

# Overview and Scrutiny at Thurrock Council: A Review

Update

2021/22

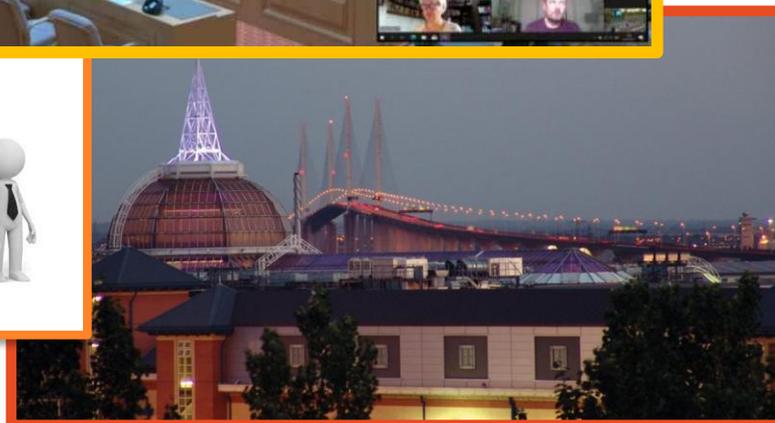


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## BACKGROUND AND INTRODUCTION

- 1.1 The Scrutiny Review began in 2018, as Members wanted to undertake a deep-dive study into how the function met national best practice guidelines; how the service performed; and if it could be developed.
- 1.2 A motion then followed in October 2018, which asked the Corporate Overview and Scrutiny Committee, as part of their cross-cutting remit, to look into the function and undertake a review.
- 1.3 The Committee, working with the Democratic Services team, then undertook a series of research projects and tasks to help identify how the scrutiny function worked, and areas for further consideration.
- 1.4 The Committee started by focussing on the national scrutiny best practice guidelines, developed by the Centre for Public Scrutiny. This research highlighted that Thurrock were meeting the majority of guidelines set out in the framework. Members felt there were some areas that could be enhanced. The Committee also considered the latest central government statutory guidance that was released in May 2019 that outlined scrutiny best practice, and how this could be adopted at Thurrock.
- 1.5 Detailed research was then begun which looked into how Thurrock's scrutiny function compared to our local neighbours, as well as other similar sized unitary local authorities. This went into detail regarding the call-in process, the number of scrutiny committees, and the process around pre-scrutiny. This found that Thurrock largely had more scrutiny Committees than other authorities, but followed similar call-in and pre-scrutiny processes.
- 1.6 As the desktop research continued, the Corporate Overview and Scrutiny Committee undertook two projects to help determine Members viewpoints regarding scrutiny at Thurrock.
- 1.7 In September 2019, Dr Dave McKenna from the Centre for Public Scrutiny came to Thurrock Council to hold a scrutiny symposium for all scrutiny Members. This was to find a baseline of Members feelings towards the function, for example what areas were working well and what challenges scrutiny currently faced. This was a productive session during which Members

provided Dr McKenna, and the Democratic Services team, with numerous ideas for development of the function.

- 1.8 After some delay due to COVID-19, a workshop between the Executive and scrutiny Members was held to determine how Members felt the relationship between the two functions could be enhanced. Members discussed the draft recommendations that had been developed since the symposium, and talked about how these recommendations could be implemented and supported by the Executive.
  - 1.9 Finally, all elements of the review were summarised and presented as a report to the Corporate Overview and Scrutiny Committee in November 2020. The Committee agreed all of the recommendations, and asked for regular updates to be provided. This report is therefore being provided to update Committee Members on the progress of the recommendations thus far, and further work that is due to be undertaken.
  - 1.10 The report was then presented to Cabinet in December 2020 and all recommendations were agreed.
  - 1.11 Between January and April 2021, the Democratic Services team worked hard to ensure that the recommendations were ready to be implemented at the beginning of the 2021-22 municipal year.
  - 1.12 By the nature of the function, the six scrutiny Committees have independence to decide how to implement the recommendations, to suit their workload and the nature of their commitments. This report outlines and charts how the recommendations are being implemented across the various Committees.
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## PROGRESS MADE ON RECOMMENDATIONS

