committee, which would be addressed in the forthcoming year with more structure put in place.
- The Sub-Committee had recently received a complete set of indicators from the Children's Improvement Board, which would allow them to focus on those not going as well as others.
- For the next meeting of the Sub-Committee in June, the agenda would include a reports on the recovery plan for high needs, the localities model and the Children's Improvement Board as well as looking at preparations for the next Ofsted inspection expected later in the year.
- It was hoped that there would be further opportunities for the Sub-Committee to engage with a wide variety of people including service users. It was also noted that there may need to be more work needed outside of the formal Sub-Committee meetings to enable this engagement.

The Committee acknowledged the importance of the report from the Chair of the Sub-Committee, in particular should the outcome from the next Ofsted inspection result in the service continuing to be rated as inadequate.

It was questioned whether the Sub-Committee was receiving the responses it needed to be able to make an assessment of the Children's Improvement Plan. It was advised that it could be difficult as the organisation was sometimes reluctant to be challenged. It was not the Sub-Committee's job to either judge or manage the Service, but instead to ask questions and look for potential gaps.

It was noted that one of the key area's for improvement was recruitment and retention. Reports seemed to indicate that the performance was improving in the area, but anecdotal evidence from other sources seemed to contradict this. It was questioned whether recruitment and retention should be bracketed together as there would be different reasons effecting each. The Chair of the Sub-Committee advised from their work over the past year, it seemed that retention of staff remained a significant issue and they had concerns about the continuity of social workers supporting children.

The Committee agreed to extend its thanks to the Sub-Committee for its work over the past year, with the work of the Chair noted as being exemplary. It

was agreed that another report should be given in the run up to the next Ofsted inspection to apprise the Committee of the progress made.

Conclusions: Following the discussion of this item, the Committee reached the following conclusions:-

1. That the content of the report should be noted and the Committee's thanks should be given to the Chair and the Sub-Committee for their hard work over the past year.
2. That the Children & Young People Sub-Committee should continue to lead on the scrutiny of the Children's Improvement Plan.
3. That another report be request from the Chair of the Children & Young People Sub-Committee in the run up to the Ofsted inspection to apprise the Committee of the progress made.

28/19 **Exclusion of the Press and Public**

This motion was not needed.

The meeting ended at 10.20 pm

Signed:

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Date:

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For general release

REPORT TO:	Scrutiny & Overview Committee 11 June 2019
AGENDA ITEM:	Leader' Scrutiny
SUBJECT:	Cabinet Member Question Time
LEAD OFFICERS:	Jo Negrini - Chief Executive
CABINET MEMBER:	Councillor Tony Newman Leader of the Council
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Councillor Tony Newman

ORIGIN OF ITEM:	The Leader's Office
BRIEF FOR THE COMMITTEE:	Delivering for Croydon – Investing in People. To provide updates on progress against priorities identified in the Manifesto and Corporate plan since January 2019.

1 EXECUTIVE SUMMARY

- 1.1. This report provides a progress update and response to the conclusions and recommendations made at meetings concerning the areas of this portfolio since the last Scrutiny report given at the beginning of this year.

2 CONTEXT

- 2.1. I am proud as Council Leader to introduce my second scrutiny report following our Administration's successful re-election in May 2018.

- 2.2. This report highlights how we are already delivering on many of the Manifesto commitments from May last year;

- Ensuring everyone has the opportunity to benefit from the economic investment coming to our town. Nobody and no community should be left behind;
- Culture will continue to be at the heart of regeneration in Croydon;
- Our ongoing growth must be sustainable;
- Work with partners and residents to ensure Croydon's infrastructure is fit for purpose in the twenty-first century.

- 2.3. These are reflected in the Councils Corporate Plan that was adopted in October 2018.

- 2.4. The Corporate Plan gives emphasis to delivering services that help residents and businesses thrive in Croydon. This includes reducing inequalities, supporting health, happiness, independence and maintaining a safe, clean place with sustainable growth that benefits our residents.
- 2.5. Delivering a safer, healthier and more sustainable Croydon with culture at the heart of regeneration is our priority, along with ensuring everyone in Croydon has the opportunity to benefit from the growth that is happening across our borough.

Delivering For Croydon – Investing In People 2019

- 2.6. Croydon is a wonderfully diverse place and has the highest number of young people in London. This makes for a creative and exciting place for our residents to live and work. We are committed to investing in our borough to provide opportunities for everyone.

3 CULTURAL CROYDON

- 3.1. In the Corporate Plan 2018 – 22, culture was listed as one of the priorities for Croydon over the next four years. Culture and sport are integral to a healthy, vibrant borough and important drivers for the economy. This report details updates in line with the expectations set out in the Corporate Plan.
- 3.2. Croydon's Culture Plan for the next 5 years – Croydon Creates, was agreed last month. This sets out our ambition of seeing culture on every doorstep; in every locality, in every community, and in every life.
- 3.3. As described in the Cabinet Report, the Culture Plan sets out six cultural ambitions for Croydon – a place where culture is for everyone; a place where people come first; a place with a stunning, inspirational public realm; a place that is energising and dynamic; a place that celebrates its past, present and future; a place of cultural entrepreneurialism and creative business.
- 3.4. The Council is in a strong position to deliver on these ambitions over the next 5 years as we are building on good successes over the last 5 years. Arts Council lottery funding has increased year on year for the last 5 years coming in to Croydon. Our cultural calendar is continuing to strengthen with an increasing range of events and programmes.

Fairfield Halls Regeneration

- 3.5. The Fairfield Halls is due to reopen this September starting with an open day for the public on Monday 16th September. The programme continues to develop and more events are coming on line for sale.
- 3.6. The programme of events at Fairfield Halls will offer something for everyone. A number of shows are already booked, including national touring programmes. These will offer theatre, music, comedy, family shows and talks.

- 3.7. Public realm improvements will also be delivered around the reopened venue, ensuring it is a destination location for all.

Mayor of London's Growth Fund, Creative Enterprise Zone Bids and Events Programme

- 3.8. The Mayor of London's Growth Fund and Creative Enterprise Zones aligns strongly with our vision and ambition for Croydon. The Council has now started delivering on the programme.
- 3.9. Croydon was announced as one of the first Creative Enterprise Zones in December last year. Croydon's Creative Enterprise Zone (CEZ) sits mainly in the centre of Croydon, an area which is at the very heart of the large scale and transformational change the borough is undergoing over the next few years. The plans for our CEZ put a framework and set of actions in place that will support keeping creative production and cultural activity as a central part of that change.
- 3.10. There are a number of event organisers interested in the potential of Croydon, such as Metropolis Music who organised the first The Ends festival for Croydon at the beginning of this month. The event was a great success.
- 3.11. We have now started delivering on the Creative Enterprise Zone programme, offering support to small scale venues, discounts for studio spaces for under 25s and looking to raise our profile as a place to do creative business.
- 3.12. The challenges ahead will be how to maintain momentum and growth of this kind of activity, finding sustainable funding models for cultural programmes and events. The importance of free events within the annual programme is key in terms of access for everyone to a vibrant cultural offer.

Music City

- 3.13. Building on our existing grass roots that produced Stormzy, Krept & Konan, etc. earlier last year the council revealed its aim to develop the borough as a music city in the style of Nashville or Seattle – a place where music-making and music production is at the heart of the local culture and economy.
- 3.14. Croydon Music City is becoming a reality with Croydon being recognised as a destination for great music with new festivals such as Cro Cro Land and The Ends playing in our local venues and parks. These events have attracted a huge amount of interest from festival makers and goers and so we can expect that Croydon will be seen as the place to go for music in the near future.

Investing in our Libraries

- 3.15. Croydon's Library Service underwent a major change when in January last year. Following the announcement of liquidation by Carillion PLC, the Council terminated the service contract and brought the statutory library service back in

house.

- 3.16. We immediately developed the Libraries Plan 2019-2208 which was approved by cabinet in May. The plan sets out the council vision for Croydon's libraries, including the commitment to keep all 13 of the borough's libraries open as vibrant centres of creativity and learning.
- 3.17. Norbury is among the first phase of the council's ambitious programme of refurbishment for all Croydon's libraries, transforming them into modern, welcoming, inspirational spaces that meet local needs now and in the future. The programme is already under way, with South Norwood's new library opening in spring 2020. Selsdon, Norbury and Thornton Heath libraries will all be refurbished over the next year.
- 3.18. Residents gave their backing to Norbury Library's £1m refurbishment this week as part of council plans to transform and improve the borough's network of 13 libraries.
- 3.19. More than 150 people attended an open day event hosted by councillors and council staff this month, with more than 100 filling out feedback forms to give their views on a new look library for the area. There was overwhelming local support for the plans, which will bring longer opening hours, improved Wi-Fi and new furniture, shelving and lighting to the library.
- 3.20. To give residents longer access to their new library spaces and services, the council will pilot new technology, Open+, which will allow them to access the building with their library card.
- 3.21. Libraries are a key element of our locality working. Investment is creating new community hubs which can better serve our local residents with our key partners, including voluntary and community sector organisation.
- 3.22. The refurbishment, which is due to start over the summer, will include a full roof replacement, upgraded ICT, redecoration and new furniture. An accessible lift will be installed to the first floor community room, bringing this space back into use. The room will be named after long-serving Norbury councillor Maggie Mansell, who died in January this year.
- 3.23. Already this year, the council has committed £5m to the refurbishment of libraries and has increased the book fund by 9%.
- 3.24. To get more people involved with Croydon's libraries, the council will develop its volunteer programme, and partnerships with the voluntary and community sector. The network of volunteers will be in addition to current staffing numbers, and there are no plans for any library to be staffed entirely by volunteers..

New Addington Regeneration

- 3.25. New Addington residents and businesses have backed plans for new homes and improved community facilities around Central Parade.
- 3.26. In September, the council asked residents for their views about the area's future, with options including a new wellbeing centre, improved open space in front of the new leisure centre, new homes and shops.

- 3.27. More than 200 residents, including local businesses and partners discussed their views on initial proposals at events, including pop-up stalls at the market square and a New Addington Fun Day. There were also two interactive workshops carried out with young people from the area and questionnaires were available at the Fieldway Family Centre, the Timebridge Centre and Addington Community Centre. Responses were also accepted through the council's Get Involved service.
- 3.28. Results showed:
- Respondents supported the idea of a new multi-use wellbeing centre in New Addington
 - Three quarters of respondents strongly agreed or agreed with proposals to build new homes, with particular support for affordable housing and homes designed for older people
 - Nearly half of respondents strongly agreed with the provision of new business space
 - Around 70% of respondents would like to see more trees, plants and flowers in Central Parade, with similar percentages wanting play equipment and seating.
- 3.29. Council officers will now review the findings and develop more detailed plans. Community engagement will continue to help inform the emerging detailed design proposals.

