

item 3

Scrutiny in South Tyneside



South Tyneside Council

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Scrutiny – why do we do it?

- The Local Government Act 2000 established overview and scrutiny committees as a counterweight to the executive structures created by the act (Leaders and Cabinets).
- The current legislative provisions for overview and scrutiny committees can be found in the Localism Act 2011.
- The purpose of scrutiny is to:
 - Scrutinise and hold the Executive to account;
 - Review, shape and develop Council policy and strategies;
 - Ensure best value and performance management; and
 - Scrutinise external partners.



Who can be scrutinised?

- The Executive (Cabinet)
- Council services and commissioned services
- Organisations with whom the Council has jointly commissioned services
- Health bodies and authorities (external scrutiny)
- Crime and Disorder (external scrutiny)
- May require executive Members or Officers to attend meetings.
- Individuals from outside the Council can be invited, but not compelled to attend.



Powers of Scrutiny



Scrutinise, consider and gather evidence on issues as set out in Terms of Reference of each Committee.



Overview and Scrutiny Co-ordinating and Call-in Committee can 'call in' decisions made by the Executive.



Submitting reports to the Executive with any recommendations following scrutiny commissions. Any report of a scrutiny committee made to the Executive must receive a response within two months.



Cannot oblige the Executive, Council services or outside partners to act on the findings of a scrutiny committee. Can make recommendations for consideration.



Functions of Scrutiny

- reviewing and challenging the impact of decisions and actions taken by the Cabinet, Leader of the Council and partner organisations;
- carrying out investigations into services and policy areas of interest and concern to communities in South Tyneside;
- involving communities in its work, where appropriate, reflecting their views and concerns; and
- supporting and assisting the Cabinet, the Council Leadership and partner organisations in the formulation of their future plans, strategies and their decision making by making evidence-based recommendations to them on how services can be improved.



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Scrutiny best practice

Scrutiny should:

- provide constructive “critical friend” challenge;
 - amplify the voice and concerns of the public;
 - be led by independent-minded people who take responsibility for their role;
 - drive improvement in public services.
- Scrutiny should not:
- be overtly party political;
 - focus on specific, individual ward-level examples.



What makes good scrutiny?



Relevant issues



Evidence based discussions and recommendations



Performance assessed



Talking to the right people (at the right time)



Verifying evidence – triangulation and cross-checking



Reaching conclusions resulting in recommendations which are:

Specific
Measurable
Achievable
Relevant
Time-bound



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Questioning techniques

Open questions: allows the witness to open up and share all the available information.

Closed questions: useful when a yes/no will suffice, e.g. for fact checking.

Reflective questions: clarify something said previously, allowing the witness to elaborate further in more detail.

Extending questions: inviting the witness to elaborate.

Comparative questions: for example situations before/after.

Hypothetical questions: allows witnesses to answer from a safer theoretical position, which can encourage in depth exploration of issues.



Scope of Scrutiny



South Tyneside Council

Pre-decision

Inputting into policies, strategies and items of consideration while they are in development stage, prior to a decision being made by either Cabinet or Full Council. This allows scrutiny to shape and develop the policy framework of the Council and ensures that scrutiny is adding value to the work of the Council.

Post-decision

Overview and Scrutiny Co-ordinating and Call-in Committee monitors the decisions of Cabinet. It may 'call-in' decisions made by Cabinet but not yet implemented for consideration. The Committee may then consider if the decision is appropriate. The Committee cannot reverse the decision but can recommend Cabinet reconsider the decision.

Horizon Scanning

Considering what is coming down the pipeline that would be advantageous to have scrutiny involvement. What are regional partners working on? What is on the Council's Forward Plan?

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Scrutiny Structure

Overview and Scrutiny Co-ordinating and Call-In Committee

Adult
Safeguarding,
Health and
Wellbeing
Scrutiny
Committee

Children
Safeguarding
and Young
People
Scrutiny
Committee

Our Place
and
Environment
Scrutiny
Committee

Education and
Skills Scrutiny
Committee

Housing
Scrutiny
Committee

Contracts and
Commissioning
Scrutiny
Committee



Overview and Scrutiny Co-ordinating and Call-in Committee

- Approve an annual overview and scrutiny programme that supports the Council in fulfilling its Vision and the Council's Strategy and Ambitions for South Tyneside, challenging performance and influencing, particularly with regards to corporate issues and cross cutting themes and the Council's continuous development against the Vision and Strategy, and to review that programme regularly.
- Consider performance reports of the Cabinet against the Council Strategy and Ambitions.
- Scrutinise cross-cutting issues where this is appropriate including the Council's culture and ways of working across the organisation.
- Determine which Scrutiny Committee should consider an issue where there is any perceived overlap and resolve any disputes, if required.
- Operate as the Call-In Committee for all called in decisions in accordance with the Scrutiny Procedure Rules in Part D Section 3 of the Constitution.
- Review value for money and service improvement programmes.
- Receive and consider a report from the Director of Governance and Corporate Affairs on valid Motions submitted and agreed by Full Council in the previous municipal year to assess action and progress.
- Scrutiny of corporate issues including:
 - Policy and Performance Management
 - Equality, Diversity, Inclusion and Belonging
 - Digital and ICT
 - Finance
 - People and Organisational Change Services



Our Place and Environment Scrutiny Committee

- Scrutiny of matters relating to:
 - Asset Management
 - Cultural Services and Marketing
 - Regeneration (including Business Growth, Economic Growth and Prosperity, employment and support into employment)
 - Planning, Built Environment, Development & Control
 - Neighbourhoods and Regulatory Services (including Trading Standards)
 - Transport Policy
- Operates as the statutory Crime and Disorder Committee, dealing with referrals of that nature and charged with the review and scrutiny of decisions and actions taken by the Safer South Tyneside Partnership.



