

Considerations for improving citizen participation in the Scrutiny of Combined Authorities in England

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CONSIDERATIONS FOR IMPROVING CITIZEN PARTICIPATION IN THE SCRUTINY OF COMBINED AUTHORITIES IN ENGLAND

Background

There are ten Combined Authorities in England to date¹ and they are well placed to provide the approach to scrutiny that best suits their own context and will meet the unique needs of each region.

As people dedicated to the work of scrutiny will know, there is already regulation around governance, transparency, audit, and codes of conduct². There are of course extensive duties, guidance and commitments on public involvement, public consultation and participation in policy and service development across the public sector more generally. Whilst this document does not list them all – they are a helpful reminder that can be viewed in the light of scrutiny. Two key guides include:

- The CfGS has published a plain English guide³ on the role and process of **Scrutiny for Combined Authorities** and summarises the statutory guidance.
- Also published in May 2019 is the ‘Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities’ from the Ministry of Housing, Communities and Local Government.

There is very little specific legislation on involving citizens directly in scrutiny but there is implied guidance throughout about the impact that scrutiny itself exists to provide – such as to ‘*amplify the voices and concerns of the public*’ and ‘*hold the executive to account for the decisions and actions that affect their communities*’⁴. To do this effectively – scrutiny will need to have confidence that they know and understand those voices and concerns, and to know how people feel affected.

1 Local Government Association – Combined Authorities <https://www.local.gov.uk/topics/devolution/devolution-online-hub/devolution-explained/combined-authorities>

2 <https://www.gov.uk/government/publications/local-government-transparency-code-2015>

3 Scrutiny for Combined Authorities - <https://www.cfgs.org.uk/wp-content/uploads/CfGS-CA-Scrutiny-Guidance-2nd-Edition-SINGLE-PAGES.pdf>

4 Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities Ministry of Housing, Communities and Local Government. May 2019. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800048/Statutory_Guidance_on_Overview_and_Scrutiny_in_Local_and_Combined_Authorities.pdf

SECTION 1

Section 1 - Scrutiny and public participation

Devolution is evolving

In England, devolution is the process by which power and control is passed from Central Government to local areas. The aim is to give local areas more power to effect real change on issues like transport, economic development, skills, and public health, connecting policy and investment more closely to local area needs. Scrutiny is a critical part of the Combined Authority (CA) governance process, helping to ensure that senior leaders are held accountable for their work. This process provides for transparency on the way that CAs operate – but it may also demand that scrutiny functions pay active regard to the need to go out to gather evidence and insights from the public directly.

Public Participation within Scrutiny for Combined Authorities

While many CAs have arrangements in place for public engagement (on strategic development issues, on transport, as well as other matters) scrutiny has a lower profile, and less of a history of successful and effective public involvement. In a way, this echoes challenges which exist for scrutiny at a more local level – combined authority scrutiny can be seen as more “remote” from local people than local authority scrutiny, exacerbating this challenge. Capacity constraints (on the officer and member sides) also act as a blocker to action.

Using this guide

This guide is intended to be a practical resource for officers and Members to stimulate ideas that could be considered regarding public participation, and the role in scrutiny. There are some examples of the approaches and some thoughts on values and principles. There is section on benefits and challenges that greater public participation brings, the pitfalls to be considered, as well as some ideas about a strategic approach over the long-term.

It is not a definitive guide to policy or legislation, nor will everything in it be practical, timely or appropriate in every context, but it is intended to give scrutiny practitioners some ideas about how to think and work differently.

Section 1 Summary

Scrutiny is evolving

The work of CAs is evolving, and governance processes including scrutiny will also evolve. Improving practice around the public participation in scrutiny is becoming more important and needs a long-term approach to become embedded

SECTION 2

Section 2 - What is Public Participation and why does it matter?

Definitions

In its broadest sense, participation and engagement are terms often used interchangeably. There are likely to be differences across organisations and regions in how the terms are used, and what activities look like. In this context they mean the active **involvement of people**⁵ in decision-making and scrutiny processes.

**Participation is a spectrum:
Inform – Consult – Involve – Collaborate – Empower**

Different levels of participation highlight the different levels of involvement that is achieved, and the degree of influence people have. The methods needed for participation activities depend on its purpose. At its most simple, it is about one way information. When participation is more advanced, activities enable greater dialogue, the sharing of power, influence and ultimately decision making itself. The LGA have a useful literature review on civic participation which can provide further detailed background and definitions⁶.

