

Report of the
Corporate Overview and Scrutiny Committee:

**Overview and Scrutiny at Thurrock
Council: A Review
2019/20**



Contact:

Democratic Services

Thurrock Council

Direct.democracy@thurrock.gov.uk



Lead Member's Foreword

The Corporate Overview and Scrutiny Committee is a scrutiny committee made up of local councillors who want to improve services for residents', and monitor the Council's overall performance.

Between 2018 and 2020, as the Chair of the Committee, I oversaw an in-depth review into scrutiny practices at Thurrock Council and how this function could be improved for residents, Members and officers. We chose to review this function as Members felt there was room for improvement, and a chance for backbench Members to make more of an impact to services and policies throughout the Council. A review was subsequently agreed following a motion made at Full Council in October 2018, which raised questions into the effectiveness of scrutiny and the motions process at Thurrock Council. We felt that this was an important area to review to ensure that Members could effectively ensure the accountability of the Council, which will make sure that residents are receiving the best services and the best value for money.

This report sets out the current picture of scrutiny at Thurrock, and how we have worked throughout this review to improve and change current practice. This includes how other Councils are currently running their scrutiny function; the powers that overview and scrutiny have in law; and workshop sessions with scrutiny Members and the Executive to communicate ideas and recommendations.

Councillor Oliver Gerrish

Chair of the Corporate Overview and Scrutiny Committee, and Lead Member for the Scrutiny Review

Structural Recommendations

- 1. Establish an Executive-Scrutiny Protocol to ensure a formal process for scrutiny comments to reach the Executive.**
- 2. Every Overview and Scrutiny Committee to have an over-arching topic-led project that they manage throughout the municipal year.**
- 3. Portfolio Holders are invited to attend Overview and Scrutiny Committees to answer questions.**
- 4. Members to commit to Committee specific training at the start of the municipal year, with Chairs to receive specific Chairs training.**
- 5. Members agree that the number of scrutiny Committees meets the requirements of the Council, and ensures each Committee can fulfil their role.**
- 6. Members agree that overview and scrutiny processes with regards to call-ins are to remain the same, taking into account the research undertaken by officers into best practice at other Councils.**
- 7. Members agree that the motions process works effectively at Thurrock Council, although quarterly update reports on motions will be provided to the relevant Overview and Scrutiny Committee for their comment and oversight.**

Developmental Recommendations

- 8. Selected reports for pre-scrutiny come to the relevant Overview and Scrutiny Committee earlier in the policy development process, so scrutiny comments can be included in policies.**
- 9. The number of 'to note' reports to be reduced, by emailing 'to note' reports to Committee Members for comment.**
- 10. The Work Programme to be more Member-led. A discussion to happen at the beginning of each municipal year regarding which reports would be sent through committee throughout the year.**

Timeline Summary

31 October 2018: motion to Full Council to review the scrutiny function and motions process.

4 December 2018: Democratic Services attended the Centre for Public Scrutiny's Annual Scrutiny Conference to understand scrutiny at a national level, and discuss the review with Councils across the country.

31 January 2019: first meeting of Corporate Overview and Scrutiny Committee to discuss the Centre for Public Scrutiny's Evaluation Framework and the initial key lines of enquiry.

5 March 2019: Corporate Overview and Scrutiny Committee outlined the projects for the review and agreed consultation.

26 September 2019: The Scrutiny Symposium – all scrutiny Members were invited to attend the event hosted by Dr Dave McKenna from the Centre for Public Scrutiny.

6 March 2020: Democratic Services attended the Association of Democratic Services Officers (ADSO) Scrutiny Conference to discuss national legislation developments regarding scrutiny.

10 March 2020: The Corporate Overview and Scrutiny Committee received a verbal update on the review, and the Committee provided additional guidance and comments to be included in the final document.

14 September 2020: After some delay due to COVID-19, the Committee met with the Leader and selected Portfolio Holders to discuss the review, particularly the Executive-Scrutiny Protocol.

10 November 2020: The final review document will be submitted to the Corporate Overview and Scrutiny Committee for their agreement.

9 December 2020: The Scrutiny Review will be submitted to Cabinet for their comment and sign off.

Introduction

1.1 For a number of years, the idea of reforming the scrutiny function has been discussed at Thurrock Council, both by officers and Members from all parties. It was felt there was room for improvement, both to engage Members, and improve the supporting processes and procedures.

1.2 The idea for this review came from a variety of sources, including from a motion at the meeting of Full Council on 31 October 2018 reading:

'Full Council asks for the Corporate Overview and Scrutiny Committee, under its cross-cutting remit on overall performance, monitoring and steering of the overview and scrutiny function, to look into:

- *The effectiveness of overview and scrutiny processes at Thurrock Council*
- *The effectiveness of Motions agreed at Full Council'*

1.3 In response to the motion, the Corporate Overview and Scrutiny Committee commissioned a report, which was discussed at Committee on 31 January 2019 to outline a potential review. We agreed that the initial key lines of enquiry would be:

1. What does overview and scrutiny look like at Thurrock Council, and how does the Council meet the national framework for scrutiny and governance?

2. How effective is the overview and scrutiny process in Thurrock Council, in terms of both quantitative and qualitative data?

3. How effective is the motions process, once they have been agreed at Full Council?

Key Line of Enquiry 1: Evaluation Framework

1.4 To answer the first key line of enquiry, the Committee spent time discussing the Centre for Public Scrutiny's (CfPS) Evaluation Framework, which are the national guidelines on good scrutiny at a local authority, which every Council should follow. One of our key focusses at this meeting was whether Thurrock Council met the Framework, which would provide a good baseline for the review.

1.5 Upon reviewing the CfPS Evaluation Framework we found that Thurrock Council met the national guidelines, and the detail of this can be found at Appendix 3.

1.6 Although Thurrock Council met the overall national guidelines, we felt that there could be improvement, and wished to further scrutinise the following areas as part of our review:

- **Work Programme:**
 - More input from scrutiny Members in shaping the Work Programme, in terms of what reports, issues or items they would like to see.
- **External Committee Activities:**
 - Increase activity between meetings to allow Committee Members the chance to strengthen their understanding and knowledge of issues, for example site visits.
- **Focussed Training Sessions:**
 - Members could benefit from focussed short training sessions specific to overview and scrutiny throughout the year. For Members who join a Committee during the municipal year, a trainer could provide an individual training session.
- **Time Management of Meetings:**
 - Improve the efficiency of meetings to ensure each agenda item has an appropriate amount of time allocated. This would give Members enough time to discuss agenda items and prevent one item running on longer than necessary.
- **Relationship with Cabinet:**
 - A closer relationship between the Executive and scrutiny functions, with a more impactful role for scrutiny.

Key Line of Enquiry 2: Quantitative Data

- 1.7 In regards to the second line of enquiry, we asked Democratic Services to undertake a quantitative study regarding the types of reports that came before all scrutiny Committees between 2014 and 2018. The outcome of this study can be found below:

Type of report	Percentage of Total Reports
Pre-scrutiny (reports that have to be signed-off by scrutiny before being approved at Cabinet)	16%
Update reports	22%
'To note' reports	45%
Actionable reports (reports that had recommendations that required Member participation to progress the Council's work)	17%

- 1.8 Members felt that, based on these figures, there were too many ‘to note’ reports coming before scrutiny Committees, and not enough actionable reports, through which Members could make changes and develop policy.
- 1.9 Democratic Services also spoke to scrutiny Members as part of their qualitative research, and they expressed concern regarding how impactful scrutiny could be, as they felt that ‘to note’ reports and update reports reduced the influence that the scrutiny function could have on policy development. Members also felt that although pre-scrutiny reduced the need for call-ins, they were an important part of the scrutiny function.

