

# Overview & Scrutiny



A Guide to  
Overview &  
Scrutiny at Sefton

## ‘Valuing Improvement’

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**Sefton Council** 

# Overview & Scrutiny





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## About this Guide

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This is an introductory guide on how the Overview and Scrutiny (O&S) arrangements at Sefton Council work. It is an important document for Councillors and Council officers but it will also be useful to partner organisations and members of the public.

An explanation of the role of Overview and Scrutiny Committees, what areas of the Council's work, and partners' work, they should look at and the value they provide to the local decision-making process is provided here.

This document is a signpost to more detailed guidance that will support the role of officers, members, partners and members of the public with their involvement in the Overview and Scrutiny process. Visit the Council's intranet or website to access:

- O&S Committee information including membership details and terms of references
- meeting information (including agendas and minutes)
- work programmes
- document library, including published reviews
- report templates
- 'how to' . . . .guides for councillors, officers, partners and members of the public
- O&S newsletters / briefings
- the Key Decision Forward Plan (KDFP)
- useful links

This information should also be read in conjunction with the Council's Constitution which can be found on the Council's intranet or website.

For Councillors and Council officers: visit the intranet at [council and committee info](#) or [departments/legal and admin/overview and scrutiny](#)

For external organisations and members of the public: visit the Council's website [www.sefton.gov.uk](http://www.sefton.gov.uk) - 'councils and democracy / overview and scrutiny'

## The Origins of Overview and Scrutiny

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Overview and Scrutiny emerged from the Local Government Act (2000) as a key part of the Government's modernising agenda for local government. The aim of the modernisation agenda and reform was to bring local authorities closer to the communities they serve, and it introduced new political management arrangements for local authorities to adopt. These new arrangements required councils to replace the existing committee structure of decision making with a new structure, the most commonly adopted option was the 'Leader and Cabinet Model', in which:

- a small Executive is responsible for taking the day-to-day decisions on the running of the authority within a policy and budget framework agreed by the full Council, and
- Overview and Scrutiny committees advise on policy formulation and hold the Executive to account in relation to specific matters, and have the power to review areas of council activity which are not the responsibility of the Executive, or matters of wider local concern.

The function of Overview and Scrutiny is based on the model of the parliamentary select committees at Westminster and is one of the most significant ways in which a nonexecutive councillor can influence the local decision making processes and provide community leadership for local people. Overview and Scrutiny does not hold any actual decision-making powers, rather the role of the function is to provide a balance to the decision-making powers of the Executive. Its job is to ensure that decision-making is efficient, transparent and accountable and that the Executive makes the best decisions in the interests of the local people. Councils must have at least one Committee to carry out the Overview and Scrutiny function, and Members must not be on the Executive.

## The Role of Overview and Scrutiny

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The Centre for Public Scrutiny has put forward four principles for effective Overview and Scrutiny as:

- providing a 'critical friend' challenge to executive policy-makers and decision-makers
- enabling the voice and concerns of the public and its communities
- carried out by 'independent-minded governors' who lead and own the scrutiny process
- driving improvement in public services

Overview and Scrutiny Committees cannot make decisions but they can make recommendations to the Executive or Full Council as appropriate and influence the decision making process.

The role of Overview and Scrutiny Committees can be summarised as follows:

- Holding the Executive to account
- Policy Development and Review
- Performance Management and Improvement
- Promoting Community Leadership

## How does Overview and Scrutiny work in Sefton?

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In Sefton new political management arrangements were put in place in 2000 with the introduction of a Leader and Cabinet system to manage the Council's business. The Cabinet (which is the 'Executive') consists of 10 Elected Members drawn from all three political parties, and is chaired by the Leader of the Council. Together, they are directly accountable for all the executive services the Council provides, with individual Cabinet Members having specific areas of responsibility.

Following a review in 2006, Sefton's Overview and Scrutiny Committees have been organised in the following way:

### **Overview & Scrutiny Committee (Performance & Corporate Services)**

The Members of this Committee consider the performance management function of the Council and issues relating to corporate resources and strategy. They consider the performance of the Council, and its partners, in delivering a Sustainable Community Strategy and monitor and review the delivery of services that impact upon community safety and general strength of communities within Sefton.

### **Overview & Scrutiny Committee (Children's Services)**

The Members of this Committee consider all aspects of lifelong learning with particular relation to education and social care services for children and their families. They consider the performance of the Council, and its partners, in delivering effective services for children and young people.

