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Leadership of place

The role of overview and scrutiny



In these extraordinary and difficult times, elected members across the country must make even more of an effort to protect their local communities from the economic crisis that we face. This task is not for cabinet members or executive committees alone: we all need to find new ways to protect and grow our local economies while ensuring that we spend taxpayers' money with the utmost efficiency. It will be this genuinely collaborative approach that ensures local authorities are able to protect our most vulnerable people in this tough environment.

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I am therefore pleased to introduce this joint publication from the Leadership Centre for Local Government, the Centre for Public Scrutiny (CfPS), Leicestershire County Council and DNA LLP, a leadership development consultancy and coaching company.

This publication highlights the important contribution that overview and scrutiny members can make to leadership of their community. It shares best practice drawn from across the sector and uses Leicestershire's experience to illustrate how a review of such practice works on the ground; these examples are highlighted in the dark blue boxed sections.

It also summarises the three particular areas where improvements in overview and scrutiny can render it more effective. These are:

- Working beyond the local authority boundaries and being externally focused
- Being situated at the heart of the council's corporate processes
- Overview and scrutiny members taking responsibility for leading scrutiny

I urge all authorities to consider how scrutiny can best contribute to the overall governance of the council and the improvement of outcomes for local residents and communities. If overview and scrutiny members are not able to make this contribution in the most effective way possible, the council is squandering one of the most valuable resources that it has – the time, energy and commitment of all elected members. At no time can any local authority afford to waste any of its resources. Leadership of place is a task for all elected members: in the executive; in their local wards, divisions and communities; and in overview and scrutiny.

I would also like to add that, although I do not always see eye to eye with my overview and scrutiny colleagues in Leicestershire, I recognise the importance of robust, evidence-based challenges that can contribute to better outcomes for the residents whom we are all elected to serve. I thank all our scrutiny members for their willingness to put themselves through the review process outlined in this publication and to apply the principles of 'critical friend' challenge to their own effectiveness.

Cllr David Parsons
Leader, Leicestershire County Council
Deputy Chairman, LGA
Chairman, LGA Improvement Board

The quality of leadership in local government is the subject of much debate. Increasingly, this has focused on the leadership provided by elected members. Just as Sir Michael Lyons used the phrase “place-shaping” to describe the essential role of local authorities, so “leadership of place” has become the catchphrase that identifies what is now expected from local politicians.

Leadership of place means that it is not enough simply to make decisions on council services and oversee their improvement and effective delivery; local politicians must also be influencers, shapers, strategic leaders and conveners of other partners in the local arena.

Many would argue that this was always the case; there are certainly plenty of examples of local leaders transforming their communities. However, bringing leadership of place to the forefront of what we expect from local politicians increases our focus and raises challenges for both councils and councillors. First, councils which are already good at service delivery will be expected to explore different ways of working. Even high-performing, four-star authorities may find that their ability to exercise leadership of place is not well-developed and that their partnership working needs to improve. Secondly, councillors may find that it raises similar issues about their responsibilities and the ways in which they work.

Most leadership debates and development programmes focus on the skills and roles of council leaders, elected mayors and their executive colleagues. However, the task of leading place is arguably so complex that it requires more than the efforts of the elected members in the executive: the contribution of the other members of the council could also be needed. At the very least, it requires that non-executive councillors do not undermine the work undertaken by the executive leadership.

It is not simply the scale of the challenge that requires the involvement of all members. Local authorities take the convening role amongst all partners active in a community by virtue of their democratic nature. They alone amongst the police, health services, housing providers, education institutions, local businesses and voluntary and community sector organisations have a direct local mandate to shape the strategic direction and leadership of a place. Despite concerns about election turnouts, no other body comes close.

Yet there is a strange disconnection between electoral mandate and leadership of place. Other than the leader or mayor – and possibly some of the executive members – very few councillors are directly involved in the partnership working that contributes to leading, shaping and improving a place. Research by the Institute of Local Government at the University of Birmingham found that elected councillors made up just 1 per cent of the members of the decision-making bodies leading partnerships. By contrast, 73 per cent were paid officials employed by the partners.¹ As commented on by John Sinnott, Chief Executive of Leicestershire County

Council: “It is not healthy for local democracy that most of what partnerships do in terms of decision-making bypasses the majority of elected members”.

In other contexts some people argue that elections every four years are not enough to fully empower local residents and that there need to be more opportunities for them to influence and participate in local decisions. Yet, in the context of leadership of place, this call is not applied to the majority of councillors. The electoral mandate entitles local authorities to lead their communities, but the elected members themselves have largely lost their place in the partnership-based decision-making processes involved in place-leadership.

