

Overview and Scrutiny



Overview and Scrutiny Committee Supplementary Agenda

Tuesday, 5 November 2024

7.00 pm

Civic Suite

Lewisham Town Hall

London SE6 4RU

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Part 1

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Overview and Scrutiny Committee

Response to the report of the Improving Scrutiny Task and Finish Group

Date: 5 November 2024

Key decision: No

Class: Part 1

Ward(s) affected: All

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Outline and recommendations

In September 2024 the Improving Scrutiny Task and Finish Group published its report and recommendations. This report provides a response to those recommendations.

It is recommended that the Overview and Scrutiny Committee notes and discusses the response to the recommendations of the Task and Finish Group, as set out in this report.

Timeline of engagement and decision-making

The outline proposal for the Improving Scrutiny Task and Finish Group and its membership was agreed by the Overview and Scrutiny Committee at its meeting on 4 July 2023.

The Group had its first meeting in September 2023, where it considered a scoping report and timetable.

The meeting timetable was affected by various pre-election periods which hampered evidence gathering. This meant the group required more than 12 months to conclude. It was therefore re-established by the Overview and Scrutiny Committee at its meeting on 23 July 2024.

The final report of the Task and Finish Group was published in September 2024. It was considered by Mayor and Cabinet on 18 September 2024.

Reason for lateness: This response has been published on a supplementary agenda to allow time for consultation on the response to be completed.

Reason for urgency: The next scheduled meeting of the Committee is next year. It was therefore felt important to have the response considered at this meeting to allow members sufficient time before the next municipal year, to consider some of the suggestions put forward by the TFG and the related officer advice.

1. Summary

- 1.1 The final report of the Improving Scrutiny Task and Finish Group was considered by Mayor and Cabinet on 18 September 2023. Mayor and Cabinet agreed that the response to the report recommendations should be provided directly to the Overview and Scrutiny Committee.
- 1.2 This report sets out the response.

2. Recommendation

- 2.1 It is recommended that the Overview and Scrutiny Committee notes and discusses the response to the recommendations of the Improving Scrutiny Task and Finish Group, as set out in this report.

3. Policy Context

- 3.1 This report aligns with Lewisham's Corporate Priorities, as set out in the Council's [Corporate Strategy \(2022-2026\)](#):
 - Cleaner and Greener
 - A Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.2 The work of the Task and Finish Group related to all these priorities, given that Overview and Scrutiny considers issues within the whole of the Council's work and focuses on the needs and wellbeing of all of Lewisham's residents.

4. Responses to the recommendations in the final report of the Improving Task and Finish Group

- 4.1 It is noted that the Task and Finish Group recognises that there are areas of both good quality and poor practice in Lewisham and that engagement with Members, officers and stakeholders has indicated a dissatisfaction with some ways of working. The recommendations put forward by the Task and Finish Group are welcomed. Many are within Scrutiny's gift to implement, with some Select Committee Chairs and committees already putting them into practice. Achieving the comprehensive change in practice envisioned by the Task and Finish Group will require uptake of the recommendations across the board and it is hoped that scrutiny members, supported by officers, will take on this challenge.
- 4.2 Some of the recommendations require further discussion and decision by Members before they can be taken forward. Once a consensus has been achieved, if Members agree that they wish to change the number of select committees or task and finish groups, the number of formal meetings held, or the terms of reference of select committees, proposals can be presented to the Governance Committee for onward submission to Council for agreement.

4.3 Recommendation responses:

Recommendation 1:

The Task and Finish Group recommends that there be an annual ‘scrutiny summit’ at the beginning of the municipal year. This would provide the opportunity to review the previous year’s work. It could also provide the opportunity for member training sessions and the discussion of proposals for new task and finish groups. The Chair of Overview and Scrutiny might also use this opportunity to set out the priorities for scrutiny in the year ahead. At the annual scrutiny summit (and leading up to it) Members should explore and discuss topics for investigation and suggest whether they see them working best as part of the work programme of a specific select committee - or whether they would be more effective as a task and finish group.

