

Report of a short review of scrutiny at Slough Borough Council

Progress and areas for further improvement in the overview and scrutiny function

March 2024

Report purpose

This report is based on a rapid review of scrutiny. Its aim being to assess its progress and its impact since changes were made to its operating model and following changes after the May 2023 Elections.

This report aims to show how scrutiny is developing, where it is progressing effectively and adding value and equally to highlight areas that need further support or consideration by the council if progress is to be sustained.

We recognise that as part of the council's governance, scrutiny has a vital role in accountability and assurance. And that its ability to prove it can robustly deliver these is an essential characteristic of a successful and stable future council.

Background

The Centre for Governance & Scrutiny CfGS has been engaged by the council and supported by LGA to strengthen scrutiny as part of governance at the council. It began with an initial review of scrutiny and a set of recommendations designed to provide a new focus and concentration on scrutiny's role in aligning and supporting the corporate recovery and improvement plans. As part of the CfGS-recommended redesign, scrutiny moved to a single committee structure. This would have a clear work plan and agenda primarily to hold to account the Council's Cabinet and Corporate Leaders for the delivery of the council's recovery plans.

This single committee structure and its new remit, along with a scrutiny protocol was adopted by the Council at its meeting after the May 2023 council elections.

The election outcome itself brought a fresh set of challenges including new Chair with no scrutiny experience and several new Members to the committee, including a significant proportion of first-time councillors with no scrutiny experience. To get scrutiny up and running again, along with the training and development needs of new members, meant that there was effectively a need to 'reset and go again', which inevitably lost some time and traction. However, it is pleasing to report that Members have embraced the task and have shown a determination to crack on.

Process

This review was undertaken during late January and early February 2024 and involved conversations with Members and Officers, observations of meetings, including planning and preparation meetings and consideration of supporting documentation. At that time, a new committee chair was holding his first meetings.

Summary

Scrutiny is steadily improving after a fairly slow start. There are a number of contributing factors to this.

- New, and inexperienced councillors
- A period of uncertainty after the election
- Learning needs of the committee
- Effectiveness of corporate level support

However, this has been offset by some important positives.

- Good commitment from most of the committee members
- Stable and generally positive committee operating culture
- Excellent cross-party working
- New Chair has key skills and capacity to effectively lead and chair scrutiny – he appears to act apolitically and is improvement-focused
- Excellent support by Scrutiny and Governance officers

Our rapid review therefore concludes that scrutiny has many of the essential characteristics for it to continue to develop and improve. But this can only happen if scrutiny operates in a core, not peripheral space and that there is whole-council support to make it work in the medium and long term.

Gains so far

It has not been an easy transition for the council, not just scrutiny members, to move from multiple scrutiny committees to just one, with many questions about why it would help recovery and how it could deliver greater impact. Doubts and resistance was experienced by Officers as well as Members, and there are constant pressures to push for more capacity.

However, it is fair to say that scrutiny committee Members and Officers have worked hard to implement the new scrutiny model within the council's limited resources and there is now a greater sense of purpose and improved behaviours which is underpinning scrutiny's progress. The benefit of senior councillors, who also have a clear understanding of the challenge and experience of Cabinet, have also been an important asset to scrutiny.

Greater preparation including methodically using pre-meetings and briefings has meant that scrutiny is better equipped and ready to function. Recent meetings have shown how this improved structured preparation has resulted in better organised scrutiny in the meeting itself. More of this methodical planning and preparing will certainly lead to better outcomes and greater impact.

With substantially a new set of Members, working in a streamlined structure with clear tasks and responsibilities and supported by a new scrutiny protocol, scrutiny has had a lot to take on. On balance it has made some visible progress and can go further.

The Corporate Improvement Scrutiny Committee has been just 10 months in operation. It was given the remit to focus on supporting delivery of the Council's recovery and improvement programme, scrutinising policy, financial and performance issues.

Predictably, its principal challenge has been agreeing its committee agenda and work programme. Deciding what to scrutinise and what can wait or be redirected elsewhere. It has not been straightforward. The committee is trying to be brave and reject what might be subjects with compelling reasons to include, but do not fit its selection criteria that must follow its overarching objective. This has been especially hard as meeting agendas are also designed to avoid over-burdening with too many items, aiming for just two per meeting, to provide enough time for considered and thorough scrutiny.

