



## Westminster Scrutiny Commission

<b>Date:</b>	<b>3<sup>rd</sup> September 2012</b>
<b>Classification:</b>	<b>Public</b>
<b>Title:</b>	<b>Effectiveness of Policy &amp; Scrutiny</b>
<b>Report of:</b>	<b>Member Services Manager</b>
<b>Cabinet Member Portfolio</b>	<b>Leader</b>
<b>Wards Involved:</b>	<b>All</b>
<b>Policy Context:</b>	<b>Governance Arrangements</b>
<b>Financial Summary:</b>	<b>n/a</b>
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### **1. Executive Summary**

- 1.1 At the 19<sup>th</sup> November 2011 meeting of the Westminster Scrutiny Commission, officers were tasked with preparing a report on best practice relating to the statutory overview and scrutiny function of local authorities. At the 20<sup>th</sup> March 2012 meeting of the Commission, a report was presented entitled '*Enhancing the Effectiveness of Policy and Scrutiny*.' Within the report a series of recommendations were made relating to the organisation of Policy & Scrutiny at Westminster.
- 1.2 At the same meeting, Members of the Commission agreed to move forward with changing the function and, at the Chairman's request, officers prepared a short consultation on the recommendations put forward in the report. The consultation received a number of responses from Councillors, officers, providers, stakeholders and members of the public in Westminster.
- 1.3 A consultation report was published shortly afterwards, which contained a series of suggestions based on consultation responses. The consultation responses on the recommendations were brought into a report presented to the General Purposes Committee on the 10<sup>th</sup> May and subsequently this was presented for adoption at Westminster's Annual Council Meeting on 16<sup>th</sup> May 2012. The Council agreed to the propositions presented in the report.

## **2. Key Matters for the Committee's Consideration**

### **2.1 Main points on which the committee may wish to provide a view:**

- What has been the outcome of the implementation of the recommendations for an improved P&S function?
- What else could be done to add upon the changes made to P&S?
- Does the Commission wish to benchmark performance with other local authorities?

## **3. Background**

### **3.1 Recommendation: Fewer Committees which meet more often**

(Strategic and focused work programmes shaped around the selection of one or two in-depth issues at each meeting, with recommendations to Cabinet Members or external organisations for action)

The consultation responses and best practice suggested that there should be fewer standing Committees which meet more often, to reflect the dynamic nature of Council decision-making and result in shorter meetings, which directly lead to outcomes and concentrate the issues to provide more impact. It was recommended that P&S committees should be able to receive any information or update papers electronically rather than at the committee – in order to provide focus for meetings. It was also recommended that P&S committees should actively monitor recommendations (not just actions) and ensure implementation.

- 3.1.1 Work programming for all the committees has acknowledged the expanded number of Committee meetings and has subsequently spread a similar number of P&S items across the 12 month annual cycle of meetings. Most Committees focus on one or two main items or themes at each meeting and this resulted in deep-dive or roundtable discussions resulting in resolutions, reports or direct recommendations (i.e. Looked After Children, Imperial College NHS Trust, CityWest Lessee Services and Street Trading Policy)
- 3.1.2 Information items, which were relatively common in previous years, have not been requested in the same manner. Discussions are being held to ensure that information items presented to the Committee are taken off Agendas where there is duplication or can be provided to Members in an alternative format. P&S recommendation tracking (beyond action-tracking) will now be standard for each Committee, to ensure that Committee's views are never lost and thus followed up throughout the year.

### **3.2 Recommendation: Fewer Councillors on each Committee**

- 3.2.1 One issue arising from the review was the number of Members to be appointed to each Policy and Scrutiny Committee. Currently there are 9

Members (7 Majority Party and 2 Minority Party Members) on each of the Policy and Scrutiny Committees. In keeping with the desire to focus Policy and Scrutiny Committees, an option was presented to reduce these to 5 Members (4 Majority Party and 1 Minority Party Member). This recommendation was not taken forward at General Purposes on the 10<sup>th</sup> May.

