

Appendix C Corporate Improvement Scrutiny Committee:



SELECTING TOPICS FOR SCRUTINY

A GUIDE FOR SCRUTINY COUNCILLORS

November 2023

This guide has been designed to support Scrutiny Councillors in Slough as they develop the scrutiny forward work plan. It does not directly apply to scrutiny of policy development, although many of the principles would also apply.

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1.0 The role of scrutiny.

Your key responsibilities, as a member of the Council's scrutiny committee are:

- To reflect residents' concerns about public services in Slough, either because they are failing to deliver as expected across the borough or that certain communities of place, interest or association are receiving a poorer service than others;
- To hold the Leader, Leadership Team and senior Council officers to account for their decisions;
- To contribute to the development of policy and the improvement of services by investigating issues of local concern;
- To review Council policy, the way policies are implemented and their impact on local people; and
- To scrutinise decisions before they are made and implemented or to scrutinise the implementation of decisions.

As you consider the prioritisation of the scrutiny work programme, you will want to consider these responsibilities. Councillors best carry out these responsibilities when they drive scrutiny with an independent mindset (as the statutory guidance requires), amplifying the voices and concerns of local people, driving improvement in service provision for them, and providing constructive challenge to the Leadership Team.

Scrutiny does not mean a generalised oversight of the Council and its partners or mirroring their agendas. Often there is a belief that trying to do anything "less" would result in key issues falling between the gaps. In fact, keeping a general watching brief over everything in the local area would not be possible. As the Centre for Governance and Scrutiny (CfGS) notes, if you try to do that it would greatly reduce the impact of scrutiny¹.

Whilst the Leadership Team is an important partner, it should not direct your work, nor should you shadow their agenda.

1.1 The forward plan

It is usual that a Forward Plan is shaped in June-July each year. The initial draft will draw upon: Mapping legislative and constitutional requirements; Horizon scanning by directorate (performance reports, inspections, risks); Reviewing issues identified by residents (inc. surveys, complaints, member enquiries, FOI); Members proposals; Review of last year's work programme and 'leftover' topics and any ongoing investigations; A long list will then be subject to prioritisation to deliver an annual programme of, on average 2 key topics per Committee meeting. Members should also consider the format of the investigation.

The resulting forward work plan should be constantly checked to ensure that items remain relevant, and that there is the opportunity to reprioritise items or address new unexpected issues as and when necessary.

¹ CfGS, Good Scrutiny Guide, pg. 22-23 www.CfGS.org.uk/the-good-scrutiny-guide/

2.0 What topics are suitable for scrutiny?

“Scrutiny has the power to look at anything which affects the area or the area’s inhabitants”

This means that scrutiny is not limited to reviewing Council Services. Topics that scrutiny could consider are:

- High profile issues in the borough and high-profile national issues impacting the borough, issues of local political contention, issues on which people hold strong views and areas of local community concern³
- Investigations that “follow the council pound” from the bottom-up – i.e: scrutiny of organisations that receive public funding to deliver goods and services in the borough⁴ from the perspective of local people at the receiving end;
- Topics with a ‘focus’ for scrutiny chosen by you and fellow scrutiny councillors. Statutory guidance suggests that selecting a focus, such as ‘risks’, ‘authority’s finances’ or ‘the working with partners’, can help you filter the right topics for the authority at a given time and cutting across substantive topics/areas; and.
- Residents’ suggestions, risk and complaints data, council priorities outlined in the Council Plan, emerging policies and strategies, and ward councillor suggestions are all potential sources of topics for the work programme.

3.0: Proposing a topic

A member can propose a topic for scrutiny at any time and, in doing so, should consider the criteria set out in Section 4.0 and Figure 1. A template is available (Appendix A) for you to complete that will provide important information relating to key scrutiny criteria, upon which the Committee will accept or reject your proposal.

In submitting a topic for the Committee's consideration, you should provide as full an account as possible of the issue you are concerned about, providing any relevant evidence you can.

Once you have completed the Scrutiny Topic Proposal Form (Appendix A), you should email it to the Committee Chair (copied to the Governance and Scrutiny Officer (GSO). The Chair will probably contact you to discuss the topic before it is put before the Committee at the next available meeting.

² MHC&LG, Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities, paragraph 49-51, p21 www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities

³ CfGS, Good Scrutiny Guide, www.CfGS.org.uk/the-good-scrutiny-guide/

⁴ MHC&LG, Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities, paragraph 46 pg.20 www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-and-combined-authorities

3.1 Deciding Scrutiny Topics: Work Programming⁵

“Effective work programming is the **bedrock** of the scrutiny function. Done well it lays the foundations for **targeted, incisive** and **timely** work on issues of local importance, where scrutiny can add value. Done badly, scrutiny can end up wasting time and resources on issues where the impact of any work done is likely to be minimal.”

