

BRISTOL CITY COUNCIL

OVERVIEW & SCRUTINY MANAGEMENT BOARD

20th MARCH 2014

Report of: Centre for Public Scrutiny

Title: Review of Overview and Scrutiny in Bristol

Ward: n/a

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RECOMMENDATION

Members are asked to consider the report and forward any comments to the Working Group of Party Group Leaders/Whips and the Mayor which will make recommendations to Annual Council in June.

Review of Overview and Scrutiny in Bristol

January 2014

Introduction and terms of reference for review

The Centre for Public Scrutiny has been commissioned by Bristol City Council to carry out a review of overview and scrutiny in the council, with the following aims:

1. To examine the extent to which changes are necessary to help drive policy development in the advisory capacity of Scrutiny to the Mayor and in its support to full Council in relation to the Policy framework;
2. To examine the extent to which changes are necessary to ensure the effectiveness of scrutiny in their holding to account of the Mayor;
3. To examine the extent to which the structure of scrutiny needs to be adapted to the mayoral system of governance drawing on best practice from elsewhere
4. To consider the relationship between the scrutiny structure and the new officer structure, particularly the new senior management structure which has now been set up; and whether there needs to be any realignment of the two.

In addition to these overall aims for the review, there are some supplementary practical questions to which the council is seeking answers.

- i. To consider an effective balance between policy development and holding to account and advise on arrangements that would best facilitate that (including assessing the use of Mayoral Commissions)
- ii. To examine current arrangements for pre decision scrutiny and advise on their effectiveness, and possible improvements as appropriate
- iii. To examine the existing methods of holding the mayor to account through the “public forum” arrangements and how these might be improved
- iv. To examine how Scrutiny might more effectively support the full council in developing the council’s policy framework and engaging with partners on issues of city wide significance.
- v. To consider the capacity required to support an effective scrutiny function

We would like to thank everyone in Bristol – members, officers and partners – who made time to speak with us and give us their considered views on how to ensure scrutiny can make the most effective contribution to the work of the council. We would also like to thank Kate Mann and Rajdeep Kaur who helped make all the logistical and diary arrangements within a short timescale. We have greatly enjoyed meeting everyone and hope that this report and recommendations will help Bristol move forward in the constructive way which it seems to us is everyone’s desired outcome.

Summary of main recommendations

1. We recommend that as a matter of urgency, the Mayor, senior officers, party group leaders and scrutiny lead spokespersons sit down to review the council's policy framework, Mayoral policy priorities and other major strategies or policy areas in which a new approach may be required and develop an agreed process for developing these policies over the next 2-3 years.
2. Transparency in policy development needs to cover the whole process from the first idea to the public meeting at which it is finally agreed, and we recommend that this should be reviewed and clearly set out for members, officers and the public.
3. We recommend that following the internal policy development discussion recommended above, a similar dialogue is held with health and other major partners to establish the major policy or service change issues on which they would like scrutiny's input.
4. We recommend that dedicated Mayor's Question Time sessions for councillors be held monthly, alternately at Full Council and OSM.
5. We recommend that the council takes legal advice on the position of Assistant Mayors with statutory responsibilities to ensure the members concerned are clear about their position.
6. We recommend that Bristol retains Public Forums for questions / statements from the public but draws up a clearer process for both Public Forums and Petitions, including clarifying the purpose and focus of the Public Forum arrangements.
7. If the council wishes to retain an element of 'pre-scrutiny' just before the point of decision, we recommend that councillors should be expected to use the forward plan and raise concerns individually with the relevant Assistant Mayor.
8. We recommend that planning for next year's budget scrutiny process begins as soon as this year's budget is agreed: it should be incorporated in and planned as part of the budget development process itself.
9. The Council must significantly reduce its formal Commission and meetings structure if it is to have the capacity in terms of member time commitment and officer support and resourcing for overview and scrutiny to fulfill the policy development role which everyone we spoke to said that they wished to see it play.
10. We recommend that the scrutiny team move from their current position within Law and Democratic Services into the corporate policy or executive support function and that the Statutory Scrutiny Officer post is held by a senior officer at Head of Service level to make it equivalent to the Monitoring Officer and S151 Officer posts.
11. We recommend that all formal scrutiny meetings have attendance from officers at the appropriate level. While some meetings are well-supported by the appropriate Director, an issue around senior officer ownership of the health scrutiny function needs attention.
12. We recommend that a clear, focused and consistent approach to performance scrutiny be embedded into scrutiny work programmes.