4 ENSURING CROYDON'S YOUNG PEOPLE THRIVE

- 4.1. Croydon has the highest number of young people in London. The council, along with partners, residents and communities is committed to ensuring they get the best possible start in life. All major partners such as police, health services, voluntary organisations, local colleges and faith groups are signed up through the Local Strategic Partnership to making young people a key priority.
- 4.2. After a disappointing Ofsted judgement of our children's social care services in 2017, the Council continues to work extremely hard to improve the services we are responsible for, supported by our partners, and will deliver our ambitious improvement programme. This is a key priority and I'm pleased with the progress to date/

Ofsted preparation

- 4.3. The sixth monitoring visit is on 10th and 11th July and will focus on the children with disabilities service, the front door for children's services (SPOC) and provision for children privately fostered. Three inspectors will be on site, including the lead inspector from the 2017 inspection.
- 4.4. 'Mocksted' service reviews have taken place in the appropriate services to prepare for the official monitoring visits. These have been planned and executed jointly with Camden lead officers, who have been providing support in our improvement programme.
- 4.5. The outcomes and recommendations of these service reviews will be captured in service improvement plans; these have already been drafted and will now be

finalised with these outcomes.

- 4.6. The bi-monthly case audits in May have been focused on the 3 service areas under scrutiny. All have been completed. The themes and key issues from the audits will be summarised into a learning overview to ensure practice continues to improve for children and families
- 4.7. The outcomes of the latest case audits reflect what we know about the overall quality of practice. Whilst we are generally seeing fewer inadequate examples, we still have a lot of progress to make to be consistently good.
- 4.8. Outcomes from all of the above activities inform the detailed preparation for the visit and form the basis of the self-assessment provided to inspectors at the start of the visit.

Legacy Onside Youth Zone

- 4.9. The Youth Zone has been looking for the first round of volunteers to staff Legacy. There have been 137 enquiries, 59 applications received and 31 interviews to date. The first training session took place in late May.
- 4.10. They have had an extremely successful recruitment round so far. 97 candidates attended for the sessional roles and around 90% of staff recruitment is completed. A training programme is in planning for them all.
- 4.11. 19 founder patrons have been secured and the Legacy Partner Development Manager is now in place, who will be working with David Mellis (OnSide) and will eventually take over from him when he moves onto his next OnSide project. Legacy plan to increase their resources in this area.
- 4.12. In terms of delivery, coordinators are in place who have been planning all the delivery and placing the recent recruits into their different roles.
- 4.13. Membership is now open and the 100 day countdown to opening started on 31 May. Assemblies have been booked in with schools as well as soft opening sessions to engage with the local young community.
- 4.14. The Grand opening will be Saturday 7th September.

5 HEALTH

- 5.1. Croydon is already leading the way in terms of policy in integrating health and social care for residents with the innovative One Croydon Alliance and over 65s outcomes based commissioning.
- 5.2. The One Croydon Alliance is a partnership between the council, Croydon Clinical Commissioning Group, Croydon Health Services NHS Trust, Croydon GP Collaborative, South London and Maudsley NHS Foundation Trust, and Age UK Croydon. It was set up to deliver an integrated health and social care system, starting with prevention work to reduce unnecessary hospital stays for elderly residents and boost their independence.

- 5.3. The Council, Croydon Health Services (CHS) Trust and the Croydon Clinical Commissioning Group (CCG) have made the case for devolving local decision making to GPs, hospitals and trusts and avoid situations where services are cancelled/delayed (e.g. recent change of IVF services).
- 5.4. The current position that, in principal, has support from NHS England and NHS London, is for the hospital and CCG to effectively align by having a jointly appointed chief executive and to set up a Croydon Health Board in 2020; a sub-committee of the regional CCG that will have representatives from the Council, hospital and CCG.
- 5.5. All of this has resulted from work done to integrate health and social care that initially gave way to the hugely successful One Croydon Alliance and has now led to the CHS and Croydon University Hospital aligning and a single CCG and NHS Plan for South West London and having local place boards to delegate NHS resources to. We still have a way to go but I'm pleased with our journey so far.

Croydon Health & Wellbeing Strategy

- 5.6. The Croydon Health and Wellbeing Strategy has now been published and has a clear vision that 'Croydon will be a health and caring borough where good health is the default not the exception and those that experience the worst health improve their health the fastest'.
- 5.7. The strategy aims to achieve this by reducing inequality, focussing on prevention and increasing integration. Eight priorities have been identified and targeted in this strategy:
 - A better start in life
 - Strong, engaged, inclusive and well connected communities
 - Housing and the environment enable all people of Croydon to be healthy
 - Mental wellbeing and good mental health are seen as a driver of health
 - A strong local economy with quality, local jobs
 - Get more people more active, more often
 - A stronger focus on prevention
 - The right people, in the right place, at the right time
- 5.8. The Health and Wellbeing Board will be working to achieve outcomes identified in this strategy with the other LSP boards and groups, people in the communities and other health and care organisations in Croydon.

6 AFFORDABLE HOUSING: BRICK BY BRICK

- 6.1. Croydon Council has welcomed the first batch of affordable homes now available to borough residents through developer Brick by Brick. Work is being finalised on turning the site of a derelict former care home off Chipstead Avenue in Thornton Heath into Flora Court, a scheme consisting of 24 shared ownership flats and three affordable rented flats.

- 6.2. From today, the shared ownership part of the scheme goes on sale, meaning that homes starting from £315,000 will cost £78,750 for those buying a 25% share. The three affordable rented homes will go to people on the council's housing waiting list.
- 6.3. The council set up the developer in 2016 to boost local housing supply by developing more than 2,000 good-quality homes, including affordable homes, with any profits from development to be returned to the council to reinvest in the borough.
- 6.4. The first Brick by Brick homes went on sale at the Auckland and Ravensdale sites in Upper Norwood in March. Brick by Brick is also building another 24 schemes which are either on site or coming into contract. Many more sites are at various stages of the planning process and are delivering or aim to boost the local housing supply.

7 CREATING A MORE SUSTAINABLE PLACE: SUSTAINABLE CROYDON

- 7.1. A priority for Croydon is to become more sustainable. Clean and accessible streets as well as a variety of reliable transport services and support are important to residents for their wellbeing and the success of the local economy.
- 7.2. The ambition is for Croydon to become the most Sustainable, Green Borough of London. In order for this to happen, a lot of work must be done to improve transport, increase infrastructure and encourage recycling. The Council has already started this work with partners and the community; recycling borough-wide is up by 9%, Croydon's five-year Air Quality Action Plan 2017 – 22 has been published, and plenty more activity underway.
- 7.3. More still must be done to make Croydon a more sustainable, clean and green borough. With this in mind, a Sustainable Croydon Summit is being held on 27 June this year to secure wider commitment to this vision and identify further actions and opportunities with partners and stakeholders. Residents, schools and businesses have been invited to take part in the conversation.

Croydon Local Plan Review

- 7.4. Croydon Council is reviewing part of its Local Plan to update the vision and strategy for Croydon's growth up to 2040, and set out how the borough will continue to deliver much-needed new homes, jobs and community facilities.
- 7.5. The review is being undertaken as the Mayor of London finalises the London Plan, which is expected to require all outer London boroughs to provide more homes.
- 7.6. The plan aims to strengthen Croydon's sustainability, create healthier places and support local employment, leisure and retail.

- 7.7. As part of the review, the council will explore a range of options to minimise the impact of growth on the character and nature of Croydon's suburbs, looking at alternative and suitable locations for new homes and community facilities.
- 7.8. The review will also include a section on the Purley Way, where the council has received funding from the Greater London Authority (GLA)'s Home Building Capacity Fund. It will look at protecting the commercial future of the area, while providing units for smaller businesses, community facilities and homes in an improved environment.
- 7.9. The council is required to review its local plan every five years to ensure it meets changing needs. It is anticipated it will not be adopted until 2022.
- 7.10. Residents, stakeholders and developers will be invited to engage as the partial review is drawn up. During June and July the council will open up a call for information on development sites and valued green spaces across the borough to help shape the review. In November, Croydon's draft partial review will be available to comment on.

Emissions Based Parking Charges

- 7.11. Croydon is continuing its journey to become a greener borough as a consultation on new emissions-based parking charges, offering major discounts to drivers with less polluting cars, launched at the end of May.
- 7.12. The scheme would offer significant parking permit discounts for the least polluting vehicles with some drivers only paying £6.50 for an annual resident's parking permit.
- 7.13. Other initiatives to help Croydon achieve its green ambitions include transforming Old Town into a Liveable Neighbourhood, installing electric vehicle charging points and bike hangars as well as introducing dockless e-bikes across the borough.
- 7.14. A survey for the Local Implementation Plan in September 2018 found nearly three quarters of respondents were concerned about air quality in the borough.
- 7.15. The new parking scheme would see different parking charges for vehicles depending on how much CO₂ they produce per kilometre. A separate surcharge could be applied to older diesel vehicles registered before September 2015. If introduced the new model would be introduced in three stages. The first round would see the model introduced for residents' parking permits later this year. Business and all other permits would be introduced in 2020 and on and off street parking restrictions could be introduced the following year.
- 7.16. A formal public consultation on the changes to residents' parking permits and business permits ran until Thursday 20 June. A separate consultation around on and off street changes will take place at a later date.

