**County and Unitary Councils’ Officer Overview and Scrutiny Network**

**Minutes**

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| **MEETING** | **COUNTY & UNITARY COUNCILS’ OFFICER OVERVIEW & SCRUTINY NETWORK** |
| **DATE** | **FRIDAY 10 MARCH 2023, 11.00 AM – 1.05 PM** |
| **VENUE** | **VIRTUAL (MICROSOFT TEAMS)** |
| PRESENT | John Cade (Chairman), Paul Thistlewood (Secretary), Mel White (Minutes) (Isle of Wight), Chris Angus (Northumberland), Amy Bridgewater-Carnall (Warwickshire), Katherine Bailey (Suffolk), Andrew Clayton (Milton Keynes), George Dare (Dorset), Marco Dias (Oxfordshire), Tom Fowler (Buckinghamshire), Gennie Holmes (Coventry), Theresa Harden (Suffolk), Martin Jenks (East Sussex), Mark Pirnie (Southampton), Earl Piggott-Smith (Wolverhampton), Ross Pike (Surrey), Peter Randall (Norfolk), Zach Simister (Staffordshire), Michael Turner (Medway), Martin Stevens (Wolverhampton), Chris Ward (Buckinghamshire), Danial Webb (Herefordshire), Rachel Allan (West Sussex), Teresa Buckley (Torbay), Charlotte Cameron (Peterborough), Andrew Carswell, Jessica Hall (Newcastle), Helen Taber-French (Suffolk), Joana Greenshaw (Hertfordshire), John Greenbank (Blackpool), Laura Noonan (Wolverhampton), Lee Booker (Wolverhampton), Mark Beeley (Windsor & Maidenhead), Kate Mcloughlin (Newcastle), Michaela Green (Bath), Sam Parker (Lancashire), Mandy Pattinson (Staffordshire), Sean Nicholson (Northumberland), Simon Evans (Lincolnshire), Antony Spouse (Hull), Rebecca Saunders-Thompson (Stockton), Jane Garrard (Nottingham City), Martin Elliott (Nottinghamshire), Robert Close (East Riding of Yorkshire) |
| GUESTS | Ed Hammond (CfGS) |

1. INTRODUCTION BY THE CHAIRMAN AND HOUSEKEEPING

The chairman welcomed all parties and the secretary to the network gave an outline of the proceedings for the virtual session.

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 2 December 2022 were noted.

1. PROGRESS WITH THE HEALTH AND CARE ACT 2022

Ed Hammond (CfGS) provided an update and advised that guidance was due to be coming in July but now has no date associated. Patricia Hewitt had been commissioned by the government to undertake an independent review around integrated care systems which would return a precise picture going forward with regards to joint scrutiny arrangements.

Concerns were raised around the strength of accountability arrangements, joint working across multiple authorities with differing styles, appetite to look at issues across the region, limiting the ability for local people to have their say as well as fragile relationships with health partners.

There were already signals of an acknowledgement that NHSE would be consulting at place level. As an example, local ICS’s in Sussex were consulting together on the IC strategy which involved all Health and Wellbeing Boards and the NHS trying to work at place level in creation of a Joint Forward Plan.

Mention was also made of the House of Commons Committee of Public Accounts report on Introducing Integrated Care Systems. This was critical of many factors involved in the approach and made a number of recommendations to Government departments and NHS England.

1. CENTRE FOR GOVERNANCE AND SCRUTINY UPDATE

Ed Hammond provided an update on the centre’s activities:

* Planning for elections was ongoing and CfGS were highlighting to councils the challenges with political transition. Helen Mitchell has written a blog on the CfGS website – *Tales of the Unexpected - Preparing for the twists and turns of 2023 election results and how the CfGS can help*. Thinking about day one/week one with a new administration and the impact it could have on scrutiny. It was recommended that scrutiny officers should get involved with the planning as they hold a lot of political insight.
* CfGS had been ramping up support around member induction and training on scrutiny, Ed advised there was the potential for training to be subsidised by LGA.
* CfGS Annual Survey open until the end of March and created a great opportunity to highlight issues and strengths.
* CfGS Annual Conference is on 14th June 2023. It had been moved from winter to mid-summer due to a clash with ADSO conference, which gives individuals the opportunity to do both. The agenda is on the website with further announcements in the coming weeks.
* Publications on a definitive guide to call in, review of council constitutions and schemes of delegation were due very soon.
* Publications on combined authorities to come in April, operation of full council meetings to come in May and member access to information in the summer.

