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<b>Title:</b>	Council Response to the Scrutiny Improvement Review by the Centre for Governance and Scrutiny
<b>Report of:</b>	Stuart Love, Chief Executive  Parveen Akhtar, Director of Law and Monitoring Officer
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	Governance Arrangements
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## 1. Executive Summary

- 1.1. In October 2022, Westminster City Council engaged the Centre for Governance and Scrutiny (“CfGS”) to undertake an independent review into policy and scrutiny in Westminster. This review would make recommendations to ensure the function meets the high expectations of the Council, our communities and our partners by providing the most effective and impactful scrutiny function possible.
- 1.2. CfGS engaged Members and officers alike in a programme of evidence gathering activity which included a series of conversations with key internal scrutiny stakeholders, focus groups, observations of committee meetings and document research over a period of two months. CfGS were pleased with the spirit in which Members and officers engaged with the review.
- 1.3. The review has now been completed (see Appendix 1) and a number of recommendations have been made. This report sets out the recommendations made by CfGS and provides commentary on each of these for the review of the Scrutiny Commission.

- 1.4. Overall the review provides a set of recommendations geared towards making scrutiny at Westminster more impactful strategically, on policy making and in accountability terms.
- 1.5. The headline recommendation is to develop a vision for scrutiny at Westminster to provide clarity of purpose and underpin all other activity. Should this be taken forward, such a vision would guide how scrutiny both conducts itself in all areas as well as how the rest of the Council and partners interact with scrutiny.
- 1.6. The review highlights a cultural challenge to improving how scrutiny operates in Westminster. This will be for Scrutiny Chairs, Cabinet and the Executive Leadership Team to collectively own and drive forward, along with all Members engaged with scrutiny in Westminster. Such cultural change will take time to materialise and realise the benefits of, but many of the other recommendations are designed to enable such a change by, for example, focusing committee meetings on to areas of business where scrutiny input can have most impact.
- 1.7. The Scrutiny Commission is not a decision-making body itself and therefore and feedback received will be fed into the appropriate decision-making processes. For example, any required changes to the make-up and structure of committees, or any other changes to constitutional underpinnings, will need to be reported through the General Purposes Committee and onwards for decision by Full Council. In all cases, further work is required to scope and prioritise recommendations including engagement with both Groups.

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

- 2.1. The Commission is asked to:
  - Note the Scrutiny Improvement Review report from the Centre for Governance and Scrutiny; and
  - Provide general direction in how the Council may respond to the recommendations made, based on the commentary in this report.

## **3. Overview of Recommendations**

This section sets out the full list of 28 recommendations made by CfGS (**in bold**) along with a short commentary on each (*italicised*) to assist the Commission in its deliberations on how to take the findings of the review forward.

- 3.1. **Recommendation 1: Develop a Westminster vision for overview and scrutiny. Define its purpose and goals of scrutiny using insights from this Review. Use this definition to underpin scrutiny processes, relationships, and work programming. Share the definition with**

**partners, stakeholders, and the public to raise the profile and esteem for scrutiny.**

*This recommendation rests at the core of CfGS' recommendations as it defines the approach Westminster wants to take to scrutiny. Having a clear purpose and vision would inform wider decisions on how to operate each element of scrutiny, from committee structure to Member training and work programming. It would also provide a clear and unambiguous reference point for all Members, officers and partners to interact with scrutiny.*

**3.2. Recommendation 2: Develop, refresh a group working agreement for all members of the scrutiny committee – focusing on expectations, behaviours, and support for participation.**

*This recommendation would enable scrutiny Members to act more cohesively as one group committed to realising the vision and purpose of scrutiny. It would also provide an opportunity to emphasise the independent, apolitical underpinnings of the scrutiny system as well as the expectations in terms of Members providing strong, constructive scrutiny leadership. This would be in line with Government guidance<sup>1</sup> on ensuring scrutiny Members have an independent mindset.*

**3.3. Recommendation 3: Provide development support and training for Officers across the Council to build, refresh and enhance their knowledge and understanding of the role, purpose, and powers of scrutiny.**

