

Scrutiny Handbook



What is **Scrutiny**?

How does it work at Sandwell MBC?

Good governance and scrutiny is at the heart of what we do.

Overview and scrutiny helps to improve the way the Council works and to make sure its decisions and policies are right for local people.

What is Scrutiny?

Scrutiny Boards fulfil the statutory responsibility placed on local authorities to review and scrutinise their decision making – it allows for cross party engagement and provides an opportunity for councillors and members of the public to improve the quality and delivery of services as well as strengthening the decision making process. Each year the Council appoints members to a Scrutiny Management Board and four thematic Scrutiny Boards.

Each Board has its own area of responsibility which are themed around the Council directorates and aligned to deliver the Sandwell Vision 2030 ambitions and the Councils [Corporate Plan](#)



Scrutiny is a key aspect of this Council's governance framework and is integral to decision making.

The Scrutiny function should:-

- Give power to local people to work with local representatives and challenge the council and other agencies to deal with concerns
- Make sure that the views of local people are heard by the local authority
- Enable councillors as community champions to raise issues for scrutiny
- Create change and improve things so that local communities can see clear results

What is Scrutiny?

03.

The Scrutiny review process determines key issues and objectives, identifies key stakeholders and decides what evidence needs to be gathered and how. Boards can gather evidence in the following ways:

- Formal meetings to consider written reports or presentations.
- Working Groups.
- Site visits to see services/facilities in action.
- Speaking to front line staff and service users. Surveys and questionnaires.
- Calls for Evidence to the public.
- Literature reviews and desktop analysis.
- Hearing from other organisations such as the Police, NHS, charities and community organisations – in short, anyone with expertise.

Scrutiny Boards also have 'Call-In' powers to scrutinise Cabinet decisions before they are implemented.

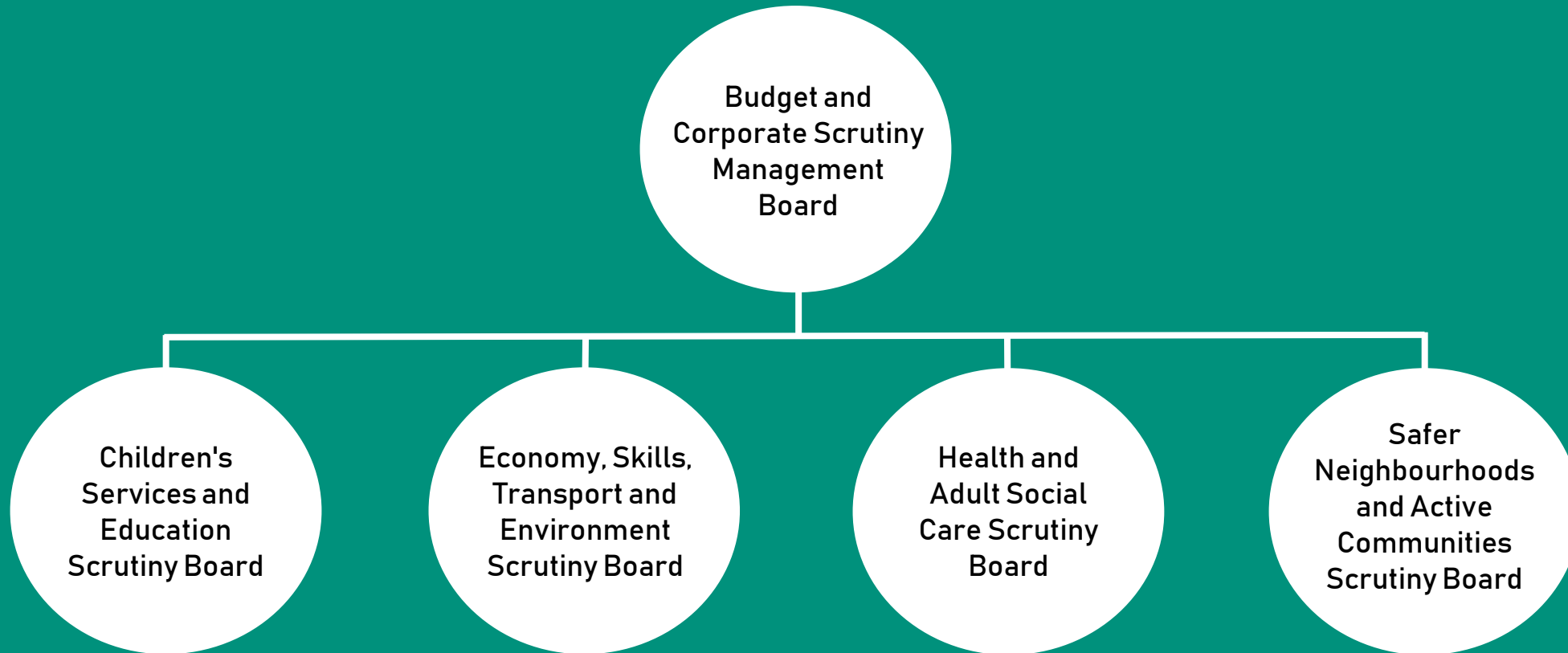
Call-in provides an opportunity to ensure that the Council adheres to the principles of good decision-making and allows Scrutiny Boards to consider whether the Cabinet should be asked to review its decision.