### **3.3 Recommendation: The introduction of ‘Scrutiny Leads’ (or ‘*rapporteurs*’)**

- 3.3.1 Highlighted in the consultation by stakeholders, partners, councillors and officers, and within the reports to the Westminster Scrutiny Commission on best practice, the appointment of ‘scrutiny leads’ within committees would heighten Member engagement on favoured topics and ensure the breadth of the committee’s remit is fully appreciated. Members would take on a formal role on behalf of the committee to carry out specific engagement (e.g. issue-based site visits and working with officers) which could then be reported back to the committee, if anything had arisen between meetings. This type of working is currently enshrined within the council’s constitution (a single-Member study).
- 3.3.2 Some of the Committees have identified leads on issues (Cllr Qureshi – the Children in Care Council, Cllr D’Souza - Children’s Mental Health, Cllr Burbridge - CityWest issues) but the number of lead Members may develop as work programme items that Members would like to cover need initial preliminary investigation outside of the Committee room.

### **3.4 Recommendation: The co-option of non-statutory non-voting committee members (Chairman’s discretion)**

- 3.4.1 Non-statutory co-option was suggested as a route to engage the public, the voluntary and community sector and expert representatives onto scrutiny committees. There was strong agreement from all consultation respondents about the value of co-option. Members of the public or stakeholder organisations would be co-opted to assist the scrutineers to provide allow the views direct public influence on discussions or allow service user involvement.
- 3.4.2 The Children & Community Services Committee is the only P&S Committee which has co-option of non-statutory non-voting committee members (alongside statutory representatives.) The Adult Services & Health P&S Committee has a form of ‘informal co-option’ of the LINK Members (‘health and social care service scrutiny volunteers’). Co-option may be suitable for some Committees and may not be suited to others.

### **3.5 Recommendation: Expert witnesses**

- 3.5.1 There was an agreement on the value of expert witnesses providing support to the committee. As a result of incorporating external, expert witnesses - Policy and Scrutiny committees become strongly evidence-based deliberative bodies which make recommendations on the basis of sound judgments from the latest research and evaluations of national experts. With a high-level of

knowledgeable input into a committee's deliberations, the outputs could be even more robust and hard-hitting.

- 3.5.2 Each Committee makes use of expert witnesses and this has now been mainstreamed on main, substantial items – where witnesses are offered and provided as standard. It is hoped that there will be a minimum number of external guests for each Committee throughout the year. The number of external guests providing evidence to Committees can be benchmarked to previous years, to ensure that the P&S Committees are truly benefiting from a broader range of views throughout the year.

### **3.6 Recommendation: Risk Assessment**

- 3.6.1 There was some agreement in the consultation that risk management could be a P&S role. For example, it was suggested that the committees should request 'risk registers' which could be presented at each meeting and reported against.
- 3.6.2 The Environment P&S Chairman has requested key performance indicators (KPIs) to assess service delivery in each of the three areas covered by the Chairman's remit. This can become standard across all committees, if requested.

### **3.7 Recommendation: Tri-Borough Task Groups**

- 3.7.1 In the consultation, there was some agreement on the value of a Tri-Borough P&S approach with the co-option of Tri-Borough partners. Members of the public had considered that as Tri-Borough services are delivered across a wider area, there was an enhanced need for committees to scrutinise them together.
- 3.7.2 The Adult Services & Health P&S Committee has pro-actively co-opted Tri-Borough Scrutiny Committee colleagues to partake in investigations where services provided across the Tri-Borough are being considered (e.g. the Imperial College Healthcare NHS Trust item at the recent the 5<sup>th</sup> July meeting). This type of work will, necessarily, be ad-hoc, where service provision affects more than one Borough in the Tri-Borough collaboration.

