



Overview and Scrutiny TOOLKIT 2021



CONTENTS

- 1 Foreword
 - Mission Statement

- 2 Introduction to Overview and Scrutiny
 - 2.1 What is Overview and Scrutiny?
 - 2.2 The Work of Overview and Scrutiny
 - 2.3 The Political Management of the Council
 - 2.4 How Overview and Scrutiny operates at Copeland
 - 2.4.1 Call-In of Executive Decisions
 - 2.4.2 Call for Action
 - 2.4.3 How Overview and Scrutiny Work is Monitored
 - 2.4.4 What Overview and Scrutiny Does Not Do

- 3 Overview and Scrutiny Roles
 - 3.1 Councillors
 - 3.2 Overview and Scrutiny Chair
 - 3.3 Training
 - 3.4 Portfolio Holder
 - 3.5 Public Participation
 - 3.6 Addressing the Overview and Scrutiny Committee
 - 3.7 Employees of the Council

- 4 The Annual Overview and Scrutiny Work Programme

- 5 Conducting an Overview and Scrutiny Review
 - 5.1 Scoping a Review
 - 5.2 Collecting the Information & Evidence
 - 5.3 Considering Witnesses
 - 5.4 Creating a Question Plan
 - 5.5 Assessing the Evidence and Making Recommendations
 - 5.6 Reporting
 - 5.7 Monitoring

- 6 How to find out more about Overview and Scrutiny
 - 6.1 Contact and Further Information

- 7 Links to Useful Information

Appendices

- A Review Scope Template
- B Overview and Scrutiny Protocols
- C Call-In & Call for Action Constitution procedure
- D Questioning Techniques
- E Glossary of Terms

Foreword

I am pleased to introduce Copeland Borough Council's Overview and Scrutiny Toolkit. The purpose of which is to provide information and guidance on the Council's Overview and Scrutiny arrangements for Councillors, Officers, Co-Opted Members, members of the public and others involved in the Scrutiny process.

The aim of Overview and Scrutiny at Copeland is to improve public services and quality of life for local residents and provides a way for Councillors to examine, question and evaluate various functions of the Council and other providers of public services in an open and transparent way.

This toolkit has been drawn from a variety of sources and includes many recommendations of best practice selected from leading authorities and organisations in the field of Overview and Scrutiny.

For those already familiar with Overview and Scrutiny, this toolkit should serve as a useful reference tool for improving scrutiny skills to continue carrying out effective, engaging scrutiny that is focused on matters of importance to the residents of Copeland.

Task and Finish Groups carry out in-depth reviews that focus on specific issues. As part of the review process, Overview and Scrutiny involves talking to residents and service users about their experiences.

Members of the public, service users and partners are encouraged to become involved in Overview and Scrutiny at Copeland, either as addressing a meeting, an expert adviser or a co-opted member to a Task & Finish Group.

The Overview and Scrutiny Committee welcomes suggestions and ideas to help to enhance the Scrutiny function at Copeland Borough Council. If you have a suggestion on how this guidance could be improved please contact the Scrutiny Officer:

Email: scrutiny@copeland.gov.uk

Telephone: 01946 598454



**Councillor John Kane
Chair, Overview and Scrutiny
Committee**

Our Mission Statement

“Overview and Scrutiny at Copeland aims to enhance the quality of life of all who live and work in the Borough by ensuring services are delivered effectively and supporting improvement in the Council's services, policies and performance. Scrutiny aims to be objective, evidence-based, transparent and constructive, and to reflect the interests and concerns of local communities.”

2 Introduction to Overview and Scrutiny

This part of the Toolkit explains what Overview and Scrutiny is, its powers and work.

“Overview and Scrutiny is potentially the most exciting and powerful element of the entire local government modernisation process. It places Members at the heart of the way in which Councils respond to the demands of modernisation. In addition, Overview and Scrutiny is the mechanism by which Councils can achieve community leadership, good governance and by which Councillors can become powerful and influential politicians.”

Office of the Deputy Prime Minister, 2002

“An effective public scrutiny committee can be a powerful vehicle for change. It can improve the delivery of services; it can connect the public to decision makers and politicians; it can improve efficiency.”

Centre for Public Scrutiny (CfPS), 2008

2.1 What is Overview and Scrutiny?

Overview and scrutiny played a major part in the reforms introduced in 2001 under the Local Government Act 2000, intended to modernise the political management arrangements of local authorities.

Since then, all councils in England and Wales are required to have at least one Overview and Scrutiny Committee to enable non-executive Councillors to scrutinise the ‘cabinet’ set-up, which was introduced in 2001 and is referred to in Copeland as the Executive. Overview and Scrutiny is a key part of the arrangements for governance in local councils and is also an important mechanism for driving forward performance in services. Their key roles include:

- investigating the decisions made and policies introduced
- questioning how and why decisions are made
- issuing reports and recommendations where shortcomings are identified

An effective Overview and Scrutiny function can play a pivotal role in the shaping of future council policies.

More recent passed legislation further enhanced the role and powers of Overview and Scrutiny Committees, particularly in relation to the scrutiny of local health providers (see the Local Government and Public Involvement in Health Act 2007).

Under the Local Democracy, Economic Development and Construction Act 2009, local authorities are required to designate an officer to promote Overview and Scrutiny.

Overview and Scrutiny should be an a-political function that focuses on matters of real concern to local authority residents, challenging decision makers with evidence-based reviews to drive forward better performance and more effective policies.

“The principal power of a scrutiny committee is to influence the policies and decisions made by the council and other organisations involved in delivering public services”

Local Government Association, 2016

Best practice for Overview and Scrutiny within local authorities suggests that committees should strive to follow and achieve the following four key principles:

1. Provide a ‘critical friend’ challenge to the Executive
2. Reflect the voice and concerns of the public
3. Be led and owned by the elected members of the Council
4. Make a positive impact on service delivery and policy development

Overview and Scrutiny is also charged with finding ways of ensuring the issues which matter to the public are the focus of their attention, and with finding new ways of getting citizens involved in the things that affect them.

Overview and Scrutiny has considerable powers (as mentioned above):

- Holding decision makers to account
- Challenging and improving performance
- Supporting the achievement of value for money
- Challenging the ways things are done

- Influencing decision makers with evidence-based recommendations
- Bringing the evidence and views of stakeholders, users and citizens

2.2 The Work of Overview and Scrutiny

Overview and Scrutiny is Councillor led. As well as Councillors leading on the review of topics where they research issues and develop recommendations, they are also involved in setting work programmes for the Overview and Scrutiny Committee, bringing forward topics and issues, identifying who they want to hear from to inform their work and what they want to know and how they want it presented to them.

Topics for Overview and Scrutiny are identified from a variety of sources. These can include:

- The Council's priorities and challenges
- Topics suggested for review by Executive
- Matters referred from Full Council
- Topics put forward by Overview and Scrutiny Councillors
- Topics suggested by the public
- The Executive Forward Plan

The focus of Overview and Scrutiny activity is on the quality of council services and other strategic borough-wide issues that affect the lives of people living and working in Copeland.

Through their legislative powers, Copeland's Overview and Scrutiny Committee can and will:

- review and scrutinise delegated decisions taken by the Executive, individual Executive members or officers of the Council
- review any matters referred under 'Call-In' and 'Councillor Call for Action' rules, and produce reports and recommendations as required
- respond to external organisations whose actions affect Copeland residents
- require Executive members and senior officers to attend meetings to be challenged about matters within their remits of responsibility
- invite expert advisors, or other elected members of the Council and members of the public to take part in scrutiny reviews
- refer matters to task and finish groups, comprised of smaller numbers of Councillors, to undertake in-depth reviews on specific matters

The Overview and Scrutiny process primarily enables non-Executive Councillors to influence decisions that are taken by the Executive and to ensure that the views and needs of local people are taken into account. In this respect, the committees' work programmes must have regard to the corporate priorities of the Council.

