

Annual Scrutiny Newsletter

2019/20

Introduction

This newsletter gives an overview of scrutiny activity in 2019/20. It was a challenging year, with external inspections identifying some performance issues with the scrutiny function. We had a full review of scrutiny arrangements, including a Centre for Public Scrutiny 'healthcheck', and that led to a number of changes agreed by County Council in December. We are committed to scrutiny as essential to good democracy, a critical friend to the executive, holding decision-makers to account, monitoring service performance and representing the interests of residents. The year ended with the Covid-19 public health emergency and its significant impact on Council business but the Council's scrutiny carried on and the first two virtual meetings were of scrutiny committees. We will build on the lessons and the learning of the past year and the experience of the current public health crisis to continue to deliver robust, transparent effective scrutiny.

Councillors Joy Dennis, David Barling, Andrew Barrett-Miles, Bryan Turner and Steve Waight, Scrutiny Committee Chairmen

Purpose and Value of Scrutiny

Effective overview and scrutiny should:

- **Provide constructive 'critical friend' challenge**
- **Amplify the voices and concerns of the public**
- **Be led by independent people who take responsibility for their role**
- **Drive improvement in public services.**

(National Guidance, 2019)

"The role that overview and scrutiny can play in holding an authority's decision-makers to account makes it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself"

(Minister for Local Government, May 2019)



Scrutiny at West Sussex County Council

During the year the committees changed from 'select committees' to 'scrutiny committees' and in March 2020 a new Fire & Rescue Service Scrutiny Committee was set up. As this newsletter focuses on activity during 2019/20 it does not cover the new committee.

Information on [Scrutiny at the Council](#) is available on the Council's website.

For more information on each scrutiny committee, including membership, areas of responsibility, meeting dates, agendas and minutes, use the links below.

- Children and Young People's Services Scrutiny Committee ([CYPSSC](#))
- Environment and Communities Scrutiny Committee ([ECSSC](#))
- Fire and Rescue Service Scrutiny Committee ([FRSSC](#))
- Health and Adult Social Care Scrutiny Committee ([HASC](#))
- Performance and Finance Scrutiny Committee ([PFSC](#))



A scrutiny committee meeting in action

AT A GLANCE

40 external witnesses attended meetings



27 formal meetings held

4166 webcast views and 100% of meetings webcast live



109 members of the public attended meetings

39 key decisions previewed



2019/20

Best Practice



WITNESSES



Witnesses included teachers, young people, NHS Trusts, trade unions and service users

GROUND LEVEL



Councillors took part in NHS Trusts' Quality Summits.

TECHNOLOGY



Witness evidence was provided using film, and more use of video conferencing

PARTNERSHIP WORKING



Joint scrutiny training sessions were held with other councils

BUDGET



Scrutiny ensured early engagement in the budget process to better reflect councillor priorities

COMMUNICATION



Scrutiny was well publicised in the press and social media

NATIONAL



HASC Chairman was a keynote speaker at a national Health Scrutiny Conference

TASK AND FINISH



Two TFGs were set up to carry out in depth scrutiny

INFLUENCE



Councillors felt they had reasonable opportunity to influence their committee's work

Scrutiny Impact

a) The value of scrutiny to the Council's business and its role in the County

Listen and engage: Across 27 scrutiny committee meetings there were 40 external witnesses - teachers, young people, Public Health England, senior representatives from West Sussex Clinical Commissioning Groups and NHS trusts, trades unions, service users, voluntary and community sector representatives – giving a wider range of voices.

Open and transparent: over 100 members of the public attended and all formal meetings were webcast live, with 4,166 views, most meetings attended by the local democracy reporter ensuring good press coverage.

Keeping in touch: members engaged with service users through video, more informal meetings used videoconferencing and there was increased use of social media.

Working well in partnership: HASC looks outward for its scrutiny of the County's health services and members took part in several NHS trust Quality Summits hosted by the Care Quality Commission.

Learning and good practice: The HASC Chairman was a keynote speaker at a Centre for Public Scrutiny conference on health and social care scrutiny. Health scrutiny training was held with members of East Sussex County Council, Brighton & Hove City Council and Healthwatch.