### **3.8 Recommendation: Cabinet Presence at P&S**

- 3.8.1 Some respondents to the consultation mentioned that executive members should be held to account at least once every three months (as 2011/2012), although one considered that Q&A sessions with Cabinet Member should be removed, at least from every meeting (or alternate meetings), to allow committees to focus immediately on the single or couple of main items. Members of the public considered that it was necessary to hold the executive to account either annually, twice a year or at each committee. Councillors recommended that Cabinet presence should be mandatory, with advance copies of activities provided (i.e. a '*Cabinet Member Update*').

3.8.2 Each Committee has its own approach to scrutinising the activity of its Cabinet Members. Each Chairman has complete discretion in deciding the presence of Cabinet Members to answer questions at their Committee. This seems to have taken the following formats:

- **Alternate Basis:** (*Adult Services & Health*) – where Cabinet Members rotate from Committee-to-Committee.
- **Theme of Meeting:** (*Children and Community Services*) – according to theme of meeting, thus 4 x Q&A sessions with the Cabinet Member for CYP and 2 x Q&A sessions with the Cabinet Member for Community Services.
- **According to Items:** (*Environment*) – where Cabinet Members attend according to the two items on the Agenda of the Committee.
- **Combined:** (*Housing, Finance and Customer Services*) – where both Cabinet Members have attended to take part in a Q&A session.
- **The re-introduction of Leader Q&A** (*Westminster Scrutiny Commission*) – where the Leader will now appear at least twice a year in front of the Commission.

### 3.9 Recommendation: Promoting the function more widely

- 3.9.1 It was agreed, in consultation responses, that dissemination and awareness of committee work was also significant, in order to demonstrate the impact of P&S. Responses highlighted publishing reports of findings of the committees, raising the external profile of the function whilst advertising what has been achieved, as well as creating a database to keep people informed and regularly provide case-study scenarios of how scrutiny had an impact. P&S committees were recommended to advertise their work more widely and circulate information to databases on outcomes.
- 3.9.2 Initial promotion work has taken place with the Statutory Scrutiny Officer attending Area Forums to discuss P&S Committees, their work programmes and their previous work. The Environment P&S Chairman is also sending letters to stakeholders across Westminster, in order to generate themes for the work programme and engage residents and groups in the P&S process.
- 3.9.3 The P&S website has been refreshed with the latest information and external organisations are notified of the P&S work through paper dissemination.
- 3.9.4 There will be an event in Autumn 2012 promoting the recent work of the Adult Services & Health Committee and running sessions on best practice in Health Scrutiny across the capital.
- 3.9.5 The Westminster Sex Worker Task Group was established after winning a bid to the CfPS for Department of Health support to scrutinise issues around health inequalities for sex workers in Westminster. This work will be used as

a national published case study, using an innovative “*return on investment*” model which ensures that any scrutiny inputs (Member time and officer resources) results in a financially measurable impact (i.e. increasing the uptake of mental health or drug and substance misuse services).

### **3.10 Recommendation: Primary and secondary research / site-visits**

3.10.1 Respondents to the consultation agreed that there should be more use of research. Each Committee now receives a briefing before the Committee with collated loose brief notes and a national briefing on pressing issues, as standard. Future work programme items will potentially result in primary research or more advanced secondary research on issues or themes.

3.10.2 The number of site-visits this year has already surpassed last year, though all of which were for the Adult Services & Health P&S Committee, who visited six sites at five hospitals in June and July.

## **4. Financial Implications**

n/a

## **5. Legal Implications**

n/a

<p><b>If you have any queries about this Report or wish to inspect any of the Background Papers please contact Mark Ewbank x2636</b> <a href="mailto:mewbank@westminster.gov.uk">mewbank@westminster.gov.uk</a></p>
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## **BACKGROUND PAPERS**

*Enhancing the Effectiveness of Policy and Scrutiny* (Westminster Scrutiny Commission – 20<sup>th</sup> March 2012)

*Policy & Scrutiny Consultation Report* (on front page of website)

*Policy & Scrutiny Consultation*

*Constitutional Issues* – (General Purposes – 10<sup>th</sup> May)

*Annual Meeting Papers* – (16<sup>th</sup> May)