A final driver for reconsidering what leadership of place is and who is responsible for it lies in changing ideas about leadership itself. Traditional political leadership – and, indeed, leadership in other contexts – has been largely top-down. This remains an important role, but place leadership also requires a much more open and inclusive approach, involving dialogues. Leadership theory increasingly recognises that different situations require different styles of leadership.ⁱⁱ

Place shaping frequently starts with little agreement about what is to be done and how to do it. Effective place leadership therefore means creating trusting relationships and rich conversations between people from different organisations so that the direction and path of travel can emerge. This is apparently straightforward but actually hugely difficult. Effective leadership here lies less in what is done than how it is done. Leaders must demonstrate both authenticity and humility. In seeking to provide place leadership, we recognise that there are few objective truths, only different perspectives, and that we create our shared future by working together. Success depends on innovation and creativity; successful place leaders create conditions which encourage these.

In this publication we have drawn together best practice advice for all councils that want to improve the way in which scrutiny contributes to leadership of place. We have grouped this advice into three themes that illustrate the challenges that all scrutiny functions need to address:

- Leading beyond authority boundaries
- Authority recognition of and support for scrutiny
- Members taking responsibility for their own effectiveness

The following pages address each of these areas in turn, both in the context of Leicestershire’s own scrutiny function review and the challenges faced by all local authorities.

What is scrutiny?

The idea of public scrutiny has a very old provenance. The ancient Athenian and Roman democracies possessed well-defined procedures by which the public held executive magistrates to account, designed to maintain the impartial application of justice and the liberty of citizens. Much later, these ideas influenced theories of checks and balances and separation of powers in effective government.

In the UK, Parliament's historic function of consenting to grant funds for use by the executive – still a crucial part of its role – gradually came to include an ability to scrutinise and monitor central government spending. During the Enlightenment, the idea of scrutiny meant subjecting political institutions and practices to rational inquiry and public examination. Public scrutiny, in the widest sense, has always been one of the cornerstones of democratic government.

In today's vocabulary, scrutiny can be seen as a means of increasing both the legitimacy and effectiveness of government. As a force for legitimacy, public scrutiny can ensure that executives are held accountable for their decisions by separately constituted bodies, which should embody the principle of public representation. As the decision-making process becomes more transparent and more visible, the authority and legitimacy of the holders of public power should increase, along with the public's trust in their political institutions. As a force for effectiveness, scrutiny can contribute to better designed and implemented legislation and policy, which will be a consequence of ongoing processes of dialogue and critical interrogation, bringing a wide range of citizen and expert opinion to bear on the formulation of policy.

The hope here is that effective scrutiny may reduce various shortcomings in law, policy and strategy, by involving a greater number of participants (or stakeholders) in discussion. Given the increased responsibility of modern government for the delivery of public services, scrutiny exercised as a public challenge to the performance of services is an important driver of improvement.

From The Scrutiny Mapⁱⁱⁱ



“Previously the executive had felt that scrutiny should only consider issues of process, not policy or outcomes, and this had limited scrutiny’s effectiveness and independence.”^{iv}

Leicestershire overview and scrutiny member

Leicestershire County Council, like 65 per cent of councils, has multiple overview and scrutiny committees. In Leicestershire’s case these consist of an overarching Scrutiny Commission and five overview and scrutiny committees that cover children and young people’s service, community services, environment, community engagement and adult social care and health services.

The Commission and all committees can choose to set up scrutiny review panels to carry out more complex, time-consuming reviews; usually no more than two of these longer reviews are carried out by each committee each year. The leader of the main opposition party chairs the Commission, while the chairmanship of other committees is shared between the three parties.

Officers within the council’s democratic services team, who have a range of roles, are also responsible for supporting scrutiny. This makes Leicestershire unusual compared with other county councils: only 17 per cent of county councils use this model, while 75 per cent have a specialist team.^v

“Scrutiny in Leicestershire had reached a point in time where it was necessary to involve external challenge to our own scrutineers and to ask some questions which could be uncomfortable for the different parts of the organisation. In particular it was important that the review was commissioned on a cross-party basis.”

John Sinnott, Chief Executive, Leicestershire County Council

The key challenges addressed by this review were the excessive level of party politics in scrutiny’s debates; the lack of a clear strategic thread running through the committees’ work; and poorly-focused agendas.

After discussion with leading scrutiny members and the chief executive, some clear objectives and themes were set, and it was agreed that the review should:

- Focus on process, behaviours and skills, not structure
- Recognise that both officers and scrutiny members may need to change
- Develop a shared understanding of the role of scrutiny committees
- Involve scrutiny at earlier stages in policy formulation
- Improve coordination of the scrutiny work programme
- Reflect recent improvements such as the budget process and working between scrutiny and executive members on selecting the issues to be scrutinised
- Identify some quick wins

The review was commissioned and overseen by members of the Scrutiny Commission and was carried out by Jessica Crowe, Executive Director of the CfPS, and Steve Nicklen, Managing Partner of DNA, with workshops and feedback sessions at key points during the review. The chief executive was kept up-to-date to ensure that broader organisational perspectives could be taken into account.