Why it matters

The public sector is facing significant challenges – and one of the roles of scrutiny is to help ensure the needs of communities are being met as effectively as possible, not just in financial terms, but on a much wider set of measures including social value. There is a useful guide on scrutiny published by the CfGS listing ‘*Ten questions to ask about social value*’⁷ which helps give some insights for scrutiny to consider.

More importantly, a democratic and inclusive approach to participation is crucial to avoid deepening of inequalities and exclusion. It will help to ensure that even strategic and high-level policies and implementation at CA levels improves people’s lives and that, ultimately, the community is more empowered and better off as a result.

A sustainable approach to participation will help build capacity across the CA, improving culture and practice across governance, as well as for overview and scrutiny (which we refer to throughout this document as “scrutiny”). It can enhance relationships and help create new narratives that can build trust and dialogue, and address surface tensions in a productive way.

- Builds a relationship with residents over a period of time
- Helps build a sense of ‘place’ and local ownership
- Can bring useful insights and solutions that may not be apparent

This can be as much about engaging the public more effectively as **part of a scrutiny process**, or about using those insights from the public to **decide what the focus of scrutiny** might be.

5 <https://www.demsoc.org/glossary#p> – a glossary of democratic terms

6 <https://www.local.gov.uk/publications/working-partnership-how-councils-can-work-voluntary-and-community-sector-increase>

7 <https://www.cfgs.org.uk/wp-content/uploads/Social-Value-Matters.pdf>

Who is participating at a strategic level?

Often the words ‘citizen’ or ‘public’ participation are used - interchangeable with ‘resident’ or ‘stakeholder’ participation. A CA operates at a strategic level and focuses on broad areas such as economic development or transport and will have a broad range of stakeholders.

It should also be acknowledged that not everyone *wants* to get involved. Some people will feel that it is the business of elected members, the Mayor (where one is present), and other professionals to get things done. However, this should not lessen the value that greater participation can bring to the business of the CA, and ultimately to scrutiny. The assumption should not be made that people will not be interested in the business of the CA on account of its strategic nature.

Benefits

Governments and decision makers are recognising that an ongoing ‘conversation’ and informed debate with citizens can be helpful. This can create better understanding of the complex and systemic nature of challenges, such as those faced by CAs, and the solutions that can be explored. Issues and policy can be simultaneously personal, local, national and global (such as climate change or Covid 19), with complex trade-offs and competing priorities. A one off ‘tick-box’ exercise is not effective enough.

Overall - good quality engagement and participation can:

- **Strengthen democracy** - Improving the involvement of a diverse range of local citizens helps to strengthen local democracy at a time when public services are seeing seismic changes.
- **Increase legitimacy** - Adding to the democratic legitimacy that a CA has as they develop and implement policy, holding the Mayors and CAs to account.
- **Help build trust** - OS can be a powerful force for improvement and innovation and plays a critical role to build trust and openness for local communities, at a time when trust in democracy is being challenged.
- **Highlight what is valued** - Adding critical insight into what the local community value and want to see happen. People can see that the scrutiny process is relevant to their community.
- **Create agency** - Participation in decisions that affect local communities can create agents of change – not simply objects of change. Developing ways to involve and engage the public, particularly on complex issues such as climate change, will help achieve wider goals such as behaviour change and climate resilience⁸. Decisions created with people, are much more effectively adopted by people.
- **Increase understanding** - Greater dialogue helps people understand the complexity of issues and can provide space to surface the tensions that might exist locally - which could be a good thing for public scrutiny, if managed productively.
- **Inform debate** - better information can help people see more clearly what the CA directly controls, and what it does not, across the partnerships.

⁸ EIT Climate-KIC, and Democratic Society. 2020. “Healthy, Clean Cities Deep Demonstrations Leuven. Deliverable 2: Engagement and Activation Overview (Unpublished).” Leuven: Democratic Society and EIT Climate-KIC.

When to involve citizens or their views

It is not necessary, or even possible given the resources available, that all CA scrutiny processes will require or even benefit from the involvement of citizens directly. Scrutiny might, for example, provide assistance in the development of policy, or add value by considering:

- the public's views when where it is **particularly contentious**
- where there are critical **gaps in involvement of citizens** in the development of a policy or the impact of a decision on a certain demographic
- if the CA takes a sector-based approach to its economic development plans and bring challenge where there is a **critical lack of collaboration**

These are very broad ideas, and the role of scrutiny is to consider what to prioritise when deciding the role that scrutiny will play, and where to focus valuable and limited resources.

Section 2 Summary

Help in complexity

With regards to scrutiny, well designed participation will add to the openness and transparency of the scrutiny process itself and improve the value that good governance provides. It can strengthen democracy, build trust and increase agency and help broaden the range of groups or people that scrutiny represents.

