

Northampton Borough Council Overview & Scrutiny



OVERVIEW AND SCRUTINY

Scrutiny Panel Protocol

Guidelines for operation of Scrutiny Panels

Scrutiny Panels need to operate on a relatively informal basis in the sense that they are a forum for information gathering and discussion between group members and officers rather than a formal decision making body. They have no delegated powers.

Information about each new Scrutiny Panels will be included on the Council's intranet site on the Overview and Scrutiny webpage.

Early within the project and wherever possible, the Scrutiny Panel should identify details of any co-optees or contributors required to further the gathering of evidence and enhance the process or provide specific knowledge.

Meetings will take place as often as needed until the task is complete, on average around every six weeks. Following the scoping (planning) meeting, the Panel should aim to hold the necessary meetings within as short a timeframe as possible so that findings do not become out of date before completion of the task.

Visits can also be very useful in helping Scrutiny Panels to get to grips with issues and should be arranged for the Panel, or individual representatives of the Panel, as needed.

Meetings of the Scrutiny Panels will be less formal than meetings of Overview and Scrutiny Committee. They require an approach that allows all members of the Panel to participate fully, and incorporates questioning and discussion with contributors. Informal ways of working are to be encouraged. There will be considerable discussion between members the Panel and people asked to give information.

In the event that the task involves research, the Panel must always ascertain whether such research is/has already been undertaken elsewhere e.g. Overview and Scrutiny Committee, directorate, partner organisation.

The chair of the Scrutiny Panel has a role to make sure all Councillors have the opportunity to know about activities of the Scrutiny Panel. Members of the Overview and Scrutiny Committee will be kept informed regarding progress of tasks through commission planning and progress reports. All Councillors can obtain information at any time during a review via the Council's intranet site or the Overview and Scrutiny Officer.

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In discussing issues to reach conclusions and make recommendations it is hoped that the Panel will be able to reach agreement by consensus. If following discussion on a particular issue, agreement cannot be reached; a minority view on a particular issue will be included in any report to the Overview and Scrutiny Committee.

Members of the Scrutiny Panel should operate within the agreed plan for the task and must not disclose or use any information/knowledge obtained through involvement in the group for any other purpose. This also applies to Councillors not on the Scrutiny Panel who have requested information about the work being undertaken.

Councillors should not do anything to pre-empt or undermine the outcome of a task and finish group's recommendations.

The chair of the Scrutiny Panel has joint responsibility, with the chair of the Overview and Scrutiny Committee, for the issuing a media briefing in relation to completed review work and any subsequent media interaction needed. The Overview and Scrutiny Officer will assist with this role in liaison with the Corporate Communications Unit.

Membership

Membership of a Scrutiny Panel will initially be drawn from the Overview and Scrutiny Committee. It is usual for a member of the Overview and Scrutiny Committee to be designated Chair for a Scrutiny Panel but on occasions, a non-Executive, who is not a member of the Overview and Scrutiny Committee, may be nominated Chair of a Scrutiny Panel. Should it be felt that membership of the Scrutiny Panel should be widened to include non-Executives (who are not members of the Overview and Scrutiny Committee); the Chair will issue an email inviting non-Executives to take part.

The membership of each Scrutiny Panel will vary, between a minimum of two Members to a maximum of seven, according to the purpose for which it is established.

Non-Executives may join the membership of a Scrutiny Panel, until the Scrutiny Panel has begun to receive evidence. After this point the membership of the Scrutiny Panel should not be increased as all Members of the Scrutiny Panel will be required to receive and hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process. The Chair of the Overview and Scrutiny Committee will delegate authority to the Chair of the Scrutiny Panel to determine the membership of the Scrutiny Panel.

Political balance will not apply. Should more than seven Members want to take part, a decision would be taken by the Chair of the Scrutiny Panel to ensure that at least one Member of each political group was allocated to the Scrutiny Panel.

There is no Substitute Scheme for Members unable to attend any meetings of the Scrutiny Panels, due to the fact that all Members of the Scrutiny Panel will be required to receive and hear all evidence in order to make an informed decision about the recommendations that it will be put forward at the end of the process

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Any of the Scrutiny Panels may appoint non-voting co-opted Members. Co-opted members will have an opportunity to influence the Scrutiny Panel's lines of enquiry, but they will not be able to take part in any vote, if one takes place. The Scrutiny Officer will provide relevant training to Co-opted Members on the Overview and Scrutiny process.

