

Ryedale DC response to the Overview and Scrutiny in local government inquiry by the Housing, Communities and Local Government Committee

Submitted 8 March 2017

Questions raised by the Committee in italics

- *Whether scrutiny committees in local authorities in England are effective in holding decision-makers to account*

As a fourth option district council, there are proportionately few decisions which can be scrutinised by the single Overview and Scrutiny Committee. The Council has a Planning and Licensing Committee of which only Planning Policy decisions can be scrutinised by the O and S Committee, and a Policy and Resources Committee of which only the part A items can be scrutinised, as the part B items are referred to Council. The division of decisions is as follows for the municipal year to date:

Policy and Resources Part A items 2016/17: 13

Planning Committee Policy items 2016/17: 2

Total: 15

- *The extent to which scrutiny committees operate with political impartiality and independence from executives*

As a fourth option authority, 10 members sit on the Overview and Scrutiny Committee. Some members clearly see the committee as being the rightful territory of the official opposition group, but the majority of both the controlling group and the opposition groups manage an effective level of political impartiality. Members are able to demonstrate the most effective impartiality when undertaking scrutiny work on matters relating to wider issues involving partners and stakeholders, this is less so in review work which looks at the internal workings of the Council. Impartiality is also effective when the member of the O and S committee meet as the Corporate Governance and Standards committee and sub committee.

- *Whether scrutiny officers are independent of and separate from those being scrutinised*

As a fourth option district council we don't have any scrutiny officers, and so officers lead reviews with members and these may well be involving their own service areas.

- *How chairs and members are selected*

Chairs and members are appointed every year at Annual Council in May.

- *Whether powers to summon witnesses are adequate*

These powers have always been adequate for Ryedale District Council

- *The potential for local authority scrutiny to act as a voice for local service users*

The potential is clear for RDC as was evident in the review of the Post Office network and the ability to advocate for local communities during the network change programme. This was achieved through the level of Community Engagement undertaken as part of the review. The level of engagement is determined by the topics selected.

- *How topics for scrutiny are selected*

Members are asked to agree a shortlist of possible topics for discussion, officers then prepare drafts scoping documents for each option (usually a shortlist of three topics) and when the preferred option is agreed by the subsequent meeting of the committee, a detailed terms of reference is prepared following the direction of the committee. The review is then undertaken.

- *The support given to the scrutiny function by political leaders and senior officers, including the resources allocated (for example whether there is a designated officer team)*

There is no dedicated officer team and the work of the Overview and Scrutiny committee is not the substantive role for any officer but has an identified lead officer who is a member of the senior leadership team and support from a member of the Programme and Performance Team.

- *What use is made of specialist external advisers*

We involve stakeholders in scrutiny reviews, as relevant to each topic. No use is currently made of external advisors.

- *The effectiveness and importance of local authority scrutiny of external organisations*

At RDC the focus of scrutiny reviews tends to be more towards the impact of services and policy decisions on local communities, than directly on the scrutiny of external partners. Partners do get involved in the investigation and challenge relating to a particular topic, for example as in the recent review of the role of Council in managing the risk of flooding.

[Link to the Ryedale DC Scrutiny Review on 'The Role of the Council in Flood Management'](#)

- *The role of scrutiny in devolution deals and the scrutiny models used in combined authorities*

Ryedale is not currently covered by arrangements for either a combined authority or city region. RDC have been involved on the negotiations so far to develop possible governance arrangements for a combined authority for York, North Yorkshire the East Riding of Yorkshire and Hull. Effective scrutiny arrangements have been identified as vital to the success of future arrangements, the principle being promoted was as follows:

The ten constituent councils of the Combined Authority will establish a joint Overview and Scrutiny Committee to exercise scrutiny functions over the Combined Authority. Each constituent council will appoint such elected members to the joint Overview and Scrutiny Committee as are required to achieve political balance across the area of the Combined Authority. Overview and Scrutiny membership must not include a Combined Authority member or a member of the Executive of a constituent council.

7.2 The Overview and Scrutiny Committee will have the power to-

(a) Invite Combined Authority members and officers to attend meetings and answer questions

(b) Invite others to attend the meetings

(c) Review or scrutinise decisions or other actions taken by the Combined Authority

(d) Make reports or recommendations to the Combined Authority

(e) Require that a decision that has not been implemented be reconsidered by the members of the Combined Authority

- *Examples where scrutiny has worked well and not so well*

Scrutiny in a fourth option district council is very challenging. The workload for the 10 members who sit on the single O and S committee also includes fulfilling the corporate governance and standards committee function, the audit committee function and the crime and disorder o and s function. In order to try to manage the workload for members the audit committee meets alternately with the scrutiny committee. This separation of the workload has improved the performance of the committee as the focus of the audit committee is so different and now distinct from the scrutiny role. The attendance at the committee has improved since the last elections in 2015.

Scrutiny reviews into topics which focus on the impact and influence of the council on the wellbeing of communities such as fuel poverty and flooding tend to deliver the most successful reviews and effective recommendations however the recent review of the councils policy for management of assets has supported the delivery of the transformation programme.