Findings and recommendations

1. Policy Development

There is a shared aspiration across everyone we spoke to for overview and scrutiny to play a positive and valuable role in policy development for the council. Mechanisms such as Inquiry Days and Select Committee Inquiries exist for overview and scrutiny to do this in Bristol and these are widely viewed as effective. To make the most of this opportunity, some changes are needed to how the overview and scrutiny function is connected with other parts of the council, and to how the policy development process operates overall, to improve its transparency and inclusiveness. It will also be important to free up time and resource to enable overview and scrutiny to contribute effectively to policy development. This will mean structural changes as we recommend below, but also behavioural changes and a willingness to ‘do less but do it better’ – this is particularly important given the financial constraints facing the council.

1.2 Policy Framework

It has been emphasised to us that the advent of the Mayor has not changed the responsibility of the full council overall for agreeing the key policies and strategies of the council which form its policy framework. It has also been acknowledged that even before the Mayoral election, members had not always devoted sufficient time to debating and developing some of the major policies that come to full council for adoption. Setting out a clear process for developing, adopting and reviewing the major plans which constitute the formal policy framework offers a clear route and opportunity for all councillors to contribute to policy development right from the start. Some of this work could be done by scrutiny Select Committees, some by joint executive-scrutiny working groups and some by Mayoral Policy Commissions: many of those we spoke to agreed it was important not to be worried by structure or who takes the lead in such policy development groups. What is more important is to develop a shared programme with clarity about who is leading on what and about the process for agreeing and implementing policy.

In addition to the formal policy framework, the Mayor has set out seven key policy areas which are his priorities for Bristol. He acknowledges that these are not all fully worked up in detail and would welcome a proper conversation about how scrutiny could help develop in more depth some of the broad directions he has proposed: he would welcome and value the contribution councillors could make, in particular using their knowledge of what matters to their constituents and local areas, to developing his policies further. It was striking to us the degree of consensus that seemed to exist over the valuable role that councillors could play in contributing to policy at an early stage, as well as the shared frustration that there appeared to be amongst members, officers and the Mayor that this does not happen already. We believe that this is mostly a factor of Bristol being in transition from one approach to another and having been in what one person described as a “state of organisational shock” requiring a cultural change about ‘the way we do business here’. We were encouraged that most agreed that the council was ready to grasp the

nettle and move forward, but concur with another comment that “there’s nothing that can’t be fixed, but if we don’t fix it soon, there could be unplanned consequences”.

We recommend that as a matter of urgency, the Mayor, senior officers, party group leaders and scrutiny lead spokespersons sit down together to review the policy framework, Mayoral policy priorities and other major strategies or policy areas in which a new approach may be required and develop an agreed process for developing these policies over the next 2-3 years. Ideally, external partners should be involved in identifying policy development priorities (see next section) but the council may wish to secure internal agreement first. This should become an annual event to review and develop the scrutiny work programme alongside the council’s overall policy development plans, to build a shared consensus around what matters to the council (and the wider City) and agreement about what role is to be played by whom and how.

Setting out this agreed approach to the policy framework will help tackle an issue wider than scrutiny: a lack of transparency, or at least a lack of wide understanding, about how policies are made, agreed and implemented in the council, which was referred to by a number of people with whom we spoke. This applies to scrutiny: for example both members and officers admitted not knowing what would happen to the recommendations which emerged at the very positive and engaging Inquiry Day which we observed in December. If scrutiny is to be valued and have an impact, this clarity of process must be improved. However, it goes wider than scrutiny to greater clarity about how the Mayoral decision-making process happens, ensuring that this is – and is seen to be – evidence-based and following due process.

