



# The Scrutiny Handbook

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*Monmouthshire County Council*

The Scrutiny Handbook provides general information for elected members, officers and the public on the Scrutiny process in Monmouthshire.

## **Purpose of the Scrutiny Handbook**

This handbook provides general information relevant to those working in the scrutiny environment; however, it also serves as a useful introductory guide for partners and members of the public on the role of scrutiny and its place in local government decision-making.

The handbook signposts the user to further and more detailed guidance prepared by the Scrutiny Manager on specific aspects of the role as well as a protocol on how scrutiny operates.

The handbook also directs the reader to reports produced on the effectiveness of the function. It does not replace the council's formal constitution which can be found on the scrutiny webpage [www.monmouthshire.gov.uk/scrutiny](http://www.monmouthshire.gov.uk/scrutiny) together with further information on scrutiny, the work being undertaken by scrutiny committees and ways in which the public can become involved.

## **“Scrutiny.... Why have it?”**

Under the terms of the Local Government Act 2000, every Authority in England and Wales adopted new political management arrangements. These arrangements required an executive and scrutiny split for the purposes of decision-making.

In Monmouthshire County Council, 8 cabinet members (executive councillors) have the power to make the decisions needed to put the council's policies into practice. The remaining members (non-executive councillors) form an overview and scrutiny arm.

Whilst scrutiny members do not have power to make decisions, they can shape and develop council policy and can review decisions, as well as challenge the performance of the cabinet and the council. In recent years, scrutiny has also become a highly effective vehicle through which the public can help shape the direction of the council.

Scrutiny improves corporate governance arrangements by ensuring the decision-making process is more **open, accountable, and transparent**. Through the scrutiny process, councillors are held to account for decisions they make on behalf of their communities.

### **“Scrutiny.... What does it do?”**

- ✓ Acts as a ‘critical friend’, questioning how decisions have been made and providing a ‘check and balance’ to the decision-makers...
- ✓ Scrutinises the impact of decisions to see if they are the right ones for the people of Monmouthshire...
- ✓ Ensures that cabinet members and officers perform properly and that the council is delivering high quality services...
- ✓ Develops and reviews policy to see if it is fit for purpose and meets the public’s needs...
- ✓ Allows external organisations and partners to participate in the scrutiny of countywide issues...
- ✓ Listens to the public voice and acts on behalf of the public....

## **“What is scrutiny really about?”**

Scrutiny is about making sure the council **makes the right decisions** and **adopts the right policies**.

Whilst scrutiny committees do not make decisions, they can challenge and recommend improvement in the way in which key services in Monmouthshire are delivered, and they can influence change. Scrutiny members can ask the ‘how’ and why’ questions and explore alternatives.

There are many opportunities for engagement with scrutiny as expert witnesses and advisers and scrutiny members are always keen to hear the public voice on the issues it debates. Via the public open forum part of the agenda, the public can attend any scrutiny committee meeting in person and talk to members, or they can send a video or audio recording or written submission to the scrutiny team in advance of meetings.

They can also attend a scrutiny meeting in an online capacity, but all requests to participate via the Public Open Forum must be received by the scrutiny team five working days in advance of the meeting.

## **“Why is scrutiny important?”**

- ✓ Adds transparency/accountability to decisions ...
- ✓ Adds value to the work of the council and partners...
- ✓ Provides an opportunity for members to develop specialist skills and knowledge which adds value to policy-making...
- ✓ Creates a culture of performance management and constructive self-challenge...
- ✓ Can scrutinise issues that cut across boundaries and responsibilities....

## **“Scrutiny is not about...”**

- ✗ Political opposition...
- ✗ Adversarial challenge....
- ✗ Interrogating officers...
- ✗ Conducting a witch hunt
- ✗ Playing the ‘political card’...
- ✗ Championing a personal agenda...
- ✗ Involving itself in minor issues or ward-related problems that should be dealt with via other means...