### **Overview & Scrutiny Committee (Regeneration & Environmental Services)**

The Members of this Committee consider all issues relating to regeneration, environment, transport, leisure and tourism. They consider the performance of the Council, and its partners, in delivering effective economic development and sustainability for the borough.

### **Overview & Scrutiny Committee (Health & Social Care)**

The function of this Committee is slightly different to the others in that it has been empowered by the Health and Social Care Act 2001, which ensures the cooperation of NHS bodies with the local authority. The Members of this Committee consider all issues relating to health and adult social care issues with a view to improving the health of local people. They consider the performance of the Council, and its partners, in delivering effective services for achieving healthier communities.

These O&S Committees work alongside each other to provide the full range of O&S functions. Each Overview and Scrutiny Committee is made up of ten non-Cabinet Members appointed to reflect the overall political make up of the Council. Cabinet Members cannot serve on these committees either as Ordinary or Substitute Members. In addition to Sefton Council Members some of the Committees include key stakeholders, such as Church representatives, as Committee Members with voting rights. Committees can also co-opt Members where it is felt their particular expertise would be of benefit, however such Members do not have voting rights.

The O&S Committees can take a broader view and make recommendations to other organisations with responsibilities for services that promote or affect the well being of Sefton and its people. This has been done specifically through the work of the Health and Social Care O&S Committee, but there is a growing focus upon ensuring the effective delivery of the objectives set out in the Sustainable Community Strategy. The Local Government White Paper (2006) 'Strong & Prosperous Communities' sets out the strengthened role of Overview and Scrutiny in relation to the service delivery of external organisations, including the power to require evidence from all local service providers and a duty on them to have regard to Overview and Scrutiny recommendations.

Within Sefton the development of a Sustainable Community Strategy, which is based on a shared understanding of the priorities facing the borough, and a Local Area Agreement (LAA) which is its delivery plan, is undertaken by the Sefton Borough Partnership (SBP). The Sefton Borough Partnership brings together key service deliverers (from across the public, business, voluntary and community sectors) who develop this vision and delivery plan and encourages partners to align their business plans (including the Council's Corporate Plan) to show how they are directly contributing to the objectives within the Sustainable Community Strategy.

## How do we undertake the role of 'Overview'?

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In Sefton the Members of each O&S Committee will explore issues during their meetings and will inevitably require input from officers in the form of reports, presentations or statistical information to inform their debate. When the O&S Committee feels that the service area or policy under review or development would benefit from a more in-depth and structured approach a review will be conducted by small, informal working groups of councillors.

At the beginning of each Municipal Year the O&S Committees agree a work programme of topics for review. This decision is informed by the information provided by council officers, partners and the public for discussion by the committee. There is flexibility for O&S Committees to respond to issues outside of the work programme and there is a review of the work programme after 6 months to ensure that it is addressing the appropriate priority areas.

Each Working Group can adopt a variety of mechanisms during their inquiry including: interviewing of witnesses and witness statements, site visits and presentations. The outcome of the review is a final report setting out the main findings and recommendations for improvement to the Cabinet for approval. However this is not the end of the process as it is equally important to track the recommendations to evidence the impact of the Working Group and monitor how the review has made a difference to the services provided to the local community. Therefore reviews should be re-visited within 6-12 months of completion. There is significant importance attached to the reviews of policy, as these can often lead to policy development, i.e. suggestions for better service delivery or areas where policy could change.

## How do we undertake the role of 'Scrutiny'?

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Within Sefton there are some policy documents that are always considered by Overview and Scrutiny Committees shortly before passing to the Cabinet for final decision, for example the Corporate Plan and Local Area Agreement. However it is recommended that there is involvement with the O&S Committees at an early stage of policy development in order to provide full exploration of issues before a decision is made. Indeed there are times when the Cabinet may request the assistance of the Committees in specific areas of policy development and it can often prove advantageous for officers to seek the views of the relevant Committees during consultation stages of policy development.

The O&S Committees also have the responsibility to monitor decisions taken by the Cabinet Members. The scrutinising of decisions can take place before (pre-scrutiny) or after (post scrutiny) decisions have been made and implemented and it is an opportunity to question why the course of action was taken, and if necessary propose an alternative.

Each O&S Committee considers the Council's Key Decision Forward Plan (KDFP) as a standard agenda item at each meeting and considers which items should be scrutinised before the Cabinet decision is taken. The KDFP lists all of the key decisions that it is anticipated that the Cabinet will take in the next few months and Members may request the opportunity to consider a subject and provide their input on that issue before it is considered by the collective Cabinet, individual Cabinet Member or Full Council.