It also means ensuring that the council’s meetings are also transparent and inclusive in how they operate: for example, at meetings we observed some councillors had name plates but these were not visible to the public audience due to the room layout; other councillors and officers did not have name plates and were not introduced so it was unclear to the public who they were and why they were contributing to the meeting; papers were not available to members of the public; and the Public Forum statements / questions were not clearly explained in terms of process or responded to wholly satisfactorily (see below). **Transparency in policy development needs to cover the whole process from the first idea to the public meeting at which it is finally agreed, and we recommend that this should be reviewed and clearly set out for members, officers and the public.**

1.3 Engaging with Partners

Bristol has historically been good at engaging with partners across the city and beyond its boundaries, and there are a number of joint scrutiny bodies (focused on health, West of England LEP and police and crime scrutiny) either supported by or contributed to by the Bristol scrutiny function. ‘Scrutiny of place’ is referred to in previous reviews as a strength on which to build, and there are good examples such as the scrutiny of the children’s hospital cardiac post-

operative support which are viewed positively by others. Partners with whom we spoke felt that external scrutiny was mostly constructive and professional, but also highlighted that there had sometimes been instances of inappropriate behaviour towards external witnesses which had not been dealt with. It was acknowledged that relationships had been difficult to maintain – and develop in the case of the new Health and Well-being Board, which we were told is still finding its feet – due to changes within and outwith the council, but all the partners felt that health scrutiny would benefit from more senior officer input and support from within the council.

There appeared to us to be significant goodwill towards helping health scrutiny be as effective as possible, and a strong desire for it to be made ‘fit for purpose’ so that councillors could help partners develop solutions to some major challenges coming down the track. **We recommend that following the internal policy development discussion recommended above, a similar dialogue is held with health and other major partners to establish the major policy or service change issues on which they would like scrutiny’s input.** As with the policy development approach recommended above, it will be important to ensure health scrutiny’s agenda is freed up as far as possible from other, more reactive issues, so that it can focus on the really important strategic challenges, and be supported sufficiently to do so effectively.

2. Holding to Account

There were divergent opinions expressed to us on whether Bristol is ‘good’ at challenge and holding to account, but a feeling that there has been perhaps too much focus on this at the expense of policy development – possibly due to the lack of clarity about how scrutiny can engage with the policy development process referred to above. Our view is that there are currently many opportunities for holding the Mayor and his administration to account but that these are not sufficiently focused or planned to have the maximum or most beneficial impact. There is also a risk that this aspect of overview and scrutiny ‘crowds out’ some others and takes up more resource in terms of officer and member time than is warranted by the value it can add.

2.1 Mayor’s Question Time

With the advent of the directly elected Mayor, accountability has been very clearly and correctly focused on the Mayoralty. Although the council did some thinking before the election about how scrutiny and governance might work under a Mayoral administration, every Mayor is different in how they approach their office and it was widely acknowledged by those we spoke to that during the last year, Bristol has been working in what one person described as “an emerging system of governance”. However, a number also acknowledged that there had always been some weaknesses in how Bristol had used scrutiny to hold the executive to account, and that having a Mayor was not the cause of weaknesses in governance but that it had made these weaknesses more visible. Some therefore saw the advent of the Mayor as a real opportunity to strengthen accountability and governance in Bristol. We concur with this view.

The Mayor of Bristol has not delegated any decision-making to his Cabinet, individually or collectively, but uses them as a valuable source of advice for policy development. As he takes all decisions, accountability must be clearly focused on him. However, we take seriously the concern that the 'burden of accountability' must be no greater than it needs to be. Other Mayors have dedicated Q&A sessions with a lead scrutiny committee at varying degrees of frequency, some no more than once or twice a year. However, they tend to have delegated responsibility to their cabinet members who are also held directly to account through formal Q&A sessions at scrutiny committees for the decisions they take.