When choosing topics for the work programme, members should:

- Prioritise topics where scrutiny can make an **impact, add value** or contribute to policy development;
- Achieve a **balance** between the **kinds of tasks** undertaken to fulfil your responsibilities;
- Achieve a balanced **spread of items** over the year;
- Incorporate a **range of methods and tools** to carry out scrutiny work; and.
- Leave some **space for urgent response** to changing events.

The work programme should **not** include information items – relevant background information will be communicated to you regularly, but it should not be part of committee meetings.

3.2 Saying “No”

It will **not** be possible to tackle every topic suggested for the long list. Just like Parliamentary Select Committees, scrutiny needs to look at the right things in a detailed way. This means that scrutiny councillors must prioritise some topics over others, through shortlisting. Shortlisting 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’.⁶

3.3 Criteria for selection of topics (Fig 1.)

⁷ “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”

You must be highly selective and apply common criteria to the decision process to be certain that the very best topics are chosen. You may proceed by answering systematically key questions about each topic.

⁵ CfGS, Good Scrutiny Guide, pg24 www.CfGS.org.uk/the-good-scrutiny-guide/

⁶ MHC&LG, [Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities](#), paragraph 11, pg.8

⁷ MHC&LG, [Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities](#), Paragraph 57, pg.23

Firstly, consider:

- Does this issue affect a significant number of borough residents?
- Are some residents in a community of place, interest or association not getting the same service as others?
- Is there any initial evidence that suggests there is an issue that warrants the committees attention? and
- Can scrutiny add value, for example by contributing to better performance?

If you have answered no, then **leave those topics out**, but consider alternative courses of action (Fig. 1.). If you have answered yes, then proceed to the next stage (Section 4.0) and prioritise when and how scrutiny will be carried out.

4.0 Prioritising a scrutiny topic. (Fig 2)

If the key criteria set out in Section 3.0 are broadly met when evaluating an issue/topic, then the Committee must decide the level of priority it should be afforded. If a topic does not duplicate others' work in the organisation, prioritisation can be determined considering the following issues:

- Is the issue strategic and significant?
- Is it an issue of concern to stakeholder organisations and/or external partners?
- Is the scrutiny timely/what does it take precedence over?⁸
- Are the resources available to conduct a scrutiny investigation
- What would be the most appropriate way to conduct a scrutiny investigation

As scrutiny in Slough takes shape it will look to increase local community involvement, inviting members of the public to suggest topics themselves. It will then become increasingly important to be able to show why and how decisions have been reached.

During prioritisation discussions you should be prepared to put the arguments in favour of including a topic or outlining the potential risks and disadvantages. It will require careful thinking to prioritise topics that will add the most value and have the greatest impact on local people's lives. The flowcharts (Figs. 1 and 2) at the end of this guide are designed to help you do that in a systematic way.

5.0 What methods and techniques are available for scrutiny work?

As you decide what and how many topics to prioritise for inclusion in the work programme, you will need to consider the amount of work required to review each one, and the best way to conduct the work. The amount of time and resources needed to conduct each review will have an impact on the number of items you can include in the work programme.

Scrutiny Committee will gather evidence, hold meetings in the community, seek external expertise and look at practice elsewhere as they undertake detailed reviews of the topics members have identified to address the priorities reflected on the work programme.

⁸ Normally there will be an average of 2 key agenda items per meeting. It therefore follows that if a new scrutiny topic is proposed then a topic currently on the forward plan must be sacrificed.

The Committees can draw upon a variety of methods and tools, in designing to each topic and feasibility considerations driving the design of each review. The list below provides examples without being exhaustive:

- Task and finish group reviews with a few members meeting informally over a period to scrutinise one topic in depth;
- A short scrutiny review: A short, sharp review might take a few weeks, with members meeting two or three times over that period. It might be possible to transact such a review between the meetings of a formal committee (so, one meeting involves a review being commissioned, and the next sees the report of that review group coming back to committee for approval).
- A “Roundtable” bringing together councillors, experts, local people, and others;
- A series of single-issue non-committee meetings with various forms and participants;
- A single-issue committee meeting;
- Focus groups, workshops or a survey of people affected by an issue;
- A standing panel or (notionally) time-limited committee. When scrutiny is shadowing long-term working (for example, a major NHS reconfiguration or Budget setting) setting up a more open-ended arrangement may be appropriate.
- Targeted site visits;
- A ‘hearing’ at a committee meeting to ask key questions on a decision’s implementation, risks and measures of success;
- A longer-term detailed scrutiny review (lasting a few months);
- An agenda item at an ordinary committee meeting; and
- A mix of the above.