The reviewers used the CfPS self-evaluation framework, which is based around the four principles of effective scrutiny (see diagram 1). This was used to analyse two completed scrutiny reviews in workshops of scrutiny chairmen and lead spokespeople. Selected participants also visited a number of other councils (Nottingham, Worcestershire and Wiltshire) as well as the House of Commons to see different approaches to overview and scrutiny.

At the end of the review, we made a number of recommendations. These can be found in the Appendix.



Diagram 1: CfPS cycle of effective scrutiny^{vi}



1. Leading beyond authority boundaries

Effective scrutiny needs to look outwards if it is to get a full picture of the issues it addresses. The voices and concerns of the public should be heard through the scrutiny process. By using every opportunity to find new ways to involve the public – whether as residents, service users, citizens or taxpayers – scrutiny will add an additional dimension to members' representative role. There are already many innovative examples of authorities doing this, (see box below) but this way of thinking needs to become a routine part of every scrutiny review.

Case studies: scrutiny committees engaging with the public

Cornwall

A theatre group was commissioned to work with dementia sufferers and their carers to use humour and drama to discover their views on the quality of dementia care. After this exercise, one carer said that it was the first time she had seen her husband laugh in years. This demonstrated the value of a good engagement process for those who take part, as well as those organising the event.

Coventry

A health scrutiny review of the discharge from hospital process used older people as peer researchers to talk to elderly patients, both in hospital and after they had returned home. This allowed them to report on the patients' experience of health and social care in a sympathetic and empathetic fashion.

North Somerset

A summit was held with representatives of the local media and the Youth Parliament to enable young people to put questions directly to the media about the way in which they were stereotyped as hoodies and hooligans. As a result, the local paper set aside a page in each issue where young people were able to write their own stories and provide a different perspective.

Often the key element in moving beyond the scrutiny of local services to the scrutiny of place is not how the review is carried out but the choice of what is reviewed. Scrutiny reviews of issues such as hospital or post office closures, flooding and antisocial behaviour let councillors influence and call to account other agencies whose actions affect the local community. Councils have statutory powers and responsibilities when it comes to health service changes, but scrutiny committees can also rely on the Local Government Act for the power to investigate a broad range of other issues that affects the economic, social or environmental wellbeing of an area.

Nothing illustrates this so well as the plethora of reviews into agencies' responses to the serious floods that affected the country in recent years. One good example is the award-winning review carried out by Gloucestershire County and District Councils in 2007. The scrutiny committee called for evidence from agencies such as Severn Trent Water, the National Grid, the Environment Agency and the South West Regional Development Agency. They also held public drop-in sessions around the county, during which 150 members of the public contributed their views and experiences; another 643 people responded via an online questionnaire.

The scrutiny committee's recommendations had a major impact on local and regional agencies. Key actions included:

- The PCT provided a mental-health worker to support families affected psychologically by the flooding
- Public accountability around gully-cleansing responsibilities was enhanced
- Local emergency plans were amended
- The council added a special flooding levy to the council tax to pay for required improvements

The Gloucestershire review and others like it also influenced the findings of Sir Michael Pitt's national inquiry into the lessons learned from the floods. Sir Michael attended one of the public hearings in Gloucestershire to listen to the evidence; many of

the recommendations in his report mirror the Gloucestershire findings. For example his report emphasised the important role that scrutiny can play in providing public accountability for agencies responsible for managing flood risk.^{vii}

National agencies and quangos have sometimes argued that they should not have to give evidence to local scrutiny committees, as they are accountable only to their departmental minister and, ultimately, Parliament. However, whilst they are national bodies, the impact of their activities is also felt locally, affecting the lives, homes and wellbeing of local communities. This makes their actions a legitimate concern of local government and falls within its general power to promote wellbeing.

In the future, leading beyond authority boundaries will not simply be about engaging with the public or thinking about different topics. As of April 2009, the Local Government and Public Involvement in Health Act 2007 gives scrutiny committees specific new powers to call external partners to account for their contribution to meeting Local Area Agreement (LAA) targets. In two-tier areas, the county council will be responsible for bringing the district and borough councils and other LAA partners together; this convening responsibility is mirrored in the new scrutiny powers. The Act will provide a range of models for conducting joint scrutiny investigations and making recommendations to partners. Districts will be able to form joint committees between themselves without the county council, but the emphasis is on encouraging more joint working to avoid duplicating scrutiny work and increasing the burden on external partners.

At time of writing, it seems that the government has accepted local government's argument that the regulations should not be prescriptive and should leave it up to counties and districts jointly to decide on the form of scrutiny that works best for them. A sector-led approach such as this, however, requires that counties and districts get together and think about how they are going to do this. It is also important to think carefully about the form that joint working might take. For example, simply inviting districts to send a member to a county committee might not foster a spirit of equality or enhance the districts' willingness to participate in such an initiative. In Cumbria, however, all authorities have been working to build relationships by providing time and space for scrutiny chairs to get to know each other, break down county-district (or district-district) suspicions and identify issues of common concern that would benefit from joint scrutiny. They have now formed a joint committee and are about to appoint a joint scrutiny officer, paid for by contributions from all authorities in the county. Similarly, one of the largest ever joint scrutiny committees – a joint health scrutiny committee formed by all the London boroughs to consider Lord Darzi's report on London's healthcare – recognised that time was needed at the start of its major review to let members get to know each other and agree ways of working.

