

Officer Guide to Scrutiny in Lambeth

October 2010

What is scrutiny?

Every council has a scrutiny process in place, which involves a committee or a number of committees made up of non-executive councillors (those not in the Cabinet). An effective scrutiny function is essential to achieve enhanced accountability in the borough area and ensure transparency of the decision making process. The role of scrutiny committees is therefore to:

- Contribute to policy development;
- Hold the Cabinet and senior officers to account;
- Review issues of concern or particular interest to the people of Lambeth; and
- Scrutinise the work and impact of other public service providers on the local community

Scrutiny should also be a key mechanism for enabling Councillors to represent the views of their constituents and other organisations to the Council.

How does scrutiny work in Lambeth?

Lambeth has six scrutiny committees: the Overview and Scrutiny Committee, which oversees the work of the sub-committees and the scrutiny function in general; and five cross-cutting sub-committees, which cover issues arising from all the council's services. The committees do not have decision-making powers, but can make recommendations on policy and service improvement to the Cabinet, full Council, Council officers and partners. The six scrutiny committees are listed below; further information on the scope of the committees can be found on the Lambeth website and in the council's Constitution ([Part 2, Article 6 – Scrutiny Committees](#)):

- Overview and Scrutiny Committee
- Children and Young People's Service Scrutiny Sub-Committee
- Environment and Community Safety Scrutiny Sub-Committee
- Finance Scrutiny Sub-Committee
- Health and Adult Services Scrutiny Sub-Committee
- Housing Scrutiny Sub-Committee

Methods of conducting scrutiny

Scrutiny is undertaken using a number of methods in Lambeth, as listed below. As an officer providing information and advice to scrutiny members, you may be asked to support one or more types of activity.

- **Reporting to or attending a scheduled committee meeting** – scrutiny committees meet at least six times per year. Issues considered at scheduled meetings are determined by the committee's work programme. This is set by each committee at the beginning of the municipal year with in-year changes made as issues emerge. Committee meeting agendas will normally contain a

number of items, which are considered by way of formal written reports and interviewing officers at meetings. The committee usually set out what they aim to achieve when they request a report and the kind of information they would like included. However, officers are expected to include any information that in their professional opinion would facilitate the committee achieving its aims.

- **Scrutiny commissions (reviews)** – each year the scrutiny committees identify areas for in-depth investigation and review, with a view to writing a report of their findings with recommendations for improvements. For each of these topics an individual commission (a working group) with between three and five non-cabinet councillors is established. When the commission feels that they have gathered sufficient evidence they will put together a final report which makes recommendations to the Cabinet for improvements to service delivery, policies or practice. The ‘parent’ committee is responsible for monitoring the implementation of recommendations.
- **Background information and briefings** – it is generally accepted that items on the agendas of scrutiny committees should be those that will enable members to contribute and add value to Council activity. However, on occasions, members may require information on, for example, emerging priorities or new legislation, where the committee may not choose to undertake formal activity. Officers may be asked to present this information through a background paper or provide an informal briefing, and to respond to members’ queries to help build their understanding and awareness.
- **Call-in** – when a key decision¹ is made by the Cabinet collectively or by an officer, any member may ‘call-in’ that decision for consideration by a scrutiny committee within five days of the decision being made. If, having considered the decision, the scrutiny committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or refer the matter to full Council. Officers should build an implementation buffer into their project plan just in case the decision that they are involved in progressing is called in. This is particularly important for controversial decisions.
- **Public Notice Questions** – are a mechanism by which members of the public or councillors can submit questions to the council. Questions may be referred to a scrutiny committee for consideration if they are strategic in content and fall within a committee’s terms of reference. The question will be sent to the appropriate department for a response; once prepared the response should be cleared with the relevant Cabinet Member and sent to the questioner within 10 working days. The question will appear on the next available agenda of the committee and the questioner will be invited to ask a concise supplementary question. Officers may be asked to attend the committee to answer questions and assist members in any resulting discussions.
- **Petitions** – one of the methods used by the council to respond to petitions is to refer it to the relevant scrutiny committee for consideration. In such instances officers may be required to attend to respond to members’ questions and/or prepare a report. Furthermore petitions of more than 1500 signatures can call for a senior officer to be ‘held to account’ at a scrutiny meeting. In addition, if a petitioner feels that the council has not dealt with their petition properly, he/she

¹ A key decision is one which is likely to result in significant expenditure or savings in excess of £500,000 or have significant effect on those living or working in an area comprising two or more Wards

has the right to request that the relevant scrutiny committee review the steps that the council has taken.