Having discussed this issue with both councillors and the Mayor, we believe that there would be support for the following proposal. **We recommend that dedicated Mayor's Question Time sessions be held monthly, alternately at Full Council and OSM, for councillors to question the Mayor.** At the full council meeting, these would enable all councillors to play a role questioning the Mayor on behalf of their constituents or drawing his attention to issues of local concern, and at OSM they would provide an opportunity to focus on strategic scrutiny of the Mayor's delivery of his stated policies and programme. These sessions should be well-planned, with the majority of questions or at least lines of inquiry sent to the Mayor in advance to enable the most value to be got out of the meetings where the focus can be on following up and probing answers in more detail. The OSM Mayor's Question Time could be themed to enable in-depth scrutiny of particular issues or policies.

In return for submitting to these frequent (more frequent, for example than the quarterly Question Times proposed by the Scrutiny and Governance working group in 2013) in-depth Question Time sessions at OSM and Full Council, the Mayor should not be expected as a matter of course to attend other scrutiny meetings. The only exception we would make to this is around the budget process which we cover below: we consider that the budget is such a key responsibility of the Mayor that it would be reasonable for him to attend at least one other meeting, dedicated to budget scrutiny, each year.

There is a question about accountability for the Assistant Mayors, who come from all parties on the council. There was respect expressed on all sides for the constructive role they are playing in linking the Mayor and Council and in developing policy, supporting scrutiny and advising the Mayor. As they are appointed solely by the Mayor and do not have decision-making powers we believe that it is the Mayor's primary responsibility to hold them to account, but we believe that they can and should play a leading role in the policy development process recommended above. The Mayor could seek feedback from scrutiny members on the performance of his Assistant Mayors in relation to their engagement with scrutiny as one source of evidence to assist him in holding them to account. There is one question which was raised several times with us during the review, including by the recent Select Committee review of education in Bristol, regarding the statutory position of Lead Member for Children's Services and whether they can fulfill the statutory responsibilities and expectations that this role entails without any decision-making authority. **We have not yet been able to clarify this and recommend that**

the council takes legal advice on the position of Assistant Mayors with statutory responsibilities to ensure the members concerned are clear about their position.

2.2 Public Forums / Petitions

The Public Forum element of all Bristol's public council, cabinet and committee meetings is a well-established and unique feature of Bristol's democratic process. All agreed that it was important to retain the Public Forums but there was also consensus that they needed some reform and improvement to make them more useful to the public, as well as more manageable for the council as they currently consume a great deal of officer time and resource. We agree with this assessment: it would be wrong to remove them but they do not appear to us to be fulfilling their potential as they currently operate, nor adding value for the resource they use. From our observations at Scrutiny meetings, the key weakness is that there is no clear process for owning, responding to or acting upon the questions or statements made by the public and nor is it clear how the issues raised in the Public Forum then influence the rest of the meeting's agenda: this is frustrating for the public who attend and does not reflect well upon the council.

It is also unclear how well-known the facility is and there is a risk of agendas being skewed or 'captured' by well-organised lobby groups or single-issue campaigners: it is important that these voices are heard, but not to the detriment of other perspectives. The point was also made to us that petitions – which potentially represent a large constituency of opinion – appear to be given less consideration than statements – which are simply a single person's view (although they may be speaking on behalf of others) – and there is equally no clear ownership or process that seems to be followed to provide a response to petitions.

We recommend that Bristol retains Public Forums for questions / statements from the public but draws up a clearer process for both Public Forums and Petitions, including:

- **Clarifying the purpose of the Public Forum arrangements:** if they are intended to facilitate the public's ability to hold the Mayor to account, it is unclear to us why they form part of scrutiny meetings; if they are intended to provide a general opportunity for the public to contribute views and inform councillors' debates, it needs to be clearer how the statements and questions relate to the topics on the agendas and how they will feed into the discussion;
- Ensuring the statement / question / petition goes to the most appropriate meeting;
- Ensuring a response is provided (and recorded) to all Public Forum questions and statements and to all petitions;
- Considering introducing a 'sliding scale' to assess the importance attached to the issue by the public and accordingly which meeting it is sent to: for example, a petition of several thousand signatures would automatically go to Full Council and be responded to by the Mayor; one of several hundred might go to Cabinet for the Mayor or relevant Assistant Mayor to respond to; smaller petitions, covering very localised issues, might be considered

by the Neighbourhood Partnerships and a course of action recommended. There should also be follow-up reports on previous petitions and actions taken in response, to 'close the loop' and feed back to the public;