8 COMMUNITY SAFETY: VIOLENCE REDUCTION NETWORK

- 8.1. Tackling violence and the causes of violence is a priority for the Council and its partner organisations that form the Safer Croydon Partnership. The significant rise in knife crime in 2017/8 highlighted the importance of taking an approach that focuses on the causes of violence, rather than the symptoms. Whilst Croydon has seen reductions of 21% in serious youth violence and 17% in knife related offences in the financial year 2018/19, compared to 2017/18, achieving long term reductions in violence remains a priority for the Borough.
- 8.2. In response, the administration has made it a top priority to treat violence, including serious youth violence and knife crime, as a public health issue to make Croydon the safest borough for young people. The Council is also committed to remain as a lead borough in tackling Modern Day Slavery and domestic and sexual violence and all forms of violence against women and girls.
- 8.3. The transformation of the Community Safety team into the Violence Reduction Network is nearing completion. An Interim Director for the Violence Reduction Network is in post to drive the work programme forward, with permanent recruitment nearly complete.
- 8.4. Following extensive consultation a Framework for Croydon's Public Health Approach to Reducing Violence, which sets out the key themes and priorities for the Council and wider partnership to achieve long term reductions in violence in the Borough, is due to be considered at Cabinet on the 10th June 2019 and will remain at the centre of our approach in the medium to long term.
- 8.5. Importantly, the Framework makes it clear that a Public Health Approach to Reducing Violence means that everyone has a role to play in preventing and reducing violence; it is a societal issue as opposed to the responsibility of a single agency or group of agencies and enables partner organisations from across all sectors to identify where they can directly contribute to preventing and addressing violence.
- 8.6. The Violence Reduction Network will work with existing boards, partners, voluntary and community organisations and locality leads to ensure the priorities that are set out in the Framework are delivered and external funding opportunities are maximised. As such it will have a greater influencing role across existing boards holding them to account for the priorities and outcomes.
- 8.7. Delivery of the themes and priorities set out in the Framework will have a direct and positive impact in the reduction of serious youth violence, knife and weapon related offences, by identifying and addressing the underlying causes of violence and delivering interventions which support those most affected by violence.
- 8.8. Following extensive consultation a number of key themes and priorities have been developed. The themes are the broad areas that will remain at the centre of the Croydon's violence reduction approach for the next 3-5 years. They

enable partner organisations from across all sectors to identify where they can directly contribute to preventing and addressing violence. The themes are: -

- Theme One - Using Data to drive our approach
- Theme Two - Preventing Violence before It Occurs
- Theme Three - Community Based Support
- Theme Four - Targeted Interventions
- Theme Five – Intensive Interventions and Enforcement

8.9. The Priorities set out in the framework for Croydon’s public health approach to violence reduction are the key areas of delivery for the next 12-18 months. They reflect the issues that have been raised throughout the consultation period across the range of agencies, in the public, commercial and voluntary sectors. They are also the key priorities that have been consistently voiced at community meetings, with young people and by those directly affected by violence; offenders, victims and families.

- Every person understands the role they can play in reducing
- Developing community-based networks to help those impacted by violence navigate the challenges they face
- Focusing on the vocabulary of inclusion
- Recognition of the importance of culture and identity for families and young people
- Social media and violence

8.10. The Governance of the violence reduction activities will remain a function of the Council and regular reports on progress in terms implementation and progress against the key themes and priorities and performance in terms of achieving a reduction in violence will be made to Cabinet.

8.11. In terms of delivering the themes and priorities of the Public Health Approach to Violence Reduction, the Framework a Delivery Plan is being developed through engagement with the existing structures of the Local Strategic Partnership including the Health and wellbeing Board, Safer Croydon Partnership, Children and Families Board, Safeguarding Children and Safeguarding Adults Board and Future Place Board. Each theme or priority within the Delivery Plan will have a Strategic Lead identified who will be held accountable for the ensuring delivery and monitoring progress, based on their expertise. This approach will embed the ownership of Public health Approach to Violence Reduction across a wider range of organisations, maximising the skills and knowledge of the strategic partnerships.

8.12. The Framework recognises the value of the localities approach in terms of delivering the key actions at a local level. In recognition of the intention to involve as wide an audience as possible in delivering long term reductions in violence the Public Health Approach to Violence Reduction in Croydon will be referred to as the “Croydon Violence Reduction Network”.

8.13. Finally, the Framework highlights the direct link between Croydon’s approach to violence reduction and the current delivery model being developed by the London Violence Reduction Unit (VRU) established by the Mayor’s Office for Policing and Crime (MOPAC). It recognises the importance of aligning the

themes and priorities set out above, with the priorities that emerge from the London VRU, whilst recognising the local borough context.

9 BUSINESS & SKILLS

Small Business Friendly Borough Awards

- 9.1. The support offered by Croydon Council to get hundreds of residents into jobs and enable small businesses to grow has been awarded as the best in the capital. Croydon Council won the Best All-Round Small Business Friendly Borough category at the Small Business Friendly Borough Awards, supported by the London region of the Federation of Small Businesses and London Councils.
- 9.2. Croydon Council has focussed its efforts in introducing a number of initiatives in order to support the borough's small businesses, including:
 - Last year's Croydon Means Business programme, which delivered support to more than 4,500 business delegates
 - Free job brokerage service Croydon Works, which has got 700 of the borough's residents into work
 - Croydon Enterprise Loan Fund, which supports businesses to start, develop and grow, offering investment finance to companies that may not be able to get it elsewhere.
- 9.3. These initiatives were built on following the introduction of the business-led small business commission, which led to improvements in offers to employers.
- 9.4. The council was nominated in two other categories at the awards held at the Bloomsbury Hotel in London: Best Small Business Friendly Procurement to Support Local Trade and Best Programme to Reduce Impact of Crime on Small Businesses (in partnership with Croydon Business Improvement District (BID)).

South Bank University

- 9.5. A new partnership between Croydon Council and London South Bank University (LSBU) has been revealed as the next exciting step in the borough's regeneration, as the town centre further develops as a centre of business, culture and learning.
- 9.6. The partnership could see LSBU establish a centre for higher education in the heart of the town centre – a move which would significantly increase learning and training opportunities for residents of all ages, particularly the borough's 93,000 under-18s.
- 9.7. It would also provide a significant boost to the borough's economy, enhancing the skills of the local workforce, forging links with local businesses and building on the success of the council's award-winning apprenticeships scheme, which is part of the Choose your Future campaign.

- 9.8. LSBU's business incubation facility houses 90 businesses and is ranked among the top 15 university-run incubators in the world, while its employer-supported learning framework has made it a leading UK university for graduate employment. Nearly 89% of graduates are in professional graduate-level jobs or further study six months after graduation.
- 9.9. The new partnership is the first step in the council's ambition to develop the Croydon Creative Campus, which would see the town centre develop as a global centre of higher education.

10 GOVERNANCE REVIEW

- 10.1. A cross-party panel has been established to undertake an independent review of the Council's governance structure and to report its findings to the Council.
- 10.2. The panel is led by an Independent Chair, Dame Moira Gibb and panel membership includes: Councillors Hamida Ali, Richard Chatterjee, Sean Fitzsimons, Clive Fraser, Simon Hall, Jason Perry, Joy Prince, Helen Redfern, Scott Roche; and Anne Smith (Independent Member from the Ethics Committee). The Panel can also involve independent experts to support the review.
- 10.3. The scope of the review is to assess and review the Council's governance arrangements, to bring together best practice and to develop a model tailored to the needs and aspirations of Croydon's residents and stakeholders.
- 10.4. The main goals of the review are to:
- Improve councillor involvement
 - Improve local democracy and community participation
 - Consider if a change in arrangements could improve the quality of decision making and members' involvement and participation.
- 10.5. The Panel's key tasks are to:
- Hear the views of councillors and other stakeholders including residents, community and voluntary groups, business, MPs and other participants in local democracy;
 - Hear the views and seek advice from experts on participation in local democracy;
 - Identify those aspects of the council's governance that works well and identify opportunities to improve councillor and other stakeholder participation in the local democratic processes;
 - Benchmark good practice from areas with higher levels of participation and consider how this can be delivered in Croydon;
 - Identify the cost and value for money implications of any recommendations that it makes.
- 10.6. The Panel will submit their final report detailing options and recommendations in December 2019. The Panel hopes to present some early indications of findings and recommendations in a progress report to the July council meeting.

10.7. The Panel is at the stage of evidence gathering and as the review progresses it will be seeking the views of many groups in the borough as well as experts in the governance field and those with experience of other models of governance.

11 PARTNERSHIP WORKING: VOLUNTARY AND COMMUNITY SECTOR STRATEGY

11.1. Partnership working is integral to how the Council works and provides better services to the community. To support this, Croydon has developed its Voluntary and Community Sector Strategy to better work with the local groups and partners.

11.2. The strategy outlines how the Council wants to work in partnership with voluntary and community sector (VCS) organisations and groups. It has been informed by research and engagement across the sector and by the priorities of the council and its partnerships. The strategy can be found on the Council website at:

https://www.croydon.gov.uk/sites/default/files/articles/downloads/Voluntary_and_Community_Sector_Strategy_2019-2023.pdf

11.3. The aim is to see a thriving VCS, with improved community cohesion and the foundations of wellbeing and resilient, empowered, supportive communities. The Council will play its part to support the sector. However, this strategy is not about telling the VCS how to operate. Instead, the priority outcomes set out are intended to provide an open and honest framework for prioritising support and resources for working with the sector to deliver for Croydon.

11.4. The policies and commissioning prospectuses will be developed within the framework of this strategy in consultation with the sector.

12 FINANCIAL CONTEXT

12.1. Once again, despite ongoing real term cuts from Central Government, we have set a balanced budget for 2019/20 that protects vital frontline services this year.

12.2. Thanks to sound financial management, tough decisions already taken and the proposed increase in council tax and adult social care precept, we can protect the services that residents tell us matter most to them.

12.3. Croydon continues to suffer from a lack of funding from the Government with a 76% cut in government funding since 2011 and last year Croydon funded £10.6m of UASC costs due to shortfall in funding from the Home Office.

Unaccompanied Asylum Seeking Children (UASC)

12.4. Local Authorities are responsible for supporting UASC in the same way as Looked After Children with the Home Office providing a fixed rate funding to support UASC.

- 12.5. This funding does not adequately consider the volume of UASC within a given area, which are significantly higher in point of entry authorities such as Croydon which leaves the Council with a funding deficit of £10.6m.
- 12.6. The National Transfer Scheme (NTS), designed to disperse USAC across local authorities, is not working as it is not mandatory and almost all London Councils are at or above the threshold of 0.07% of local 0-18 year olds in the borough population. Croydon has 6 times the NTS threshold
- 281 open USAC cases as at 1 May 2019
 - 513 Care Leavers (who are former USACs)
 - 1 in 3 LAC are USAC
 - 92 Under 16 UASC arrivals in 2018/19 – only one transferred under NTS
- 12.7. Even if the NTS improves, the Council cannot relocate those that are already settled.
- 12.8. The main objectives for the Council are to continue to support some of the most vulnerable people in the country, secure fair funding that enables this support to be provided without impacting on resources for local services and to secure changes to the National Transfer Scheme to ensure UASC are distributed fairly across local authorities
- 12.9. The Council is working with Croydon MPs, London Councils and the LGA to raise awareness of the unfair costs facing Croydon Council and campaign for a fairer approach. Ultimately we will pursue legal challenge if Government is unwilling to review the current arrangements.
- 12.10. Croydon is proud of its long track record in welcoming and caring for these vulnerable young people, having looked after more than 5000 children in the past ten years, but the funding needs to be fair for this to continue.

13 CONCLUSION

- 13.1. The last six months have been very positive for Croydon. We are constantly changing as a Council and seeking to improve our services for our residents by working to and delivering our manifesto commitments.
- 13.2. This report summarises some of the major work streams for delivery against manifesto commitments and the priorities of the Corporate Plan.
- 13.3. Regular reports will be provided regarding progress against the plan the first of which will be going to July Cabinet.

