

Slough Borough Council

Information needed	Details
Report To:	Overview & Scrutiny Committee
Date:	23 April 2023
Subject:	Draft Scrutiny Annual Report 2022/23, including Scrutiny Progress Report by Centre for Governance and Scrutiny (CfGS)
Chief Officer:	Stephen Taylor, Monitoring Officer
Contact Officers:	Alexander Polak, Head of Governance and Scrutiny and Statutory Scrutiny Officer Michael Edley, Scrutiny and Governance Officer
Ward(s):	All
Exempt:	NO
Appendices:	A: Draft Scrutiny Annual Report 2022/23 B: Slough Borough Council Scrutiny Progress Report March 2024 - Centre for Governance and Scrutiny (CfGS)

1. Summary and Recommendations

- 1.1 The purpose of this report is to provide the Overview and Scrutiny Committee with an opportunity to comment on and endorse the Draft Annual Scrutiny Report 2022/23 (appended) which will be submitted to Council. A progress report by the Centre for Governance and Scrutiny (CfGS) is appended, and their recommendations have been incorporated in the action plan for endorsement.

Recommendations:

Committee is recommended to:

- (a) *Note the Slough Borough Council Scrutiny Progress Report produced by the Centre for Governance and Scrutiny, and its recommendations;*
- (b) *Endorse the draft Scrutiny Annual Report 2022/23 as final, including the proposed response to the CfGS recommendations on pp18-19 of Appendix A; and*
- (c) *Recommend to Council:*
 - 1) *that the Scrutiny Annual Report 2022/23 be noted and the progress made by the Corporate Improvement Scrutiny Committee be commended; and*
 - 2) *that the Corporate Improvement Scrutiny Committee's response to the CfGS Recommendations (on pp.18-19 of Appendix A) be endorsed.*

Reason: It is a requirement of the constitution that a Scrutiny Annual Report be presented to Council, and an external review has recently been conducted so that this can be well-informed. The Annual Report is important evidence for Members, the public and Commissioners of the work of the Overview and Scrutiny function during 2022/23. It is critical that councillors understand the function and value that scrutiny is intended to have during the council's current financial and governance crisis, and that all members take an active role in its continued improvement.

DLUHC Commissioner Review: *Commissioners recognise that improvements are being made in the way that the committee contributes to the effective governance of the Council. The Council knows that much remains to be done but members are to be congratulated on the progress achieved to date.*

2. Report

- 2.1 Overview and Scrutiny is an important part of the Council's governance arrangements. It is a requirement of the constitution that an annual report about scrutiny's business be presented to Council. The draft Annual Report 2022/23 is appended to this covering report. It is self-contained and self-explanatory.
- 2.2 As covered in more detail in section 2 of the appended draft Annual Report 2023/24, Commissioners appointed by the Secretary of State are currently monitoring, as part of a suite of Directions made to the council, the Council's progress on achieving "improvements in relation to the proper functioning of the scrutiny function". The Annual Report is important evidence for Members, the public and Commissioners of the work of the Overview and Scrutiny function during 2023/24, and how the council intends to sustain its improvement trajectory.
- 2.3 In January 2022 The Centre for Governance and Scrutiny (CfGS) conducted a review of Slough Borough Council's overview and scrutiny arrangements. Their [final report](#) was presented to the council's Overview and Scrutiny Committee in [November 2022](#). [Their report](#), and [the council's covering report](#) which accompanied it, together provide important context for today's item including criticism of SBC's scrutiny function by various governance reviews going further back in time.
- 2.4 CfGS' recommendations and the accompanying '[scrutiny improvement action plan](#)' (produced by the current Statutory Scrutiny Officer) were endorsed by the Overview and Scrutiny Committee on 17 November 2022 and by [Full Council on 22 November 2022](#).
- 2.5 Accordingly and following further cross-party design work, a new scrutiny committee structure and terms of reference for a Corporate Improvement Scrutiny Committee were agreed at the May 2023 Annual Meeting of the council. This was the first AGM following an all-out election and change of administration.
- 2.6 Success of the Scrutiny Improvement Action Plan as presented in November 2022 was to be assessed and verified by two main methods: a new annual survey of councillors, and a follow-up review by the Centre for Governance and Scrutiny (CfGS).
- 2.7 Therefore:
 - Appendix A includes comparative results of the two member surveys carried out at either end of 2023 (i.e. before and after the election, change of administration, and implementation of new scrutiny structure).
 - Appendix B is a report of a follow-up review conducted by CfGS in January 2024.
- 2.8 The draft annual report sets out a number of other sources in addition to these, including feedback from committee members, officers and commissioners.
- 2.9 Based on all of the above sources, Appendix A then sets out next steps for the continued and sustained improvement of the council's overview and scrutiny function..

3. Implications of the Recommendations

3.1 Financial implications

3.1.1 None

3.2 Legal implications

3.2.1 The Council has a duty to provide Best Value and the government has published [draft Best Value guidance](#) against which the council expects to be measured. This mentions the effectiveness of scrutiny arrangements. The Council must also be mindful of the [Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities](#) published by what was then the Ministry of Housing, Communities and Local Government in May 2019, and the legislation on which this stands, when considering the design and effectiveness of its scrutiny function.

3.3 Risk management implications

3.3.1 The risk of either not endorsing an annual report or of endorsing a substandard or incorrect annual report is primarily of reputational damage to the council. Furthermore the risk to the council of having a substandard scrutiny function is substantial even without it being the subject of one of the [specific improvement directions made by the Secretary of State in December 2021](#).

3.4 Environmental implications

3.4.1 None

3.5 Equality implications

3.5.1 None

4. Background Papers

None

5. Appendices

A: Draft Scrutiny Annual Report 2022/23

B: Slough Borough Council Scrutiny Progress Report March 2024 - Centre for Governance and Scrutiny (CfGS)