Key Line of Enquiry 3: Motions

- 1.10 We also undertook a study of motions at Thurrock, focussing on motions from between 2014 and 2018. They were broken down into the categories below:

Year	Actions resulting from Motions				
	Additional Committee Work Undertaken (such as extra research by Committees)	Work with external bodies	Work with Central Government and MPs	No update required	Motion Unanswered
2014/15	5	2	4	2	0
2015/16	7	8	4	1	0
2016/17	6	1	3	0	0
2017/18	2	2	5	0	0

- 1.11 As no motions were left unanswered, and many resulted in Committee’s undertaking additional work, the Committee felt that the motions process at Thurrock worked relatively effectively.

The Review

- 2.1 Following the discussion regarding the initial key lines of enquiry, Members agreed to undertake a consultation and project on the aspirations for future delivery of overview and scrutiny.
- 2.2 The Democratic Services team and the Chair of Corporate Overview and Scrutiny then held a series of meetings to discuss how the project should take shape, and the outcomes Members wanted to see once it was finished. The Corporate Overview and Scrutiny Committee then deliberated over the proposed project at its meeting on 5 March 2019. The Committee agreed three 'activities' for the project to undertake:

Plan of Activities

Name of Event	Brief Description
The Scrutiny Symposium	Members agreed that the event would include all scrutiny Members, and would take place after the first meetings of the municipal year were held. An independent organisation would run the event to ensure it was politically neutral. The symposium would focus on the positives and the challenges of being a scrutiny Member; the community and scrutiny; and the scrutiny governance process.
An Executive-Scrutiny Workshop	This would include Members from the Corporate O&S Committee and selected Portfolio Holders, as well as the Leader. The Workshop would consider how recommendations moved from scrutiny to Cabinet and vice versa; and how to increase communication between the two branches of local government.
Comparative Exercise	To compare the overview and scrutiny function at Thurrock with neighbouring councils, and other unitary authorities. This would also include governance and legislation regarding the role that overview and scrutiny can play in an Executive system, and the current scrutiny debate at a national level.

Terms of Reference and Targeted Outcomes

Terms of Reference

- 3.1 Following the agreement of the review 'project activities', the Corporate Overview and Scrutiny Committee agreed the Terms of Reference for the project, and the outcomes Members would like to see.
- 3.2 These were formulated into four key questions, which would be answered by the end of the review:
- 1. Is there enough co-ordination between scrutiny committees and the Executive?**
 - 2. Is there a formal process for scrutiny Committee Members to be heard at Cabinet?**
 - 3. Does the content provided at scrutiny Committee's satisfy Members aims and objectives?**
 - 4. Are there the right number of Committees at Thurrock, and do they have the right Terms of Reference?**
- 3.3 Members agreed that the outcomes of this review should ensure that the relationship between the Executive and scrutiny is functional and works well. It is also to ensure that Members are fully involved in the scrutiny process, and can help residents to the best of their ability.

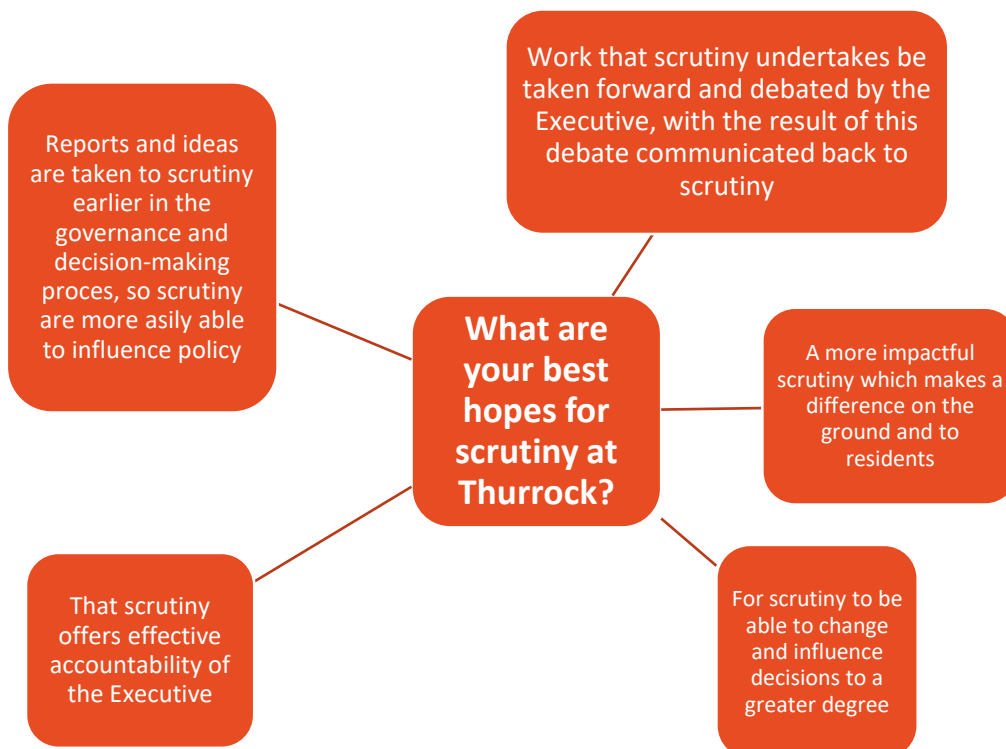
The Scrutiny Symposium Event

4.1 Dr Dave McKenna, a representative from the Centre for Public Scrutiny, chaired the Scrutiny Symposium on Thursday 26 September 2019.



4.2 Dr McKenna organised the debate so the attendees could try to answer the four key questions outlined above, and also asked what Members wanted the future of scrutiny to look like.

What are your best hopes for scrutiny at Thurrock?

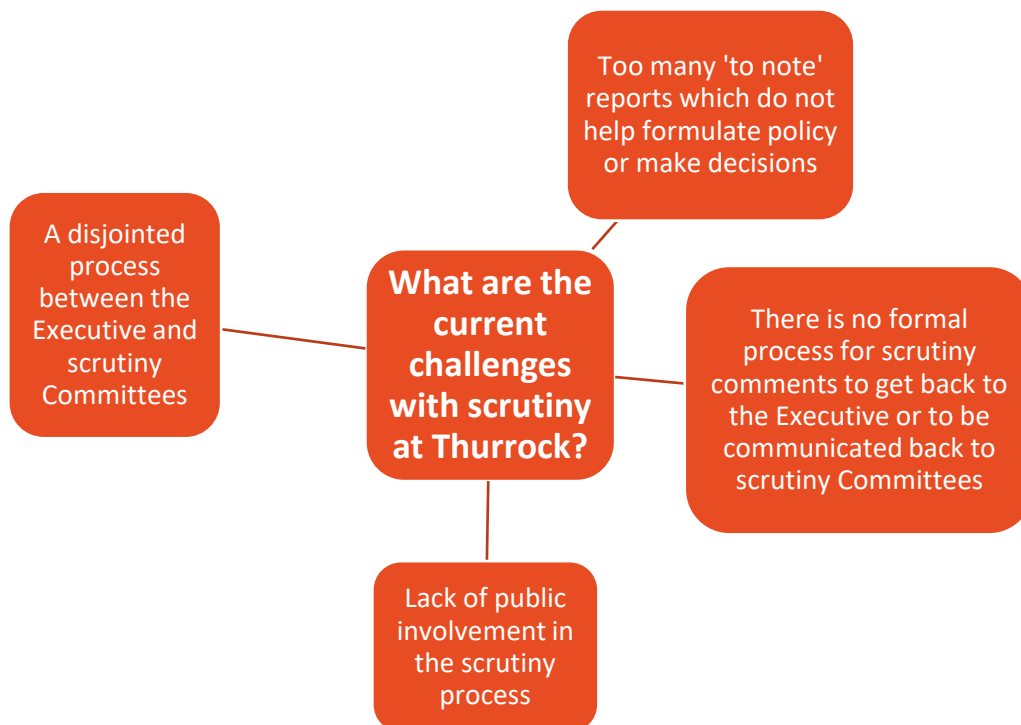


Outcomes

4.3 Members felt from this discussion that the most important role for scrutiny at Thurrock was to make an impact, on both policy development and the lives of residents.