*This recommendation focuses on developing cross-council knowledge of scrutiny which could be achieved via a rolling schedule of training, supported by outreach/bite size learning sessions by the Scrutiny Team. The Governance and Councillor Liaison SharePoint Hub is accessible to officers from across the council who can engage in self-led learning with the resources shared and signposted on there. General training sessions could be organised (either led by Council officers or external agencies such as CfGS) with more bespoke training to follow if requested or needed by specific teams who tend to engage more closely or frequently with scrutiny. Such training and development sessions could also help embed scrutiny's vision and seek to develop the organisational culture towards scrutiny.*

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<sup>1</sup> Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (2019)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/800048/Statutory\\_Guidance\\_on\\_Overview\\_and\\_Scrutiny\\_in\\_Local\\_and\\_Combined\\_Authorities.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800048/Statutory_Guidance_on_Overview_and_Scrutiny_in_Local_and_Combined_Authorities.pdf)

- 3.4. **Recommendation 4: Review how reports and information is supplied to scrutiny so that it supports the scrutiny objective, is not unnecessarily detailed and is understandable by Members. Specifically, consider the format, style, and content of performance management reports. These should be tailored to address the specific areas of focus to be considered by scrutiny.**

*Sharing relevant, timely, information with committees can be meaningful if undertaken in an appropriate and effective way. Information can help support the development of key lines of enquiry, evidence gathering and the formulation of recommendations. This may be supported with better and better adhered to report templates as noted below, but could also be managed through the callover process where scrutiny officers and Chairs may provide feedback to report authors to ensure reports and information is focused and supports the scrutiny objective.*

*Also, as noted below, the report suggests that a standard approach to information briefings presented to the committee outside of formal meetings should be developed. Scrutiny officers could develop this to help reduce the amount of information, without purpose or potential for impact, being published for formal meetings whilst still ensuring that Members are kept adequately informed. A standard approach would also help to ensure that time and resources are being spent efficiently.*

- 3.5. **Recommendation 5: Scrutiny committees must have ownership of their work programmes following advice from senior officers and partners. Final agreement of work programmes must rest with scrutiny members.**

*The report suggests that work programmes could benefit from stronger, Member-led, work programming which should come from Members themselves taking ownership. Connected to recommendation 13, there is scope for all scrutiny Members to have more input into work programming, with potential for Members to have stronger links with senior officers and partners to facilitate this. This could also be an opportunity for Members to reach out to communities and stakeholders for topics of local concern which affect a significant number of people and may benefit from being scrutinised, in line with the scrutiny vision and purpose.*

- 3.6. **Recommendation 6: Scrutiny committees must be clear about content sought in report and presentations. These should be linked to objectives sought from the area under consideration.**

*This builds on recommendation 5 where it is advised that Councillors take greater ownership of their roles. Part of this is providing a clear steer as to what goes into content provided to committees to ensure formal meetings only include items on agendas which have purpose and impact. This goes*

*beyond asking for specific datasets or detail on service performance, and instead refers to the nature of the information provided in its totality which should be designed to enable scrutiny to influence decision making or practice. The report suggests Members should be familiar with topics under consideration as well as the contents of the reports themselves in good time before the committee. This would also mean utilising briefing reports, information sessions and pre-meetings ahead of formal committee meetings so Members are fully briefed on the topic and can shape their lines of enquiry accordingly to have the most effective outcomes.*

- 3.7. Recommendation 7: Develop a 'house style' for scrutiny reports and briefings. This would ensure consistency of communication and reporting formats as well as help focus on purpose of an item for consideration by scrutiny.**

*While there is already a 'policy and scrutiny' template for reports which are given to all officers, this could be redesigned and refreshed to enable greater focus. A new, updated, report template would encourage authors to focus on the purpose of the item and expected outcome of taking the item to scrutiny. A new report would also ensure that information is provided in a manner which is easily digestible and accessible.*

- 3.8. Recommendation 8: Alternative arrangements to provide information type reports for scrutiny members so they can be considered outside of formal meetings. This should include signposting to council and partners key strategic documents.**

- 3.9. Recommendation 9: Remove the historical practice of Cabinet update briefings to scrutiny committees. If they are to be retained, then briefings to be limited to one or two challenge or policy development areas.**