2.3 The Political Management of Copeland

Copeland Borough Council provides many services for the residents of Copeland.

Copeland have an elected Mayor and 33 locally elected Councillors who represent the residents across the 17 wards that make up the borough.

The council operates an Executive system, the Executive is comprised of the Elected Mayor and three Councillors who are each designated a particular portfolio area. These can be viewed on the Council's website.

The Council has a number of committees to deal with such matters as licencing, planning, governance and staffing, in addition to its Overview and Scrutiny function.

The rules governing the way in which Overview and Scrutiny committees operate, including legislative context, can be found in Chapter 8 of the Council's Constitution (Appendix B).

Full Council (33 Councillors) agrees the annual budget and the Council's overall policies. It also has responsibility for appointing the Chair of Council, noting the appointments to the Executives, and agreeing the Committees of the Council.

2.4 How Overview and Scrutiny Works in Copeland

This part of the Toolkit details how the Overview and Scrutiny Committee operates at Copeland.

There is one Overview and Scrutiny Committee, where the formal business of scrutiny is usually carried out during scheduled committee meetings, the purpose and composition of which is defined by legislation and outlined in

Chapter 8 'Overview and Scrutiny' of the Constitution, which can be found in Appendix B.

Scrutiny work is also carried out in smaller, informal 'task and finish' groups, which are not covered in legislation. These are time-limited bodies established by the Overview and Scrutiny Committee to gather evidence and produce reports and/or recommendations on specific subjects. These recommendations will aim to be focussed and valuable and be made to the Executive.

2.4.1 Call-In of Executive Decisions

The Chair of the Overview and Scrutiny Committee or two Councillors can Call-In a decision of the Executive/Portfolio Holder.

The Call-In procedure only applies to decisions regarding Executive functions. It does not apply to decisions made by the two regulatory Committees - Planning and Licensing or to the Standards Committee.

Nor does it apply to: -

- Decisions that have already been implemented or previously called-in
- Decisions agreed to be exempted from Call-In under urgency procedures.

A called-in decision is examined at either a special Overview and Scrutiny Committee meeting or the next available scheduled meeting. The Chair consults with the Committee to formulate a line of enquiry. The Executive and relevant employees are advised of the situation. Once the meeting is scheduled, it is advertised within five clear working days. Members of the public with a special interest may be invited to present evidence. Once all evidence has been taken, it is evaluated, and written recommendations are made to the Executive.

The Executive must consider Overview and Scrutiny recommendations and provide a formal response. The Executive can accept or reject any or all of the recommendations. If the recommendations are accepted, then the Executive explains how and when they will be actioned. If the recommendations are rejected, the Executive informs Overview and Scrutiny of its reasons for doing

so. Please refer to Appendix C of the Toolkit and the Overview and Scrutiny webpage for the Constitution Call-In Protocol.

2.4.2 Call for Action

“Councillor Call for Action” (CCfA) was introduced under Section 119 of the Local Government and Public Involvement in Health Act 2007, and came into force on 1 April 2009. The Act enables any member of the Council to refer to the Overview and Scrutiny Committee any Local Government matter or any crime and disorder matter which affects their ward/division.

The power to refer a matter is available only where the matter is of direct concern to the ward or division, which the Councillor represents. A Councillor can refer a matter even if no citizen has asked him/her to consider it, and there is no requirement for Councillors in multi-member wards to agree – any of the ward Councillors can refer a matter.

It must be noted that CCfA is not guaranteed to solve a given problem. CCfA can provide a method for discussing such problems and, through discussion, trying to overcome them.

There are a number of issues that are excluded from referral as a CCfA:

- Individual complaints concerning personal grievances or commercial issues.
- Any matter relating to an individual or entity where there is already a statutory right to a review or appeal (other than the right to complain to the Local Government Ombudsman), for example:
 - Planning and licensing applications and appeals
 - Council Tax/Housing Benefits complaints and queries
 - Issues currently under dispute in a court of law.
- Any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the Overview and Scrutiny Committee or any of its sub-committees.

A referral, as long as it is not an excluded matter, will ensure that the matter is included on the agenda of the Overview and Scrutiny Committee. It is then up to the Committee to decide whether or not to take the matter further.

A referral made to the Overview and Scrutiny Committee is seen as being the end of the CCfA process (**the last resort**) and not the first step.

Please refer to Appendix C of the Toolkit for the Constitution Call for Action Protocol.

2.4.3 How Overview and Scrutiny Work is Monitored

Task and Finish Group recommendations are considered and approved by the Overview and Scrutiny Committee and then referred to the Executive and/or Full Council for a response. The Executive is invited to provide a response and decision for each Overview and Scrutiny recommendation.

The Executive Response can be either:

- Accept the recommendation
- Amend the recommendation – providing the alternative decision and reasons for this decision
- Reject the recommendation – giving reasons for the rejection

The Overview and Scrutiny Committee should monitor the impact of its work and that of the Task and Finish Groups by reviewing the implementation of the recommendations. This review could come in the form of a Review Report to review the recommendations that have been accepted by the Executive and monitor their progress.

2.4.4 What Overview and Scrutiny Does Not Do

Overview and Scrutiny does not get involved in minor matters or individual concerns which are not of wider community significance. These need to be pursued through the appropriate service unit, ward Councillors or with the Portfolio Holder responsible for the matter in question. Nor will Overview and Scrutiny deal with complaints or regulatory matters such as planning or licencing applications or matters that are subject to review by another organisation or group within or outside of the Council. These should be addressed through the Council's complaints procedure. Overview and scrutiny committees also cannot deal with matters that are still subject to court proceedings. In the case that individual matters are referred to it, Overview and Scrutiny could look to see if the matter relates to a wider strategic issue that it could investigate.

3 Overview and Scrutiny Roles

There are many different approaches to running Overview and Scrutiny; there is no “one size fits all” approach. What is clear, however, is that successful scrutiny relies upon the engagement of a wide number of enthusiastic Councillors.

For the Council to maintain and develop a successful Overview and Scrutiny function, Councillors must take a leading role in the process; it is not a task just for the Chair and Deputy-Chair.

Overview and Scrutiny is an a-political function, meaning that Councillors must act in a non-partisan manner, encompassing the appropriate skills and competencies required to be able to influence a wide range of public bodies with the aim of improving services for local people.

Councillors must take the lead, not only in work programming but in questioning witnesses, formulating recommendations, and preparing reports for consideration by decision makers.

It is important that Councillors make time for detailed involvement of topics under review and be free from party political pressure through their respective political groups.

It is vital that the Overview and Scrutiny process should be open and inclusive – working for and with the community and partners to achieve common goals. Councillors should be prepared to receive raw information from users and the community. This means that to carry out the Overview and Scrutiny role effectively, Councillors will need well developed questioning and analytical skills.

3.1 Councillors

Councillors either individually or collectively will already possess a lot of the personal skills required but the new focus will be in bringing these together in a way that ensures confidence in the outcomes and recommendations at the end of the Overview and Scrutiny process. A key factor will be to ensure that the findings and recommendations are supported by evidence. This provides transparency to the Overview and Scrutiny process.

Councillors serving on the Overview and Scrutiny Committee and a Task & Finish Group will receive a considerable amount of paperwork to read and will attend quite a few activities in relation to a specific review. Councillors will decide what to investigate, how the review will be undertaken, who will be invited to appear to give evidence to assist with each review and the questions to be asked. Having heard all the evidence, the Group will consider its conclusions and make recommendations within a report for presentation to the Overview and Scrutiny Committee. The Overview and Scrutiny Committee will then forward the report to the Executive and/or Full Council for consideration.

