



Meeting: **SCRUTINY COMMITTEE**  
Date: **21 MAY 2013**  
Time: **5.00PM**  
Venue: **COMMITTEE ROOM**  
To: **Councillors W Nichols (Chair), R Price (Vice Chair), I  
Chilvers, M Dyson, M Hobson, D Mackay, C Pearson, D  
Peart, R Sweeting**

## Agenda

### 1. Apologies for absence

### 2. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at [www.selby.gov.uk](http://www.selby.gov.uk).

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

### 3. Chair's Address to the Scrutiny Committee

### 4. Call In

### 5. Scrutiny Development Workshop

To consider the issues raised in Councillor Metcalfe's report on Scrutiny, (pages 1 to 6 attached).

**Jonathan Lund**  
**Deputy Chief Executive**

<b>Dates of next meetings</b>
<b>2 July 2013</b>
<b>23 July 2013 (provisional)</b>
<b>24 September 2013</b>

Enquiries relating to this agenda, please contact Palbinder Mann on:  
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**Report Reference Number: SC/12/31**

**Agenda Item No: 5**

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**To: Scrutiny Committee**

**Date: 21 May 2013**

**Author: Palbinder Mann, Democratic Services Officer**

**Lead Officer: Karen Iveson, Executive Director (S151)**

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**Title: Scrutiny Development Workshop (Covering Report)**

**Summary:**

Councillor Metcalfe, Lead Executive Member for Communities has prepared a report following the submission of a Notice of Motion to Council relating to the operation of the Scrutiny function.

**Recommendations:**

**The Scrutiny Committee are asked to discuss and consider the issues raised in the report relating to the following topics:**

- Effective questioning techniques
- Co-ordination of effort
- Achieving added value
- Formulating workable and specific recommendations

**Reasons for recommendation**

**The Committee is asked to consider the above issues outlined in the report and provide its comments to contribute in improving the Scrutiny function for those areas at Selby District Council.**

**1. Introduction and background**

A report has been prepared by Councillor Metcalfe, Lead Executive Member for Communities on improving the Scrutiny function at Selby District Council. The report has been considered and endorsed by the Executive at its meeting on 6 September 2012 and approved by Council at its meeting on 11 September 2012. The Committee held its first workshop at its meeting on 23 October 2012 where they discussed the following issues:

- The creation of a functional and meaningful work programme
- Building a relationship with the Executive
- The use of task and finish groups to extend resource and effectiveness

## **2. The Report**

The main report is attached at Appendix 1 to the agenda.

## **3. Legal/Financial Controls and other Policy matters**

### **3.1 Legal Issues**

These are outlined in the main report.

### **3.2 Financial Issues**

These are outlined in the main report.

## **4. Conclusion**

The Committee is asked to provide its comments on the report to contribute in improving the Scrutiny function at Selby District Council.

## **5. Background Documents**

N/A

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### **Appendices:**

Appendix 1 - Report on the 'Review of Scrutiny Function' from Councillor Metcalfe

### Summary:

This report has been prepared for the Executive following the submission of a Notice of Motion to Council relating to the operation of the scrutiny function. It has been compiled following discussions with a number of councillors from the two main political groups and seeks through its recommendations to amend and refine the operation of scrutiny at the Council in order that the process adds value to the Council's operations.

### Recommendations:

- i. To amend the Council's Constitution to give effect to the following:
  - The Scrutiny Committee
    - to debate all call-ins
    - To have the call-in presented to the Scrutiny Committee by the "sponsor" of the call-in and one or more of his/her co-signatories
    - To hear from any other appropriate contributors, including where necessary the relevant Executive member
    - To pass any relevant and specific recommendations to the Executive or Council as appropriate
    - To comment on the validity of the call-in itself
- ii. To provide a series of development workshops to re-appraise the role of the scrutiny function to help deliver the objectives set out in paragraph 3.3
- iii. To introduce a system of named substitutes for scrutiny committees

### Reasons for recommendation

To improve the operation of the scrutiny function following discussions with elected members from across the Council.

#### 1. Introduction and background

- 1.1 The catalyst for this review could be seen as the motion raised at Council on 24 July and currently standing in abeyance until the next meeting of Council on 11 September 2012. However, it is true to say that the concerns regarding the operation of the scrutiny function have been rumbling for some time and that a review of the process under Executive arrangements was, in any case, due.
- 1.2 I offered to lead a review on behalf of the Executive and this report and its recommendations are offered as a way of improving and refining the scrutiny function and hopefully addressing expressed concerns both current and longer running.