An ongoing 'conversation' and informed debate with citizens can create a better understanding of the complex and systemic nature of challenges, such as those faced by CAs, and the solutions that can be explored.

SECTION 3

Section 3 - Challenges and pitfalls to meaningful public participation

There are a range of ways that CAs, and constituent organisations will be engaging with the public. There are, however, some key challenges to the CA on how this is approached and how much can be achieved, which are particularly pertinent when thinking about public participation in the scrutiny process. There are some useful practical ideas later in this guide to help overcome some of these barriers, but some of the key challenges around this will inevitably have a knock on for scrutiny – so are useful to keep in mind.

- Meaningful participation in scrutiny will be to a large degree, dependant on the strategic approach to communication and participation in the CA more broadly. This can mean that wider resources and commitment is not available to support scrutiny's aspirations and take time to align.
- Many CAs will consider that as their work is inherently strategic, and this can make 'consultation' or participation especially challenging, particularly for scrutiny. Consultation, for example, on a spatial strategy can feel far away from day to day life and difficult to engage with for the public.
- Consultations can be confusing for the public who are not always aware of all the different bodies and organisations involved, or what the detail of governance around them is. Further participation activities for the CA or for scrutiny may make this worse, if the public do not understand the issues effectively. There can be consultation fatigue - too many surveys and invitations for opinions or feedback – that will affect the CA as much as any other body.
- There may also be considerations that it simply raises more political or public discord and may not help decision making, especially if not resourced or designed well or constructively managed. Public feeling could undermine the CA or elected members– if the complexity is not understood or is too high level for meaningful influence.
- There needs to be clarity on what *scrutiny* is – and the role of the public if involved in a scrutiny process – it can be confusing. Participation must make a difference and create realistic expectations for change. Scrutiny cannot make decisions but the public may not make this differentiation, and expectations may be raised unduly.
- There are challenges around how 'representative' engagement can, or should, be – who has a voice, and who gets listened to. Whilst this can be addressed it must have a rationale and be transparent.

The cost

As a strategic function of the CA, scrutiny must provide work that is carefully planned so that it can bring genuine value to the work of the CA, and this must be weighed up with the resources that are available to the committee and officers. Scrutiny will need to weigh up where to invest their limited resources for the best outcomes. It is not the case, however, that improving the level of participation of citizens in scrutiny, even slightly, is a waste of valuable resources. As part of a wider value for improving public engagement, harnessing even a small number of people who are motivated and enabled to take part in scrutiny can make a big difference⁹.

⁹ <https://www.involve.org.uk/resources/knowledge-base/fact-or-fiction/myth-1-engagement-too-expensive>

Who and where to focus?

A scrutiny committee may not be able to conduct significant public engagement itself, but could draw on insights gathered elsewhere (material gathered by comms or community engagement professionals as part of a formal consultation exercise, for example). This might give some insights into a focus for scrutiny. Useful questions include:

- Whose voice is missing - who might be affected?
- What does the existing evidence tell us about how people feel?
- What are the gaps in participation that need to be addressed?

Understanding the lived experiences of the community

As with many issues it is important to be diverse and inclusive. When it comes to scrutiny gathering its own original evidence from members of the public, inviting guests with ‘lived experience’ (supported by voluntary sector or as community representatives), to be part of a committee meeting, can bring understanding from a certain perspective that may be missing. The challenge is this can only be *qualitative* insight, it cannot be truly ‘representative’, so should be seen in this light.

It is also important if inviting public participation into a scrutiny process, that the expectations, purpose, and the roles of participants are clear and transparent. This will avoid raising unhelpful expectations, disappointment, or confusion.

Section 3 Summary

There are challenges and pitfalls to participation

Many CAs will consider that their work is inherently strategic and ‘high level’, and this can make participation challenging or even confusing for participants. OS may be able to draw on insights gathered during a policy development. This might give some insights into a *focus* for scrutiny, and to bring challenges to the CA that raise ambitions for diversity of voice.

SECTION 4

Section 4 – Creating the conditions - Culture and Value

Scrutiny can have a powerful influence on the local area and improve the accountability to the local community, giving them a voice. Participation within CA scrutiny, realistically, will need to be part of a collaborative process across the CA, and its constituent councils, that creates the conditions within which participation can thrive.

