

Performance and Finance Scrutiny Committee

16 June 2023

Annual Scrutiny Report 2022/23

Report by Director of Law and Assurance

Summary

One of Performance and Finance Committee's responsibilities is to contribute to an annual report on scrutiny activity and to endorse this for publication. The aim of the annual report is to promote effective scrutiny and identify areas of best practice or for development. The Scrutiny Annual Report for 2022/23 is attached at Appendix A for consideration. This includes details of the Executive Scrutiny Protocol developed in 2022 with the support of this Committee. The Protocol (attached at Appendix B) is due to be reviewed by Governance Committee in September 2023 and the Committee is invited to feed its comments into this review.

Focus for scrutiny

To review the effectiveness of the Council's scrutiny function during 2022/23 and the impact of the new Executive Scrutiny Protocol. Key lines of enquiry include:

- (1) The effectiveness of scrutiny during 2022/23, including how well it:
 - Influenced the development of policy
 - Spent time on matters critical to outcomes for residents
 - Provided meaningful challenge to the performance management of services
 - Made a difference to service outcomes for residents
- (2) Whether the scrutiny work programme was appropriately balanced between key decision preview, performance monitoring and policy development
- (3) Any areas of best practice, for improvement/development or for future monitoring to be taken forward
- (4) Any additional measures to help raise the profile of scrutiny and whether to recommend that the Annual Report be presented to the full County Council meeting in July 2023 for wider member input
- (5) How well the aims of the Executive-Scrutiny Protocol (at para 3.1) have been met

The Chairman will summarise the output of the debate for consideration by the Committee.

1. Background and context

- 1.1 Performance and Finance Scrutiny Committee (PFSC) carries out an annual review of scrutiny, informed by the Scrutiny Annual Report. This provides an

overview of scrutiny business, identifies best practice and highlights areas for development.

- 1.2 Government guidance on scrutiny in local authorities recommends that councils should develop an Executive Scrutiny Protocol to describe the relationship between scrutiny and the Executive (the Cabinet) and provide a framework for how they should work together to ensure effective scrutiny takes place. In May 2022, Governance Committee agreed that the Council should develop a Protocol through engagement with members. PFSC endorsed the draft Protocol in June 2022, and this was subsequently approved by Governance Committee in September 2022. It was agreed that the Protocol should be reviewed after one year, to be informed by input from PFSC as part of its annual review of Scrutiny.

2. Annual Review of Scrutiny and Executive Scrutiny Protocol

- 2.1 The Committee is asked to review the Scrutiny Annual Report for 2022/23 at **Appendix A**. This provides an overview of scrutiny activity to enable an assessment of its effectiveness, including how well it has met the following indicators (agreed by Governance Committee and the County Council in 2019):

- Influence policy ideas or proposals before they are developed
- Spend time on matters critical to service outcomes for residents
- Provide meaningful challenge to the performance of services
- Show the difference scrutiny makes to service outcomes for residents

- 2.2 The agreed Executive Scrutiny Protocol is set out at **Appendix B** and the Committee is asked to consider how well it has met the following aims:

- Describe the roles and responsibilities of scrutiny committees and the Cabinet
- Enable open, trusting relations between the Cabinet and scrutiny
- Support focused, transparent and timely scrutiny of council business
- Facilitate effective scrutiny work planning and objective setting
- Enable scrutiny committees to influence Council business in a meaningful way

- 2.3 The effectiveness of the Protocol has been monitored by scrutiny committee chairmen and the Cabinet. In monitoring undertaken so far, information exchange between scrutiny and Cabinet is said to work well, including Cabinet Member input into work programme planning. There is evidence of early valuable scrutiny of policy development and of performance monitoring working well, with constructive feedback to Cabinet on areas for improvement.

- 2.4 The Committee's views on the Protocol will be forwarded to Governance Committee for consideration as part of its review in September 2022.

3. Consultation, engagement and advice

- 3.1 All scrutiny committee members had the opportunity to contribute to the annual review of scrutiny through informal end of year review sessions held in March/April 2023. Scrutiny committee chairmen meet approximately three

times a year to monitor the scrutiny function and share best practice. They also meet quarterly with the Cabinet, and at these meetings have assessed developments linked to the Executive Scrutiny Protocol.

- 3.2 Engagement in the development of the Executive Scrutiny Protocol during 2022 included a cross-party member workshop; a workshop of Cabinet Members and scrutiny committee chairmen; the draft Protocol being shared with all county councillors and then finally with group leaders for input and comment.

4. Finance

- 4.1 There are no financial implications directly arising from this report.

5. Risk implications and mitigations

Risk	Mitigation
Ineffective scrutiny processes fail to provide check and balance to the Executive	An annual review of scrutiny allows members to identify areas for improvement to ensure effective scrutiny
Lack of defined relationships or mechanisms for engagement or for dealing with differences leads to ineffective scrutiny of executive authority	The protocol provides a framework for interaction which sets out principles for ways of working and will be monitored and reviewed

6. Policy alignment and compliance

- 6.1 Effective scrutiny plays a part in ensuring the Council meets the priorities set out in Our Council Plan through its role in contributing to policy development, reviewing proposals and monitoring performance. There are no social value, equalities, public health, crime and disorder, human rights, Climate Change or legal implications arising from this report, save the need to ensure that scrutiny arrangements are in line with statutory requirements.

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Appendices

Appendix A: Scrutiny Annual Report 2022/23
Appendix B: Executive Scrutiny Protocol

Background Papers

None