*Recommendations 8 and 9 are drawn from commentary that general Cabinet updates a) distract committees from more impactful work and b) encourage scrutiny into performance management of individuals and day-to-day issues which is neither how scrutiny is intended nor how scrutiny can make the biggest difference. The report recommends finding other ways to keep Members updated on day-to-day issues while saving time in Committee meetings for in depth analysis of either policy/service development or post decision scrutiny of implementation where much greater impact can be achieved. An alternative way for Cabinet Members to keep committees up to date on business-as-usual activity could be through a quarterly performance report aligned to the corporate performance reporting cycle to the Audit and Performance Committee, or other such briefings on ad hoc matters.*

- 3.10. **Recommendation 10: A programme of development support for scrutiny Chairs to support them in their scrutiny leadership roles.**
- 3.11. **Recommendation 11: Skills development sessions for scrutiny members to focus on questioning skills, work programming and scoping reviews, financial and performance management scrutiny skills.**

*Recommendations 10 and 11 may help Scrutiny Members to take more ownership of their roles by providing further opportunities to gain skills and therefore more confidence in the scrutiny sphere. Skills development sessions would ideally build on knowledge already learned through previous training and knowledge built up over the last year or longer. The direction of any such training should be led by Members and address those areas in which they feel they have room to improve.*

- 3.12. **Recommendation 12: Ensure that there is a development plan for the scrutiny team which includes formal and informal mentoring and coaching. We have been advised arrangements are in place for this to happen.**

*There are already arrangements in place for team members to develop within their roles and progress has already been made in terms of skills, knowledge and experience over the past 6-9 months since the team came together. Most notably team members are connected with scrutiny teams in neighbouring boroughs as well as long-standing scrutiny officers who can share advice and guidance. The team is now also taking a more active role than ever before in the London Scrutiny Network which provides an excellent opportunity to learn from other boroughs and informally network with experienced officers from across the capital. The next steps will involve formalising such plans and arrangements, and consideration is being given to continuing support CfGS can offer to the team as individuals and as a collective both in terms of training, coaching and mentoring.*

- 3.13. **Recommendation 13: Place the work programme to the beginning of meetings so it can benefit from more considered discussion rather than it being a rushed discussion at the end of the meeting. In light of discussions at meetings it may be necessary to return to the work programme at the end of a meeting.**

*At present the work programmes of the Commission and all committees are discussed at the end of meetings, as the final item, which has often resulted in work programmes either being subject to only a short discussion or not discussed at all. Placing the work programme item at the beginning of formal meetings would provide an opportunity for stronger, Member-led work programming; this ties in with recommendation 5 which discusses committees taking ownership of their work programmes.*

- 3.14. **Recommendation 14: Strengthen existing collaborative relationships between scrutiny, Cabinet and Directors whilst maintaining the independence of scrutiny. Early and systematic involvement of portfolio holders and Directors would enable scrutiny to identify issues, trends, and topics where it can focus for accountability and impact.**

*While the Chairs of the committees and Cabinet Members now meet regularly to ensure the work programmes are impactful, the report suggests that these meetings should be more structured to ensure key items are prioritised and that opportunities for scrutiny to play a significant role in policy development, for example, are not missed. Directors of departments could be brought into these meetings to ensure that scrutiny Chairs have a range of expert advice to help their agenda-setting.*

- 3.15. **Recommendation 15: Mapping collaboration opportunities for scrutiny across a full range of local and system wide partners and stakeholders. This can then be used in the scoping of scrutiny reviews and the identification of key lines of enquiry.**

*This recommendation focuses on Members strengthening scrutiny by collaborating with systems, other public services and stakeholders. By building collaborative opportunities, and gaining deeper understanding of changes and developments, Members could actively contribute to work programming and formulate investigations which are effective and impactful and serve to address issues across the city as a whole, beyond the immediate remit of the City Council. This is most often the case in health and crime/justice systems where scrutiny has a statutory role, but could also be applied in systems such as transportation, utilities, welfare or other major public sector-led systems.*

- 3.16. **Recommendation 16: Strengthen the Member led work programme with a refreshed process that uses systematic scrutiny tools to identify and prioritise agenda items, key lines of enquiry and potential impact.**