In any partnership, it is critical to invest time and effort early on in developing strong relationships that can withstand difficulties and differences of opinion later down the line. Joint scrutiny is no exception. As local authorities work with an increasingly broad range of external partners, so scrutiny teams must get ready to demonstrate their ability to work together constructively on issues of common concern, beyond authority boundaries.



The county did not systematically engage with external partners and the public in carrying out its scrutiny work. Scrutiny committees were over-reliant on the council and council officers' reports as sources of evidence and the subjects of their scrutiny reviews. For example, crime and disorder regularly rank near the top of the public's list of concerns and many councils have managed to involve residents – through surveys, roundtable discussions, witness sessions, site visits and attending community meetings – in reviews on this topic. However, a scrutiny committee reviewing crime and disorder issues in Leicestershire had made no attempt to involve the public and community groups. It only called one witness who was not a council employee – a police officer. This was a missed opportunity for the council to engage the public in an issue which is close to the top of residents' list of what needs improving in the county.^{viii}

A more successful example was a scrutiny review of libraries. For this, the scrutiny committee sought the views of parish councils, used a citizens' panel and benchmarked Leicestershire's performance against that of other councils. One scrutiny member said: "this review was good in that members took a strong lead, did the work themselves and asked for the information that they needed." They are now looking at how they can apply this sort of approach more systematically in the future.

Some years ago, Leicestershire invited the area's districts and boroughs to send member representatives to county council scrutiny meetings. When this did not succeed, no further action was taken. The importance of this issue was emphasised to the Scrutiny Commission, as well as the recommendation made to invest more time and effort into building strong working relationships with scrutiny teams in neighbouring authorities.

2. Authority recognition of and support for scrutiny

The overview and scrutiny function should be placed firmly at the heart of the council so that decision-making and scrutiny are linked throughout the municipal year. This is particularly important for financial and budget scrutiny, which many scrutiny functions find difficult. *On the money*, a joint publication from the CfPS and the Chartered Institute of Public Finance and Accountancy recommends undertaking budgetary scrutiny throughout the year:

The budget process in councils is a rolling process – in most councils, it never stops. Robust scrutiny, therefore, cannot be a one-off event, happening just before the council tax is set: there is inevitably too much to take in, too little time and no real context. It has to take place throughout the year, wherever or whenever key policies with financial implications are under consideration or review. Challenging how well the executive is managing the budget is on-going.

The basic components of financial scrutiny throughout the year are:

- Get involved in medium-term financial, service and corporate planning
- Challenge how the budget is constructed
- Undertake regular, but not detailed, budget monitoring, or check that effective monitoring is taking place elsewhere
- Consider and review financial and performance forecasts as well as current budget and performance monitoring information
- Undertake some evaluation of performance and value for money^{ix}

As well as the ability to influence the budget process early enough in the year to make changes, scrutiny committees need to be aware of the council's key policy development plans and its core work programme for the year before they can formulate their own work programmes. This is necessary to avoid duplication and wasted scrutiny work that is finalised too late to influence policy makers. There is an important balance to be struck, however, between scrutiny being aware of and co-ordinating with the executive's programme and it following the executive so slavishly that it loses its independence.

Scrutiny committees may find the offer to get involved in pre-decision scrutiny attractive, as it creates the potential to influence executive decisions before they are taken. However, there are a number of questions that need to be answered before taking up the offer. Will scrutiny committees receive enough notice of proposed decisions to allow them to conduct their own research, consult key stakeholders, examine alternative approaches and make a meaningful contribution to the new policy? Or will they simply be given papers with a week's notice, thus leaving them no time to do anything more than pass a few comments? There is a world of difference between the two.

Diagram 2 (on page 13) shows how different types of scrutiny and challenge are needed at different points in the decision-making cycle. The model also acknowledges that decision makers need quiet space to think creatively, receive confidential briefings and discuss options privately. Scrutiny committees can be suspicious of secret executive meetings, but all decision-making processes need privacy. This is recognised in the parliamentary convention that civil servants' confidential briefings to Ministers are exempt from the requirement to supply papers on demand from select committees, and also by provisions in the Freedom of Information Act that draw a distinction between formal meetings whose papers can be requested, and informal internal briefings. This approach outlines the need for a mature and respectful relationship between executive and non-executive members, each recognising the other's legitimate space and contribution to the process of policy-making, implementation and review.

The nature of this relationship can vary hugely depending on the attitude of decision-makers. Scrutiny committees have few powers to compel people to do what they recommend; they must work through influence, good will and evidence.



