



# Scrutiny Toolkit

September 2007

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# Foreword

This Toolkit is intended to provide a practical approach to implementing effective Scrutiny within East Lindsey District Council. The document includes guidance for all those who might be involved in the scrutiny process, including:

- Councillors
- Officers and employees of the Council who may be providing evidence to Committees
- External witnesses
- Interested members of the community who wish to understand more about the Scrutiny function and how they can get involved

The Toolkit is based on the four basic principles of good Scrutiny as described by the Centre for Public Scrutiny. They are:

- To provide a 'critical friend' challenge to executive policy-makers and decision-makers;
- Enables the voice and concerns of the public to be heard;
- It is carried out by 'independent minded Councillors' who lead and own the Scrutiny function
- It drives improvement in public services

We would welcome suggestions and ideas that might enable us to enhance the scrutiny process at East Lindsey District Council. If you require further help or would like to make a suggestion on how this guidance could be improved. The Scrutiny Team can be contacted by:

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More information on Scrutiny and all of the Council's activities can be found at:  
[www.e-lindsey.gov.uk](http://www.e-lindsey.gov.uk)

# 1. Introduction

This Tool kit is designed to set out the principles, core aims and the practical operation of the Scrutiny function for East Lindsey District Council.

## **What are the objectives of Scrutiny?**

East Lindsey District Council is committed to providing improved services to the local community. An effective Scrutiny function is vital to improve service provision and to help inform policy. Scrutiny is the process whereby Non-Executive Members of the Council examine the District Council's functions and performance, challenge the plans and decisions of the Executive Board and explore the effectiveness of other public bodies in the locality. They question how key decisions have been made and champion issues of concern to residents. It is also an opportunity for local organisations and stakeholders to have a voice.

## **Scrutiny can exercise considerable power:**

- Holding decision makers to account
- Challenging and improving performance
- Supporting the achievement of value for money
- Challenging the way things are done
- Influencing decision-makers with evidence based recommendations
- Bringing in the views and evidence of local people
- Encouraging joined up thinking across traditional departmental barriers to avoid 'silo working'

Overall Scrutiny aims to achieve greater public accountability to ensure that decision-making is transparent and to help the District Council and other agencies/public bodies in the area to deliver services that are sensitive to local needs.

## **How can Scrutiny be effective?**

- Scrutiny must influence others; it does not implement changes or take decisions itself. Nevertheless, several important elements can be identified that enhance the effectiveness of Scrutiny:
- Developing an inclusive approach – working to engage all relevant stakeholders, including partners and the public
- Working in a transparent way – making it clear to all those involved how the Scrutiny process works
- Demonstrating accountability for the process and outcomes of Scrutiny
- Being efficient and responding to the needs and aspirations of the community
- Working in a deliberative way which underpins an evidence-based approach to the work of Scrutiny
- Demonstrating a non-partisan approach – placing the needs and aspirations of the community above the considerations of party politics

- Strengthening the democratic process of decision-making through initiating and improving the quality of debate
- Demonstrating effective work management to ensure that Scrutiny activities have a timely impact
- Showing positive leadership to enable Scrutiny Committees to function smoothly

## 1.1 Commitment to Equality and Diversity

East Lindsey District Council is committed to promoting equality regardless of a person's ethnic origin, race, gender, disability, sexual orientation, age, religion or belief. Recognising and appreciating diversity is essential in order that the Council can plan its services to address the needs of all people and help all communities in the District to reach their full potential.

### **Impact on Scrutiny**

All Councillors and staff should make sure that all sections of the community are adequately engaged through the Scrutiny process. This can be achieved by building ongoing relationships with voluntary and community sector organisations and community leaders through informal routes or more formally by inviting them to contribute to Scrutiny Reviews. These organisations and individuals can then ensure their constituencies are adequately reached and reflected. Publicity materials and reports may also be made available in local communities and in an appropriate format and language.



## 2. Introduction to Scrutiny

Scrutiny is an essential part of the Local Government modernisation programme stemming from the Local Government Act 2000 which established a clear role for non-Executive Members in holding the Executive to account. The new procedures also extend to partnership work in the delivery of local services. Under the Local Government Act 2000 decision-making in Local Authorities became more transparent and accountable, with non-Executive Members scrutinising policy and the Executive decisions.

### **What is Overview and Scrutiny?**

The Local Government Act 2000 established four key roles for Scrutiny:

**1. Holding the Executive to Account**

This is done by scrutinising Executive decisions before or after they are made or implemented.

**2. Policy Development and Review**

Either through undertaking a review as part of developing key Council policies, examining how well existing policies have been implemented, or examining broad cross-cutting areas.

**3. Best Value Reviews**

Providing Members with the opportunity to be involved in the Best Value Review process.

**4. External Scrutiny**

Examining the impact of work undertaken by outside bodies upon the community that the Council serves.

Underpinning these roles is a commitment to ensure that Council priorities are addressed, performance is well managed, and that partners and the public are engaged in influencing the Council's direction. Unlike in the Committee system that preceded Scrutiny in Local Government, Members of Scrutiny committees are expected to adopt a deliberative, investigative and evidence-based approach while casting aside party politics. Scrutiny should work in an open, transparent, inclusive, and accountable manner to adopt an outward looking focus.

## 2.1 Overview and Scrutiny at East Lindsey

The scrutiny process provides Members with the chance to examine the workings of the Council and get involved in the development of Council policy. Through scrutiny, Members can ensure that the work of the Council is subject to democratic checks and takes into account the needs of the community.

Following a review of the District's previous scrutiny structure the Council has set up an Overview Committee and two Scrutiny Committees, which may, in turn, create Task and Finish Groups as necessary to a limit of two per Committee. All of the Groups involved in the scrutiny process are comprised of non-Executive Members of the Council. Meetings of the Overview and Scrutiny Committees are open to members of the public. In addition to the main committees, an Audit Committee has been established to oversee the Internal Audit functions.

Initially the Overview Committee determines areas for scrutiny and terms of reference then divide the workload between the two Scrutiny Committees (Scrutiny A and B). Scrutiny A and B are then able to determine how the review should be conducted and who should be called to participate or provide evidence. During the course of a review, specific tasks can be allocated to Task and Finish Groups for further investigation.

The Overview Committee will also be responsible for considering decisions by the Executive that have been called-in. Should the Overview Committee decide that there are reasonable grounds for the decision to be called-in then it can refer the matter back to the body that originally made the decision, setting out in writing its concerns, for that decision to be re-considered.

In order to aid their functioning the Overview and Scrutiny Committees are allocated with a budget and have dedicated officer support.



## **Overview and Scrutiny Access to Documents**

Overview and Scrutiny Committees (including Task and Finish Groups) will be entitled to copies of any document which is in the possession or control of the Executive or its committees and which contains material relating to any business transacted at a public or private meeting of the Executive or its Committees.

There are, however, certain limitations on the access that Overview and Scrutiny Committees can have to documents. An Overview or Scrutiny Committee will not be entitled to:

- a) Any document that is in draft form
- b) Any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise
- c) The advice of a political adviser

## **Health Scrutiny**

The Health and Social Care Act 2001 requires all Local Authorities with the responsibility for Social Services to ensure that their Scrutiny Committees have the power to investigate health services. Although the power for health scrutiny in the District falls within the remit of Lincolnshire County Council, a District Councillor sitting on the County Overview and Scrutiny Panel for Health represents East Lindsey District Council's views. Lincolnshire County Council also has the option of delegating the responsibility for health scrutiny to the District Council if it so chooses.

## 2.2 Call in arrangements

Call-in is the process by which Members of the Council can request that a decision taken by the Executive Board is reconsidered. Call-in can only be used in circumstances where Members of the Council have evidence that suggests the decision was not taken in accordance with the principles set out in Article 13 (decision making) of the Constitution.

### **Article 13 – Decision Making**

Principles of decision-making:

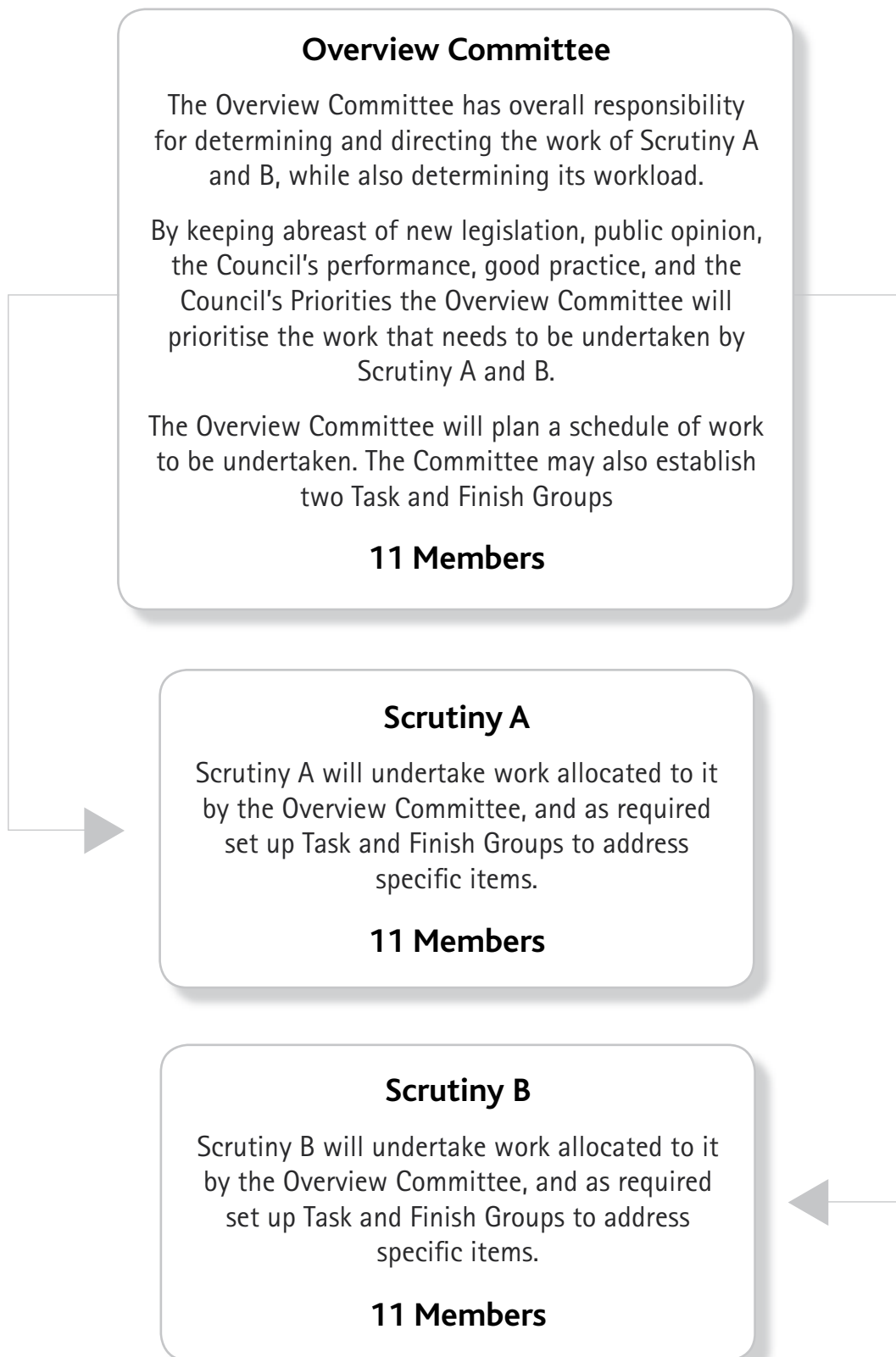
- a) Proportionality
- b) Due consideration of professional advice from officers
- c) Respect for human rights
- d) A presumption in favour of openness
- e) Clarity of aims and desired outcomes
- f) Due regard for alternative options

Article 13 outlines the different types of decision that can be made by the Executive Board or by Council, providing that the decision is in accordance with the Procedure Rules elsewhere in the agenda.