- 4.4 Holding such an event was trialled earlier this year, with an inaugural scrutiny summit held on 21 May 2024. Members heard from a number of speakers; received relevant training (on scrutiny and risk); and started the work programming process, meeting by select committee to discuss initial ideas. The summit can be further developed next year to ensure it provides an opportunity to review the previous year’s work; continues to incorporate relevant and topical member training; and allocates time for the discussion of task and finish group proposals, as well as select committee work programme items. It is agreed that it would be beneficial for Members to explore and discuss topics for scrutiny investigation in the run up to the summit to inform initial work planning sessions - and for them to consider whether they see them working best as part of the work programme of a specific select committee - or whether they would be more suitable as the topic for a task and finish group. The Chair of Overview and Scrutiny can also use the summit to set out the priorities for scrutiny for the year ahead, which will ensure the function has a clear focus.

Recommendation 2:

Consideration should be given to the development of a high-level programme for the implementation of the corporate strategy over the course of the year. This could then be communicated to scrutiny – in order to inform the development of the annual work programmes and prioritisation process.

- 4.5 Anything that supports the scrutiny function more closely focusing on the implementation of the corporate strategy would be welcome. The corporate strategy sets out the council’s ambitions for Lewisham and it is important that scrutiny holds to account, and constructively supports, decision makers in delivering those ambitions. Directorate and service-level service plans are, in effect, the council’s high-level programme for the implementation of the corporate strategy over the course of the year. They translate the overarching organisational aims and ambitions set out in the corporate strategy, into more detailed and practical objectives. This year, Executive Directors and Cabinet Members were invited to attend the scrutiny summit to join the start of the initial work planning session for the select committee with which they worked most closely. They were asked to set out their priorities for the year ahead to inform work programme discussions. In future years, their presentations can more explicitly cover the council’s high-level programme for implementing the corporate strategy, with relevant service plan summaries provided to each select committee.

Recommendation 3:

Each scrutiny committee should have an identified Cabinet Member and Executive Director with whom they coordinate their work. Meetings between the Chair, Cabinet Member and Executive Director should occur at least quarterly to discuss priorities, review the forward plan of key decisions, and to consider where scrutiny might best add value. In the case of Overview and Scrutiny this should be the Mayor and Chief Executive. This is linked to (and dependent on) the implementation of recommendation five (below).

- 4.6 Should Members wish to progress recommendation five (aligning committee terms of reference with the current directorates), this recommendation could also be implemented. Many Select Committee Chairs already hold regular agenda planning or liaison meetings with relevant Cabinet Members and Executive Directors. However, there are currently more Cabinet Members than directorates, so whilst each select committee could have an identified Cabinet Member with whom they coordinate their work, there may be additional Cabinet Members with whom they wish to engage. Meetings between the Mayor and the Chair of the Overview and Scrutiny Committee, and between the Chief Executive and the Chair of the Overview and Scrutiny Committee, to discuss priorities and the forward plan can be arranged. The Overview and Scrutiny Committee does not have a fixed work programme and selects topical, strategic and cross cutting issues to consider during the course of the year. Depending on the topics selected, it may sometimes be more appropriate for the Chair to meet with an Executive Director or Cabinet Member.

Recommendation 4:

Committees should focus on the implementation of the corporate strategy, removing items that are ‘to note’ from work programmes (where there is no opportunity for influence) and instead hold informal briefings for topics of interest. The approved scrutiny prioritisation process is a tool that can be used to support this work.

- 4.7 It has previously been agreed that information items should not appear on agendas and instead, informal briefings held (for example via MS Teams), or written briefings circulated to committee members by email (with responses to any questions posed by Members provided in writing, co-ordinated by the scrutiny manager). However, some Chairs use their discretion to have information items on their agendas. Select Committee Chairs (and their committees) are invited to implement this recommendation. It is recognised that some reports considered by scrutiny, whilst not information reports, may constrict discussion and the formulation of meaningful recommendations as a result of their wording. Report authors can be reminded to invite committees to make meaningful recommendations and refrain from simply asking committees ‘to note’ their report.