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For general release

REPORT TO:	Scrutiny and Overview Committee 11 June 2019
SUBJECT:	Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities
LEAD OFFICER:	Simon Trevaskis Senior Democratic Services & Governance Officer - Scrutiny
CABINET MEMBER:	N/A
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Councillor Sean Fitzsimons Chair of the Scrutiny & Overview Committee

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:

One of the roles of the Scrutiny and Overview Committee is to scrutinise the implementation of the Corporate Plan.

[Corporate Plan for Croydon 2018-2022](#)

ORIGIN OF ITEM:	This report was requested by the Chair of the Scrutiny & Overview Committee.
BRIEF FOR THE COMMITTEE:	The Committee is asked to review the new Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities with a view to: <ol style="list-style-type: none"> 1. Recommending the Guidance for consideration by the Governance Review Panel as part of its review of governance at Croydon Council. 2. Highlighting particular areas of the Guidance for the Governance Review Panel's consideration. 3. Identifying any changes to current practice as a result of the guidance that can be directly implemented by the Committee.

1. EXECUTIVE SUMMARY

- 1.1 On 7 May 2019 the Ministry of Housing, Communities & Local Government published the document, 'Statutory Guidance for Local Authorities on Overview and Scrutiny'. The new guidance seeks to clarify the role and benefits of scrutiny to local authorities, taking into account the significant changes to scrutiny since the previous guidance was published in 2006.

- 1.2 Although this is statutory guidance, it also recognises that local authorities are best placed to decide how scrutiny should work within their own political structures. As such the guidance is focussed towards highlighting best practice, with it left to individual councils to determine its implementation.
- 1.3 Croydon Council is currently undertaking a review of its own governance arrangements, with a Governance Review Panel set up to oversee the process. The Scrutiny & Overview Committee needs to consider whether it wishes to recommend the guidance to the Governance Review Panel. In doing so the Committee should also consider whether there are any specific sections of the new guidance it would like to highlight for the Panel's consideration.
- 1.4 Although parts of the guidance are focussed on the wider culture of the organisation towards scrutiny and as such are beyond the remit of the Scrutiny and Overview Committee to directly determine, other sections provide more practical advice. Where the guidance makes practical recommendations, the Committee needs to consider how it wishes those to be implemented. The areas within the remit of the Committee to implement are highlighted in this report.

2. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

Background

- 2.1. In September 2017 the Communities and Local Government Select Committee undertook a review of the effectiveness of overview and scrutiny in local authorities. This review took into account a broad range of evidence from a variety of sources, including Croydon's Overview and Scrutiny Committee Chair, Councillor Sean Fitzsimons. The review concluded with the publication of the Select Committee's findings and recommendations in December 2017.
- 2.2. The Government published its response to the Communities and Local Government Select Committee report in March 2018, giving a commitment to publish new scrutiny guidance for local authorities by December 2018. Although the publication of the guidance was delayed, it was eventually published in May 2019. A copy of the full guidance is set out in Appendix 1.

Themes of the Guidance

- 2.3. The guidance highlights a number of specific areas that directly contribute towards the effectiveness of scrutiny. These range from practical advice on items such as the importance of work programming to the less tangible and harder to influence, such as organisational culture. The six themes as set out in the guidance are:
 - i. Culture
 - ii. Resourcing
 - iii. Selecting Committee Members
 - iv. Power to Access Information
 - v. Planning Work
 - vi. Evidence Sessions
- 2.4. The content of the six themes are summarised below, with the full report attached at Appendix 1.

Culture

- 2.5. The guidance acknowledges that organisational culture within local authorities is one of the key determinates of the success or failure of scrutiny, with an emphasis placed on the importance of scrutiny being owned and led by its Members.
- 2.6. It is also highlighted within the guidance that the performance of scrutiny and its effectiveness can be considered by external bodies such as regulators and published in public reports. For example, the Ofsted inspection of Children's Services at Croydon in June 2017 made reference to the Children & Young People Sub-Committee and a lack of a formal records to demonstrate a clear line of sight from elected members and senior managers to frontline practice.
- 2.7. The guidance lists a range of suggested mechanisms that will help to ensure that the organisational culture is supportive of the role of scrutiny. These are

a) Recognising Scrutiny's legal and democratic legitimacy

The need for all members and officers within the Council to recognise the importance and legitimacy of scrutiny, which has specific powers set out in law, is highlighted within the guidance.

b) Identifying a clear role and focus

It is recommended that there is a need for scrutiny to have a clearly defined role within the organisation and one that is focussed on providing value.

It is emphasised that there needs to be a clear division of responsibilities between the scrutiny and audit functions.

c) Ensuring early and regular engagement between the Cabinet and Scrutiny

It is recommended that there should be early and regular discussions between Scrutiny and the Cabinet, particularly in regard to the Cabinet's future work programming.

d) Managing Disagreement

The guidance recommends that a protocol is developed to manage any instances when the Cabinet disagrees with Scrutiny recommendations.

e) Providing the Necessary Support

The guidance recognises that determining the level of support available for Scrutiny is a matter for individual authorities, but it does highlight that appropriate support should be given to allow Scrutiny Members to access information required to fulfil their duties.

f) Ensuring Impartial Advice from Officers

The guidance reconfirms the need for officers to be able to give impartial advice to Scrutiny Members, highlighting in particular the importance of the 'statutory officer' roles, namely the Head of Paid Service, the Section 151 Officer and the Monitoring Officer.

g) Communicating Scrutiny's role and purpose to the wider authority

The guidance highlights that a lack of awareness of the role of scrutiny across the Council can act as an impediment to its success. As such it is crucial to communicate the importance of scrutiny and the role it plays in decision making across the Council. This will ensure that officers are aware of the role of scrutiny and the importance of providing support to the scrutiny function.

h) Maintaining the interest of full Council in the work of Scrutiny

The guidance notes that it is important that other non-scrutiny Members are kept informed of the work of scrutiny. The suggested mechanism for this is through submitting reports and recommendations to full Council rather than solely to the Cabinet.

i) Communicating scrutiny's role to the public

The guidance suggests engaging with the Council's Communications team to publicise and raise awareness of the work of scrutiny in the local community.

j) Ensuring scrutiny members are supported in having an independent mindset

The guidance acknowledges that the difficulty for Members in potentially having to scrutinise colleagues, but emphasises that in order for scrutiny to work effectively it is fundamental that Members have an independent mindset. It highlights the need for Scrutiny Chairs to work proactively to identify any contentious issues and plan how to manage them.

- 2.8. Many parts of the above are outside of the remit of the Scrutiny and Overview Committee to directly influence. As such the Committee should consider highlighting the above to the Governance Review Panel, asking that consideration be given to how these can be implemented.

Resourcing

- 2.9. As mentioned above, the guidance does not seek to prescribe a specific level of officer support allocated to scrutiny, but it does highlight that an appropriate level of support is required to ensure that scrutiny can function effectively.
- 2.10. In addition to specific officer support, the guidance highlights that any support should also include the way the wider Council engages with scrutiny.
- 2.11. This section of the guidance is also beyond the remit of the Scrutiny and Overview Committee to directly influence and as such should also be highlighted to the Governance Review Panel for further consideration.

Selecting Committee Members

- 2.12. The guidance emphasises the need to consider experience, expertise, interests, ability to act impartially, ability to work as part of a group and capacity to serve when selecting Members to serve on scrutiny committees.
- 2.13. A perceived level of support for or against a particular political party should not be a factor taken into account when selecting Members for scrutiny.
- 2.14. The selection of Scrutiny Members at the Council is by the respective political groups and as such beyond the direct control of the Scrutiny & Overview Committee and should also be highlighted to the Governance Review Panel for further consideration
- 2.15. The guidance recognises the importance the role of Chair plays in the success of scrutiny, with this role being responsible for establishing its profile, influence and ways of working. A suggestion is made for using a secret ballot as a method for selecting scrutiny chairs, but it is acknowledged that it is up to local authorities to choose the best method for their circumstances.
- 2.16. It is recommended that ongoing training is provided for Scrutiny Members to allow them to fulfil their roles successfully. In particular the need for Members to be aware of their legal powers and understand how to prepare for and ask relevant questions at Scrutiny meetings are essential.

- 2.17. In the past year a training session has been organised for Scrutiny Members giving an introduction to scrutiny and setting out best practice. Briefing sessions have also been arranged for specific Sub-Committees as required. A number of Members have also attended external training courses with the Centre for Public Scrutiny and the Local Government Association. Further training is being arranged for the forthcoming year.
- 2.18. The guidance also recognises the value that can be added by outside expertise through either co-option of members onto a committee or the use of technical advisors for specific subject. At Croydon there are a number of co-optees appointed by scrutiny, including a representative from Healthwatch Croydon on the Health & Social Care Sub-Committee and a number of education representatives on the Children & Young People Sub-Committee.

Power to Access Information

- 2.19. The guidance reemphasises the legal powers for Scrutiny Committees to access information in order to be able to carry out its work. This includes regular access to key sources of information such as data on finance, performance and risk.
- 2.20. The guidance also sets out a number of considerations for Scrutiny when requesting information from external organisations including the need to explain the purpose of scrutiny, highlighting the benefits of an informal approach, how to encourage compliance with the request and who best to approach.
- 2.21. In order to act as a reminder for Members on requests made for further information at Committee meetings and to ensure that the information is provided, a specific section has been added to the minutes of each meeting setting out the requests made. This has ensured more timely responses to requests for information by the Committee.
- 2.22. The wider question of how and when information is provided to scrutiny is something that should be referred to the Governance Review Panel for further consideration.

Planning Work

- 2.23. The guidance stresses the importance of work programming in the success of scrutiny, with a focus needed on items that can make a tangible difference. In planning its work programme, it is recommended that scrutiny should have in the main a long term plan, but with enough flexibility to ensure that urgent, short term issues can be considered as needed.
- 2.24. It is recognised that there needs to be coordination across the work programmes of individual Scrutiny Committees/Sub-Committees with prioritisation being necessary to ensure that the intended outcome for a specific item remained focussed. Coordination will also help ensure that the best use is made of the available support for scrutiny.
- 2.25. At Croydon the work programme of the Committee/Sub-Committee is coordinated through regular meetings of the Scrutiny Chairs who ensure that items are prioritised and a balanced approach is taken.
- 2.26. The guidance recommends using a variety of sources to inform the work programme including the public, partner organisations, the Cabinet and senior officers. In consulting with the public it does highlight that a formal consultation on scrutiny may be less successful than individual Members having conversations with groups and individuals in their local communities.
- 2.27. At Croydon a variety of sources are consulted when preparing the work programme at the start of the year, including partner organisations such as those in the healthcare field. Meetings are arranged for the Scrutiny Chairs with the respective senior managers responsible for those areas within the remit of each Committee/Sub-

Committee to inform work planning. Looking forward the Committee may wish to consider who else should be consulted and how this could be accomplished.

