

# **Role of Scrutiny at the County Council**

**C&YP Select Committee – Informal Briefing  
7 July 2021**

# Background to Scrutiny

- Formal scrutiny introduced as part of the move to Executive Arrangements following the Local Government Act 2000
- Authorities operating Executive Arrangements must have at least one Scrutiny Committee (HCC currently has 5)

# Role and purpose of Scrutiny

- To hold the Executive and the Council to account
- To make recommendations to the Executive or to the County Council arising from the scrutiny process
- To conduct research and analysis of policy issues and possible options
- To assist the Executive and the County Council in the development of the Budget and Policy Framework

# Terms of Reference

## Children & Young People Select Committee

- Key Executive Member – Executive Lead Member for Children’s Services (also covers part of the portfolio of the Executive Member for Performance, Human Resources and Partnerships)
- Key Department – Children’s Services (however remit is not limited to these)
- Reviewing how the needs and interest of children and young people are met by all Departments, policies, services and decisions; and how performance is evaluated and improved.
- Includes: Universal, targeted and specialist services for children and young people: prevention and management of risk; social care; children’s and young people’s wellbeing; education – supporting and enabling learning for all children and young people; internal and external partnership working re Children and Young People; supporting parents and families; relevant financial management.



# Holding the Executive and the Council to Account

- Scrutinising decisions which the Executive is due to consider (Pre-scrutiny)
- Scrutinising Executive decisions that have been taken before they are implemented (Call-in)
- Scrutinising Executive decisions after they have been implemented, whether shortly afterwards or as part of a wider review of policy to measure their effect
- The Children and Young People Select Committee, when dealing with the education Functions of the Executive shall include in its membership the following voting representatives: one Church of England Diocese representative; one Roman Catholic Diocese representative; three Parent Governor representatives.

# Scrutiny of Decisions

- Issues to consider when scrutinising decisions:
  - Are decisions evidence based?
  - Has appropriate consultation been undertaken?
  - Do decisions reflect the County Council's priorities?
  - Have alternative options been considered?

# Call-in

- Only applies where a decision has been made but not yet implemented
- Can only be done within 5 working days of the date members have been notified of the decision
- A quorum of members can call a meeting of a select committee to consider an executive decision. The Committee must meet within 14 days of the of meeting being called

# Call in options

The Committee must decide whether or not to recommend:

- That the decision be reconsidered by the relevant decision maker
- Where the decision is not in line with the Policy or Budget Framework, that the County Council should take that decision



# Effect of call-in

- Any decision which is not in line with the Policy or Budget Framework cannot be implemented until the call in has been disposed of
- Urgent Key Decisions cannot be called in although they can still be scrutinised by the committee

# Policy Development and Review

- Key work stream is to review and make recommendations either to the Executive or to the Full Council to assist in the development of future policies and strategies
  - Contribute to development of new or improved council policies and strategies
  - Proactive review where there may be gaps / a change in the law
- Select Committees also have a role in reviewing existing policy, to consider:
  - Do we have a clear and up to date approach?
  - Is it the right approach?
  - Are policies coherent and joined up?
  - Are the policies effective when put into action - is it working? Are they delivering what was intended?

# Working Groups

- Group of Members identified to meet outside of the formal committee meetings
- Focuses on a topic where SC feels there is benefit to review
- Aims and timescale scoped, meetings held with relevant officers to discuss, evidence can be sought, culminates in summary of findings and recommendations where relevant

# Items for the Agenda

- Any member of the Committee can request to put an item on the agenda of the next convenient meeting of the committee
- Any member of the County Council can refer a matter to a Select Committee provided it is relevant to the function of that committee
- The Executive or the County Council may request that a Committee considers a matter referred by them

# Topic Suggestions

- Suggestions welcome at any time to the Chairman or Democratic Support
- Make clear the reason for the request – is there evidence this is an area of concern? (e.g. performance data, frequently raised by constituents) – is it a County wide rather than local issue?
- Member Briefing Programme takes place monthly – for information items

# Agenda Formation

- Rolling Work Programme
- Agenda Planning Meetings

Attendance at meetings – it is the duty of officers and the Executive Members to attend meetings of the Select Committee if required (others can be invited but aren't required to attend)



# What will success look like?

- Scrutiny function is Member led
- Work programme is realistic, flexible and focused
- Topics are prioritised appropriately
- Reviews well scoped and project managed to ensure they are timely and improvement focused
- Time and resources directed where it can add most value
- Constructive and evidence based



# Conclusion

- Role of scrutiny is wider than simply holding the Executive to account
- There needs to be an effective dialogue between scrutiny committees, the Executive and key officers to ensure that the work of committees contributes to policy setting and decision making