The role of the Overview and Scrutiny Councillors will involve some or all of the following activities:

- Agreeing a manageable work programme with the members of the Committee
- Receiving and examining information regarding service areas
- Participating constructively in the activities of the Committee under the guidance of the Chair
- Taking an active role in Task & Finish Groups which could include research, site visits, questioning contributors and developing recommendations
- Holding Executive members and senior employees to account
- Taking part in training and development programmes

Copeland Borough Council's Overview and Scrutiny Committee is comprised of 11 Councillors. Each Councillor is confirmed every year at the Council's Annual General Meeting (AGM) which is held in May. To ensure that the Committee is a-political, the Committee membership is determined by the political make-up of the Council. For 2021/22 the Committee has 6 Labour, 4 Conservative and 1 Independent member.

3.2 Overview and Scrutiny Chair

The Chair and Deputy Chair of the Overview and Scrutiny Committee have additional responsibilities to that of members of the Committees. The Chair needs to be fairly assertive to ensure meetings meet their objectives. The Chair controls the meeting by allowing others to get their point over, maintain a balanced discussion, stick to the agenda, and discourage deviation and delay. The Chair will need to be firm but fair, open, and frank, and clearly and

confidently make points. During a meeting the Chair needs to encourage the participation of all Councillors.

The Chair of the Overview and Scrutiny Committee is responsible for drawing up the agenda for each meeting in advance with the support of the Scrutiny Officer.

The Chair and Deputy Chair need a variety of skills that require continual development such as:

- Communication
- Time Management
- Project Management
- Analytical Skills
- Listening Skills
- Interpretation, clarification, and summarising skills

The Chair of the Overview and Scrutiny Committee and the Task & Finish Groups have additional responsibilities to ensure that a review reaches its desired outcome. The Chair should ensure that members of the Groups are working towards the desired outcome of the review rather than digressing.

To achieve this the Chair needs to be assertive in keeping the discussion to agenda items only. When drawing the meeting to a close it is essential for the Chair to make clear all decisions that have been taken by the Group, clarify what information is required for the next meeting, make clear the time and date of the next meeting, and clarify the agenda items to be considered at the next meeting.

3.3 Training

Each Overview and Scrutiny Councillor should take part in training. This training will help them to understand the role they are expected to undertake and to further develop the necessary skills needed to effectively scrutinise and analyse the information provided to Overview and Scrutiny.

The training also includes questioning techniques which can be found in Appendix D.

3.4 Portfolio Holder

The relevant Portfolio Holder may be called on to provide input into Task & Finish Groups by providing information on the issue being scrutinised within their portfolio, or to explain their reasons for making a specific decision which has been 'called-in.' The Portfolio Holder will only be able to participate in a review at the invitation of the Chair, otherwise they will be classed as observers only. The Chair should send out a formal request to the Portfolio Holder outlining the reasons why attendance is required. The Portfolio Holder should be notified in advance if they are required to provide any supporting documentation and given a reasonable timeframe for when they will be expected to attend a meeting.

The Portfolio Holder will also be asked to attend an Overview and Scrutiny Committee meeting approximately six months after the Review Report Recommendations have been accepted by the Executive to provide a progress report on the implementation of the recommendations.

3.5 Public Participation

The Overview and Scrutiny Committee is keen to develop Scrutiny as an accessible and open process. Public participation is an important part of the Overview and Scrutiny process and members of the public may get involved in several ways:

- **Attending a meeting of the Overview and Scrutiny Committee**
- **Writing to the Overview and Scrutiny Committee.** The Committee considers written evidence and members of the public, community groups or other key stakeholders can write in to bring evidence to the attention of Overview and Scrutiny members. Written evidence may put forward a particular perspective on the issue being considered or may highlight statistical evidence to inform the review.
- **Becoming a witness.** Being called as a witness gives individuals a rare and valuable chance to make a real contribution to improving the quality of local services.
- **Expressing an interest to become a co-opted member.** This can be either for a municipal year or for a specific Task & Finish Group.
- **Contact a Ward/Borough Councillor.** This can be done regarding either a specific topic or a 'Call-In' (as per the protocol in Appendix B). You can find a list of Borough, Council, Town and Parish Councillors and the areas they represent [here](#).

3.6 Addressing the Overview and Scrutiny Committee

The public will be able to speak at an Overview and Scrutiny Committee meeting if individuals are providing relevant information to an agenda item. It is important for the efficiency of the meeting that individuals wishing to make the same points are represented by one individual who can state that they are a representative. Public speaking is limited to five minutes.

Individuals other than the Overview and Scrutiny Committee should inform the Chair prior to the meeting of their wish to speak at the meeting. Whilst waiting to be called to speak, they should be seated in the public gallery. The Chair will decide the appropriate time to call the speaker to the table. Once the speaker has finished what they wish to say, they will be requested to leave the table. Where the public wish to raise new issues for scrutinising this should be done in writing.

3.7 Employees of the Council

The Overview and Scrutiny Committee has a Scrutiny Officer who manages the Committee and the corresponding Task & Finish Groups, carries out research, assists in compiling the Group's final and update reports, drafts the Annual Report, assists in the production of the Annual Work Programme, assists with training, and sets up relevant meetings, such as Informal meetings with the Committee and meetings of the Chair and Deputy Chair.

Other employees may be called on to provide expert input in their professional capacity, for example, in a written report or through a presentation. The information that employees give should, as far as possible, be confined to factual statements and explanations relating to policies and decisions as appropriate. Employees should avoid being drawn into discussions on the merits or alternative Policies where this is politically contentious.

4 The Annual Overview and Scrutiny Work Programme

This part of the Toolkit explains how the annual Overview and Scrutiny Work Programme is put together and agreed.

“One of the main pitfalls that will lead to the failure of overview and scrutiny is to have an unrealistic and unmanageable work programme. It is therefore important for members to not only be aware of this but to take the lead and “own” the individual work programmes of each committee”

Centre for Public Scrutiny (CfPS)

Setting the annual Work Programme for the Overview and Scrutiny Committee is an important stage in the Overview and Scrutiny process, identifying key topics that will be considered in the coming year.

Some key principles for setting the work programme are: -

- Topics must add value and support the corporate priorities
- Where appropriate involve partners, stakeholders and the public
- Allow some flexibility to enable topics to be included as they arise

Sources of information to identify key topics: -

- Outcomes of public consultation
- Suggestions made by Councillors
- Executive Forward Plan
- Corporate Performance Monitoring Reports
- Suggestions made by partners/stakeholders
- The Council’s Improvement Plan
- Directorate Service Plans
- Previous and planned reviews – for example cross-cutting best value or management reviews

Choosing topics

- Topics for the Overview and Scrutiny Committee work programmes can be considered as different types of work including Policy Review, review of external organisations, performance review and Call-In of decisions.
- Once the Overview and Scrutiny Committee has agreed its work programme it will be important for it to identify and agree the highest priority topics where they will add most value through its work.
- Due to the level of resources required to successfully undertake detailed reviews it is recommended that the Overview and Scrutiny Committee only do

a limited number in one year. This will also help to keep the work programme flexible.

- Cross-cutting topics where joint working with other Local Authorities or organisations will add value and need to be identified early in the Overview and Scrutiny process to ensure that there is capacity in the work programme.
- It is important to identify lead employees to help plan resources and manage time.

Before a topic is added to the Work Programme, the Overview and Scrutiny Committee create a mini scope for each possible topic before rating it to see if Scrutiny can:

- provide an impartial perspective
- challenge assumptions and making evidence-gathering more robust
- develop realistic plans and targets
- secure ownership and buy-in to the final decision
- engage with and satisfying the public

There is a legal requirement for the Executive to respond to recommendations made by Overview and Scrutiny within two months of them being made. Partner organisations have a responsibility to 'have regard' to any recommendations addressed to them. The response to a recommendation from a decision-maker should consist of:

- a clear commitment to delivering the measure within the timescale set out
- a commitment to be held to account on that delivery in six months and/or a year
- detailed, substantive reasons why a recommendation is proposed to not be accepted/adopted

5 Conducting an Overview and Scrutiny Review

This part of the Toolkit is designed to guide all those involved in Overview and Scrutiny through the procedure from beginning to end. This is for both the reviews that take place during formal Overview and Scrutiny Committee meetings and for Task & Finish Groups.