- **Councillor Call for Action** – the Councillor Call for Action (CCfA) is a last resort mechanism that can be used by councillors to resolve issues of local (ward level) concern that have defied resolution elsewhere. If deemed to be valid by the proper officer and relevant scrutiny Chair(s), the CCfA will be referred to the relevant scrutiny committee for consideration and/ or further action. Officers of the Council and/or partner authorities may be requested to prepare and finalise a committee report within the necessary timescales, and provide other technical and background information to enable the scrutiny committee to respond to and participate in the discussion.

How might I be involved in scrutiny?

The effectiveness of Scrutiny relies on the support of officers from across the council. While dedicated support is provided by the Scrutiny Team to scrutiny members, the in-depth information, expertise and experience in relation to services can only be provided by officers responsible for those services. If you work in a service area which is subject to scrutiny you may be asked to contribute in one or more of the following key ways, in addition to those mentioned above:

Submitting a report

Often scrutiny committees will request a formal written report and will ask an officer to come and present it to members. You will be informed in advance of the need for the report, what the content should focus on and the deadlines by which the report needs to be produced. If invited to attend the meeting you will be asked to speak to the report and members of the committee will have the opportunity to ask questions about the matter(s) under discussion. In considering the report members may make recommendations and/ or ask for additional information or for specific actions to be undertaken. The lead scrutiny officer will follow this up with you after the meeting.

Responding to recommendations and or requests

There will also be times when an officer is requested to coordinate the response of the Cabinet to a scrutiny commission report (see above), which will involve close liaison between the co-ordinating officer and the responsible Cabinet portfolio holder. Should you be requested to coordinate a response, there is a specific response template which the lead scrutiny officer will forward to you for completion within the two months timeframe required by section 122 (1) of the Local Government and Public Involvement in Health Act. Further progress reports will then be required to enable the committee to monitor the implementation of accepted recommendations -this is normally undertaken six and then twelve months after their adoption.

The council's scrutiny committees will on occasion make recommendations to the relevant decision-makers as a result of a report they have received. Where this is the case a formal reference will be made to the decision-maker who is required to respond to the committee within two months.

Alternatively committees and commissions may request information from officers. Where the information requested is readily available and routinely collected it should be provided within ten working days. Where this is not the case there will be direct liaison on timescales with the scrutiny team.

Providing oral evidence

One of the key methods used by scrutiny members to gather the evidence they need to inform scrutiny commissions is through interviewing Council officers and experts from outside the Council. You may be invited to attend a meeting to present information to and answer questions from scrutiny members.

In addition the Scrutiny Procedure Rules (Constitution – Part 4, Section 5) specify that any scrutiny committee may require Chief Officers to attend a meeting and that these officers have a duty to attend. Where, in exceptional circumstances, the officer is unable to attend on the required date, then the scrutiny committee may agree to the attendance of a suitable substitute, (i.e. another Chief Officer or Deputy Chief Officer) or shall, in consultation with the officer, arrange an alternative date for attendance. Committees and commissions can also invite any officer below the level of Chief Officer to attend a meeting, but they do not have the same duty to attend.

The Scrutiny Team

Scrutiny is supported by a small team of officers in the Governance and Democracy Department. The Team promotes the scrutiny function generally within the authority and local government partners more widely and provides advice and support to members of the authority's committee(s) in undertaking their work. This may include research, analysis of data and commission preparation. The Team also liaises with officers to request information and reports, and can offer advice and assistance throughout.

To find out more about the work of the scrutiny committees and/or commissions, or for advice and guidance, please do not hesitate to contact a member of the scrutiny team:

Scrutiny Manager	Tom Barrett – 020 7926 2235 tbarrett@lambeth.gov.uk
Lead Scrutiny Officers	Elaine Carter – 020 7926 0027 ecarter@lambeth.gov.uk Byron Green – 020 7926 2510 bgreen@lambeth.gov.uk Claire Butcher – 020 7926 0024 cbutcher@lambeth.gov.uk
Scrutiny Administrator	Joanne Tutt – 020 7926 2173 jtutt@lambeth.gov.uk

Or please visit them: Room 200, Lambeth Town Hall, Brixton Hill, London SW2 1RW