The best context for scrutiny, will be as part of a sustainable and strategic participation plan for a CA, which is itself founded on a mindset and culture that is open to listening. The OSC can usefully help to raise ambitions for this and bring challenge to address three things for the Mayor and across the CA:

1

Embedding *values and principles* for participation

2

Helping create the *conditions* within which quality participation can grow

3

Supporting the need for a *strategy* and plan that enables public participation over time

Developing Values and Principles for participation

Scrutiny members, the officers who support them, members of the CA Board and officers across the CA more generally will already be liaising and discussing the contribution that scrutiny can make. This will make the most of resources for participation which will be quite dispersed. In the long term however, this will gain more realistic traction, if the **culture and value of participation** is embedded across the organisation (s).

Some organisations have developed values and principles *specifically about public participation* within their governance frameworks. It is not about suddenly creating a whole set of principles or new core values, unless that is work in the CA want to undertake, but about bringing the importance of participation to the fore, as part of a longer term journey.

Test it out to see the value

One of the best methods for scrutiny to influence the level of public participation, would be to hold the CA to higher standards in how it involves the public more generally.

On a practical level scrutiny could be recommending to the Mayor or the CA to adopt ‘co-design’ as a principle for a specific piece of policy, or embark on more work to understand and engage their community, over the course of policy development. This could test out the approach on a manageable scale, to see the benefits and value – helping to building a conversation - deliberative by nature rather than a tick box or a once and done approach.

Co-designing values and principles

Working with community and voluntary sector to help improve participation would be a valuable step to improve ways of working¹⁰. The central challenge would be to make clear the independence of the scrutiny function and its unique role.

¹⁰ <https://www.local.gov.uk/publications/working-partnership-how-councils-can-work-voluntary-and-community-sector-increase>

There are some useful examples of values and principles for participation below:

1. LGA research looking at councils that were engaging underrepresented communities in civic life found five common principles in their approaches - summarised as being¹¹:

- strength-based
- collaborative
- honest and open
- adaptable
- proactive and responsive

2. CfGS have worked with local authorities and residents¹² to help co-design principles. Such as:

- Listening to every voice
- Involving before deciding
- Communicating what we're doing
- Inviting residents to take part

Building the conditions for greater involvement

There are conditions that will help develop greater participation and deliberation in scrutiny, that could be part of a longer term vision, if that is the work the CA want to undertake. These could include where:

- It is part of a wider pattern of practice within the CA, and there is a longer-term vision and principles for participation across the governance landscape
- There is a shared vision for it with elected members and officers, including political and partner 'buy in'
- A range of partners work together to communicate and collaborate on participation, with some of that work being centred on scrutiny (for example where scrutiny is used as a space to discuss a matter of local contention in which a number of local partners have a stake)
- It is well resourced, following an understanding that it is strategically important
- Activities and opportunities are well designed, recognising that "how it works" matters
- It is recognised that it is not all about structures and formality – there are informal ways to work
- People are enabled and supported to be part of scrutiny (recognising that there will be a power imbalance between some local people and professionals / councillors)
- Diversity of voice is heard in the process

11 <https://www.local.gov.uk/publications/working-partnership-how-councils-can-work-voluntary-and-community-sector-increase#key-principles-to-increase-civic-participation>

12 <https://www.rbkc.gov.uk/council-councillors-and-democracy/how-council-works/principles-good-governance>

A system wide strategy

There could be a way to develop a 'system wide' strategy for participation to embed the values and principles into higher standards of practice - a longer term approach that the OSC can get behind and support if there is a desire to develop this area of work more from the Mayor, the CA, and across the dispersed stakeholders.

The challenge will be that these can be hard standards to meet and sustain, and investment and resources over a long period of time would be needed to put into practice, to make a real difference. The cost to embed and resource meaningful participation across the whole CA and the dispersed nature of partnerships within it, will be an important part of the balance.

Section 4 Summary

Culture and values

Scrutiny can help raise ambitions in the CA for:

- Embedding values and principles for participation
- Creating the conditions for participation to grow over time
- Supporting the need for a strategy to embed participation in the CA overall

SECTION 5

Section 5 – Collaboration across the ‘system’

Dispersed resources and greater collaboration

Different CAs will be starting from a different place of participation and involvement of citizens, particularly in scrutiny. Whilst a strategic approach to greater participation in O&S will be co-dependant on the desire of the Mayor and the CA more widely, there may be opportunity across the CA and constituent authorities to use existing practitioners, channels and resources for greater and more flexible participation in scrutiny.

It is not always about creating everything ‘new’, and there will be a wealth of expertise that can be drawn on. It’s an opportunity to improve communication around what scrutiny does and how it works in the CA, and the impact that participation can potentially play over time. The scrutiny committee may be able to convene or attend practice events with experienced practitioners in this field working in the region, to seek their ideas into improving realistic participation into the CA scrutiny committee - to help understand how it can connect better to the public, stimulating adaptable collaboration across organisations.