- 1.3 I wish to place on record my thanks to the many councillors who gave their time in the three forums that I facilitated in bringing this report forward. The forums were:
- The Conservative members of the Scrutiny Committee
  - The “new members” group
  - The Chair and Vice Chair of the Scrutiny Committee

Each forum was marked by a candid and constructive dialogue and, for me, this underlines the common will to make scrutiny more effective and add value to the Council’s operations. I was somewhat taken aback by the way these colleagues clearly welcomed what they thought as a rare opportunity to engage in and talk through the issues surrounding scrutiny and member involvement generally, and their wish to play a more active role in the Council’s operations... a role which they felt was denied them under the current arrangements.

- 1.4 Discussions seemed to revolve around two core elements, call-in and general operation, so I will deal with these in sequence in the following paragraphs.

## 2 Call-in

- 2.1 There can be little doubt that the current call-in procedures have raised the greatest concerns across the political divide. This single topic was high on the agenda in all three forums and, although it highlighted a major common concern, it also produced a fairly unanimous suggested solution.

- 2.2 To summarise the concerns, most felt that:
- The discussion and vote by the Scrutiny Committee on whether to even hear the call-in was embarrassing both to the Committee and to potential visitors who had been invited in the event that the call-in would indeed be debated
  - The ability to deny the debate could lead to accusations of party manipulation
  - Denying the opportunity to debate a call-in undermines democratic input
  - Any informal arrangements put in place to resolve the issues seem to have failed

- 2.3 The suggested way forward is:
- To debate all call-ins
  - To have the call-in presented to the Scrutiny Committee by the “sponsor” of the call-in and one or more of his/her co-signatories
  - To hear from any other appropriate contributors, including where necessary the relevant Executive member
  - To pass any relevant and specific recommendations to the Executive or Council as appropriate

- To comment on the validity of the call-in itself

This last suggestion is geared towards exposing frivolous use of the call-in process.

- 2.4 I would support these suggested changes which, I believe, address the concerns outlined in paragraph 2.2 and would secure this important facility for calling the Executive to account and ensure it is used appropriately in the spirit of legislation and the Council's constitution.

### 3 General Operation

- 3.1 These issues were wide ranging but, again, produced a high degree of unanimity.

- 3.2 There was much evidence that there was a lack of clarity and understanding about the role of the scrutiny function as a whole. We have only operated under the revised arrangements for a little over a year but it was obvious from the discussions that revisiting the very purpose of scrutiny under Executive arrangements would not only be beneficial but necessary.

- 3.3 This reappraisal, supported by training and advice sessions for scrutiny members (and others), should cover, amongst other things:

- The creation of a functional and meaningful work programme
- Building a relationship with the Executive
- The use of task and finish groups to extend resource and effectiveness
- Effective questioning techniques
- Co-ordination of effort
- Achieving added value
- Formulating workable and specific recommendations

- 3.4 Underlying all of the discussions was the intent that the scrutiny function must be seen by all as a valuable part of the Council's operations. For this to be achieved certain conditions need to be met. Some have been explored to some extent above but the list would include the following:

- Clarity on the role of scrutiny
- Freedom and willingness on behalf of scrutiny members to challenge the Executive and hold them to account
- Willingness on behalf of the Executive to respond positively to challenge in the interests of democratic debate
- Regular attendance by members of the Executive at scrutiny to answer questions and provide contextual information on the operation of their individual remits
- Access by the Chair and/or other representatives of scrutiny to informal discussions with the Executive
- Quality of debate at, and recommendations from, scrutiny

- Structured feedback from the Executive to scrutiny on any recommendations made by scrutiny
- A meaningful work programme for scrutiny which adds value to the Council's operation and is not seen as an end in itself
- Co-ordination between the three strands of scrutiny (Policy Review, Scrutiny and Audit) to ensure best use of their combined resources
- Use of T&F groups by scrutiny to extend their resource and effectiveness (could include members not on scrutiny)
- The Executive engaging with scrutiny earlier in the process of decision making or new policy formulation to expand member involvement and explain the wider context of decision making
- Scrutiny playing a role in quashing some of the wilder statements made in the media and wider community by ensuring a debate based on evidence rather than supposition
- Scrutiny testing the performance of Council services

An additional procedural recommendation from the forums is that a named substitute system for scrutiny be implemented. Again, a recommendation I am happy to support.

- 3.5 It is in all of our interests to secure a meaningful and effective scrutiny function and to promote democratic input to the overall decision making process. The responsibility for decisions will remain with the Executive but, in order to avoid the feeling amongst the wider membership of the Council that they have little or no part to play, information, communication and involvement needs to be enhanced.
- 3.6 The Executive needs to value the role of scrutiny but, by the same token, scrutiny needs to enhance its reputation by its deeds to earn that trust and sense of value. This is a two way street which requires commitment from us all.
- 3.7 Success will not be achieved overnight. Some cost may be involved and I will bring forward a further recommendation for a support resource for scrutiny as part of the forthcoming budget round. In the meantime, I ask the Executive to support the thrust of this report along with the recommendations above.