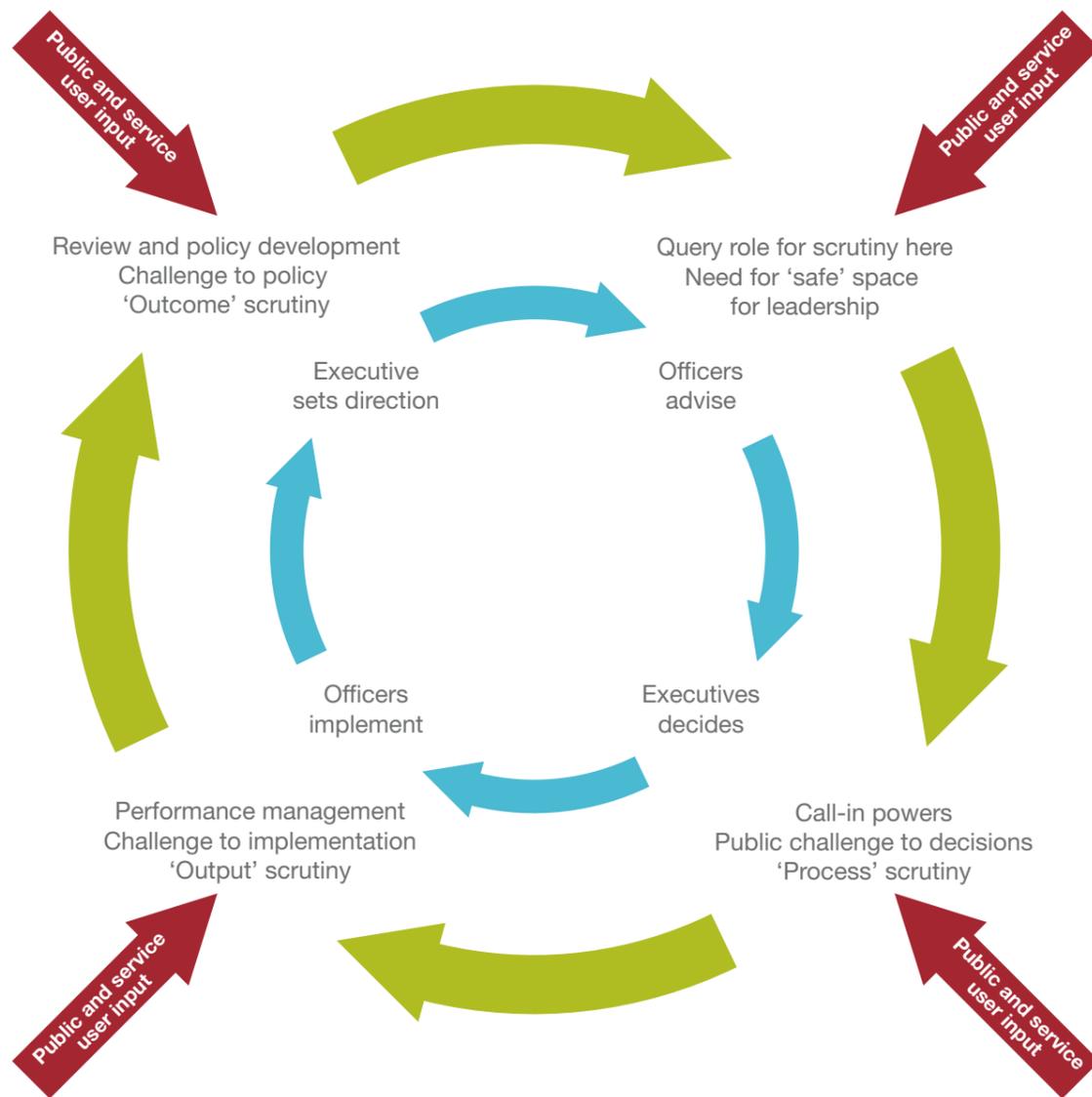


Diagram 2: Cycle of decision-making, scrutiny and public involvement^x

Scrutiny committees' ability to influence decisions can be affected by the approach of the most senior people in the council leadership – both political and managerial – towards scrutiny. If the chief executive sends out messages that he or she does not value overview and scrutiny, why should senior officers provide support or attend its meetings? If the political leadership of the council dismisses the contribution that their colleagues in scrutiny make, external partners, officers and other members will follow suit, undercutting its effectiveness from the start. It is vital, therefore, that the leader and chief executive take regular opportunities to demonstrate publicly their support for the role of overview and scrutiny in the authority, providing opportunities for council debates on scrutiny reports, referring to its role in corporate staff induction days and stressing the importance of good, open governance to the effective running of the authority.

“Some parts of the organisation are more receptive to challenge than others”

Leicestershire scrutiny committee member

Taking an open and supportive approach to scrutiny also says something positive about the council's leadership. It demonstrates that it is happy to be open to scrutiny and challenged on its decisions because it is clear about why it has reached those decisions and confident enough to defend them, and, when necessary, to acknowledge and learn from its mistakes. Developing this kind of environment and sending these messages right from the top of the organisation is not only helpful for scrutiny; it can also empower staff and others across the organisation to take a similar approach. More than ever, leadership of place is required from all members, whether they are frontline ward councillors, executives or members of scrutiny committees. A culture that encourages open debate will make authorities stronger and better able to draw on the abilities of all members to face the challenges of the future.

