Scrutiny - Seven Questions for Council Leaders

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Scrutiny is intended to be independent of an executive. So why should council leaders concern themselves with what is going on in their scrutiny committees? An interesting question and one which this briefing paper seeks to address.

Right at the start of the scrutiny era, CfPS (Centre for Public Scrutiny) established four principles on which good scrutiny should be based. That they remain valid to this day is indicative of the care taken in laying down these foundation stones.

They are listed opposite and quite rightly the first two are linked to ensuring scrutiny can work in an environment where it can be both independent and a critical friend.

The remaining two are very much connected to public engagement and service improvement. Therefore they should form part of any forward looking leader’s toolkit. So, to help council leaders evaluate whether they are making the most of their scrutiny function, ELGH has developed the following questions.

Is scrutiny one of your performance management tools?

Scrutiny is sometimes wrongly perceived to be ‘the opposition’. When I was appointed Head of Scrutiny a senior opposition member told me “I was on their side now” and thereby drew attention to the challenge I faced in demonstrating scrutiny to be an independent and apolitical function. On the other hand I had no problem with the council leader who told me he wanted robust scrutiny because he saw it as one of his performance tools to keep his executive members on their toes. Something helped by the fact that the only time he ever interfered in a scrutiny committee was to tell his own members they were being too protective of one of his cabinet members.

In an ideal world there should be no conflict between

- the ambition of a council leader to make their authority the best
- and
- the role of scrutiny committees in driving improvements in council services.

Politics and human nature do however get in the way and it takes a confident cabinet member to stand up in full council and thank a scrutiny committee for identifying the cause of a particular problem. So the first question I would pose any leader is whether scrutiny is an effective performance tool.

CfPS Good Scrutiny Principles

- provides ‘critical friend’ challenge
- is carried out by ‘independent minded governors’
- enables the voice and concerns of the public
- drives improvement

About David Moses

Before establishing ELGH as a consortium of public sector consultants who have complementary corporate management expertise, David had over 40 years experience of working with local authority politicians.

He has advised on and implemented revised scrutiny processes in two major local authorities. Both were judged to have made considerable improvements during subsequent government inspections.

One scrutiny review was referred to on the Renal Czar’s web site as the ‘first hard hitting report of its kind’. 
How integral is scrutiny to your public engagement strategy?

Whilst watching Tom Heap recently on the BBC Countryfile programme I was reminded of the time when I witnessed him managing a public discussion session in a packed council chamber. The occasion; a scrutiny committee ‘hearing in public’ into a council’s policy towards GM food. I’ve also witnessed similar packed gatherings scrutinising major changes in both health provision and regional spatial strategies.

One of the most effective pieces of scrutiny I have observed resulted in a dramatic increase in MMR vaccinations in one of England’s oldest towns. It involved scrutiny members working alongside community groups and visiting GP surgeries.

A quick survey of council web sites shows there is a remarkable difference in the accessibility of scrutiny to members of the public between authorities. There are numerous examples where members of the public have successfully engaged in scrutiny reviews and meetings, thus demonstrating how it can operate as another element of an authority’s public engagement strategy.

How do you scrutinise your scrutineers?

Every aspect of a local authority’s work should be held to account for what they achieve. Some councils use their auditors to check on the performance of their scrutiny committees. Others benchmark using peer reviews and some engage outside specialists to do it for them. Even simple measures such as including an item at the end of an agenda to assess achievements can be quite effective.

It does not have to go across the grain of independence for a leader to ensure there is scrutiny of the performance of their scrutiny committees. Establishing clear terms of reference that focus on outcomes is one way of demonstrating that such a review does not impinge on a committee’s independence. After all, there is little value in resourcing meetings if they are nothing more than talking shops.

How do you develop your scrutiny members?

I’ve yet to hear a premiership football manager maintain their star player doesn’t need to practise and train in order to perform at their peak. Successful businesses regularly refresh the competencies of their senior managers and elected members do gain from personal development programmes.

A good scrutiny development programme will

- help committees to work effectively in a politically impartial way
- focus on issues where scrutiny can really make a difference
- hone members questioning techniques to drill down into issues in a systematic and constructive manner.

Good scrutiny enables the voice and concerns of the public

There is little value in resourcing meetings if they are nothing more than talking shops

A development programme for your committees can help them focus on issues where scrutiny can really make a difference.
Do you use scrutiny to help you identify potential cabinet talent?

Chairing a scrutiny committee can help up and coming members develop skills in preparation for taking on cabinet responsibilities. They are able to develop an in-depth knowledge of council services, enhance their public speaking skills, and oversee the production of reports and drafting of recommendations. The awareness that good scrutineers can be in line for promotion gives further credence to the scrutiny function.

What are you doing to get the best out of your scrutiny officers?

Scrutiny officers are the lifeblood of any scrutiny function. They need to be respected by their officer colleagues and well versed in dealing with members of the public. Scrutiny involves skills which are different from many others required by council officers and your scrutiny officers are a resource which benefits from even a small amount of investment.

One of the best ways for a scrutiny officer to develop is through the assistance of their peers. Many parts of the country have well developed scrutiny officer networks and they should be encouraged to participate in these. Networks can also be used as a cost-effective way of providing training by sharing costs and minimising travel by running training courses locally.

How do you ensure recommendations are followed up?

The best constructed recommendations or most erudite of scrutiny reports are of little value if destined to gather dust on the council bookshelf. For scrutiny to be effective there has to be a systematic process in place to re-visit recommendations and test whether they have been implemented.

Such systems can take account of changes in circumstances that may have invalidated what was originally perceived to be a perfectly good idea at the time.

Conclusion

These seven questions lead to one final and simple one; “How effective is your scrutiny system in helping your authority engage with the public and driving forward improvements in public services?”. However good the answer might be there will always be room for improvement.