- 2.28. The guidance also recommends the use of shortlisting to decide which topics to include in the work programme to ensure that the items chosen are ones in which scrutiny can add value.
- 2.29. The guidance sets out a number of different ways topics can be scrutinised, including having a single item on an agenda, dedicating a whole meeting to one item, a short task and finish group, a longer term task and finish group or a standing panel. The guidance sets out when it might be most appropriate to use each of the above.
- 2.30. In the past year the majority of topics have been scrutinised as individual items on an agenda, but for larger topics whole meetings have been dedicated to a specific item and a task and finish group is currently in progress. The Committee may wish to give consideration to the different scrutiny mechanisms when planning their work programme going forward.

Evidence Sessions

- 2.31. The guidance highlights that evidence sessions are a key way for scrutiny committees to inform their work and emphasises the need for effective planning. In particular it is recommended that consideration is given to setting overall objectives for each session and the types of questions that need to be asked to achieve these objectives.
- 2.32. Prior to each meeting of scrutiny at Croydon Council a pre-meeting is held to allow Members the opportunity to discuss each item coming up on the forthcoming agenda and plan the questions to be asked. Given that the guidance emphasises the importance of effective planning, the Committee should consider whether the current system of pre-meetings allows this to be accomplished or whether other mechanisms should be considered.
- 2.33. In developing recommendations from the evidence sessions the guidance advocates the need for them to be evidence based and SMART (specific, measurable, achievable, relevant and timed). The guidance also suggests that a maximum of six to eight recommendations per topic should be sufficient to ensure that a focussed response is received.
- 2.34. At the conclusion of each scrutiny meeting at Croydon, a 'wash up' session is held to finalise the recommendations to be made for each item. In the past year steps have been taken to improve the quality of recommendations made to ensure they are concise and focussed upon deliverable outcomes. Recommendations are also followed up with Cabinet Members to ensure that when accepted, scrutiny is kept updated on their implementation.

3. Next Steps

- 3.1. The Scrutiny and Overview Committee is asked to recommend that the Governance Review Panel take account of the guidance as part of its review of governance processes at Croydon Council, with a specific focus on the following sections:
 - Culture
 - Resources
 - Selecting Committee Members &
 - Access to Information
- 3.2. There are areas within the guidance, such as work programming and evidence sessions that relate specifically to processes within the control of the Committee. As

such the Scrutiny and Overview Committee is ask to give consideration to its current processes and whether any changes are required as a result of the guidance.

Appendices

Appendix 1: Ministry of Housing Communities & Local Government – Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

CONTACT OFFICER: Simon Trevaskis – Senior Democratic Services and Governance Officer - Scrutiny

BACKGROUND DOCUMENTS:

Communities and Local Government Committee – Effectiveness of Local Authority Overview and Scrutiny Committees

Government Response: Effectiveness of Local Authority Overview and Scrutiny Committees

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/communities-and-local-government-committee/inquiries/parliament-2017/local-authority-scrutiny-17-19/>

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Ministry of Housing,
Communities &
Local Government

Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities



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Ministerial Foreword

The role that overview and scrutiny can play in holding an authority's decision-makers to account makes it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself. Conversely, poor scrutiny can be indicative of wider governance, leadership and service failure.

It is vital that councils and combined authorities know the purpose of scrutiny, what effective scrutiny looks like, how to conduct it and the benefits it can bring. This guidance aims to increase understanding in all four areas.

In writing this guidance, my department has taken close note of the House of Commons Select Committee report of December 2017, as well as the written and oral evidence supplied to that Committee. We have also consulted individuals and organisations with practical involvement in conducting, researching and supporting scrutiny.

It is clear from speaking to these practitioners that local and combined authorities with effective overview and scrutiny arrangements in place share certain key traits, the most important being a strong organisational culture. Authorities who welcome challenge and recognise the value scrutiny can bring reap the benefits. But this depends on strong commitment from the top - from senior members as well as senior officials.

Crucially, this guidance recognises that authorities have democratic mandates and are ultimately accountable to their electorates, and that authorities themselves are best-placed to know which scrutiny arrangements are most appropriate for their own individual circumstances.

I would, however, strongly urge all councils to cast a critical eye over their existing arrangements and, above all, ensure they embed a culture that allows overview and scrutiny to flourish.



A handwritten signature in blue ink, appearing to read 'Rishi Sunak'.

Rishi Sunak MP
Minister for Local Government

About this Guidance

Who the guidance is for

This document is aimed at local authorities and combined authorities in England to help them carry out their overview and scrutiny functions effectively. In particular, it provides advice for senior leaders, members of overview and scrutiny committees, and support officers.

Aim of the guidance

This guidance seeks to ensure local authorities and combined authorities are aware of the purpose of overview and scrutiny, what effective scrutiny looks like, how to conduct it effectively and the benefits it can bring.

As such, it includes a number of policies and practices authorities should adopt or should consider adopting when deciding how to carry out their overview and scrutiny functions.

The guidance recognises that authorities approach scrutiny in different ways and have different processes and procedures in place, and that what might work well for one authority might not work well in another.

The hypothetical scenarios contained in the annexes to this guidance have been included for illustrative purposes, and are intended to provoke thought and discussion rather than serve as a 'best' way to approach the relevant issues.

While the guidance sets out some of the key legal requirements, it does not seek to replicate legislation.

Status of the guidance

This is statutory guidance from the Ministry of Housing, Communities and Local Government. Local authorities and combined authorities must have regard to it when exercising their functions. The phrase 'must have regard', when used in this context, does not mean that the sections of statutory guidance have to be followed in every detail, but that they should be followed unless there is a good reason not to in a particular case.

Not every authority is required to appoint a scrutiny committee. This guidance applies to those authorities who have such a committee in place, whether they are required to or not.

This guidance has been issued under section 9Q of the Local Government Act 2000 and under paragraph 2(9) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009, which requires authorities to have regard to this guidance. In addition, authorities may have regard to other material they might choose to consider, including that issued by the Centre for Public Scrutiny, when exercising their overview and scrutiny functions.

Terminology

Unless 'overview' is specifically mentioned, the term 'scrutiny' refers to both overview and scrutiny.¹

Where the term 'authority' is used, it refers to both local authorities and combined authorities.

Where the term 'scrutiny committee' is used, it refers to an overview and scrutiny committee and any of its sub-committees. As the legislation refers throughout to powers conferred on scrutiny committees, that is the wording used in this guidance. However, the guidance should be seen as applying equally to work undertaken in informal task and finish groups, commissioned by formal committees.

Where the term 'executive' is used, it refers to executive members.

For combined authorities, references to the 'executive' or 'cabinet' should be interpreted as relating to the mayor (where applicable) and all the authority members.

For authorities operating committee rather than executive arrangements, references to the executive or Cabinet should be interpreted as relating to councillors in leadership positions.

Expiry or review date

This guidance will be kept under review and updated as necessary.

¹ A distinction is often drawn between 'overview' which focuses on the development of policy, and 'scrutiny' which looks at decisions that have been made or are about to be made to ensure they are fit for purpose.

1. Introduction and Context

1. Overview and scrutiny committees were introduced in 2000 as part of new executive governance arrangements to ensure that members of an authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.
2. Overview and scrutiny committees have statutory powers² to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and scrutiny committees can also play a valuable role in developing policy.

Effective overview and scrutiny should:

- Provide constructive 'critical friend' challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services.

3. The requirement for local authorities in England to establish overview and scrutiny committees is set out in sections 9F to 9FI of the Local Government Act 2000 as amended by the Localism Act 2011.
4. The Localism Act 2011 amended the Local Government Act 2000 to allow councils to revert to a non-executive form of governance - the 'committee system'. Councils who adopt the committee system are not required to have overview and scrutiny but may do so if they wish. The legislation has been strengthened and updated since 2000, most recently to reflect new governance arrangements with combined authorities. Requirements for combined authorities are set out in Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.
5. Current overview and scrutiny legislation recognises that authorities are democratically-elected bodies who are best-placed to determine which overview and scrutiny arrangements best suit their own individual needs, and so gives them a great degree of flexibility to decide which arrangements to adopt.
6. In producing this guidance, the Government fully recognises both authorities' democratic mandate and that the nature of local government has changed in recent years, with, for example, the creation of combined authorities, and councils increasingly delivering key services in partnership with other organisations or outsourcing them entirely.

² Section 9F of the Local Government Act 2000; paragraph 1 of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

2. Culture

7. The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.
8. While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.
9. Creating a strong organisational culture supports scrutiny work that can add real value by, for example, improving policy-making and the efficient delivery of public services. In contrast, low levels of support for and engagement with the scrutiny function often lead to poor quality and ill-focused work that serves to reinforce the perception that it is of little worth or relevance.
10. Members and senior officers should note that the performance of the scrutiny function is not just of interest to the authority itself. Its effectiveness, or lack thereof, is often considered by external bodies such as regulators and inspectors, and highlighted in public reports, including best value inspection reports. Failures in scrutiny can therefore help to create a negative public image of the work of an authority as a whole.

How to establish a strong organisational culture

11. Authorities can establish a strong organisational culture by:

- a) **Recognising scrutiny's legal and democratic legitimacy** – all members and officers should recognise and appreciate the importance and legitimacy the scrutiny function is afforded by the law. It was created to act as a check and balance on the executive and is a statutory requirement for all authorities operating executive arrangements and for combined authorities.

Councillors have a unique legitimacy derived from their being democratically elected. The insights that they can bring by having this close connection to local people are part of what gives scrutiny its value.

- b) **Identifying a clear role and focus** – authorities should take steps to ensure scrutiny has a clear role and focus within the organisation, i.e. a niche within which it can clearly demonstrate it adds value. Therefore, prioritisation is necessary to ensure the scrutiny function concentrates on delivering work that is of genuine value and relevance to the work of the wider authority – this is one of the most challenging parts of scrutiny, and a critical element to get right if it is to be recognised as a strategic function of the authority (see chapter 6).

Authorities should ensure a clear division of responsibilities between the scrutiny function and the audit function. While it is appropriate for scrutiny to pay due regard to the authority's financial position, this will need to happen in the context of the formal audit role. The authority's section 151 officer should advise scrutiny on how to manage this dynamic.