Key to producing useful recommendations is that scrutiny uses these techniques to involve residents, councillors, officers and stakeholders, to learn from their expertise, experiences and perspectives.

In selecting their approach to scrutiny, members will need to draw upon the skills, knowledge, and experience of officers in relevant departments as well as the Governance and Scrutiny Officer. It will be important to discuss, with these officers, their current and future work pressures in coming to a conclusion about the approach and timing of each scrutiny review, especially if it is new to the existing work programme.

Well thought-through and well-planned inquiries will ensure a focused and business like review that will have an impact in:

- Setting the agenda around which decisions are taken; and
- Requiring the Leadership Team to explain their decisions and, in doing so, helping them improve their actions.

Figure 1. CRITERIA FOR SCRUTINY TOPICS

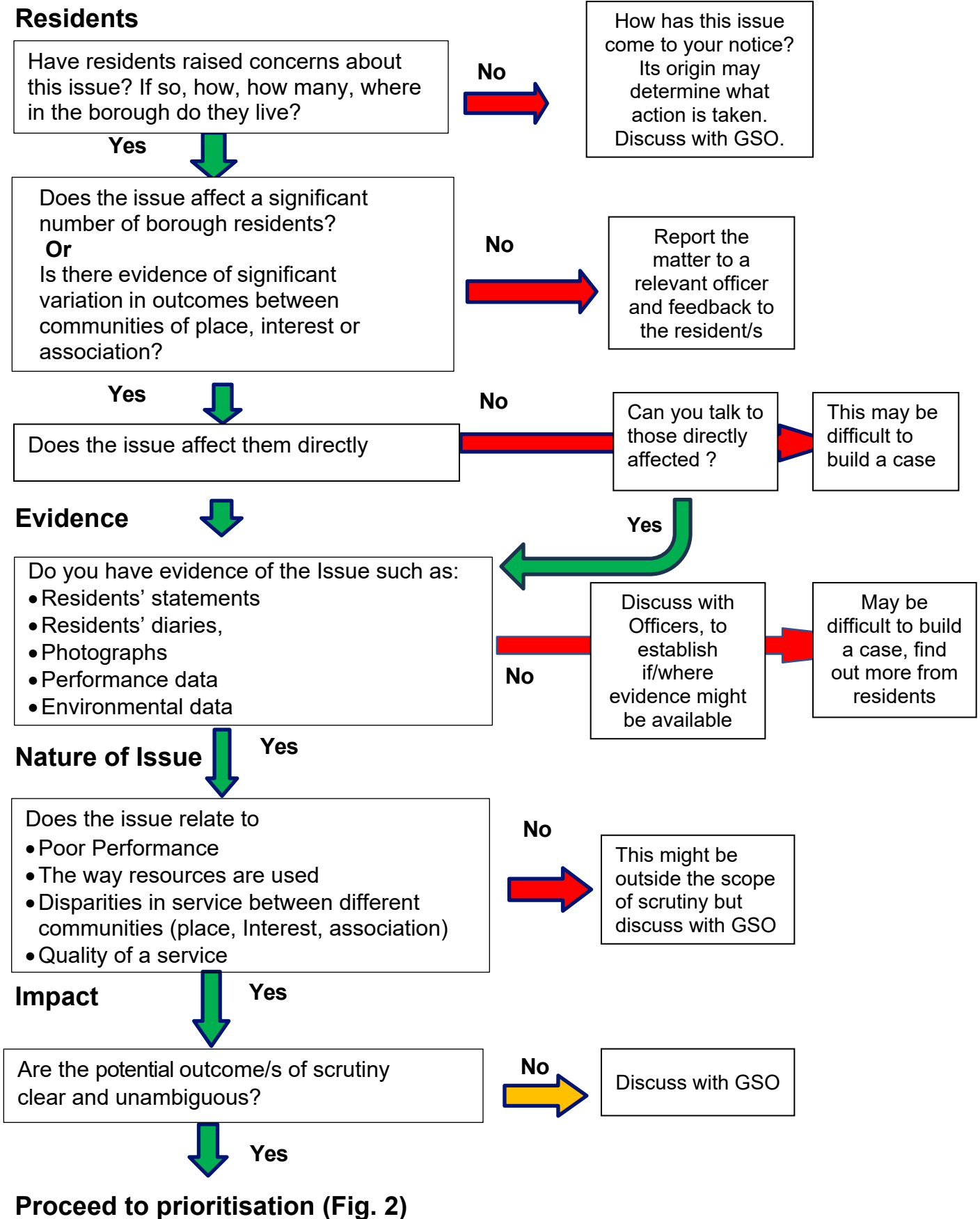
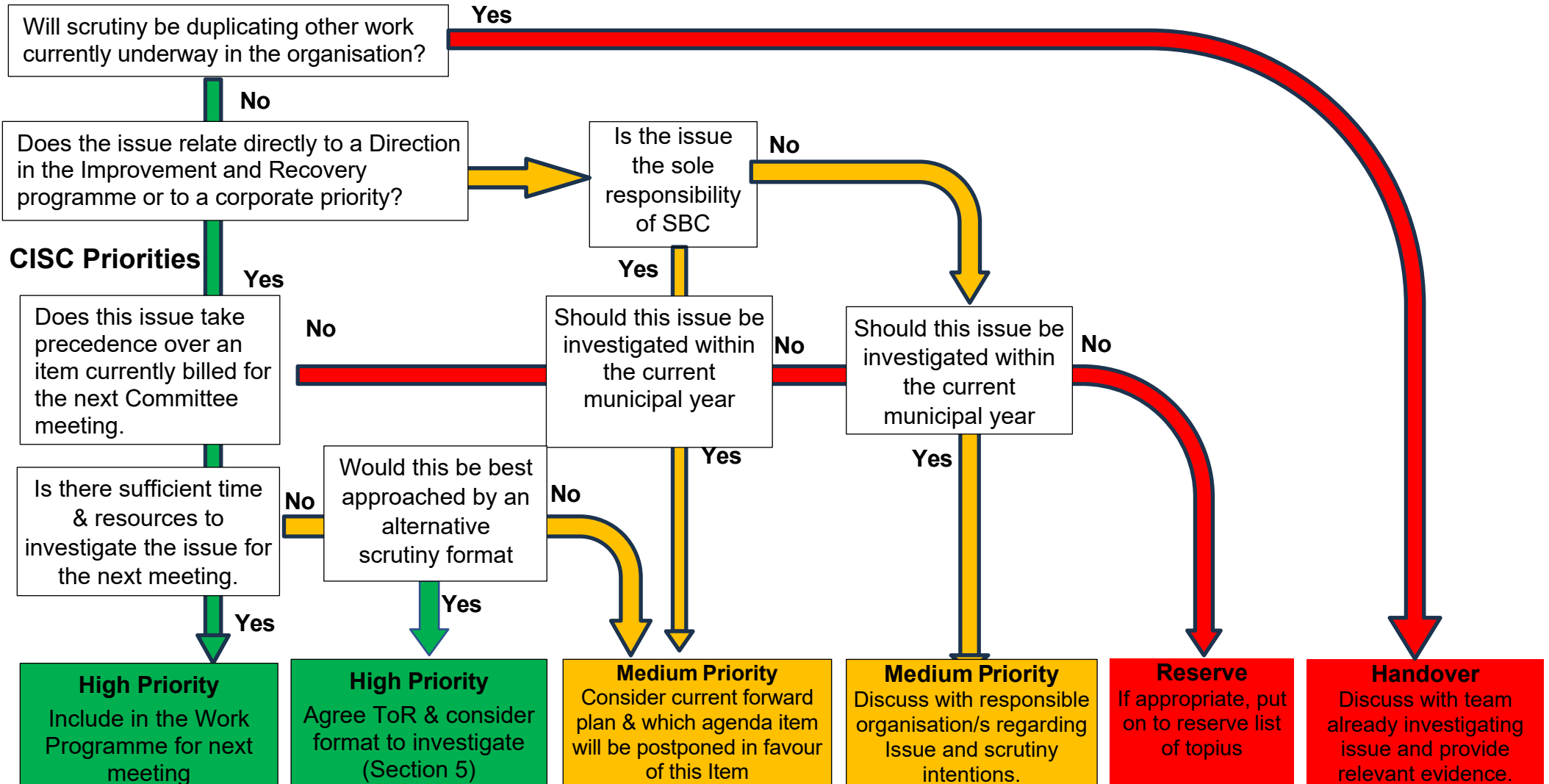


Figure 2. PRIORITISATION

SBC Priorities



Name

Date:

Brief description of Issue

How did this issue come to your attention?

What proportion of the borough;s residents are affected?

EVIDENCE: Set out /Point to the evidence you have in relation to this issue

OUTCOME/S: What improvement/change could scrutiny achieve