After the Cabinet has announced its intention to make a decision, members have 5 working days to consider that decision. If members feel that the decision is questionable, they can lodge a request to 'call in' that decision. At least six members are required for a call in and the reasons must be valid based on the Council's parameters. The call in is heard at a meeting of the relevant Scrutiny Board. Until the matter has been resolved, the decision is put on hold. The Board will then provide a report to the Cabinet and detail any recommendation for the Cabinet to consider.

The Cabinet will then consider any recommendations and decide whether or not to change its original decision.

Sandwell Scrutiny Boards

04.



The Budget and Corporate Scrutiny Management Board consists of a Chair and the 4 Chairs of the thematic Boards. Each Board is made up of 11 non-executive members. Both Children's Services and Education and Safer Neighbourhoods and Active Communities also include co-opted members who serve on the Boards alongside elected members. You can see more about the Scrutiny Boards membership and activity [here](#).

What does **good** Scrutiny look like?

05.

Effective scrutiny makes a positive impact on the lives of local people and supports the Council in meeting its ambitions. It is pivotal for members to embrace a culture that welcomes challenge and should actively promote the status, credibility and benefits of scrutiny. Good scrutiny is:

Constructive – Scrutiny shines a spotlight on decision making by acting as a ‘critical friend’ to improve the transparency and accountability of the executive and Council. This check and balance role ensures the right decisions are made for the citizens of Sandwell and aligns with the Council’s priorities.

Engaging – Involving a range of people in democratic debate to amplify the voice of the public and focus on issues of direct relevance to local people.

Adds Value – Utilising the unique perspective, expertise and skills of scrutiny members to challenge accepted ways of doing things and act as a champion for developing a culture of improvement in the local area.

The impact scrutiny has can be measured in two ways:

Outcomes – what stakeholders experience as a result of the review, for example if the local community recognises an improvement. The council and its partners could also be stakeholders, for example where scrutiny recommendations relate to internal processes.

Outputs – quantitative expressions of the activities being reviewed, for example ‘waste bin collections have increased to 10,000 every week’. These can be expressed in financial terms to show return on investment.

Case Study

06.

Elective Home Education Working Group – Improving support for families:

Children’s Services and Education Scrutiny Board received an update which highlighted that there had been an increase in numbers of elective home education cases and it was questioned why parents were choosing to home educate and whether current support provision was sufficient.

The Board agreed to establish a working group to receive further analysis of data consider the range of ways to carry out education out of the school system and to hear the child’s voice about home education.

The working group has met four times to gather evidence through a range of mechanisms, including data analysis, surveys and focus group with parents and EHE advisory teachers.

There are several areas of concern emerging from the evidence gathered so far that require further investigation and that will inform recommendations to Cabinet in the spring 2021. Further sessions are planned January – March 2021, including a focus group with teachers and head teachers.

The Children’s Services and Education Board has received update reports from the working group and invited the DfE Regional Advisor to provide an update relating to the Select Committee Inquiry into Elective Home Education which commenced in October 2020. It is anticipated that the working group evidence will contribute to the Select Committee work in 2021

Member Led Scrutiny at Sandwell

07.

Scrutiny Boards are expected to make a positive impact by supporting the development of policy, monitoring performance and making important recommendations to support improvement. Scrutiny Boards create work programmes of topics they wish to review. Topics can come from all sorts of sources...but **members** make the final decision!