While scrutiny has no role in the investigation or oversight of the authority's whistleblowing arrangements, the findings of independent whistleblowing investigations might be of interest to scrutiny committees as they consider their wider implications. Members should always follow the authority's constitution and associated Monitoring Officer directions on the matter. Further guidance on whistleblowing can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf.

- c) **Ensuring early and regular engagement between the executive and scrutiny** – authorities should ensure early and regular discussion takes place between scrutiny and the executive, especially regarding the latter's future work programme. Authorities should, though, be mindful of their distinct roles:

In particular:

- The executive should not try to exercise control over the work of the scrutiny committee. This could be direct, e.g. by purporting to 'order' scrutiny to look at, or not look at, certain issues, or indirect, e.g. through the use of the whip or as a tool of political patronage, and the committee itself should remember its statutory purpose when carrying out its work. All members and officers should consider the role the scrutiny committee plays to be that of a 'critical friend' not a de facto 'opposition'. Scrutiny chairs have a particular role to play in establishing the profile and nature of their committee (see chapter 4); and
- The chair of the scrutiny committee should determine the nature and extent of an executive member's participation in a scrutiny committee meeting, and in any informal scrutiny task group meeting.

- d) **Managing disagreement** – effective scrutiny involves looking at issues that can be politically contentious. It is therefore inevitable that, at times, an executive will disagree with the findings or recommendations of a scrutiny committee.

It is the job of both the executive and scrutiny to work together to reduce the risk of this happening, and authorities should take steps to predict, identify and act on disagreement.

One way in which this can be done is via an 'executive-scrutiny protocol' (see annex 1) which can help define the relationship between the two and mitigate any differences of opinion before they manifest themselves in unhelpful and unproductive ways. The benefit of this approach is that it provides a framework for disagreement and debate, and a way to manage it when it happens. Often,

the value of such a protocol lies in the dialogue that underpins its preparation. It is important that these protocols are reviewed on a regular basis.

Scrutiny committees do have the power to 'call in' decisions, i.e. ask the executive to reconsider them before they are implemented, but should not view it as a substitute for early involvement in the decision-making process or as a party-political tool.

- e) **Providing the necessary support** – while the level of resource allocated to scrutiny is for each authority to decide for itself, when determining resources an authority should consider the purpose of scrutiny as set out in legislation and the specific role and remit of the authority's own scrutiny committee(s), and the scrutiny function as a whole.

Support should also be given by members and senior officers to scrutiny committees and their support staff to access information held by the authority and facilitate discussions with representatives of external bodies (see chapter 5).

- f) **Ensuring impartial advice from officers** – authorities, particularly senior officers, should ensure all officers are free to provide impartial advice to scrutiny committees. This is fundamental to effective scrutiny. Of particular importance is the role played by 'statutory officers' – the monitoring officer, the section 151 officer and the head of paid service, and where relevant the statutory scrutiny officer. These individuals have a particular role in ensuring that timely, relevant and high-quality advice is provided to scrutiny.
- g) **Communicating scrutiny's role and purpose to the wider authority** – the scrutiny function can often lack support and recognition within an authority because there is a lack of awareness among both members and officers about the specific role it plays, which individuals are involved and its relevance to the authority's wider work. Authorities should, therefore, take steps to ensure all members and officers are made aware of the role the scrutiny committee plays in the organisation, its value and the outcomes it can deliver, the powers it has, its membership and, if appropriate, the identity of those providing officer support.
- h) **Maintaining the interest of full Council in the work of the scrutiny committee** – part of communicating scrutiny's role and purpose to the wider authority should happen through the formal, public role of full Council – particularly given that scrutiny will undertake valuable work to highlight challenging issues that an authority will be facing and subjects that will be a focus of full Council's work. Authorities should therefore take steps to ensure full Council is informed of the work the scrutiny committee is doing.

One way in which this can be done is by reports and recommendations being submitted to full Council rather than solely to the executive. Scrutiny should decide when it would be appropriate to submit reports for wider debate in this way, taking into account the relevance of reports to full Council business, as well as full Council's capacity to consider and respond in a timely manner. Such

reports would supplement the annual report to full Council on scrutiny's activities and raise awareness of ongoing work.

In order to maintain awareness of scrutiny at the Combined Authority and provoke dialogue and discussion of its impact, the business of scrutiny should be reported to the Combined Authority board or to the chairs of the relevant scrutiny committees of constituent and non-constituent authorities, or both. At those chairs' discretion, particular Combined Authority scrutiny outcomes, and what they might mean for each individual area, could be either discussed by scrutiny in committee or referred to full Council of the constituent authorities.

- i) **Communicating scrutiny's role to the public** – authorities should ensure scrutiny has a profile in the wider community. Consideration should be given to how and when to engage the authority's communications officers, and any other relevant channels, to understand how to get that message across. This will usually require engagement early on in the work programming process (see chapter 6).
- j) **Ensuring scrutiny members are supported in having an independent mindset** – formal committee meetings provide a vital opportunity for scrutiny members to question the executive and officers.

Inevitably, some committee members will come from the same political party as a member they are scrutinising and might well have a long-standing personal, or familial, relationship with them (see paragraph 25).

Scrutiny members should bear in mind, however, that adopting an independent mind-set is fundamental to carrying out their work effectively. In practice, this is likely to require scrutiny chairs working proactively to identify any potentially contentious issues and plan how to manage them.

Directly-elected mayoral systems

12. A strong organisational culture that supports scrutiny work is particularly important in authorities with a directly-elected mayor to ensure there are the checks and balances to maintain a robust democratic system. Mayoral systems offer the opportunity for greater public accountability and stronger governance, but there have also been incidents that highlight the importance of creating and maintaining a culture that puts scrutiny at the heart of its operations.
13. Authorities with a directly-elected mayor should ensure that scrutiny committees are well-resourced, are able to recruit high-calibre members and that their scrutiny functions pay particular attention to issues surrounding:
 - rights of access to documents by the press, public and councillors;
 - transparent and fully recorded decision-making processes, especially avoiding decisions by 'unofficial' committees or working groups;
 - delegated decisions by the Mayor;
 - whistleblowing protections for both staff and councillors; and
 - powers of Full Council, where applicable, to question and review.

14. Authorities with a directly-elected mayor should note that mayors are required by law to attend overview and scrutiny committee sessions when asked to do so (see paragraph 44).

3. Resourcing

15. The resource an authority allocates to the scrutiny function plays a pivotal role in determining how successful that function is and therefore the value it can add to the work of the authority.
16. Ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective scrutiny function requires them to allocate resources to it.
17. Authorities should also recognise that support for scrutiny committees, task groups and other activities is not solely about budgets and provision of officer time, although these are clearly extremely important elements. Effective support is also about the ways in which the wider authority engages with those who carry out the scrutiny function (both members and officers).

When deciding on the level of resource to allocate to the scrutiny function, the factors an authority should consider include:

- Scrutiny's legal powers and responsibilities;
- The particular role and remit scrutiny will play in the authority;
- The training requirements of scrutiny members and support officers, particularly the support needed to ask effective questions of the executive and other key partners, and make effective recommendations;
- The need for ad hoc external support where expertise does not exist in the council;
- Effectively-resourced scrutiny has been shown to add value to the work of authorities, improving their ability to meet the needs of local people; and
- Effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions.

Statutory scrutiny officers

18. Combined authorities, upper and single tier authorities are required to designate a statutory scrutiny officer,³ someone whose role is to:
 - promote the role of the authority's scrutiny committee;
 - provide support to the scrutiny committee and its members; and
 - provide support and guidance to members and officers relating to the functions of the scrutiny committee.

³ Section 9FB of the Local Government Act 2000; article 9 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017

19. Authorities not required by law to appoint such an officer should consider whether doing so would be appropriate for their specific local needs.

Officer resource models

20. Authorities are free to decide for themselves which wider officer support model best suits their individual circumstances, though generally they adopt one or a mix of the following:

- Committee – officers are drawn from specific policy or service areas;
- Integrated – officers are drawn from the corporate centre and also service the executive; and
- Specialist – officers are dedicated to scrutiny.

21. Each model has its merits – the committee model provides service-specific expertise; the integrated model facilitates closer and earlier scrutiny involvement in policy formation and alignment of corporate work programmes; and the specialist model is structurally independent from those areas it scrutinises.

22. Authorities should ensure that, whatever model they employ, officers tasked with providing scrutiny support are able to provide impartial advice. This might require consideration of the need to build safeguards into the way that support is provided. The nature of these safeguards will differ according to the specific role scrutiny plays in the organisation.

4. Selecting Committee Members

23. Selecting the right members to serve on scrutiny committees is essential if those committees are to function effectively. Where a committee is made up of members who have the necessary skills and commitment, it is far more likely to be taken seriously by the wider authority.
24. While there are proportionality requirements that must be met,⁴ the selection of the chair and other committee members is for each authority to decide for itself. Guidance for combined authorities on this issue has been produced by the Centre for Public Scrutiny⁵.

Members invariably have different skill-sets. What an authority must consider when forming a committee is that, as a group, it possesses the requisite expertise, commitment and ability to act impartially to fulfil its functions.

25. Authorities are reminded that members of the executive cannot be members of a scrutiny committee.⁶ Authorities should take care to ensure that, as a minimum, members holding less formal executive positions, e.g. as Cabinet assistants, do not sit on scrutinising committees looking at portfolios to which those roles relate. Authorities should articulate in their constitutions how conflicts of interest, including familial links (see also paragraph 31), between executive and scrutiny responsibilities should be managed, including where members stand down from the executive and move to a scrutiny role, and vice-versa.
26. Members or substitute members of a combined authority must not be members of its overview and scrutiny committee.⁷ This includes the Mayor in Mayoral Combined Authorities. It is advised that Deputy Mayors for Policing and Crime are also not members of the combined authority's overview and scrutiny committee.

Selecting individual committee members

27. When selecting individual members to serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve.

⁴ See, for example, regulation 11 of the Local Authorities (Committee System) (England) Regulations 2012 (S.I. 2012/1020) and article 4 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

⁵ See pages 15-18 of 'Overview and scrutiny in combined authorities: a plain English guide': <https://www.cfps.org.uk/wp-content/uploads/Overview-and-scrutiny-in-combined-authorities-a-plain-english-guide.pdf>

⁶ Section 9FA(3) of the Local Government Act 2000.

⁷ 2(3) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009

28. Authorities should not take into account a member's perceived level of support for or opposition to a particular political party (notwithstanding the wider legal requirement for proportionality referred to in paragraph 24).

Selecting a chair

29. The Chair plays a leadership role on a scrutiny committee as they are largely responsible for establishing its profile, influence and ways of working.