Each key section has been identified and explained from scoping the review to identifying relevant information, considering the timeframe, project plan, assessing the evidence, forming conclusions, drafting the report, and monitoring recommendations.

5.1 Scoping a review

Scoping a review is essential to minimise the risks that might prevent a review reaching its desired outcome. There are eight steps that should be followed:

- **Identifying the objectives and key issues**

To ascertain what the Scrutiny Committee and Group wants to achieve and what the main issues are that need to be addressed in order to achieve the objectives. Some of this work will have been carried out when the Overview and Scrutiny annual work programme was set.

- **Creating a term of reference**

Creating a terms of reference document will help keep the Committee and Group on the right track throughout the review and will help inform those who are new to review what will be included within the review and what will not be included.

- **Establishing the timeframe for the Review**

The overall timeframe of the review will be established by the Overview and Scrutiny Committee and the Task & Finish Group respectively. The scoping process needs to determine how the review process will fit into the overall timeframe that has been decided.

- **Outlining stakeholders and evidence required**

What evidence is required to achieve the outcomes and who needs to be called as a witness.

- **Suggested co-opted members to the Review**

Consider expressions of interest to becoming a co-opted member to the review.

- **Considering the lines of enquiry**

Once the objectives and the key issues have been decided, lines of enquiry should be determined to help focus the review and enable a consistent approach to a topic across meetings.

- **Methodology for the review**

This will help confirm how the review will be carried out, such as either through interviews or questionnaires, virtually or in person, or even how many meetings take place within the set timeframe.

- **Recognise potential risks**

Potential risks to the success of the review need to be identified from the start in order that they can be avoided later in the process. A standard scoping proforma is used for all Task & Finish Group reviews – See Appendix A.

5.2 Collecting the information and evidence

Key issues and objectives will have been identified in the scoping phase and a broad outline of the evidence required will have been suggested and included in the scope of the review. The next step is to identify the sources of the information required and the methods for collecting that information.

Recommendations that the Scrutiny Committee and Task & Finish Groups formulated at the end of the review must be evidence based and be seen to reference the information that has been provided.

Evidence which can be gathered from a variety of sources includes but are not limited to; researching best practice from other local authorities or through local government organisations, current Council Policy, proposed or recent Government legislation, previous or possible consultation, performance indicators, public meetings, site visits, witnesses, oral or written evidence, consultations and any previous work or reviews that might be relevant.

5.3 Considering Witnesses

Witnesses have a key role to play in helping Scrutiny and Task & Finish Groups fulfil their review objectives. Care needs to be taken when inviting witnesses to appear. The term can be off putting to people. Informal initial approaches either face to face or by telephone may help to reassure people, especially those outside the Council. Throughout the hearing of the evidence stage, the review objectives need to be constantly in mind and the information assessed against these. Witnesses may need pulling back on track.

5.4 Creating a question plan

Providing a question plan for witnesses to consider prior to attendance at an Overview and Scrutiny Committee meeting will make the most of their attendance at the meeting.

5.5 Assessing the evidence and making recommendations

The review process can take several meetings and while Councillors involved should consider and scrutinise the subject throughout the review, time should also be set aside during the penultimate meeting to assess all the information that has been received to that point. When forming conclusions all the main points raised during the review should be considered to enable clear links to be shown between evidence and final recommendations. The Scrutiny Officer will support Councillors in collating the evidence that has been provided for their review and analysis, advise on the impact of the potential recommendations and help in constructing the formal review findings and recommendations.

Recommendations are the purpose of the review process and should lead to tangible improvements in service delivery or corporate direction. The desired outcome of the review, outlined in the scope, should be held at the forefront of Councillors' minds when debating their final recommendations.

When making recommendations it is important to remember that it is not just the right answer that matters but also evidence of how this conclusion was reached.

Recommendations should: -

- Link to the evidence provided
- Be concise and easy to understand
- Link to the scope of the review
- Include methods for monitoring the recommendations

It is also important that feedback be given to those who contributed to the inquiry, this should be clear as to the actions proposed as a result of the review and whose responsibility they are to be carried out.

5.6 Reporting

Once the Scrutiny Committee or Task & Finish Group has formed its final recommendations the Chair and the Scrutiny Officer will prepare a draft

report. The draft report will then be considered at the final meeting of the Scrutiny Committee or Task & Finish Group for comment and suggested amendments. All comments and suggested amendments should be considered by the Chair and any changes made accordingly.

After the report has been presented to the Overview and Scrutiny Committee it will then report to either the Executive or Full Council as appropriate.

A good recommendation is:

- evidence-informed and realistic
- specific about the change recommended
- related to corporate priorities / developed in partnership with the executive, council officers and council partners
- focused on measurable outcomes
- addressed to a specific person or group
- realistic about resource/financing requirements

.5.7 Monitoring

Monitoring arrangements need to be made to accompany any recommendations in order that progress can be measured. The Overview and Scrutiny Committee will monitor progress and if progress is not satisfactory, further scrutiny can be undertaken.

The Portfolio Holder will also be asked to attend a meeting of the Overview and Scrutiny Committee approximately six months after the review report recommendations have been accepted by the Executive to provide a progress report on the implementation of the recommendations.

Follow up regarding the outcomes of the scrutiny process will be communicated in the form of the Overview and Scrutiny Annual Report. The Annual report will be prepared in time for the end of the Municipal Year and presented to Full Council. The Annual Report will include an account of all the reviews that have been undertaken by Task & Finish Groups over the course of the year and a description of the main achievements of the Overview and Scrutiny process.

In the case that unsatisfactory progress reports are received, the committee may undertake additional scrutiny activity to ensure adopted recommendations are acted upon.

6 How to find out more about Overview and Scrutiny

You can find out more information about Overview and Scrutiny by visiting the Overview and Scrutiny page on the Copeland Borough Council website.

On the website you will be able to find links to the agenda packs and minutes of meetings, as well as FAQs.

You can also contact the Scrutiny Officer using the contact information in 6.1.

6.1 Contact and Further Information

You can contact the Scrutiny Officer by:

- E-mail: scrutiny@copeland.gov.uk
- Telephone: 01946 598454
- By post:
Democratic Services Officer (Scrutiny)
Electoral and Democratic Services
Copeland Borough Council
Market Hall, Market Place
Whitehaven
CA28 7JG

General Information - Check out the Council's A to Z of Council services on the website.

General Enquiries - Tel: 01946 598300
Email: info@copeland.gov.uk

7 Links to Useful Information

Centre for Public Scrutiny	www.cfps.org.uk Promotes the value of scrutiny in modern and effective government
Local Government Association	www.lga.gov.uk The LGA represents the interests of local authorities across the country
Local Government Improvement and Development	www.local-gov.uk Local Government Improvement and Development is an organisation dedicated to seeking improvement and sharing best practice in local government
Local Government Information Unit	www.lgiu.gov.uk The LGIU provides an information, advice, training, and lobbying service for local authorities
Association for Public Service Excellent (APSE)	www.apse.org.uk APSE is a non-profit making organisation with involvement from elected members, officers, and trade unions. It promotes public services via networking, the sharing of information and best practice
Audit Commission	www.audit.commission.gov.uk
UK online	www.online.gov.uk The easy way to access government services on the internet.
Institute of Local Government Studies INLOGOV	www.inlogov.bham.ac The core of INLOGOV's work is around the policy and management agendas of Local Authorities
www.local-pi-library.gov.uk	An off-the-shelf set of defined local authority performance indicators produced by the Audit Commission and the Improvement and Development Agency (IDeA).

www.infor4local.gov.uk

A one stop shop portal for Local Authorities to get quick and easy access to information they need on the websites of central government departments, agencies and bodies

Overview and Scrutiny
Task and Finish Group
Scoping Guidelines

[TITLE]

[YEAR]