- 4.4 We felt that scrutiny could be more impactful if activities were engaged in between Committee meetings, such as training or site visits, to ensure that issues were progressed quickly and were brought to the Executive earlier in the policy development process.
- 4.5 One of the key action points that became clear from Members 'best hopes' was for increased communication between the Executive and the scrutiny function, to make sure scrutiny could fulfil their role successfully, and were able to make a larger impact.

What are the current challenges with scrutiny in Thurrock?



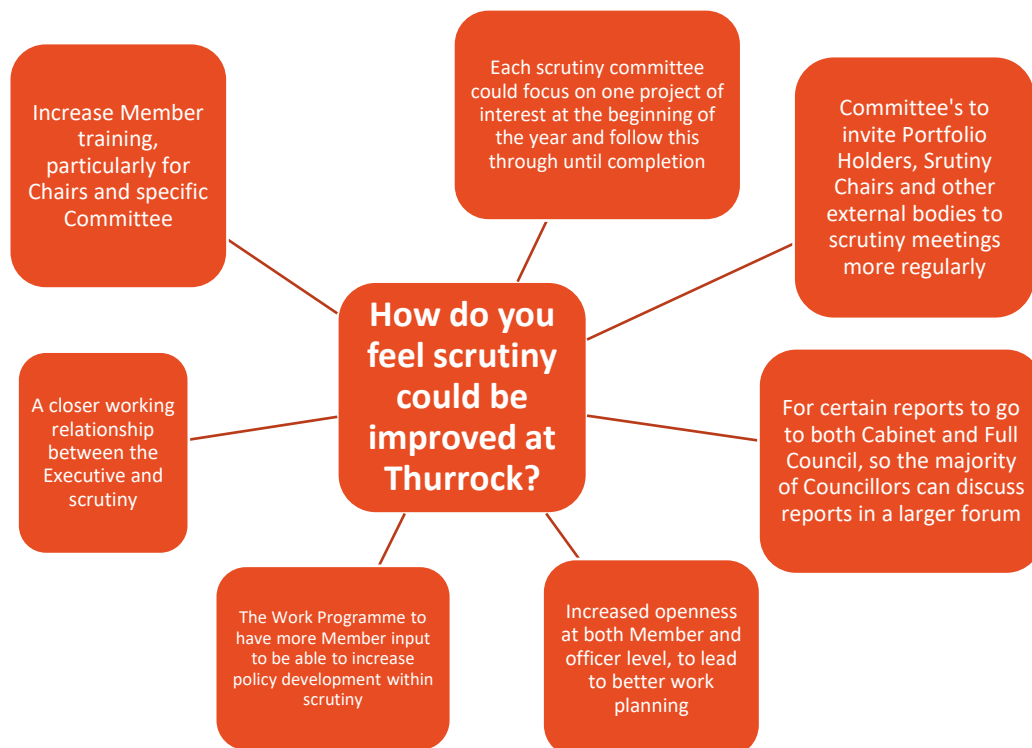
Outcomes

- 4.6 One of the main themes of this conversation was the lack of discussion between the Executive and scrutiny functions. Members wanted to formalise this process and ensure it was not 'disjointed', in order for good decisions to be made.
- 4.7 The idea arose of introducing a formal 'Executive-Scrutiny Protocol' to formalise the process, and ensure both functions were heard. It would also allow for more considered decision-making as reports would have been scrutinised, and would ensure that the Executive heard these comments, so

they could consider and make recommendations.

- 4.8 As shown in the diagram above, Members also felt there were too many 'to note' reports, and felt that if 'to note' reports were emailed to Members separately, more time could be used for in-depth scrutinising and policy development.

How do Members feel scrutiny could be improved at Thurrock?



Outcomes

- 4.9 Members felt that a better dialogue was needed at both Member and officer level, so better discussions could be had regarding reports presented before Committee, and more detailed work planning for the municipal year could take place.
- 4.10 On this basis, some Members suggested that the Chair of a scrutiny Committee could be involved in deciding the number of meetings every year, which would allow for flexibility regarding the Work Programme, and the development of reports. After much consideration, we felt that this idea would be impractical as officers needed to decide on the time of meetings before the election of a Chair at the beginning of the municipal year, in order to plan reports and the governance processes around this. We felt that scrutiny Chairs already had the prerogative to call extraordinary meetings when the

Work Programme became full, and the Committee could undertake extra work such as site visits throughout the year if required.

- 4.11 Members also suggested the idea that each scrutiny committee could decide on a 'project' at the beginning of the year, and could follow this through until completion. The project could revolve around one aspect of their scrutiny committee that interested Members, or was felt could help residents and the community. It could also be a way to involve residents in scrutiny across the borough.
- 4.12 In previous years, Thurrock has used the 'project' system, and this is still used in many Local Authorities such as the London Borough of Barking and Dagenham.
- 4.13 We felt that by undertaking a 'project' Members could help residents with issues across the borough. It could also help scrutiny fulfil its policy development role, as O&S would send the projects recommendations to Cabinet for discussion and potential implementation.
- 4.14 We felt that Chairs and Committee training was already held throughout the year, with an external provider attending regularly to discuss Chairing skills, questioning skills, and how to make the most out of scrutiny meetings. These training sessions were poorly attended, and we felt that if Members pledged to attend, they would improve their skills and would not need additional specific training.
- 4.15 Members wished to invite Portfolio Holders, other scrutiny Chairs, and external bodies to scrutiny meetings to give the chance for them to ask questions, and for scrutiny to hold the Executive to account.
- 4.16 We felt that this invitation could take the form of answering questions regarding a specific report, or O&S Chairs could invite Portfolio Holders to answer questions about the performance of their service as a whole. This decision could be at the discretion of the Chair or whole committee.
- 4.17 Questions to Portfolio Holders could follow a similar system to Full Council, and be sent to Democratic Services and the Monitoring Officer prior to the meeting. This would ensure questions are in-line with the Constitution, and the process remains fair for all involved.
- 4.18 Members also felt that O&S Committees could send reports to both Cabinet and Full Council, so all Councillors could discuss important reports in a larger forum. We felt this was not in-line with governance processes, as under an Executive system, the Executive have the majority of the decision-making power. Reports of significant importance would still go to Full Council to add

weight to certain decisions.

- 4.19 Overall, Members had many suggestions in how to improve scrutiny at Thurrock. They were mainly themed around the relationship with the Executive, training, and policy development.
- 4.20 Some of these suggestions could not be implemented due to internal governance processes and legislation, but others were taken on board for the Corporate O&S Committee to discuss.

What are the good things about scrutiny at Thurrock?

