

Effectiveness of Overview and Scrutiny in Cheshire East

- The most effective scrutiny undertaken by the four committees (outside of task and finish or spotlight review work) is the discharging of the council's statutory health scrutiny requirements
- On balance, the scrutiny committees more effectively scrutinise external partners/bodies, potentially because the committee members have no affiliations or investment in them. (compared to potentially being less willing to sufficiently challenge internally and be seen to 'ruffle feathers')
- The health scrutiny committee seems to be in a position to make more direct recommendations or solutions to problems
- Individual members / committees don't challenge portfolio holders enough, or ask enough
- Portfolio holders would welcome greater challenge from scrutiny
- In order for scrutiny to 'have more teeth' it needs to probe and ask hard questions to the Cabinet: what decisions is it making and why? Where is the money coming from? Where are these decisions within the Medium Term Financial Strategy?
- Scrutiny effectiveness could be improved by holding short pre-meetings before the formal committee meetings for 15 minutes (in a caucus style) to run through the agenda and determine collective lines of questioning and any potential recommendations or solutions the committee wishes to raise
- At the end of each four year term, there should be an emphasis placed on party leaders and whips to try to retain a core nucleus of members on each of the four overview and scrutiny committees, so that in spite of whatever membership turnover there is, the majority of each committee will be highly knowledgeable and well-versed, and could help to assimilate new members
- Overall impression is that scrutiny at Cheshire East Council works effectively (both the committee meetings and liaison meetings)

The overview and scrutiny committees are not informed or made aware of potentially sensitive issues or contentious decisions far enough in advance

- Consensus that involving scrutiny at the earliest stage in the decision-taking process helps to iron out any potential barriers before they develop into more significant issues
- There should be as much communication and consultation with scrutiny as possible
- The recent consultation with each scrutiny committee on the 2019/20 budget was a good example of how to successfully have two-way communication between scrutiny and cabinet, and showed that it might prove useful for consulting on other decisions at an early stage
- Consensus of support for scrutiny being informed of, or getting sight of, upcoming pieces of work or decisions to be taken in advance of them being formally published on to the Forward Plan
- Informal Cabinet discuss how scrutiny can and should be involved for each upcoming decision
- Cabinet regularly discusses what to bring forward to scrutiny and when
- Improvements could be made to the current internal decision-taking process to make sure there is better planning and setting of timescales, so that scrutiny is involved at an earlier stage
- Liaison meetings should identify these sensitive matters at an earlier stage
- The best practice for liaison meetings would be to hold open, informal discussions with the Chairmen and Vice-Chairmen about upcoming decisions (yet to be on the forward plan) and potentially contentious issues, to ensure cross-party scrutiny consideration and support can be obtained at the earliest possible stage.
- Good scrutiny is part of good governance and makes the decision-making of a council more effective and transparent, if done properly

Can pre-decision scrutiny be better and more frequently used to support Cabinet's decision-making, by involving and representing community concerns at an earlier stage in the process

- Scrutiny already works well as a 'critical friend' to Cabinet
- Discussions at Informal Cabinet always refer to the need to involve scrutiny and build scrutiny engagement within the timescales for producing a report and consulting on it
- Scrutiny should be seen as a good sounding board for policy/strategy ideas
- Consensus that there is a need for clear timescales within the decision-making process to ensure scrutiny involvement and to allow it to function effectively
- The 'overview' side of scrutiny work could be improved and used for greater benefits to the council. At the start of each civic year the overview and scrutiny committees could benefit from each being informed of the 3 or 4 key upcoming policy/strategy development points within their remits so that they can get involved at an early stage in the consultation well in advance of a decision being taken
- Ensuring pre-decision scrutiny requires it to be built into the decision-making process at an early stage
- The development and formulation of policy is an area that scrutiny could actively help Cabinet and full Council with, by being able to identify gaps or potential issues at an early stage
- Scrutiny is actively used in some instances to design the process for engagement with the public before a decision is taken
- Engagement with scrutiny should be done at the earliest possible point, to ensure pre-decision consultation and engagement can take place, as this can help to refine how the officers should consult and design the process for making decisions
- Taking issues and upcoming decisions to scrutiny early helps to present the final information in the least contentious way

Does scrutiny produce viable, well-evidenced solutions to recognised problems?