TASK & FINISH PROTOCOL

The Task and Finish Group Protocol advises that all Councillors need to be thoroughly involved in the planning of a review. You need to consider the specific issues it will cover and agree a plan. You should think about:

- Clear statement of the scrutiny topic (Terms of Reference)
- Aim/purpose of the project
- What will be included?
- What will be excluded?
- Specific questions
- How will it contribute to achieving Corporate priorities?
- List of key stakeholders, partners, other agencies
- List of key witnesses – Internal and External
- How will information be gathered? (site visits, written reports, witnesses etc)
- Corporate Support
- Governance
- Equality & Diversity
- Timescale
- Publicity (Communications team to advise)

1. Clear Statement of the Scrutiny Topic

2. Aim/Purpose of the Project

3. What will be included?

4. What will be excluded?

5. Specific questions

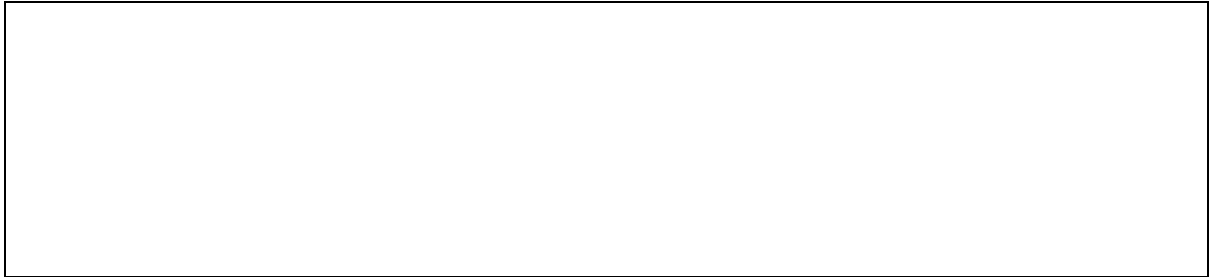
6. How will it contribute to achieving Corporate Priorities?

7. List of key stakeholders, partners and other agencies

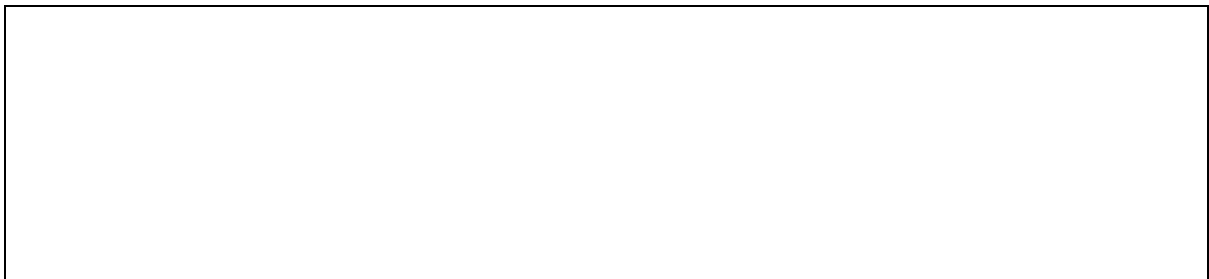
8. List of witnesses – Internal and External bodies

9. How will information be gathered?

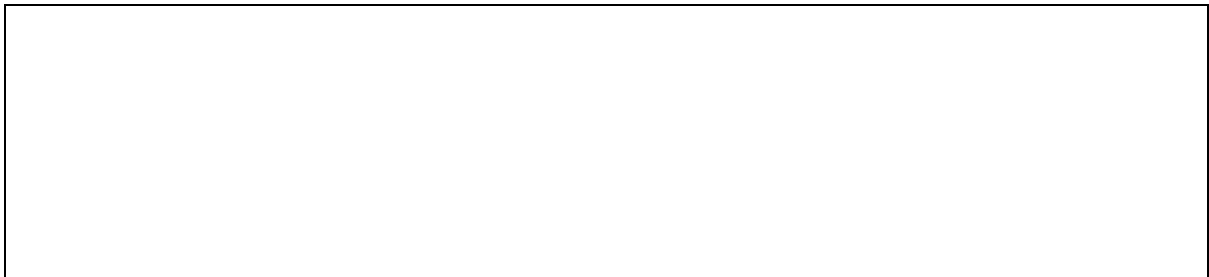
10. Corporate Support?



11. Governance



12. Equality & Diversity



13. Timescale



14. Consider how the report will be publicised (Communications Team to advise)

15. Background Papers

16. Any other items

Appendix B – Overview and Scrutiny Protocols

The Overview and Scrutiny Protocols for Copeland Borough Council can be found in Chapter 8 of the Council's Constitution which can be found below.

CHAPTER 8 – OVERVIEW AND SCRUTINY

8.1 APPOINTMENT, MEMBERSHIP AND TERMS OF REFERENCE

8.1.1 The Council will appoint an Overview and Scrutiny Committee comprising 13 members

8.1.2 The Chair and Deputy Chair will also work as part of an informal Co-ordinating Board, to ensure good communication and the effective running of the business.

8.1.3 The Terms of Reference for the Overview and Scrutiny Committee are to:

- scrutinise services delivered by the Council
- scrutinise the budget process
- scrutinise the development of the Corporate Planning process and any other key strategy
- hold the Executive to account by keeping the Forward Plan under review and reviewing decisions
- monitor the implementation of any Overview and Scrutiny recommendations accepted by the Executive
- scrutinise performance issues within the Council and make recommendations for service improvements
- scrutinise the results and issues arising from external inspections of Council services
- review issues of local concern
- appoint Improvement Groups as necessary to carry out detailed Overview and Scrutiny work
- scrutinise locality working and partnership working arrangements including the Local Strategic Partnership

- scrutinise other decision makers where their decisions affect the Borough including the Copeland Local Area Committee, Cumbria Association of Local Councils, the Lake District National Park and major regeneration organisations and funders
- scrutinise the West Cumbria Community Safety Partnership and act as the Crime and Disorder Committee
- contribute to statutory obligations in relation to scrutiny of health issues

8.2 General

8.2.1 The Overview and Scrutiny Committee will be politically balanced. Members of the Executive, Members of the Audit and Governance Committee and the Chairman of Council are excluded from membership of the Overview and Scrutiny Committee. The Overview and Scrutiny Committee may also appoint, in a non-voting capacity, people who are not Members of the Authority.

8.2.2 The Overview and Scrutiny Committee will be responsible for discharging functions conferred by Section 21 of the Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007 and Regulations under Section 32 of the Local Government Act 2000.

8.2.3 Members will be required to have undertaken the requisite training and development to the satisfaction of the Monitoring Officer.

8.3 Specific

Within its terms of reference the Overview and Scrutiny Committee will:

- i) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- ii) Make reports and/or recommendations to the Council and/or its Executive and other Committees and/or any Joint Committee

in connection with the discharge of any functions and/or any other partner organisation;

- iii) Be involved from the initial stage of policy development and make appropriate recommendations to the Executive and officers.
- iv) Consider any matter affecting the area;
- v) Consider/determine called in decisions of the Executive in accordance with the “Call-in” Procedure set out in the Procedure Rules within this Constitution.

8.4 Finance

The Budget for this Committee will be held by the Electoral and Democratic Services Manager.

8.5 Annual Report

The Overview and Scrutiny Committee will report annually to the Council on its work.

OVERVIEW AND SCRUTINY PROCEDURE RULES

1. The arrangements for the Overview and Scrutiny Committee?

The Council will have an Overview and Scrutiny Committee as set out in this Chapter and will appoint to it as it considers appropriate from time to time. The Overview and Scrutiny Committee will carry out the overview and scrutiny functions conferred on the Council by Section 21 of the Local Government Act 2000. The terms of reference of the Overview and Scrutiny Committees are as set out in this chapter.