Decisions that have been called in are sent to the Overview Committee, which determines whether there are legitimate grounds for the subject to be called in. Should the Overview Committee decide that the call-in is legitimate, the original decision-making body will be requested to reconsider its decision. Where the Overview Committee has concerns about a decision and requests that it is reconsidered, the Overview Committee will inform the original decision-making body in writing of its grounds for concern. If the Overview Committee does not have any grounds for concern the original decision will take effect from the date of the Overview Committee meeting onwards.

If, having reconsidered the decision, the original decision-making body does not make any amendments, the decision will be referred to Council. Should Council agree with the decision, no further action will be taken. Council has no power to make decisions in respect to an Executive Board decision unless it is contrary to the Policy Framework, or contrary to the Budget. If Council has concerns about the decision, the original decision-making body will be asked to reconsider for the final time. The original decision-making body will then take a final decision on the subject.

## 2.3 The Scrutiny Structure



## 2.4 What do the Overview and Scrutiny Committees do?

### The Overview Committee

The Overview Committee is directly responsible for:

**1. Managing the Scrutiny work programme having regard for the Executive Forward Plan, statutory requirements and Council Priorities.**

The Overview Committee will manage a Scrutiny work programme that will plan works in the long-term for Overview and Scrutiny. The work programme needs to be developed from a number of sources including the Executive Forward Plan, Council Priorities, and statutory requirements. When setting the work programme consideration needs to be given to a number of factors which are laid out in the 'work programme' section of this toolkit.

**2. Considering whether Executive decisions should be 'called in' for further examination.**

The Overview Committee is responsible for determining what is known as 'call in'; this is when Members argue that a decision has been taken by Council or the Executive Board that is beyond the principles set out in Article 13 of the Constitution. Should the Overview Committee consider that there are legitimate grounds for the issue to be called in they will refer the matter back to the original decision-making body for them to reconsider.

**3. Monitoring and scrutinising the achievement of the Council's Policy Framework.**

Regular updates regarding the performance of the Council will be sent to the Overview Committee in order that they can identify areas for attention. Where performance is unsatisfactory the Overview Committee might undertake further scrutiny or allocate the work to Scrutiny A or B.

**4. Periodically reviewing the Scrutiny function, and maintaining it in good health.**

The performance of the Scrutiny function will be monitored by the Overview Committee, which will also keep abreast of any good practice in the field of scrutiny.

**5. Reporting annually to Council on the work of the Scrutiny function.**

Each year the Overview Committee will produce a report to Council on the work undertaken by Scrutiny. The report will also include updates on the outcomes of work that has been undertaken, and monitoring progress on recommendations, which have been agreed.

**6. Developing and spreading good practice in scrutiny.**

The Overview Committee will encourage innovation and the development of good practice in scrutiny.

**7. Allocating projects to Scrutiny A and B as necessary, setting the Terms of Reference and timescales for the projects and ensuring the best utilisation of resources.**

As part of the work programming process the Overview Committee will allocate projects between Scrutiny A and Scrutiny B. When considering the workload of the Committees the Overview Committee will take into account timescales and the availability of the necessary resources needed to undertake the task.

The **Overview Committee** also makes arrangement for either itself or a **Scrutiny Committee** for the following functions.

The Overview Committee will make arrangement for:	How will this be done?
Ensuring that proactive policy or review work is undertaken at the request of the Council and Executive, or arising from community concerns. (Pre-decision)	The <b>Overview Committee</b> will select topics (see page 16) and manage the work programme (see page 17) to ensure that the Council's <b>Overview and Scrutiny Committees</b> undertake pre-decision Scrutiny.
Monitoring the implementation of Executive decisions.	The <b>Overview Committee</b> will keep a register of recommendations and decisions that have arisen from work undertaken by <b>Overview and Scrutiny Committees</b> and the Chief Executive will report to the Overview Committee on the implementation of other or alternative Executive decisions.
Ensuring that service performance is systematically monitored and budgets developed accordingly.	The performance of the Council will be reported to the <b>Overview Committee</b> on a quarterly basis in order that any exceptions can be referred to a <b>Scrutiny Committee</b> if necessary.
Ensuring that customer and citizen satisfaction is systematically monitored.	The <b>Overview Committee</b> will commission and receive consultation regarding satisfaction with the Council.
Ensuring that Corporate and service improvement plans are monitored, including Best Value action plans.	In receiving performance information and customer satisfaction consultation results the <b>Overview Committee</b> will be able to monitor the success and implementation of Corporate and Service plans.



## **Scrutiny Committees**

Both Scrutiny Committees will undertake work allocated by the Overview Committee and where necessary set up small, time-limited task and finish groups to undertake specific tasks. Such tasks will require clear project briefs and timescales to be drawn up by the relevant Committee.

### **1. Developing policy proposals for consideration by the Executive or Council.**

This is the policy development role that is highlighted in the 'What is Scrutiny' section of the Toolkit. The Scrutiny Committees will undertake this work to enable non-Executive Members to get involved in the development of certain areas of Council policy. Policy development might also arise from broader reviews of Council services.

### **2. Evaluating policy as it develops to ensure that it takes into account social, economic and environmental considerations.**

By co-ordinating the Scrutiny work programme with the Executive Board Forward Plan the Scrutiny Committees will be able to undertake scrutiny of developing policies before they are adopted, this is known as pre-decision scrutiny. Scrutiny Committees will use evidence to determine whether the policy under development meets identified needs and is compatible with related local and national policies or strategies. Pre-decision scrutiny helps non-Executive Members hold the Executive to account.

### **3. Scrutinising individual plans and priorities of the Council and other agencies, for example the health sector.**

Scrutiny by the District Council's Scrutiny Committees is not limited to the work of the Council itself. Scrutiny of the impact of the work of outside bodies is part of the Council's community leadership role; however, care must be taken not to damage relationships with external bodies through this process.

### **4. Examining the implementation of specific Executive decisions.**

Another element of the role of scrutiny in holding the Executive to account is scrutinising decisions after they have been implemented, or post-decision scrutiny. Post-decision scrutiny is the examination of the suitability of decisions that have already been taken. A request for post-decision scrutiny may arise from a formal motion of Council.

### **5. Examining aspects of Council policy and the delivery of Council services.**

Scrutiny Committees will undertake deliberative reviews of areas of Council policy or services. Such reviews are cross-cutting and outward-looking with the focus usually being upon the 'big picture'. These reviews are likely to hear evidence from key stakeholders and commission research to understand how well policy is being implemented, how well services are being delivered, or whether a new policy needs to be developed.

Scrutiny will also play a role in performance management by ensuring that targets are being met, and making recommendations for change if they are not.

## **6. Commenting on the results of local consultation and on the effectiveness of consultation mechanisms.**

Where necessary Scrutiny Committees will commission consultation to inform their investigations. Scrutiny will also act upon weaknesses or areas of concern that are identified by ongoing consultation exercises.



## **Task and Finish Groups**

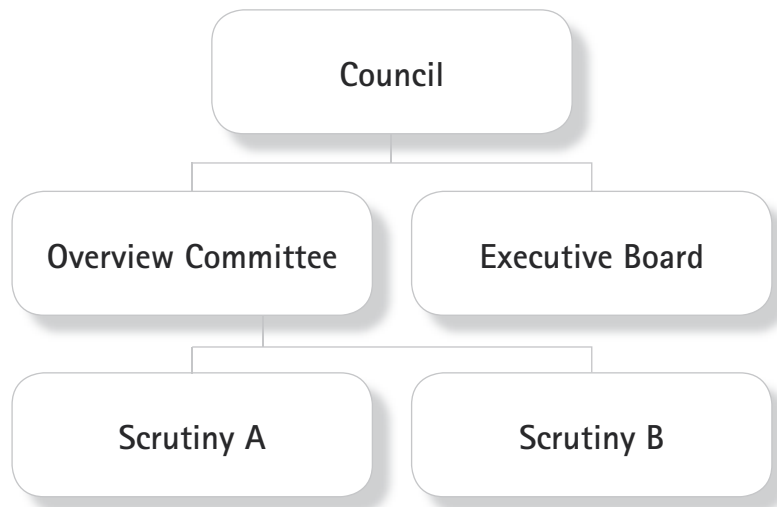
Task and Finish Groups are created to investigate specific items of limited scope. An example of this might be items where the options for consideration are known and are restricted in number. Each Committee will be able to operate 2 Task and Finish Groups at any one time but the creation of Task and Finish Groups will be based upon a proven need. Scrutiny Committees are able to set up Task and Finish Groups with the approval of the Overview Committee, providing that a sound rationale for the establishment of such Groups is provided. The Task and Finish Rationale Template can be found as an appendix to this document.

Task and Finish Groups report their findings directly to the parent Committee. Task and Finish Groups will have no formal Chair or Vice-Chair, Groups can choose to either elect one on the day, or work without one. Task and finish Group meetings are not public meetings as they are staged on an ad hoc basis and no formal agenda will be produced.

Information will be circulated to Task and Finish Groups 5 working days before they meet and there will be a minimum of 10 working days between each Task and Finish Group meeting to allow for adequate time for information to be collected. Task and Finish Groups will be composed of no more than 7 Members, drawn from a pool of interested Members who make themselves available to sit on the Group. Upon the decision to establish a Task and Finish Group the Chairman of the Scrutiny Committee that set up the Group will notify all Councillors of the purpose of the Group and the Proper Officer shall select sufficient Members from those expressing an interest.

## 2.5 Where does Overview and Scrutiny fit in?

### The Council Structure



Council is ultimately responsible for changing the Constitution, approving or adopting the Policy Framework and the Budget, making appointments to Committees, and promoting or opposing the making of local legislation. The Council is made up of all of the District's Elected Members.

The Executive Board is appointed by Council and is responsible for most day-to-day decision-making within the Budget and Policy Framework that has been decided by Council. The Executive is comprised of the Leader of the Council and up to 9 other Members. Decisions made by the Executive are subject to scrutiny if the Overview Committee chooses.

The Overview Committee reports annually to Council on the work that has been undertaken by Scrutiny. Scrutiny A / B report to the Executive Board or Council as appropriate with the outcomes of their work.

# 3. Selecting a Topic

Topic selection is of crucial importance to the success of the scrutiny process. Selecting the right topic will benefit the Council and the community as a whole, while motivating those involved and improving perceptions of the process. Poor topic selection, on the other hand, can waste Member and officer time, result in unconstructive outcomes, demotivate all involved, and worsen perceptions of Scrutiny.