When a decision is made by the Cabinet Member / Cabinet / or Full Council, there is a delay of seven working days before it is implemented, which is known as the 'call-in' period. This 'call in' period provides an opportunity for Members of the O&S Committee with concerns about a decision made (but not yet implemented) to raise these concerns in public and request the decision maker (Cabinet Member / Cabinet) to

explain the basis for their decision. The Chair of the relevant O&S Committee or any three Members of the Council, who are not members of the Cabinet, may ask for a decision to be 'called in', and it is then for the relevant Committee, after hearing further evidence, to decide if the Cabinet should be asked to review its decision further in light of the improvements / suggestions they are proposing or if they want to refer it to Full Council for them to make a decision. There is a strict timetable for dealing with 'called-in' items in order to ensure that decisions are not unnecessarily delayed.

As referred to previously in this guide, the Overview and Scrutiny Committees can also look at how other organisations in the borough are providing important services to the people of Sefton. This can include other public organisations, such as health service providers, or private or voluntary organisations. By doing this, they help the Council in their role as a community leader.

## **How do we recognise successful Overview and Scrutiny?**

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Overview and Scrutiny must influence others; it does not implement changes or take decisions itself. Nevertheless, Sefton Council believes that in order to be effective, Overview and Scrutiny should be:

- Inclusive; working to engage all relevant stakeholders, including partners and the public
- Transparent; making it clear to all those involved how the Overview and Scrutiny process works
- Non-partisan; placing the needs and aspirations of the community above the consideration of party politics
- Democratic; initiating and improving the quality of debate
- Deliberative; adopting an evidence-based approach to the work of Overview and Scrutiny

Overview and Scrutiny can make a considerable impact for the community of Sefton through:

- Holding decision makers to account
- Striving for continuous performance improvement
- Supporting the achievement of value for money service delivery
- Influencing decision makers with evidence-based recommendations
- Bringing in the views and evidence of local people, service users and citizens
- Encouraging joined-up thinking across traditional departmental barriers and partner organisations

The Council has recently established an Overview and Scrutiny Management Board, consisting of the Chairs and Vice-Chairs of each O&S Committee. The Members of this Management Board will have the responsibility to ensure that the function and arrangements in place are underpinned by those approaches required for achieving effective Overview and Scrutiny, and for developing a process that will capture the value and achievements of the Overview and Scrutiny Committees.

## Help and Support

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The function of Overview and Scrutiny is very much Member-led at Sefton, with strong involvement and participation from councillors. However the Overview and Scrutiny Team provide both administrative and research support for councillors in fulfilling their roles.

Responsibilities include:

- Working with the Chairs of O&S Committees in agenda preparation and work programme co-ordination, dealing with matters arising from meetings and writing minutes
- Providing support for the scoping and planning of reviews, including notes of meetings, co-ordination of witnesses etc.
- Project-managing reviews
- Ensuring that Chairs and Members are well informed
- Undertaking research for policy reviews, and general communication purposes
- Working with Members in drafting reports for O&S Committee reviews
- Providing assistance to Members with monitoring the progress of recommendations
- Keeping the Council informed about what the O&S Committees are doing
- Advising Members, officers and contributors about the Overview and Scrutiny process
- Liaising with officers across the Council about the O&S Committees' work
- Working with partner agencies and voluntary organisations to inform them about Overview and Scrutiny work
- Keeping up to date with best practice in Overview and Scrutiny
- Identifying learning and development opportunities for Committee Members (alongside Members' Services and Members Development Steering Group)

- Provide facilitation of appropriate events for officers involved with Overview and Scrutiny
- Drafting and publishing the Councils Key Decision Forward Plan
- Raising Sefton Council's profile within the regional and national Overview and Scrutiny network

Senior officers also support the Overview and Scrutiny Committees with information and reports about review subjects, appearing as contributors for reviews or the scrutiny of decisions, and providing technical advice.

## **FURTHER INFORMATION**

The Council's intranet and website provide considerable resource for those who are involved with the Overview and Scrutiny arrangements in place, or who may be interested in becoming more involved. Please access either of these resources for detailed information about the processes and role of Members and officers.

**Overview  
& Scrutiny**





## **Overview & Scrutiny**

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Please contact the Overview and Scrutiny Team if you require this document in an alternative format

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