2. Who may sit on Overview and Scrutiny Committees?

All Councillors except Members of the Executive, Members of the Audit and Governance Committee and the Chair of Council may be members of an Overview and Scrutiny Committee. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

3. Meetings of the Overview and Scrutiny Committees

There shall be ordinary meetings of the Overview and Scrutiny Committee in each year in accordance with a programme of meetings to be agreed by the Council. In addition, extraordinary meetings may be called from time to time by the Chair or by the proper officer if he/she considers it necessary or appropriate.

4. Quorum

The quorum for the Overview and Scrutiny Committee shall be one quarter of voting members, as set out for committees in the Council Procedure Rules in Chapter 5 this Constitution.

5. Who chairs overview and scrutiny committee meetings?

The Chair of the Overview and Scrutiny Committee will be appointed at the Annual Meeting of Council or by the committee at its first meeting after the Annual Meeting and the Chair must be from a different political group to the Mayor. For clarification, if the Mayor is from a political party then the Chair of Overview and Scrutiny will be a member of the largest opposition group. If the Mayor is independent then the Chair of Overview and Scrutiny will be a member of the political group with the largest majority. The Deputy Chair of the Overview and Scrutiny Committee must be from a different group to the Chair.

6. Work programme

The Overview and Scrutiny Committee will be responsible for setting its own work programme.

7. Agenda items

The leader of any group on the Council may require the proper officer to include an item on the agenda of the Overview and Scrutiny Committee for consideration. The proper officer shall inform the Chair of the request at the earliest opportunity, and make arrangements for the matter to be included on the agenda at the next available meeting of the Committee.

The Overview and Scrutiny Committee shall respond, as soon as its work programme permits, to requests from the Council and/or the Executive to review particular areas of Council activity. Where they do so, the Committee shall report their findings and any recommendations back to the Executive and/or Council. The Council and/or the Executive shall consider the report of the Overview and Scrutiny Committee within 2 months of receiving it.

A member of the public or a Councillor may suggest an item for inclusion on the agenda, in which case the Chair and in his/her absence, the Vice Chair will determine its inclusion or not.

8. Policy review and development

The role of the Overview and Scrutiny Committee in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules.

In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, the Overview and Scrutiny Committee will make proposals and recommendations to the Executive in so far as they relate to matters within its terms of reference.

The Overview and Scrutiny Committee will hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

9. Reports from the Overview and Scrutiny Committee

Once it has formed recommendations on proposals, the Overview and Scrutiny Committee will prepare a formal report and submit it to the proper officer for consideration by the Executive (if the proposals are consistent with the existing budgetary and policy framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).

If the Overview and Scrutiny Committee cannot agree on one single final report to the Council or Executive as appropriate, then up to one minority report may be prepared and submitted for consideration by the Council or Executive with the majority report.

The Council or Executive shall consider the report of the Overview and Scrutiny Committee within two months of it being submitted to the proper officer.

10. Making sure that overview and scrutiny reports are considered by the Executive.

The agenda for Executive meetings shall include an item entitled 'Issues arising from overview and scrutiny'. The reports of the Overview and Scrutiny Committee referred to the Executive shall be included at this point in the agenda (unless they have been considered in the context of

the Executive's deliberations on a substantive item on the agenda) within 3 weeks of the Overview and Scrutiny Committee completing its report/recommendations.

The Overview and Scrutiny Committee will in any event have access to the Executive's forward plan and timetable for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from the Overview and Scrutiny Committee following a consideration of possible policy/service developments, the committee will at least be able to respond in the course of the Executive's consultation process in relation to any key decision.

11. Rights of Overview and Scrutiny Committee members to documents

In addition to their rights as Councillors, members of the Overview and Scrutiny Committee have the additional right to documents and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

12. Members and officers giving account

The Overview and Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Executive (as decision takers), the Head of Paid Service and/or any senior officer (as witnesses) to attend before it to explain in relation to matters within their remit:

- i) any particular decision or series of decisions;
- ii) the extent to which the actions taken implement Council policy; and/or
- iii) their performance.

and it is the duty of those persons to attend if so required.

Where any member or officer is required to attend a meeting of the Overview and Scrutiny Committee under this provision, the chair of the Committee will inform the proper officer. The proper officer shall inform the member or officer in writing giving at least 3 working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall in consultation with the member or officer arrange an alternative date for attendance.

13. Attendance by others

An Overview and Scrutiny Committee may invite people other than those people referred to in paragraph 14 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend.

14. Call-In

The following provisions will comprise the Call-In Procedure under Sections 21(2) and (3) of the Local Government Act 2000:

- (i) An Executive Decision Notice will be published and circulated to all Members not more than 2 working days after the date the decision(s) is/are taken.
- (ii) Decisions of the Executive will not be implemented before the expiry of 5 working days after publication of the Executive

Decision Notice, pending a decision from Overview and Scrutiny, or any three Members, on call-in. If a request for call in is received, the decision of the Executive will not be implemented until the following due process is completed.

- (iii) Within 5 working days after the publication of the Executive Decision Notice, the Chairman and Deputy Chairman of an Overview and Scrutiny Committee or any 3 Members of the Council can submit a requisition in writing (the requisition to be signed by all the Members making the requisition) to the Proper Officer that a meeting of the Overview and Scrutiny Committee be held to scrutinise a specific decision of the Executive.
- (iv) The grounds on which the decision is being called in will be specified in the requisition, and must be one of the following
 - (i) the decision is outside the Executive's terms of reference or the Council's policy framework,
 - (ii) the decision conflicts with approved Council policy,
 - (iii) the proper decision and/or consultation process was not followed.
- (v) Any meeting of the Committee convened as a result of the call-in request shall be held within 5 clear working days of the requisition being received.
- (vi) The specified Executive decision can be referred back to the Executive by the Overview and Scrutiny Committee for further consideration, together with such recommendation on the decision as the Committee considers appropriate and can, at the discretion of the Executive, be then implemented without further delay.
- (vii) For the purposes of scrutinising specific decisions, the Overview and Scrutiny Committee shall have powers to require Members of the Executive to attend meetings of the Committee as

decision takers, and/or Council officers to attend meetings as witnesses to answer questions relating to the specified decision.

- (viii) This procedure is not applicable to decisions taken under the Urgent Action provisions in the Executive Procedure Rules.

15. Councillor Call for Action

Where a petition has been considered by an Executive or a Committee and the presenter of the petition is not satisfied with the result of their consideration that person may request a Ward Councillor to instigate a Councillor Call for Action. Alternatively a member of the public may ask their local Ward Councillor to instigate a Councillor Call for Action without presenting a petition. In either of those two circumstances the Ward Councillor may write to the Chairman of the Overview and Scrutiny Committee requesting a Councillor Call for Action clearly setting out what is being requested. The Overview and Scrutiny Committee Chairman shall, provided he/she is satisfied, following consultation with the Chief Executive, that the request is reasonable, arrange for a meeting of the Overview and Scrutiny Committee to be held within 5 clear working days of such a request to consider how to deal with it.

16. The party whip

When considering any matter where a member of the Overview and Scrutiny Committee is subject to a party whip the member must declare the existence of the whip and the nature of it before the commencement of the Committee's deliberations on the matter. The declaration and the detail of the whipping arrangements shall be recorded in the minutes of the meeting.

17. Procedure at overview and scrutiny committee meetings

- (a) The Overview and Scrutiny Committee shall consider the following business:

- (i) apologies for absence;
 - (ii) minutes of the last meeting;
 - (iii) declarations of interest (including whipping declarations);
 - (iv) consideration of any matter referred to the committee for a decision in relation to
 - (a) call in of a decision;
 - (b) responses of the executive to reports of the overview and scrutiny committee; and
 - (v) the business otherwise set out on the agenda for the meeting.
- (b) Where the Overview and Scrutiny Committee conducts investigations (e.g. with a view to policy development), the committee may also ask people to attend to give evidence at Committee meetings which are to be conducted in accordance with the following principles:
- (i) that the investigation be conducted fairly and all members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
 - (ii) that those assisting the Committee by giving evidence be treated with respect and courtesy; and
 - (iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.
- (c) Following any investigation or review, the Committee shall prepare a report, for submission to the Executive and/or Council as appropriate and shall make its report and findings public.

