

CONSTITUTION COMMITTEE: 17 September 2014

REPORT OF COUNTY CLERK AND MONITORING OFFICER

AGENDA ITEM: 7

**PUBLIC ENGAGEMENT WITH SCRUTINY AND WIDER
DEMOCRACY IN CARDIFF**

Reason for this Report

1. To propose changes to the Constitution in the light of additional research commissioned by the Committee at its meeting in January 2014 to implement the recommendations of the Policy Review and Performance (PRAP) Scrutiny Committee's April 2013 Inquiry report titled "Public Engagement With Scrutiny" to enable public questioning at scrutiny committee meetings in line with best practice across the UK.

Background

2. The consistent and effective engagement of citizens in democracy is recognised as a key challenge for local authorities across the UK. This was illustrated in Cardiff when Scrutiny Services undertook a "Scrutiny Listening Exercise" in March 2012, interviewing a range of elected Members, senior managers and key external stakeholders to identify perceptions of the current strengths and development opportunities for Scrutiny in Cardiff. Two of the three key findings of this Exercise revolved around improving communication with internal (Cardiff Council) stakeholders, and increasing the level of engagement with external stakeholders on scrutiny issues.
3. Cardiff Council's Policy Review and Performance Scrutiny Committee (PRAP) is empowered through the Constitution to scrutinise matters relating to Citizen Engagement, Corporate Communications and Voluntary Sector relations. In October 2012 PRAP commissioned a task and finish Inquiry into "Public Engagement With Scrutiny" as part of its 2012/13 work programme, chaired by Councillor Elizabeth Clark and including Councillors Mitchell, Knight and Robson on the Inquiry Team. The Committee's report was published in April 2013, and is attached for Members' information at **Appendix 1**.

4. The report contains 15 recommendations with two recommendations targeted towards the Constitution Committee, with a view to amending the Council's Constitution to support developments in two areas – public questioning at Scrutiny Committee meetings, and potential co-option of non-elected Members onto scrutiny Committees and / or task and finish inquiries.
5. Good progress has been made on implementing the other recommendations, for instance the introduction of a monthly "Scrutiny Forward Plan" detailing the range of scrutiny activities and meetings taking place for the month ahead, which is e-mailed to a wide range of voluntary, community and professional groups.
6. However before implementing the recommendations in relation to public question time and co-option the Constitution Committee having reviewed the PRAP report at its meeting on the 14 January 2014 agreed to :
 - 1 Support in principle the two recommendations of the PRAP report relating to public questions at committee meetings and co-option of independent persons onto committee and task groups, subject to officers satisfactorily carrying out the research and due diligence set out in those two paragraphs;
 - 2 Invite officers to return to a future Committee meeting with the results of the research and due diligence, so that Committee can consider making specific amendments to the Council's Constitution to enable pilots to be carried out in one or both of the areas in question;

Issues

7. The Local Government (Wales) Measure 2011¹ created a range of new powers and duties for local authorities to strengthen local democracy and increase public awareness of, and involvement in, the local democratic process. The two sections most pertinent to this report are:
 - a. Section 62, which places a requirement on local authorities to make arrangements that enable all persons who live or work in the area to bring to the attention of the relevant overview and scrutiny committees their views on any matter under consideration by the committee. The same Section provides that an overview and scrutiny committee must take into account any views brought to its attention in accordance with arrangements under this section.
 - b. Section 76, which relates to co-option of non-Councillors onto scrutiny committees.
8. Chapter Five of Welsh Government's June 2012 Statutory Guidance on the Local Government (Wales) Measure 2011² extensively covers Raising

¹ <http://www.legislation.gov.uk/mwa/2011/4/contents/enacted>

² <http://wales.gov.uk/docs/dsjlg/publications/localgov/120625statguideen.pdf>

Public Awareness About Scrutiny; Scrutiny Websites; Publication of Scrutiny Work Programmes; Public Engagement and Call-in; and Engaging with the Voluntary Sector. The introduction to the Chapter states:

“The local government scrutiny role is integral to helping people feel they are able to influence what goes on in their locality. Scrutiny has an important role in stimulating connections between different individuals and groups, and channelling community intelligence into the improvement processes of the council and its partners. In this respect, the scrutiny function can be regarded as helping to both build and represent democratic capacity. Engaging the public more deeply in scrutiny activity may be regarded as a hall-mark of healthy democracy. Better communication about local decision making processes and greater representative participation will help ensure more direct experiences of community life inform strategic thinking and operational practice”.

9. Chapter Eight of the WG Statutory Guidance covers co-option onto Scrutiny Committees. The Guidance recognises that the topic is complex and occasionally contentious, and rather than specifying arrangements Welsh Government sets its own positive view of the potential benefits of co-option:

“The contribution of co-opted members on committees can significantly strengthen their effectiveness. As greater emphasis is placed by Welsh Government upon integrated working and shared service delivery, so scrutiny committees can play an important part in assisting transformational change by enabling co-opted members to more fully participate in their work. Whilst co-option is only one method by which the views of stakeholders can help shape the work of scrutiny committees, it is considered by the Welsh Government to be an important tool in achieving ‘buy-in’ from representative groups and individuals that may otherwise be disengaged from local decision making processes. Co-option can serve to strengthen Members’ community leadership role through the provision of alternative perspectives and the facilitation of stronger area-based networks and contacts. The Welsh Government considers that including a broader range of specialists, community representatives and service-users in scrutiny exercises is advantageous, and that proactively engaging co-optees in scrutiny activity, enables elected members to send powerful messages about citizen-centred services and partnership working through their own structures and practice.”

10. The first of the two recommendations targeted towards Constitution Committee revolves around the facility for members of the public to ask questions and speak at Scrutiny Committee meetings. The wording of the recommendation is:

- a. **“Recommendation 13:** *Members recommend that the Council’s Constitution Committee arrange to amend the Council’s Constitution to allow the public to speak, ask questions and make statements at Scrutiny Committee meetings in line with the Local Government Measure 2011. A detailed protocol should be agreed*

with Scrutiny Services within six months of the publication of this report to cover a number of issues around the timing, suitability and format for enabling public participation, with the current 'public questions to full Council meetings' providing a useful starting point."

Additional work has now been undertaken to benchmark with other authorities who are deemed to have successful scrutiny question time arrangements in place. This is set out at **Appendix 2**.

11. The Scrutiny Research Team has also undertaken analysis of local authorities who have Cabinet Question Time procedures in place. This work is attached at **Appendix 3**. The results of this review found that the majority of authorities conduct their Cabinet scrutiny in a very similar way to the way Cardiff Scrutiny Services does currently. Most authorities therefore require the relevant Cabinet Member to attend a Scrutiny meeting which is exploring an item/s that are within their portfolio.
12. There were however, a small number of authorities which used an alternative technique, generally referred to as Cabinet Question Time. This practice involved Cabinet Members attending a scrutiny committee on a timely cycle to report and answer questions on the whole of their portfolio. It usually involved a written report being produced prior to the meeting detailing certain information which would then be followed by a brief presentation. The Scrutiny Committee would then have the opportunity to question the Cabinet Member on any aspect within their portfolio before writing a letter as a result of their questioning. Each Cabinet Member was therefore held to account once per year by an overarching scrutiny committee whilst the leader would often appear twice. This report is commended to Members of this Committee for information as its implications are potentially wide reaching and might benefit from wider Member consultation, including with Scrutiny Chairs, before any changes to the Council's Constitution would be considered.
13. The second of the two recommendations targeted towards Constitution Committee revolves around the potential co-option of people other than Cardiff Councillors onto scrutiny committees and / or task and finish groups, beyond current arrangements (which see the co-option of four co-optees onto scrutiny committees considering schools matters as part of a statutory approach across Wales). The wording of the recommendation is:
 - a. **"Recommendation 14:** *Members recommend that the Council's Constitution Committee arrange to amend the Council's Constitution to provide for the potential co-option of further non-Councillor Scrutiny Committee members. The possibility of co-opted members and their length of appointment should be considered by each Committee at the first meeting of the Committee following the Council elections. Chairs should be able to draft in members relevant to the agenda item when desired. Apart from existing statutory co-optees, they should not be given a vote. A Person Specification and Job description should be drawn*

up for each co-optee, and co-optees should sign up to an appropriate code of conduct, based on the existing Code followed by Councillors.”

This will be the subject of a further Report in due course.

Reasons for Recommendations

14. To enable this Committee to support the implementation of the recommendations from PRAP’s “Public Engagement With Scrutiny” report.
15. To enable Members to consider additional improvements that they would like to see in the area of citizen involvement with local democracy in Cardiff.

Legal Implications

16. There are no legal implications arising from the content of this report other than those set out in the body of the report.

Financial Implications

17. There are no direct financial implications at this stage in relation to this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/ Council will set out any financial implications arising from those recommendations.

Recommendations

The Committee is recommended to:

- 1 Note the PRAP Scrutiny Committee’s report “Public Engagement With Scrutiny”;
- 2 Consult Members of Policy Review and Performance Scrutiny Committee and the five scrutiny committee chairs to agree to introduce public question time at Cardiff Scrutiny Committees and develop a protocol to guide this;
- 3 Authorise the County Clerk and Monitoring officer to draft a suitable amendment to the Constitution for Council to approve in due course;
- 4 Consider any additional ideas for improving citizen involvement with democracy in Cardiff.

MARIE ROSENTHAL
COUNTY CLERK AND MONITORING OFFICER
11 September 2014

The following Appendices are attached:

Appendix 1: *Public Engagement With Scrutiny* (a report of The City of Cardiff Council's Policy Review and Performance Scrutiny Committee, April 2013)

Appendix 2: Scrutiny Research Team's August 2014 research report *Public Involvement in Scrutiny Meetings: A Desk-based Review of Current Practices*

Appendix 3: Scrutiny Research Team's August 2014 research report *Cabinet Question time in Scrutiny Meetings: A Desk Based Review of Current Practices*

The following Background Documents have been taken into account:

- Local Government (Wales) Measure 2011
- Welsh Government Statutory Guidance on the Local Government (Wales) Measure 2011, June 2012

scrutiny



A Report of the: Policy Review and Performance Scrutiny Committee

Public Engagement with Scrutiny April 2013



County Council of The City and County of Cardiff

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CHAIR'S FOREWORD

The role of scrutiny is very important in ensuring that the residents of Cardiff get the best possible services and support from their local Council. Due to its cross party non-political nature the scrutiny process is a great way to pool ideas and undertake in depth analysis of the issues.

However, a recent research report found that only about 2% of the public knew and understood the purpose of scrutiny. This report aims to address that dis-engagement and actively and easily engage with the local residents. It was heartening to hear the value of scrutiny meetings provided by one of the witnesses to the Inquiry. They said:

"I enjoy the meetings despite their length. Scrutiny committees portray a better image of the council than the full council meeting. Discussions are more in depth, politics are left at the door and the level of debate is more informed. If more public could watch these meetings it would put political government in a good light."

The Council is now under a statutory obligation through the Local Government (Wales) Measure 2011 to ensure the public engage with scrutiny. This will allow the public to feedback directly to their local Councillors about how their services should be delivered and ensure that their views are progressed. One key message that emerged during the enquiry was that effective public engagement needed to be organised and planned well in advance.

We now need to make rapid progress and I commend this report to the Cabinet, the Constitution Committee and Scrutiny Services.

My thanks go to the hard working task and finish group, Principal Scrutiny Officer, Robina Samuddin, and the Scrutiny Research Team.

Elizabeth Clark, Chair Policy Review and Performance Scrutiny Committee

INQUIRY TERMS OF REFERENCE

The Inquiry Team devised and agreed the following terms of reference:

To enable Public Engagement through the different functions and processes of Scrutiny to identify:

- the requirements of Public Engagement under statutory requirements such as The Local Government Measure (Wales) 2011
- best practice across the UK
- what can be adopted and adapted in Cardiff and how it can be resourced.

