



A guide to overview and scrutiny at North Yorkshire County Council

The aim of this scrutiny guide is to provide Councillors, partners of the County Council, Health Partners, County Council Officers and members of the public with the tools to offer effective scrutiny for the County of North Yorkshire. Within this guide you will find information on: how scrutiny is arranged; the process of scrutiny; and useful hints and tips to enable effective scrutiny.

Scrutiny Team Leader
December 2017

Introduction

The Local Government Act 2000 requires Local Authorities to have executive arrangements, which means that the Executive takes decisions on behalf of the Council, on most major issues. The Executive make their decisions within the pre-approved Council policies.

To ensure that the decisions taken by the Executive are in the best interests of the people of North Yorkshire, Overview and Scrutiny Committees were established. Councillors who do not hold Executive posts within the Council undertake scrutiny. The committees help to ensure that the work of North Yorkshire County Council is accountable, open and transparent.

The role of Scrutiny includes scrutinising internal matters by looking at the decisions taken by the Executive. This involves looking at issues, researching good practice and making recommendations based on research, this can lead to recommendations to the Executive to revise or develop a policy. Scrutiny has a responsibility to look at external agencies that work in partnership with the County Council and a specific power to scrutinise local health provision and crime and disorder matters.

The Centre of Public Scrutiny promotes four principles to effective public scrutiny, these are to:

- challenge the Executive as well as external authorities and agencies
- reflect the voice and concerns of local people and communities
- lead and own the scrutiny process on behalf of the public
- make an impact on the delivery of public services.

The role of overview and scrutiny

There are five thematic overview and scrutiny committees. Their role is to contribute to Service improvement, which includes:

- assisting the County Council in ensuring the continuous improvement of services in North Yorkshire, with a particular focus on outcomes for the community
- ensuring that the experience and knowledge of businesses, community groups, service providers and service users are used to develop the County Council's services
- helping the County Council better fulfil its community leadership role by looking beyond services provided by the County Council to consider issues affecting the wider community, e.g. health services and crime and disorder matters
- holding the Executive to account.

The purpose of overview and scrutiny is to examine how well the Executive, the authority and its partners are performing. Wherever possible it will concentrate on outcomes for the community, not on inputs. It is a mechanism for promoting the best interests and wellbeing of the County.

The remit of the Overview and Scrutiny Committees are:

Committee	Scope
Care and Independence	The needs of vulnerable adults and older people and people whose independence needs to be supported by intervention from the public or voluntary sector.
Corporate and Partnerships	<p>The Council's corporate organisation and structure, resource allocation, asset management, procurement policy, people strategy, equality and diversity, performance management, communications and access to services.</p> <p>Partnership working, community development, community engagement, community strategies and community safety (the designated Crime and Disorder Committee).</p>
Transport, Economy and Environment	<p>Transport and communications infrastructure of all kinds (irrespective of who owns or provides it) and how the transport needs of the community are met.</p> <p>Supporting business and helping people develop their skills, including lifelong learning.</p> <p>Sustainable development, climate change strategy, countryside management, waste management, environmental conservation and enhancement and cultural issues.</p>
Young People	The interests of young people, including education, care and protection and family support.
Scrutiny of Health	<p>To review any matter relating to the planning, provision and operation of health services in the County, including Ambulance Trusts and the policies of the Strategic Health Authority.</p> <p>The aim is to act as a lever to improve the health of local people, ensuring that the needs of the local people are considered as an integral part of the delivery and development of health services.</p> <p>To focus on action to achieve health improvement; to examine health care in the context of the wider determinants of health; to examine how health services address the needs of local communities; especially to address health inequalities; to ensure that local health and health related issues are being tackled jointly and in a co-ordinated way across agencies.</p> <p>To contribute to the annual Quality Accounts by providing commentaries to the Care Quality Commission on the performance of NHS Trusts serving North Yorkshire and on the experiences that the Committee has had with those Trusts.</p>

In addition to the five thematic overview and scrutiny committees, there is the North Yorkshire Police and Crime Panel and the Looked After Children's Members Group.

North Yorkshire Police and Crime Panel – this is a joint committee of the nine local authorities in North Yorkshire and York which scrutinises the directly elected Police and Crime Commissioner (PCC) including:

- reviewing the PCC's proposals for the amount of council tax local people pay towards policing
- considering the PCC's Police and Crime Plan and Annual Report
- considering the PCC's proposals for the appointment of a new Chief Constable
- investigating some complaints about the PCC.

For further information about the Panel see www.nypartnerships.org.uk/pcp

Looked After Children's Members Group – this is not a formal committee but acts as an informal advisory group to the Executive Portfolio Holder for Children's and Young Peoples Services. The group performs a role consistent with statutory guidance for local authorities to promote the health and well-being of looked-after children.

How do overview and scrutiny committees work?

The Overview and Scrutiny Committees undertake scrutiny activities in several ways, as summarised below:

Committee meetings - a formal County Council meeting involving members of the committee asking questions of partner agencies and individuals. It is open to the public and takes into account issues that have been raised by the public within the 3-day notice period required.

Fact finding - the committee calls a meeting with members of the public to consult with them on a particular issue.