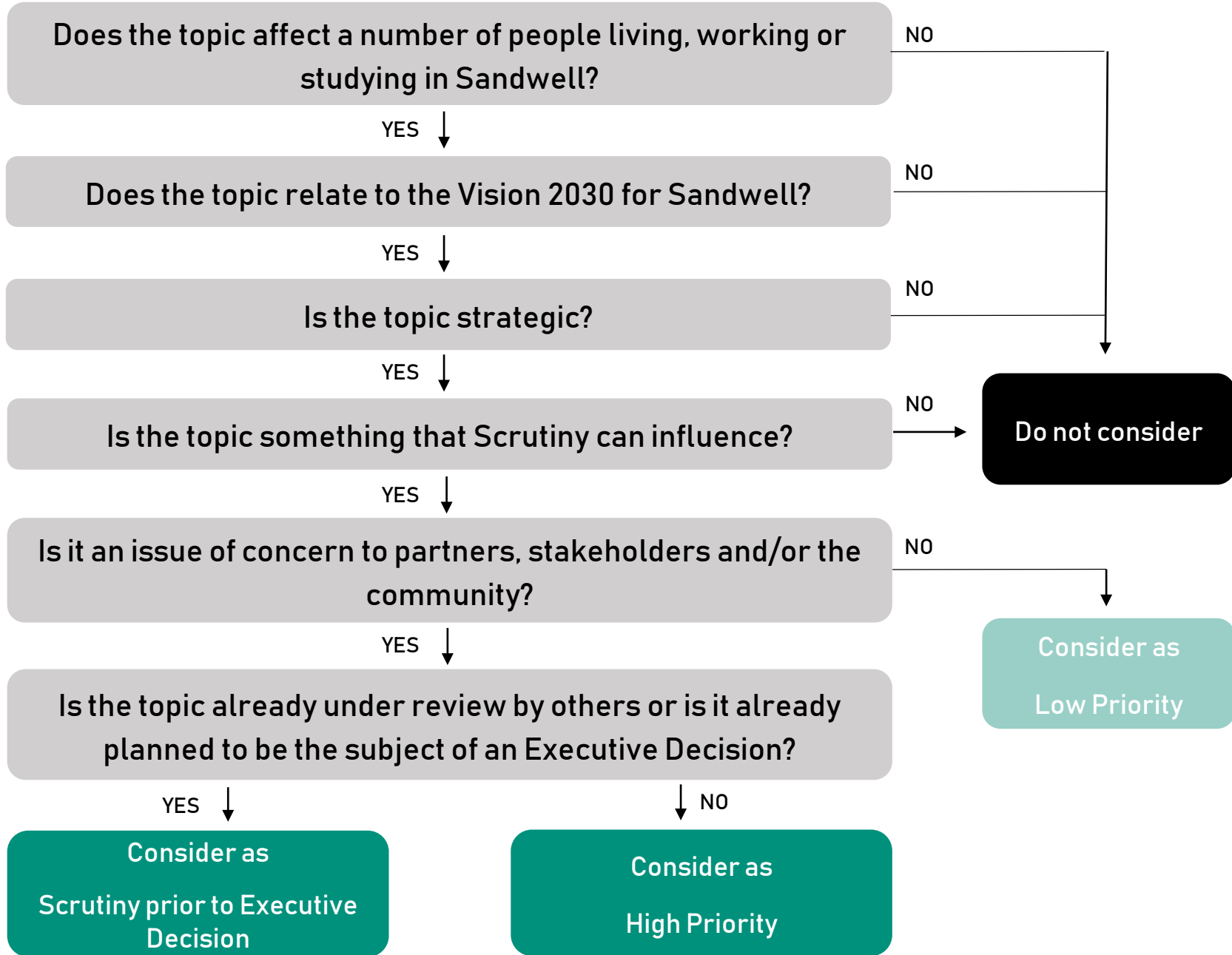
How do you decide what goes on a work programme? Consider the below criteria:

- Issues identified by members as a key issue for the public
- Poor performing service (evidenced by performance data)
- High level of user / general public dissatisfaction with service (surveys / complaints)
- Public interest issue covered in local media
- High level of budgetary commitment to the service / policy area
- Pattern of budgetary overspends
- Council corporate priority area
- Central government policy area
- Issues raised by external audit management letters / external audit reports
- New government guidance or legislation
- Key reports or new evidence provided by external organisations on a key issue

Think Strategically! Scrutiny boards should not focus on individual or operational concerns which are not of wider community significance. These matters should be pursued through the appropriate service area or partner organisation.



Use this tool to help prioritise your work programmes and keep them focussed



Making sure scrutiny adds value

09.

The purpose of scrutiny is ultimately to improve the lives of local people through improved public services. It is important to be able to demonstrate that scrutiny work adds value and makes a difference to local people.