| Recommendation   | Actions to Date  | Evidence and Examples   |
|--|--|---|
| <p><b>1. Establish an Executive-Scrutiny Protocol to ensure a formal process for scrutiny comments to reach the Executive.</b></p> | <ul style="list-style-type: none"> <li>• The Protocol has now been formally adopted by Members and is included on the Members Library on Inform.</li> <li>• It is now also included as part of the formal scrutiny training offered to all Members at the beginning of the municipal year.</li> </ul>                        | <ul style="list-style-type: none"> <li>• The Executive-Scrutiny Protocol has had an impact on the scrutiny function as:</li> <li>• More Portfolio Holders are including scrutiny comments in their verbal reports to Cabinet, for example the Quarter 1 Corporate Performance Report was considered at Corporate O&amp;S Committee; comments from which were then discussed by the Portfolio Holder for Central Services at Cabinet.</li> <li>• In addition, the Chair of the Planning, Transport and Regeneration Overview and Scrutiny Committee attended a meeting of Cabinet to discuss the Grays Underpass report and recommendations that had been considered by the Committee.</li> <li>• There have been no briefing reports as defined by the Protocol sent to Cabinet.</li> </ul> |
| <p><b>2. Every Overview and Scrutiny Committee to have an overarching topic-led project that they</b></p>                          | <ul style="list-style-type: none"> <li>• This has been adopted by the Corporate O&amp;S Committee, Planning, Transport and Regeneration O&amp;S Committee and the Cleaner, Greener and Safer O&amp;S Committee.</li> <li>• This recommendation has not been adopted by the Health and Wellbeing O&amp;S Committee</li> </ul> | <ul style="list-style-type: none"> <li>• For example, the Corporate O&amp;S Committee are currently undertaking a deep-dive review into fair debt and compassionate collections.</li> <li>• Some scrutiny committees have decided that the project does not suit their</li> </ul>   |

| <b>Recommendation</b>   | <b>Actions to Date</b>  | <b>Evidence and Examples</b>   |
|---|---|--|
| <b>manage throughout the municipal year.</b>  | or the Housing O&S Committee for this municipal year.   | workload this year, but this will be discussed as part of their Work Programme next municipal year.  |
| <b>3. Portfolio Holders are invited to attend Overview and Scrutiny Committees to answer questions.</b>   | <ul style="list-style-type: none"> <li>Portfolio Holders are now more regularly attending scrutiny Committees, either to answer questions on a specific topic or about their general Portfolio.</li> </ul>  | <ul style="list-style-type: none"> <li>For example, the Portfolio Holder for Adults and Communities attended the first meeting of Health and Wellbeing Committee to discuss a specific report on adult services provision.</li> <li>In addition, the Portfolio Holder for Environment, Sports and Leisure attended the Cleaner, Greener and Safer Committee to answer general questions on his Portfolio.</li> <li>This recommendations is developing well across committees and there are future plans for Portfolio Holders to attend Overview and Scrutiny Committees.</li> </ul> |
| <b>4. Members to commit to Committee specific training at the start of the municipal year, with Chairs to receive specific Chairs training.</b> | <ul style="list-style-type: none"> <li>Overall there continues to be low attendance for scrutiny training sessions. In total, 14 Members attended the 'Overview and Scrutiny: A Practical Guide', which explained the role of Chairs, as well as outlining the powers of the scrutiny function. All attendees of the session were scrutiny Members and Chairs.</li> <li>The 'Best Practice – Overview and Scrutiny' training session, run by trainer David McGrath, did see a slight increase in</li> </ul> | <ul style="list-style-type: none"> <li>In November 2020 a Members Training Steering Group was reconvened, whose purpose was to provide feedback and ideas regarding the Members training programme, which would be used for input into the development of the 2022/23 programme.</li> <li>The group have so far met three times and worked to develop a questionnaire to obtain overall training feedback.</li> </ul>  |

| Recommendation   | Actions to Date   | Evidence and Examples   |
|--|---|---|
|  | attendance, from 5 Members in 2020/21 to 7 Members in 2021/22.  |   |
| <p><b>5. Members agree that the number of scrutiny Committees meets the requirements of the Council, and ensures each Committee can fulfil their role.</b></p>   | <ul style="list-style-type: none"> <li>Democratic Services will continue to monitor Members views towards the number of scrutiny Committees, through regular updates to the Corporate O&amp;S Committee.</li> </ul>   | <ul style="list-style-type: none"> <li>As outlined in the scrutiny review research, Thurrock has comparatively more scrutiny committees than neighbouring local authorities and comparable unitary authorities.</li> <li>This was discussed as part of the scrutiny symposium and Executive-Scrutiny Workshop and Members felt happy with the number of scrutiny committees and their remit.</li> </ul> |
| <p><b>6. Members agree that overview and scrutiny processes with regards to call-ins are to remain the same, taking into account the research undertaken by officers into best practice at other Councils.</b></p> | <ul style="list-style-type: none"> <li>As discussed in the scrutiny review, Thurrock follows a similar call-in process as the majority of comparator local authorities.</li> <li>This research also determined that Thurrock's call-in procedure was in line with best practice guidance from the Centre for Public Scrutiny and the Local Government Association.</li> </ul> | <ul style="list-style-type: none"> <li>Democratic Services will continue to monitor other local authorities' call-in processes, as well as best practice guidance, through the Officers Scrutiny Network and the Association of Democratic Services Officers.</li> <li>If national best practice is updated regarding call-ins, this information will be presented back to the Committee.</li> </ul>    |
| <p><b>7. Members agree that the motions process works effectively at Thurrock Council, although quarterly update reports on motions will be</b></p>  | <ul style="list-style-type: none"> <li>Regular updates on the motions process will be provided to the relevant Overview and Scrutiny Committee as part of the Work Programme item on the agenda. This will allow scrutiny Members to monitor closely the progress of motions, as well as proposed actions arising.</li> </ul>   |   |