Start with good quality information and data

Ensuring that the public are well-informed is an important part of effective engagement. The scrutiny function can help by challenging the CA to produce more, and more relevant and accessible, information about the way that services are designed and delivered. Infographics and performance data, amongst other material, will help in raising and spreading awareness – and can be used by the scrutiny function itself as part of its work.

Producing and updating this kind of material does take significant resource and commitment over time. As such, trialling its preparation and use with a specific set of data – perhaps overseen by the scrutiny function itself – might be a good start.

Scrutiny under scrutiny - Mapping ‘system wide’ participation

A useful next step could be for a scrutiny committee to request a collaborative ‘mapping’ exercise. To review the quantity or quality of participation, the diversity of people involved, or whose voice is not being heard in a particular policy process, so that scarce resources are targeted at under-represented groups. This could expose the barriers, gaps and consider ‘bottom up’ as well as ‘top down’ methods of participation. Again, this will need to focus on the work of the CA and make sense to the scope of influence it has. This may lead to some recommendations about how participation could be improved over time. This information may provide a baseline that the scrutiny function can then use to understand where its own responsibility to engage might sit alongside the responsibilities of others.

Useful questions for scrutiny

Awareness of broader activity around participation is an important basis upon which to build. Scrutiny can usefully ask the questions such as:

- What can scrutiny do that complements this wider work?
- How can scrutiny work in a way that adds value to what is happening?
- What does it tell us, what are the insights that scrutiny can use?
- What perspectives and strengths can elected members bring from this into OS?

Section 5 Summary

A system-wide strategy

The scrutiny function can help support the development of a culture and strategy for participation.

Because its role is cross-cutting, and because scrutiny has a broad remit within the CA, members might want to understand where and how otherwise dispersed resources and skills for participation might be brought together. Scrutiny might want to understand how the CA brings consistency to its approach on engagement, both to its own business and in how it works with its partners.

A mapping exercise like this will also help scrutiny to design its own interventions to complement work being carried out by the wider CA.

SECTION 6

Section 6 - Practical ideas to consider

This section looks at some practical ideas and examples for involving citizens more in the scrutiny process itself.

Ways of working - representing the voice of the public

Scrutiny has limited resources at its disposal. Flexibility is therefore important – as is the potential for “piggybacking” off the work of others, using existing practitioners, platforms, contacts, groups, events or other communications pathways with the public.

This does not mean that scrutiny will be duplicating what these existing ways of working will be achieving. The main difference is that scrutiny will have a different perspective on the products of those ways of working. For example, scrutiny can:

- **Draw on existing insight** on the views of the public to inform more focused questions asked of the Mayor and CA in a public meeting, or to inform an OS decision on areas of focus for deeper enquiry.
- **Look at where collaboration might be failing** Using performance, finance and risk reports produced by the CA or audit (which are communicated to members on a regular basis) to highlight issues where public engagement and buy-in are seen as particular problems.
- **Understanding what is already a hot topic in the area.** A scrutiny committee could ask for a review of what is in the media on a particular topic, media monitoring insights, a review of complaints from the public, local community or advocacy groups; or data from existing relevant community engagement.

Improving communication and collaboration

Scrutiny can have a particular role in enhancing the way that the CA and its partners work together to engage the public. Some of this work could be informal in nature, and might involve:

- **Regular informal meetings** between the Chair and senior CA officers to talk about the ways they are “designing in” input from the public, when developing major decisions.
- **Early discussions** between the scrutiny chair and senior officers about forthcoming major CA decisions, to tease out the detail of public involvement plans on specific issues. This builds on the relationships that are developed around scrutiny and the culture of openness and flexible involvement across the organisation, although care would need to be taken that scrutiny does not expect to become involved in the operational design of individual engagement activities.
- **Local discussions with overview and scrutiny committees of the constituent authorities.** These could help to understand where public concerns lie on issues connected to the CA’s strategic responsibilities and decide whether these should be tackled at local level or at CA level. Whilst the CA has no role holding constituent authorities to account, collaboration may lend insight across the spectrum of scrutinised activities that feed into higher level strategic work of the CA. This will depend on how much collaboration exists and may suit a complex line of collaborative enquiry such as equality or *fairness* in the region.
- **The identification of hot topics for members** Discussions with other elected members - what are the big issues which come up repeatedly in members’ postbags upon which the CA has the power to act? These could help the OSC to see what is important to people and what they could usefully focus on.