*This recommendation is strongly linked to recommendation 14, but goes further to suggest a more structured approach to work programme development. This is something that the officer team could work on with Scrutiny leaders to develop a consistent approach which links areas of investigation back to the vision and purpose of scrutiny at Westminster, while focusing on ensuring impact.*

- 3.17. **Recommendation 17: Ensure cross-party pre-meetings are held (ideally) a few days before the meeting and led in a way that helps committee members prepare for scrutiny sessions by reviewing the key lines of enquiry and coordinating approaches.**

*At present, Scrutiny Committees hold pre-meetings with Members of both parties invited, however, most of these meetings over the last municipal year were held directly before the formal meeting. Time pressures in Members diaries has often been the cause of this but there is significant benefit to holding pre-meetings. The report recommends that these pre-meetings are shifted to be held a few days in advance of the formal meeting to allow more time for Members to prepare, review key lines of enquiry and coordinate approaches. These pre-meetings should be led by the Chair of the Committee and run in a manner which encourages Committee Members to act 'as one' as opposed to along political lines.*

- 3.18. Recommendation 18: Use benchmarking and share good practice case studies to promote examples of 'what good scrutiny looks like' to inform reviews and design challenge questions.**

*The core of this recommendation is to ensure themes on the work programmes are focused and topical. There are a number of ways that this could be done and the scrutiny team can work with Members to determine the best way forward. An opportunity for benchmarking could be sought from the London Scrutiny Network; scrutiny officers have recently approached the Network to establish an information gathering exercise to determine numbers, frequencies and structures of committee of boroughs across the Network. If this is a successful exercise, good practices in relation to scoping could be identified in a similar way and look beyond London boroughs.*

- 3.19. Recommendation 19: Develop a protocol between Cabinet and Scrutiny around the role of Scrutiny in pre-scrutiny and policy development.**

**a) identify how and when policy development items come to scrutiny and how recommendations are embedded in Council processes and timelines.**

**b) Ensure scrutiny's input into policy development can be early and constructive. This will require scrutiny being given early access, information, and clear line of sight to new policy areas are in open discussion stage.**

*This recommendation is noted good practice across local government but is not something Westminster has ever established. It would further embed the principle of scrutiny playing a role in the policy development process and set out a consistent approach to guide collaborative ways of working. Although a protocol in and of itself does not change behaviours which will naturally be formed as the scrutiny culture evolves and Members and officers adapt to new ways of working, a protocol would provide a baseline.*



*It would also act as a point of reference for new Cabinet Members and new Scrutiny Members to aid their understanding upon taking up these roles.*

*Such a protocol should be held within the relevant sections of the Council's Constitution and would therefore need to be approved by Full Council on the recommendation of the General Purposes Committee.*

**3.20. Recommendation 20: Develop an approach for post implementation scrutiny.**

*This recommendation focuses on the ability of scrutiny to hold the Executive to account for the implementation of decisions, as well as assessing the impact of this implementation on residents and stakeholders. This strategic examination of decisions would require effective scoping to ensure this is carried out in the most efficient way and that scrutiny will be effective. If undertaken effectively, the outcome of this scrutiny could feed into learning and be applied to future decisions for similar projects.*

**3.21. Recommendation 21: Strengthen finance scrutiny through member development and through rigorous and early involvement of budget scrutiny activity where scrutiny is embedded and aligned with the budget process.**

*The report suggests that Members would benefit from more opportunities for finance scrutiny training, especially when the time comes to consider the draft budget each year. Early conversations regarding the shape of budget scrutiny over the next year are ongoing and CfGS states that it is good practice for the relevant areas of the draft budget to be considered by the relevant scrutiny committee (scrutiny of the draft budget has traditionally been solely the role of the standing Budget Scrutiny Task Group). The report also recommends that each committee could also carry out service-specific budget and financial performance monitoring each quarter, however, care would need to be taken to ensure that this work does not duplicate the work of the Audit and Performance Committee.*

**3.22. Recommendation 22: Focus on smaller sets of high-quality recommendations from scrutiny reviews.**

**3.23. Recommendation 23: Enhance the system for tracking recommendations over time – identify the impact and learning from specific recommendations as well as factors that produce effective recommendations.**