The Overview Committee will be responsible for setting the scrutiny work programme by choosing from suggested topics aggregated from a number of sources including the Executive, other Members of the Council, stakeholders, officers, and the general public. The Overview Committee will prioritise and select topics to include in the work programme by using a set criteria.

## Sources for potential topics:



## 3.1 Suggesting a topic

Potential topics for scrutiny can come from a number of sources as outlined on the previous page. Many topics for scrutiny will be regular items, issues arising from poor performance, or referrals from other parts of the Council; however, there is still room in the work programme for topics suggested by individual members of the public, officers, or Members of the Council.

Suggested topics will be received by the Overview Committee and assessed against the criteria that are set out on the following pages. Topic selection templates have been developed and included in the appendices of the Toolkit in order to provide guidance to anybody wishing to make a suggestion and also to ensure that suggestions can easily be judged against the selection criteria. Officers and Members of the Council should complete the internal topic suggestion template, while members of the public and representatives of external bodies should complete the external topic suggestion template.



## 3.2 Selection Criteria

### Topic Selection Pitfalls

Some of the pitfalls that have been identified when selecting a topic are outlined below:

- The topic selected is too broad
- The rationale for scrutiny is unclear
- The topic is of low public concern
- The topic does not address aims and priorities
- The topic duplicates work that is already in progress
- The topic could be adequately addressed by other means and procedures

### So how do we avoid the pitfalls?

Using a structured approach helps to avoid poor topic selection. Each potential topic for scrutiny should be subject to the same initial selection and rejection criteria.

### Step 1 – The initial selection test

Selection Criteria	Rejection Criteria
Improvements to services would be likely	The topic is already being addressed
High public concern shown through consultation	Scrutiny is unlikely to result in service improvements
Poor performing service	Matter sub-judice or prejudicial to the Council's interests
Enhances the Council's priorities	The issue is more appropriately addressed by a body other than Overview and Scrutiny
High budgetary commitment	The objective cannot be achieved within given timescales Corporate and Service plans
New guidance or legislation has recently become available	The subject topic is too broad to make a review realistic

### 3.3 Rationale

Once the selection criteria have been established a rationale for scrutiny needs to be determined. Developing the rationale will require some preliminary research to identify supporting evidence. The following table shows how the rationale could be developed.

#### Step 2 – The rationale for Scrutiny

Rationale for Scrutiny Enquiry	
Rationale	<ul style="list-style-type: none"><li>■ Why conduct an enquiry?</li><li>■ How does this link to Council aims and priorities?</li><li>■ What benefits could result?</li></ul>
Evidence	<ul style="list-style-type: none"><li>■ What evidence is there to support the need for scrutiny?</li><li>■ What are the facts?</li><li>■ Are the views of external stakeholders known?</li></ul>
Desired Outcome	<ul style="list-style-type: none"><li>■ What would we wish to achieve in undertaking scrutiny?</li><li>■ Is the desired outcome likely to be achieved and why?</li></ul>
Risks	<ul style="list-style-type: none"><li>■ What are the potential risks that might influence prioritisation in the work programme? e.g. timescales.</li></ul>

Developing a rationale for a topic to be scrutinised will help the Overview Committee to prioritise the issues to be incorporated into the Scrutiny work programme.



### 3.4 Prioritising the topic

Once the rationale for reviewing the topic has been decided it must then be prioritised to determine where it fits into the work programme. The following table helps to score the topic in order that it can be placed on to the priority grid:

#### Step 3 – Prioritising the topic

Score	Importance	Impact
0	No evidence of links to Aims and Priorities	No potential benefits
1	No evidence of links to Aims and Priorities, but a subject of high public concern	Minor potential benefits affecting only one ward / customer / client group
2	Some evidence of links, but indirect	Minor benefits to two groups / moderate benefits to one
3	Good evidence linking both Aims and Priorities	Moderate benefits to more than one group / substantial benefits to one
4	Strong evidence linking both, and has a high level of public concern	Substantial community-wide benefits

#### The Priority Grid:

Importance	4	Possible Topic For Scrutiny But Not a Priority	Priority Topic For Scrutiny		
	3				
	2	Reject Topic For Scrutiny	Possible Topic For Scrutiny But Not a Priority		
	1				
	0	1	2	3	4
		Impact			

One example of using the priority grid might be a topic that scores both 4 for impact and 4 for importance, which would be deemed a high priority. Conversely, another example would be a topic that receives a score of 1 for both impact and importance, which would be rejected.

## **Our Ambitions for the District**

### **Ambition One: Economic prosperity**

#### Aims

- Raise aspirations, learning and skills
- Grow businesses and attract investment
- Improve and develop the tourist experience

### **Ambition Two: Distinctive vibrant communities**

#### Aims

- Clear distinct identity for all our communities
- More active community participation in decision making
- Harmonious, safe and inclusive communities
- Access to public and other services for all
- Locally appropriate patterns of development

### **Ambition Three: Reducing inequality to improve quality of life**

#### Aims

- Flexible housing to meet community aspirations
- Reduce health inequalities
- Broader participation in sports, arts and leisure
- Reducing impact of financial inequality

## **Our Ambitions for the Council**

### **Ambition One: To put residents at the heart of all we do**

#### Aims

- Develop and promote our Customer First programme
- Use technology to improve our services for customers
- Listen to and learn from our customers

### **Ambition Two: Green, open and ethical**

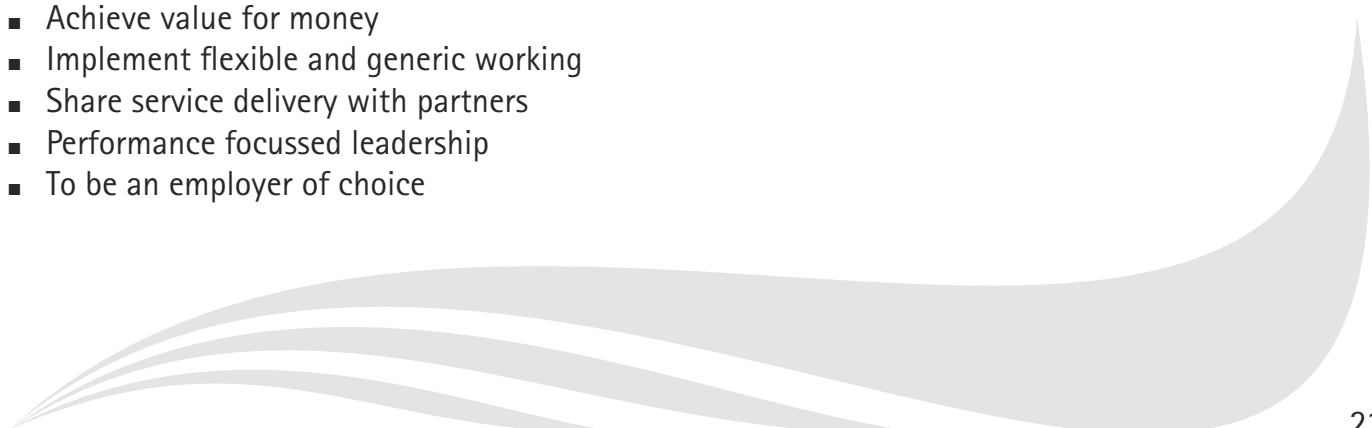
#### Aims

- Manage resources in an environmentally sound manner
- Have an open culture based on ethical standards
- Promote good practice on equality and governance

### **Ambition Three: To be an aspirational, high performing Council**

#### Aims

- Achieve value for money
- Implement flexible and generic working
- Share service delivery with partners
- Performance focussed leadership
- To be an employer of choice



# 4. The Work Programme

Setting the work programme is the responsibility of the Overview Committee. When determining the work programme a number of factors need to be considered.

## 1. Topic Selection

Items that have met the topic selection criteria	Most items for inclusion in the work programme will have passed through the topic selection criteria outlined previously. Topics that are identified as 'possibles' through the selection criteria should be placed on to a reserve list to be periodically reviewed for priority and workload capacity
On-going regular items, e.g. the Budget	Some items will be reviewed on a regular annual basis, such as the Budget and annual Service Plans; these will need to be factored into the programme at the appropriate intervals
Best Value reviews	Participation in key stages of planned Best Value reviews will need to be part of the work programme

## 2. Balanced Workload

Due consideration must be given to undertaking each of the four Scrutiny roles: 1. Holding the Executive to account 2. Policy development and review 3. Best Value reviews 4. External scrutiny	Balance needs to be achieved between the four Scrutiny roles that are outlined above to ensure that value is being added in different areas by the scrutiny process
Between the different Scrutiny Groups	Balance needs to be achieved between the 2 Scrutiny Groups to ensure that the workload is divided fairly

## 3. Capacity

Members' capacity	Can the work be undertaken without placing unreasonable demands upon Member time?
Officer capacity to support the review	What are the demands upon support officers and what amount of time can they dedicate in support of the particular subject?

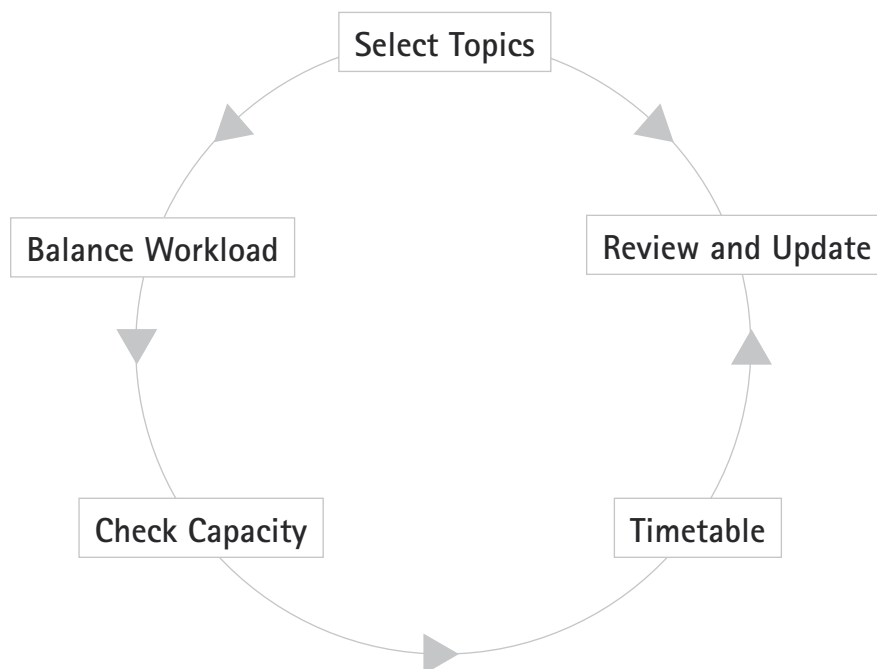
## 4. Timetable the Work

Timescales	What are the deadlines in relation to other Council meetings? What are the statutory deadlines? What are the deadlines of external partners?
Capacity	Leave spare capacity in the timetable to enable flexibility within the work programme and the capacity to undertake ad hoc work

## 5. Regularly Review and Update the Programme

Review	The work programme needs to be regularly reviewed and updated to ensure that new topics can be factored in and any changes accounted for
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The work programming process is a continual cycle as shown by the following diagram:



## **Regular topics for the work programme: Scrutiny and Corporate Planning**

As mentioned earlier in the section on the work programme, certain topics for scrutiny will be regular annual items. The juncture at which these topics fit into the work programme will need to be related to the Delivery Plan (Best Value Performance Plan). Scrutiny of items in the Delivery Plan will need to be disciplined to avoid disrupting the pre-determined timescales that are set out in the Delivery Plan. Ensuring that Scrutiny is involved in the corporate planning cycle is the responsibility of the Overview Committee.