Members of the task and finish group were:

- Councillor Elizabeth Clark
- Councillor Sam Knight
- Councillor Adrian Robson
- Councillor Paul Mitchell

CONTEXT

1. The concept of Scrutiny was introduced to local government in Cardiff through the Local Government Act of 2000. It dispensed with the traditional “Committee” system in favour of a more streamlined “Cabinet” style executive City Government, and introduced five “Scrutiny Committees” to hold the Executive to account.
2. Scrutiny has been cited as an important means of ensuring robust governance to local government administration and of allowing local residents to feel that they could influence the direction of local policy and service provision.
3. The Welsh Government published the Local Government Measure (Wales) in 2011. In June 2012 the Statutory Guidance from the Local Government Measure was published to assist local authorities to implement the recommendations. Foremost amongst these was a series of requirements and recommendations for local authorities to ensure the public could be as actively involved in local democracy as possible.
4. It is hoped that the outcome of the Inquiry will have an impact beyond the area of Scrutiny Services. The work related to public engagement is not one service area’s responsibility. How one area is doing in engaging the public can impact on other areas of business and through this Inquiry it has become apparent that engagement in Scrutiny Services should not sit in isolation from the rest of the local authority. Nevertheless public engagement has been practiced by certain Council service areas. The lack of a wider engagement strategy is balanced by the many tools and good practice research and ad hoc engagement practised by some service areas from which Scrutiny can benefit.

KEY FINDINGS

The Key Findings have been arrived at after six meetings with a variety of expert witnesses. The Inquiry was provided with desk based research of best practice around England and Wales' local authorities as well as the many documents and the Local Government (Wales) Measure 2011. Following a review of the evidence Members identified the following Key Findings:

RAISING PUBLIC AWARENESS OF SCRUTINY

- KF1. There is no one model of best practice in relation to public engagement within local authorities. There are, however, examples of good practice relating to specific scrutiny exercises.
- KF2. Members responding to Cardiff Council's Scrutiny Listening Exercise in 2012 were in agreement that there is a need to raise public awareness of Scrutiny its role and function, its relevance to citizen issues and concerns. They also stated the need to effectively and widely disseminate the outcomes of Scrutiny Inquiries both internally and externally to enable stakeholders to gain awareness and an appreciation of the impact and benefits of these Inquiries.
- KF3. The Ask Cardiff Survey from the Council's Customer and Business Knowledge Department established in 2011 that only 2% of their sample knew about Scrutiny Services in Cardiff Council. The survey found that there was a strong public appetite to get more involved in helping to shape Council policies and decisions.
- KF4. Some witnesses for the Inquiry were of the opinion that members of the public do not need to be familiar with Scrutiny processes. It is more important, for example, for public views to be fed into Scrutiny Work Programmes, without necessarily being familiar with the actual Scrutiny as a 'function'. However, it is a requirement of the Local Government Measure that Committees publicise their role and function.

- KF5. While Cardiff Scrutiny Committees currently use a variety of methods to engage with the public and to take public views into account, Scrutiny should become transparent and more appealing to the public.
- KF6. Scrutiny Services has started to develop a 'brand identity', but this is not currently well-known.
- KF7. The Council's centralised Communication and Media team currently work with Service Areas to identify media priorities, developing an annual forward plan in order to prioritise publicity campaigns council-wide. They are able to assist Scrutiny Committees depending on the availability of resources.
- KF8. There can be a perceived conflict in using the Council's Communication and Media Department to publicise Scrutiny activity, given its council wide support function.
- KF9. Currently there is limited direct engagement between Scrutiny Committees and local media, and Scrutiny work is only covered in the media to a limited extent and frequently with no mention of 'Scrutiny' as part of the democratic process.

SCRUTINY WEBSITE

- KF10. While Cardiff Scrutiny has dedicated pages on the Council's website, there are currently aspects of the website which do not contain appropriate content or accessible language. The Scrutiny pages are also not easy to find.
- KF11. Witnesses to the Inquiry were not of the view that webcasting of Scrutiny meetings was likely to increase public interest. Current viewing figures of National Assembly for Wales Committees and Cardiff Full Council meetings are not very high.

PUBLIC ENGAGEMENT WITH SCRUTINY

- KF12. Additional surveys to gauge public opinion may not always be necessary because a variety of information is available via existing avenues, such as the Council's Ask Cardiff survey.
- KF13. It is important to ensure balance on issues where pressure groups are likely to be involved. There need to be clear protocols and tools to assist Committee Chairs in handling public engagement in Scrutiny meetings.
- KF14. Those who know about or who have been involved in Scrutiny previously are more likely to want to get involved again.
- KF15. Public interest in Scrutiny tends to stem from direct interest in a specific agenda item. A blanket approach, and an expectation that the public will be interested in all scrutiny items, will not work. Simply holding meetings held in community venues if an item is not of interest to the public will not improve public engagement. There is value in "piggy backing" on other public events/meetings that are being held".
- KF16. Witnesses to the Inquiry were not of the view that co-optees should be standing Committee members, but acknowledged that they can make a valuable contribution to specific Scrutiny items, in terms of rich professional experience or stakeholder views which they can bring.
- KF17. Feedback is vital in terms of on going engagement with the public. Witnesses advocated a two-stage approach - basic feedback immediately after the meeting, and more structured feedback over time.
- KF18. Where effective public engagement is carried out it tends to be due to good planning, proper evaluation, and sufficient staff and resources being available.
- KF19. A variety of methods is crucial, appropriate to both the subject under consideration and the sector of the public to be engaged. A blanket approach is not effective.

- KF20. Sometimes, despite all the planning and preparation public engagement simply doesn't work. Managing expectations on all sides is very important. It is crucial to accept that public engagement may not be applicable to all topics.
- KF21. A Scrutiny public engagement strategy should link to the wider Council public engagement strategy in order to be most effective. Public Engagement needs to be established consistently across the Council for either to be effective.
- KF22. Task and Finish Inquiries are not currently held in public, but provide opportunities to engage stakeholders and highlight areas of public interest.
- KF23. Each public engagement should be seen and treated as a unique opportunity and evaluation is crucial. This assists with developing understanding and progression on engaging the public more and more.
- KF24. Public engagement is successful when it is not "assumed" what the public are interested in. The public needs to be given a voice to relate what matters to them.
- KF25. The National Assembly for Wales issues a Call for Evidence when commencing consideration of a given subject. This is often publicised widely and can garner from a handful to five hundred responses.

PRODUCTION OF FORWARD WORK PROGRAMME

- KF26. Cardiff Scrutiny Services currently use a variety of sources of citizen intelligence in developing Work Programmes, such as information from the Citizen Panel, the Ask Cardiff survey and complaints data.
- KF27. Scrutiny should demonstrate the worth of a topic being scrutinised for the citizens or a ward in Cardiff. In order to further ensure that the work programme reflects focus on citizens' views, time is required to plan it.

KF28. The Work Programme must balance items which are of interest to the public and items which Committees have a duty to monitor.

KF29. Due to the in-depth nature of Task and Finish Inquiries, it is important to carry out consultation and or research to incorporate the views of citizens. It is also important to consult the public on the topics for carrying out the inquiries within the Work Programme. Currently the process for work programming development by scrutiny is not that clear to the public. The work programmes are not that easy for the public to find.

PUBLIC ENGAGEMENT AND CALL-IN

KF30. If public speaking is to be permitted at Call In meetings, specific guidelines and protocols are vital to support Committee Chairs.

ENGAGING WITH THE THIRD SECTOR

KF31. The Third Sector has an important role to play in terms of reflecting the views of their stakeholders as witnesses at Committee meetings and during Inquiries.

TAKING THE PUBLIC'S VIEWS INTO ACCOUNT

KF32. Members are a vital source of local intelligence in terms of identifying topics of interest to the public and public views on items under consideration.

KF33. Witness feedback is vital in improving public engagement as this can prove where Scrutiny has had an impact. Witnesses to the Inquiry advocated immediate feedback, directly following a meeting or Inquiry, as well as feedback in the longer-term, to demonstrate Scrutiny's impact. If a topic is being re-visited in Scrutiny, then past witnesses should be informed and possibly asked to contribute again to the scrutiny.

KF34. If public questions are to be allowed at Scrutiny meetings, clear guidelines and protocols are vital and would necessitate a change to the

Constitution. The Council's Constitution Committee is currently undertaking an Inquiry into aspects of engaging the public across Council meetings and committees. (Some suggestions regarding guidelines and protocols have been given which can be seen on page39)

- KF35. Where there are concerns of vexatious behaviour from the public a clear procedure and protocols assists to keep this to a minimum.
- KF36. Inviting live questions from the public via social media during meetings is difficult to manage. Other options exist, such as making a website comment facility available regarding reports or work programme items.
- KF37. Difficult terminology should not be used in scrutiny documents. Instead use Plain English. The language needs to be inclusive and accessible.
- KF38. A significant amount of information about the public's concerns, complaints and views is held by various Council service areas. Provided that the information gained has been done so in a robust and transparent manner, then it should be shared with Scrutiny.
- KF39. It is important to carry out primary research where citizens' views and opinions are further required. However it is essential that the voices of the vulnerable are sought and not the vocal majority. It is important not just to rely on organisations to gain the public view but also to find views of individuals who are directly affected by an issue.
- KF40. Scrutiny Committees should continue to involve citizens as witnesses which could be both interest groups and individuals as this has proven valuable. However, Committees must ensure they include the vulnerable and not only the vocal majority.
- KF41. The Council's Communication and Media team has recently been focusing on developing the Council's use of social media and currently the Council's Twitter account has over 15,000 followers. Responses and

Twitter trends are monitored regularly and could be made available to Scrutiny Committees.

KF42. Public views can be gained via Twitter and Facebook and other social networking sites, but should be used in conjunction with other information sources, such as survey data and wider consultation.

RECOMMENDATIONS

This inquiry was commissioned to advise Members on the key requirements of the Local Government (Wales) Measure 2011, and the opportunities it presents for placing citizens more firmly at the heart of scrutiny.

Some of the recommendations that Members identified have been commended for the Scrutiny Team to implement as quickly as possible, and are identified as such below. Some however have implications for the Constitution of Cardiff Council, and are commended to the Council's Constitution Committee for further consideration. A third group of findings have been addressed to the Cabinet, to engage and work with them in ensuring that Scrutiny is able to fulfil its potential as a valuable and independent voice in ensuring that citizens' interests and concerns are addressed. Members recommended that

GENERAL ISSUES AND CO-ORDINATION

Scrutiny Services

R.1. Members recommend that Public Engagement is central to effective scrutiny and good customer service and also a mandatory requirement of the Local Government Measure (Wales) 2011, therefore Scrutiny Services should ensure that arrangements in Cardiff meet the requirements of the Local Government (Wales) Measure 2011 that relate to Public Engagement. As there is no single accepted model of best practice, Cardiff should develop its own method of public engagement, but should have regard to best practice across the UK, and regularly review to keep up to date with best practice.

(Supported by Key Findings 1 – 3, 21)

Scrutiny Services

R.2. Whilst every effort should be taken to maximise public engagement and efforts should increase over time, Members recommend that it is important that activity is appropriately resourced to enable engagement to be sustained and incrementally developed. Scrutiny Services should

therefore be honest and transparent in working with Members and the public in agreeing realistic levels of engagement so that public expectations can be managed and met.

(Supported by Key Findings 5, 7, 18, 20, 21, 24)

Scrutiny Services

R3. Members recommend that Scrutiny Services should take advantage of the full range of methods available to ensure effective and accessible public engagement with different audiences. These include issuing formal calls for evidence from relevant organisations, utilising public meetings that are already taking place, pro-actively reaching out, asking the views of Council users and analysing customer feedback that is already available (for example, adult education evaluation surveys). While making sure that those who do not use social media can easily access information on their own terms, Cardiff Scrutiny Services should develop a FaceBook page, and make good use of Cardiff Council's Twitter account, with aspirations to have its own Twitter feed.

(Supported by Key Findings 2 - 7, 10, 11, 14, 15, 18, 19, 23, 24, 29, 37, 39-42)

Scrutiny Services

R.4. Members recommend that Scrutiny Services should develop a Communications Toolkit to give Scrutiny Committees a range of options for public engagement before, during and after the scrutiny activity. The toolkit will also help Scrutiny refresh its brand identity 10 years after the service was introduced, and have a standard one sentence "strap line" description of scrutiny to use consistently when promoting anything related to scrutiny.

(Supported by Key Findings 6, 7, 13, 19)

Scrutiny Services

R.5. Members recommend that Scrutiny Services should address any barriers facing different groups in accessing information, and ensure that all scrutiny communications are written in plain English and avoid jargon.

(Supported by Key Findings 5, 10, 19, 23, 24, 37)

Recommendation for Cabinet

R.6. Members recommend that the Cabinet should provide Scrutiny Services with dedicated resources to increase the current level of public engagement the Service undertakes.

(Supported by Key Findings 7, 8, 18)

ENGAGEMENT THROUGH THE MEDIA

Recommendation for Cabinet

R.7. Members recommend that the Cabinet should engage with Scrutiny Chairs to agree a level of support from the Council's Communication and Media Team to work more closely with Scrutiny Chairs and Members to highlight their work to local and professional media outlets. For example, more media releases should be issued before and after scrutiny meetings. The Scrutiny Chairs also have an important role in highlighting to local media current Scrutiny committees work. Scope for scrutiny engagement should be discussed with the Communications and Media team at the beginning of the municipal year.