30. The attributes authorities should and should not take into account when selecting individual committee members (see paragraphs 27 and 28) also apply to the selection of the Chair, but the Chair should also possess the ability to lead and build a sense of teamwork and consensus among committee members.

Chairs should pay special attention to the need to guard the committee's independence. Importantly, however, they should take care to avoid the committee being, and being viewed as, a de facto opposition to the executive.

31. Given their pre-eminent role on the scrutiny committee, it is strongly recommended that the Chair not preside over scrutiny of their relatives⁸. Combined authorities should note the legal requirements that apply to them where the Chair is an independent person⁹.

32. The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot. Combined Authorities should be aware of the legal requirements regarding the party affiliation of their scrutiny committee Chair¹⁰.

Training for committee members

33. Authorities should ensure committee members are offered induction when they take up their role and ongoing training so they can carry out their responsibilities effectively. Authorities should pay attention to the need to ensure committee members are aware of their legal powers, and how to prepare for and ask relevant questions at scrutiny sessions.

34. When deciding on training requirements for committee members, authorities should consider taking advantage of opportunities offered by external providers in the sector.

Co-option and technical advice

35. While members and their support officers will often have significant local insight and an understanding of local people and their needs, the provision of outside expertise can be invaluable.

⁸ A definition of 'relative' can be found at section 28(10) of the Localism Act 2011.

⁹ See article 5(2) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (S.I. 2017/68).

¹⁰ Article 5(6) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

36. There are two principal ways to procure this:

- Co-option – formal co-option is provided for in legislation¹¹. Authorities must establish a co-option scheme to determine how individuals will be co-opted onto committees; and
- Technical advisers – depending on the subject matter, independent local experts might exist who can provide advice and assistance in evaluating evidence (see annex 2).

¹¹ Section 9FA(4) Local Government Act 2000

5. Power to Access Information

37. A scrutiny committee needs access to relevant information the authority holds, and to receive it in good time, if it is to do its job effectively.
38. This need is recognised in law, with members of scrutiny committees enjoying powers to access information¹². In particular, regulations give enhanced powers to a scrutiny member to access exempt or confidential information. This is in addition to existing rights for councillors to have access to information to perform their duties, including common law rights to request information and rights to request information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
39. When considering what information scrutiny needs in order to carry out its work, scrutiny members and the executive should consider scrutiny's role and the legal rights that committees and their individual members have, as well as their need to receive timely and accurate information to carry out their duties effectively.
40. Scrutiny members should have access to a regularly available source of key information about the management of the authority – particularly on performance, management and risk. Where this information exists, and scrutiny members are given support to understand it, the potential for what officers might consider unfocused and unproductive requests is reduced as members will be able to frame their requests from a more informed position.
41. Officers should speak to scrutiny members to ensure they understand the reasons why information is needed, thereby making the authority better able to provide information that is relevant and timely, as well as ensuring that the authority complies with legal requirements.

While each request for information should be judged on its individual merits, authorities should adopt a default position of sharing the information they hold, on request, with scrutiny committee members.

42. The law recognises that there might be instances where it is legitimate for an authority to withhold information and places a requirement on the executive to provide the scrutiny committee with a written statement setting out its reasons for that decision¹³. However, members of the executive and senior officers should take particular care to avoid refusing requests, or limiting the information they provide, for reasons of party political or reputational expediency.

¹² Regulation 17 - Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10 Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

¹³ Regulation 17(4) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(4) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

Before an authority takes a decision not to share information it holds, it should give serious consideration to whether that information could be shared in closed session.

43. Regulations already stipulate a timeframe for executives to comply with requests from a scrutiny member¹⁴. When agreeing to such requests, authorities should:

- consider whether seeking clarification from the information requester could help better target the request; and
- Ensure the information is supplied in a format appropriate to the recipient's needs.

44. Committees should be aware of their legal power to require members of the executive and officers to attend before them to answer questions¹⁵. It is the duty of members and officers to comply with such requests.¹⁶

Seeking information from external organisations

45. Scrutiny members should also consider the need to supplement any authority-held information they receive with information and intelligence that might be available from other sources, and should note in particular their statutory powers to access information from certain external organisations.

46. When asking an external organisation to provide documentation or appear before it, and where that organisation is not legally obliged to do either (see annex 3), scrutiny committees should consider the following:

- a) **The need to explain the purpose of scrutiny** – the organisation being approached might have little or no awareness of the committee's work, or of an authority's scrutiny function more generally, and so might be reluctant to comply with any request;
- b) **The benefits of an informal approach** – individuals from external organisations can have fixed perceptions of what an evidence session entails and may be unwilling to subject themselves to detailed public scrutiny if they believe it could reflect badly on them or their employer. Making an informal approach can help reassure an organisation of the aims of the committee, the type of information being sought and the manner in which the evidence session would be conducted;

¹⁴ Regulation 17(2) – Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; article 10(2) Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

¹⁵ Section 9FA(8) of the Local Government Act 2000; paragraph 2(6) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

¹⁶ Section 9FA(9) of the Local Government Act 2000; paragraph 2(7) of Schedule 5A to the Local Democracy, Economic Development and Construction Act 2009.

- c) **How to encourage compliance with the request** – scrutiny committees will want to frame their approach on a case by case basis. For contentious issues, committees might want to emphasise the opportunity their request gives the organisation to ‘set the record straight’ in a public setting; and
- d) **Who to approach** – a committee might instinctively want to ask the Chief Executive or Managing Director of an organisation to appear at an evidence session, however it could be more beneficial to engage front-line staff when seeking operational-level detail rather than senior executives who might only be able to talk in more general terms. When making a request to a specific individual, the committee should consider the type of information it is seeking, the nature of the organisation in question and the authority’s pre-existing relationship with it.

Following ‘the Council Pound’

Scrutiny committees will often have a keen interest in ‘following the council pound’, i.e. scrutinising organisations that receive public funding to deliver goods and services.

Authorities should recognise the legitimacy of this interest and, where relevant, consider the need to provide assistance to scrutiny members and their support staff to obtain information from organisations the council has contracted to deliver services. In particular, when agreeing contracts with these bodies, authorities should consider whether it would be appropriate to include a *requirement* for them to supply information to or appear before scrutiny committees.

6. Planning Work

47. Effective scrutiny should have a defined impact on the ground, with the committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year.
48. Authorities with multiple scrutiny committees sometimes have a separate work programme for each committee. Where this happens, consideration should be given to how to co-ordinate the various committees' work to make best use of the total resources available.

Being clear about scrutiny's role

49. Scrutiny works best when it has a clear role and function. This provides focus and direction. While scrutiny has the power to look at anything which affects 'the area, or the area's inhabitants', authorities will often find it difficult to support a scrutiny function that carries out generalised oversight across the wide range of issues experienced by local people, particularly in the context of partnership working. Prioritisation is necessary, which means that there might be things that, despite being important, scrutiny will not be able to look at.
50. Different overall roles could include having a focus on risk, the authority's finances, or on the way the authority works with its partners.
51. Applying this focus does not mean that certain subjects are 'off limits'. It is more about looking at topics and deciding whether their relative importance justifies the positive impact scrutiny's further involvement could bring.
52. When thinking about scrutiny's focus, members should be supported by key senior officers. The statutory scrutiny officer, if an authority has one, will need to take a leading role in supporting members to clarify the role and function of scrutiny, and championing that role once agreed.

Who to speak to

53. Evidence will need to be gathered to inform the work programming process. This will ensure that it looks at the right topics, in the right way and at the right time. Gathering evidence requires conversations with:
 - *The public* – it is likely that formal 'consultation' with the public on the scrutiny work programme will be ineffective. Asking individual scrutiny members to have conversations with individuals and groups in their own local areas can work better. Insights gained from the public through individual pieces of scrutiny work can be fed back into the work programming process. Listening to and participating in conversations in places where local people come together, including in online forums, can help authorities engage people on their own terms and yield more positive results.

Authorities should consider how their communications officers can help scrutiny engage with the public, and how wider internal expertise and local knowledge from both members and officers might make a contribution.

- *The authority's partners* – relationships with other partners should not be limited to evidence-gathering to support individual reviews or agenda items. A range of partners are likely to have insights that will prove useful:
 - Public sector partners (like the NHS and community safety partners, over which scrutiny has specific legal powers);
 - Voluntary sector partners;
 - Contractors and commissioning partners (including partners in joint ventures and authority-owned companies);
 - In parished areas, town, community and parish councils;
 - Neighbouring principal councils (both in two-tier and unitary areas);
 - Cross-authority bodies and organisations, such as Local Enterprise Partnerships¹⁷; and
 - Others with a stake and interest in the local area – large local employers, for example.

- *The executive* – a principal partner in discussions on the work programme should be the executive (and senior officers). The executive should not direct scrutiny's work (see chapter 2), but conversations will help scrutiny members better understand how their work can be designed to align with the best opportunities to influence the authority's wider work.

Information sources

54. Scrutiny will need access to relevant information to inform its work programme. The type of information will depend on the specific role and function scrutiny plays within the authority, but might include:

- Performance information from across the authority and its partners;
- Finance and risk information from across the authority and its partners;
- Corporate complaints information, and aggregated information from political groups about the subject matter of members' surgeries;
- Business cases and options appraisals (and other planning information) for forthcoming major decisions. This information will be of particular use for pre-decision scrutiny; and
- Reports and recommendations issued by relevant ombudsmen, especially the Local Government and Social Care Ombudsman.

¹⁷ Authorities should ensure they have appropriate arrangements in place to ensure the effective democratic scrutiny of Local Enterprise Partnerships' investment decisions.

As committees can meet in closed session, commercial confidentiality should not preclude the sharing of information. Authorities should note, however, that the default for meetings should be that they are held in public (see 2014 guidance on '*Open and accountable local government*':

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf).

55. Scrutiny members should consider keeping this information under regular review. It is likely to be easier to do this outside committee, rather than bringing such information to committee 'to note', or to provide an update, as a matter of course.

Shortlisting topics

Approaches to shortlisting topics should reflect scrutiny's overall role in the authority. This will require the development of bespoke, local solutions, however when considering whether an item should be included in the work programme, the kind of questions a scrutiny committee should consider might include:

- Do we understand the benefits scrutiny would bring to this issue?
- How could we best carry out work on this subject?
- What would be the best outcome of this work?
- How would this work engage with the activity of the executive and other decision-makers, including partners?

56. Some authorities use scoring systems to evaluate and rank work programme proposals. If these are used to provoke discussion and debate, based on evidence, about what priorities should be, they can be a useful tool. Others take a looser approach. Whichever method is adopted, a committee should be able to justify how and why a decision has been taken to include certain issues and not others.

57. Scrutiny members should accept that shortlisting can be difficult; scrutiny committees have finite resources and deciding how these are best allocated is tough. They should understand that, if work programming is robust and effective, there might well be issues that they want to look at that nonetheless are not selected.