Scrutiny will have a role in developing the Budget and Policy Framework. The Executive will publish a timetable in accordance with which it will make proposals to the Council for the adoption of any plan, strategy or budget that forms part of the Budget and Policy Framework. Within this timetable the Overview Committee will be consulted and it may undertake consultation with stakeholders and investigations as are necessary to enable it to make representations on a Budget and Policy Framework for the forthcoming year.

The Overview Committee will present its recommendations on the Policy and Budget Framework to the Executive. The Executive will finalise its proposals for the Council to consider having taken into account the proposals from the Overview Committee. The Executive's report to Council will show its response to those proposals. Care will need to be taken when forming the Scrutiny work programme to ensure that work on the Budget and Policy Framework fits the timescales of the Delivery Plan.

Quarterly information regarding performance indicators will also be reported to the Overview Committee in line with the juncture at which the information is reported to the Executive Board. The Overview Committee will identify exceptions in performance and, if necessary, the subject can be factored into the work programme for investigation by a Scrutiny Committee

Scrutiny will be involved in the budget setting process at the following stages in line with the budget setting process laid out in the Delivery Plan:

- June – Compare the previous year's performance against bids for growth or service improvements. Outcomes can also be assessed against expenditure for the previous year.
- October – The Draft Medium Term Budget Strategy is produced. Members can scrutinise the allocation of resources against the Council's Priorities and recommendations made during June. The results of public consultation can also be factored into this process.
- January – One final check on the allocation of resources and the implementation of previous recommendations as the Budget is produced in light of the finances awarded by Central Government. Quarterly breakdown of the finances could be requested to ascertain whether there has been any improvement in problems identified from the previous year.

The Overview Committee will also need to have regard for the other elements of the corporate planning cycle.



# 5. Conducting a Review

How do you conduct a Scrutiny review? Scrutiny, due to its very nature, can be a complex process. This section of the Toolkit is designed to guide all those involved in Scrutiny through the procedure from beginning to the end. Each key section has been identified and explained from scoping the enquiry to identifying relevant information; considering the timeframe; project plan; assessing the evidence; forming conclusions; drafting the report; and monitoring the recommendations.

## 5.1 Scoping

Scoping a review is essential to minimise the risks that might prevent a review reaching its desired outcome. Good scrutiny arrangements elsewhere stress the importance of scoping the enquiry properly and setting the direction of the review. There are five steps that should be followed:

### 1. Identifying the objectives and key issues

What do we want to achieve and what are the main issues that need to be addressed in order to achieve the objective? The Overview Committee will have undertaken much of this work during the topic selection process.

### 2. Establishing the timeframe of the review

The overall timeframe of the review will be established by the Overview Committee. The scoping process needs to determine how the review process will fit into the overall timeframe that has been decided.

### 3. Outlining the stakeholders and evidence required

What evidence is required to achieve the outcomes, and who needs to be called as a witness?

### 4. Considering the lines of enquiry

Once the objectives and the key issues have been decided, lines of enquiry should be determined to help focus the review and enable a consistent approach to a topic across meetings.

### 5. Recognise potential risks

Potential risks to the success of the review need to be identified from the start in order that they can be avoided later in the process.

A scoping document template is shown at Appendix D. The scoping should be agreed with the Overview Committee. For relatively simple reviews the work can be conducted based on the scoping document. For more complex subjects, a project plan may be necessary to ensure multiple activities are kept on track.

## 5.2 Project Planning

Once the scoping has been completed the results should be written into a project plan that can be continually referred to during the course of a review.

### Example Project Plan: Scrutiny A

Community Engagement
<p style="text-align: center;"><b>Objectives and Key Issues</b></p> <ul style="list-style-type: none"><li>■ To include the desired outcome and the issues that need to be addressed in achieving the outcome.</li></ul> <p>Desired outcome - to ensure that the community is being effectively engaged by the Council.</p> <p>Key Issues - 'hard to reach' groups, resources for research and consultation, putting research into policy.</p>
<p style="text-align: center;"><b>Lines of Enquiry</b></p> <ul style="list-style-type: none"><li>■ Which specific areas will the review seek to investigate?</li><li>■ Are budgets available for research?</li><li>■ How have past research and consultations engaged with the community?</li><li>■ What are the research needs of the Council?</li><li>■ How is research commissioned and conducted?</li></ul> <p>Desired outcome - to ensure that the community is being effectively engaged by the Council.</p>
<p style="text-align: center;"><b>Resources and Contacts</b></p> <ul style="list-style-type: none"><li>■ Which people could help the process, which documents should be used as evidence?</li></ul> <p>People:</p> <p>Policy and Performance Manager ELDC Chief Executive ELDC Chairman of the East Lindsey Hard to Reach Groups Society Senior Performance and Consultation Officer ELDC</p> <p>Documents:</p> <p>Research and Local Government Community Engagement in the 21st Century Research Beacon Councils Consulting Hard to Reach Groups</p>

### Timescale

- Include all of the relevant dates for Scrutiny and what will be required at each stage of the process.

Deadline for the question plan - March 19th: Questions for witness from the East Lindsey Hard to Reach Groups Society to prepare for.

Meeting 1 - April 10th: Difficulties of engaging with 'hard to reach' groups.

Witness: East Lindsey Hard to Reach Groups Society.

Evidence: 'Consulting Hard to Reach Groups', demographic breakdown of respondents to previous consultations.

Meeting 2 - May 20th: How does the Council currently use research?

What are the lessons learnt from previous consultations?

Witnesses: Policy and Performance Manager, Chief Executive, Senior Performance and Consultation Officer.

Evidence: 'Research and Local Government', research Beacon Councils.

Meeting 3 - June 30th: Reviewing the evidence and forming recommendations.

Report to Executive Board - July 27th: Executive Board to consider the Group's recommendations.

### Potential Risks

- What issues might adversely affect the success of the review process or its outcomes?

Being sidetracked into specific groups rather than considering the community in general, workload - review of BVIPs scheduled for May and June, County review of the research services scheduled to begin in August.

## 5.3 Collecting the information

Key issues and objectives will have been identified in the scoping phase, and a broad outline of the evidence required will have been suggested and included in the project plan. The next step is to identify the sources of the information required and the methods for collecting that information. Recommendations that Members formulate at the end of the review must be evidence-based and be seen to reference the information that has been provided.

Evidence can be gathered from a variety of sources including identified best practice; current Council policy; proposed or recent Government legislation; previous or possible consultation; performance indicators; and any previous work or reviews that might be relevant.

Properly planning the review is likely to make the collection of information trouble-free and more effective. Knowing in advance what information needs to be collected will leave time for thorough research or specific consultation to be undertaken, and will help ensure the availability of external witnesses to attend meetings.

### **Creating a Question Plan**

Providing a question plan for witnesses to consider prior to attending an Overview or Scrutiny Committee will help to make the most of their attendance at the meeting. Scrutiny, as noted in the 'Scrutiny Questioning Techniques' section, is not about ambushing witnesses with questions that they are unprepared for. The question plan will not be an exhaustive list of questions that a Committee cannot deviate from, although it will provide a sound starting point for further questioning.

The question plan can be completed once the Project Plan for a review has been developed. The question plan can be developed either in the same meeting as the Project Plan, or preferably in the following meeting to give Members time to consider the questions they would like to pose. However, timescales will not allow a question plan to be developed once a review has started, which emphasises the need for good forward planning.



## 5.4 Assessing the evidence and making recommendations

The scrutiny process can take several meetings and while Members involved in Scrutiny should consider and scrutinise the subject throughout a review, time should also be set aside during the final meeting to assess all the information that has been contemplated up to that point. When forming conclusions all the main points raised during the review should be considered to enable clear links to be shown between evidence and final recommendations. Officers will support Members in collating the evidence that has been provided and advising on the impact of potential recommendations.

Recommendations are the purpose of the review process and should lead to tangible improvements in service delivery or corporate direction. The desired outcome of the review, outlined in the scoping stage, should be held at the forefront of Members minds when debating their final recommendations. When making recommendations it is important to remember that it is not just the right answer that matters, but also evidence of how this conclusion was reached.

Recommendation 'do's' and 'dont's':

<b>Do</b>	<ul style="list-style-type: none"><li>■ Link recommendations to the evidence provided</li><li>■ Keep recommendations concise and easy to understand</li><li>■ Link recommendations to the project plan</li><li>■ Include methods for monitoring the recommendations</li><li>■ Reflect the general consensus of the Group</li></ul>
<b>Don't</b>	<ul style="list-style-type: none"><li>■ Duplicate existing work</li><li>■ Endorse existing decisions</li><li>■ Use recommendations to confirm current practice within the Council</li></ul>