(Supported by Key Findings 7- 9, 15, 18, 25, 32, 41, 42)

SCRUTINY WEBSITE

Recommendation for Cabinet

R.8. Recognising that the Council's website is due to be reviewed in 2013, Members recommend that Cabinet should enable Scrutiny to access citizen's views, more easily, by developing a citizen focussed new website. This will provide ample opportunities for people to find out about, comment upon and participate in the work undertaken by the Council's Scrutiny Committees.

(Supported by Key Findings 3, 5, 10, 14, 18, 19, 24, 36, 41, 42)

Scrutiny Services

R.9. Members recommend that Scrutiny Services should work towards developing its current presence on the Council's website by including:

- a) Diagrams to explain how Scrutiny fits into policy making processes

- b) Images and video clips to show how Scrutiny meetings work
- c) Scrutiny Committee work programmes in an accessible format
- d) Links to Committee reports
- e) Future scrutiny agenda items with guidance on how the public can engage
- f) Examples of effective Scrutiny work
- g) Easy linkage to the Scrutiny webpage within 2 clicks of the Council's homepage

(Supported by Key Findings 1, 10, 11, 24, 25, 28, 29, 36, 37, 39)

Scrutiny Services

R.10. Members recommend that the evidence at the current time does not support the webcasting of Scrutiny meetings. Therefore Scrutiny Services, should review annually the decision on webcasting scrutiny meetings, and this should remain an aspiration.

(Supported by Key Findings 11)

INVOLVING CITIZENS IN WORK PROGRAMMING

Recommendation for Cabinet

R.11. Members recommend that Cabinet should ensure that their Work Programme items and timings are published well in advance of meetings, to allow public engagement with pre-decision scrutiny.

(Supported by Key Findings 28, 34)

Scrutiny Services

R.12. Members recommend that complementing the existing citizen knowledge that they currently facilitate, Scrutiny Services should feed the following information clearly into the work programming process:

- a). An analysis of Petitions presented to Full Council within the past year.
- b). Results of Ask Cardiff and the Citizen's Panel surveys and other relevant findings from the Council's Customer and Business Knowledge team.
- c). Breakdown of formal complaints made under the Council's Complaints Process, and "service improvement request" calls to Connect to Cardiff.

- d). Items suggested by the public and staff
- e). All views of Council Members following consultation with them
- f). Issues which are trending on the Council's Twitter feed from the Council's Communication and Media team. This information should be passed on to Scrutiny on a regular and consistent basis.
- g). Items suggested by the third sector, professional and community networks following consultation with them.

(Supported by Key Findings 26 – 29, 31, 32, 34, 36, 38, 41, 42)

PUBLIC INVOLVEMENT IN SCRUTINY COMMITTEE MEETINGS

Recommendation for Constitution Committee

R.13. Members recommend that the Council's Constitution Committee arrange to amend the Council's Constitution to allow the public to speak, ask questions and make statements at Scrutiny Committee meetings in line with the Local Government Measure 2011. A detailed protocol should be agreed with Scrutiny Services within six months of the publication of this report to cover a number of issues around the timing, suitability and format for enabling public participation, with the current 'public questions to full Council meetings' providing a useful starting point.

(Supported by Key Findings 13, 30, 34, 35)

CO-OPTION ONTO SCRUTINY COMMITTEES AND PANELS

Recommendation for Constitution Committee

R.14. Members recommend that the Council's Constitution Committee arrange to amend the Council's Constitution to provide for the potential co-option of further non-Councillor Scrutiny Committee members. The possibility of co-opted members and their length of appointment should be considered by each Committee at the first meeting of the Committee following the Council elections. Chairs should be able to draft in members relevant to the agenda item when desired. Apart from existing statutory co-optees, they should not be given a vote. A Person Specification and Job description should be drawn up for each co-optee, and co-optees should

sign up to an appropriate code of conduct, based on the existing Code followed by Councillors.

(Supported by Key Findings 13, 16)

FEEDING BACK OUTCOMES FOLLOWING SCRUTINY

Scrutiny Services

R.15. Members recommend that Scrutiny Services should ensure that the outcomes from scrutiny are highlighted and easily accessible. For example:

- If a publication (e.g.: Capital Times) or organisation highlights forthcoming scrutiny items the outcomes of the meeting/Task and finish reports should be advertised
- The Chair's letter, any task and finish report and Cabinet response should be listed together on the website (in the same way as meeting minutes).
- Witnesses should receive copies of the appropriate Chair's letter, any task and finish reports and Cabinet responses following the submission of their evidence. If a topic is later re-visited by Scrutiny the past Witnesses should be informed.

(Supported by Key Findings 10, 11, 14, 17, 19, 22, 29, 33, 37, 40)

EVALUATION OF PUBLIC ENGAGEMENT

Scrutiny Services

R.16. Members recommend that Scrutiny Services evaluate each public engagement activity undertaken so that future lessons can be learnt and improvements made in Cardiff. Where appropriate, Witness Satisfaction Forms to be offered to seek the views of external witnesses on their involvement in the scrutiny process, and a digest of these forms presented periodically to Scrutiny Chairs.

(Supported by Key Findings 1, 15, 17, 20, 21, 23, 24, 32, 33, 38, 39)

Introduction

1. The impetus for this Inquiry came from the Local Government (Wales) Measure 2011 which was designed “strengthen the role of Councillors”¹.
2. The focus of the Inquiry was guided by Chapter Five which explains Section 62 of the Measure, *Taking into Account the Views of the Public*. The Chapter was divided into further sections looking at various aspects of Scrutiny and how to comply with the legislation.
3. The focus of public engagement has come from the *Making the Connections*² strategy. In October 2004 the Welsh Assembly Government first published *Making the Connections* for public consultation. The strategy published in 2006 was further reviewed by Sir Jeremy Beecham³. He was the Chair of a team whose focus was the delivery of local services. Both *Making the Connections* and *Beyond Boundaries* are advocating the involvement of the citizen in services that either directly or indirectly affects the citizen.
4. The Welsh Government has been examining and advising local authority service areas how to connect with citizens through the reviews and subsequent guidance documents. *The Local Government (Wales) Measure 2011* stems from this.

The Citizen Model

5. In the Beecham Review⁴ the Citizen Model is discussed in some detail. It emphasises that local authorities keep this model at the forefront of service design and delivery. It is important to note the citizen model is one that is

¹ Statutory Guidance from the Local Government Measure 2011. Welsh Government. June 2012. Foreword

² Making the Connections-Delivering Beyond Boundaries: Transforming Public Services in Wales. Welsh Assembly Government. November 2006

³ Beyond Boundaries Citizen-Centred Local Services for Wales. Review of Local Service Delivery: Report to the Welsh Assembly Government.

⁴ Ibid, Chapter 2: The citizen model. pgs 3 – 8

advocated for Wales. Each region has its culture and demographics and through devolution Wales is standing up for what is right for Wales. This is also reflected in the approach taken by local authorities.

6. In England the public is viewed as customers through a “consumer model”⁵ where services are said to be shaped by the choices they make. The customer in this model drives changes in the services through their needs and preferences. This is on the assumption that the customer is well informed and empowered therefore impacting services. The reaction that the services are aiming to avoid is the customer exiting the service and selecting alternatives as this indicates customer dissatisfaction in the consumer model.

7. Wales, on the other hand has its own model and a different approach, one that suits the demographics, the geography, and the culture of this country. The citizen model advocates for the citizen to have a voice. The difference between the two approaches is that in England the satisfaction of the ‘customer’ is displayed whether they remain in the service or exit for an alternative one. In Wales the public are viewed as citizens and they are not able to exit a service, and therefore drive the improvements and changes through their voice.

“The model relies on voice to drive improvement, together with system design, effective management and regulation, all operating in the interests of the citizens”⁶

8. The Citizen Model has challenges and advantages for both the individual and organisation. The responsibilities lie with both. One impacts the other. The following outlines this:

“Disjointed changes in practice will not suffice, and changes in practice will be disjointed if they are not set within a rigorous framework of guiding concepts and precepts. Putting the public services on a new footing is no more an event than was devolution...”⁷

⁵ Ibid, pgs 4 - 6

⁶ Ibid. pg 5

⁷ Ibid. pg 8

The Citizen's Perspective

9. The following is what the Citizen Model should mean to a citizen. A citizen will:

- Trust public services
- Receive high quality, updated, joined up and personalised services across organisational boundaries
- Receive speedy and appropriate redress
- Be well informed and have meaningful and diverse ways of expressing their expectations, experience and needs through out all levels of government
- Have their voices heard regardless of ability
- Know how well the services are performing in their area and see organisations held to rigorous accountability by their representatives
- Understand that individual and collective needs have to be balanced and improvement may warrant a change in the delivery of service
- Understand that they have both rights and responsibilities
- Know how much money is coming into their locality, how it is being spent, what the outcomes are and whether they are getting value for money.

10. The following on the other hand is what the Citizen Model would mean to an organisation. It will:

- Have an outward facing culture and be focused on achieving outcomes for the citizens
- Have effective processes for informing and engaging the citizens
- Have strong engagement with organisations that clearly express the voice and experience of the citizen
- Be able to provide objective information on both the perception and satisfaction of the citizen
- Have a pro-active, non-party political, cross cutting, respected scrutiny
- Have joined up and personalised services
- Pool sovereignty and resources to improve delivery for citizens
- Simplified systems of complaint and redress

- Seek excellence and innovation in order to attract, retain and motivate talent
- Meet future challenges and present needs by skills integrated in the workforce
- Diverse provision is adopted as a means of challenge and innovation
- Objectively report, challenge support and develop performance
- Have strong culture of efficiency and effectiveness
- Respond rapidly to changes in demographics and technology

11. The Citizen Model should be understood and applied according to the report.

The understanding needs to be shared between the government and the public bodies but in the final analysis it should be accepted that the citizen comes first.

12. A response to the Beecham's report was published in November 2006 entitled: *Making the Connections – Delivering Boundaries: Transforming Public Services in Wales*. It offered a two stage timeline to indicate its expectation of achieving the following goals in 2006 – 2008 and 2009 – 2011. The goals and the timeline are summarised below in the attached **Appendix B**.

13. Pertinent to this Inquiry, Scrutiny was mentioned in "*Delivering Services with Citizens*" as a partner to delivering "strong engagement" and changing the services by 2011⁸.

14. In his conclusion for achieving citizen-centred delivery Beecham cites "Strong Scrutiny" and states that:

"Scrutiny should be a strong lever for improving delivery and it should work across organisational boundaries. This means designing an inclusive scrutiny process that is non-party political, involving elected members, citizens, advocacy groups, non-executive- directors, non-office members and professional

⁸ Making the Connections-Delivering Beyond Boundaries: Transforming Public Services in Wales. Report by the Welsh Assembly Government. November 2006; pgs 11 - 19

*experts...the whip should not apply and all public bodies, the non-devolved services and third sector bodies should be required to participate.*⁹

15. More recently, the Centre for Public Scrutiny together with Welsh Local Government Association published *Citizen-Centred Scrutiny: Engaging the Public in Overview and Scrutiny* in July 2010. It directs the reader to examples of good practice and answers the pertinent questions of “how” to engage, “why” engage, “who” to engage and “when” to engage. It offers tips on public engagement and the importance of feedback at the end of the Scrutiny process. It is important to state that a lot of work is carried out which qualifies as public engagement but is not always acknowledged as such. However, there is a need for robust and consistent framework to guide the process through services.

16. The document discusses various pieces of research and other scrutiny activities carried out by four Welsh local authorities: Wrexham County Borough Council; Newport City Council; Merthyr Tydfil County Borough Council; and Monmouthshire County Council.

17. It discusses the various aspects of engagement and its benefits. Amongst the many points it states:

*“Rather than diminishing the right of the elected representatives, public engagement can provide greater insight that will help such representatives to take the best possible decisions when making policy.”*¹⁰

18. It goes on to discuss the points of scrutiny being an advocate for local communities and further how the evidence base for recommendations can be improved by gaining the views of the public. The document further

⁹ Beyond Boundaries, Beecham. pg 60

¹⁰ ‘Citizen-Centred Scrutiny’ Engaging the Public in Overview and Scrutiny. WLGA & CFPS. July 2010. See Footnote 7 citing: Effective Public Engagement: A Guide for Policy-Makers and Communications Professionals. Prepared for the Cabinet Office by the Central Office of Information. 2009.

outlines the importance of communicating the findings back to the public after the scrutiny process.