Organisation	<ul style="list-style-type: none">• Well-organised by Democratic Services as information is always provided on time.
Collegial Environment & Objectivity	<ul style="list-style-type: none">• A collegiate environment in scrutiny committees with cross-party communication.• Good interpersonal support between Members of all parties during scrutiny committees.• No explicit party politics, and objective discussions.
External Attendees	<ul style="list-style-type: none">• Often successful at requesting external partners to attend with good questions asked by scrutiny Members.• Good Member and officer attendance at scrutiny.
Number of Committees	<ul style="list-style-type: none">• The right number of committees that were able to scrutinise each directorate, under specific and separate remits.

Outcomes

- 4.21 Members had many positive comments regarding scrutiny in Thurrock, and felt that O&S Committees could produce good outcomes, such as the establishment of the Lower Thames Crossing and Local Development Plan Task and Finish Groups; the work on the Tree Strategy by the Cleaner, Greener and Safer Overview and Scrutiny Committee; and the Garages Review undertaken by the Housing Overview and Scrutiny Committee.

4.22 From these comments, we can see that Members are happy with the quality and content of reports, and the attitudes of officers. As previously mentioned, Thurrock Council met the CfPS National Evaluation Framework, although some areas needed additional scrutiny.

Conclusions

4.23 The key areas for action, as taken from the symposium can be collated into three areas:



The Executive-Scrutiny Workshop

- 5.1 As part of this review, we felt that a discussion with Members of the Executive would be useful at this juncture to understand how they felt the relationship between the two functions worked, and how they felt it could be improved.
- 5.2 This workshop was held on Monday 14 September 2020 between Members of the Corporate Overview and Scrutiny Committee and the Executive, via Microsoft Teams.
- 5.3 The aim of this workshop was to:
- Study the Executive-Scrutiny Protocol
 - Discuss the recommendations outlined in the review
 - Consider the relationship between the Executive and scrutiny functions from the Cabinet perspective, and how this could be improved
- 5.4 The meeting was attended by Councillors Huelin, Mayes and Watkins for the Executive function, and Councillors Gerrish and Ralph for the scrutiny function. The Leader's views were represented by the Democratic Services Manager, at the Leader's request.
- 5.5 The meeting began with an introduction by Democratic Services, which included the story so far, the purpose of the meeting, and future aims and goals. Members of the workshop discussed the recommendations point-by-point, including how they thought these could be implemented and any changes they wished to see.
- 5.6 Overall, Members from both the Executive and scrutiny functions agreed with all of the proposed recommendations.
- 5.7 Members raised the following areas as action points:
- Members wished to see additional training for scrutiny committee members and Chairs, which would include training on: the proposed Executive-Scrutiny Protocol; the role and powers of the chair and vice-chair; how to compose questions for Cabinet; and the powers of scrutiny in the Constitution.
 - Recommendations to be divided into short term recommendations and long-term ambitions, as some (for example recommendations two and six) would require a long-term change in the council's working practices and procedures.
 - Members requested that the proposed over-arching topic project fulfil the SMART objectives, and were discussed beforehand in collaboration with the relevant Portfolio Holder and officers.
 - Members requested that recommendation ten be included as part of the Work Programme, so Committees could take action if necessary, but did not take up time as a full agenda item.

Comparative Evaluation

6.1 We asked officers to undertake comparative research which looked into the following areas:

- The number of Committees
- Pre-scrutiny processes
- The call-in process

6.2 We also asked for additional information regarding the following factors that influenced overview and scrutiny:

- Legal rights of scrutiny
- The current debate on the role and value of scrutiny

6.3 Our research focussed on other unitary local authorities (ULA) and Thurrock's neighbouring boroughs, as well as other Councils to note.

Other Unitary Local Authorities (ULAs)

6.4 The average number of scrutiny committees for ULAs were three, as outlined in Appendix 4, with most of these having an Overview and Scrutiny Board or Commission to manage the Work Programmes of scrutiny committees. In some ULAs, Task and Finish Groups regularly commissioned in-depth reviews on time-limited matters.

6.5 Thurrock Council therefore has comparatively 50% more scrutiny committees than those studied, but follows a similar process of commissioning Task and Finish Groups to undertake detailed research.

6.6 As the majority of the ULAs use the Leader-Executive system, the decision-making process is similar as in Thurrock, with decisions being considered by a scrutiny committee before being sent to Cabinet for agreement. Therefore, pre-scrutiny is a common occurrence across other ULAs studied. Both the Centre for Public Scrutiny and Local Government Association also recommended a process of pre-scrutiny.

6.7 The call-in process for most of the ULAs are also similar to Thurrock Councils, with a deadline given of a call-in to be received within 5 working days of a published decision.

6.8 The majority of other ULAs benchmarked had an Executive-Scrutiny Protocol in place, which shows that Thurrock Council would be undertaking best practice if it introduced one. In addition, the Overview and Scrutiny Committees at Medway Council have a standing annual item on the agenda where the Portfolio Holder is held to account on the performance of their Portfolio, and this may be something that Thurrock wishes to consider.

Thurrock's Geographical Neighbours

- 6.9 Scrutiny processes in Thurrock's geographical neighbours varied dramatically with no similarity between each one and none similar to Thurrock's scrutiny process, as demonstrated in Appendix 4. For example, Southend operate a system of post-scrutiny with focus on call-ins, and the Portfolio Holder at the London Borough of Barking and Dagenham is called upon to introduce the report to scrutiny, and answer any questions the Committee may have.
- 6.10 Across Thurrock's geographical neighbours, where a call-in deadline is given, the average is within 5 working days of a published decision that has not yet been implemented. Both the London Borough of Havering and Basildon Council have a scrutiny board in place to monitor the call-in process and to decide whether a call-in is upheld or declined.

Other Councils of note

- 6.11 Throughout the Committee's research, other Councils were contacted through the Association of Democratic Services Officers, and although these did not fit into our benchmarking categories, their scrutiny procedures were interesting and therefore included in this review.

Hertfordshire
County Council

Southwark
Council

Suffolk County
Council

Use Task and Finish Groups rather than scrutiny committees, and hold one 'scrutiny day' per year, with an additional half day to agree recommendations

Hold regular interviews with Portfolio Holders to discuss scrutiny, and what reports the Executive would like scrutiny to focus on

Work Programmes are agreed by the Cabinet and Full Council, so all Members are aware of any upcoming work

The Legal Rights of Scrutiny

6.12 The legal rights of scrutiny are set out in the Local Government Act 2000 as well as other legislation, and are intended to counter the Executive structures that were created by the same Act.

6.13 The powers of overview and scrutiny in legislation are listed below:

- Any Member of scrutiny has the right to refer a relevant matter to the committee.
- Overview and scrutiny committees may hold inquiries and produce reports.
- Scrutiny Committees have the power to 'call in' decisions made by the Executive. They may then review a decision and recommend that the council reconsider it. The government guidance implies that call-in would be expected to be used as a last resort when other methods of engagement have failed.
- Committees may require Executive Members and officers of the authority to appear before them. Individuals from outside the Council can be invited, but are not compelled to attend.
- Overview and scrutiny reports must receive a response from the Executive within two months.
- Scrutiny Committees cannot oblige either the Council or Executive to act upon their findings.

6.14 Under law, Thurrock Council is in line with legislation, but Members could use these powers more frequently, such as inviting Portfolio Holders to scrutiny meetings.

The Current Debate on the Role and Value of Scrutiny

6.15 As part of the review, we felt it was important to understand the current debates regarding overview and scrutiny on a national level.