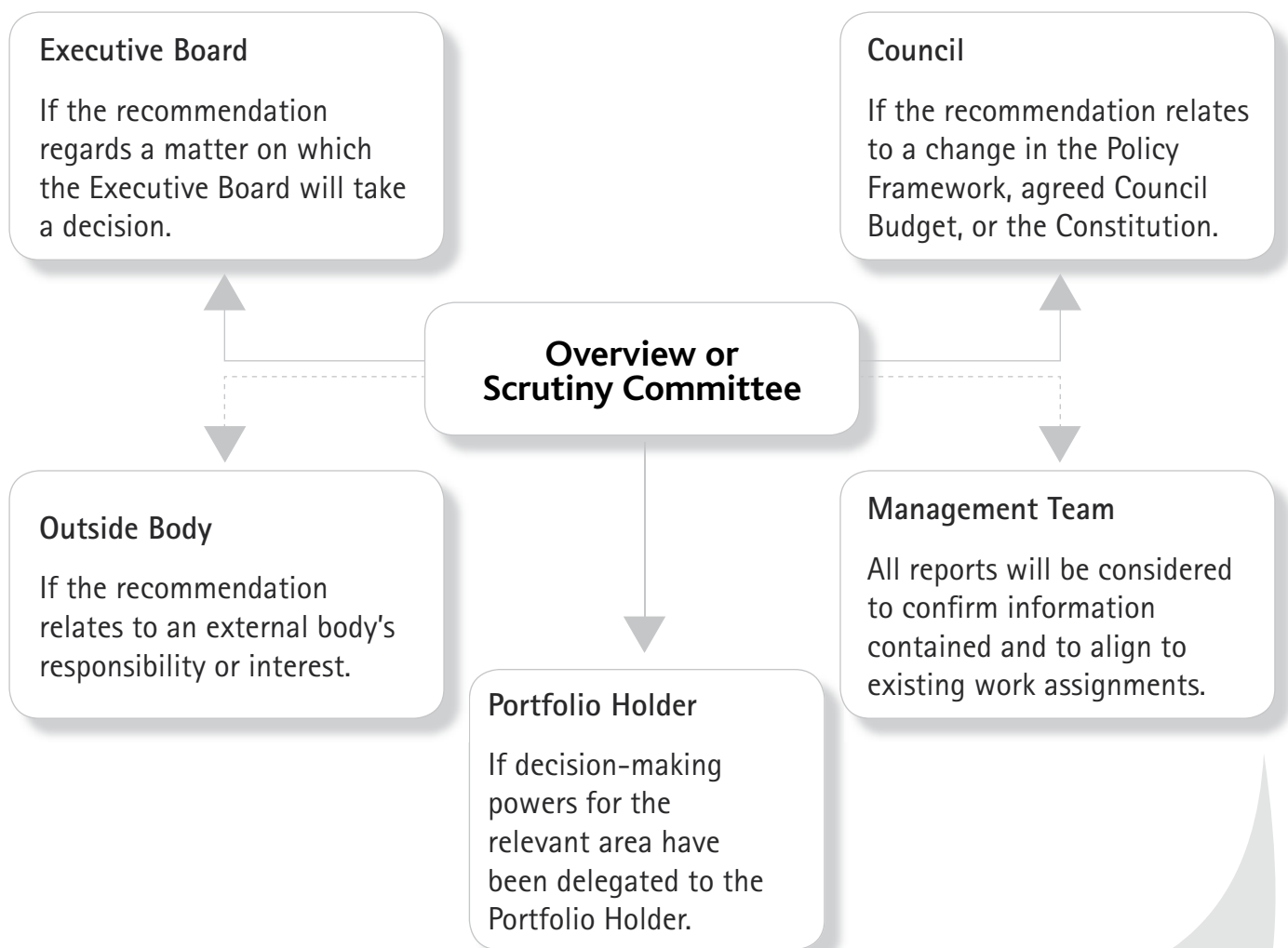
## 5.5 Reporting

Once the Committee have formed their final recommendations the Chairman and the Scrutiny Officer will prepare a draft report. When the draft report has been formed it should be sent to all Members of the Committee, the Portfolio holder if relevant, and all Officers and witnesses involved in the review process.

Following circulation of the draft report, recipients will have a specified date by which to make a response to the Scrutiny Officer. If no response is received it will be assumed that no comments are intended. All comments or suggested amendments should be considered by the Chairman and any changes made accordingly.

After the report has been agreed the Overview or Scrutiny Committee will then usually report to either the Executive Board or the Council as appropriate. However, on occasion other reporting routes will also be used depending upon the body that Scrutiny wishes to influence. Reports could also be sent to more than one body if necessary.

### The Reporting Process:



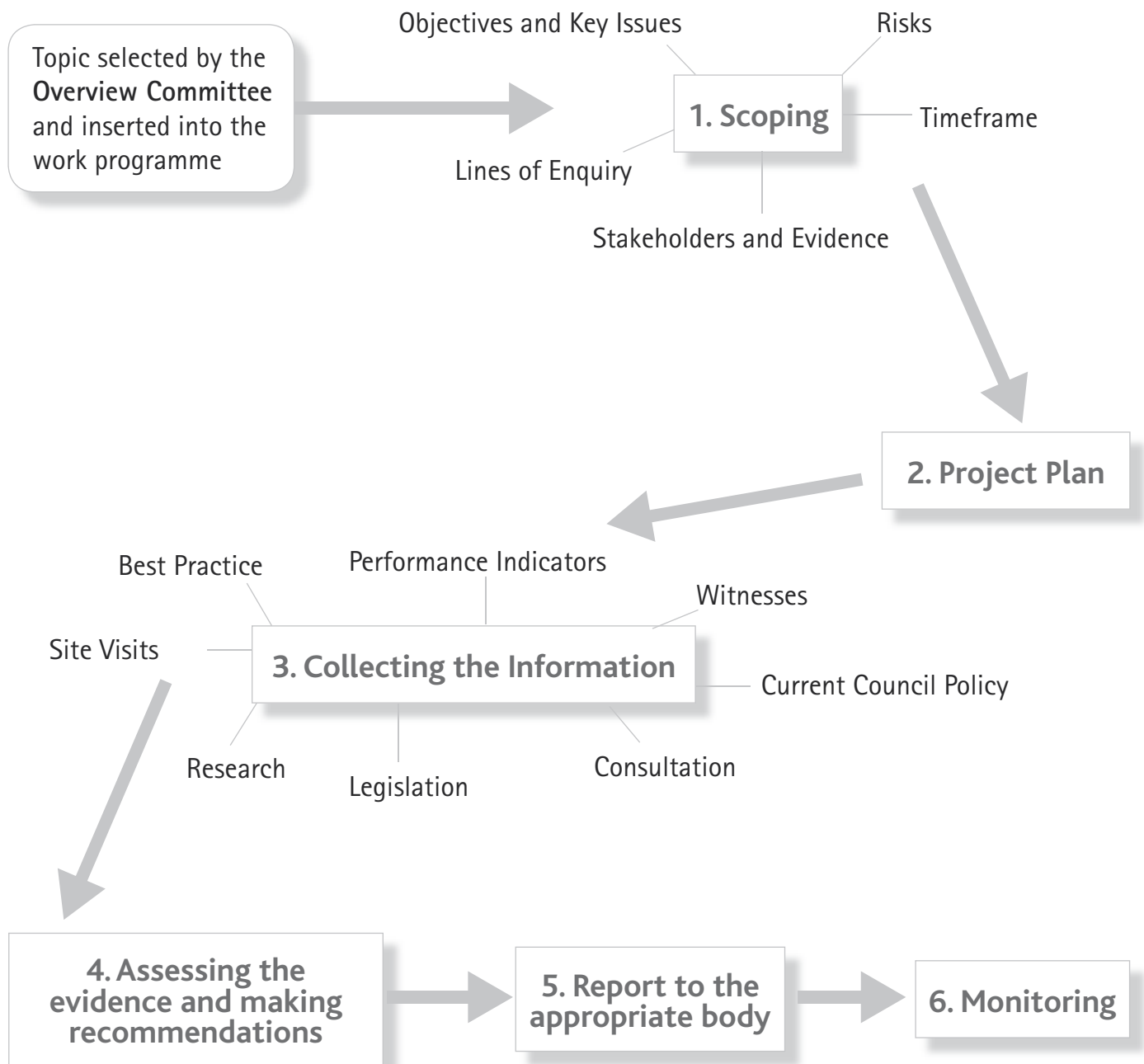
## 5.6 Monitoring

Monitoring arrangements need to be made to accompany any recommendations in order that progress can be measured.

The Overview Committee will monitor progress and if progress is not satisfactory further scrutiny can be undertaken. To assist in the monitoring process a register of recommendations made by the Committees will be created to include the decision made by the Executive Board or Council, the timescale for the work to be undertaken, and the person or unit charged with undertaking the work.

Follow-up regarding the outcomes of the Scrutiny process will be communicated in the form of the Scrutiny Annual Report. The Scrutiny Annual Report will be prepared in time for the end of the municipal year and presented to Council. The Annual Report will include an account of all the reviews that have been undertaken by Overview and Scrutiny Committees over the course of the year and a description of the main achievements of the scrutiny process.

## Conducting a Scrutiny Review



# 6. Roles and Responsibilities

## 6.1 Member roles

Four broad responsibilities of Members involved in Overview and Scrutiny are outlined in the diagram below; however, these are not the only elements that Scrutineers need to consider. On a more practical basis the Members on Overview and Scrutiny Committees need to decide who they would like to call as witnesses and what information is necessary. Members will be expected to prepare thoroughly for meetings and follow up lines of enquiry between Scrutiny meetings.



## **The Scrutiny Chairman:**

The Chairman and the Vice-Chairman of a Scrutiny meeting have additional responsibilities to ensure that a review reaches its desired outcome. Being an effective Chairman is largely reliant on character. Successful Chairmen share certain characteristics; they are assertive rather than aggressive, and also approachable, co-operative, diplomatic, and committed.

Chairmen also need a variety of skills that require continual development, therefore Chairmen need to be able to appraise their own weaknesses and seek training where identified. The following skills are vital to good chairmanship:

- Communication
- Time management
- Project management
- Analytical skills
- Listening skills
- Interpretation, clarification and summarising skills

During a meeting the Chairman needs to encourage the participation of all Members of the Group. The Chairman should ensure that Members are working towards the desired outcome of the review rather than digressing. In order to achieve this the Chairman needs to be assertive in keeping the discussion to agenda items only. Time management is very important. Chairmen should prepare the agenda prior to the meeting and notify the Group how much time has been allocated to each item, this will ensure that all topics receive ample time for discussion.

When drawing the meeting to a close it is essential for the Chairman to make clear all decisions that have been taken by the Group, clarify what information is required for the next meeting, make clear the time and date of the next meeting, and clarify the agenda items to be considered at the next meeting.

After a review has been concluded the Chairman of the Group is responsible for liaising with the Scrutiny Officer to draft the final report. The Chairman, in consultation with the Monitoring Officer, will also need to ensure that the Council's Constitution is adhered to. The report process is outlined in the 'Conducting a Review' section.

## Portfolio Holders:

Like other attendees, Portfolio Holders will only be able to participate in a review at the invitation of the Chairman; otherwise they will be invited as observers only. The Chairman should send out a formal invite to the Portfolio Holder outlining the reasons why attendance is requested. Like Officers, the portfolio holder should be notified in advance if required to provide any supporting documentation. Portfolio holders who have participated in a review will be passed the final report for consultation prior to the report being finalised by the Chairman.

## 6.2 Witnesses

Witnesses may be called as part of the scrutiny process to provide evidence or advice to a Review Group. Witnesses may be Officers, Members, or external stakeholders. Witnesses will receive a formal invitation by the Chair and the following information will be provided by the Scrutiny Officer:

- Terms of reference
- Scope of the review and lines of inquiry
- Previous information and documentation provided
- Question plan
- Clear guidance on what information they are expected to provide
- Time and date of the meeting
- Policy on reimbursing expenses

Guides for internal and external witnesses are attached as appendices H and I.

## 6.3 Members of the Public

Members of the public are an important part of the scrutiny process; engagement with the public is vital to achieve open government. Public participation, either through consultation exercises or direct participation in meetings, should be encouraged. However, members of the public will only be allowed to speak during Overview or Scrutiny Committees by invitation of the Chairman, otherwise they will be treated as observers only. Members of the public should also be reminded that they may express their concerns to their elected representative at any time.

## 6.4 Officer Support

Direct officer support is provided by Scrutiny Officers to undertake research and assist the review process, and Committee Administration to minute the meetings and arrange meeting dates and times. Dependent upon the area under review service officers may be requested by the Chairman to provide professional technical advice when necessary.

Role	Rejection Criteria
Scrutiny Officer	<p>Provide research requested by Members that is independent of service departments, including comparative data and good practice.</p> <p>Work closely with the Chairman to help decide the scope of the review, determine the terms of reference, identify relevant information and potential lines of inquiry, set the agenda, and draft the Committee's final report.</p> <p>Provide internal policy documents, monitoring reports, and verbal updates.</p> <p>Act as a conduit for communication to the Chairman between meetings.</p>
Committee Administrator	<p>Prepare and arrange meeting rooms, and facilitate all Overview and Scrutiny meetings.</p> <p>Determine the dates and deadlines for meetings.</p> <p>Produce minutes or notes of meetings and meeting agendas.</p>
Service Officers	<p>Provide professional technical evidence on the invitation of the Chairman.</p> <p>Provide written or verbal reports when requested.</p> <p>Make policy documents and other information available to the Scrutiny Officer when requested.</p> <p>Attend upon the request of the Chairman (Heads of Service and above, other officers will not be asked to attend unless nominated by their Head of Service).</p>

## 7.1 Skills for Scrutiny

Scrutiny requires skills that are distinct from the Committee system that preceded it. Members are no longer expected to passively accept reports written and presented to them by officers, they are now expected to question and analyse the Council's policy and operations.