19. In the Beecham report *Beyond Boundaries* a reference is made to Albert O Hirschman's book *Exit, Voice and Loyalty: Responses to Decline in Firms, Organisations and States* (1970). He argued that individuals have two responses when they feel they are failed. They can end the relationship with the organisation and therefore exit or they can attempt to improve or repair that relationship by communicating their grievance, complaint or even a proposal by using their voice.

Guidance

20. *The Local Government Measure (Wales) 2011* is an instructive detailed document for Welsh local authorities. The detail is steeped in legal language, and in order to make the document more accessible the Welsh Government published *Statutory Guidance from the Local Government Measure 2011* in June 2012. It is divided into nine chapters, each chapter relating to relevant sections of the actual Measure published in 2011. All sections in this particular guidance are related to strengthening the roles of Councillors.

21. Section 62 relates to "*Taking into Account the Views of the Public*"¹¹ The chapter makes a direct link to "*Making the Connections*" strategy and stipulates its two principles:

- "i) Citizens at the Centre: services more responsive to users with people and communities involved in designing the way services are delivered.*
- ii) Public Engagement: every person to have the opportunity to contribute, and connect with the hardest to reach"*¹²

22. Point 5.5 in the chapter strongly advocates the need for public engagement. It places a requirement on local authorities to enable all

¹¹ Statutory Guidance from the Local Government Measure 2011. June 2012. Welsh Government. Pgs17 – 24.

¹² Ibid. Pg 17

people, whether they live or work in the city, to be able to contribute to any subject being addressed by scrutiny.

23. The chapter is divided into various sections that are linked to complying with the provisions of Section 62. It assists the reader to use tools in everyday work for engaging the public. For example, it is suggested that scrutiny departments could utilise this council's central communication department which has its protocols and tools of communication well established, utilising the authority's website and various methods of engaging the public.
24. The guidance states scrutiny's engagement with the public is crucial for the citizen's perspective to be gained for the design and delivery of services. This in turn assists scrutiny to gain a more nuanced understanding of social issues.
25. The Forward Work Programme (FWP) is also an aspect of scrutiny mentioned in some detail and the need for the public to have sight of it and be able to suggest topics for scrutiny. It is recommended that the FWP is published at the beginning of the Municipal year to give public the opportunity to contribute to it. It is also recommended that flexibility be built into this process allowing changing and revising of topics in accordance with the public's contribution.
26. The FWP is recommended to have its own section on the website. So much so the Guidance gives a stark reminder to the power of Welsh Ministers to make regulations under Section 77 of the Measure should they so wish, to make the scrutiny's processes available to the public - including the FWP. Furthermore the Guidance encourages more involvement with the FWP by sending it to networks, representatives and other partners such as Police, Fire and Rescue, Health, local voluntary councils, youth councils and community networks.
27. The last three sections relate to public engagement, Call-In, the Third Sector and Taking the Public's Views into Account. Engaging is one of the

steps and utilising the views of the public is another. The Guidance acknowledges issues of management of public behaviour and to that end outlines different methods of allowing the public to communicate. For example some may prefer to put their view across in writing. It is also important to prevent citizens utilising the meetings for unrelated grievances. Therefore Scrutiny Committees are to be clear and consistent in their approach.

Research Undertaken for this Inquiry

28. Research into public engagement is vast. In the last decade the Welsh Government's focus turned to it, commissioning many pieces of work culminating in many documents and guidance. One of these is the *Local Government Measure (Wales) 2011*.
29. The focus of local authorities also turned to the issue of engagement with service provision and consultations. Welsh local authorities, including Cardiff Council carry out numerous consultations, focus groups and surveys.
30. This Inquiry had access to research from the Scrutiny Research Team, Cardiff Council's Customer and Business Intelligence Department, and the published documents of several other external organisations. Additionally the Scrutiny Research Team was commissioned to carry out a desk based review on good practice in public engagement in scrutiny across England and Wales.
31. The Inquiry Team had access to the following Cardiff Council documents:
 - Scrutiny Services: Citizen Focused Scrutiny Primary Research – February 2010*
 - Customer and Business Intelligence Team: Ask Cardiff Report – Scrutiny – July 2011*
 - Scrutiny Services: Scrutiny Listening Exercise – May 2012*

32. The following documents are from external organisations that were referred to during the course of the Inquiry.

Evaluating the Effectiveness of Scrutiny in Cardiff County Council (Cardiff University – May 2003)

Cannot Find Server – Reconnecting Public Accountability (The Centre for Public Scrutiny – 2009)

Citizen-Centred Scrutiny (Welsh Local Government Association & Centre for Public Scrutiny – July 2010)

National Principles of Public Engagement in Wales (Participation Cymru – March 2011)

Practitioners' Manual for Public Engagement (Participation Cymru on behalf of Welsh Government – March 2012)

33. Policy Review and Performance Scrutiny Committee commissioned their report *Citizen Focussed Scrutiny* from Cardiff Council's Scrutiny Research Team in February 2010. This research could be seen as laying down the foundations for this current Inquiry because the findings revealed the focus for scrutiny should be to ensure service- delivery focuses on the needs of the citizens. It also revealed that citizens should be directly involved in scrutiny so that scrutiny can be responsive to the needs of the citizens.

34. Another significant piece of research contributing to this subject was Cardiff Council's *Scrutiny Listening Exercise*, published in May 2012. It engaged the views of three groups of stakeholders: Senior Leadership Team Members, Operational Managers, and external stakeholders on various topics. One of these - "Areas for Improvement" - looked into citizen engagement or reflecting the voice and concerns of the public, service users and stakeholders.

35. Whilst Members and Council Officers were keen to utilise existing forums and various data from Ask Cardiff and the Customer and Business Knowledge, the external stakeholders wanted Scrutiny to improve its engagement and wanted to have more involvement in the Work Programme. They also wanted to have

the opportunity to challenge evidence given by service areas in order to present a balanced view.

36. *Desk Base Review of Good Practice* carried out by the Scrutiny Research Team in January 2013 provided substantial examples of the way other local authorities are engaging the public in scrutiny. The main aspect coming through this research was the abundance of methods adopted by each authority engaging in the way that is appropriate to them.
37. England and Wales' cities, towns and villages have their own demographics and issues. Though one area is not alien in respect to another nevertheless each one should be looked at with its own unique social, economic, demographic and environmental factors.
38. One element was consistent in all the authorities surveyed; none of them appeared to have incorporated all of the Measure. They were all engaging the public in different aspects of the Measure. The reasons for this were not explored as it was not within the scope of the research.
39. The research was reported under four different headings and then sub-headings exploring the issue further. The headings were:-
 - Work Programming
 - Citizen Involvement in Committee Work
 - Communication
 - Engagement at Corporate Level
40. Under each of these headings there was further detailed exploration of the topic. The research found a plethora of options to administer the advice from the Measure. However, the content was too detailed to be either placed here in the report or to discuss at length in the restricted period of the Inquiry. In order to assist the Members a summary of the options in the research was provided for them (attached at Appendix D).

Evidence provided by Witnesses

41. The evidence provided by witnesses to the Inquiry will be grouped for ease of reference under the same headings as those used in the “Key Findings” section above.
42. The witnesses were called on the basis that they had a background in either working in the area of Scrutiny, Research, Public Engagement or Communications and Media.
43. There was consistency in the message coming from all the witnesses. This was that public engagement is not only important but necessary to drive improvement to services as well as scrutiny. Inevitably with such a range of expertise differences of opinion would be expected. Surprisingly though only on one issue was seen to have a clear difference of opinion and that was whether the public needed to understand scrutiny and its processes in order to engage with scrutiny.

Raising Public Awareness of Scrutiny

44. The Members of the Inquiry heard that the public should be made more aware of scrutiny, and that scrutiny meetings should be publicised more. Both the process and the meetings should be made more appealing. Although Task and Finish Inquiries are not specifically mentioned in the Measure, the Members heard from one witness that these meetings should also be made public and held in bigger rooms as they can be of great interest. However, it was acknowledged by the witness that if the topic is sensitive or if a witness may be inhibited then the priority should be given to the witness to be heard without the public in attendance.
45. The Inquiry Members heard that it has been an on-going challenge to have the word “scrutiny” mentioned in the Press. Some media organisations do not mention scrutiny, and some that do often refer to it as a “Cross Party Groups”. It was said that this could be due to the concern that papers will lose the reader’s interest by using words such as “scrutiny” and “process”.

46. However, since this Inquiry has taken place and due to the sharing of information of this Inquiry with the witnesses a difference has already been noted in the reporting of scrutiny committees in the media. They have been identified by their names as well as mention of the Members of the Committees.
47. The Members heard how the National Assembly of Wales raises awareness of their Committee meetings. Their Communication department utilises many options, from news releases and recorded film clips to utilising the government website and much more. The Members were told of the changes the National Assembly made in order to raise awareness. The National Assembly had realised that they required a change of image and be more attractive to the public. The local press has also been an option to publicise rather than just the daily national newspaper due to higher numbers of readership. The press are said to be particularly interested if a witness for a Committee is generating public interest and if there is a lot of public interest in an issue then the press are invited to attend.
48. One witness informed the Members that although Cardiff was doing better than many other local authorities, there appears to be more engagement with external partners rather than internal ones within the council. There appears to be a need to raise awareness of scrutiny both within as well as outside the authority.
49. Another aspect that was felt important not to overlook was the Members themselves. They are voted in as community representatives and therefore a source for publicising scrutiny through the various communication tools at their disposal - for example their surgeries, publicity material, and social media and so on. However, the suggestion did not stop there, they were also seen as the ones to feed back information and issues they are coming across in their Wards to the local authority. The elected Members are also viewed as having expertise for their Ward and scrutiny should benefit from this.

50. In July 2011 *Ask Cardiff*, the Council's bi-annual survey published a report relating to questions about Scrutiny Services. The results were discussed by the Members of the Inquiry. The results showed that of the sample that took part in the survey only 2% both knew and understood the purpose of scrutiny, whilst 70% had "no awareness" of it.

51. The Council's Communications and Media Service advised the Members that they were in a position to assist scrutiny to publicise itself. Part of the solution was said to be as a continuous campaign rather than just one big event, but crucially it was deemed very important to monitor and evaluate each campaign. The following was an example heard by the Members:

- Consistently raise the profile of scrutiny by drawing up a programme of campaigns and activities and publicising these
- Raise awareness of what scrutiny is for
- How the public benefits from scrutiny
- What difference scrutiny has made to people's lives as well as the benefits and differences made in order to tackle public apathy
- It is also important to be aware of the stakeholders/partners.

Scrutiny Websites

52. The Members of the Inquiry heard the Council's website should be updated with Scrutiny featuring more prominently. Witnesses said the minutes and agendas of the scrutiny committees were not easily accessible on the Website. It took time to locate them and instead they should be available within 'two clicks'. The website is used extensively by the National Assembly's Communications department. The Members discussed the Council's website also being used for publicising scrutiny but requiring to be updated before this could take place.

53. Webcasting of Full Council meetings on the Council website and Assembly meetings on the Senedd TV, showed a usual retention level of no more than five minutes. Nevertheless, in the case of the Senedd it was said to be a source for the Press to engage with the meetings and this resulted in less

contact with Assembly staff. However, a witness attending from the press stated that they regularly printed the committee papers from the Council website; and felt that rather than webcasting a reporter tweeting from the committee meeting is likely to attract more interest than webcasting alone.

54. In the view of the witness from the Council's Communication and Media Department, Twitter follows the Council's distinct style and yet manages to be "chatty" in order to be engaging.

55. The Members were advised that if social media was to be used extensively then they will have to be prepared for a big response at times. When this has happened in the Communication and Media department they pass the responses to the relevant departments. It takes time for anything new to be embedded and a maturing period must be expected but the results could be effective. The Department monitors the trends in the media and plans certain areas of their work accordingly. The Members were advised to follow suit.

Public Engagement with Scrutiny

56. Most of the evidence the Members heard in the Inquiry was related to the particular issue of engaging the public. The Members heard that engagement in scrutiny is critical as this will help them to understand how the public thinks. Communication needs to be carried out on a regular basis. However, the public particularly like to give their view when they are not in agreement with an issue. They are likely to get involved when the issue directly affects them. It is felt that it is perhaps easier to engage with partners than the public and yet the ones that are affected by some issues are the already disadvantaged people and they are people that are said to be difficult to reach.