- **Committee Members doing their own engagement** - One simple and easy way to get deeper insight, is for committee members themselves to seek out the views of the public. This seems obvious but may be something that OSC members can be more intentional about, for example on a particular issue, or the voice of a particular group. This can be informal discussions and pre-scrutiny engagement, making enquiries with their own constituents and contacts ahead of a meeting, or visiting community groups, to be better informed on the topic or issue. Whilst members will be doing this already – being more purposeful in terms of preparation for a scrutiny event might be useful.
- **‘Persona’ exercises.** The committee could also be creative and use ‘personas’ as a way of stimulating discussion between themselves about the impact a policy might be making on stakeholders, and what it ‘feels’ like or ‘looks’ like. A “persona” is a fictional person who has the kinds of characteristics that you might expect of your service users. Although CAs deliver few operational services (transport aside), the creation of personas in this way could help high-level, strategic decisions to feel more tangible, by challenging ourselves to understand what the direct impact on local people of those big decisions might be. Creating a few of these kinds of profiles, to illustrate the different kinds of local people who might be impacted (positively and negatively) by a decision might allow members to discuss impacts and outcomes better. Managing this well could require expert support.

Involving people with lived experience

A key way of gathering evidence is to actively seek out those with “lived experience”, that they can share as a way to ensure that scrutiny members – and by extension decision-makers – have the benefit of different perspectives. Modern methods of securing these perspectives take account of the common criticism that such evidence is anecdotal and not “representative” of wider views. Public meetings – which might bring with them access challenges, and which might privilege those confident enough to speak in public, and to have the time (often in the evening) to attend – are sometimes seen as particularly problematic.

But these and other means of engagement all have a place. As long as a range of ways are used to understand community impacts (for example, as long as this is not the *only* evidence gathered and used), it can be leavened by, and triangulated with, other evidence. Common methods might include:

- **Peer research.** Ask for a facilitated external group of local people, or others with specific and relevant experience, to do some research in advance such as a ‘Young Inspectors’ report¹³. This would generally be part of an existing group that has been trained and facilitated for this purpose – something which may not exist in every area. Areas with active Youth Councils, or where there has been some history with co-design or similar kinds of participation, may lend themselves especially to this approach. The focus would need to be an area that the CA has some authority on and may suit something like the impact on young people of transport, or an economic issue from their perspectives, or how the impact of these things is for a demographic such as disabled children¹⁴. This is much more likely as part of a collaborative approach across CAs and constituents due to the cost to resource it. This approach provides substantive support to scrutiny, and also helps to build trust and knowledge of democracy itself.

¹³ <https://www.youthfocusnw.org.uk/what-we-do/we-deliver/young-inspectors>

¹⁴ https://councilfordisabledchildren.org.uk/sites/default/files/uploads/files/Participation%2520Factsheet%2520%25238%2520Young%2520Inspectors_0.pdf

- **Informal meetings online** - The Covid 19 crisis has also accelerated the use of online meetings, particularly for informal meetings. Whilst they have their down sides and while for some purposes face to face meetings can provide more flexibility, general opinion has considered them an improved way of working in some cases – particularly because they remove some of the most obvious barriers to access, while most (but not all) people now have the facility to join online meetings.

There may be more opportunities here for scrutiny to use online events to facilitate more informal enquiry to improve public participation, or understanding people’s views. These may provide a much better way to invite the contribution of those with lived experience who will often be better placed to give evidence than professionals but may need support of a community organisation to do it.

Section 6 Summary

Bring together existing data and information to help direct scrutiny

By adding some different ways of working, there are some practical things that could be explored to inform how the CA are held to account with the voice of citizens in mind.

- What’s a hot topic already; where collaboration is not working?
- Whose voice is missing?

Use informal events and meetings as well as the formal structures and invite other stakeholders to get involved

SECTION 7

Section 7 – Public events and meaningful questions

Making it easier and meaningful to take part.

This is a short section about public events and meetings that may be useful if there is a desire to consider how they might be improved.

Ordinary meetings of committees by their very nature, are often very formal, which can be intimidating and difficult for the public to engage with or make meaningful sense of. Meetings are naturally business orientated and have an essential formal tone but can feel inaccessible to most ordinary members of the public.