The Scrutiny process is intended to be open and inclusive by involving the community and the Council's partners; this is where questioning and analysing skills come to the fore. Members will receive a wide and varied amount of information from a variety of different sources and they are not expected to be experts in every field under review; however, effective questioning and analysis will lead to effective Scrutiny.

The following list is an example of the various skills that might be required during the Scrutiny process:

<b>Chairing Skills</b>	Key skills for those chairing Scrutiny meetings (see earlier in the Toolkit)
<b>Project Planning Skills</b>	The ability to plan events to a conclusion taking into account resources and timescales
<b>Team Working</b>	Getting Members to work together towards a common goal
<b>Questioning Skills</b>	The ability to probe for information, although conducted in the manner of a 'critical friend'
<b>Listening Skills</b>	Genuinely listening to others whose views differ from your own
<b>Analytical Skills</b>	The ability to review and interpret data and reach conclusions based on clear evidence

## 7.2 Staging successful Scrutiny meetings

The role of the Chairman and the skills that are required are highlighted earlier in this Toolkit. One of the roles of the Chairman is to prepare thoroughly to ensure that the meeting runs smoothly and achieves its objectives. This section of the Toolkit highlights the pitfalls associated with unsuccessful meetings and offers advice on preparing for meetings.

Meeting pitfalls:

- Unclear decisions
- No decisions
- Rudeness and personal attacks
- Deviating from the agenda
- No follow up
- Poor time management
- Over-running
- Not starting on time
- Purpose is unclear
- Parochialism
- Members unprepared
- Officers unprepared
- Reiterating the same points
- Split decisions
- Party politics



## Avoiding the pitfalls

Many of the pitfalls associated with unsuccessful Scrutiny meetings often recur but could easily be avoided. Through a combination of good preparation and good practice, Scrutiny meetings should constitute a productive and beneficial forum for all involved. Following a few simple ground rules is one of the ways to help ensure that meetings run smoothly:

Meeting ground rules:

- No personal attacks
- Keep points to the agenda item
- Silence is agreement
- Don't revisit 'done' issues
- Be concise
- Respect the authority of the Chairman
- Work towards the collective good not the parochial
- Listen to others
- One meeting at a time
- Use evidence rather than opinion

Thorough preparation will also help to avoid most of the pitfalls that can afflict Scrutiny meetings. Further reference should be made to the 'Conducting a Review' section of this Toolkit for advice on how the Scrutiny process should work. All Members involved in the Scrutiny process should regularly reference the project plan that will have been completed after the scoping of the meeting, in order to maintain a focus upon the agreed areas for scrutiny.

## 7.3 The Agenda

Successful meetings require a clearly set and comprehensive agenda. The role of the agenda is important in that it formally structures the meeting and should ensure that all relevant topics are discussed. To enable evidence to be gathered and witnesses to be contacted in good time, agenda items should be clarified at the end of each meeting; this also provides Members with an opportunity to contribute to the agenda before it is finalised.

Members should outline at the agenda setting stage questions that they will ask witnesses invited to the following meeting. It is the responsibility of the Chairman to formally decide the agenda items for consideration and set the agenda. Any items arising that have not been formally discussed by the Group should be directed through the Scrutiny Officer, who will contact the Chairman.

Timeframes should be considered when deciding how many items can be placed on an agenda, and each item should be allocated a set time for discussion. It is the duty of the Chairman to decide whether the venue and time of the meeting is appropriate for the audience. All information that is produced or provided to Members should be attached to the agenda and be available electronically. The meetings and agenda deadline dates are available from the Council's website and from Committee Administration. Agendas and supporting documentation are available to all Members, officers, the media, and members of the public. However, any confidential information not for publication by virtue of paragraphs 7 and 9 of Part 1 of Schedule 12A to the Local Government Act 1972, will be restricted.

Meeting Agenda Checklist	Tick
Have all worthwhile items been considered for inclusion?	
Are the items arranged in order of importance (most important first)?	
Are there too few / many items?	
Are the items worded clearly?	
Will Members understand the point of including the items?	
Do any items need to be grouped with others?	
Is there enough time to read all of the supporting information?	
Has the agenda been arranged so that those involved in only one or two items can leave the meeting?	
Are confidential items placed at the end of the agenda?	
Have adequate timings been allocated to each item?	
Does there need to be a break?	

## 7.4 Scrutiny Questioning Techniques

One of the most important skills for Members of Overview and Scrutiny Committees is the ability to extract information through questioning. When participating in a Scrutiny meeting Members should remember that the aim of the meeting is not to catch witnesses out, but to gain important information that will help to form recommendations. Asking difficult questions should by no means be avoided, but venturing into destructive and hostile questioning will prove to be counter-productive.

Members cannot possibly be an expert in every field under scrutiny and may feel uneasy questioning witnesses that are experts in a particular area. However, questioning from a position of naivety can be beneficial as it enables Members to challenge the accepted wisdom of officers and better represents the perspective of the community. Sometimes the best questions are the most simple:

- Why do we do this?
- Why do we have to offer this service?
- Why do we do it in this manner?
- Why is it not joined up?
- What difference has this made?
- Why do we do one thing instead of another?
- Why has this approach been adopted?
- How does this fit with existing plans?
- How well does this reflect community priorities?
- What are the strengths and weaknesses of doing it this way?
- What are your views on doing x?
- How is this being done elsewhere?
- What are the things you would do to make a difference?
- What are the main barriers that you want to break down?

Even where subjects are highly complicated, using simple questions asked in layman's terms will help to ascertain the required evidence. Asking these simple questions can also help to ensure that the information is provided in a less complex format in future by highlighting the areas that are not easily understood.

# Questioning styles

## Do use:

### Open questions

Open questions encourage the witness to talk and expand upon the issue. Open questions are one of the best ways to extract information. The key prefixes for an open question are What? How? Why?

Examples include:

- What do you consider to be best about the service?
- How did you establish x as a priority for the service?

Open Questions can also be formed through phrases such as:

- Tell me about a time when...
- Explain to me how you...

Using open questions can form a basis for asking further probing questions based on the answer to the initial question.

For example:

- You say that you did... can you give me an example of how you carried that out?
- I was interested to hear you say... can you tell me more about that?

### Hypothetical questions

Asking hypothetical questions can help to test out ideas for recommendations and can also be useful in obtaining evidence.

For example:

- If x were possible how would this change your strategy?

### Behavioural questions

Behavioural questions can help to get evidence of how an organisation might carry out a task in future by using examples of past behaviour. For example:

- What process has the organisation used in the past to achieve the outcome?

# Questioning styles

## Do not use:

### **Closed questions**

Closed questions are those that can be answered in a single word. While closed questions can be useful in clearing up points of fact, they are unlikely to yield much further information.

- Does your organisation do x?

### **Leading questions**

Leading questions make it clear to the respondent what answer is expected and are unlikely to yield genuine answers.

For example:

- We know from experience that x works, what is your experience of x?

Asking a question in this format makes it very difficult for the respondent to give an honest answer.

### **Double-headed questions**

Double-headed questions ask more than one question at a time. Double-headed questions can either confuse the respondent, or ensure that the respondent answers only the part of the question that they are comfortable with. Both questions might be valid lines of enquiry, but it would be more productive to ask them separately:

- If your organisation has the responsibility to do x how is this measured, and how does x fit into the regional strategy?

### **Multiple choice questions**

Multiple choice questions offer a number of possible answers, but do not ask for any real explanation. For example:

- Do you believe that x, y, or z is the best way forward?







## Appendix A:

# Topic Suggestion Forms



## Topic Suggestion Forms

### Suggesting Topics

The Scrutiny Topic Suggestion Forms provide members of the public, representatives of external bodies, Council officers and Members of the Council with the opportunity to influence the work of the Council's Overview and Scrutiny Committees. Suggested areas of review can cover any area of the District Council's work and in some cases the work of partner organisations that might affect the community.

Suggestions will be considered by the Council's Overview Committee, which will determine whether the suggested item should be taken forward for Scrutiny by using set criteria. While it will not be the case that all suggestions will make it into the Overview and Scrutiny Committees' work programme, all ideas will nevertheless be welcomed. Suggestions from the public are one of several sources of potential items for Scrutiny that will be factored into the work programme.

The topic selection criteria are outlined in this Scrutiny Toolkit. The criteria are necessary, as the Council does not have the resources to scrutinise every suggested item. Overview and Scrutiny will focus its activities on areas of wider community significance; minor matters and individual concerns can be pursued through the appropriate service of the Council, Ward Member, or Executive Member.

The following pages contain two separate Topic Suggestion Forms; one is designed for use by members of the public and external agencies, while the other is designed for use by officers and Members of the Council. Information provided on the Topic Suggestion Form will be used in accordance with the Data Protection Act 1998 and used only for the purpose of contacting individuals regarding topics they have suggested for Scrutiny; however, should you wish to be included on a database for consultation on a range of Council issues please tick the following box:

Please return completed forms to:

E-mail: [policy&performance@e-lindsey.gov.uk](mailto:policy&performance@e-lindsey.gov.uk)

Post: Policy and Performance Unit  
East Lindsey District Council  
Tedder Hall  
Manby Park, Louth  
Lincs  
LN11 8UP

## Topic Suggestion Form – Members of the public and representatives of external organisations

Name or description of subject for scrutiny:

Reasons why this subject should be scrutinised and any supporting information:

Please place a cross in any boxes that apply to you. I am:

A resident of  
the District

A representative of  
a voluntary group  
with an interest in  
the District

A proprietor of a  
business situated in  
the District

Other: Please state:

Contact details:

Name:

Address:

Telephone:

Email:

For internal use only

Date received:

Decision:

Select

Reject

Reserve

## Topic Suggestion Form – Officers and Members of the Council

Name or description of subject for scrutiny:

Reasons why the subject should be reviewed:

Supporting evidence for the review of the subject:

Desired outcome of the review:

Name:

Date:

Date received:

Select:

Reject:

Reserve:



## Appendix B:

# Topic Selection Criteria Template

## Topic Selection Criteria Template

### Initial Topic Selection Criteria and Developing a Rationale

Topic:

Suggested by:

Date:

#### Step 1 – Initial selection criteria:

Selection Criteria	Rejection Criteria
Improvements to services would be likely	The topic is already being addressed
High public concern shown through consultation	Scrutiny is unlikely to result in service improvements
Poor performing service	Matter sub-judice or prejudicial to the Council's interests
Enhances the Council's Priorities	The issue is more appropriately addressed by a body other than Overview and Scrutiny
High budgetary commitment	The objective cannot be achieved within given timescales
New guidance or legislation has recently become available	The subject topic is too broad to make a review realistic