Our Place and Environment Scrutiny Committee

Environment

- To consider the Council's approach to tackling climate change and to give Members the opportunity to assess the Council's performance against Sustainable South Tyneside Strategy 2020 – 2025, associated Action Plan and 11 key delivery themes.
- Receive the draft Sustainable South Tyneside Annual Update Report and comment on its content prior to its completion and circulation.
- To provide a sounding board for broader strategic issues in relation to the delivery of Sustainable South Tyneside Strategy & Action Plan.
- Through regular information and update reports comment on the effectiveness of delivery plans in relation to the Council's climate commitments including those tackling the:
 - Climate Emergency,
 - Ecological Emergency; and
 - those commitments made under the Ecological Emergency and Ocean Recovery declaration.
- Help shape the Council's strategic objectives and priorities in relation to net zero ambitions, the protection of the environment including plans for nature recovery and plans to create a sustainable, resilient South Tyneside.
- Receive regular updates of the proactive community engagement work and work undertaken with external partners in helping to tackle climate change.



Adult Safeguarding, Health and Wellbeing Scrutiny Committee

- Scrutiny of matters relating to:
 - Adult Social Services and their effectiveness in meeting statutory duties and functions as set out in the Care Act 2014 and wider legislative and practice frameworks, with particular focus on promoting wellbeing, independence and outcomes for people.
 - Performance against duties in respect of the quality, choice and control as part of managing a diverse and sustainable market.
 - Workforce planning, working in partnership with key stakeholders taking account of local need, recruitment, retention and career development.
 - Ensuring there is a robust safeguarding response from Adult Social Care and a well led, responsive and co-ordinated multi-agency local adult safeguarding system, including evaluation of our work with other agencies to prevent abuse and to protect those at risk of harm.
 - Effectiveness of our partnership working, with people, communities and our stakeholders to coproduce and design solutions that enable them to Live Better Lives.
 - Public Health and Wellbeing responsibilities.
- Operates as the committee ensuring the Council's statutory health functions are undertaken, scrutinising substantial variations in service of health provisions in the Borough.



Children Safeguarding and Young People Scrutiny Committee

- Scrutiny of matters relating to:
 - Children Social Services, Social Care and Safeguarding policy and effectiveness of all council services, and of wider partnerships, in ensuring children and young people are safe and receive the help they need, when they need it.
 - Assessing and evaluating the performance of safeguarding services for Children and Young People to ensure the Committee has assurance themselves of the above.
 - Family Support.
 - Fostering and Adoption.
 - Services for Young People.



Education and Skills Scrutiny Committee

- Scrutiny of matters relating to:
 - Adult and Community Learning
 - Education, Alternative Provision and children missing from education.
 - Special educational needs and disabilities (SEND)
 - Analysis of attainment and the performance of schools and other education providers in the Borough including early years settings, special schools and the College.
 - Opportunities for employment against the skills provision in the Borough and the skills system regionally.



Contracts and Commissioning Scrutiny Committee

- Scrutiny of matters relating to:
 - Confirming an effective and efficient procurement process is in place for letting contracts; competition and best value and that all procurement is operating in line with that process.
 - The contract preparation process - how contracts and commissioning are set up to achieve the benefits and minimise the risks identified; that robust performance indicators have been included appropriate to the identified benefits and risks.
 - Confirming that the Council's contracts and commissioned services are being properly monitored and managed through an effective process and is being followed; that steps have been taken to ensure that all staff managing contracts are properly trained and equipped.
 - Identifying at an early stage any concerns about the performance of any contract or commissioned service.
 - Providing Members with the opportunity to represent the views of the communities they serve and review the performance of a range of organisations which provide services to the Council.
 - Commenting on the effectiveness of contracts and commissioned services, with a particular focus on customer satisfaction, social value and value for money, through regular performance reports as to how the contracts are performing against their agreed performance indicators.
 - Ensuring that all contractual and commissioning activity contributes to the Council's commitment to local spend and promotion of social value.
 - Providing a sounding board on strategic commissioning issues.



Housing Scrutiny Committee

- The whole housing system and to give Members the opportunity to assess the performance of all housing providers and providers and compare the Council's performance with that of other housing providers and councils locally and nationally.
- Help to shape the Council's strategic objectives and priorities around all aspects of housing.
- Review and challenge of our statutory and regulatory duties and performance on how we are meeting these, to include (but not limited to) housing compliance, decent homes, damp and mould, consumer standards, Tenant Satisfaction Measures, housing needs and homelessness.
- Through regular information and performance reports commenting on the effectiveness of housing services linked to agreed delivery plans with an emphasis on:
 - Tenant Satisfaction Measures, inclusive of the Tenant Satisfaction Perception survey which will be presented to the Committee on an annual basis.
 - The Housing Regulation Plan and performance against key targets within it.
 - Housing Needs and Homelessness.
 - Private Rented Sector.
- Receive reports from the Tenant Scrutiny Panel on key areas of work that they are involved with and to agree with the Tenant Scrutiny Panel the scope of their future work programme.
- Receive the draft Tenants Annual Report and comment on its content prior to its completion and circulation.
- To provide a sounding board for broader strategic housing issues and review the supply and mix of good quality housing to meet the needs and aspirations of current and future residents.

