

## **An introduction to scrutiny in Hammersmith & Fulham**

This briefing note covers:

- The role of the PACs
- Some examples of different types of scrutiny
- How to make scrutiny effective
- The CSE PAC's terms of reference
- Some further reading to expand your knowledge about scrutiny

### **The role of the PACs**

Policy and Accountability Committees (PACs) were introduced by the Council's new administration after the election in May 2014. They implemented the following commitment made by the administration in its manifesto:

*"We will open up Council decision-making and policy-making by setting up new Policy and Accountability Committees, cutting all but the statutory scrutiny committees. Each new Policy and Accountability Committee will have sufficient support to hold the administration to account and take a full part in developing policy. We will give residents and users' groups co-opted roles on the relevant Policy and Accountability Committees".*

As agreed by Full Council in July 2014, PACs have the following key responsibilities:

- To hold the Cabinet to account
- To be a critical friend to the Executive and to challenge the assumptions behind the policies and actions of the Council and other local service providers
- To amplify the voices and concerns of residents and to give them a mechanism to comment on, participate in, and determine Council policy
- To improve the Council's services by listening to residents and user groups
- To scrutinise decisions made by partner organisations in the interest of the residents of the borough
- To be independent of party politics and ensure an informed evidence-based approach to policy development

Policy and Accountability Committees take the role of 'Overview and Scrutiny' as it's referred to in most Local Authorities. The key difference is that the PACs are explicit about the inclusion of residents and users' groups.

### **Examples of different types of scrutiny**

Below are some practical examples of different types of scrutiny that the PACs can do and how they can work.

#### **1. Pre-decision scrutiny**

By commenting on and contributing to a decision before it has been made, scrutiny committees are able to offer Cabinet the benefit of their ability to focus on an issue in greater depth over a longer period of time. This is also an important way to involve residents early in the decision-making process.

## **2. The committee has concerns about a service**

In cases where members have concerns about the performance of a service they can ask officers to provide information, ask questions of officers and relevant Cabinet Members, and invite witnesses to talk about their experiences. Based on their findings, the committee can make recommendations for improvements and ask for further monitoring reports to ensure the necessary changes are implemented.

## **3. Policy discussions with residents**

When considering policy changes, scrutiny is a good place to invite residents / community groups / partners to come and discuss their ideas with members, officers, and Cabinet Members. It's important for Chairs to make sure residents feel part of the discussion, rather than just observers, so they feel comfortable to get involved and share their views and ideas.

## **4. Task and finish groups**

If the committee identifies an area that needs more sustained, detailed work than is practical for a normal meeting it can set up a task and finish group. These groups comprise around three members that work outside the PAC – gathering evidence, talking to services users and expert witnesses, and ultimately writing up their recommendations for consideration by their parent committee.

## **How to make scrutiny effective**

### **1. Good relationships with the Council's leadership (and partners)**

PACs can't make decisions directly so their 'soft power' is incredibly important if they want to achieve their goals. It's important for PACs to be politically impartial and be seen as a 'critical friend'. PACs should identify where decisions could be improved and how to prevent mistakes being made or repeated – but the focus should be on forward thinking and making positive changes, rather than apportioning blame and focusing on the negatives. This will help to foster positive and constructive relationships between scrutiny, councillors and officers.

### **2. Detailed work-programming**

Without a clear idea of what a committee wants from an item, it can be easy to fall into the trap of discussing areas of interest but not producing any real outcomes at the end of it.

When considering areas for the work programme it's important to consider:

- Is this issue of direct relevance to residents?
- Is this an area where the committee can add real value?
- What are the outcomes we want to achieve by considering this item?
- Will this lead to measurable positive change?

### **3. The dedication of scrutiny members**

Ultimately the effectiveness of scrutiny comes down to having a strong Chair and passionate, incisive members on the committee. Members should have knowledge of the areas they are asked to scrutinise – and carry out independent research ahead of meetings – so they are equipped to fully interrogate the issues before them.

## **The Community Safety and Environment PAC terms of reference**

### **Principal Functions**

All the powers of an Overview and Scrutiny Committee as set out in section 21 of the Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007 and in particular:

- To discharge of the functions and responsibilities of a Crime and Disorder Committee in accordance with section 19 of the Police and Justice Act 2006 and regulations made under section 20 of the Act.
- To discharge of functions contained in s.9FH of Schedule 2 to the Localism Act
- 2011 to review and scrutinise the exercise by flood risk management authorities of flood risk management functions which may affect the local authority's area
- To develop policy within the scope of the Committee and make recommendations to the Cabinet
- Monitor the administration and spending in services within its scope
- To review the impact of decisions and policies implemented by the Council
- Lead responsibility for scrutinising the relevant Cabinet Member(s)

### **Scope:**

To monitor the policy, administration, and spending of:

- Transport, including roads maintenance, other transport infrastructure
- Parking policy, traffic management and the relationship with TfL.
- Planning policy and performance and the impact of developments on transport infrastructure and the environment.
- The local environment
- Street Scene
- Parks and open spaces
- Recycling and environmental sustainability
- Waste disposal, street cleansing, refuse collection,
- Cemeteries
- Biodiversity
- Quality of life
- Community safety
- Tackling anti-social behaviour
- Licensing and gambling.
- Neighbourhood governance
- Any other matter referred by the Finance & Delivery PAC

## **Further reading**

[A councillor's workbook on scrutiny \(LGA\)](#)

The Centre for Public Scrutiny (CfPS) have a huge range of publications available to read [on their website](#) – covering all areas of local government and partner scrutiny

[The seven scrutiny superpowers](#) (one of many blog posts on scrutiny by Dr Dave Mckenna, who is also worth following on Twitter [@DrDaveMckenna](#))