57. One witness outlined the current deficit in citizen engagement. In various studies carried out it has been found there is a lack of understanding of scrutiny's objectives and outcomes. The public gets involved when an issue directly affects them. The Centre for Local Government Research has just

completed a major project for the Welsh Government entitled *Learning to Improve*. Dr Rachel Ashworth shared some provisional findings from the study on citizen engagement which involved large-scale surveys and interviews with local government officers. The evidence revealed that whilst there has been some progress in engaging the public as consumers, there has been much less progress in engaging public as citizens who might design and shape public services. Further, it seems that authorities do not feel they possess sufficient resources to fully engage citizens whilst a question has been raised about the level of appetite for engagement amongst citizens. Furthermore some officers and Members felt that public engagement could be “painfully difficult”. The Centre for Public Scrutiny’s 2011 user survey identified that authorities will need to provide most assistance in the area of public engagement to Scrutiny,. This experience may be explained by statements from more than one witness that Scrutiny Service’s engagement practice should be informed by the authority’s wider engagement strategy. They also clarified that if a strategy does not currently exist then it is crucial this happens as Scrutiny Services should not be expected to deliver in a practice that is not taken up by the rest of the authority. There should be one engagement strategy for the local authority which each service area benefits from and contributes to. Further evidence was identified relating to the challenges Scrutiny faces as the function of the Council’s Communication and Media department is to support the Administration, therefore creating a potential conflict of interest. This has meant limited access to the respective Communication Department, or a dedicated Scrutiny Communication Officer. Again there can also be a culture of not delving into issues with the public as it may have a negative impact on the Administration.

58. One witness wanted to see the Scrutiny Committee Chairs have direct contact with the media whereas another also wanted the Committees to have direct communication with the media and not only through press releases.

59. The Members were told of the challenges faced by the media to report on Committees due to their evening timings coinciding with print deadlines and because the task and finish groups were normally held in closed meetings. When the task and finish reports were presented to the Scrutiny Committee in public the debate was usually very short and it was difficult for the media to gain the full essence of the report. It was felt that more going contact and updates should be available in the public domain as the work of the task and finish group progressed.
60. Similarly, the Members of the Inquiry heard about a detailed process of communication and engagement established in a Communication Toolkit put together by the National Assembly. It was established that a thorough process was crucial. This involves engaging with internal stakeholders and partners as well as external ones. This has enabled all involved to be clear about what they are doing, why they are doing it and how they are going to do it. This is important because an organisation may think the public should know something but they may simply not be interested. Finally after each public engagement event the process is only complete after monitoring and evaluation has been carried out. Evaluation also involves everyone who has taken part in the event including Scrutiny Officers, Committee Clerks, Chairs and Members. It was said learning and improvement takes place every time and this is also recorded. These steps are for learning as engagement is a dynamic process.
61. Members were advised to also have realistic expectations, as the outcomes of engagement could either exceed or fail to meet up with expectations.
62. Engagement is also not appropriate for all items in Scrutiny Committees. The questions of what, when and how should be asked and focus should be retained throughout. A way of minimising costs, time and money is to plan and carry out engagement at other pre-existing events and meetings referred to as “piggy backing”.

63. Utilising and partnering with other stakeholders and groups' events can be good practice. It also allows for better attendance as well as assisting when different sections of communities are required, providing a more inclusive and less defensive atmosphere. For example the Members heard how the Centre for Public Scrutiny has published a new guide entitled *Tomorrow's People*, and that the Youth Parliament also assisted in carrying out surveys with young people.
64. Evidence was given which allowed the Members of the Inquiry to understand the National Assembly's processes and methods of communication and engagement. There was a clear message of the value of taking time to plan any engagement because it was said to be crucial to good engagement.
65. Resources are the other crucial element required, as it was stated that engagement cannot be done on a 'shoestring'. Engagement cannot be carried out on an ad hoc basis because it is imperative to have the right option for engagement to be successful. This view was also endorsed by other witnesses. Engagement was clearly outlined by another witness as being a priority for the Welsh Government and that the focus of engagement is not only required from scrutiny but throughout the functions of local authorities across Wales. One witness went as far as to say that if a local authority does not have engagement well established, then scrutiny cannot be expected to succeed in this area. Engagement has to permeate throughout the authorities within which scrutiny is one of the services taking part, and an overall strategy is required. Witnesses from the National Assembly stated that their area of work in establishing engagement was given prominence when their department was placed in a section where everyone had to take engagement seriously and become partners in engagement. If political and organisational backing is not given to engagement it will not succeed, a witness emphasised.
66. There was extensive discussion on the two way process of engagement. The main issue raised by several witnesses was that of feedback. The evidence from witnesses, research and other documents pointed to the

importance of engaging back with the public in order to either keep them involved in the process or updated on the outcomes.

67. This includes keeping them the public updated on related issues or meetings where they have been involved as well as sending them any changes, outcomes and especially reports. For example, the Capital Times published the details for a Scrutiny Call-In, but the outcomes were not printed.

68. The Members were advised that the Council's Constitution would need to change in order to allow public questions in scrutiny and currently the Constitution Committee is making changes to the Constitution to make it more inclusive in its approach. The changes have been divided into three stages:

- There would be a review of the Council's Procedure Rules, including Scrutiny Procedures, such as how questions are asked in Scrutiny Committees
- The Scheme of Delegations would be reviewed
- There would be a Task and Finish Inquiry into Public Questions and Petitions.

69. The Members heard other witnesses make suggestions for Scrutiny Committees to establish a protocol to inform how to take public questions into account. Many scenarios would need to be catered for and so the following points have been listed with the view to the Constitution Committee taking them into consideration when changing and updating the rules and protocols for public engagement with Scrutiny Committees:

- Public questions/statement relating to an agenda item should be submitted at least three days in advance of the meeting. The question/statement can be asked by the questioner or the Chair of the committee. They should be made after any presentations on the agenda item have been given. Members' questions will then follow.
- The questioner can ask supplementary questions of the Witnesses.

- If the questions cannot be answered at the meeting then the questioner must receive a written reply to their questions within 10 days.
- The Chair has the discretion to stop the public questioner at any time if they are behaving inappropriately. The Chair is to give the reasons why they have stopped the person talking.
- Where members of the public make their views known to Scrutiny Services on an issue coming to a Scrutiny Committee meeting, those views should be relayed to Members of the Committee to inform their deliberation on that issue.

70. The Members of the Inquiry were advised by several witnesses that evidence can be given by the public in a variety of ways. The Scrutiny Research Team was commissioned to carry out a desk based research into the good practice of public engagement in Scrutiny Services across England and Wales. There were many examples of engaging the public which can be viewed in **Appendix C**. The findings revealed there to be no one consistent approach or method to successfully engaging the public. In fact each context and topic created its own set of protocols for engaging. Amongst other reasons clear rules and protocols would be needed to control and manage bad or vexatious behaviour. Currently questions from the public are at the Chair's discretion, while a witness suggested that both tabled and informal questions should be allowed in Committee meetings - not at the Chair's discretion, but with protocols in place to ensure consistent standards.

71. It was essential to manage and deliver realistic expectations, rather than to promise too high and fail to deliver.

72. One witness told the Members that not only should the public be involved in aspects such as the Forward Work Programme, but they should also be considered as co-optees for Scrutiny Committees. Another witness further suggested the use of co-optees as and when expertise in a particular field was required and not to have them as standing members in Committees. In the experience of one witness co-optees were found to bring "rich professional experience" to the Committees. There was a warning from one

witness about being careful in choosing un-elected members for committees as they may have a vested interest and should not be given voting rights. However, it was acknowledged that Children and Young People Scrutiny Committee has a requirement for the co-optees to have a vote on education issues.

73. Finally there is a “major asset” that is often “under used and under sold” and that is the elected Members themselves. They are democratically elected to represent the people of their Ward. They should reflect from the numbers of people they see and the events they attend as they are a resource of knowledge and connect to the public they represent and have the ear of the public. They also have the capacity to feed in what the issues are that are affecting people and their lives, therefore enhancing their profile will pay dividends in the opinion of a witness.

Production of Forward Work Programme

74. Witnesses gave evidence relating to the Forward Work Programme as part of the discussion on engaging with the public. A few witnesses suggested that the option of consulting what should go into the work programme should be an exercise with stakeholders and not necessarily the general public. Further clarification was given by Ed Hammond from the Centre for Public Scrutiny who suggested involving the public that have already taken part in Scrutiny such as witnesses or even members of the Citizen’s Panel in the Business and Customer Knowledge Department of the Council. This could be done as part of an event and where possible to choose topics that will be in the public interest, but ultimately it should be remembered that not all topics are suitable for scrutiny.

75. Another witness stated that asking the public was not effective, and resources should be prioritised on those people who have engaged with scrutiny in the past, or with the Customer and Business Knowledge’s Citizen Panel (which currently has 4,000 people signed up and majority of these are on the E Panel which allows communication via email.

76. The Members heard there are various sources for guidance on topics for the work programme. Public views can be gleaned through the voluntary sector and through stakeholder reference groups, as well as anonymous surveys. Another suggestion was to carry out anonymous surveys with frontline staff but it was advised that there will need to be a buy in from frontline staff for this to work. Amongst the suggestions included issuing formal calls for evidence from relevant organisations, utilising public meetings that are already taking place, pro-actively reaching out, asking the views of Council users and analysing customer feedback that is already available (for example, adult education evaluation surveys).

77. Another tool that was said to be effective in gaining ideas for the work programme was that of the social media which would allow for public opinions to be taken into consideration.

78. Finally one witness suggested publicising scrutiny more through the Capital Times in order for the public to submit ideas for the work programme, and another suggested that the Capital Times should be used for more than just publicising the dates of the Scrutiny Committees.

Public Engagement and Call-In

79. Although public engagement and call in was a sub heading in the *Local Government Measure 2011* the witnesses did not speak on this issue. The only point that the Members heard was on the issue of feedback. Several suggestions were made on how and why feedback is important. Amongst them Call In was mentioned. Recently a Call In was publicised in the Capital Times but nothing has been printed after the event and this is important in order to keep the public informed and hopefully engaged.

Engaging with the Third Sector

80. Engaging the Third Sector was another area which the witnesses mentioned through the evidence for public engagement. The witnesses for the National Assembly said that they also worked with the Third Sector,

whilst others spoke of the Third Sector in relation to gauging the ideas of the public.

Taking the Public's Views into Account

81. According to the witnesses to this Inquiry, the public's view can be taken into account in a variety of ways. One witness told the Inquiry the role of the public can be viewed in different contexts. For example, one approach is to view the public as "consumer/service user" which allows for other perspectives which is in line with scrutiny's function of service improvement. Another one was to view the public as "citizens" to engage in the democratic process holding decision makers to account which is in line with Scrutiny's role in upholding accountability.

82. Together with scrutiny there are tools within the Business and Customer Knowledge department such as Ask Cardiff and the Citizen Panel as mentioned in the sections above it currently has 4,000 members that can be used towards such approaches. Forming partnerships with the Third Sector was another, especially in gaining wider access and understanding the varying and diverse context of the public. Social media was also mentioned considerably throughout the Inquiry. This area is currently being developed within the research and communication areas of the authority. Often the information gathered from the public can be anecdotal but as one witness suggested this can be balanced by statistically reliable data.

83. The National Assembly has set up Reference Groups to ensure questions to the Committees are not just being asked by the Members. The Inquiry was told National Assembly Members have gone out to the public to encourage interaction with the Committees. In addition 'rapporteurs' have been established to attend events such as the Young People's Homeless Group.

84. Community news was seen as another valuable resource for gauging current events in the communities. An online tool is being developed to act as a vehicle to have a dialogue with communities. Holding meetings

outside of the civic buildings was mentioned but it must be remembered that the public only attend if they are interested in the topic.