The purpose of public participation is important. Consider occasions when public meeting design could enable more meaningful participation. Without losing validity or due diligence, yet still be an effective avenue for the public to engage, such as:

- Providing better and more comfortable space in the agenda for people to talk
- Facilitated in a tone, and physically set out in ways that create a positive atmosphere
- Consider Young people friendly or accessibility for people with diverse needs - Be diverse and inclusive

Creating agency - Supporting the public to take part in public meetings

It is not simply about scrutiny being ready for wider participation– it is about helping people being ready to be involved. The legal fundamentals of the “formal meeting” have to remain, and for this reason it may make sense to think about ways to engage the public more in different spaces, including in spaces that the public themselves “control” in more informal meetings. There will always be an inherent power balance in trying to draw the public into formal council meetings, however, open and welcoming they are being perceived by the OSC. The unique and independent role of scrutiny must not be lost.

There are a few approaches to consider:

■ **Is the formal meeting the right place?**

Is public involvement better supported in different ways rather than in the business meeting itself. Less formal meetings outside of the central business meeting for OSC may also be an opportunity to promote an OSC committee process, and to build a more ongoing relationship with the public

■ **Framing the ‘right’ questions**

Ensure that questions are relevant to the services over which the CA has authority as far as possible. Some questions/comments are about operational services over which the CA will have no authority (transport aside).

■ **Helpful guidance on asking questions**

Empower people to talk about “strategic” matters that are more the domain of the CA, but in a way that feels real to them. It is a challenge to ‘square the circle’ of getting the public involved in high level matters which may feel quite esoteric. And also for answers to strategic questions to have a meaning for someone’s lived experience.

- Provide tips and guidance around asking questions for the public, from independent sources – that are a useful resource, possibly on a short video people can access before attending
- Support officers or elected members to frame answers in a helpful way.
- Create space for people who are less confident to speak
- Be diverse and inclusive more intentionally in the way the OSC works

Creative ways to suggest questions or ask them in public meetings.

Questions submitted to the committee provide an important avenue for questions more independently than directed at the CA or the Mayor and are an important feature. The challenge may be to make it easier, more prominent, or more rewarding for the public to do. Here are some ideas:

- Make it more interesting and accessible, for example the public submitting pre-prepared short videos asking their questions themselves, particularly from people unlikely to access the more formal written process to submit a question, (which is often little used).
- With careful preparation, target engagement, towards a particular group of people whose voice is missing, as a way of stimulating suggestions for questions.
- Promote a short media campaign for the public to choose a subject for focus for scrutiny on a particular issue or policy. Align a key a scrutiny event or line of enquiry that is important to local people, as part of the wider CA communication and engagement plan. Promoting the opportunity on the CA/constituents social media campaign (Twitter, Facebook, Tiktok; LinkedIn; Instagram; Nextdoor etc). Or using more traditional channels; cascading through voluntary and civil society groups or target comms at certain groups under-represented. This could also help raise the profile of the scrutiny function.

Careful planning would need to be done to prepare for this - to ensure that people had some knowledge of the background and purpose of a short campaign, and guard against unhelpful public awareness. It is important not to create confusion about which organisation is doing what, or what the relevance is for the work of the CA and early consideration of such an activity must also take into account the communications challenges this also brings, and weigh up the benefits.

Public meetings where tension is high.

There are, of course, occasions where a public meeting with the OSC may have to consider event management very intentionally, where emotions are high, issues are controversial, contributions or behaviour from participants can be unpredictable and challenging, and trust can be undermined. These can also be challenging for officers and elected members, as well as the public. They will likely be with the support of communications teams and specialists within the CA.

The principle is to try to continue building an ongoing relationship with the community, designing the event space and agenda in a way that enhances trust and allows contributions, at the same time as keeping appropriate order and managing tensions safely and equitably.

- Consider involving an independent and skilled facilitator to help design and manage the meeting with the committee. This could be potential for partnership with the community or voluntary organisation with the skills to do so¹⁵.
- Involve some key stakeholders in the design of the meeting to help ensure it is open and accessible – especially to those who are less confident or able.
- Enable officers and elected members more, by having coaching or training in planning and facilitating inclusive public meetings, as part of changing the way they work.

Section 7 Summary

Public meetings

Public meetings are a powerful tool for scrutiny – help improve their purpose by enabling people to take part more effectively. Give people more agency in scrutiny and consider other ways to support people to take part. Without losing validity or due diligence, yet still be an effective avenue for the public to engage, such as:

- Providing more comfortable space in the agenda
- Facilitated in a tone, and physically set out in ways that create a positive atmosphere
- Reduced perceived ‘barriers’ even when tensions are high
- Be diverse and inclusive
- Use informal avenues too

¹⁵ <https://www.local.gov.uk/publications/working-partnership-how-councils-can-work-voluntary-and-community-sector-increase>

SECTION 8

Section 8 – Democratic innovations and processes

The CA may be in a position to consider larger scale public engagement and deliberative participation processes such as Citizens Assemblies or Citizens Juries, as part of a long term strategy or a policy development¹⁶. They are enabling and empowering, with the potential to give participants real agency over the way a policy is designed and implemented, as well as scrutinised.

