

Scrutiny New Ways of Working – FAQs

Version: 24th October 2017

This document brings together the majority of questions raised by members and officers regarding the new ways of working for scrutiny. It is however not exhaustive and so we anticipate that this will grow and be refined as the new ways of working are trialled through-out the year.

OVERVIEW

Why are you reviewing scrutiny?

The feedback from a number of Elected Members and endorsed by the Mayor and Party Group Leaders was that the model of Scrutiny in Bristol was not delivering the best outcomes for residents and was not functioning effectively or efficiently. OSMB agreed to undertake a review of Scrutiny but were not clear on how best to progress. The proposed model emerged from a series of hot-houses and OSMB meetings held from February to July 2017. The key issues emerging from the hot-house were:

- Scrutiny only being involved right at the end of the process, with limited ability to influence
- Doing too much with too little detail – box ticking
- Scrutiny activity being taken up with briefings / information sharing rather than scrutiny work
- Lack of Forward Plan making scrutiny planning complicated
- Need to consider the best use of decreasing resources across the organisation

In summary, what are the key parts of the model being trialled?

- The work programme is to be set by OSMB using a prioritisation exercise to ensure activity will deliver outcome focused scrutiny
- Scrutiny activity to use task and finish groups work combined with formal OSMB meetings to be able to a) respond quickly to arising issues (form task and finish groups quickly), b) be able to carry out in-depth policy development work at the early stages of policy formation, c) be able to deep dive into areas of concern/risk swiftly
- The topic to shape the type of scrutiny activity required, which could include formal public meetings, informal meetings, working groups, select committees or inquiry days – this will be decided by the members of each group, supported by Scrutiny Advisors
- All non-executive members are able to be part of the task and finish groups with the level of meetings, duration etc. being shaped by members in conjunction with Scrutiny Advisors - the level of interest will determine how each group will operate. A pro-forma has been developed to help ensure that all meetings contribute to the agreed objectives and outcomes.
- The work programme priority areas to be constantly assessed (formally at each OSMB meeting) and there will be a live list of topics (raised by members and officers) reviewed at every leads meeting, and at every OSMB meeting as a standing item (with resources redistributed accordingly)
- Monthly OSMB to receive update reports on all task and finish activity, these reports to form a monthly e-briefing to all Members, and published on the website
- There is no change to the mechanisms for scrutiny to be able to summon Members of the Executive and Senior Officers to give account (as set out in the Constitution) and to make referrals/reports to Cabinet. There is also no change to the call-in process and scrutiny call-in procedures.

How has the new approach been communicated to officers and members?

- The members of OSMB have been the main communicators with their groups on the changes and should have been regularly talking to key group officers and other members
- 2x Member Briefings were held in July (24 members attended) and the slide deck issued to all members.

- Mayor and Party Group Leaders (PGL), Whips and OSMB members, as well as any other interested members, were invited to attend all the hot-house sessions and also had an open invitation to attend any OSMB meetings.
- Mayor and PGL received a briefing on the development of the procedures in May 2017 and also on 5th September where they agreed to support the roll out of the new ways of working on a trial basis.
- Update emails have been regularly issued to Strategic Leadership Team (SLT), Service Directors and relevant Service Managers. SLT have not participated in the development of the new ways of working as this is a member-led process.
- Members have also worked closely with relevant Service Directors (or their nominated representatives) to develop the T&F scopes, however further work is required to ensure awareness across the officer group.
- The Mayor and Deputy Mayor have had periodic briefings from the Chair of OSMB and Statutory Scrutiny Officer.

TASK AND FINISH - HOW WILL THIS WORK?

How will the Task and Finish (T&F) groups operate?

This area is expected to evolve rapidly as this is tested through September and October 2017. This is a member-led process and each T&F will be shaped by the members of that group and also the topic being explored.