85. This argument may lend weight to a statement made by two other witnesses who believed it was not necessary for the public to understand the processes and structure of scrutiny. It was more important that the public who attend meetings, offer their views and input, and for this to be passed to relevant departments and areas to be dealt with.
86. Staying on the same track, other witnesses said feedback and information coming from the public was not always relevant for Scrutiny Committees. In these instances the information should be fed back to the relevant department to be dealt with; again lending to the idea that gaining the public's view and engagement was more important than ensuring public's understanding of scrutiny processes. One witness gave the good practice example of the Night Time Economy Scrutiny Inquiry which is a topic that was said to be in the public domain and attracted a lot of people. Therefore scrutiny is also a service within the Council and as well awareness of issues the work of scrutiny should also be highlighted by the use of Capital Times.
87. The Council's Communications and Media Service has established a following of over 16,500 followers on Twitter and this number is increasing continuously. However, this is just one tool for gaining the public's view. In the *Ask Cardiff Scrutiny 2011* report the sample surveyed still opted for the traditional methods of communication. When asked, three quarters of the sample preferred to receive emails and letters for communication with scrutiny, and a large sample wanted to have temporary and / or time specific membership on Scrutiny Committees.
88. Discussion amongst the Members of the Inquiry also came to a position that there is a significant amount of data and information already held within Council service areas that - if shared - might lead to a reduction in the need to commission additional surveys and consultations in gaining the public views.. One witness told the Inquiry that there may be a lot of

consultations taking place, but not many people are reached and often it can be the same people. This would also assist in the phenomenon of “consultation fatigue”.

89. This Inquiry also agreed to share its findings and the associated report with the Council’s Constitution Committee, which is currently revising the Constitution, and which has also expressed its interest in seeing the findings. There seems to be little value in analysing public involvement in just one part of the democratic process and not another. The Constitution Committee is therefore planning to consult on public interaction in democracy through the Citizen’s Panel.

90. Many witnesses made comments about feedback. Different ways of feeding back to the public were mentioned. The consistent message, however, was that once the public has been engaged and/or their views have been taken into account then feedback is essential. This reflects the value of the public’s input, especially where views have been taken to make changes. For example in the case of reports and recommendations they should receive a copy of the Inquiry’s report. After a period of time there should be feedback on outcomes following scrutiny. Further suggestions from another witness included asking the public to leave comments after reading reports or even contributing through on line discussion forums.

91. Finally, taking the public’s view into account seriously will require legal monitoring. The Constitution Committee are looking to test any changes they want to make for three months. Witness from the Democratic Services advised that part of the process is for the Monitoring Officer to see and be satisfied with the changes being suggested. This can be seen as an indication that this is a serious matter and to carry out this stipulation of the Measure means more than asking people for their views because other steps will have to be taken prior to taking those views on board.

INQUIRY METHODOLOGY

The Council's Policy Review and Performance Scrutiny Committee set up a Task and Finish Inquiry to investigate Public Engagement in Scrutiny as part of their Work Programme in 2012 - 13. The Inquiry focused on Chapter 5 of the Statutory Guidance, which clarifies Section 62 of the Measure relating to Public Engagement within the various aspects of Overview and Scrutiny.

The Inquiry was assisted by a briefing report which outlined the need for Public Engagement. The briefing report informed the Inquiry of the rationale behind this approach and importantly that Scrutiny Services were not being singled out rather Public Engagement should be threaded throughout the public sector in all its functions serving the needs of the public.

The scope of the Inquiry focused on:

- Enabling Public Engagement through the different functions and processes of Scrutiny.
- Identifying the requirements of Public Engagement under statutory requirements such as The Local Government (Wales) Measure 2011.
- Identifying best practice across the UK.
- Identifying what can be adopted and adapted in Cardiff and how it can be resourced.

Public engagement in Scrutiny is not a recent phenomenon, and many local authorities across the UK are engaged with their communities at various levels. In order to gain a broad perspective of what the other local authorities are doing the Scrutiny Research Team were asked to carry out research to look at what methods were adopted across the UK. The report identified some interesting findings in the way that some local authorities were engaging with the public and facilitating their involvement in Scrutiny committee meetings. There was, however, no consistent approach and none of them had managed to implement public engagement in all aspects of scrutiny and its functions.

It is perhaps safe to say that more is written on public engagement than actually practised. In researching and addressing the topic of public engagement it is important to work within a particular scope, otherwise there is a risk of being overwhelmed and swamped with the vast array of papers, documents, journals, research and books written on the subject. The Inquiry Team decided to look at public engagement from the perspective of the citizen. Involving citizens and allowing them to have a voice in the formation and changes to services that affect them through scrutiny and this informed the scope of reading that was undertaken.

Once the scope of the Inquiry and the research had been agreed, the Team discussed which witnesses they would invite to give evidence. The witnesses came from different professional backgrounds and experience. They included people who had not only studied public engagement but had also focused on the impact of the public sector engaging with citizens, examining scrutiny and its purpose, as well as a number of very experienced scrutineers.

Witnesses were invited from within Cardiff Council as well as external organisations and institutions like the Welsh Local Government Association, The Centre for Public Scrutiny and Cardiff University. Some of them offered presentations which followed with questions and answers, whereas most offered their knowledge and experience through discussion. There were 13 witnesses in total.

The following were the witnesses to the Inquiry:

Internal Witnesses

- Councillor Ralph Cook – Deputy Leader of Cardiff Council
- Councillor Bill Kelloway – Member and former Chair of Children and Young People Scrutiny Committee
- Mike Davies – Head of Service, Scrutiny, Performance and Improvement
- Paul Keeping – Operational Manager, Scrutiny Services
- Nichola Poole – Operational Manager, Democratic Services

- Catherine Smith – Operational Manager, Communication and Media Department
- Steve Jarman – Operational Manager, Customer and Business Knowledge.

External Witnesses

- Virginia Hawkins – Head of Assembly Committees, National Assembly for Wales
- Kevin Davies –South Wales Outreach & Liaison Manager, National Assembly for Wales
- Tim Buckle – Performance & Improvement Advisor, Welsh Local Government Association
- Dr Rachel Ashworth – Reader in Public Services Management, Cardiff Business School, Cardiff University
- Peter Law – Municipal Reporter, South Wales Echo
- Ed Hammond – Research and Information Manager, Centre for Public Scrutiny.

While this Inquiry was held by the Council's Policy Review and Performance Committee, it will clearly have an impact on each of the Council's Scrutiny Committees. The Inquiry is advocating change which, if adopted, will make a difference to the way Scrutiny Services operates throughout Cardiff Council. It was therefore felt important that Chairs and Members of other Scrutiny Committees were offered the opportunity to comment upon the draft recommendations. They were given an opportunity to feedback their thoughts and opinions to the Inquiry prior to the report's final submission which have also been taken into consideration.

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FINANCIAL IMPLICATIONS

The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

LEGAL IMPLICATIONS

The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without modification. Any report with recommendations for decision that goes to Cabinet / Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal power of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

POLICY REVIEW & PERFORMANCE SCRUTINY COMMITTEE



Councillor Elizabeth Clark

(Chairperson)



Councillor Phil Bale



Councillor Garry Hunt



Councillor Keith Jones



Councillor Sam Knight



Councillor Kathryn Lloyd



Councillor Paul Mitchell



Councillor Adrian Robson



Councillor David Walker

POLICY REVIEW & PERFORMANCE SCRUTINY COMMITTEE TERMS OF REFERENCE

To scrutinise, monitor and review the overall operation of the Cardiff Programme for Improvement and the effectiveness of the general implementation of the Council's policies, aims and objectives, including:

To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources. To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures, which may enhance Council performance in this area.

Appendix A

Local Government Measure (Wales) 2011 Guidance

The Local Government Measure (Wales) 2011 is an instructive detailed document for Welsh local authorities. The detail is steeped in legal language, and in order to make the document more accessible the Welsh Government published *Statutory Guidance from the Local Government Measure 2011* in June 2012. It is divided into nine chapters, each chapter relating to relevant sections of the actual Measure published in 2011. All sections in this particular guidance are related to strengthening the roles of Councillors.

- Scrutiny committees are **expected** to make stronger efforts to raise public awareness about their role and function, including how they can shape and contribute to the delivery of scrutiny work programmes
- Councils **may** wish to adopt a multi-method communication strategy, using the most appropriate forms of media and communication for different sections of the public
- Councils **may** wish to establish an area devoted to scrutiny on their websites, including:
 - An accessible guide to the authority's decision making process
 - An accessible guide to scrutiny
 - Committee work programmes
 - Committee annual reports
 - Criteria for what makes a good scrutiny item
 - Forms by which the public can identify issues for scrutiny
 - Forms by which the public can put themselves forward to comment on items on work programmes
 - Forms by which the public may nominate themselves to attend to provide evidence or views
 - Forms by which the public can nominate themselves as a co-optee
 - Details of Chairs and officers and contact details.
- **Encouraged** to think creatively about the use of social media

- **Recommended** that internal mechanisms are developed to enable public engagement (e.g. to submit items for the work programme; submit written or oral evidence, participate as a co-opted member). This **may** take the form of public speaking arrangements or reports summarising written submissions
- Safeguards against vexatious lobbying **may** need to be built in. Committees may refuse public requests to include items on agendas, but must produce a clear rationale for this (possibly linked to criteria used to formulate work programmes)
- It is **recommended** that arrangements are made to consider the credibility and applicability of public contributions to the scrutiny process
- It is **recommended** that authorities develop protocols to cover
 - public speaking arrangements
 - public involvement in task and finish inquiries
 - dealing with requests for public co-option

- It is **expected** that work programmes are published on the Council's webpages. It's **recommended** that they are published towards the start of the municipal year and that they are regularly updated through the year. Committees should **consider** sending them to community networks and representative groups (see guidance 5.33 for list), and including information in the work programme about how the public can assist in developing and delivering work programmes
- In Call-Ins Councils should **consider** public speaking arrangements, allowing provision of information and response to information during the meeting, including multiple representations for different points of view. Chair could also have discretion to stop speaker at any time to they seems to be vexatious
- Councils may wish to **consider** developing engagement with County Voluntary Councils, including co-option, meetings between voluntary sector representatives and Chairs and use of voluntary sector networks as a way to inform and engage disenfranchised citizens
- Committees **must** take into account any views brought to its attention – e.g. methods by which public can engage, proactively managing oral and written submissions, methods to deal with vexatious complainants. Where an issue is raised for scrutiny, it's **recommended** that a report (possibly a summary report if there are several on same issue) detailing submission is considered at the next meeting. Good practice **suggests** they should be invited to present to Members in person (if they wish to). Full feedback is **recommended** whether it is decided to investigate or not.

Co-option

- Considered as serving to **strengthen the Member community leadership role** through the provision of alternative perspectives and facilitation of stronger area-based networks and contacts.
- WG considers use of specialists, community representatives and service users in **scrutiny exercises** as **advantageous**, as a means to **develop partner relations or public connections**. Should consider if co-option is the best way for individuals/groups to be involved in scrutiny work. May be more appropriate in some circumstances for stakeholders to act as 'expert advisors'. Should be decided on a case by case basis.

Councils may wish to **consider** advertising (see para 8.12 for places), and developing an application form. It is **suggested** that outline role descriptions are created and competencies developed (see App A for suggestions and 8.28 re voting rights).

Making the Connections – Delivering Boundaries

Goals	2006 – 2008	2009 - 2011
<p><u>Transforming customer service</u> This is based on five principles of good customer service, options for access and redress.</p>	<p>National customer service policy and action plan to be underway. Creating options for people with different needs. More single points of access, internet and e services. Measures in place for redress. Advocacy and advice services. Citizen satisfaction framework established to measure satisfaction via research</p>	<p>Citizens receiving the right services first time through the best route for them, particularly the vulnerable and the seldom heard from including ethnicity, disability and age etc</p>
<p><u>Delivering services with citizens.</u> Engaging individuals and communities in shaping and delivering services, improving flexibility and responsiveness.</p>	<p>National strategy to be underway to transform public engagement. Advocacy improvements. More flexible service pathways. Initial national service standards promoted. Better information on performance.</p>	<p>Strong engagement between citizens and services, under pinned by national service standards and better information. Services changing on the basis of effective consultation, co-production, scrutiny and partnership citizens.</p>
<p><u>Working together locally.</u> Local bodies working together to deliver better services and shared outcomes for citizens.</p>	<p>Local Service Boards established. First group of local service agreements in place. Develop an inclusive approach towards scrutiny.</p>	<p>Better services outcomes for citizens through all Wales coverage of local service agreements, benefitting health, social care, jobs and local environment.</p>

scrutiny



Scrutiny Research Team

Public Engagement in Scrutiny – A Desk-Based Review of Best Practice.

**Research report for the
Policy Review & Performance Scrutiny Committee**

Date: January 2013



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1. Introduction

As part of its work programme for 2012/13 municipal year, the Policy Review and Performance (PRAP) Scrutiny Committee is undertaking an inquiry on public engagement in Scrutiny.

The Scrutiny Research Team was commissioned to undertake desk-based research, focussing specifically on the citizen engagement requirements and scrutiny obligations arising from the Local Government (Wales) Measure (2011). The aims of the research were to identify:

- current and best practice engagement examples that could be adopted or modified for application in Cardiff Council to enhance citizen engagement in Scrutiny;
- existing publically available strategies, arrangements, protocols and criteria which could be used to improve engagement.