These are more likely as part of the longer-term strategy in a CA, and are increasingly not simply seen as ‘one off’ events, but as a deeper commitment to a process, developing an ongoing ‘infrastructure for democracy’ in the long term. This means that they can be embedded in the way authorities work.

Public participation on this large scale will suit the complex challenges the CA and its partners have. The methodology enables a representative group to be brought together across the region to meaningfully consider the issues. Participants can have an informed debate, reflect on the trade-offs and make meaningful recommendations to the CA, which reflect more meaningfully the systemic and complex issues that a CA faces.

As a result, the public become more invested in the process, the decisions, and the implementation, and will want to see what has changed as a result. They can, provide the opportunity to position scrutiny throughout a process, as well as ‘post- event’ scrutiny, further into the public domain¹⁷.

However, the challenge is they take significant resources to deliver, and have a high profile, which may or may not be helpful. They can create over-expectations of what is possible to influence. Evidence of their longer impact is still being developed.

Section 8 Summary

Democratic innovations

Other public deliberative processes to explore complex issues can be a good approach for the CA including Citizens Assemblies, and can play a role in wider scrutiny of the CA. They need careful consideration and resourcing to do well, but the rewards and agency they create for participants, is high.

¹⁶ <https://www.local.gov.uk/topics/devolution/devolution-online-hub/public-service-reform-tools/engaging-citizens-devolution-3>

¹⁷ <https://www.climateassembly.scot> – Weekend 8 Members considered the Governments response to their recommendations

Useful links and examples:

- Citizens Assemblies and Citizens Juries from the LGA
<https://www.local.gov.uk/topics/devolution/devolution-online-hub/public-service-reform-tools/engaging-citizens-devolution-3>
- The North of Tyne Citizens' Assembly on Climate Change saw fifty citizens in the region come together to discuss how the region can combat climate change.
<https://www.northoftyne-ca.gov.uk/projects/citizens-assembly-on-climate-change/>
- Waltham Forest have established a governance mechanism where they report back twice a year to assembly members and get feedback on impact
https://www.walthamforest.gov.uk/sites/default/files/202111/KD_WFCA_Recommendations_Report_FINAL_B%20%281%29.pdf
- Newham Council - have launched the first 'standing' assembly – committing to regular meetings not just a one off event - <https://www.newham.gov.uk/news/article/656/newham-launches-the-country-s-first-permanent-citizen-s-assembly-this-weekend>
- Scotland's Climate Assembly - <https://www.climateassembly.scot> - Weekend 8 was undertaken to consider the government's response to their recommendations and showed the value for the assembly members to ongoing scrutiny, even though the assembly itself came to an end.
- UK citizens assembly tracker from Involve – see what's happening in the UK.
<https://www.involve.org.uk/citizens-assembly-tracker>

Other useful links:

- On a more theoretical level, the OECD document on models of institutionalising deliberative processes can help in thinking of different typologies of spaces that can be embedded to allow for this assessment of implementation and impact
<https://www.oecd.org/gov/open-government/eight-ways-to-institutionalise-deliberative-democracy-overview.pdf>
- This is an interesting example of an approach to ‘doing with’ people - not ‘doing to’ people.
<https://www.youngfoundation.org/our-work/publications/london-civic-strength-index/>

The CfGS have a range of guides available – this may be helpful:

<https://www.cfgs.org.uk/wp-content/uploads/Social-Value-Matters.pdf>

Housing, Communities and Local Government Committee - Progress on Devolution in England:

<https://publications.parliament.uk/pa/cm5802/cmselect/cmcomloc/36/3610.htm>

Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities May 2019 -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800048/Statutory_Guidance_on_Overview_and_Scrutiny_in_Local_and_Combined_Authorities.pdf

Ensuring Full Participation in the Delivery of Scotland’s AI Strategy. An international case study and rapid literature review. Publication in Progress. January 2022. Democratic Society

EIT Climate-KIC, and Democratic Society. 2020. “Healthy, Clean Cities Deep Demonstrations Leuven. Deliverable 2: Engagement and Activation Overview (Unpublished).” Leuven: Democratic Society and EIT Climate-KIC.

The young foundation – more information on participatory research -

<https://www.youngfoundation.org/wp-content/uploads/2020/10/TheYoungFoundation-PeerResearchInTheUK-final-singles.pdf>



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