Sticking with the guiding principles set out in its agreed remit, the committee and its supporting officers have done particularly well to craft a work plan and agendas which overall align with corporate and financial delivery plans.

It has also made a reasonable attempt to scrutinise the budget scrutiny process and proposed budget, but it has realised the unavoidable reality that this requires early engagement, planning and resources for this to be meaningful and effective. It can work, and should form part of the committee's priorities. But it will require corporate officer support and a real intent in order to get the process off the ground early enough in future years. It will need sufficient top-level buy-in and consistent understanding from Executive Directors and Cabinet Members, to make it impactful.

The current committee chair took up the post in December and has enthusiastically picked up the reins. He has equipped himself with good skills, training and mentoring and is clearly determined to do a good job. He has been keen to engender a positive scrutiny culture which can work objectively and cross-party. He also appears to be accepted as a 'good chair' and in small but perceptible ways is having a positive effect.

Behind-the-scenes support by scrutiny officers and others to both recent Chairs of the committee, both of whom have experienced a steep learning curve, has been essential and valuable.

Members recognise that scrutiny must be a protected, safe space for it to openly test and challenge the council's leadership. Our assessment is that the council's leadership, in principle, recognise the importance of a collaborative and constructively challenging relationship. This needs to be a golden rule for the future success of scrutiny.

The CISC Chair, committee members and Scrutiny Officers have realistic ambitions for the continued growth and value contribution of scrutiny, which will support the council's recovery plans over the coming years. They have set out their plan in this year's Scrutiny Annual Report. If these plans can be delivered – noting that this requires both sufficient investment by the council in this function and a focused effort by all councillors involved – then SBC's governance will be enriched accordingly, during and beyond the duration of the current government intervention.

Work still to do

The new CISC is not the finished article and has still some way to go. But from a standing start the committee has done more than could have been reasonably expected and, in some ways, exceeded expectations.

Our observation is that Member engagement and contribution is widely variable and some Members are less effective at understanding and questioning or following the Chair's lead and respecting his authority. Some Members will need further support to ensure they are able to positively participate. Members also need to ensure that they build their own understanding of the issues in front of them, to do some independent research and spend time preparing for the meeting itself.

There is still too much agenda drift, Members pursuing ward or personal issues, irrelevant interventions, and repetition, which wastes time and deflects the committee's attention.

The Chair will need to increase efforts to ensure these behaviours are managed and that the committee remains on mission.

Membership of the CISC is an important role and it may not suit everyone's interests or skills. Appointments and performance are a matter for the Group Leaders. We would suggest that appointments are made by the Groups after careful consideration of suitability and capacity. Overall committee success and impact is dependent on the performance of its Members. Group Leaders may wish to reflect on how they can influence this.

The committee has not been as effective as it would like to be, and intends to be in the future, in scrutinising council finance. Unfortunately, the committee found itself frustrated as it became clear that it would not be able to scrutinise the budget in a way which could be described as 'best practice'. The lack of timely information and support to organise the committee to work on scrutinising the budget and the council's improvement and recovery plans and progress was unsatisfactory. The committee has clearly learned lessons from this experience and has set out strong plans for scrutiny of the council's budget and financial position over the coming year. It will need support from relevant corporate directors to allow this to happen.

We should highlight the difficulty the committee has experienced in finding a place for itself inside the council's recovery process. This may however, reflect the issues with the organisation's overall approach to transformation, which were referenced by the Commissioners fourth report.

In the near future, several new senior corporate directors and Chief Executive are about to join the council. Along with the existing Corporate team, an important question needs to be addressed along the lines of; how will they ensure that scrutiny is able to play a full and active part in the development of the corporate and financial recovery plan and the next phase of transformation? The scrutiny function, as part of overall governance, needs to be more integral and be given higher corporate priority.

There has been significant frustration by the committee over availability of information, timing of reports and overall level of from Service and Corporate Officers. Whilst recognising the considerable pressure that is present across the council, scrutiny outputs are very much dependent on the support and inputs it receives.

