

# **Informal Procedure for Improving the Efficiency of the Overview and Scrutiny Committee Portfolio Reviews**

Report of the Chairman of the Overview and Scrutiny Committee

## **Recommended:**

- 1. That the Committee endorses the informal procedure set out in this report for improving the efficiency of portfolio reviews.**
- 2. That Committee approves the inclusion of this informal procedure in the next revision of the Overview and Scrutiny Handbook.**

## **SUMMARY:**

- Throughout most of 2021 the Overview and Scrutiny Committee has been trialling a new approach to the review of Portfolio Holders and their portfolios.
- This has aimed to increase efficiency by focussing on specific aspects of each portfolio and by targeting questioning towards future strategic issues, for example: strategic priorities, actions to mitigate future threats, future performance targets (including with regard to climate and ecological issues), future resources, and actions being taken to resolve any on-going problems.
- This report takes experiences from the trial and incorporates them into a final revision of the earlier draft procedure which is offered to the Committee for approval.

## **1 Introduction**

- 1.1** Portfolio reviews are an important means by which the Overview and Scrutiny Committee scrutinises the Council's services and holds Portfolio Holders to account for the performance of these services.
- 1.2** Overview and Scrutiny members have been considering the efficiency of the information exchange and scrutiny processes being practiced during annual portfolio reviews which are held during Overview and Scrutiny Committee meetings. Efficiency is considered particularly important because of the need to explore detailed performance issues within a relatively short period of time.
- 1.3** Following an ideas-generation meeting with members in Feb 2021, a new draft procedure was arrived at which aimed: to employ a background overview of the salient issues affecting each portfolio; to focus the attention of the review solely upon these issues; and to target questioning in order to maximise their investigatory value. In particular, issues of a strategic nature and those looking towards the future, were to be encouraged.
- 1.4** In order to inform the focus of each review, the new procedure foresaw the appointment of coordinators from within the Overview and Scrutiny Committee, who will keep a watching eye on each individual portfolio and who will advise the Committee on the most valuable topics to explore during the review of their particular portfolio.

- 1.5 At its meeting in March 2021, the Overview and Scrutiny Committee voted to conduct a trial of the new procedure which has now been employed for three portfolio reviews. This report brings together the results from that trial and incorporates the lessons learnt into a revised procedure for the Overview and Scrutiny Committee's approval.

## **2 Background**

- 2.1 Overview and Scrutiny members wished to explore the possibility of improving the efficiency of the information exchange and scrutiny processes being practiced during Portfolio Holder appearances at the Overview and Scrutiny Committee meetings. These appearances, nominally of 30-minute duration, typically involved a presentation followed by questions. Left to their own devices, many Portfolio Holders merely described the scope and structure of their service portfolios and (partly through time constraints) did not deal with significant issues such as: performance measured against: the annual Service Plan, the Corporate Plan and the Corporate Action Plan; strategies for future service development including environmental issues; or specific achievements and deficiencies.
- 2.2 Insufficiently robust questioning from members was also considered to be a contributory factor in the efficiency of reviews. Many thought that it did not sufficiently probe the strategic direction of the portfolios, and sometimes did not adequately explore controversial service issues with the Portfolio Holders.
- 2.3 On 4th February 2021 a group of interested Overview and Scrutiny Committee members was convened via Teams by Cllr Lodge to explore possible alternative approaches. The group also examined some earlier practices of portfolio scrutiny, one dating back to 2009.
- 2.4 The group collectively developed a new approach to portfolio reviews which it believed responded to the concerns and dissatisfaction which had been raised. In particular, it sought to delve into a selected part of a portfolio and to examine this part in detail. It also sought to coordinate the questioning to ensure that it focussed on relevant strategic issues and did not stray into time-wasting minutiae. Key to these improvements was to be the appointment of volunteer Portfolio Coordinators.
- 2.5 The role of a Portfolio Coordinator would be that of a resident Overview and Scrutiny Committee specialist on each of the Council's service portfolios and who would propose the topics to be examined when their respective Portfolio Holder was due to appear before the Committee. The Portfolio Coordinator role was not considered to be an onerous one but is one which, it was believed, would greatly improve the efficiency of the review process. Portfolio Coordinators would also be the members who would initiate questioning at the review itself.
- 2.6 The limited time available for portfolio reviews would always remain a crucial factor, so it would be for the Chairman to be vigilant in dealing with irrelevant or non-strategic questions, and of nebulous or lengthy answers. The Chairman would also ensure that all targeted topics were explored and would be the ultimate arbiter of the time spent on a particular review.