- Yes to being well-evidenced
- No to always being viable. Sometimes it is not possible financially to implement all recommendations put forward by scrutiny
- Doesn't always produce well-evidenced solutions regarding health matters because members may not have received the full picture from all associated parties. Having more information from all involved parties would ensure the recommendations and decisions being made by scrutiny are more evidence-based and robust
- Yes – the health scrutiny committee's work on the local CCGs' mental health redesign is a good example of scrutiny using its powers to effect and making recommendations to health partners on behalf of the local community
- Members show maturity and experience through questioning at committee meetings
- Yes – budget scrutiny is good evidence of this
- Yes – the Local Transport Plan and Car Parking Charges are good examples of scrutiny challenging Cabinet and saying they could not endorse Cabinet's initial proposals, which resulted in changed decision on the back of scrutiny's recommendations
- Sometimes evidence presented to, and used by scrutiny, is anecdotal, which can be useful and important
- Generally, the recommendations from scrutiny are well-informed but they could be based on more solid evidence. This could be done by increasing the training or learning for members before meetings through briefings
- Committees do help to create solutions, but they do not necessarily suggest or produce them by themselves
- Yes – when the recommendations or solutions are being made to external health bodies
- Ordinary committee business doesn't necessarily produce well-evidenced recommendations

- Bringing providers in to scrutiny as well as the commissioners is very important to getting the full picture

Public involvement with scrutiny and its influence on decision-making

- The decision to review bus routes was used by many interviewees as an example for how scrutiny involvement, and scrutiny enabling the voice of the public, allowed for feedback to Cabinet and officers to successfully remodel a decision in the interests of the public
- It was posed to the Chairmen and Vice-Chairmen that shouldn't it be scrutiny asking the responsible officers what their plans are for engagement and consultation with the public when they are alerting scrutiny to upcoming planning and development of policies and strategies, and for scrutiny to help to inform this process
- The importance of public engagement in local decision making was emphasised as evidence of good consultation and governance
- There was a suggestion that scrutiny meeting agendas could be sent out to different groups e.g. the voluntary/faith sector to further promote matters being considered and improve public interest and engagement in scrutiny
- Scrutiny is a forum that helps NHS bodies explain matters to the public, engage with the public and be present to answer their concerns

Do scrutiny councillors have the training and development they need?

- Committees could make use of councillors with expertise in particular areas at their meetings; use them as a source of information to support their inquiries
- New members of the council (and scrutiny) could be trained in a way to assimilate them quickly and get them up to speed with returning scrutiny members
- The Member Training and Development Panel has looked at the induction process and are striving to make sure that new members after the upcoming 2nd May 2019 election have a good understanding of scrutiny and its role and value within the council
- There needs to be – and there is in the budget for 2019/20 – more funding for member development
- Scrutiny could hold regular training sessions for members (in the same fashion as for planning committee members) either before or after meetings
- Members would benefit from an annual refresh of the key areas of their committee's remit and the areas of change, or major issues expected to come about during the next year
- On the whole, the questions asked by members are the right ones, but more training could help to improve members' background knowledge and awareness of issues and further improve lines of questioning
- Scrutiny needs to see the full picture of what the NHS is responsible for, and how they operate from the perspectives of the commissioners and providers, in order for it to most effectively scrutinise and make recommendations
- Members would benefit from regular refresher training sessions on the statutory requirements of the Council with respect to adults and children's services etc. and how scrutiny should 'look' at different service areas
- There needs to be a focus on statutory obligations of scrutiny within the training, e.g. budget scrutiny, statutory council services etc. members need to be fully cognisant of what the council is responsible for and what the statutory scrutiny duties are
- Anecdotal accounts were given about new councillors struggling in the first year of being scrutiny members; that it was difficult to quickly develop a good understanding of how scrutiny works and the committee remit(s) to become more confident and effective in putting questions and effectively challenging
- Good scrutiny questioning comes from good awareness, knowledge and understanding of the matter being scrutinised

- There needs to be a cross-party understanding and agreement that each group whip will be involved in ensuring the take up of scrutiny training is adequate
- Group leaders should emphasise to their new membership of councillors after the elections about the kind of skills and commitment you need to bring to be an effective scrutiny councillor. This would help to allocate overview scrutiny committee seats to members that are potentially better skilled and more keen to be part of the scrutiny function
- It is important that scrutiny training reiterates the role of scrutiny and that it is not there to destabilise Cabinet or party leadership, but to be a collective, objective body acting as a 'critical friend' to its council's decision-makers