- Restricting Public Forums at scrutiny meetings to contributions of relevance to items on the agenda of that meeting: statements / questions on any issue of concern to the public could still be taken at Cabinet or Full Council where the Mayor or cabinet would be expected to respond, but having this facility at scrutiny meetings risks confusing the public as to the powers and remit of overview and scrutiny committees which are not decision-making bodies. The purpose and focus of Public Forums at Full Council and Cabinet should be similarly considered by the member working group that has recently been set up. The open facility could potentially still be retained at OSM to ensure scrutiny was aware of any public concerns not currently being addressed by any scrutiny agendas;
- Developing tighter procedures for managing the volume of questions and statements in Public Forums in a way which is satisfactory to both the public and the council, including:
 - expecting that questions and statements will be taken as read, allowing more time for responses / follow-up questions, and for more questions and statements to be taken within the allotted time;
 - enforcing the requirement that follow-up questions must relate to the original question and response;
 - removing the potential to ask the same (or similar) question repeatedly in different forums which takes up time during which other members of the public could ask their questions;
 - increasing the number of days notice by which questions and statements have to be submitted to provide more time to prepare responses;
 - making clear that probably only the first 20 questions submitted by the deadline have any realistic chance of being reached during the meeting and ensuring other questioners receive a written response by the time the meeting takes place.

2.3 Pre-Scrutiny

There is some confusion in Bristol as to the purpose and process of 'pre-scrutiny', with some people seeing it as an opportunity to find out about and / or influence policies before they are finalised and some seeing it as an alternative to formal call-ins after decisions are taken. This has particularly manifested itself this year in relation to budget preparation, with some confusion and frustration arising around the question of when councillors were 'entitled' to see draft budget papers. We deal with the budget separately below, but in general terms we think that the recommendations above around the policy framework should help ensure councillors can see and contribute effectively to developing policies well in advance.

We do not consider it a good use of scrutiny's time or resources for them to review all (or even a selection of) draft reports 'on their way' to cabinet for decision: once a proposed policy has reached the stage of a draft report, the opportunity for meaningful input from scrutiny is

extremely limited. In other councils which have adopted this kind of ‘pre-scrutiny’, there is a tendency to drift into asking to see lots of draft reports without a clear rationale and these can quickly clog up scrutiny agendas and use up additional officer time to little or no effect. We commend the decision-making cycle below at Fig 1 as a way of thinking about when and how the different types of scrutiny should take place.

If the council wishes to retain an element of ‘pre-scrutiny’ just before the point of decision, we recommend that councillors should be expected to use the forward plan and raise concerns individually with the relevant Assistant Mayor, including being able to see a draft report when one is available (subject to any confidentiality requirements). We would also encourage Assistant Mayors to be proactive in seeking members’ inputs, eg by convening informal working groups at an early stage in developing new reports or proposals or inviting views from any members with an interest. If the member continues to have concerns about the process followed in the production of the report or that there are serious mistakes or assumptions contained in the recommendations, the call-in process remains available once the decision has been taken. If our recommendations above on the policy framework are followed, we consider that councillors will have more opportunities to influence policies through this route than through seeing draft cabinet reports for ‘pre-scrutiny’ shortly before they are agreed.