Select:  Reject:

#### Step 2 – Should a suggested topic pass the initial selection criteria a rationale will need to be developed:

Rationale for Scrutiny Enquiry	
Rationale	
Evidence	
Evidence	
Desired Outcome	
Risks	



## Appendix C:

# Prioritising the Topic Template



## Prioritising the Topic Template

Topic:

Suggested by:

Date:

**Use the rationale and the following scoring guide to gauge the importance and impact of the subject:**

Score	Importance	Impact
0	No evidence of links to Aims and Priorities	No potential benefits
1	No evidence of links to Aims and Priorities, but a subject of high public concern	Minor potential benefits affecting only one ward / customer / client group
2	Some evidence of links, but indirect	Minor benefits to two groups / moderate benefits to one
3	Good evidence linking both Aims and Priorities	Moderate benefits to more than one group / substantial benefits to one
4	Strong evidence linking both, and has a high level of public concern	Substantial community-wide benefits

### Importance score:

Impact score:

Importance	4	Possible Topic For Scrutiny But Not a Priority	Priority Topic For Scrutiny		
	3				
	2	Reject Topic For Scrutiny	Possible Topic For Scrutiny But Not a Priority		
	1				
	0	1	2	3	4
		Impact			

Outcomes:

Reject Topic for Scrutiny - Reject:

Possible Topic for Scrutiny - Place on reserve list:

Priority Topic for Scrutiny - Select:



## Appendix D:

# Scoping Document Template

# Scoping Template

## Overview and Scrutiny Committee

Scope of work for Scrutiny Topic

**Scrutiny Topic Title:**

**Purpose of this Topic / anticipated Value of this work:**

**Key objectives:**

**Scope of the work:**

**Not included in the scope:**

**Topic raised by:**

**Scope of work prepared by:**

**Portfolio Holder:**

**Committee Chair:**

**Background information:**

**Witnesses / Site visits:**

Name / position	Organisation / location	Objective

**Key lines of enquiry**







# Appendix E:

## Project Plan Template



## Project Plan Template (Committee)

(Topic)

Objectives and Key Issues:

- To include the desired outcome and the issues that need to be addressed in achieving the outcome

Lines of Enquiry:

- Which specific areas will the review seek to investigate?

Resources and Contacts:

- Which people could help the process, which documents should be used as evidence?

Timescale:

- Include all of the relevant dates for Scrutiny and what will be required at each stage of the process

Potential risks:

- What issues might adversely affect the success of the review process or its outcomes?





## Appendix F:

# Task and Finish Group Rationale Template



## Task and Finish Group Rationale Template

The task is part of a broader investigation by an Overview or Scrutiny Committee.

**Relationship to Project Plan –**

**Objective:**

**Line of Enquiry:**

**Timescale:**

**Need – Why can this task not be completed as a normal part of the investigation?**

The task has not arisen from an ongoing investigation, but is a specific item with known options or desired outcome.

**Item:**

**Options/desired outcome:**

**Timescale (1 or 2 meetings):**

**Meeting dates:**

**Need – Please score against the Scrutiny topic selection criteria.**



## Appendix G:

# Article 6. of the Constitution Overview and Scrutiny

## **Article 6 – Overview and Scrutiny**

### **6.01 Terms of Reference**

- a) The Council will appoint the Overview and Scrutiny Committees to discharge the functions conferred by Section 21 of the Local Government Act 2000 or regulations under Section 32 of the Local Government Act 2000 in relation to the overview and scrutiny functions. These Committees will normally meet in public to discuss and make recommendations on the development of policies and to hold the Executive to account for their actions, via special 'call in' powers.
- b) In addition to these Committees, up to a total of two 'Task and Finish' Groups can be established by the Overview Committee and each Scrutiny Committee.

### **6.02 General Role**

Within the detailed Terms of Reference, set out below the Overview and Scrutiny Committees will:

- (i) Make reports and/or recommendations to the Council and/or the Executive and/or any joint or Area Committee in connection with the discharge of any functions;
- (ii) Consider any matter covered in their terms of reference that may affect the area or its inhabitants.

### **6.03 Specific Functions**

#### **(a) Overview Committee**

Directly responsible for:

- Managing the Scrutiny Forward Plan having regard to the Executive Forward Plan, Statutory Requirements and Council Priorities.
- Considering whether Executive decisions should be called in for further examination.
- Monitoring and scrutinising the achievement of the Council's Policy Framework.
- Periodically reviewing the Scrutiny function, and maintaining it in good health.
- Reporting to Council annually on the Scrutiny function and its work.
- Developing and spreading good practice in Scrutiny.
- Allocating Scrutiny projects to Scrutiny A and B as necessary, setting the Terms of Reference and timescales for the projects and ensuring the best utilisation of resources.

To make arrangement within the Scrutiny function for:

- Ensuring that proactive policy or review work at the request of the Council and Executive, or arising from community concerns, is undertaken. (Pre-decision)
- Monitoring the implementation of Executive decisions. (Post-decision)
- Ensuring that service performance is monitored systematically.
- Ensuring that customer and citizen satisfaction is monitored systematically.
- Ensuring that corporate and service improvement plans are monitored, including Best Value action plans.

## **(b) Scrutiny Committees**

Both Scrutiny Committees will undertake work allocated by the Overview Committee and where necessary set up small, time-limited 'task and finish' groups to undertake specific tasks. Such tasks will require clear project briefs and timescales to be drawn up by the relevant Committee.

These tasks will include:

- Developing policy proposals for consideration by the Executive or Council.
- Evaluating policy as it develops, for example against sustainable development criteria.
- Scrutinising individual plans and priorities of the Council and other agencies, for example the health sector.
- Examining the implementation of specific Executive decisions.
- Examining aspects of the delivery of Council services.
- Commenting on the results of local consultation and on the effectiveness of consultation mechanisms.

It is envisaged that Scrutiny will work in different ways, using informal meetings, hearing witnesses, making visits, using experts and co-opting members from beyond the Council.

All scrutiny tasks, whether at Overview, Scrutiny or a Task and Finish Group, will be scoped properly, time-limited and project-managed by the Overview or Scrutiny Committee responsible for allocating the task.



### **(c) Finance**

Overview and Scrutiny Committees may have finances made available to them to enable the conduct of policy reviews and scrutiny of the Council's policies and Executive decisions.

### **(d) Annual report**

The Overview Committee must report annually to the Council on the workings of the Overview and Scrutiny Committees and make recommendations for amended working methods if appropriate.

### **(e) Work programme**

An annual work programme to include details of monitoring and policy review will be agreed by the Overview Committee.

### **(f) Officers**

Overview and Scrutiny Committees must exercise proper accountability and responsibility for the work programme of the officers employed to support their work. Responsibility for managing such officers remains a matter for the Head of Paid Services.

## **6.04 Proceedings of Overview and Scrutiny Committees**

Overview and Scrutiny Committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of the Constitution.



## Appendix H:

# Guide to Scrutiny for Internal Witnesses

## **Guide to Scrutiny for internal witnesses**

### **Introduction**

Overview and Scrutiny Committees are the forum by which non-Executive Members can hold the Executive, as the decision-making body of the Council, to account. The aim of the Scrutiny process is to improve the Council's policies and ensure that services are performing well. The role of Scrutiny also extends to investigating partnership work in the delivery of local services. Scrutiny reviews should look at broader strategic issues and ensure that the community perspective is not overlooked.

### **The Scrutiny Structure at East Lindsey**

Following a review of the District's previous Scrutiny structure the Council has set up an Overview Committee and two Scrutiny Committees, which may, in turn, create Task and Finish Groups as necessary to a limit of two per Committee. All of the Groups involved in the scrutiny process are comprised of non-Executive Members of the Council. Meetings of all of the Overview and Scrutiny Committees are open to members of the public.

### **The Overview Committee**

The Overview Committee is responsible for determining the work of the Scrutiny Committees. In some circumstances the Overview Committee also undertakes Scrutiny reviews. The Overview Committee is composed of 11 Members, including representative Members from the two Scrutiny Committees.

### **Scrutiny Committees**

The Council's Scrutiny Committees undertake reviews of certain areas of the Council's responsibility as determined by the Overview Committee. Scrutiny Committees can also create Task and Finish Groups to undertake investigation of specific limited subject areas that might arise as part of a broader review. The Scrutiny Committees are made up of 11 Members of the Council.

## Giving Evidence at a Review

Scrutiny Committees invite officers to attend Committee meetings and give evidence about an issue that they are believed to be expert in, and which the Committee is currently reviewing. If invited, officers from Head of Service level and above will be required to attend Overview and Scrutiny meetings; however, if deemed more appropriate a Head of Service may delegate the responsibility to one of their staff. In some cases the Committee will prepare a list of questions in advance, although officers should not expect the Committee to restrict itself to these questions.

Although the prospect of being involved in the scrutiny process might appear daunting, it should be remembered that officers are invited for their advice and expertise to help the scrutiny of a specific subject, not to be scrutinised by the Committee personally. Officers do not have to answer any questions that they feel unhappy with and it is fine for officers to admit that they do not know the answer to a question.

Guidance and advice to those attending Scrutiny meetings will be available from the Council's Scrutiny Officers. To ensure that officers can prepare thoroughly for meetings the Scrutiny Section will aim to provide:

- The project plan for the review
- Timescales and deadlines for the Scrutiny process
- Advice in regard to the purpose of the review
- Some pre-determined questions that Members would like to raise
- The agenda and supporting documents for the meeting

As noted earlier, attendance for senior officers if requested by a Committee is mandatory unless another officer is felt to have the expertise required by the Committee. However, in circumstances where neither yourself nor a replacement can attend it might be possible for the Committee to consider a written submission, although this should happen only in exceptional circumstances.



## **Presenting Evidence to Members**

Officers will occasionally be asked to provide an oral presentation to a Committee on a specified subject area. Any request to make a presentation will be specified by the Scrutiny Officer. If making an oral presentation officers are encouraged to provide a summary of their presentation in writing in time for the meeting agenda deadline. Providing a summary of the presentation helps Members to prepare for the meeting and helps the meeting to be more productive.

When preparing for an Overview or Scrutiny Committee meeting please ensure that:

- You have read all of the papers for the Committee meeting that you have been sent
- Any written information you provide is concise and factually accurate
- Any written information refers to the areas under review as identified in the project plan
- Any abbreviations or technical terms are explained
- Any information provided includes suggestions for recommendations for change where appropriate
- You are prepared to honestly express your views
- Your views represent those of your department

Officers should note that Overview and Scrutiny Committee meetings are held in public and information will not be withheld unless it is specified as being confidential.

## Requests for Information

When undertaking a review Overview and Scrutiny Committees will require as much information as possible in order that they can make fully evidence-based recommendations. While specific research and consultation will be commissioned by Overview and Scrutiny Committees when necessary, experience tells us that most of the required information will already exist in the Council. Overview and Scrutiny Committees will, usually through the Scrutiny Officer, request officers to provide all the information that relates to specific objectives. With the exception of confidential information and certain draft documents this should always be provided.

Requested information should be submitted to the Scrutiny Officer in time for the Committee deadline, although it would be helpful if the information is provided as soon as possible after the request. If you fail to provide a report in time for the agenda deadline, you will be expected to attend to the Committee to explain why you failed to do so. Failure to submit evidence in time for the agenda deadline will also not avoid the requirement for the evidence to be submitted at some point.