- 2.7 It was also considered important that the Portfolio Holder should personally deliver the focussed presentation to the Overview and Scrutiny Committee, and where possible, answer the review questions. It is understood, however, that an attendant Head of Service may need to be called upon to provide detailed answers.
- 2.8 A first draft of the full procedure was considered by the Overview and Scrutiny Committee on 17th March 2021 and the Committee voted to conduct a trial of it. This began with the Environment Portfolio at this same meeting, and subsequently was used in the review of the Housing and Environmental Health Portfolio (14th July 2021) and the Community, Leisure and Tourism Portfolio (15th December 2021).

### **3 The Trial of the Procedure**

- 3.1 First it should be acknowledged that despite many appeals, volunteers for the roles of Portfolio Coordinator were not especially forthcoming. A reason for this may have been the 'over-specification' of the role in the earlier draft; this has been simplified in the revision below. There were, however, more than sufficient Coordinators to allow the trial to progress.
- 3.2 The topic of focus for the first review, that of the Environment Portfolio, was chosen by the Overview and Scrutiny Committee to be: waste collection, particularly looking towards the significant national changes being planned under the Government's Environment Bill. We would also be interested in examining the internal strategic planning currently taking place to facilitate the impending changes. The then Overview and Scrutiny Committee Vice Chairman, briefed the Portfolio Holder, Cllr Johnston, about the Overview and Scrutiny Committee 's experimental scrutiny process and told her of our wish to examine the topic of waste collection. She embraced the requirement and made several helpful suggestions for the procedure. Her subsequent appearance, with support from the Head of Service, worked extremely well and was considered especially informative by members.
- 3.3 For the second review, that of the Housing and Environmental Health Portfolio, the Overview and Scrutiny Committee adopted the advice of its Portfolio Coordinators that the review should examine the handling of homeless people during the pandemic and the planning for post-COVID housing issues potentially arising from the resumption of evictions and the end of the furlough scheme. The Chairman had spoken in advance, and at some length, with the Head of Service to explain the requirements of our new focussed review. The presentation, which was not available to members in advance, was given at the Overview and Scrutiny Committee by Portfolio Holder, Cllr Phil Bundy. It addressed the whole portfolio and included many slides containing detailed statistics. Cllr Bundy highlighted the significant, diverse and successful work carried out by his whole team over a very difficult year, but unfortunately this was not the specific area that we had wished to examine and in the interest of the trial, the Chairman felt duty-bound to point this out, resulting in some bad feeling. Subsequently, the Head of Service verbally and precisely summarised the homelessness issues in which we were interested, and valuable questions were asked and answered. Despite the extended time taken and some unhappiness, the review was successful; but

there had obviously been a communication problem or misunderstanding. This highlighted a need to ensure that both the Portfolio Holder and Head of Service should be involved when the requirements of the focussed review are communicated.

- 3.4 The third review, that of the Community, Leisure and Tourism Portfolio, had to be delayed because a Cabinet reshuffle had brought Cllr Drew into a new portfolio with which he was initially unfamiliar. Our Portfolio Coordinators here, advised that we should examine post-COVID recovery of leisure venues (especially sporting ones) and the provision of facilities in these venues for disabled people. Again the Chairman had advance communication (by email) with the Head of Service and explained our specific requirements. The Head of Service asked that the issue of facilities for disabled people be covered through questioning rather than as part of the presentation, and this was agreed; this matter being of special interest to the Council's Disability Champion and the Overview and Scrutiny Committee member, Cllr Hamilton. Cllr Drew's presentation with support from his Head of Service fulfilled our brief well and was considered to be very successful with questioning from Portfolio Coordinators and other members concentrating on strategic matters, priorities and future plans. One unforeseeable disappointment was that Cllr Hamilton was unable to be present so we were unable to pursue our interest in the provision of facilities for disabled people.
- 3.5 Experience during the trial revealed that an overall time of 45 minutes was realistic for a review, where the presentation should occupy 20-25 minutes of this time.