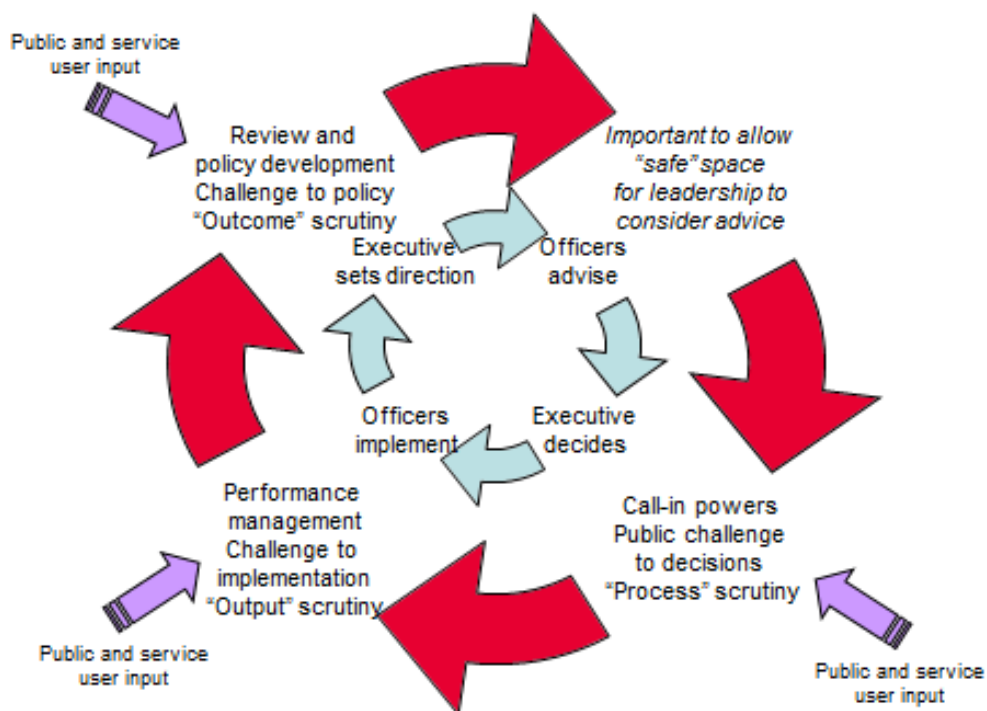


Fig 1. CfPS decision-making and scrutiny cycle

2.4 The budget

Proposing a budget to Full Council is one of the biggest responsibilities of the elected Mayor, and ensuring effective and appropriate scrutiny of the budget, the assumptions on which it is based and the degree to which it matches the Mayor's stated policy priorities, is equally one of the major tasks for overview and scrutiny during the year. It is important not to confuse overview and scrutiny's formal, statutory responsibility for scrutinising the budget with the Opposition's traditional right to be able to develop and make alternative budget proposals, and in a Mayoral authority, as the recent Doncaster court case has made clear, ultimate power to decide how to spend the resources envelope agreed by Full Council rests with the Mayor. It is therefore extremely important to have a clear and agreed process for budget scrutiny.

From our observations and conversations there is not yet an agreed budget scrutiny process in Bristol: there appears to have been disagreement this year about when councillors could see revenue and capital information and to what degree of detail; there seemed to be confusion at the Resources Commission we observed about how scrutiny's budget challenge process and timetable dovetailed with the public consultation and how scrutiny's recommendations might be fed into the Mayor's thinking and decision-making; and while there were robust and pertinent questions asked by most members individually, there seemed to have been no pre-planning or preparation by Commission members collectively of the key lines of enquiry they would be following. We were also surprised that scrutiny's contribution was constrained to the same period allowed for the public consultation: we would expect a key element of scrutiny's challenge to the budget to be considering the extent to which the Mayor has taken consultation responses into account.

We understand that this has been a difficult year due to senior officer changes and late availability of information. **We recommend that planning for next year's budget scrutiny process begins as soon as this year's budget is agreed: it should be incorporated in and planned as part of the budget development process itself.** As a minimum this should include consideration of the medium term financial strategy, budget (revenue and capital) and performance monitoring throughout the year, treasury management, capital programme and other policies, as well as how the formal process in December-February – including interaction with the period of public consultation – will be handled.