6.16 To understand the current debate regarding scrutiny, and to find out what successful governance looked like at other Councils, the Committee decided to attend the Centre for Public Scrutiny's (CfPS) annual scrutiny conference. A number of topics were discussed, and it gave a good starting point for best practice research amongst other Councils. The diagrams below outline the main topics raised.

What does successful scrutiny governance look like at a national level?

Concentration on scrutiny's raison d'etre - management and not oversight.

Members should 'get something out of it' so they feel more included and make a difference.

Scrutiny should give a level of accountability regarding commercialisation and council owned companies.

Should include residents to increase transparency and hold the Executive to account.

Open and transparent decision making - accurate information and appropriate advice given.

Take into account 'social value added', so every report and procurement exercise should focus on how social value could be added, rather than simply money.

Strong leadership to promote integrity and respect.

6.17 In conclusion, the main debate at a national level regarding scrutiny was making sure that Councils operate a transparent governance and scrutiny process, that ensures Members feel included and can make a difference. We felt that Thurrock operated an open system of governance, but both the Executive and scrutiny were able to use closed sessions to discuss commercially sensitive information, and other exempt/confidential reports.

6.18 This has helped to shape the outcomes of this review, as this national debate has remained one of the focusses. As Members wished to be more included in the process, this will bring Thurrock in-line with the national debate, this has been included in the recommendations.

List of Recommendations arising from this Review

The Committee recommends that:

1. Establish an Executive-Scrutiny Protocol to ensure a formal process for scrutiny comments to reach the Executive.

We felt that by introducing an Executive-Scrutiny Protocol, the governance procedure would become clearer for both Cabinet and scrutiny Members. Communication between the two branches could improve and comments from both could be more easily included in reports and during meetings. Guidance from the central government published in May 2019 suggested that every local authority introduce an Executive-Scrutiny Protocol and numerous other Councils have already adopted this. The impact of this recommendation would be to formalise a process that already exists, and ensure that both Members and Officers are aware of the relationship between scrutiny and the Executive. This Protocol will also be included within Members training, so all are aware of the statutory and constitutional powers of scrutiny. The Executive-Scrutiny Protocol is listed at Appendix 1.

2. Every Overview and Scrutiny Committee to have an over-arching topic-led project that they manage throughout the municipal year.

Overview and Scrutiny Committees pledge to identify an issue to investigate and develop in the course of a municipal year, in collaboration with officers and other Members. We felt that by introducing one overarching project for each Committee, every year Members could understand areas of concern and work in greater depth. All projects would be discussed beforehand with the relevant Portfolio Holder and officers, and follow the SMART objective guidelines.

3. Portfolio Holders are invited to attend Overview and Scrutiny Committees to answer questions.

Portfolio Holders are invited once a year to field questions from Members of the Committee on specific agenda items or areas of concern. We felt that this would greater fulfil scrutiny's ability to scrutinise Cabinet Members and increase accountability. The process will be outlined in the Executive-Scrutiny Protocol. In this way, all questions will be regulated to ensure they adhere to Council rules, whilst allowing Members freedom to ask a variety of questions.

4. Members commit to Committee specific training at the start of the municipal year, with Chairs to receive specific Chairs training

A detailed Members training programme is released at the start of every municipal year, and this includes Committee training, Chair's training, Work Programme training, Community Leadership training and other mandatory training such as Licensing and Planning. Scrutiny Members commit to attend these training sessions regularly to be aware of guidance and best practice. If Members attend these training sessions, but still feel there are gaps in their knowledge, Democratic Services can look into other training sessions that could be provided to Members.

5. Members agree that the number of scrutiny Committees meets the requirements of the Council, and ensures each Committee can fulfil their role.

As evidenced in the report (Appendix 4) Thurrock Council have a greater number of scrutiny Committees than other neighbouring councils, and other unitary authorities. Despite this, we felt that Thurrock had the appropriate number of scrutiny Committees that had specific and separate remits, and were able to undertake pre-scrutiny and consider a number of reports successfully.

- 6. Members agree that overview and scrutiny processes with regards to call-ins are to remain the same, taking into account the research undertaken by officers into best practice at other Councils.**

As evidenced in the report Thurrock Council are in line with other Councils in terms of call-ins. Scrutiny Committees have the opportunity to call-in any report which has not been through pre-scrutiny, and although some Members felt unhappy with this, the process is in line with best practice guidance from the Centre for Public Scrutiny, other Councils and the Local Government Association.

- 7. Members agree that the motions process works effectively at Thurrock Council, although a quarterly report on motions will be provided to the relevant Overview and Scrutiny Committee for their comment and oversight.**

As based on evidence provided earlier in the review, Members felt that the motions process worked effectively at Thurrock, with no motions going unanswered, and the majority leading to additional and useful work. Members did wish to have increased oversight of motions presented at Full Council, and it was felt that a quarterly item should be added to the Work Programme, so the relevant Overview and Scrutiny Committee could be updated on motions under their remit and maintain oversight.

Developmental Recommendations

8. Selected reports for pre-scrutiny come to the relevant Overview and Scrutiny Committee earlier in the policy development process, so scrutiny comments can be included in policies.

As a part of this review, we felt that Members did not have enough time to fulfil their role of policy development (Thurrock Constitution, Chapter 4, Part – Article 6), as reports came before committee late in the process. We understand that this is not always possible due to timelines; therefore, we feel that at the beginning of the municipal year Members and officers could agree on two or three reports that could include additional time for scrutiny to undertake policy development. The additional scrutiny would therefore be more detailed, as the Overview and Scrutiny Committee would have more time to consider alternative ideas and proposals. In addition, those reports that have not been pre-scrutinised could be called-in under the standard procedures outlined in Thurrock's Constitution.

9. The number of 'to note' reports be reduced, by emailing 'to note' reports to Committee Members for comment.

We felt that scrutiny had too many 'to note' reports, which were taking up time and resources, but did not help the scrutiny Committee fulfil their statutory role. To solve this issue, it is recommended that Democratic Services work with officers to ensure that all officers are aware of the report writing guidance, and the need to reduce 'to note' reports. Officers would then work collaboratively to decide if a 'to note' report needed to go before the Committee, or could be emailed to the relevant scrutiny Members. If a 'to note' report was emailed to Members, they would still have the ability to ask questions and make comments to officers via email, or could ask for the report 'to be tabled' for the Committee meeting, if more serious concerns were raised.

10. The Work Programme be more Member-led. A discussion to happen at the beginning of each municipal year regarding which reports would be sent through committee throughout the year.

Although Members can already suggest items for the Work Programme, Members and officers will commit through this review to enhance this in future. This will also be helped by Members commitment to undertake specific Work Programme training. Chairs will ensure that the Committee agree to one over-arching focus report at the beginning of year (as stated in recommendation 3), and discuss what other issues they would like to receive reports on. This will ensure that a specific scrutiny Committee can cover every topic that falls under their remit within one municipal year.

Next Steps

Evaluation

- 7.1 Overall, we feel that the review has been successful, and has considered a range of options and ways to move forward.
- 7.2 Unfortunately, this review did not get to consider topics such as how to increase public involvement in scrutiny, as we wanted to keep the review timely. In addition, public involvement is a very large topic and it therefore would have been difficult to look at both public involvement and scrutiny processes in enough detail within one review.
- 7.3 The issue of public involvement in scrutiny is something that should be considered at a later date, if Members so wish.
- 7.4 In addition, there were a number of delays with the report, due to an unexpected general election in 2019, and the outbreak of the COVID-19 pandemic.