Influence and impact: Scrutiny continues to focus on the preview of proposals and key decisions to have most influence (with 39 key decisions previewed during the year), but it also uses call-in when needed. This is a key part of the democratic process enabling scrutiny to challenge and influence decisions before commitments are made. In 2019/20, three call-in requests were received, and one was accepted for review.

b) The value of scrutiny to the Council's service priorities – the focus of scrutiny

Children and Young People's Services

- **Children First Improvement Plan:** The measures taken to respond to the Ofsted inspection report of May 2019, hearing from a variety of witnesses, including service users, practitioners and social workers. This work will remain a priority so that scrutiny can influence the Children First Improvement Plan.
- **Small and rural schools:** A very high profile set of proposals for the Council and the communities affected, the Committee kept focus from start to finish and through a task and finish group for in-depth scrutiny, members hearing from governors, teachers and local councillors. Improvements to future consultation have been taken up.
- **Children's In-House Residential Services Strategy:** Pre-decision scrutiny was carried out and the Committee identified changes to make it more understandable for the public.

Health and Adult Social Care

- **Low Vision Services:** Responding to a request from the RNIB, the Committee supported concerns about service reduction. Various sight-loss charities have now been given a platform to work with NHS commissioners to address the concerns raised.
- **Adult Services Improvement:** A subject for continuous monitoring, the Committee emphasised partnership working, training and development of staff to meet objectives and co-production with customers in service development.
- **West Sussex Suicide Prevention Strategy:** A review following a House of Commons Health Select Committee recommendation. Public Health provided guidance on the local plans, with the Committee influencing the planned review.
- **Local Assistance Network (LAN):** a TFG was set up to review proposals to reduce funding for welfare assistance to households in crisis situations. The Cabinet Member accepted recommendations to work more closely with partners and that any additional funding received in future be used to prioritise these services.

Environment, Communities and Fire

- **Highways Maintenance Contract:** An issue of interest to members and residents to ensure the safe award of a contract and the right outcomes is needs to deliver.
- **Fire and Rescue Service HMICFRS Inspection:** The committee scrutinised the response to the findings and influenced the proposed improvement plan. Visits were arranged to a Fire Station and Fire Control Centre to extend member understanding of service operations.
- **Highways England Arundel A27 consultation:** Local community groups, parish/town councils, local members and MP provided evidence and this range of views helped the Committee's stance on the Council's response to the consultation.

Performance and Finance

- **Property Joint Venture:** The Committee has sought to influence this significant initiative for land use through a joint venture. Further scrutiny will consider principles, targets and governance arrangements.
- **2020/21 Budget:** The development of the Medium-Term Financial Strategy and final budget for the Council. The Committee achieved earlier engagement of councillors in the budget process to better reflect their priorities with two well-received member sessions which included a budget simulation exercise.
- **Performance management:** The Committee challenged how performance is tested including workforce, risk and transformation. The Total Performance Monitor now includes more detail on workforce, business planning and risk for a more holistic approach.

Scrutiny Evaluation 2019/20

Only 19 responses received to the survey – fewer than the usual response rate. More varied ways to get feedback will be explored for the future. Key findings:

- All found good support from staff and were able to commit the necessary time to the role
- Most felt they had reasonable opportunity to influence their committee's work.
- Less than half felt that scrutiny reflects issues of greatest public concern/importance
- Only 26% felt there was adequate input from external witnesses
- Few saw an ability to influence decisions appropriately or to input into policy development
- Few saw clear, measurable outcomes from the scrutiny process.

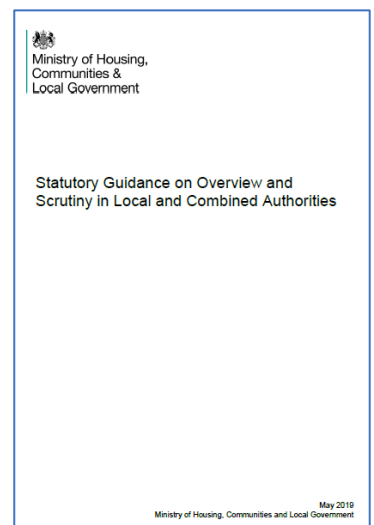
This feedback mirrors the findings of the Scrutiny Review carried out in 2019 and the consequent recommendations for change agreed by the Council (see below).