*Recommendations 22 and 23 focus on areas where the biggest impact can be made and talked about the outputs or products of scrutiny. At present, there are relatively few scrutiny products and discussions can tend to be interested but not lead to anything specific. Instead the review suggests that recommendations from scrutiny should be meaningful, targeted, and*

*made at a strategic level. Recommendations should also be clear, understood by officers and able to be measured. To measure recommendations, they should be able to be tracked to demonstrate and improve the impact of scrutiny, as well as ensuring accountability. There could be discussions held as to how useful the current format of the action trackers is and what amendments can be taken to make these more impactful and effective.*

**3.24. Recommendation 24: Use a self-assessment tool to support the annual review and evaluation of scrutiny.**

*In preparation of the next Annual Report of Policy and Scrutiny Activity, learning from scrutiny activities throughout the year could be noted and reported on as well as feedback from stakeholders. This would help scrutiny to hold itself accountable for the impact of the work it has undertaken, the use of scrutiny time and resources, and identify good practices and learning. A self-assessment review could assess scrutiny's alignment with the vision and impact for the organisation and community over the past year and identify areas for improvement. CfGS have devised such a tool which is publicly available<sup>2</sup>.*

**3.25. Recommendation 25: Review the structure of Overview and Scrutiny in Westminster to identify opportunities to consolidate and integrate functions in the most efficient and proportionate ways.**

**3.26. Recommendation 26: Scrutiny of children's services (and associated areas) be separated from Adult Care and Health, possibly establishing a committee for each service area.**

*Recommendations 25 and 26 are two of the most tangible recommendations that could be actioned following this review and it may therefore be tempting to only focus on possible structural change to committees. Any structural changes must however take account of the wider recommendations, particularly those which are geared towards defining the purpose of scrutiny at Westminster so committee changes should not be the starting point.*

*CfGS have advised that Westminster may wish to consider a move towards a 'select committee style' model of committee, which shifts committees away from being defined in opposition to Cabinet Member portfolios and towards strategic, thematic groupings. Within this there is an inherent challenge in defining what those groupings may be but, in order to offer most opportunity for impact, it may be sensible to seek to mirror the Council's corporate strategy. There is a further challenge in keeping the number of committees to a manageable number both for officers and*

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<sup>2</sup> <https://www.cfgs.org.uk/?publication=scrutiny-self-evaluation-framework>

*Members. This is particularly the case should the Council choose to appoint separate committees for Adults and Children's (albeit they could have strategically aligned subjects adjoined to them e.g. health and skills/lifelong learning respectively). In this regard, consideration should be given to the comments made by CfGS on the frequency of meetings. It may be desirable, for example, to have a larger number of 5-member committees meet four times per year.*

*Ultimately, it is for Full Council, on the advice of the General Purposes Committee, to make changes to the Council's Standing Committees, not the Scrutiny Commission. The earliest point at which this is possible is therefore September Full Council.*

**3.27. Recommendation 27: Ensure task & finish groups consider deeper explorations of more complex topics in the work programme.**

*This recommendation would allow Members to develop policy and examine issues in more depth than in formal committee meetings, especially as the work of a task group, or single member study, can take between four months and a year to complete. Members interested in specific subjects can work with the policy and scrutiny team to develop and carry out a task group or single member study. The establishment of task groups could remove pressure on formal meeting work programming.*

**3.28. Recommendation 28: Develop a public engagement strategy for scrutiny that can be embedded across all Committees through the work programming approach.**

*A public engagement strategy could be designed to increase the opportunities for policy and scrutiny to hear from and talk to Westminster's communities. In line with the Council's wider commitment to engaging more deeply with communities, this recommendation offers the opportunity to improve transparency and accountability and could also be used as a tool to promote more direct resident and stakeholder engagement in the scrutiny process.*

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Clare O'Keefe, [cokeefe@westminster.gov.uk](mailto:cokeefe@westminster.gov.uk)**

**APPENDICES:**

1. Scrutiny Improvement Review – Centre for Governance and Scrutiny

**BACKGROUND PAPERS:**

None.