This was an area where the council made some good progress. For example, scrutiny's involvement in budget-making was brought forward from September/October to earlier in the year so that it could focus on the council's medium-term financial plans. And, during the review, the council developed a constructive way to tackle the issue of party politics in scrutiny debates: it arranged regular meetings between the leaders of the two opposition parties, the leader of the council and the chief executive to discuss work programme issues and share ideas and information.

It then became the Scrutiny Commission's responsibility to follow up these discussions to ensure that scrutiny panels' work programmes took the key issues into account and then stuck to what had been agreed. The council is now working to embed this approach in the coming municipal new year.

The thorny issue of resources also falls under this theme: scrutiny committees want support to undertake and publicise their work. The amount of financial and staff support available is of course a matter for political decision and local choice, and it is not possible to state categorically that councils with greater resources have better scrutiny. Leicestershire is unusual compared with other county councils in using an integrated approach – where the officers who support scrutiny also have other responsibilities – rather than a specialist team of scrutiny officers dedicated to supporting scrutiny. On average, councils have about three dedicated scrutiny officers.^{xi}

Interestingly, research published by the CfPS and the University of Warwick after this review was complete, found that “where officer support is dedicated wholly to supporting public scrutiny the participants felt more able to develop expertise in the role, foster good relationships with lay scrutineers and importantly, relieve pressure on the officers themselves”.^{xii}

Use of the council press office is a particularly tricky issue. Leicestershire's scrutiny members felt that they should be able to use it more frequently; however, this raises the question: if the scrutiny function has identified a problem with a council policy or decision, why should the council's press office publicise this fact, and what is gained by it? Equally, in a highly politicised council environment, it is important to ensure that publicity about scrutiny is neither abused by the opposition nor watered down by the administration.

One way to manage the situation is to agree a clear protocol to govern scrutiny's access to council press resources. For example, the London Borough of Lambeth has a press office policy that spells out how quotations from council spokespeople will be obtained; the parameters for press releases about scrutiny's reviews and inquiries; and the aims which scrutiny committees can seek to achieve. However, the reviewers approached this differently. Rather than considering the reasons why the council should or should not provide press resources to scrutiny, scrutiny members were asked what they wanted to achieve by building a higher public profile for their work. Requests to use the council's press office, newspaper or other media to seek greater public involvement during their work carry much more weight than those simply to promote meetings or reports.

3. Members take responsibility for their own effectiveness

Effective scrutiny needs to be owned and led by elected members themselves. This means that they must take responsibility for providing leadership before, during and after meetings; managing the team of scrutiny members; and getting the most out of the witnesses and evidence that is gathered. However, this is easier said than done. The ability to chair meetings and to ask effective questions does not come naturally to everyone. While there has been great improvement in the training and development of elected members, there is still more to be done. It is as important for scrutiny members to have the appropriate training as it is for the council's auditors and lawyers to have the right qualifications. This does not mean that scrutiny members need to become professional scrutineers, but that councils must invest in building their skills and capacity.

Questioning skills are particularly important to effective scrutiny. Ensuring that the correct style of questioning is used for different witnesses and different topics is vital: robust, formal questioning and challenge of senior officers responsible for a service that is not delivering is one thing; gathering the views and feelings of a group of vulnerable service users requires a completely different approach.

Putting it into practice: questioning techniques

- Free narratives and open questions
- Questioning groups:
 - Avoiding punishment
 - Maximising reward
 - Engaging, involving, sustaining^{xiii}
- Probing:
 - Challenging/digging deeper
 - Encouraging
 - Acknowledging/repeating back
 - Procuring further details: "what else?"
 - Faking puzzlement
 - Linking back to earlier comments
 - Direct questions
 - Showing understanding to encourage more details
 - Contradicting

For scrutiny to play a real role in leadership of place its recommendations must be based on reliable evidence. However, evidence can take many forms. For example, anecdotes from service users and residents do not carry the weight of statistical data, but can still provide a useful insight into how policies are operating on the ground. They can also help scrutiny committees to piece together a picture from multiple witnesses, as the scrutiny review carried out by the London Assembly into the 2005 London bombings illustrates:

We have received views and information from London's emergency, health and transport services, and other stakeholders and authorities including the media and local authorities. We have also had the enormous benefit of hearing testimony from people who survived the explosions, and from bereaved family members, who told us of their personal experiences. Their views and the information they provided have proved invaluable to us in piecing together a picture of the response to the 7 July attacks and identifying the lessons to be learnt for the future.