| <b>Recommendation</b>  | <b>Actions to Date</b>  | <b>Evidence and Examples</b>  |
|--|---|---|
| <p><b>provided to the relevant Overview and Scrutiny Committee for their comment and oversight.</b></p>  | <ul style="list-style-type: none"> <li>• So far this year, no motions have been agreed by Members at Full Council, so no updates have yet been provided to scrutiny.</li> </ul>   |   |
| <p><b>8. Selected reports for pre-scrutiny come to the relevant Overview and Scrutiny Committee earlier in the policy development process, so scrutiny comments can be included in policies.</b></p> | <ul style="list-style-type: none"> <li>• So far in this municipal year, officers and Members have been working to develop this recommendation, but have faced some challenges due to tight deadlines and internal governance processes.</li> </ul>  |   |
| <p><b>9. The number of 'to note' reports to be reduced, by emailing 'to note' reports to Committee Members for comment.</b></p>  | <ul style="list-style-type: none"> <li>• Following this recommendation a new system of briefing notes has been introduced into the scrutiny function. This ensures that reports that do not require a specific recommendation, or simply provide update to the Committee, can still be considered by Members without taking up space on an agenda.</li> <li>• Members still have the chance to discuss briefing notes within the agenda, under Items of Urgent Business if they feel that a discussion is appropriate.</li> <li>• Some Overview and Scrutiny Committees do not wish to pursue a system of briefing notes</li> </ul> | <ul style="list-style-type: none"> <li>• So far this municipal year, the briefing note system has been successfully adopted by the Housing Overview and Scrutiny Committee and the Health and Wellbeing Overview and Scrutiny Committee.</li> </ul> |

| Recommendation  | Actions to Date   | Evidence and Examples  |
|---|---|--|
|   | <p>at this present time, as there is not currently the need. This will continue to be monitored and discussions with Chairs will be ongoing.</p>  |  |
| <p><b>10. The Work Programme to be more Member-led. A discussion to happen at the beginning of each municipal year regarding which reports would be sent through committee throughout the year.</b></p> | <ul style="list-style-type: none"> <li>• Democratic Services have undertaken a quantitative analysis of this recommendation and found that overall the majority of scrutiny committees now have more Member-led work programmes, when compared to last municipal year.</li> <li>• For example, the Cleaner, Greener and Safer scrutiny committee Work Programme is now 30% Member-led, compared to only 6% last year.</li> <li>• The Housing O&amp;S Committee Work Programme is now 65% Member-led, compared to 43% last year.</li> <li>• This means that of the items listed on the Work Programme, more have been suggested by the Chair and Members.</li> </ul> | <ul style="list-style-type: none"> <li>• This recommendation will be monitored throughout the year and will be reported back to the Committee.</li> <li>• This recommendation is intrinsically linked to a cultural change, and Democratic Services will continue to work with Officers and Members to embed this recommendation into the function.</li> </ul> |

## ANALYSIS AND MEMBERS INPUT

### **How has the Scrutiny Function Changed since the Review?**

2.1 From the above table the following recommendations have been successfully implemented:

1. An Executive-Scrutiny Protocol has been established and embedded.
2. 3 Overview and Scrutiny Committees have adopted a topic project for the 2021/22 municipal year.
3. Portfolio Holders are now more regularly attending scrutiny Committees.
4. Scrutiny Committees will get the opportunity to discuss relevant motions that have been submitted to Full Council.
5. 2 Committees have adopted the briefing note process, and have reduced the number of 'to note' reports.
6. Work Programmes are now more Member led.

### **Further Work**

2.2 Although the scrutiny review has been successfully implemented for the majority of recommendations, there are still areas that require further work:

1. The development of Member training to increase engagement with training opportunities.
2. The number of reports that are received by scrutiny Committees earlier in the policy development process.

2.3 Given the long-term nature of the review, these areas will be monitored by the Democratic Services team to ensure the recommendations are developed as necessary.

2.4 Democratic Services will use Member feedback to develop the recommendations and the strategy for future implementation.