New Scrutiny Guidance

New statutory [national scrutiny guidance](#) was published in May 2019 and was considered by Governance Committee in [June 2019](#). It is recognised that every council approaches scrutiny differently. It highlights factors for effective scrutiny, including:

- Good organisational culture, behaviours and attitudes
- Scrutiny being member-led
- Sufficient resources to support scrutiny
- Councillors with expertise, commitment and impartially
- Access to relevant and timely information



Scrutiny Review

Prompted by external inspection comments and the new national guidance, a review of the scrutiny function was carried out. The comments suggested a lack of rigour and insufficient evidence of scrutiny's effectiveness. The Governance Committee's working group [reported](#) back in December 2019.

A '**healthcheck**' was carried out by the Centre for Public Scrutiny. Its [overall assessment](#) found

- a realisation and commitment that scrutiny could be more effective
- a good platform from which scrutiny can successfully develop.
- Members having a real interest and enjoyment of scrutiny
- Gaps in member skills and to be supported if progress is to be realised.
- That Scrutiny needs to be more strategic and focused on areas of critical importance to be influential in the future.

Outcomes of the Scrutiny Review, agreed by County Council in [December 2019](#):

- Better business and agenda planning for more timely and effective influence
- Increased use of time, external evidence and witness input
- More focused reports, with key lines of enquiry for outcomes and measurable impact
- Cabinet members to be the principal focus for scrutiny for democratic accountability and a more strategic approach – helping scrutiny avoid drifting into operational detail
- Improved training and awareness raising on scrutiny (to include chairmanship skills, questioning skills, essential principles of scrutiny, work programme planning/prioritisation techniques and performance management/effective use of data)
- Renamed 'scrutiny' committees to clarify their role
- A new committee dedicated to the scrutiny of the Fire & Rescue Service
- Committees in future to appoint their own chairmen and vice chairmen
- A revised call-in protocol to address any perception of political bias

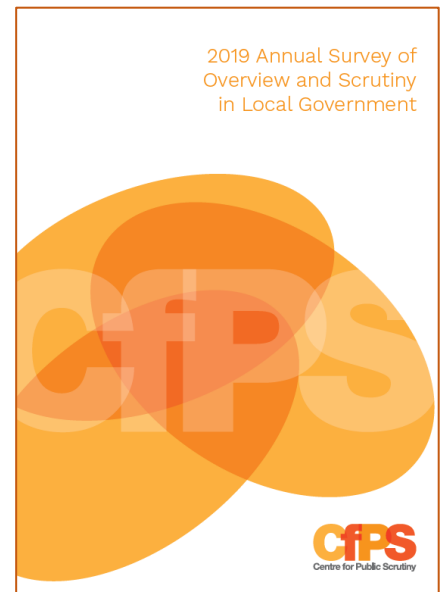
Effective scrutiny was summarised as:

- ✓ **Influencing policy ideas or proposals before they are developed**
- ✓ **Spending time on matters critical to service outcomes for residents**
- ✓ **Meaningful challenge to the performance management of services**
- ✓ **Showing the difference scrutiny makes to service outcomes for residents**

National Scrutiny Report

The Centre for Public Scrutiny (CfPS) [Annual Report 2019](#) was published in May 2020. It has the results of its annual survey of councils and includes the following suggestions:

- Ensure proper systems for good recommendations and how to monitor them
- Address how to manage executive/scrutiny relationships
- Tighten up work programming and topic selection
- A more systematic approach to budget scrutiny and the use of finance and performance information
- Pilot arrangements for more political balance to chairing



Future Plans

Scrutiny in 2020/21 will be dominated by the Covid-19 emergency. Scrutiny has continued to operate, with business focusing on decision preview and service improvement plans. Whilst Covid-19 is the most significant thing affecting the Council's services and its communities for the foreseeable future, it will be important for scrutiny of its impact to be timely, focused and to add value. Business Planning Groups will be considering what aspects of the Council's executive actions relating to Covid-19 should be scrutinised, when and how. Opportunities for new ways of working will also be explored, including different methods for engaging with witnesses, gathering evidence and online training and skill development for members.

A project launched in January 2020 to review aspects of County Council governance, including the procedural and constitutional elements of how it does business, are likely to have implications for scrutiny during the year ahead. The project has highlighted the key role scrutiny has to play in helping to improve decision-making and plans through constructive, well-informed challenge. The outcomes of this project, as well as recommendations from the scrutiny review will be key areas of focus for 2020/21 to ensure the effectiveness of scrutiny at the Council.