Struggles with completing the annual survey were raised as the questions were simple, but answers more complex due to a lack of consistency with the engagement of individual cabinet members and committee members in an authority. Ed advised to utilise the free text boxes or email separately with any additional content. The issue of inconsistency had already been highlighted through the responses so far.

The importance of planning when an administration changes after an election was raised. Even with a fair amount of planning, training was required across the board as there could often be a huge impact on the culture of an organisation with senior officers unprepared for a change in how a portfolio might be led. There was naivety that business would carry on as usual, but relationships had to start again and training highlighted the need to prepare staff for a potential shift.

1. SCRUTINY IN DEVOLUTION DEALS

Discussion took place regarding the devolution deal in Manchester, with government wanting to come up with an accountability framework, which would likely have a scrutiny protocol connected to it.

There is currently no clear role for scrutiny going forward with any devolution deals. The Levelling Up and Regeneration Bill is slowly going through government and, as yet, no one knew the devolution framework.

1. SCRUTINY AND CONFIDENTIAL DOCUMENTS

Discussion took place regarding how often scrutiny committee members are denied access to commercially confidential or sensitive information. Ed Hammond advised that this frequently happened due to a lack of understanding of members rights by senior officers. Sometimes members expectations are unreasonable, but secrecy creates problems – look at authorities such as Croydon, Thurrock, Slough, Liverpool which all had significant weaknesses. It should be a widely understood requirement to provide commercially sensitive information to members.

Discussion points were raised regarding access to information after a change of administration, the role of the monitoring officer in offering impartial advice and members having to result to submitting FOI requests to gain access to information.

1. ASK THE NETWORK

Jane Garrard of Nottingham City Council raised a question regarding how to bring a sensitive topic to a scrutiny meeting as councillors were interested in the commissioning of services relating to gender identity in children and young people.

Gennie Holmes of Coventry Council raised a question regarding how to best to scrutinise when an external organisation goes into administration that had senior officers and members as trustees.

1. FUTURE MEETINGS

Thanks were given to Secretary Paul Thistlewood for his steering of the network through it’s different iterations. Thanks were also given to Megan Tuckwell for her assistance with organising the meetings, writing minutes, distributing papers and queries.

Discussions had taken place with someone who had expressed an interest in taking on the role of Secretary and there would be a future discussion with CfGS regarding administration support arrangements.

The dates of future meetings were 30 June, 8 September and 1 December 2023. All would commence at 11.00am and be virtual. Suggestions for future agenda items were welcomed.

1. TRAINING SESSION – Skills in Reviewing and Understanding Performance Information

Ed Hammond provided training on the ability of scrutiny members to use and look at performance information effectively.

Key questions:

* How is performance information currently available to members?
* Is there confidence that members use performance information effectively?
* What is the performance culture of the authority, how is information used by officers, Cabinet, management teams etc.?
* What do members in scrutiny need to do with that information?

Local authority practice is very variable. Members/Chairs tend to shy away from criticism and so officers need to be more sophisticated with how they present performance data as the maturity of data has reduced.

Scrutiny members need to challenge overall approach to performance management – why are we collecting data like this, why is it being presented like this, why are we reporting in this way?

Members need to understand the outcome of what the performance data is trying to achieve, what is the purpose?

* Holding the Executive to account for poor performance?
* Holding officers to account?
* Reviewing the impact on risk?
* Understanding financial implications?

It’s important to have a commonly held view of what information is required and what is going to be done with it.

What are some of the challenges?

* members that want to pick on ward related topics and operational detail rather than the key things that can make the most difference
* members can be overtaken by visible issues rather than focusing efforts on greatest risks or issues – problem with prioritisation.

CfGS suggested performance information be made available when prepared and used informally to determine what matters should be escalated for formal discussion on the scrutiny committees work programme. This would highlight substantive issues and allow the committee to dig into a specific matter and plan the approach.

The key step that comes before this is understanding the quality of data at the start. A critical element is to have conversations with senior officers, S151 officer and the Monitoring Officer alongside committee Chairs.

Start the conversation rolling, determine how to work together, ensure timely information and craft a work programme that reflects the challenges the authority are facing right now.

The meeting closed at 1.05pm.