– Report of the 7 July Review Committee^{xiv}

One way of structuring the search for evidence is to categorise it by source (internal/external) and by type (formal/informal). Although it may vary from review to review, ideally scrutiny should be able to draw evidence from all quadrants in the diagram below:

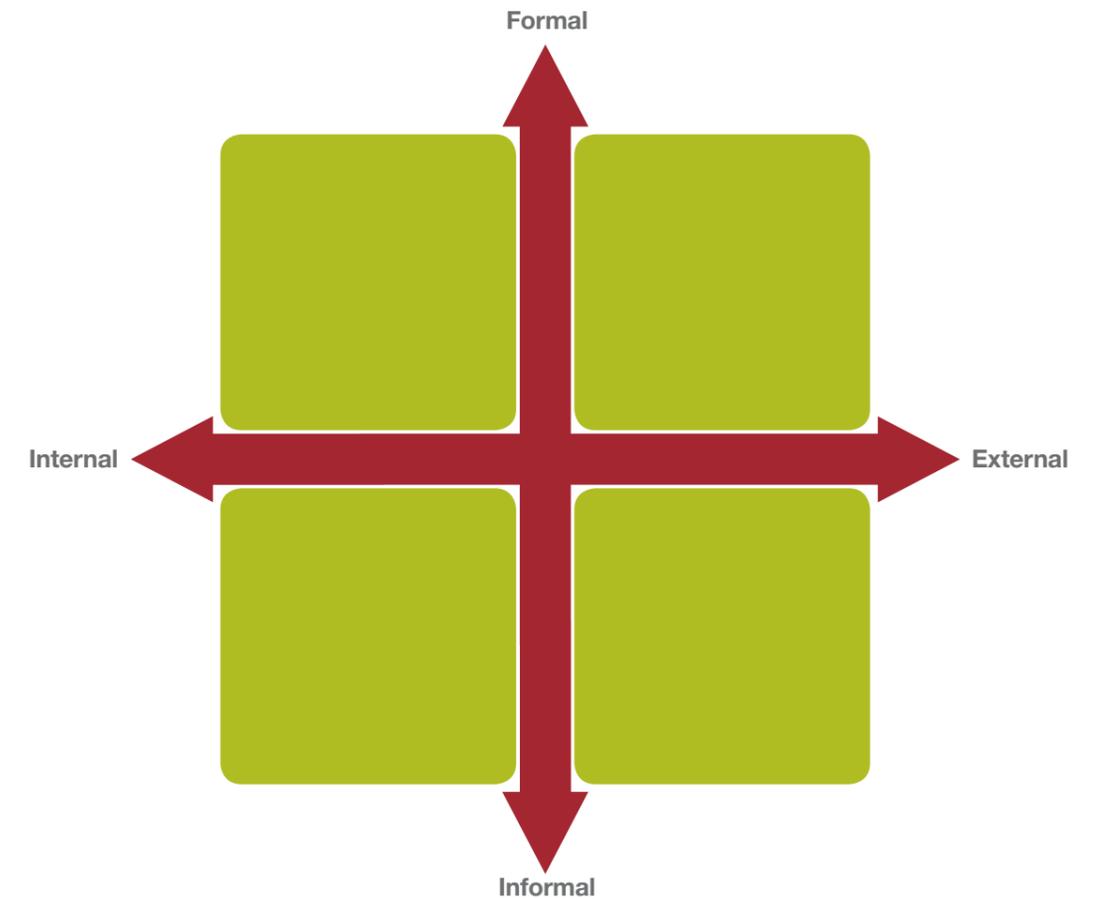


Diagram 3: Sources and types of evidence^{xv}

Despite this ideal of objective and entirely evidence-based scrutiny, it is worth remembering that evidence is not the only factor that influences its conclusions and recommendations. Scrutiny operates not in academic ivory towers, but in the political committee rooms of town and county halls; the nature and quality of political relationships play an enormous role in whether or not scrutiny is effective. From the council where scrutiny members are denied access to the executive corridor to that where the leader of the council and the leader of the opposition go for a quiet pint to discuss how they will handle a controversial call-in robustly but constructively, all shades of political culture can be seen.

One useful way of describing these factors is the 'four I' model, which was developed by an American academic to outline the forces that had an impact on schools reform policy:

- Interests
- Ideology (politics)
- Information (evidence)
- Institutions (context and history)^{xvi}

The degree to which some or all of these factors are present at any particular council on any particular review will vary, but it is important to acknowledge their existence so that they can, if possible, be tackled.

When the council's scrutiny members observed other scrutiny functions in action and reflected on their own practice, they realised that they had the power to make significant improvements.

The members identified that they needed to :

- Agree aims for meetings and witness sessions before they started
- Ensure that chairmen led and managed the committee's discussion
- Prepare before the meeting by reading papers and thinking about questions
- Agree questioning tactics before witnesses were called

The reviewers were impressed by this mature and self-critical response; the challenge now will be ensuring it is implemented.

Scrutiny members highlighted the importance of political group spokespeople on each scrutiny committee, as they can ensure that members of their group fulfil their committee responsibilities. Each political group should be responsible for managing the performance of its own elected members on each committee; it is also up to each group spokesperson to lead by example.