2. Methodology

The research involved a desk-based review of electronically published reports, documents and written material produced by local authorities, public organisations and bodies, Welsh Government departments and voluntary organisations.

The research presented in this report has met or developed the requirements and recommendations of:

- The Local Government (Wales) Measure (2011), or;
- The Welsh Government's Statutory Guidance from the Local Government Measure 2011 (2012).

3. Executive Summary

Scrutiny committees have adopted a number of strategies, arrangements, protocols and criteria to deliver varying degrees of public engagement in scrutiny. Three different levels of engagement were identified, which involved:

- **informing** the public of the scrutiny role, decision making and scrutiny processes;
- **consultation** with citizens to identify their opinions and views;
- **giving power and influence** to citizens in scrutiny work.

Scrutiny committees have engaged with the public in various ways through their work programming, committee work, and communication processes. The different levels of engagement cited within each of these processes are outlined below.

Work programming - To *inform* the public of what could constitute a suitable scrutiny topic, some scrutiny committees have published the criteria that they should meet. Information on how prospective scrutiny topics are considered by scrutiny committees has been published in scrutiny handbooks. Some scrutiny committees use pre-determined scoring criteria to statistically rank suggested work programme topics, and determine their inclusion / exclusion and priority in the work programme. The evaluation methodology, criteria and matrices have been included in some publically issued scrutiny handbooks. Scrutiny committees have used **consultation** with members of the public, by developing mechanisms for scrutiny topic suggestions to be submitted for consideration by scrutiny committees. **Power and influence** has been given to the public through allowing these scrutiny topic suggestions to potentially shape forward work programmes. Scrutiny committees in some local authorities have developed pre-determined scoring criteria to objectively evaluate each prospective scrutiny topic. Using this methodology, the merit of scrutiny topics suggested by the public can be statistically evaluated for inclusion / exclusion and prioritisation in the work programme.

Citizen involvement in committee work – Direct public involvement and **consultation** was achieved in some local authorities through public speaking arrangements and protocols at scrutiny committee meetings. In practice, these public speaking arrangements enable members of the public to present their views on matters under consideration by scrutiny committees. Additionally, a number of local authorities have procedures in place which allow members of the public to speak at call-in meetings. Public consultation has also been used on task and finish inquiries, to obtain citizen opinions and views for specific scrutiny inquiries. The public have also been consulted for research purposes by scrutiny committees and councils. In one instance, **power and influence** was given to members of the public through their appointment as peer researchers on a particular scrutiny inquiry.

Communication – To **inform** the public about the work of scrutiny in a consistent manner, some councils have scrutiny communication strategies and protocols. Certain councils also have online information systems to inform members of the public of ongoing scrutiny work and discussions, including the interactive webcast of scrutiny committee meetings in one particular council. Local authorities have published their programmes of planned work and published bulletins and leaflets to inform the public of ongoing scrutiny work. Some councils publish a calendar of planned engagement and consultation activity and enable the public to sign up for email alerts on areas of interest.

At a corporate level, some local authorities have public engagement strategies. Additionally, some local authorities have appointed specific engagement officers / managers in order to improve consultation and engagement with key stakeholders. Some local authorities have held public consultation events, such as meetings and listening days. Local authorities have also used online consultation functions, including e-panels, e-forums and e-polls. Engagement monitoring tools have been used by local authorities to collect engagement data, which could be analysed to identify public opinions and views, and to quantify the engagement activity achieved. There are a number of local authorities that also use networking and partnership arrangements as a means of developing engagement opportunities.

4. Background Information & Research

The notion of citizen engagement is advocated by the Welsh Government (formerly Welsh Assembly Government) who have emphasised that real improvements can be delivered which people can recognise and understand by engaging them in shaping and scrutinising our services (2006).

A review of local services for the Welsh Government by Beecham (2006) identified an urgent requirement to develop the relationship between citizens and public services. He outlined a citizen model, emphasising the voice of the citizen as a central pre-requisite to drive improvements, with Scrutiny identified as a medium for engagement.

The Local Government (Wales) Measure (2011) builds on the Local Government Act (2000) and places further onus on Local Authorities to improve public engagement in scrutiny. Local authority obligations and recommended actions are outlined in the Welsh Government's Statutory Guidance from the Local Government Measure 2011 (2012).

5. Best Practice Findings

5.1. Work Programming

The Welsh Government's Statutory Guidance from the Local Government Measure 2011 (2012) recommends that citizens and communities should be able to access details of how they can shape and contribute to the delivery of forward work programmes.

A number of local authorities have, in practice, shown varying levels of consideration of public interest when formulating their work programmes. Many councils have arrangements in place which permit members of the public to submit suggestions of scrutiny topics, with some providing guidance on the criteria that suggested scrutiny topics should meet. Some councils use a pre-determined scoring criteria to rank prospective scrutiny topics and determine their inclusion or rejection from the scrutiny forward work programme. Additionally, some local authorities have a structured methodology to determine scrutiny topic placement and prioritisation in the work programme. Each of the scoring and evaluation systems and matrices used consider the extent to which topics serve the public interest. Examples of some of these evaluation systems and matrices are included in the appendices to this report.

5.1.1. Work Programme Topic Suggestions from the Public

A number of local authorities enable citizens to suggest topics for future scrutiny, and include scrutiny topic suggestion forms on their scrutiny websites. Examples of such websites cited in this research include: Redbridge Council; Newport Council; Leeds Council; Newcastle Council; Ealing Council;

Haringey Council; Manchester Council; West Berkshire Council; Mid Devon; Test Valley Borough Council; Swindon Council; Bracknell Forest Council; Redbridge Council; Dover Council; Waltham Forest Council; Wolverhampton Council; Buckinghamshire Council; East Lindsey Council; Arun Council; Merthyr Council; Dorset Council; Eden District Council; Staffordshire Council; Carmarthenshire Council; Devon Council; Huntingdonshire Council; Lewes Council and Woking Council.

To inform and guide the public on what could represent an appropriate scrutiny topic, some local authorities have published a set of criteria that suggested topics should meet. Local authorities which have published such guidance to support the topic suggestion process include: West Berkshire Council; Mid Devon Council; Swindon Council; Bracknell Forest Council; Redbridge Council; Dover Council; Waltham Forest Council; Wolverhampton Council; Huntingdonshire Council and Woking Council.

5.1.2. Criteria for Scrutiny Topic Selection in the Public Interest

To ensure that the topics selected by scrutiny committees are based on a prioritisation of citizen needs, some local authorities have established criteria to rank each proposed scrutiny topic. Some local authorities use pre-determined scoring criteria to provide objectivity in selecting and prioritising scrutiny topics based on citizen needs.

Chorley Borough Council allows anyone to suggest a topic for scrutiny. The Council's Overview and Scrutiny Committee Panels use a set criteria to assess the value and benefits to the citizens of Chorley which scrutiny topics could realise (Centre for Public Scrutiny (CfPS) [no date]). The Overview and Scrutiny Committee Panels use the criteria to select / reject topics and make efforts to assess the evidence for particular inquiries and their anticipated outcomes.

Stockton Council enables members of the public to suggest scrutiny topics through its Council website or by contacting the Scrutiny Team or a Councillor. The Scrutiny Team use a PICK (Public Interest, Impact, Council Performance and Keeping in Context) scoring system to attribute a statistical value to potential scrutiny topics. This is used to substantiate topic inclusion / exclusion in the work programme based on a prioritisation of citizen needs. A copy of the PICK scoring system is included in 'Appendix A' of this report. The Council's scrutiny toolkit manual also contains a work programming pro forma which is completed to record the rationale for selecting each scrutiny topic, including a public interest justification.

East Lindsey District Council has developed a Scrutiny Toolkit. Topic suggestion forms can be completed by members of the public, representatives of external bodies, Council officers and Members of the Council. Each of the topics suggested are considered by the Council's Overview Committee for inclusion or rejection by applying an initial selection test, using a defined methodological procedure. Following this, a prioritisation assessment is completed to identify where topics which have met the initial selection process will be placed in the work programme. Some of the evaluation systems and matrices used by the Council are included in 'Appendix B' and 'Appendix C' of this report.

A vast number of local authorities have issued scrutiny handbooks publically. Within these handbooks scrutiny procedures are set out clearly to inform the public of how topic selection decisions are made. In a number of scrutiny handbooks, the topic selection criteria pro forma has been included, which is used to score each potential scrutiny topic to determine its inclusion in or exclusion from the work programme. Such scoring matrices are used by local authorities including Sunderland, Cornwall, Newport City Council, Lancaster, Kirklees and Dorset Council. The use of scoring matrices to determine scrutiny topics demonstrates some of the arrangements used by local authorities to inform the selection and prioritisation scrutiny work in relation to citizen needs.

5.2. Citizen Involvement in Committee Work

The Local Government (Wales) Measure (2011) requires local authorities to make arrangements for all persons who live or work in the area to bring to the attention of the relevant Overview and Scrutiny Committee their views on any matter under consideration by the committee. In addition, Overview and Scrutiny Committees must take the views brought to their attention into account.

Scrutiny committees have engaged the public in their work, by permitting or providing opportunities for public speaking in scrutiny committee meetings and during call-ins. Members of the public have also been directly involved in task and finish inquiries and have been appointed as co-opted scrutiny committee members. Public engagement has additionally been used for research purposes by scrutiny committees and councils in general.

5.2.1. Public Speaking in Standard Scrutiny Committee Meetings

A vast number of local authorities have arrangements and protocols in place to permit public speaking at scrutiny committee meetings. These public speaking arrangements enable members of the public to present their views on matters under consideration by scrutiny committees. A selection of local authorities which have public speaking arrangements in scrutiny committee meetings are outlined below.

In Lambeth Council, members of the public and stakeholders can submit questions to the Council, as reported by the Office of the Deputy Prime Minister (ODPM) (2002). It is reported that the questioner will receive a response within 10 working days and will be invited to attend the scrutiny meeting to question members and officers further.

In Exeter 15 minutes is set aside at the beginning of each of its Scrutiny Committee meetings to allow for questions from members of the public. Question must be submitted to the Corporate Manager Democratic & Civic Support 3 working days in advance of the respective scrutiny meeting.

Northampton Council has a protocol for public speaking at its Scrutiny Committee meetings, which permits members of the public to speak on each item for up to 3 minutes. The public does not need to register their intention to speak in advance, but they need to complete a Public Address Protocol and notify the Scrutiny Officer of their intention to speak before the meeting commences.

In Cambridge Council, members of the public who wish to speak at Overview and Scrutiny Committee Meetings can submit a written request to the Council's Democratic Services Section 3 days before the respective meeting.

Breckland Council has a protocol to encourage the participation of local residents in scrutiny. The protocol is described on the Council's website as giving the public the opportunity to make a statement, ask a question of the Commission or submit a petition on any item of business shown on the meeting agenda. At the start of each meeting a period of 20 minutes is set aside for questions, statements or petitions from the public, with 3 minutes for each speaker permitted.

The Forest of Dean District Council, allows 30 minutes at the beginning of each Overview and Scrutiny Committee meeting for public questions. In order to participate, members of the public must submit their proposed questions to the Council at least 2 days before the scheduled meeting. The aim is to be open and transparent, and focus scrutiny on the needs of the public, according to the Council's report on Public Speaking at Scrutiny Review and Committee Meetings [no date].

Dover District Council has a protocol for public speaking during its Overview and Scrutiny Committee meetings. The protocol outlines how anyone who

lives or works in Dover is entitled to speak at a scheduled meeting of one of the Council's Overview and Scrutiny Committees. Requests to speak need to be submitted 2 working days before the respective meeting.

5.2.2. Public Speaking in Call-in Scrutiny Committee Meetings

The Welsh Government's Statutory Guidance from the Local Government Measure 2011 (2012) recommends that public speaking arrangements are developed for decisions which have been called-in. It is recommended that where the subject matter under consideration is not confidential or exempt, multiple representations could be made at call-in meetings to allow different public perspectives to inform the committees' deliberations.

A number of local authorities have procedures in place which allow members of the public to speak at call-in meetings at the discretion of the committee chairperson. Examples of local authorities which enable public participation at call-in meetings in this manner include Cherwell District Council, Brent Council and Torbay Council.

Brent Council permitted local residents to speak in a meeting of the Executive in 2012 on a call-in of a Willesden Green redevelopment. Residents raised their concerns about an associated library closure, to ensure that the Council was aware of the impact of the proposition to them.