Implementation

- 7.5 Implementation of this review will begin at the start of the 2021/22 municipal year, with individual committee discussions happening in late 2020/21 to ensure the necessary preparations are made.
- 7.6 Once the Corporate Overview and Scrutiny Committee and Cabinet have agreed the recommendations, they will become a good practice guide, along with the Executive-Scrutiny Protocol.
- 7.7 The diagram below shows the life cycle of the 'ideal report' through the Committee system, once recommendations of this review have been agreed and implemented.

First stage (September 2021)

- Officers will write a report, to be sent to the relevant overview and scrutiny committee.
- The scrutiny committee will then make comment, potentially asking for extra information, and make additional recommendations.

Second stage (December 2021)

- Officers will then go and make the discussed changes to the report
- The Executive will then have the opportunity to consider the report, including scrutiny comments, and will debate.
- After the debate, the Executive will potentially agree the recommendations, including those made by scrutiny.

Third stage (January 2022)

- The Committee will receive a briefing note regarding the debate had at Cabinet, so they are aware of the decision and comments made.

Appendices

Appendix 1: The Executive Scrutiny Protocol

Appendix 2: Scoping, Methodology and Bibliography to the Review

Appendix 3: The Centre for Public Scrutiny's Evaluation Framework

Appendix 4: Comparative and Benchmarking Research

Appendix 1 - Thurrock Council's Executive-Scrutiny Protocol

1. Introduction

- 1.1 The Executive-Scrutiny Protocol is a guide for Portfolio Holders and Members of Overview and Scrutiny Committees, which outlines the relationship between the two functions, and the procedural processes that underpin this. This protocol draws on Thurrock Council's Constitution, and the purpose is to establish helpful operating guidelines to aid governance.

2. Constitutional Basis of the Executive-Scrutiny Relationship

- 2.1 Scrutiny's role is to act as a 'critical friend' to the Cabinet and Full Council in order to promote better services, policies and decisions. Scrutiny's role and powers is set out in Chapter 4 of Thurrock Council's Constitution and can be summarised as:

- The power to call-in Executive decisions
- The power to consider Councillor call for action
- The power to establish Working Groups and Task & Finish Groups
- The power to consider reports regarding crime and disorder and health
- The power to consider urgent and very urgent items of business

3. Functions of Overview and Scrutiny

- 3.1 Overview and Scrutiny Committees power is outlined in Chapter 4, Part 1, Article 6 of Thurrock's Constitution and have the ability to:
1. Review and scrutinise any decisions made or actions taken in connection with the discharge of any of the Council's functions
 2. Make reports and recommendations to the Cabinet and/or Full Council and/or any Committee in connection with the discharge of any functions
 3. Consider any matter affecting the area of Thurrock or its inhabitants and make reports and recommendations
 4. In accordance with the procedures for Call-In, exercise the right to Call-In for reconsideration decisions falling within their remit that have been made but not yet implemented by the Cabinet or on behalf of the Cabinet, and undertake reviews aiming to improve the efficient and effective delivery of services to local people.
 5. Assist the Council and the Cabinet in the development of its Budget and Policy Framework by analysis of policy issues or proposed projects.

6. Conduct research, community and other consultation in the analysis of policy issues or proposed projects and possible options.
7. Consider and implement mechanisms to encourage and enhance community participation in the development of policy or project options.
8. Question Members of the Cabinet, Committees and senior Officers of the Council, and representatives of other public, business, or voluntary/community sector bodies, about their views on issues and proposals affecting the area.
9. Liaise with other external organisations operating in the area, whether national, regional or local, to ensure the interests of local people are enhanced by collaborative working.
10. Review and scrutinise the decisions made by, and the performance of, the Cabinet, Committees and Council officers, both in relation to individual decisions and over time.
11. Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets, and/or particular service areas.

4. Executive Attendance at Overview and Scrutiny Committees

- 4.1 Cabinet Members will not be expected to attend all scrutiny meetings, but may do so if they wish. Their participation in any meeting will be at the gift of the Overview and Scrutiny Chair.
- 4.2 Overview and Scrutiny Committees are entitled under s21 of the Local Government Act 2000 to require any Members of the Executive or any Senior Officer to attend to give account for any matter within their responsibility or remit, particularly relating to:
 - A particular decision
 - The actions that have been taken to implement Council policy
 - Performance
- 4.3 It is the duty of those persons to attend if so required. When a scrutiny committee wishes to invite a Cabinet Member, Officer or another individual to a meeting it will:
 - Provide a minimum of two weeks' notice
 - Outline the reason that the individual has been requested to attend and the likely areas upon which they are expected to answer questions
 - Identify whether any papers are required to be produced

- 4.4 On an annual basis, the relevant Portfolio Holder will be required to attend a meeting of the relevant scrutiny committee, to discuss performance, answer questions on specific reports, and be held accountable via questions from scrutiny Members.
- 4.5 Members of the relevant Overview and Scrutiny Committee will have the opportunity to submit advance questions to the Portfolio Holder with a deadline for submission being 5pm, ten working days before the meeting. This will allow Portfolio Holder's and officers to prepare an informed response to these questions. The Chair will have the prerogative to accept questions without notice once all questions on notice have been answered and to further manage the debate of the meeting.
- 4.6 All other issues pertaining to questions and debate will follow the Council Procedure Rules, as laid out at Chapter 2, Part 2 of Thurrock's Constitution.

5. Overview and Scrutiny Attendance at Cabinet

- 5.1 The Chair, or appropriate Members if the Chair is not available, of a scrutiny committee may be called by the Executive to present a report or answer questions. If the Executive wish to invite a Member of scrutiny then they must provide two weeks' notice, and outline the reason why the individual has been requested and the likely areas upon which they are expected to answer questions.

6. Responding to Scrutiny's Recommendations

- 6.1 Scrutiny Committees will agree outcomes of their meetings and detail any conclusions and recommendations in the formal minutes. Reports that then follow the governance procedure and go to Cabinet for sign-off must include details of those conclusions and recommendations made at the meeting of overview and scrutiny.
- 6.2 If the Cabinet report has been published before the overview and scrutiny meeting has been held, the recommendations made at overview and scrutiny must still be communicated to the Executive. This can be done in two ways:
1. Cabinet will table a briefing note, which explains discussions held and clearly sets out the formal recommendations made by the scrutiny Committee. The report author will draft the briefing note, which will receive sign-off through internal governance procedure.
 2. The Portfolio Holder introducing the report can provide a verbal update to Cabinet outlining discussions and recommendations made by the scrutiny Committee. This will only be acceptable if the time between the scrutiny Committee and Cabinet meeting (or vice versa) is so short that is impractical to provide a briefing note.
- 6.3 Non-Executive Members, including scrutiny Members, have the opportunity to ask questions at Cabinet on any agenda item, and the rules for this process

are set out in the Constitution at Chapter 3, Part 2. For example, the question must be received by midday two working days before the Cabinet meeting is due to be held.

- 6.4 Outside of the pre-scrutiny process, the Chair may formally raise concerns via a Chairs Letter directed to the relevant Cabinet Member(s), and the Cabinet Member must respond within four weeks indicating whether the recommendation needs to be referred or what action they intend to take. The Chair's Letter and Executive Member's response will be filed with Democratic Services, with a record being kept for reference.

Appendix 2 - Methodology and Bibliography to the Review

This appendix outlines the methodology of this review, and includes the different methods the Committee used to collate evidence for potential recommendations.