3. Structures

As a result of the many changes that have taken place in Bristol over the last year or so, there is no clear alignment between the new senior management structure, the Assistant Mayors' portfolios and Scrutiny Commission remits. The current structure of overview and scrutiny in Bristol consists of five scrutiny commissions plus the Overview and Scrutiny Management Board; in addition during the year there are select committees formed to consider a topic in some depth and one-off Inquiry Days which look into a single issue and make

recommendations. There is a considerable volume of work carried out by scrutiny and it consumes significant resources in terms of both officer and member time. We understand that there are over 600 formal, minuted meetings in Bristol a year, although obviously not all are scrutiny-related. The cost to the Council in officer time in preparing for and attending these meetings is obviously significant and in the context of reducing resources for services, this must be addressed. For comparison, the London Borough of Hackney, also a Mayoral authority, with a sizeable scrutiny function and a heavy licensing workload, has around 250-300 formal meetings a year (calculation based on information from the council's submission to their recent Boundary Commission review and the council website). Previous reviews on the future of scrutiny in Bristol (there have been three since 2011) have recommended a slimmed down version with fewer formal commissions and fewer formal meetings but these have not attracted all-party support at Council.

Members need to determine the precise committee structure as they will have to own it and make it work, but **the Council must significantly reduce its formal Commissions and meetings structure if it is to have the capacity in terms of member time commitment and officer support and resourcing for overview and scrutiny to fulfill the policy development role which everyone we spoke to said that they wished to see it play.** We feel that this slimming down is more important than achieving a precise match with council directorates or cabinet portfolios. Our annual survey (latest 2012-13 report is available at <http://www.cfps.org.uk/publications?item=7334&offset=0>) shows that many councils are now moving away from directorate-specific or even themed scrutiny committees to a commissioning and task and finish approach.

Rather than start again from scratch, the council could well revisit the Scrutiny and Governance Working Group which reported to OSM on 21 March 2013, recommending a structure consisting of OSM Board, a Resources Commission and a Health Scrutiny Commission plus Inquiry Days, Select Committees and ad hoc working groups, as well as the external partnership scrutiny arrangements that cover the region or sub-region, which we would consider a very reasonable approach. Although this report had cross-party support when it was developed, the final recommended structure to Council in May 2013 was as set out earlier ie the OSM Board and five Commissions plus all the other elements. However, if the council does not bite the bullet on slimming down this formal structure with all the resourcing that it entails, we reiterate our firm belief that it will be difficult for members to achieve their stated aim of using their experience and expertise to add real value to policy development.

4. Support

Scrutiny in Bristol is reasonably well-resourced in terms of staffing, although the current volume of activity is stretching them thinly. The scrutiny team are felt to be professional in how they work and to provide good support to members. Select Committees and Inquiry Days are felt to be well-researched and appear well-supported and provided with solid evidence on which

members can draw. However, the team are affected by the same sense of scrutiny's disconnectedness from the rest of the council and can sometimes feel – and appear – isolated and lacking in more senior officer support.

It appears that no senior officer has been identified to hold the statutory Scrutiny Officer post and the changes and vacancies in senior management have meant attendance by senior officers has not always been consistent. This has not helped in managing meetings effectively, including those with external partners, and has sometimes left members frustrated and lacking appropriate answers to their questions. It is also unclear who 'owns' responsibility for implementing scrutiny recommendations once they have been agreed. While this seems to have come to the fore since the advent of the Mayor, it was acknowledged by several members that this was not new and that there had previously been a lack of coordination or integration between the scrutiny and executive functions, along with poor corporate and institutional memory.

We recommend that the scrutiny team move from their current position within Law and Democratic Services into the corporate policy or executive support function. While we would not always recommend this, as the independence of the scrutiny function is important, in Bristol we feel that it is more important to 'knit' overview and scrutiny into the rest of the council's work. Bringing these teams together would assist in developing a 'one council' sense of collective endeavour between the executive and non-executive branches of the council around developing policy and improving services and outcomes for Bristol. It would also help avoid duplication of effort, ensure scrutiny was aware of emerging policy directions from the Mayor's office and help the function become more efficient and targeted on the council's priorities overall. **The statutory Scrutiny Officer post should be identified and held by a senior officer at Head of Service level to make it equivalent to the Monitoring Officer and S151 Officer posts,** with the scrutiny manager having at least a dotted reporting line to them to provide protection for the independence of the function if required.