Relationship between Cabinet and Scrutiny

- Portfolio holders would welcome being invited to Chairman's Group meetings
- Chief executive would welcome being invited to Chairman's Group meetings
- Scrutiny could benefit from visiting Cabinet meetings and engaging with portfolio holders more regularly
- Cabinet takes scrutiny reports and recommendations seriously
- Scrutiny members could attend Cabinet meetings more regularly
- Scrutiny members could shadow portfolio holders to get a better understanding of how decisions are made
- Communication between cabinet and scrutiny could be improved, but at the same time, committee chairmen or vice-chairmen could always press and question a bit harder or more frequently

Is scrutiny supported sufficiently by the corporate leadership team?

- Yes – liaison meetings are a good example of CLT's willingness to engage and have open dialogue with scrutiny
- There is healthy respect for the role of scrutiny
- CLT have learnt lessons from not bringing contentious decisions to the attention of scrutiny
- Chief Executive and CLT would be happy to attend Scrutiny Chairman's Group meetings
- Not where we would want to be right now in terms of communication and links between the two – there is no longer a scrutiny champion
- Scrutiny reports are taken seriously by officers

Does overview and scrutiny operate non-politically?

- Yes on the whole
- Sometimes questions from different members on the same issue can indicate certain political views on matters, but not to an extent that it impacts the meeting significantly
- Councillors could have a specific seating plan at meetings to avoid members of the same party grouping and sitting together, as a means of avoiding the potential for party politics at meetings
- Sometimes there is a sense that questions are coming from negative political points of views about certain situations with regards to NHS plans or activities
- Some similar comments made that politics had never trumped the issue at hand when being considered by scrutiny, and community and public concern have appeared to come through first and foremost from members
- Politics will always come into play and may be hard to avoid entirely

Do you feel NHS bodies engaged with Cheshire East scrutiny underestimate the knowledge of members on the Health and Adult Social Care and Communities Overview and Scrutiny Committee?

- Yes, particularly if people are new to the NHS, as they are less likely to be aware of the experience and knowledge that scrutiny members have on the particular issues and technical matters
- Not everyone at the NHS is knowledgeable about the powers of scrutiny, or what the value of scrutiny is
- Officers can underestimate members' knowledge and understanding, and also overestimate it at times and use too much jargon and be too technical

Are meetings well planned, well chaired and does scrutiny make the best use of its resources?

- Yes to being chaired effectively
- Scrutiny could make better use of alternate meeting locations to encourage the public to attend (albeit wherever a meeting is held, you cannot guarantee better engagement and interest from the public)
- Liaison meetings are very helpful insofar that informal conversations help to keep the committee Chairmen abreast of upcoming issues, and to allow for the discussion of matters impacting the local NHS bodies, in confidence
- Site visits are good when scrutiny doesn't have all of the information relating to a decision being made and it feels that it needs a greater understanding to make more informed recommendations

Task and finish group / spotlight reviews

- These pieces of work have produced positive outcomes and help to enable multi-agency working
- Previous reviews have helped partners to better identify the causes of issues and where joint solutions can be implemented
- When reports come forward to Cabinet, there are always some recommendations that cannot be implemented due to financial unviability
- Cabinet always welcomes the work of task and finish groups and committee spotlight reviews
- Cabinet is keen to act on recommendations from scrutiny wherever possible
- A lot of the recommendations put forward by scrutiny (either through a report, or from comments raised at committee meetings) are taken on board by the Cabinet
- Spotlight reviews are intense but bring about good results in a short space of time
- Positive response about the work of task and finish groups and spotlight reviews
- Scrutiny produces credible, well-researched reports

Support for scrutiny through council communications

- Annual reports help to capture the work undertaken by scrutiny
- Communications Team could be more proactive in promoting the work of scrutiny
- CLT would support scrutiny looking into the current communications strategy to find where improvements could be made
- Consensus that communications needs to provide better support to scrutiny to ensure the right information is getting out to the public directly from the council, rather than just through the press or public.
- Agreement that the council's current communications strategy does inhibit proper support for scrutiny