- When a topic is agreed for a task and finish group a chair will be confirmed. The chair will work to develop a scope with Scrutiny Advisors and other interested members.
- All non-executive members will have the opportunity to express an interest in joining a T&F group, although it's important that the Task and Finish groups remain of a manageable size in order to work effectively..
- Once membership has been confirmed, the Scrutiny team will work with members to set up the most appropriate structure of meetings / scrutiny activity (working group / inquiry day etc.). In some cases this could be a very short-term piece of work (e.g. one meeting to examine an arising issue).
- Meetings will be informal (not public) unless otherwise agreed by members of the group and will not have formally published papers or minutes.
- Relevant departmental officers will be asked to attend meetings when appropriate. Expert witnesses may be invited to attend meetings depending on the context. Members may wish to invite other stakeholders and/or interested parties (e.g. representatives of local service user groups) to attend and participate in meetings.
- Regular monthly updates will be i) reported to OSMB ii) uploaded to the Council webpage and iii) provided via an all member e-briefing
- A pro-forma has been developed to enable this to be structured and to help keep all meetings productive and within scope.
- All final reports/recommendations of the groups will be reported to OSMB, as the commissioning scrutiny body, before submission to Cabinet or appropriate forum, and will be substantive items at OSMB.
- The aim is that T&F groups run for as long as required to make recommendations

How have the current scopes for the T&F groups been developed and evolved?

The high-level scopes for the first set of T&F groups have been drafted by members, in discussion with service leads and agreed by OSMB. Any significant changes to these must be brought back to OSMB for approval. Each scope has been developed to achieve specific outcomes. The scope may evolve as the work of the group progresses however the group must always link back to the terms of reference and demonstrate the outcomes achieved against these.

HOW WILL WORK BE PRIORITISED FOR SCRUTINY ACTIVITY?

How will OSMB choose and prioritise issues for the 'short list'?

- OSMB may wish to use a prioritisation tool to help determine how items are prioritised for scrutiny activity.
- Every month OSMB will review the 'live' list of all items and reprioritise and reallocate resources accordingly. If an agreement via discussion can be made then a vote will be taken and the majority view will be carried.
- At the beginning of each municipal year it is proposed that a canvass of all members and potentially other stakeholders (youth council etc.) be carried out to create a long list of items. All non-executive members will then have the opportunity to digitally vote for the items they think should be a priority for scrutiny activity. This process aims to try and bring as many members as possible into the process of deciding the priority areas of scrutiny.

Where will subjects such as performance information and risk registers now be published and scrutinised, how will we know if we are missing something?

It is proposed that for each OSMB meeting a set of standing information papers be included. This could include items such as:

- Mayor's Forward Plan, latest budget forecast report, latest performance reports, latest consultation reports and risks registers, Mayor's Cabinet portfolio's etc.

Members will then be able to see if there any areas that should be flagged for potential scrutiny activity. Periodically these items will be substantive items on the OSMB agenda to enable more detailed review and scrutiny.

What is the process for reporting back from OSMB to ensure all members are kept abreast of progress on the task and finish group work?

- There will be a monthly written update to OSMB (published with the OSMB papers) from the chairs of the T&F groups supported by Scrutiny Advisors. The update will also be circulated to all Members.
- Chairs (or their nominated reps) will be required to verbally present their update at each OSMB meeting.
- Final reports and recommendations from task and finish groups are to be substantive OSMB agenda items prior to submission to Cabinet or appropriate forum. The relevant Cabinet Member will be requested to attend for the presentation of the recommendations.
- All reports are to be checked by the Scrutiny team who will liaise with legal/finance etc.

What is the process for urgent/arising issues (from officers and members) for consideration by Scrutiny?

Members can flag urgent/arising issues via

- a) Email to scrutiny@bristol.gov.uk and the Scrutiny team will ensure this is circulated to OSMB members
- b) Contacting any of the members of OSMB who will pass this to the Scrutiny team
- c) Raising the topic at an OSMB meeting

There is to be a standing agenda slot for arising items at each OSMB meeting. OSMB can then a) agree that the item is of such priority to set up a T&F group immediately b) to include this on the list for the monthly review of the work programme c) ask the Scrutiny Advisors to undertake research into the item raised and bring this back to the next OSMB meeting for further consideration by OSMB.

The Scrutiny team maintain a 'live' list of topics. This includes all topics raised as part of the work programme setting but also any topics that are raised by members and officers. This list will be circulated each month as part of the OSMB papers.

How will the proposals make up for the loss of breadth of scrutiny topics that we had under the previous system?

There was general view from members across the board that the number of topics coming to scrutiny over the previous year (over 177 items) did not allow for in depth analysis. In addition, the

Local Government Association (LGA) and the Centre for Public Scrutiny (CfPS) advise that it is more effective to focus on fewer topics in more depth in order to improve outcomes and add value.

CHAIRING AND MEMBERSHIP OF GROUPS

Choosing members for Scrutiny Groups – how will this work?

Initially OSMB were keen to open out the membership as wide as possible and then respond to the level of interest and evolve the process from there.