We recommend that all formal scrutiny meetings have attendance from officers at the appropriate level. While some meetings are well-supported by the appropriate Director, a particular issue around senior officer ownership of the health scrutiny function needs attention. Reducing the number of formal committees and associated meetings as recommended above is important to help facilitate this, given pressure on resources.

There were strongly expressed concerns about the quality, quantity and timeliness of information and reports provided to overview and scrutiny (mainly in relation to the work of the Commissions). It was widely acknowledged by those we spoke to that this was not a new issue for Bristol, and that the new senior management had started to address the quality of management information and reporting to the executive, including the use of summary reports. This now needs to flow through to overview and scrutiny, with an agreed template / format and understanding from report authors regarding how to use it, a clearly expressed purpose for any

report requested, and agreement from scrutiny members about the level of performance information they require.

We observed that OSM has started to look at the PIs that are available, to determine which ones members should review, and **we recommend that a clear, focused and consistent approach to performance scrutiny be embedded into scrutiny work programmes.** One option would be for OSM to receive the quarterly RAG-rated performance information, to focus its challenge on red indicators or negative trends and to refer serious performance concerns to the Resources Commission or a working group if it feels a more detailed, specific challenge session is required. The same performance reports should not be duplicated for a series of different meetings, and reports for information or 'updates' (which appear frequently on Commission agendas) should not be included but should be circulated to members separately, or else they should be clearly identified as such and attached at the end of formal agendas. The use of separate 'briefings', which could include executive and non-executive members, was suggested to us as a way of addressing the risk (arising from a feeling of lack of trust in what the administration is doing) that scrutiny is used as a means to find out basic information. In other authorities cabinet members provide reports to all members on what they have been doing and / or key policy updates, and this may also be worth considering.

Centre for Public Scrutiny

8 January 2014

Appendix 1: Methodology

The fieldwork for this review was carried out between November and December 2013 by Jessica Crowe and Tim Gilling, Executive Director and Deputy Executive Director of CfPS respectively. We used the CfPS Accountability Works for You framework (see <http://www.cfps.org.uk/Accountability-works>) which uses positive and negative indicators of an organisation's accountability, transparency and involvement arrangements, to structure our one-to-one interviews, which took the form of guided interviews: a series of common questions flexed according to how the conversation developed and to probe answers more fully.

In the group discussions we used an Appreciative Inquiry approach, adopting the SOAR (Strengths, Opportunities, Aspirations, Results) methodology to frame the discussion: this gives participants the chance to reflect on what works currently and use this as a positive basis on which to build ideas for change. In observing meetings, we considered how well these were enabling councillors to deliver the CfPS Four Principles of Effective Scrutiny: critical friend challenge, amplifying the voices of the public, led and owned by councillors and improving public services. In addition we have read a number of scrutiny reports and reviewed agendas and minutes, and we have also considered governance examples and experience from other Mayoral authorities.

Interviews, group discussions and meeting observations

1:1 interviews: members	1:1 interviews: officers / partners	Group discussions	Meeting observations
Mayor George Ferguson	Liam Nevin, Director of Law & Democratic Svces	Scrutiny Chairs	Education Select Committee (11/11/13)
Cllr Geoff Gollop, Assistant Mayor	Mark Taylor, S.151 Officer	OSM Lead Group Spokespersons	OSM Board (21/11/13)
Cllr Helen Holland, Labour Group Leader	Peter Mann, Director of Transport	Non-Executive Members	Resources Scrutiny Commission (27/11/13)
Cllr Tim Kent, Lib Dem Group Leader		Scrutiny Support team	Night-time Economy Inquiry Day (4/12/13)
Cllr Daniella Radice, Green Group Leader	Tony Jones, PPI Manager, CCG		
Cllr Gary Hopkins, Chair Resources Commission	Ben Bennett, SW CSU		
	Kathy Eastwood, HWB support manager		