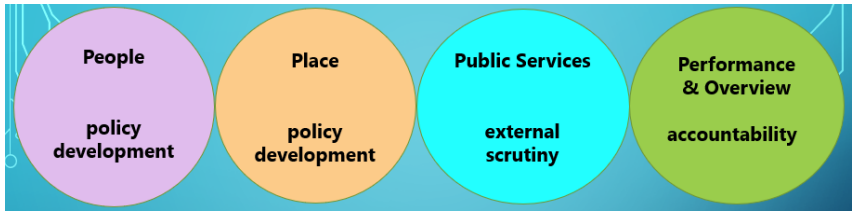
Scrutiny is part of the council's political structure and in many ways, it can play a key role in assisting the executive through '**constructive challenge**'. Council officers and cabinet members are required to assist the scrutiny function. Officers may approach scrutiny with requests, ideas and information, as can members of the public; however, the committee can prioritise its workload as it sees fit.

The "Scrutiny and Executive Protocol" (accessed via the scrutiny webpage) defines the working relationship between scrutiny, the cabinet and officers and agrees mutual roles and responsibilities.

### **"How does Scrutiny work?"**

Monmouthshire has 4 Scrutiny Committees whose terms of reference can be found on the website.

- People Scrutiny Committee
- Place Scrutiny Committee
- Performance and Overview Scrutiny Committee
- Public Services Scrutiny Committee



The People and Place Scrutiny Committees meet every 6 or 7 weeks whilst the Performance and Overview and Public Services Scrutiny Committees meet every 8 or 9 weeks, with additional meetings called when appropriate.

Two policy scrutiny committees (People and Place) examine the potential effects of policy and decisions before they are made, by engaging the public on major issues affecting them.

The 'Performance & Overview' scrutiny committee holds the Cabinet to account through robust challenge.

The role-based scrutiny committees help to align scrutiny members with the roles that best match their skillset.



The Scrutiny Team attends all scrutiny committee meetings, which are public meetings, live-streamed via the internet.

Joint meetings can be held between 2 or more scrutiny committees to consider cross-cutting issues. Scrutiny can also be undertaken jointly with other councils to scrutinise an area of shared concern.

Scrutiny committees are politically balanced to reflect the political balance of the council. The chairs and vice chairs of committees are appointed by council at the beginning of each civic year (e.g. May 2022 to May 2023).

## **“What do Scrutiny Committees do?”**

### **They prepare a Forward Work Programme:**

- Scrutiny committees are responsible for setting their own work programme, but consider suggestions from the public, officers and the cabinet.
- Scrutiny committees examine key issues on the horizon that will have a key impact on the people of Monmouthshire. Work programmes tend to include major policies that require in-depth scrutiny and key decisions that feature in the cabinet forward work programme.
- Members can choose areas for detailed scrutiny over the course of several meetings or via Scrutiny Workshops. A “Guide to Scrutiny Workshops” is available to members via the scrutiny intranet.
- For scrutiny activity to be successful, scrutiny committees need to engage with policies at an early stage to ensure there is sufficient time for them to add value.

The cabinet forward planner is tabled to scrutiny meetings to enable them to flag up potential areas they may want to scrutinise.

- The Public Services Scrutiny Committee provides accountability for the Public Service Board and can scrutinise external partners, requesting them to attend a meeting, particularly where services are delivered in partnership.

### **They monitor Performance and risk:**

- The Performance and Overview Scrutiny Committee monitors the performance of the council to ensure that it is delivering its objectives and that risks are being managed. Guidance on “Scrutiny of Performance” and “Scrutiny of Risks” can be found on the scrutiny intranet.
- This committee can request a cabinet member or an officer to attend a meeting to discuss concerns around performance. The guidelines for this are outlined in the “Scrutiny and Executive Protocol”.

## **They scrutinise the budget and monitor spending**

- Throughout the year, the Performance and Overview Scrutiny Committee will monitor the under/overspends of services, asking officers and cabinet members to explain discrepancies and to justify public spending.
- Each February, the council agrees a budget for the forthcoming year. Scrutiny is heavily involved in budget-setting and the public are able to participate in the budget setting process through roadshows held in communities in advance of decisions being taken.

## **They test key decisions:**

- Scrutiny committees can scrutinise a decision before it has been made, which is called pre-decision scrutiny. This type of scrutiny is highly effective when conducted at an early stage, because any flaws in the decision can be identified and rectified before the decision is made.