18. Overview and Scrutiny Sub Committees

18.1 Overview and Scrutiny Performance Sub Committee

The Overview and Scrutiny Performance Sub-Committee has the responsibility of monitoring and reviewing the Council's quarterly performance and finance reports.

The number of members on the Overview and Scrutiny Sub-Committee is decided by the Overview and Scrutiny Committee.

The membership of the Sub-Committee is decided by the Overview and Scrutiny Committee.

The Chair and Vice Chair of the Overview and Scrutiny Sub-Committee shall be chosen by the Overview and Scrutiny Sub-Committee.

Relating to 2.4.1 - Call-In of Executive Decisions of the Toolkit

As detailed within Chapter 8 (point 14) of the Constitution, Copeland's Call-In procedure is as followed;

“ The following provisions will comprise the Call-In Procedure under Sections 21(2) and (3) of the Local Government Act 2000:

(i) An Executive Decision Notice will be published and circulated to all Members not more than 2 working days after the date the decision(s) is/are taken.

(ii) Decisions of the Executive will not be implemented before the expiry of 5 working days after publication of the Executive Decision Notice, pending a decision from Overview and Scrutiny, or any three Members, on call-in. If a request for call in is received, the decision of the Executive will not be implemented until the following due process is completed.

(iii) Within 5 working days after the publication of the Executive Decision Notice, the Chairman and Deputy Chairman of an Overview and Scrutiny Committee or any 3 Members of the Council can submit a requisition in writing (the requisition to be signed by all the Members making the requisition) to the Proper Officer that a meeting of the Overview and Scrutiny Committee be held to scrutinise a specific decision of the Executive.

(iv) The grounds on which the decision is being called in will be specified in the requisition, and must be one of the following;

- (i) the decision is outside the Executive's terms of reference or the Council's policy framework,
- (ii) the decision conflicts with approved Council policy,
- (iii) the proper decision and/or consultation process was not followed.

(v) Any meeting of the Committee convened as a result of the call-in request shall be held within 5 clear working days of the requisition being received.

(vi) The specified Executive decision can be referred back to the Executive by the Overview and Scrutiny Committee for further consideration, together with such recommendation on the decision as the Committee considers appropriate and can, at the discretion of the Executive, be then implemented without further delay.

(vii) For the purposes of scrutinising specific decisions, the Overview and Scrutiny Committee shall have powers to require Members of the Executive to

attend meetings of the Committee as decision takers, and/or Council officers to attend meetings as witnesses to answer questions relating to the specified decision.

(viii) This procedure is not applicable to decisions taken under the Urgent Action provisions in the Executive Procedure Rules.”

Relating to 2.4.2 - Call for Action of the Toolkit

As detailed within Chapter 8 (point 15) of the Constitution Copeland’s Call-In procedure is as followed;

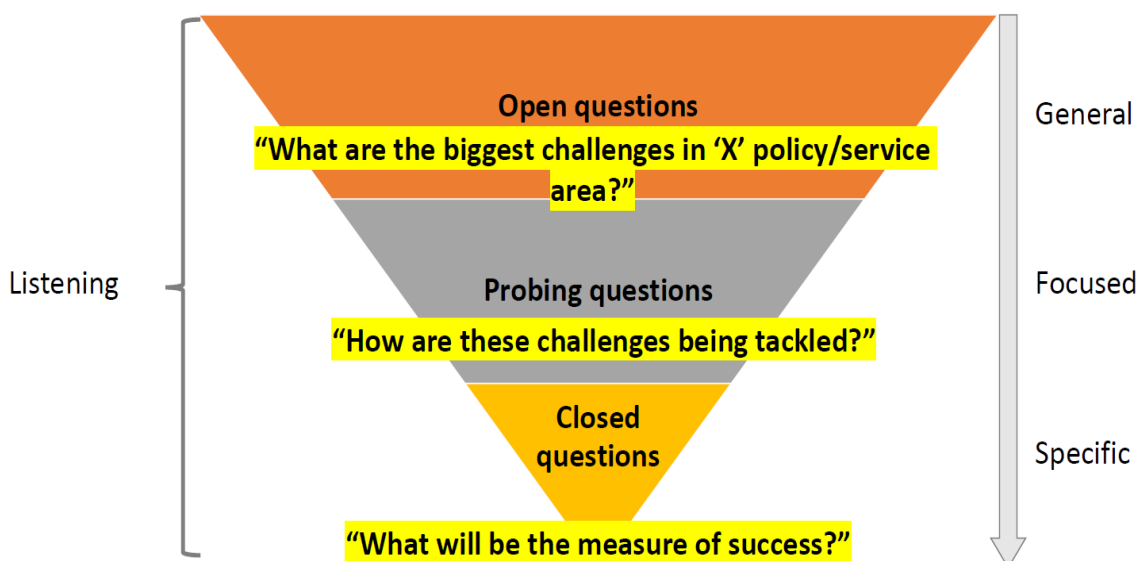
“Where a petition has been considered by an Executive or a Committee and the presenter of the petition is not satisfied with the result of their consideration that person may request a Ward Councillor to instigate a Councillor Call for Action. Alternatively a member of the public may ask their local Ward Councillor to instigate a Councillor Call for Action without presenting a petition. In either of those two circumstances the Ward Councillor may write to the Chairman of the Overview and Scrutiny Committee requesting a Councillor Call for Action clearly setting out what is being requested. The Overview and Scrutiny Committee Chairman shall, provided he/she is satisfied, following consultation with the Chief Executive, that the request is reasonable, arrange for a meeting of the Overview and Scrutiny Committee to be held within 5 clear working days of such a request to consider how to deal with it.”

QUESTIONING TECHNIQUES

Key Lines of Enquiry

<p>1</p> <p>Is there the leadership capacity and capability to deliver high quality, sustainable care?</p>	<p>2</p> <p>Is there a clear vision and credible strategy to deliver high quality, sustainable care to people, and robust plans to deliver?</p>	<p>3</p> <p>Is there a culture of high quality, sustainable care?</p>
<p>4</p> <p>Are there clear responsibilities, roles and systems of accountability to support good governance and management?</p>	<p>Are services well led?</p>	<p>5</p> <p>Are there clear and effective processes for managing risks, issues and performance?</p>
<p>6</p> <p>Is appropriate and accurate information being effectively processed, challenged and acted on?</p>	<p>7</p> <p>Are the people who use services, the public, staff and external partners engaged and involved to support high quality sustainable services?</p>	<p>8</p> <p>Are there robust systems and processes for learning, continuous improvement and innovation?</p>

Questioning & listening process



All the while question are being asked, there should be active listening by all councillors.

Active listening includes using body language, building trust, broadening perspective, increasing understanding, adding value and helps forming recommendations.

If Overview and Scrutiny work together to build questions around themes to focus and explore the subject of the agenda item, this can help to develop key lines of enquiry. Preparation is key, both in terms of the Informal's and asking questions there and background research into the subject.

Things to avoid



- **Rambling**, ambiguous questions that cover a number of issues
- Making **statements** or political speeches
- Asking to hear a report on an important issues, but just noting it with no questions
- Questions about **issues not in the witness's knowledge**
- **'trick' questions** designed to confuse witnesses
 - **Double-bind questions** such as *'have you stopped manipulating the figures?'*
 - **Biased questions** with an inbuilt bias towards a particular perspective
 - **Leading questions** that unfairly lead a respondent to a particular answer.
 - **Tag questions** (i.e.) that end with *'wasn't it/won't they/isn't it'*. With these you could be making an assertion in order to gain agreement or compliance



Glossary of Terms

Detailed below are some of the terms used by Copeland Borough Council, which explain how the Council uses or interprets a term, phrase or abbreviation.