Recommendation 5:

Consideration should be given to ensuring that scrutiny resources and committee time is assigned appropriately in the context of the changing duties and structure of the Council. Committees’ terms of reference should be realigned with the Council’s corporates priorities and current directorates.

- 4.8 Aligning select committee terms of reference to the council’s directorates was previously proposed in phase two of the Constitution Review and rejected by Members. If Members are agreed that they wish to move to a select committee structure that mirrors the five directorates, this can be proposed to the Governance Committee, submitted to Council, and implemented from the start of the 2025/26

municipal year. It would not constitute a change to the constitution which would require consultation. The constitution states that:

“From time to time, the Council may want to make changes to its overview and scrutiny arrangements. For example, it may wish to alter the terms of reference of existing select committees or change their composition. Changes to the overview and scrutiny arrangements will not be considered to be a change to the Constitution which would require consultation unless any of the following criteria are met: (a) the number of scrutiny select committees in total would fall to less than four, or rise to more than ten; (b) the number of places on any select committee would fall to less than five; (c) the terms of reference and or composition of the Overview and Scrutiny Committee would change in a manner other than to effect a change which, in the opinion of the Monitoring Officer, is minor.”

Recommendation 6:

In the 2024-25 municipal year, committees should trial an additional online meeting to receive briefings, updates, and items ‘to note’ – which are of interest to members/further their understanding of relevant issues but where there is no opportunity for influence. The approved scrutiny prioritisation process is a tool that can be used to support this work.

4.9 This can be trialled this year.

Recommendation 7

In future years, early consideration should be given to the availability of resources and officer time to facilitate an appropriate number of committee meetings. The Task and Finish Group invites Members to consider the following options:

(A) Reducing the number of select committees from six to five to accommodate an additional formal meeting for each of the remaining select committees (30 formal select committee meetings per year) Plus six task and finish group meetings and up to nine meetings of the Overview and Scrutiny Committee (three formal and six for call-in)

= 39 formal meetings (plus six for call-in)

(B) Reducing the number of Task and Finish Groups running at any one time from three to two – whilst retaining six select committees and increasing the number of formal meetings to six per committee (36 formal select committee meetings per year) Plus four task and finish group meetings and up to nine meetings of the Overview and Scrutiny Committee (three formal and six for call-in)

= 43 formal meetings (plus six for call-in)

(C) Retaining the existing committee structure with five formal meetings per year, retaining three concurrent task and finish groups and (pending the outcome of the pilot (recommendation 6) hold an additional online meeting to accommodate briefings, information items and reports ‘to note’ (30 formal select committee meetings per year) Plus six task and finish group meetings and up to nine meetings of the Overview and Scrutiny Committee (three formal and six for call-in)

= 39 formal meetings (plus six for call-in and six programmed online meetings)

- 4.10 Option C can be trialled this year and if this option is agreed it can simply be continued. If Members wish to pursue either option A or B above, this could be proposed to the Governance Committee, submitted to Council and implemented from the start of the 2025/26 municipal year. Option B requires additional formal meetings and the resource implications of this would need to be considered. Formal meetings are resource intensive for both Members and officers (scrutiny officers, directorate officers and facilities staff) and have cost implications. It would not constitute a change to the constitution which would require consultation.

Recommendation 8

The Overview and Scrutiny Committee should consider options for a standardised approach to action tracking and implementation.

- 4.11 This recommendation has already been implemented. The Scrutiny Team maintain an excel spreadsheet which tracks actions, recommendations and referrals by scrutiny committee.

Recommendation 9

Scrutiny should continue to produce an annual report.