There are several ways to ensure that Scrutiny adds value. Proactive scrutiny councillors should:

- Participate constructively in the activities of the committee.
- Monitor the council's decision-making process.
- Investigate the basis on which major decisions are taken and ensure they are consistent with council policy.
- Monitor the effect of national legislation on the council.
- Hold the Cabinet and officers to account in respect of their actions in carrying out council policy.
- Monitor the council's performance, jointly, where appropriate, with the cabinet member.
- Investigate the quality of services provided.
- Participate in reviews in carrying out existing policies and the development of new policies by the council through the scrutiny arrangements available and through group consultation mechanisms.
- Participate constructively in any short-life task groups or spotlight reviews agreed by the committee.



Remember: Scrutiny at Sandwell is member lead, speak to the Chair of the Scrutiny Board or contact Democratic Services if there is something you want to add to the work programme

Case Study

10.

Improving Support For Families In Sandwell - Elective Home Education Working Group:

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Key Terms and Questions to Consider

11.

Questions to consider:

- How does x fit with our existing plans/budget priorities?
- How well do we compare with others (local authorities or other agencies)?
- What needs to be done to achieve target x?
- Are there any legislative requirements in the policy? If so what are they? How have they been met?
- How does x help the Council deliver its strategic priorities?
- How have local people and/or service users and partners determined the content of the policy / strategy?
- How will Council resources and those of local people and partners affect x?

Work Programming: Work programming is the planning stage of scrutiny, where subjects for further investigation are identified and prioritised to be considered by the Scrutiny Board throughout the municipal year.

Recommendations: Scrutiny boards do not make decisions...but they make recommendations. The Executive will consider the recommendations made by Scrutiny Boards and decide whether or not to make changes to their decision.

Call-in: Scrutiny Members can 'call-in' Cabinet Executive decisions which have been made but not yet implemented. They can ask for further information about a decision that has been made and recommend that the Cabinet re-considers its decision.

Working Group: If required, separate 'working' groups can be established as part of a Scrutiny Board to look at 'one-off' pieces of work. Working groups do not have to be politically proportionate and work on a task and finish basis. Any non-executive Member can be on a working group

Resources

12.

Sandwell

Committees and Scrutiny Boards at Sandwell: <https://bit.ly/2RosLuH>

Sandwell MBC Scrutiny Review 2019: <https://bit.ly/3mz3XMb>

Scrutiny Annual Report 2019/20:

Constitution – Part 4:

Sandwell's Climate Change Strategy: <https://bit.ly/2RTMliB>

General

House of Commons Library – Report on Overview and Scrutiny:

<https://bit.ly/3s3y8w6>

LGA – Councillors Scrutiny Workbook: <https://bit.ly/322k6A1>

Overview and Scrutiny Statutory Guidance: <https://bit.ly/39UreTG>

CFGs - 'The Good Scrutiny Guide': <https://bit.ly/3wIU6rt>

Boston Borough Council – Introduction to Scrutiny: <https://bit.ly/32il4sk>

Neighbourhoods, Communities and Policing

Latest Government Policy – MHCLG: <https://bit.ly/2Q5EzSf>

Strategic Policing and Crime Board: <https://bit.ly/3smTm8j>

National Housing Federation: <https://bit.ly/3uRWY3B>

Homelessness Code of Guidance for Local Authorities:

<https://bit.ly/2OdNG2r>

Tpas – Tenant Engagement: <https://www.tpas.org.uk/>

Health

Kings Fund: <https://bit.ly/3gdYmK0>

CQC: <https://bit.ly/3nf3per>

Black Country and West Birmingham CCG: <https://bit.ly/3dKuljf>

Sandwell and West Birmingham NHS Hospital Trust: <https://bit.ly/3vetUUh>

Health and Social Care Bill White Paper explained: <https://bit.ly/3xfXSJk>

Black Country Healthcare NHS Foundation Trust: <https://bit.ly/3xgWZjH>

Children's Services and Education

NSPCC: <https://bit.ly/3vbJ10l>

Sandwell Children's Trust: <https://bit.ly/3gAvuvA>

ESTE

Black Country Joint Executive Committee: <https://bit.ly/2RNiOaf>

Planning for the Future White Paper: <https://bit.ly/2RTMQct>

CfGS: <https://bit.ly/3sJB0hO>

Key Legislation:

- the Local Government Act 2000;
- the Health and Social Care Act 2012;
- the Police and Justice Act 2006;
- Local Government and Public Involvement in Health Act 2007;
- the Local Democracy, Economic Development and Construction Act 2009;
- the Police Reform and Social Responsibility Act 2011;
- the Localism Act 2011;
- the Health and Social Care Act 2012.

Questions? Clarifications?

Get in touch!

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