This allows scrutiny members to act as a 'critical friend' and to identify concerns and recommend amendments to a decision, usually resulting in a better decision.

- Scrutiny committees can also scrutinise decisions that have been made before they take effect. They can "call-in the decision" and recommend that it is re-considered by the cabinet or by the council. 'Calling-in a decision' has its own process, further details on which can be found in the "Scrutiny and Executive Protocol" and the council's Constitution (accessed via the scrutiny webpage).
- The "Call-in process" has overturned decisions made in Monmouthshire; however, it is far more effective to influence decisions before they are made.

## **They assess 'fitness for purpose' of policies:**

- Scrutiny committees can recommend improvements, which assist the cabinet in ensuring policies and services are citizen-focussed and 'fit for purpose'. There is much success of this type of scrutiny activity in Monmouthshire, with members of the public taking part in the debate and influencing policy change.

## **They conduct independent inquiries:**

- A scrutiny committee can undertake a review on a particular service area or issue and can invite key stakeholders such as service users, partner organisations and expert witnesses to take part in the inquiry. Most organisations attending scrutiny provide their expertise free of charge.
- On occasions, scrutiny committees may be requested to undertake a review of a particular service area or issue. Any formal evidence will shape the committee's recommendations - keeping an independent mind and only forming conclusions based on the evidence trail are the most important factors for good scrutiny!

## **“Who is responsible for ensuring effective scrutiny?”**

### **The Scrutiny Team:**

This Scrutiny Team is responsible for leading the scrutiny function and providing impartial and professional support to scrutiny members.

The Scrutiny Manager acts as the interface between the scrutiny committees, the cabinet and officers and oversees the workload of the four select committees. The team manages the committee’s individual work programmes, so any requests for items to be scrutinised are always referred to the Scrutiny Team in the first instance.

The Scrutiny Team works very closely with the four scrutiny chairs to ensure that the workload of the committees is balanced and that the committees are focussing on areas where they can add value and influence the direction of the council. The scrutiny chairs and the chair of the Governance and Audit Committee meet periodically as the ‘Scrutiny Chairs Group’.

## **Scrutiny Chairs:**

Scrutiny chairs play an instrumental role in bringing balance and order to scrutiny meetings, guiding their committees and ensuring that all members are treated fairly and can make a contribution. The role carries a financial reward and there is a job description (accessed via the scrutiny webpage).

## **Scrutiny Members:**

Scrutiny members are also responsible for ensuring that scrutiny is effective. The way they conduct their scrutiny activity is paramount if they are to achieve real outcomes.

Their conduct and professionalism will win them trust and respect from the cabinet, officers, and external partners.

Scrutiny members must demonstrate that their recommendations are evidenced-based, and they must challenge constructively, if they are to add real value.



## **“Who scrutinises Scrutiny?”**

The Scrutiny Manager is responsible for ensuring that the council has robust scrutiny arrangements in place and that the function is performing effectively and in line with the expectations of external auditors.

The scrutiny function has a service plan, which is updated by the Scrutiny Manager on a quarterly basis and is scrutinised annually by the council’s Audit Committee. The latest “Scrutiny Service Plan” can be accessed via the scrutiny webpage.

The Scrutiny Manager undertakes regular self-evaluations of the scrutiny function to drive continuous improvement in scrutiny. Reports are available on request.

If you would like to discuss scrutiny in Monmouthshire, please contact Hazel Ilett, Scrutiny Manager for Monmouthshire County Council on (01633) 644233 or via email: [Scrutiny@monmouthshire.gov.uk](mailto:Scrutiny@monmouthshire.gov.uk)

## **“Where can I find more detail on Scrutiny?”**

Further reading on the ‘nuts and bolts’ of scrutiny can be found on the scrutiny intranet, together with the following documents referred to in this handbook which can be found on the scrutiny webpage:

- ❖ Scrutiny and Executive Protocol
- ❖ Council’s Constitution (including the “Call-in process”)
- ❖ Scrutiny Committee Terms of Reference
- ❖ Role Description for Scrutiny Chairs
- ❖ Scrutiny Service Plan
- ❖ Scrutiny Work Programme