The review process

Planning and scoping

Councillors need to be thoroughly involved in the planning of a review. Having been given an indication of what the scope should be through the agreed suggestion form, the Scrutiny Panel should consider the specific issues it will cover and agree a plan for the task. They should be assisted in this by advice from officers.

The plan should set out:

- 1 A clear statement of the scrutiny topic.
- 2 The aim (or purpose) of the project.
- 3 The scope of the project -what will be included and excluded.
- 4 Any specific questions to be answered.
- 5 Specific concerns or issues, which should be addressed.
- 6 How it will contribute to achieving Corporate Priorities
- 7 Initial list of key stakeholders, partners or other agencies to involve.
- 8 Initial list of witnesses, both internal and external, to involve
- 9 Timescale for completion of the task.

Within the agreed scope, members of the Scrutiny Panel decides what information it needs and what questions to ask and if external expertise should be involved. Where needs are identified consideration should be given as to why that information/contact etc is necessary. This may include which people or organisations should be consulted and at what stage further consultation may be appropriate. In addition, the group should consult appropriate contacts on their views at the planning stage – this should include the equalities and communications teams.

Gathering information

Once the planning is finished, the group will actively gather its evidence. Some of this will be written information, such as council documents, national guidance or information from organisations providing a similar service. Information can also be collected by asking people questions. Evidence to Scrutiny Panels from officers should be fact-based and not contain recommendations unless presented in the form of options. Questioning should be aimed at trying to understand and explore issues rather than at catching the witness out. Members of the group should avoid making statements rather than asking questions. Information might also be gathered from user groups, the public, other interested parties or partners. Sometimes the group will think that their enquiries would benefit from a site visit or other activities such as by directly trying the service.

Site visits by members of a Scrutiny Panel can be an extremely valuable part of the process and could inform Councillors' questioning of subsequent contributors.

If the Panels want to hold a public meeting to seek views on an issue they can. Members of

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Scrutiny Panels should be engaging with other organizations, partners, user groups, other councils etc and talking to people who are affected by the issue being considered to make sure they are gathering information.

Rather than minutes of the meeting, notes are taken to record evidenced given at meetings of the Scrutiny Panels. The notes allow people who have contributed information to check if has been understood properly.

Reflect, learn and draw conclusions

When the Panel has gathered all the evidence it needs, it will assess it and reflect on what it has learned. A draft report is written to help this process. This helps the Panel to draw conclusions from what they have learned. The report of the Scrutiny Panel's recommendations must be an expression of the views of the Panel rather than a report to the Panel written by Officers. This means that it is important for members of the Panel to express their views at the drafting stage.

The relevant department will normally be given a chance to comment on the draft report before the group makes recommendations. This is an opportunity for factual corrections to be made. Sometimes the report relates to work by bodies outside the council. In that case, these bodies may be consulted.

Report findings and recommendations

At the end of each review reports need to be produced that are written in clear English. The reports must outline the information gathered and information be presented in a variety of ways so that they are interesting and easy to read.

The final report will be based on facts collected and give a full picture of the issues under scrutiny. It will reflect the range of views presented to the Scrutiny Panel. The report will contain conclusions (key findings) and clear recommendations.

Generally, when the report is endorsed it will be by consensus among all members of the group. However, occasionally agreement cannot be reached, so the views of all members will then be reflected in the report.

When the Scrutiny Panel has finished its report, the Chair of that Panel presents the work to the parent Overview and Scrutiny Committee. As part of this process, they will explain the work that has been done and ask the Committee to support its recommendations. The Committee could also comment on the report or ask for further work to be done.

Producing the Report

Having considered all the evidence the Panel will reach conclusions and make recommendations that will be made public in a report. However, organisations that have participated in the review will be sent a draft copy; this will enable them to comment on the factual accuracy of the evidence relating to their organisation and inform the group of implications of the recommendations that may not have been considered.

Findings and recommendations of Scrutiny Panels will be presented to the Overview and Scrutiny Committee for endorsement before submission to Cabinet and/or Council.

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The Overview and Scrutiny Committee will monitor the implementation of the recommendations that have been made approximately six months after Cabinet has received the report.