## After the Meeting

Following each meeting of an Overview or Scrutiny Committee the Committee Administration Section will circulate the minutes of the meeting to all of the officers that attended. Officers will have a specified amount of time to suggest limited corrections to the minutes, if necessary, to Committee Administration before the minutes are signed-off. The minutes will also identify actions that you might need to undertake arising from the meeting, so it is important to read them carefully.

Once the draft final report of the Overview or Scrutiny Committee, which outlines its recommendations, has been produced it will be circulated to all officers involved in the review for comment. The Chairman of the Committee and the Scrutiny Officer will review any comments and make changes to the report if necessary. Overview or Scrutiny Committee reports will be considered by the Executive Board, which decides whether the recommendations should be implemented.







## Appendix I:

# Guide to Scrutiny for External Witnesses

# **Guide to Scrutiny for External Witnesses**

## **Introduction**

Overview and Scrutiny Committees are the forum by which non-Executive Members can hold the Executive, as the decision-making body of the Council, to account. The aim of the scrutiny process is to improve the Council's policies and ensure that services are performing well. The role of Scrutiny also extends to investigating partnership work in the delivery of local services. Scrutiny reviews should look at broader strategic issues and ensure that the community perspective is not overlooked.

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The Overview Committee is responsible for determining the work of the Scrutiny Committees. In some circumstances the Overview Committee also undertakes Scrutiny reviews. The Overview Committee is composed of 11 Members, including representative members from the two Scrutiny Committees.

## **Scrutiny Committees**

The Council's Scrutiny Committees undertake reviews of certain areas of the Council's responsibility as determined by the Overview Committee. Scrutiny Committees can also create Task and Finish Groups to undertake investigation of specific limited subject areas that might arise as part of a broader review. The Scrutiny Committees are made up of 11 Members of the Council.

## Giving Evidence

Scrutiny Committees invite witnesses to attend Committee meetings and give evidence about an issue that they are believed to be an expert in, and which the Committee is currently reviewing. Witnesses will receive a written invitation to attend a Scrutiny meeting outlining the areas in which they will be questioned. In some cases the Committee will prepare a list of questions in advance, although witnesses should not expect the Committee to restrict itself to these questions.

Although the prospect of being involved in the scrutiny process might appear daunting, it should be remembered that witnesses are invited for their advice and expertise – not to be criticised by the Committee. Witnesses do not have to answer any questions that they feel unhappy with and it is fine for witnesses to admit that they do not know the answer to a question.

Guidance and advice to those attending Scrutiny meetings will be available from the Council's Scrutiny Officer. To ensure that witnesses can prepare thoroughly for meetings the Council will aim to provide:

The project plan for the review

- Timescales and deadlines for the Scrutiny process
- Advice in regard to the purpose of the review
- Some pre-determined questions that Members would like to raise
- The agenda and supporting documents for the meeting

If you are unable to attend the meeting when requested to do so, you may nominate and brief a suitable replacement to attend and give evidence on your behalf. In circumstances where neither yourself nor a replacement can attend it might be possible for the Committee to consider a written submission.

External witnesses can be involved in the review process in two separate ways. Witnesses will sometimes be called to make a presentation to the Committee on a particular issue; however, in other cases witnesses will be called upon to participate in a review as a representative of another group. Advice on presenting information to Overview and Scrutiny Committees is available in this leaflet.

## Presenting Evidence

Witnesses will occasionally be asked to provide an oral presentation to a Committee on a specified subject area. Any request to make a presentation will be specified on the invitation. Other witnesses will be invited to Overview and Scrutiny Committees in a consultative manner to represent the views of a broader group during discussions. All witnesses will be asked if they are prepared to field questions from Members.

If making an oral presentation witnesses are encouraged to provide a summary of their presentation in writing in time for the meeting agenda deadline. Providing a summary of the presentation helps Members to prepare for the meeting and helps the meeting to be more productive.

When preparing for an Overview or Scrutiny Committee meeting please ensure that:

- You have read all of the papers for the Committee meeting that you have been sent
- Any presentation you make includes an introduction about yourself or the organisation that you represent
- Any written information you provide is concise and factually accurate
- Any written information refers to the areas under review as identified in the project plan
- Any abbreviations or technical terms are explained
- Any information provided includes suggestions for recommendations where appropriate
- You take the opportunity to fully represent your organisation's views
- You are prepared to honestly express your views

Witnesses should note that Overview and Scrutiny Committee meetings are held in public and information will not be withheld unless it is specified as being confidential.

## Witness Feedback Form

Once you have attended the meeting we would be interested to get your feedback in order that we can improve the scrutiny process. Please would you spare the time to fill in the following form:

Committee Attended: \_\_\_\_\_

Date of meeting: \_\_\_\_\_

	Strogly Agree	Agree	Disagree	Strongly Disagree
The administrative arrangements were well organised				
I was clear about the role of the Committee in the context of the issue under discussion				
I was clear about my role as a witness				
I feel that the way the Committee functioned enabled me to contribute effectively				
I feel that as a result of my attendance the Committee is better informed				
Overall I felt that attending the Committee was a constructive exercise				

If you disagreed, or strongly disagreed with any of the above please state why:

Name: \_\_\_\_\_ Organisation: \_\_\_\_\_

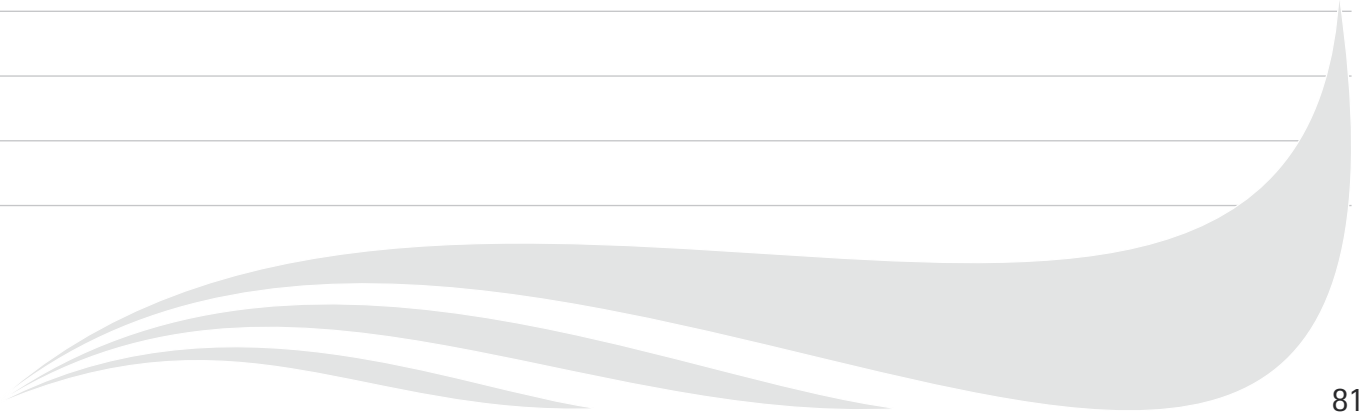
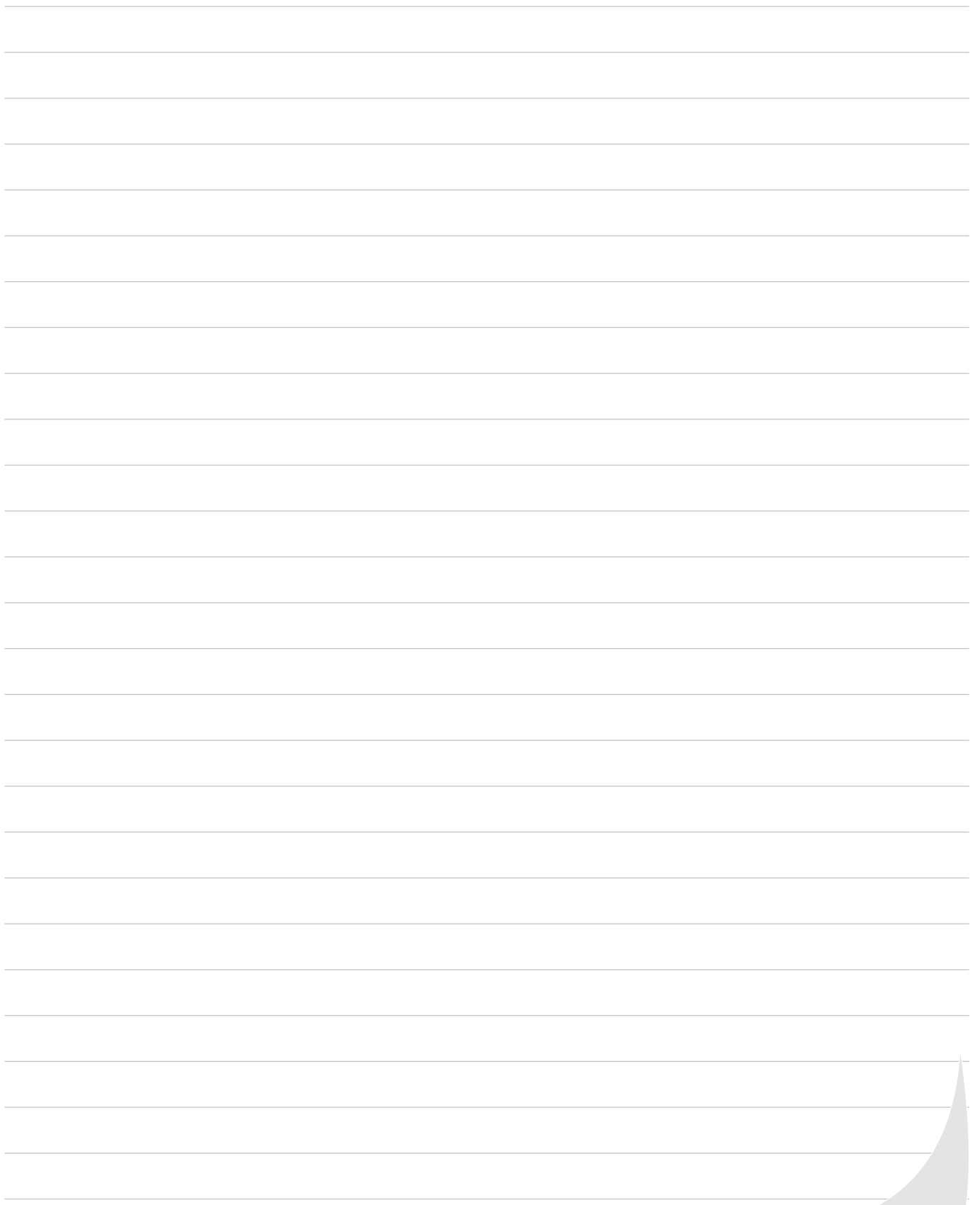
Please return this form to:

Policy and Performance Unit, East Lindsey District Council,  
Tedder Hall, Manby Park, Louth, Lincs, LN11 8UP

Tel: 01507 601111 | e-mail: [scrutiny@e-lindsey.gov.uk](mailto:scrutiny@e-lindsey.gov.uk)









## Scrutiny Toolkit 2007

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