Overview of the Methodology

- 1.1 This review gathered evidence in between the Committee's meetings held between December 2018 and September 2020. Details of evidence gathered, as well as outside organisations and their contributions to this Review are outlined below:

Centre for Public Scrutiny

- 1.2 The Centre for Public Scrutiny is the 'national centre of expertise on governance and scrutiny' and provided consultancy, research and practical support throughout our review.
- 1.3 Towards the beginning of the review on 4 December 2018, Democratic Services Officers attended a Centre for Public Scrutiny conference, to discuss scrutiny with other local authorities from all over the country, to find examples of best practice and advice regarding this review. Outcomes and discussions held during this conference are included in the main body of this review.
- 1.4 On 26 September 2019, Dr Dave McKenna from the Centre for Public Scrutiny chaired the scrutiny symposium and helped to frame the debate and discussion between Members.
- 1.5 The Centre for Public Scrutiny also provided examples of best scrutiny practice to officers throughout this review, as well as providing advice and guidance.

Other Local Authorities

- 1.6 Throughout this review, Democratic Services have been in contact with other Local Authorities to understand how their democratic process works.
- 1.7 Democratic Services Officers have also contacted the Association for Democratic Services Officers (ADSO) to gather ideas and research for the comparative section of this review.

Bibliography

1.8 During the Review, Democratic Services Officers considered the following pieces of research and evidence, the most important of which were presented before the Corporate Overview and Scrutiny Committee:

1.9 Centre for Public Scrutiny, The Good Scrutiny Guide - <https://www.cfps.org.uk/wp-content/uploads/CfPS-Good-Scrutiny-Guide-v5-WEB-SINGLE-PAGES.pdf> - June 2019

1.10 Centre for Public Scrutiny Evaluation Framework Analysis - <https://www.cfps.org.uk/wp-content/uploads/CfPS-Scrutiny-Evaluation-v2-SINGLE-PAGES.pdf> - April 2017

This was presented to the Corporate Overview and Scrutiny Committee on 31 January 2019, with analysis on how Thurrock Council met the framework and areas for improvement to be included in this review:

<https://democracy.thurrock.gov.uk/documents/s23015/The%20Overview%20and%20Scrutiny%20Functions%20and%20Motions%20Process.pdf>

1.11 House of Commons Library Briefing Paper, Overview and Scrutiny in Local Government - <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06520#fullreport> – June 2019

1.12 Essex County Council Overview and Scrutiny Annual Report 2018/19 - https://assets.ctfassets.net/knkzaf64jx5x/71DFSTQ2EdENHYlfrpL7em/15de9476b394f785feadce8947aaf929/Scrutiny_Activity_2018-19.pdf - June 2019

1.13 Ministry of Housing, Communities and Local Government, Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800048/Statutory_Guidance_on_Overview_and_Scrutiny_in_Local_and_Combined_Authorities.pdf - May 2019

A report on this guidance was presented to Corporate Overview and Scrutiny Committee on 14 January 2020, with analysis on how Thurrock Council meets the guidance, and areas for improvement to be included in this review.

Appendix 3 - The Centre for Public Scrutiny's National Framework: Thurrock's Self-Evaluation

<u>CfPS Scrutiny Evaluation Framework Characteristics</u>	<u>Thurrock's scrutiny process</u>
<p>1. Overview and scrutiny (O&S) has a clearly defined and valued role in the council's improvement and governance arrangements.</p>	<p>The current administration follows a pre-scrutiny process where the majority of reports with key decisions that are going to Cabinet, go through O&S for Members of the Committee to scrutinise beforehand. In addition, Chairs of O&S can attend Cabinet meetings to ask questions and make recommendations to an item on the agenda that relates to their O&S committee, although this is not common practice at Thurrock.</p> <p>Every year Full Council debates the Annual Overview and Scrutiny report, which offers all Members a chance to debate the function of O&S, and raises its public profile.</p>
<p>2. O&S has the dedicated officer support it needs from officers who are able to undertake independent research effectively, and provide councillors with high-quality analysis, advice and training.</p>	<p>Dedicated support is provided by Democratic Services who ensure O&S runs smoothly by organising meetings, checking the quality of reports and being the liaison between Committee Members and Officers. To give Councillors a better understanding of items on the agenda Democratic Services arrange site visits when Councillors request them. For example, Members of Cleaner, Greener and Safer O&S have visited rubbish and waste sites to analyse potential problems regarding waste processing.</p> <p>At the beginning of each year, Democratic Services work with the relevant Directors and members to draw up the Work Programme and discuss which reports are due. If the Committee wish to amend the Work Programme, Democratic Services do this at the end of each meeting. Democratic Services ensure these reports are received and published on time, in line with statutory obligations.</p> <p>Officers undertake detailed research for each report that the Committee considers. Officers</p>

	<p>also benchmark against other councils on statistical data. For example, in Children's Services O&S, Children's Social Care reports compare Thurrock's child assessment rates with the English average, Thurrock's statistical neighbours and with East England.</p> <p>A Director and report authors attend the meetings and are usually able to answer Members' questions in detail and provide answers by email for any questions that require further investigation. The Committee can also request reports and Democratic Services ensure the Work Programme reflects this.</p>
<p>3. O&S provides viable and well-evidenced solutions to recognised problems.</p>	<p>Most of the reports brought to O&S provide the Committee with an update on performance and plans within the service.</p> <p>Where a service has identified areas requiring more scrutiny, the Committee work to find solutions, with evidence provided by officers as to why/how it would work. For example, the Health and Wellbeing O&S Committee commissioned the Orsett Hospital Task and Finish Group to look at the services and proposed closure of Orsett Hospital.</p> <p>The Committee also have to approve solutions before going ahead. For example, CGS O&S had to approve the Tree Planting Strategy before final Cabinet approval. Committee Members also have to give comments and approval for update reports before moving onto the next stage or submitting a design. For example, the Planning, Transport, Regeneration O&S request regular updates on the Purfleet Regeneration project at each stage of development. This gives the Committee a vital opportunity to offer alternatives to the suggested recommendations.</p>
<p>4. O&S councillors have the training and development opportunities they need to undertake their role effectively.</p>	<p>Members are provided with scrutiny training (Committee Skills Member training) every municipal year. Individual and specialised scrutiny committee training is provided to Committee Members e.g. Health & Wellbeing</p>

	<p>Adult Social Care Member training, Preventing Child Sexual Exploitation Member training.</p> <p>There are also opportunities for Members to attend external training sessions throughout the year.</p>
<p>5. The process receives effective support from the council's corporate management team who ensures that information provided to O&S is of high quality and is provided in a timely and consistent manner.</p>	<p>There is effective support from the council's corporate management team who are aware of the pre-scrutiny process.</p> <p>To ensure the quality of O&S reports, Directors Board discuss each report before final submission. In addition, the relevant Director, who is the 'sponsor', supports each O&S and attend the Committee meeting to provide support to reports or answer questions.</p>
<p>6. O&S is councillor-led, takes into account the views of the public, partners and other stakeholders, and balances the prioritisation of community concerns against issues of strategic risk and importance.</p>	<p>Members lead O&S, as they can request relevant reports to the Committee and influence service operations. For example, in Health and Wellbeing O&S, HealthWatch raised an issue in relation to SERRIC, which led to the Committee requesting an additional report for more information. Additionally, Councillors can put forward a motion at Full Council requesting a relevant O&S to look into an issue. For example, a Member raised a motion requesting the Cleaner, Greener and Safer O&S to look into Tree Planting, and subsequently the Committee reviewed the Strategy and agreed a new approach.</p> <p>The Lower Thames Crossing is a prime example of prioritising Thurrock's community concerns, so much that a Task Force was set up for sole devotion to the opposition of the LTC. To ensure the local community had their own voice, Councillors called for representatives of the local community to be involved, with two community representatives and two business representatives.</p>
<p>7. O&S meetings and activities are well planned, chaired effectively and make best use of the resources available to it.</p>	<p>Annual Council agree the forthcoming O&S meetings for the municipal year, so meetings are planned far in advance. Extraordinary meetings or the setup of Task Force groups will</p>