Members also concluded that they needed to take more responsibility for monitoring their recommendations and ensuring that they had been implemented. As things stood, this tended not to happen; even successful reviews had not been followed up. Committee chairmen and spokespeople accepted that, with support from officers, it was their job to do this.

One particularly useful tool developed by the council is a checklist that provides guidance for members as to the kinds of questions and lines of inquiry that they might consider when reading a report or preparing for a meeting. The checklist is circulated with each scrutiny committee agenda and contains questions such as:

- Are the aims and objectives clear? If so, are they consistent with the medium term corporate strategy or other plans and strategies?
- Have the current and potential users of the service been consulted? If so, are their views reflected [in the report]? Have other stakeholders and local members been consulted?
- Are the performance measures sufficiently challenging?^{xvii}

The checklist should be reviewed and updated regularly.

Conclusion

In this document we have identified the three key areas where improving scrutiny can improve councils' leadership of place: working beyond boundaries; placing scrutiny at the heart of council processes; and members taking responsibility for leading scrutiny

We also believe there are four particular strengths that come from the scrutiny of executives by elected representatives:

1. Accountability through the ballot box

Elected members ask questions on behalf of the public; if voters feel that the questions asked by their representatives go too far – or do not go far enough – they can respond accordingly at the next election.

2. Enabling the public's voice to be heard

The experience and knowledge that councillors gain from working with residents at a ward level add a vital ingredient to scrutiny's work and ensure a wide range of perspectives are heard. This can in turn provide a 'common sense' counterpoint to professionals' views and ensure that services and policies are assessed from the perspective of the people who pay for, use or are affected by them.

3. Getting behind the data

Good scrutiny means taking on the role of critical friend: questioning assumptions, analysing data and dissecting information so that ideas and conclusions can be seen in a different light.

The dogged persistence of elected scrutineers has often paid dividends by uncovering the truth behind the official picture. The late Gwyneth Dunwoody MP, a famously independent select committee chairwoman, said: "it is vital that committees report what they find, rather than what may be politically palatable".^{xviii}

4. Taking a helicopter view

Elected scrutineers have a mandate to consider issues in the broadest possible sense. They are not there to promote a specialist interest or a particular service but to look out for the needs of everyone in the area that they represent.

The ability to rise above ground-level detail and take what is sometimes known as a "helicopter view" is what distinguishes elected scrutiny from the challenges offered by auditors, regulators and professional service providers. They bring important knowledge, but may sometimes focus too closely on the concerns and interests of their specialist area – to the possible detriment of the wider community.

The Leicestershire review discussed throughout this publication illustrates that, even in the best-led local authorities, overview and scrutiny can be less effective than it should be. The willingness of its members and officers to look critically at their processes and learn from those of others has led to them accepting a number of key recommendations for improvement. Taken together, these will increase the authority's overall effectiveness in place leadership. We hope that other authorities will do the same, thus enabling all their elected members to fulfil their potential as place leaders and enabling the scrutiny function to fulfil its potential in helping them to do so.



APPENDIX: the Leicestershire recommendations

- RECOMMENDATION 1:** That the county council renews its action to coordinate scrutiny activity with the borough, district and city councils.
- RECOMMENDATION 2:** Involve scrutiny even earlier in formulating and challenging the medium-term financial plan. This could follow one of the suggestions outlined in this document, or any other constructive approach.
- RECOMMENDATION 3:** The group leads on the Scrutiny Commission should hold scrutiny committee meetings after the AGM to develop their work programmes. The Scrutiny Commission should coordinate this to avoid duplication and manage resources. Examine other ways to increase scrutiny involvement in policy development.
- RECOMMENDATION 4:** Members involved in overview and scrutiny should prepare themselves better for committee and panel meetings.
- RECOMMENDATION 5:** The Scrutiny Commission should help all scrutiny committees and panels to find ways to increase the involvement of the public and outsiders in their work. The council should start to prepare to implement a “councillor call for action”, as proposed in the 2007 Local Government & Public Involvement in Health Act, to enable ward councillors to get problems raised and resolved through scrutiny.
- RECOMMENDATION 6:** Scrutiny chairmen should ensure that all committee and panel members ask appropriate questions at meetings.
- RECOMMENDATION 7:** All members involved in overview and scrutiny should seek opportunities to improve their questioning skills.
- RECOMMENDATION 8:** Scrutiny chairmen and all members involved in overview and scrutiny should be offered training to enable them to re-examine their roles and to identify and develop the skills that they need to carry these out effectively.
- RECOMMENDATION 9:** The Scrutiny Commission should review the effectiveness of committees and panels each year.
- RECOMMENDATION 10:** The leader and chief executive should emphasise the importance that they and the organisation attach to overview and scrutiny, for example, in corporate inductions.
- RECOMMENDATION 11:** Chairmen should be updated about the ways in which recommendations are followed up.

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