## **4 The Proposed Informal Procedure**

### **4.1 Portfolio Coordinators**

- the Overview and Scrutiny Committee shall appoint a pair of Portfolio Coordinators for each of the Council's cabinet portfolios. Where possible, each member of the pair shall be from a different political group, which will promote interworking and reduce any personal bias. The role of these Coordinators is to be the resident specialists on each portfolio and to be responsible for suggesting the questioning of their respective Portfolio Holder at their annual review.
- It should be noted that the Portfolio Coordinator role is defined strictly within the Overview and Scrutiny Committee and confers no additional authority upon the role holder outside of the Committee;
- Portfolio Coordinators keep a general watch on all matters relating to their portfolios and remain aware of the most important strategic issues currently influencing the portfolio (eg. performance measured against the Corporate Plan, financial pressures, controversial issues, unforeseen difficulties, successes and failures, specific complaints, new initiatives, on-going studies or experiments and future plans and objectives);
- At the meeting immediately prior to a portfolio review, the Coordinators advise the Overview and Scrutiny Committee of the most appropriate topic and lines of questioning which might be followed during the review. These are then refined and agreed by the Overview and Scrutiny Committee;

- At the portfolio review the Chairman will invite the Coordinators to initiate the questioning of the Portfolio Holder; and
- Following the review, the Coordinators will ensure that any actions arising, either by the Portfolio Holder, Head of Service or the Overview and Scrutiny Committee itself, are subsequently carried out.

#### 4.2 Portfolio Holder presentation at the review

- Portfolio Holders and their Heads of Service will be informed, either by the Chairman or by the Overview and Scrutiny Committee's Legal and Democratic Officer, of the specific topic(s) that will be examined during their review;
- This will normally be done with a minimum of 1 month's notice;
- The topic may cover specific strategic issues, or more general matters such as: performance against the Annual Service Plan; successes and failures; reasons for any failures, actions taken and lessons learnt; how significant complaints were addressed; unexpected happenings and how they were dealt with; new strategic initiatives, trials and experiments; financial investments; and personal aspirations of the Portfolio Holder and/or Head of Service.
- The Chairman will advise the Portfolio Holder of the time allocated to his/her presentation and to questioning (normally a total of 45 mins); and
- Where the Portfolio Holder intends to present a slide show, he/she should send a copy to the Overview and Scrutiny Committee members in advance (even if it is not a final draft).

#### 4.3 Questioning of the Portfolio Holder at the review

- The Chairman will invite the Portfolio Coordinators to ask the first questions;
- It is expected that Portfolio Holders will personally answer questions but it is understood that an attendant Head of Service may need to be called upon to provide answers to detailed or specialist questions;
- Questions on topics of a strategic nature and those looking towards the future, are especially encouraged;
- Time will always remain critical during reviews, so it will be for the Chairman to be watchful of irrelevant or non-strategic questions, and of nebulous or lengthy answers. The Chairman will also ensure that all targeted topics are explored and will be the ultimate arbiter of the time spent on a review;
- Questioning should follow the Dos and Don'ts of the 'critical friend' philosophy outlined in Annex 4 of the Overview and Scrutiny Committee Handbook, this should not however, deter members from asking questions of a challenging or robust nature whenever necessary; and
- The required outcome from scrutiny is that it should improve the Council's efficiency in such a way that the process is viewed constructively by all concerned and that it builds upon the strong reputation of the Overview and Scrutiny Committee as a vehicle for positive advancement.

## 5 Resource Implications

- 5.1 There are no significant resource implications from the adoption of the revised procedure.

## 6 Legal Implications

- 6.1 No legal implications are known from the adoption of the revised procedure.

## 7 Conclusions

- 7.1 This report has outlined the reasons for a revision of the practices employed in the Overview and Scrutiny Committee portfolio reviews. It has also proposed a procedure which improves efficiency both in the use of time and in the targeting of effort towards the most salient issues affecting the performance of each individual portfolio. Furthermore, the approach seeks to place a greater emphasis on the examination of strategic issues and encourages a forward-looking analysis to ensure that future threats and opportunities are being properly anticipated.
- 7.2 The approach has been trialled across several portfolio reviews and generally found to provide the benefits which were hoped for. Some useful lessons have been learnt from the trial and these have been included in the present revision.

<u>Background Papers (Local Government Act 1972 Section 100D)</u> None			
<u>Confidentiality</u> It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	None		
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