	<p>usually have meetings planned at least a month in advance.</p> <p>The Chair can request briefings before the meeting, which are organised between Democratic Services and the Chair. In regards to the agenda, the reports arise from the Work Programme ,which is a combination of Officer and Member initiative.</p> <p>Available resources for meetings include rooms and IT equipment, which are always available for Officers and Members to use when booked in advance. There is also a small budget available for project work.</p>
<p>8. Decision-makers give public account for themselves at O&S committees for their portfolio responsibilities.</p>	<p>Portfolio Holders rarely attend O&S meetings at present, but Chairs could invite them to attend where necessary to answer the Committee’s questions. For example, Councillor Halden (former PFH for Education and Health) attended Children’s Services O&S to answer questions on the Pilot Development for Head Start Housing for Vulnerable Young People and Care Leavers.</p>
<p>9. O&S is recognised by the Executive and Corporate Management Team as an important council mechanism for community engagement, and facilitates greater citizen involvement in governance.</p>	<p>Most reports going to Cabinet usually go through O&S first. Cabinet can request that reports to go back to O&S, for example Cabinet asked the Housing O&S Committee to consider the Grounds Maintenance Charge, and undertake detailed research into the proposed charge.</p> <p>In addition, the Constitution Working Group considered reducing the timeframe for submitting questions, and Full Council agreed this. This has facilitated greater citizen involvement and gave more importance to the function of O&S.</p>
<p>10. O&S is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.</p>	<p>The Communications Team in the Council tweets of upcoming O&S committee meetings to notify the public. The public occasionally attend and they are able to ask questions or present a petition as set out in the Constitution under Chapter 4, Part 3 – section 5.</p>

	<p>In 2017, the Constitution Working Group reviewed public participation in the democratic process, and compiled a report. The improvements made from this were:</p> <ul style="list-style-type: none"> • The Council website was amended for better clarity. • The timeframe for the public to submit questions was reduced. • Clarity was given to the Mayor on accepting late questions at their discretion.
<p>11. O&S operates non-politically and deals effectively with sensitive political issues, tension and conflict.</p>	<p>There is no evidence of partisanship within the function and the Monitoring Officer has not received any complaints or evidence to the contrary.</p>
<p>12. O&S builds trust and good relationships with a wide variety of internal and external stakeholders.</p>	<p>Trust is built with external stakeholders by ensuring solutions from council services have a positive impact. For example, Health and Wellbeing O&S works together with the NHS; and Planning, Transport, Regeneration O&S works with the C2C on train services. External representatives attend O&S to provide reports and take comments and questions from Members.</p> <p>Other external stakeholders also attend O&S Committees as Co-Opted Members, and provide updates. HealthWatch attends the Health and Wellbeing O&S to provide the Committee with regular updates. In Cleaner, Greener and Safer O&S, Essex Police have attended a recent meeting to discuss the Gang Related Violence Report, and presented the report with the Thurrock Community Partnership.</p>
<p>13. O&S enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.</p>	<p>Councillors on O&S Committees represent the 'voice' of the local community. Many questions and comments posed by Councillors are done so with the local community in mind, and discussions revolve around how a solution or decision would impact the local community. For example, the PTR O&S Committee raised</p>

	<p>concerns regarding the A13 Widening Scheme and the disruptions this could cause to local residents, to which Officers had given solutions to reduce the impact of the works.</p>
--	---

Appendix 4 - Comparison of Thurrock's Geographical Neighbour's Scrutiny Processes

Council	No. of Scrutiny Committees	Decision Making Process	Call-in	To Note
Southend	3 – People, Place and Policy & Resources (17 Members on each), meet 6 times a year	Decisions are made at Cabinet, which are then often called-in for debate by scrutiny.	O&S committees monitor the decisions of Cabinet and can call-in decisions made by Cabinet, which have not been implemented. Southend call-in roughly 75% of all reports, rather than undertaking pre-scrutiny.	Every year each committee focus on 1 topic for in-depth study and public inquiry into local concerns, which lead to reports & recommendations.
London Borough of Barking and Dagenham	2 – O&S Committees & a separate Health O&S, which is not politically balanced – also represented on Joint HOSC for Outer North East London	The relevant PFH attends to introduce the report at O&S, and remains to answer questions.	Call-ins are avoided as scrutiny committee's undertake pre-scrutiny.	Each year the scrutiny committee undertake 1 or 2 in-depth reviews which go on to form policy.
Basildon	6 Service Committees and 4 sub-committees	Operating on a Committee System, decisions are made by service committees who also set policies and monitor service performance. There is no Leader or Cabinet in a Committee System.	This is known as a Decision Review, which must be submitted by the fifth working day after the published decision. It is decided within 10 working days by the Staffing and Review Sub-Committee whether the decision will be referred back to the relevant committee for review.	
London Borough of Havering	6 O&S Committees	Decisions made by Cabinet are monitored by	Members are notified of decisions and if calling-in a decision,	Members of the public can request a committee to look into a

	with an O&S Board	O&S and can be called-in following procedures.	it must be submitted within 3 working days. This is then heard at the next O&S Board meeting (if within 15 working days) where it will be decided if the call-in is upheld or declined. Pre-scrutiny is undertaken on a regular basis.	particular topic through submitting a topic request form.
Rochford District Council	1 O&S – the Review Committee (15 Members)	The Review Committee monitors decisions made by Cabinet, Committees or Council and can call-in decisions that are not implemented.	Call-ins must be made within 5 working days of a published decision.	The Review Committee looks into matters of concerns raised by members of the public.

Appendix 4 - Comparison of Unitary Authorities' Scrutiny Processes

Council	No. of Scrutiny Committees	Decision Making Process	Call-in	To Note
Medway	4 (TF Groups commissioned for in-depth reviews)	Decisions are scrutinised at the 4 O&S Committees before the decision is considered at Cabinet.	Within 5 working days of a published decision unless, it is an urgent decision. If a call-in is accepted, the decision will go back to the relevant O&S for consideration.	Each O&S includes an agenda item on holding a PFH to account on their performance against their portfolio.
Luton	3 and an Overview and Scrutiny Board	Scrutiny or a time-limited T & F can review or scrutinise matters of interest to the local community and make recommendations/comments to inform executive decisions. Implemented decisions can be reviewed and the O&S or T&F can submit recommendations to the executive or the council.	Called-in decisions must be determined within 20 days of the publication date. A decision cannot be called-in if it has gone through pre-scrutiny.	Some items on O&S work programmes were acquired from their Local Democracy Week consultation with the public.
Bracknell Forest	3 panels, joint health committee and an O&S Commission	The O&S Commission develops the work programme for O&S panels through discussions with the Executive and Corporate Management Team. This includes called-in decisions.	Within 5 working days of a published decision.	
Wokingham	3 and an O&S Management Committee	Decisions to be considered at Cabinet can go through O&S beforehand.	Within 5 working days of a published decision and must be determined within 20 days of publication date.	