The Committee and its Chair has a reasonable relationship with Cabinet. This is essential and could be improved through more structure dialogue to agree common objectives and areas of collaboration. The relevant Cabinet member should attend every CISC meeting and to be the focal point of scrutiny questioning and accountability. Currently there is an over emphasis and dependency on officer input and explanation. Clarity around the role of the Cabinet member (accountability and assurance) and Officer (advisor) would be useful to ensure that meeting focus is clear.

The committee needs to resist overextending by trying to spread too widely and therefore more thinly, and to avoid calls for extra committees. The committee has yet to reach its full potential and needs to demonstrate that it is adding value and impact.

It already has capacity to use task and finish groups to take on short deep-dives into issues where it feels greater understanding or additional original evidence gathering would be wise and beneficial. Pilot exercises have now emerged as a series of T&Fs projects which have shown clear progression in their complexity, focus, member-led activity and value, matching the progression of the scrutiny members' learning as the year has passed.

This has demonstrated that a clear, structured and realistic approach has been taken, building rigour and capacity. These basic principles in good task and finish work, largely due to single issue focus, needs to be more consistently applied in the committee itself.

The committee must be disciplined about its work programme, and apply strict prioritisation to select what it will scrutinise or leave out. They will need to accept that they cannot, and should not try to cover everything, but to identify the strategic issues that will drive improvement and change. This requires a clear rationale and self-discipline to avoid being overwhelmed by issues that claim to be essential to recovery.

We would recommend that work planning undertakes a filtering process for subject inclusion based on the recently-introduced methodology, that can help to provide suitable weightings for selection.

The committee and its Chair will need to be wary of being swayed by issues which are arising as areas of concern amongst councillors, even if they are affecting multiple wards, and maintain a rigorous process of selection for scrutiny work programmes and agendas. The committee needs to accept that in the short term its focus must be on recovery and transformation even if this is to the exclusion of other issues. The committee might wish to

consider how it approximately divides its time, perhaps setting allocations such as 40% financial recovery, 40% transformation 20% for the wider issues regarding policy change or pan-borough issues.

CISC needs to strengthen its recommendations and feedback to Cabinet and its tracker system needs to be more closely monitored to ensure that there is follow-through and accountability for the recommendations. The loop needs to be tighter.

Recommendations for further improvement

1. CISC to maintain its core objective and purpose to support the corporate improvement plans, transition and financial recovery through strong and objective scrutiny. And to resist in the foreseeable future any expansion of the scrutiny committee structure.
2. CISC Members will need to engage with the next phase of learning and development opportunities.
3. A focus through the Annual Scrutiny Report should evidence progress against objectives. In addition, it should also include clarity around the statutory duties regarding Health, Crime and Disorder, Education etc.
4. Cabinet role at scrutiny committee should be clarified and working arrangements with scrutiny Chairs/Vice Chair formalised.
5. Scrutiny's role in MTFP and budget planning should be factored into the timetable with appropriate support.
6. It is essential the Corporate Leaders present a consistent and resolute position on the importance of scrutiny within the organisation. Top-level support will also drive the necessary closer support by senior officers and their staff. It will build upon an agreed understanding on how scrutiny needs to be supported with information, reports, advice and expert briefings etc. This should be further developed and agreed. New senior leaders in key corporate roles should offer a plan of support and engagement for scrutiny to show how it will be supported in future.
7. Reports and information supplied to scrutiny should not be overburdening or too technical. There should be an understanding that scrutiny members are not experts in many of the subjects in front of them. To be effective in their task they need the appropriate tools.
8. Scrutiny work programmes should show a clear alignment with the council's corporate improvement plans and have a mechanism for subject selection and prioritisation – it needs to 'show its working out'. We note that some work on this has already started.

Conclusions

Slough need good effective scrutiny and there is lots of effort to try to make that happen. Despite its challenges, set-back, gaps in corporate support and size of its task, the CISC has worked hard to get to a reasonable position in a short period of time. It is not currently working at the level required, and it will need to be a more integral part of the council, supported and let-in to function better. It has weaknesses in its capacity and member engagement and there will be a limit to how much training and development can change this. However, many of the characteristics of good scrutiny are already present in terms of structure, process and culture and there is clearly some very experienced Members on the committee, although currently limited. The building blocks for improvement are in place and are beginning to become embedded. However, to have greater impact, it needs more time (months) and support to deliver much more.

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