Forum - 'Question time' style of meeting which involves partner agencies participating and being prepared to answer questions from the Committee and members of the public without the 3-day notification period (subject to partner agreement to this approach).

Select Committee Scrutiny working - this refers to a particular approach to scrutiny work, where an Overview and Scrutiny Committee works as a whole Committee to address a particular issue. This includes deciding on the scope of the topic, framing questions, and calling witnesses.

Question and answer session - when an issue is discrete and contained, when time is short, or when initial concerns have yet to be clarified, Overview and Scrutiny Committees can choose to conduct a short question and answer session involving one or two people with a particular expertise in, or knowledge of, the topic.

Task and finish groups - these are set up by Overview and Scrutiny Committees to carry out research into an issue to help inform the whole Committee's discussion at a later point. The task group is usually made up of three or four members of the Committee and is responsible for reviewing key documents, understanding relevant legislation, and where appropriate interviewing key officers, external experts or members of the public.

There is also the opportunity to set up joint task and finish groups with District and Borough scrutiny councillors.

Policy Development and Review - this identifies a topic for Scrutiny to look at in detail. This work is often carried out as an In-depth Scrutiny Review undertaken by a small group of Councillors tasked by a particular Overview and Scrutiny Committee. Scrutiny Reviews involve taking up issues that are important to the community, evaluating council policies and services, and measuring North Yorkshire's performance against the council's own standards and the performance of other local authorities.

Overview - it is important for the Overview and Scrutiny Committees to monitor service areas within their remit. This is done through one off 'for information' reports from officers on a specific topic requested by the Committee or progress and performance reports brought forward from the Directorates.

Call in - to 'call in' a decision means to review a decision made by the Executive or an officer or Area Committee with delegated responsibility, before it is implemented. There is a limited time-scale during which an Executive decision can be called-in. This process should be used to make sure that the Executive is making decisions based on the best available evidence, and that the outcomes will be beneficial for local people.

Councillor Call for Action - a Councillor can bring forward local issues to be considered by the relevant overview and scrutiny committee. The Overview and Scrutiny Committee will take a view on whether the matter can be included within the work programme.

Consideration of petitions - all upper tier local authorities in England must establish a petition scheme and it must include the following three possible ways for a petition to come before an overview and scrutiny committee:

1. The local authority may choose to refer a petition to an overview and scrutiny committee for consideration
2. Petitions with a defined level of support, set by the local authority, will trigger a senior local government officer to give evidence at a meeting of an overview and scrutiny committee
3. Petitioners will be able to appeal to an overview and scrutiny committee if they feel the response from their council is not adequate.

How are the public and partners involved in scrutiny?

External organisations and individuals can bring a new perspective to an issue and an in depth day-to-day knowledge of a policy and/or service area. There are various ways partners and the public can be involved in overview and scrutiny such as a co-optee onto a particular Committee or as a witness for a scrutiny review. North Yorkshire County Council is committed to making scrutiny meetings accessible to all sections of the community, wherever possible.

Agendas (which include the minutes of the previous meeting) are always published eight days ahead of the Committee meeting and are available on the NYCC website or on request from Committee Services.

If members of the public have a particular question to ask or statement to make, they must inform the Scrutiny Officer at least three working days before the meeting. In exceptional circumstances, however, the Committee Chairman may use his discretion to allow public questions at the meeting.

There are several ways of directly engaging and involving the public:

- contributors to the work programmes
- as participants at meetings of the committees
- as co-opted Members
- as experts and witnesses.

How is scrutiny work monitored?

Once a scrutiny review report has been reported to the Executive (or to the full council or some other external body such as an NHS Trust, a voluntary sector organisation, or a local strategic partnership), then the Overview and Scrutiny Committee is entitled to expect a response from the recipient. This response should clearly state which of the recommendations it is going to put into action. This response should also set out an explanation for any recommendations that have not been accepted. This statement can then form the basis of any follow-up work the Committee might undertake.

For Overview and Scrutiny to have credibility with local people, they need to know that it leads to improvements. Overview and Scrutiny Committees therefore track the outcome of the scrutiny review recommendations. Each in-depth review is revisited 6 to 12 months after the presentation of the final report to the Executive. This allows the Overview and Scrutiny Committee to assess what progress has been made.

The Council's Scrutiny Board also has a role to play in monitoring scrutiny practice and outcomes. Scrutiny Board is made up of the Chairs of the five thematic overview and scrutiny committees and has a key role to play in co-ordinating overview and scrutiny across the Council to ensure:

- There are no gaps or un-necessary overlaps in overview and scrutiny across the council
- Opportunities for joint scrutiny are realised

- There is a forum for OSC Chairs to act as critical friends, provide challenge and promote good scrutiny method and practice
- Council –wide performance issues can be investigated to see whether there is a need for overview and scrutiny to pursue particular lines of enquiry
- Forward planning of the OSC work programmes and horizon scanning to pick up emergent issues.

If you have any further questions about overview and scrutiny at North Yorkshire County Council, then please refer to the 'Improvement and Scrutiny' pages on the Council's website for the contact details of those people who may be able to assist.

Alternatively, you can call the North Yorkshire County Council customer contact centre on 01609 780780.