Annual Report

Scrutiny Committees summarise their work and findings in an annual report.

Audit Commission

The Audit Commission is an independent body responsible for ensuring that public money is used economically, efficiently and effectively. It regulates the proper control of public finances by local authorities and the National Health Service, and is responsible for conducting inspections relating to Best Value Reviews and to the Comprehensive Performance Assessment of local councils.

Allowance

A payment towards expenses or costs.

Members' Allowances

Paid to Members in recognition of out of pocket expenses or direct costs of being a Member of the Council.

Best Value

Relates to the Local Government Act, 1999 - the means by which the Council seeks to deliver high quality services in an efficient and cost effective way.

BVPP

Best Value Performance Plan

Budget

The annual summary of income and expenditure.

By-Election

An election which occurs between main (4 yearly) elections

Call-in

The process by which Overview and Scrutiny Committees can look at whether a decision is properly taken or is the right decision and require it to be considered.

Casting vote

A second vote made by the chair of the meeting to decide a matter when there is a tied vote.

Chair/Deputy Chair

The person who chairs a Committee of the Council e.g. a Scrutiny Committee

Chief Executive

The most senior paid official of the Council with overall responsibility for the whole of the Council's operation.

Coalition

An alliance of groups or parties.

Code of Practice/Code of Conduct

A set of rules, usually of expected behaviour.

Census

Since 1801, every 10 years the nation has set aside one day for the Census - a count of all people and households. It is the most complete source of information about the population that we have. The latest Census was held on Sunday 21 March 2021.

Community Strategy

Under the Local Government Act 2000, all Councils are required to work in partnership with the community as well as private, voluntary and public sector partners to develop a long-term strategy to promote the social, economic and environmental well-being of their local communities.

Co-Opted Member to a Scrutiny Panel

An individual with an area of expertise or experience who is invited to sit on a Committee or Work Group (either for the Municipal year or for the duration of a specific review) to provide information and advice to maximise effective decision-making.

Comprehensive Performance Assessment (CPA)

A performance management framework for Councils to draw together all the assessments made by the inspectorates, external Audit and Government departments Councils are rated in one of five categories (excellent, good, fair, weak, poor). One of the main outcomes of the assessment will be an action plan for improvement and a programme of work for the subsequent year.

Constitution

The set of rules governing the decision-making arrangements and activities of Copeland Borough Council

Copeland Borough Council (CBC)

The Local Authority, which delivers borough council services to the whole of Copeland. These are mostly different to the services provided by Cumbria County Council.

Council

The term used for the organisation or in respect of the meeting of all of the Councillors.

Councillor (or Member)

An elected local representative on the Council, a Councillor represents the interests of the people who live in their ward and Copeland as a whole.

Council Tax

The money raised by the Council from residents of the Borough.

Cross-cutting Review

A cross-cutting Review addresses a topic which covers more than one service area, and in certain cases, examines services provided by organisations other than the Council (e.g. the police, health trusts, voluntary sector organisations, etc.). One of the aims of such a Review is to ascertain how well the various agencies communicate and work together, and to put forward recommendations for improvements in this area.

Department for Communities and Local Government (DCLG)

The central Government Department with primary responsibility for Local Government matters.

Directors

The most senior paid officials, after the Chief Executive, each having responsibility for wide areas of the Council's operations.

Elected Mayor

An individual elected directly by the electorate (not Councillors) to run the Council.

Employee

A paid official of the Council sometimes referred to as an Officer.

Executive

The Executive are a body of elected Councillors responsible for day-to-day running of the Council and the development of policy. Executive Members have portfolios or areas of responsibility (e.g. Housing) for which they take executive decisions

Exempt information

Information which is exempt from the normal publication rules (normally under Schedule 12 of the Local Government Act, 1972).

Forward Plan

A list of key decisions which will be taken by the Executive. The plan is updated each month.

Head of Paid Service

A statutory role, usually combined with that of Chief Executive.

Home Office Improvement and Development Agency (IDeA)

The Government department responsible for internal affairs in England and Wales, e.g. public order, public safety, immigration, etc. The Improvement and Development Agency (IDeA) was established by and for Local Government in April 1999. It aims to:

- deliver practical solutions to improve local government performance
- develop innovative approaches to ensure the transfer of knowledge
- act on behalf of local government as a whole, promoting joined-up, locally delivered services

Independent Member

Either a Councillor who is not a member of a recognised political party, or in the context of the Standards Committee, a member who is neither a Borough Councillor nor a Parish Council representative.

Key Decision

An important decision which affects more than one ward of the Council or will involve spending large amounts of money. They must be made public and can only be taken after appropriate notice.

Leader of the Council

The political head of the Council, usually the leader of the largest group of Members (or coalition) - responsible for the proposal of policies and day to day running of the Council.

Local Government Association (LGA)

The LGA represents the local authorities of England and Wales – a total of just under 500 authorities. There are 34 County Councils, 36 Metropolitan Borough Councils, 47 English Unitary Authorities, 33 London Authorities, 238 Shire District Councils and 22 Welsh Unitary Authorities. The LGA also represents Police Authorities, through the Association of Police Authorities (APA); Fire Authorities and Passenger Transport Authorities.

Local Government Information Unit (LGIU)

The LGIU is an independent research and information organisation supported by over 150 councils and the Local Government Trade Unions. The LGIU aims to be an advocate for strong democratic local government with the financial base and powers required to act with and on behalf of local communities.

Local Government Ombudsman

The nationally appointed person (department) which looks into complaints by the public about the way they have been treated by or the service they have received from Councils.

Manager

An employee who is responsible for managing employees, resources and services.

Member (Councillor) within local government

A Councillor; the elected representative of the community.

Member of the Public

Anyone who is not part of the Council.

Minutes

The formal record of the proceedings of a meeting.

Monitoring Officer

The officer appointed under the Local Government and Housing Act, 1989 to oversee the legality of the Council's actions and the ethical behaviour of Members and employees.

Officer

A paid official of the Council.

Overview and Scrutiny

The process offers both opportunities and challenges for Councillors and members of the public to improve the quality and delivery of services the Council provides to its local communities. The work of overview and scrutiny includes:-

- Policy Development and Review
- Oversight of the Best Value Review Programme
- Holding Cabinet to account

PI

Performance Indicator

Policy

A plan of action or approach to an issue - part of the Council's Policy Framework.

Policy and Financial Framework

The Council's main policies and approach to managing its finances

Political Proportionality / Balance

The system by which each group is represented on Council bodies in proportion to the number of members of the particular group relative to the size of the council as a whole.

Portfolio Holder

A member of the Executive with responsibilities for specific aspects of the Council's policy or work.

Protocol

A document, which sets out, how people will behave or matters will be handled.

Referendum

A ballot of all electors of the Borough - in particular on whether they wish to have an elected mayor.

Regulatory

The functions of the Council which "regulate" e.g. licensing and planning.

Rules of Procedure

The rules that govern the way specified matters must be handled (previously known as Standing Orders).

Scrutiny

(See Overview and Scrutiny). The way in which Members oversee the work of the Council and investigate the needs of the community.

Scrutiny Review

A study led by Scrutiny Councillors on a current issue, selected by the Committee. It aims to identify areas of good as well as poor practice, compare performance with other councils' countrywide, and challenge existing practice where relevant. The Review will lead to recommendations for improvements to relevant Cabinet Members as well as outside agencies, such as health trusts. While these are not obliged to support the recommendations, effective consultation has been proven to lead to consensus and to Cabinet support for reviews undertaken.

Standards Board

The national body which oversees ethical standards of behaviour.

S151 Officer

The finance officer is employed under s151 of the Local Government Act, 1972 - who is responsible for the financial probity and arrangements of the Council.

Ward

An area of Copeland for which elections are conducted.

Work Programme

The Work Programme sets out the work of the Committee for the 12-month period, although it may go beyond this.