- An email has gone to all members requesting expressions of interest in the T&F groups
- Although political proportionality is not required it is important that there is political balance. It is important that everybody is aware that T&F groups are not party political methods of operation and indeed, their strength is that they harness the abilities and the experience of members across the political spectrum.
- Scrutiny Officers will talk to individual members about their availability and work with them and the chairs of the groups to set up appropriate structures.
- Where there is significant interest in a topic and a large number of Members come forward, then a discussion will take place involving the Whips and OSMB members, with support from the Scrutiny Advisors. Please note that this approach was not possible for some of the early Task and Finish Groups due to time constraints, but will be addressed in the future.
- If a situation arose where no members came forward for a group then this will be escalated to the party group Whips for their views.

Is it expected that once task group volunteers are found the expected members' time resource will be similar to before – i.e. 5 scrutiny bodies' meetings and inquiry days etc. is still expected?

Time resource will be dependent on the nature of the work, which will vary greatly between topics. However each task group will need to set its timeframe according to member's capacity and any time constraints.

What about duplication of work/skills already carried out by Scrutiny Commissions?

The Scrutiny team have access to all background work previously carried out by the Scrutiny Commissions and all reports are stored on Modern.Gov. Any T&F groups would be supplied with any previous work to avoid duplication. It is hoped that those members who were members of scrutiny commissions and were engaged in specific areas would be members likely to be interested in being members of the T&F group.

How will the chairing of the groups be decided?

The role of chair will first be offered to the current chairs and vice-chairs of Scrutiny who receive a Special Responsibility Allowance (SRA) for these roles. This has been endorsed by the Mayor and PGL and the Party Whips.

When there is more T&F activity than chairs available members of OSMB and other interested members can put themselves forward however this is with full knowledge that they will not receive an SRA for this work.

It is formally recognised that there are differences in the SRA rate between Chairs and Vice-Chairs however this cannot be changed until such time as the Independent Remuneration Panel has reviewed this and their recommendations have been debated at Full Council.

The chairs for the first set of T&F work are set out below.

Topic	Key: C = Chair, VC = Vice Chair, OSMB = OSMB member
Air Quality	Cllr Carey (VC)

Children's Centres	Cllr Keen (VC)
Council Assets (property)	Cllr English (C)
Council Commissioning and Contracts	Cllr S Clarke (VC)
Cribbs Patchway New Neighbourhoods	Cllr Brooke (OSMB)
Fire Safety in tower blocks	Cllr Charlie Bolton (OSMB)
Libraries	Cllr Negus (C)
MTFP & budget	Cllr Morris (C)
Parks	Cllr Johnson (VC)
Reducing Demand on Social Services – Adults	Cllr Brenda Massey (C)
Reducing Demand on Social Services – Children	Cllr Clare Campion-Smith (VC)
Youth Council	Cllr Keen (VC) and Cllr Brooke (OSMB)

Costs – How will the changes affect the budget? What about the SRAs budgeted for scrutiny? Will the new model be deliverable within the current budget envelope?

- For the current year it's proposed that those already in receipt of a scrutiny SRA i.e. Commission Chairs and Vice Chairs, will now Chair the Task and Finish Groups and thus there will be no change to the SRAs or budget position.
- With regards to the required officer time between the different ways of working this will be actively monitored by the Scrutiny team and shared as part of the work to evaluate the trial through-out 2107/18.

OFFICER SUPPORT

What support will be provided by Scrutiny Advisors for Task Groups?

The scrutiny team is formed of 2.6x Scrutiny Advisors – Johanna Holmes, Louise DeCordova and Romayne De Fonseka. They are responsible for the following:

- To set up, coordinate and support task and finish groups
- To liaise with officers and members to plan agendas and ensure delivery of work in a structured way
- Provide professional and impartial guidance and advice on best course of action in accordance with good scrutiny principles and within the groups terms of reference and the Council's constitutional framework
- Carry out desktop and other research as required
- Maintain a watching brief on milestones and relevant time constraints to achieve best outcomes
- Liaison with internal and external colleagues, including assisting members to identify appropriate expert witnesses where relevant and arranging for these to provide information to the group
- To manage all communications on behalf of the group which includes monthly updates to OSMB, updating of Council webpage and issue of an all member e-briefing
- Maintain a 'live' list of items raised by member and officers for potential scrutiny activity
- Identify dates for meetings, confirm diary appointments and book meeting rooms

Officers have stated that after the changes there will be the same amount of scrutiny team time resource as before. Is this live officer time with members? Or background work and admin?

