# Overview and Scrutiny in 2018/19

Set out below is a brief guide to the approach to Overview and Scrutiny in Kirklees and some important messages about maximising the effectiveness of Scrutiny in the year ahead.

## 1. What is Overview and Scrutiny?

Overview and Scrutiny is an important council function which primarily acts as a check and balance to the work of the Cabinet (Executive). It is led by councillors who do not serve on the Cabinet. It should not be seen as adversarial but rather as an opportunity to enable a broader range of councillors to contribute to the organisation in a constructive way. The main elements of the Scrutiny role are:

- To hold the Cabinet to account for the decisions it is making
- To monitor and where appropriate challenge, the performance and quality of services delivered by the council and other local agencies
- To carry out constructive reviews of issues, policies or services in areas where there are concerns or potential for improvement
- To contribute to the development or review of policy for recommendation to the Cabinet

In addition, there are specific powers of scrutiny in relation to proposals by local NHS bodies to significantly reconfigure health services in the district.

Scrutiny is not a decision making body, instead it has the power to make recommendations to the Cabinet and a range of external agencies and partners on issues that affect the citizens of Kirklees. There is a requirement for the Cabinet and other bodies to provide a written response to Scrutiny recommendations.

## 2. Underpinning principles of Overview and Scrutiny on Kirklees

The underpinning principles of Overview and Scrutiny in Kirklees are:

- To leave the party politics at the door - Scrutiny has an important role in the political process but seeks to work in a non party political way.
- To be proactive and constructive in providing a “critical friend” challenge
- To maximise the use of pre decision scrutiny to influence important decisions before they are taken rather than criticising after the decision has been made.
- To be objective in considering a range of evidence and views to inform scrutiny work.
- To try wherever possible, to hold Scrutiny meetings in public. There will be times when Scrutiny is looking at proposals that are still at an early developmental stage when it may not possible to hold discussions in public.
- To ensure that the voice of the citizen is heard

## The Dos and Don'ts of successful O&S

| DO | DON'T |
|---|---|
| Leave the party politics at the door | Grandstand and use Scrutiny to make party political points |
| Look at strategic issues where Scrutiny can make a difference and add value | Use scrutiny to explore issues specific to your ward and personal "hobby horses" |
| Plan ahead where possible to give the witness time to prepare for the discussion. Provide a clear brief / lines of enquiry to help your witness prepare | Don't try and catch someone out, it will lead to a limited discussion and waste everyone's time. |
| Prepare for meetings - read your papers so you can fully contribute to discussions | Spring issues on the day and expect to get detailed answers |
| Treat the people invited to attend with respect and put them at their ease so you can have a constructive discussion | Don't be adversarial and confrontational |
| Stick to the terms of reference or agreed lines of enquiry for the issue under scrutiny. | Don't try to do too much … looking at a smaller number of issues, resulting in quality recommendations is preferable |
| Be prepared to listen to other people's views and base findings on what the evidence says | Don't come with fixed views and dismiss anything that does not support your pre-determined view |
| Be proactive in contributing to decisions before they are made | Don't sit back then criticise after the decision is made |

## Extract from LGA – Dos and Don'ts for Effective Working

| Do be: | Don't be: |
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| Impartial | Unhelpful |
| Professional | Jargonistic |
| Authoritative | Arrogant |
| Respectful | Deferential |
| Sensitive | Subservient |
| Positive | Imprudent |
| Communicative | Indiscriminate |
| Discreet | Evasive |
| Reliable | Reliant |
| Friendly | Friends |

## 3. The work of Overview and Scrutiny in 2018/19?

The overview and scrutiny arrangements were established as a result of the Local Government Act 2000 and have continued to develop. Kirklees Council want to have open and transparent governance and Scrutiny is integral to achieving this objective.

Objectives for Overview and Scrutiny in the coming year include:

- To continue to develop understanding of and respect for the role of Scrutiny as part of the democratic process at a political and officer leadership level, which cascades through the organisation
- Scrutiny being built into, and embedded, in both formal and informal democratic processes so it can fulfil its core function in relation to the executive and providing a critical friend challenge. In particular continuing to increase pre-decision scrutiny as part of the wider strategic agenda planning process should be a key feature
- The timely sharing of information, i.e. the ability to have an early overview of strategic decisions and to make recommendations or comment on a final proposal.
- Providing an opportunity to actively involve non-executive councillors to gain a wider cross party perspective on an issue;
- Councillors, managers and staff adopting a proactive use of overview and scrutiny to help the organisation to continue to learn and improve, through robust scrutiny of performance management and in depth scrutiny work;
- Effective two way communication and dialogue to enable all parties to forward plan.

## 4. Developing the Scrutiny Work Programme

At the beginning of each municipal year, the Overview and Scrutiny Management Committee and the four Scrutiny Panels develop a work programme for the year. Top of any selection criteria is the ability for Scrutiny to make a difference by looking at the item. Scrutiny should try to directly avoid duplicating work that is being carried out elsewhere in the Council. There may also need to be urgent items added during the year so it is important that there is flexibility in the work programme to reprioritise if necessary.

The component parts of the programme may include:

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| 1. **Pre decision items** that are being developed for decision by Cabinet, so Scrutiny can comment and influence the decision before it is made. |
| 2. A review of **performance information** to identify areas of good performance and discuss how priority areas of underperformance are being addressed |
| 3. **Priority areas / themes** identified by Cabinet Members / Strategic Directors, where Scrutiny may want an initial overview and then scrutinise some areas in greater detail. |

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| **4.** | Monitoring the implementation of previous **Scrutiny recommendations** |
| **5.** | Considering the **outcomes of recent inspections**, e.g. OFSTED and how the issues raised are being addressed |
| **6.** | Areas of *high **public concern** where there is a benefit in Scrutiny considering the issue. |
| **7.** | Contributing to the **review of policy** prior to Cabinet decision. |
| **8.** | Scrutiny of aspects of s**ervices delivered by Council partners** or external agencies |