Carrying out work

58. Selected topics can be scrutinised in several ways, including:

- a) **As a single item on a committee agenda** – this often presents a limited opportunity for effective scrutiny, but may be appropriate for some issues or where the committee wants to maintain a formal watching brief over a given issue;
- b) **At a single meeting** – which could be a committee meeting or something less formal. This can provide an opportunity to have a single public meeting about a

given subject, or to have a meeting at which evidence is taken from a number of witnesses;

- c) **At a task and finish review of two or three meetings** – short, sharp scrutiny reviews are likely to be most effective even for complex topics. Properly focused, they ensure members can swiftly reach conclusions and make recommendations, perhaps over the course of a couple of months or less;
- d) **Via a longer-term task and finish review** – the ‘traditional’ task and finish model – with perhaps six or seven meetings spread over a number of months – is still appropriate when scrutiny needs to dig into a complex topic in significant detail. However, the resource implications of such work, and its length, can make it unattractive for all but the most complex matters; and
- e) **By establishing a ‘standing panel’** – this falls short of establishing a whole new committee but may reflect a necessity to keep a watching brief over a critical local issue, especially where members feel they need to convene regularly to carry out that oversight. Again, the resource implications of this approach means that it will be rarely used.

7. Evidence Sessions

59. Evidence sessions are a key way in which scrutiny committees inform their work. They might happen at formal committee, in less formal 'task and finish' groups or at standalone sessions.

Good preparation is a vital part of conducting effective evidence sessions. Members should have a clear idea of what the committee hopes to get out of each session and appreciate that success will depend on their ability to work together on the day.

How to plan

60. Effective planning does not necessarily involve a large number of pre-meetings, the development of complex scopes or the drafting of questioning plans. It is more often about setting overall objectives and then considering what type of questions (and the way in which they are asked) can best elicit the information the committee is seeking. This applies as much to individual agenda items as it does for longer evidence sessions – there should always be consideration in advance of what scrutiny is trying to get out of a particular evidence session.

Chairs play a vital role in leading discussions on objective-setting and ensuring all members are aware of the specific role each will play during the evidence session.

61. As far as possible there should be consensus among scrutiny members about the objective of an evidence session before it starts. It is important to recognise that members have different perspectives on certain issues, and so might not share the objectives for a session that are ultimately adopted. Where this happens, the Chair will need to be aware of this divergence of views and bear it in mind when planning the evidence session.
62. Effective planning should mean that at the end of a session it is relatively straightforward for the chair to draw together themes and highlight the key findings. It is unlikely that the committee will be able to develop and agree recommendations immediately, but, unless the session is part of a wider inquiry, enough evidence should have been gathered to allow the chair to set a clear direction.
63. After an evidence session, the committee might wish to hold a short 'wash-up' meeting to review whether their objectives were met and lessons could be learned for future sessions.

Developing recommendations

64. The development and agreement of recommendations is often an iterative process. It will usually be appropriate for this to be done only by members, assisted by co-optees where relevant. When deciding on recommendations, however, members should have due regard to advice received from officers, particularly the Monitoring Officer.

65. The drafting of reports is usually, but not always, carried out by officers, directed by members.

66. Authorities draft reports and recommendations in a number of ways, but there are normally three stages:

- i. the development of a 'heads of report' – a document setting out general findings that members can then discuss as they consider the overall structure and focus of the report and its recommendations;
- ii. the development of those findings, which will set out some areas on which recommendations might be made; and
- iii. the drafting of the full report.

67. Recommendations should be evidence-based and SMART, i.e. specific, measurable, achievable, relevant and timed. Where appropriate, committees may wish to consider sharing them in draft with interested parties.

68. Committees should bear in mind that often six to eight recommendations are sufficient to enable the authority to focus its response, although there may be specific circumstances in which more might be appropriate.

Sharing draft recommendations with executive members should not provide an opportunity for them to revise or block recommendations before they are made. It should, however, provide an opportunity for errors to be identified and corrected, and for a more general sense-check.

Annex 1: Illustrative Scenario – Creating an Executive-Scrutiny Protocol

An executive-scrutiny protocol can deal with the practical expectations of scrutiny committee members and the executive, as well as the cultural dynamics.

Workshops with scrutiny members, senior officers and Cabinet can be helpful to inform the drafting of a protocol. An external facilitator can help bring an independent perspective.

Councils should consider how to adopt a protocol, e.g. formal agreement at scrutiny committee and Cabinet, then formal integration into the Council's constitution at the next Annual General Meeting.

The protocol, as agreed, may contain sections on:

- The way scrutiny will go about developing its work programme (including the ways in which senior officers and Cabinet members will be kept informed);
- The way in which senior officers and Cabinet will keep scrutiny informed of the outlines of major decisions as they are developed, to allow for discussion of scrutiny's potential involvement in policy development. This involves the building in of safeguards to mitigate risks around the sharing of sensitive information with scrutiny members;
- A strengthening and expansion of existing parts of the code of conduct that relate to behaviour in formal meetings, and in informal meetings;
- Specification of the nature and form of responses that scrutiny can expect when it makes recommendations to the executive, when it makes requests to the executive for information, and when it makes requests that Cabinet members or senior officers attend meetings; and
- Confirmation of the role of the statutory scrutiny officer, and Monitoring Officer, in overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny, with matters relating to the protocol's success being reported to full Council through the scrutiny Annual Report.

Annex 2: Illustrative Scenario – Engaging Independent Technical Advisers

This example demonstrates how one Council's executive and scrutiny committee worked together to scope a role and then appoint an independent adviser on transforming social care commissioning. Their considerations and process may be helpful and applicable in other similar scenarios.

Major care contracts were coming to an end and the Council took the opportunity to review whether to continue with its existing strategic commissioning framework, or take a different approach – potentially insourcing certain elements.

The relevant Director was concerned about the Council's reliance on a very small number of large providers. The Director therefore approached the Scrutiny and Governance Manager to talk through the potential role scrutiny could play as the Council considered these changes.

The Scrutiny Chair wanted to look at this issue in some depth, but recognised its complexity could make it difficult for her committee to engage – she was concerned it would not be able to do the issue justice. The Director offered support from his own officer team, but the Chair considered this approach to be beset by risks around the independence of the process.

She talked to the Director about securing independent advice. He was worried that an independent adviser could come with preconceived ideas and would not understand the Council's context and objectives. The Scrutiny Chair was concerned that independent advice could end up leading to scrutiny members being passive, relying on an adviser to do their thinking for them. They agreed that some form of independent assistance would be valuable, but that how it was provided and managed should be carefully thought out.

With the assistance of the Governance and Scrutiny Manager, the Scrutiny Chair approached local universities and Further Education institutions to identify an appropriate individual. The approach was clear – it set out the precise role expected of the adviser, and explained the scrutiny process itself. Because members wanted to focus on the risks of market failure, and felt more confident on substantive social care matters, the approach was directed at those with a specialism in economics and business administration. The Council's search was proactive – the assistance of the service department was drawn on to make direct approaches to particular individuals who could carry out this role.

It was agreed to make a small budget available to act as a 'per diem' to support an adviser; academics were approached in the first instance as the Council felt able to make a case that an educational institution would provide this support for free as part of its commitment to Corporate Social Responsibility.

Three individuals were identified from the Council's proactive search. The Chair and Vice-Chair of the committee had an informal discussion with each – not so much to establish their skills and expertise (which had already been assessed) but to give a sense about

their 'fit' with scrutiny's objectives and their political nous in understanding the environment in which they would operate, and to satisfy themselves that they will apply themselves even-handedly to the task. The Director sat in on this process but played no part in who was ultimately selected.

The independent advice provided by the selected individual gave the Scrutiny Committee a more comprehensive understanding of the issue and meant it was able to offer informed advice on the merits of putting in place a new strategic commissioning framework.

Annex 3: Illustrative Scenario – Approaching an External Organisation to Appear before a Committee

This example shows how one council ensured a productive scrutiny meeting, involving a private company and the public. Lessons may be drawn and apply to other similar scenarios.

Concerns had been expressed by user groups, and the public at large, about the reliability of the local bus service. The Scrutiny Chair wanted to question the bus company in a public evidence session but knew that she had no power to compel it to attend. Previous attempts to engage it had been unsuccessful; the company was not hostile, but said it had its own ways of engaging the public.

The Monitoring Officer approached the company's regional PR manager, but he expressed concern that the session would end in a 'bunfight'. He also explained the company had put their improvement plan in the public domain, and felt a big council meeting would exacerbate tensions.

Other councillors had strong views about the company – one thought the committee should tell the company it would be empty-chaired if it refused to attend. The Scrutiny Chair was sympathetic to this, but thought such an approach would not lead to any improvements.

The Scrutiny Chair was keen to make progress, but it was difficult to find the right person to speak to at the company, so she asked council officers and local transport advocacy groups for advice. Speaking to those people also gave her a better sense of what scrutiny's role might be.

When she finally spoke to the company's network manager, she explained the situation and suggested they work together to consider how the meeting could be productive for the Council, the company and local people. In particular, this provided her with an opportunity to explain scrutiny and its role. The network manager remained sceptical but was reassured that they could work together to ensure that the meeting would not be an 'ambush'. He agreed in principle to attend and also provide information to support the Committee's work beforehand.

Discussions continued in the four weeks leading up to the Committee meeting. The Scrutiny Chair was conscious that while she had to work with the company to ensure that the meeting was constructive – and secure their attendance – it could not be a whitewash, and other members and the public would demand a hard edge to the discussions.

The scrutiny committee agreed that the meeting would provide a space for the company to provide context to the problems local people are experiencing, but that this would be preceded by a space on the agenda for the Chair, Vice-chair, and representatives from two local transport advocacy groups to set out their concerns. The company were sent in

advance a summary of the general areas on which members were likely to ask questions, to ensure that those questions could be addressed at the meeting.

Finally, provision was made for public questions and debate. Those attending the meeting were invited to discuss with each other the principal issues they wanted the meeting to cover. A short, facilitated discussion in the room led by the Chair highlighted the key issues, and the Chair then put those points to the company representatives.

At the end of the meeting, the public asked questions of the bus company representative in a 20-minute plenary item.

The meeting was fractious, but the planning carried out to prepare for this – by channelling issues through discussion and using the Chair to mediate the questioning – made things easier. Some attendees were initially frustrated by this structure, but the company representative was more open and less defensive than might otherwise have been the case.

The meeting also motivated the company to revise its communications plan to become more responsive to this kind of challenge, part of which involved a commitment to feed back to the scrutiny committee on the recommendations it made on the night.

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