After the staffing restructure there are now 2.6 posts to provide direct support, including background work and administration for the Scrutiny function. This is the only dedicated resource

for the Scrutiny function. It should be noted that some background work will always be essential to ensure the successful facilitation of the live work. The new Scrutiny way of working aims to make the maximum use of this resource and to minimise the amount of time on administration.

The Scrutiny team will be regularly reviewing the resource implications of the new model and feeding this into the feedback process.

Can you clarify the role of the Executive and Senior Officers in relation to Scrutiny? Is there anything that prevents them from refusing to answer questions or provide information?

The statutory position is set out in the constitution /including under access to information rules and this is not subject to change. Scrutiny maintains the ability to 'summon' the Executive (including the Mayor) and Senior Officers to give account in accordance with the deadlines in the Constitution to OSMB. There is no change in the procedures and processes for 'call-in' and for the hearing of call-in by scrutiny.

All Cabinet Members have a standing invitation to attend OSMB as an observer at all times and a member of SLT is required to be present at all times (SLT includes the Head of Paid Services, Strategic Directors, S151 officer and Monitoring Officer).

In the Constitution the Mayor is required to attend for four OSMB Mayor's Question times however it is proposed that this time be used for an informal discussion with the Mayor on key topics of interest as the question time has not been well utilised.

How will members be brought up to speed on the current policy context?

As part of the formation of the T&F group all core members of the T&F will be required to attend a policy briefing on the latest legal, finance and Bristol City Council framework for the topic being scrutinised. This is to provide context and also ensure all members have the same level of knowledge and understanding of the topic in question.

NB. This may not always be necessary or feasible depending on the topic in question and any timing issues

Will there be any training and support provided for scrutiny members and chairs?

Yes. Peer training is being offered by the LGA and it is provisionally intended this be set up for Autumn/Winter 2017/18. The Scrutiny team are also there to provide support to the members and chairs.

EVALUATING THE NEW WAYS OF WORKING

How will this 'trial' be evaluated? And how long will it last?

- There will be a standing item at the end of each OSMB agenda to report progress on how the new ways of working are operating
- Arising issues will be tracked by the Scrutiny team and kept on a log that can be available on request
- It is proposed that this continue through-out the municipal year 2017/18 and reviewed in March in time for any necessary constitutional changes to occur at the Full Council Annual General Meeting in May 2018.

Is this change fully agreed and formalised?

OSMB agreed to trial the new ways of working, until the end of the municipal year 17/18, to assess if the new model would work for Bristol. Initially it was proposed that no changes be made to the constitution until such time as the trial has concluded. However the delegation of functions for scrutiny is from Full Council and therefore it is proposed that, to ensure that scrutiny has the appropriate delegation of authority, a report goes to Full Council at the earliest opportunity to provide the necessary constitutional provisions to formalise the trial.

So does this mean the Commission meetings are stopping?

Members of OSMB in the majority expressed a desire to focus resources upon task and finish work and meetings rather than commission meetings. A formal dissolution of the commissions however can only happen via changes to the Constitution (Responsibility for functions) so at this time Commission meetings can be called if it is felt to be necessary. The officer resource however will only be able to support a limited number of activities and resource will be taken from task and finish to support a commission meeting.

MINUTES AND PUBLIC FORUM

Minutes - how will contributions to background debate and points raised be formally recorded?

- Task group discussions are informal meetings and therefore not formally minuted. Members of the task groups may wish to report progress back within their groups. The key issues raised within the task group will feed into the final report/recommendations which will be a public document. Monthly updates on the progress of each task group will be provided to OSMB via formal written update and a verbal update in the meeting. This will then be available on the webpage and circulated to all members as an e-briefing.
- OSMB is web-cast and actions notes are captured and published for this meeting.

How will this impact upon Public Forum?

OSMB will be the primary mechanism for receiving public forum. This is a reduction from 5 public forum sessions to one however it is felt that by labelling and promoting this as Scrutiny Public Forum will make it easier for the public to submit Public Forum rather than having to navigate the structure of directorate commissions. It is proposed that improved guidance on all public forum opportunities be made available to the public.

As requested the records held by Democratic Services for the amount of public forum received in 2016-17 are set below:

Neighbourhoods	10
People	2
Place	10
Resources	0
OSMB	6