- 4.12 A report summarising scrutiny activity over the past municipal year can continue to be produced annually for submission to Council. It is envisaged that the annual report for 2023/24 will be presented to Council in November.

Recommendation 10

Member attendance at training and skills workshops should be an expectation. As a minimum – all members should attend skills training sessions at the annual scrutiny summit.

- 4.13 Whilst attending the scrutiny summit to receive skills training is not something that the Monitoring Officer would make mandatory, it is good practice for scrutiny members to receive regular training, be it at the annual scrutiny summit or at events held throughout the year. Party whips may set an expectation that their members attend specific training and skills workshops and sessions relevant to their scrutiny role (and, as a minimum, that provided at the annual summit) - and the Chair of Overview and Scrutiny may also set this expectation for their scrutiny colleagues.

Recommendation 11

Select Committee Chairs should be invited to address the annual scrutiny summit – setting out the effectiveness of their committees over the previous year. This should include key indicators of committee performance in the previous year – including average finish times, items actioned and referrals to Mayor and Cabinet.

- 4.14 This could form part of the next annual Scrutiny Summit.

Recommendation 12

Cabinet members should be invited to address the annual scrutiny summit – their address should include their priorities for the delivery of the corporate strategy in the coming year.

- 4.15 This year, Cabinet Members were invited to attend the Scrutiny Summit to join the start of the initial work planning session for the select committee with which they worked most closely, in order to set out their priorities for the year ahead. This could happen again at the next summit, or alternatively, they could address all scrutiny members in

the main part of the summit. Cabinet Members could be specifically asked to set out how their priorities for the year ahead will help deliver the corporate strategy. The format of the summit is for the Chair of Overview and Scrutiny, in consultation with scrutiny colleagues and with the advice of officers, to agree.

5. Financial implications

- 5.1 The cost of the annual scrutiny summit can be covered within existing budgets. The resource implications of any structural scrutiny changes such as additional formal meetings will need to be considered as such proposals are progressed.

6. Legal implications

- 6.1 There are no significant legal implications arising from this report. If Members agree to change the number of scrutiny committees or their terms of reference, the proposals will be considered by the Governance Committee, then submitted to Council. Such changes would not constitute a change to the constitution which would require consultation.

7. Equalities implications

- 7.1 There are no direct equalities implications arising as a result of the implementation of the recommendations in this report. However, scrutiny must consider the equalities implications arising from the matters it scrutinises. By law, the Council must have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.
- 7.2 This means that the Council has a legal duty to consider the implications of anything it does – on the basis of people’s protected characteristics as set out in the Equality Act 2010. The nine protected characteristics are:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Being pregnant or on maternity leave
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
- 7.3 The Council also recognises the social model of disability - acknowledging that, in the context of health conditions or individual impairments - it is the disabling effect of barriers in society that can prevent people’s full and active participation in our community. The Council is committed to dismantling those barriers, wherever possible.
- 7.4 While the Council’s equality duty is specifically to the nine protected characteristics, a commitment has also been made to consider wider inequalities and marginalised groups such as people seeking sanctuary. Socio-economic status is also considered as part of the Fairer Lewisham Duty.

8. Climate change and environmental implications

- 8.1 There are no direct climate change and environmental implications arising as a result of the implementation of the recommendations in this report. However there may be

climate change and environmental implications arising from additional formal meetings, should Members wish to propose these.

9. Crime and disorder implications

9.1 There are no direct crime and disorder implications arising from this report.

10. Health and wellbeing implications

10.1 There are no direct health and wellbeing implications arising from this report. However, Elected Members have a lot of competing demands on their time and may have a full-time job to manage in addition to their councillor duties, as well as other demands and caring responsibilities. Any changes that result in an added burden for members and a further call on their time may negatively impact their health and wellbeing. Similarly, increased calls on officers' time may have a negative health and wellbeing impact.

11. Background papers

[*Final report of the Improving Scrutiny Task and Finish Group*](#)

12. Report author(s) and contact

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