5.2.3. Public Involvement in Task and Finish Scrutiny Inquiries

Many local authorities engage with the public in various ways during the conduct of task and finish inquiries in order to identify the opinions, views and perspectives of citizens. A number of case study examples are outlined below, to demonstrate how the use of various approaches were key to

informing scrutiny committees about central issues and views particular to their topics of scrutiny.

Gloucestershire County Council held a one day scrutiny commission on flood management proposals which directly involved a community group representing local people's interests (CfPS, 2012). Consultation involved Town, Parish and District Councils, the NFU, Natural England, the Environment Agency, and others. These stakeholders presented their views and independently considered a proposed flood management strategy for the Severn Estuary. A key outcome of the inquiry was summarised by a resident who felt that through this engagement the Council became aware of the concerns of the people affected by the flood risk. The resident said that the scrutiny commission provided a coordinated and focussed approach to manage this risk (CfPS 2012). Gloucestershire County Council was the overall winner of the CfPS Successful Scrutiny awards 2012.

South Tyneside Council's Neighbourhood Services Scrutiny Committee made a concerted effort to engage with the local community (Local Government Association (LGA) [no date]). The committee set up a 'hub group' composed of representatives from the Council, the Primary Care Trust and the voluntary sector during its scrutiny of the effects of alcohol on the community. The hub group worked with a voluntary sector facilitator to identify individuals and organisations in the community who were interested in the scrutiny topic. From this process, an extended community group was further created which was given the power to develop scrutiny survey questions, undertake a survey and consider feed back. It was reported that the scrutiny gave ownership and involvement to people who were not usually engaged in the Council's scrutiny. Members and officers regarded that the inquiry was successful as topics were developed according to the interests of the community.

Newport City Council was cited in a WLGA / CfPS (2010) report for its engagement with key stakeholders including the Youth Council, Disability Forum and Senior Citizens Forum during its scrutiny of the ways of tackling fuel poverty. Engagement was achieved through workshops, which were held

to identify stakeholders' views. Newport City Council also involved stakeholders in scoping a scrutiny exercise on Fuel Poverty called 'Heat is on'. A workshop was held involving a number of public, private and third sector organisations, which provided them with the opportunity to outline the services they provide, and to discuss fuel poverty issues. It is reported by WLGA / CfPS (2010) that this was delivered through interactive discussions where all participants could ask questions and raise concerns.

In Buckinghamshire, the results of independent public consultation during a task and finish inquiry helped to contradict and inform the Council's perceptions of the use of its bus services which were subject to planned cuts. The Council held the view that the majority of journeys on these routes were for leisure purposes. A local Councillor consulted with the public, requesting feedback from residents on proposed cuts to bus services. Consultation findings highlighted that more service users were actually travelling for shopping and employment purposes (Buckinghamshire Council 2011). The findings improved the Council's awareness of the citizen's perspective.

Cheshire West and Council engaged with children and young people during the conduct of a scrutiny review on improving education and employability for looked after children. According to a report by the Every Child Matters Select Panel (2011) children and young people were invited to attend workshops. At these workshops their views and opinions were sought on the barriers to success in education and employment. A series of actions were taken to enable the educational needs of looked after children and young people to be met. The Council won a CfPS award for innovation in scrutiny in 2010, due to the engagement processes they developed and utilised in this task and finish inquiry.

Westminster Council developed a Young People's Scrutiny Panel (CfPS [no date]). A specific aim of the Panel was to identify how young people perceived Westminster, and highlight their positive and negative experiences of living in the borough. The Panel, which consisted of 815 young people, reported back to the full Children and Young People Policy and Scrutiny Committee. This

report was considered by the Scrutiny Committee before reporting back to the Cabinet Member for Children's Services. One Panel member was reported as emphasising how the Young People's Scrutiny Panel provided a brilliant opportunity for young people to express what they feel is important and what they want changed and improved.

Enfield Council involved local residents during the Democratic Scrutiny Outreach Team's (DSOT) challenge of the proposed closure of Enfield's Chase Farm Hospital. This was one practice which helped the Council achieve a Municipal Journal award in recognition of its engagement with the community and hard to reach groups in scrutiny and decision making processes. The award nomination literature outlines how the views of Enfield's local residents and those of neighbouring Boroughs against the closure were fundamental in supporting the Council's argument to keep the hospital open. It was reported that the DSOT played a key role in ensuring that the residents' views were expressed at the highest level with MPs, Councillors, Ministers, NHS and residents.

Chesterfield Council brought health providers and young residents together to improve understanding of health inequalities as part of a scrutiny inquiry (CfPS [no date]). The case study reported that two young people said that they felt proud to be involved, and pleased that community representatives were very interested in their views.

Hillingdon Council's Overview and Scrutiny Committee invited members of a Youth Council to take part in a committee meeting on the perceptions of CCTV (CfPS [no date]). During the meeting, the Youth Council members were given the opportunity to explain how they believed many of the crimes caught on CCTV were directly linked to alcohol and drug abuse by young people. The case study reported how the Committee found the views of young people were very useful in providing a different perspective, when undertaking the scrutiny review. Members said that they would work with young people again on future projects. One of the young people involved in the inquiry reported that it was nice that their views were taken into consideration.

Hackney Council's Overview and Scrutiny Committee engaged with young people in its review of estate safety and antisocial behaviour (CfPS [no date]). It was reported that the Overview and Scrutiny Committee worked with Hackney Youth Parliament who helped them to develop a youth survey on the issue. The surveys were given out on the streets and in local youth clubs. The Overview and Scrutiny Committee felt that the response from young people was far better than could have been achieved without the involvement of the Youth Parliament.

5.2.4. Strategies and Arrangements for Co-option

The Welsh Government's Statutory Guidance from the Local Government Measure 2011 (2012) recommends that local authorities employ several strategies to identify co-optees. These include advertising in the local press and via social networking sites. The Welsh Government has also recommended that role descriptions are developed for co-opted members.

A number of Council's have application forms online for members of the public to request participation as co-opted members in Overview and Scrutiny Committees. Within these forms, applicants are required to provide background information to support their suitability as a co-optee. Examples of local authorities which use these co-optee application forms include Redbridge Council, Wakefield Council, Leeds County Council, Merthyr Tydfil Council and Durham County Council.

Durham County Council has a protocol for the co-option of non-voting scrutiny members (2009). The protocol outlines the provision for co-opted members on each of the council's scrutiny committees and explains the application process in detail. One mechanism for verifying the appropriateness of prospective co-optees is the use of a character reference from a third party which is sought and considered prior to the appointment of co-optees to scrutiny committees.

Nottingham City has developed a role profile and person specification for co-optees to assist with recruitment and selection of co-opted members to its scrutiny committees.

The Welsh Government has included a pro forma role description for co-opted members in its Statutory Guidance from the Local Government Measure 2011 (2012). It contains a series of suggested principle points and core competencies to assist councils in developing their specific recruitment arrangements.

5.2.5. Types of Co-option in Practice

A number of council's recruit co-opted members to their scrutiny committees. The examples cited in the research include the use of temporary ad-hoc co-optees for specific scrutiny inquiries and the appointment of co-optees to scrutiny committees for the full elected cycle.

Hertfordshire County Council's Adult Care Services Scrutiny Committee invited appropriate representatives of service users and their advocates to its meetings on an ad-hoc basis rather than co-opting members (Office of the Deputy Prime Minister 2002). Members found that input from carers at a committee meeting was extremely useful in guiding their approach to a scrutiny of the National Carers Strategy. The reported advantages of this approach were enabling members to get a quick, but very high impact, picture of the experiences of service users. Service users and carers reported that they were able to feel involved and have an influence on the development of services to meet their needs. A Carers Topic Group was established as a direct consequence of the scrutiny, to review the allocation of the carers grant in order to support the objectives of the Carers Strategy.

Bristol City Council was cited by the ODPM (2002) as appointing co-optees to its six Scrutiny Commissions and ad-hoc Select Committees. It was reported

that co-optees had become an accepted part of the Council's approach to overview and scrutiny. The Council's commitment to co-optees was demonstrated when the training and development courses for elected members were also made available to co-opted members.

Merthyr Tydfil's co-option arrangements were cited by WLGA / CfPS (2010) in a report on citizen-centred scrutiny. It was reported that all co-opted members have made a great contribution to scrutiny. These contributions have included providing background specialist information to committees, leading certain task and finish groups and fully participating in committee meetings. Each of the Council's Scrutiny Committees have 2 co-opted members and 1 voluntary sector co-opted member nominated by Voluntary Action Merthyr Tydfil (VAMT) as stated in its practical guide to scrutiny (2012). The applications for co-opted scrutiny committee membership are publically available online. A formalised application process has been established, where applicants need to outline their experience and background relating to the Scrutiny Committee that they would like to join.

Wakefield Metropolitan District Council has 5 Overview and Scrutiny Committees. Each committee contains 11 Councillors, from all political parties, and at least 6 Co-opted Members from outside of the Council according to the Council's literature on applying to be a co-opted scrutiny committee member.

5.2.6. Public Consultation for Research Purposes

Various local authority scrutiny committees have engaged with the public for specific research purposes. In one local authority members of the public were recruited as peer lead researchers.

In Coventry Council, older people were used as peer researchers during a health scrutiny review of the hospital discharge process. The Leadership

Centre for Local Government [no date] explained how this enabled the patients' experiences of health and social care to be reported in a sympathetic and empathetic fashion.

Wrexham County Borough Council's scrutiny team conducted research into public engagement in the scrutiny process (WLGA / CfPS 2010). The Scrutiny Co-chairs' Coordinating Group considered the findings of a public survey, and incorporated many of the issues raised into forward work programmes. It is reported that a survey of 2,500 local people was commissioned, aiming to identify their understanding of local democracy and the scrutiny function, public issues relating to Council and partner organisations and how best to engage the public. The key findings were that 63% of respondents wanted to know more about scrutiny committees, with 53% being interested in suggesting topics for scrutiny.

The London Borough of Redbridge set up a scrutiny review to consider how services worked together to provide high quality care, and to identify how patient choice was supported. This scrutiny review was cited by the CfPS as good practice, for which an 'involving communities 2012' award was given. The CfPS report (2012) outlined how an 'end of life care event' was organised through the scrutiny review. During this event a number of stakeholders, including members of the public and specialists were brought together, to discuss and share ideas and improve patient experiences. It was reported that the main impact of the scrutiny review was the delivery of a more joined up approach to end of life care. This has particularly involved more effective information sharing between different organisations, and the provision of training on end of life care to care home staff.

Monmouthshire County Council's Adults Select Committee engaged with the public to identify the types of services needed by the growing ageing community (WLGA / CfPS 2010). This was reportedly achieved through issuing a press release via local media and using a website feedback form requesting the views of older citizens on their daily lives. A number of community clubs, groups, centres and places of residence were visited to

request the public's views in addition to engaging with Action 50+ and other groups which represent the views of older people in the local area. According to the case study, the engagement helped to improve understanding of the services wanted by the public. It also increased the enthusiasm of the scrutiny role among members, and enhanced their interest in co-option to make membership more publically representative.

Newport City Council invited market traders to submit evidence to a Scrutiny Committee, and sought views through the Council's in-house newspaper (Newport Matters) in a review of the Community Safety Warden Service (WLGA / CfPS 2010). Traders additionally joined members and officers on a visit to Swansea market, where the City Centre Partnership Team were met to see if lessons could be learned through considering Swansea's approach. Additionally, during its scrutiny review of the control of dogs in parks and cemeteries, it was reported that public views were sought via a press release / article in Newport Matters and the Council's website. WLGA / CfPS (2010) has reported that through this and other practices, Newport has adopted the CfPS principles of effective scrutiny as a foundation of its scrutiny function, particularly ensuring that scrutiny reflects the public voice.

5.3. Communication

The Welsh Government's Statutory Guidance from the Local Government Measure 2011 (2012) recommends that a multi-method communication strategy is developed to engage the public. The Welsh Government's Statutory Guidance from the Local Government Measure 2011 (2012) also recommends that all councils have an accessible guide to the scrutiny function and the local authority's decision making process.

The Guidance from the Local Government Measure 2011 (2012) recommends that programmes of planned work are publicly available. This has been achieved by a number of local authorities, via the publication of their

programmes of planned work for the municipal year on a dedicated section of their respective council websites.

5.3.1. Communication Strategies & Protocols

Many local authorities have communication plans, which aim to help improve consistency in the delivery of their consultation and media communication processes. With regards to scrutiny specifically, some local authorities have developed communication strategies and others have established protocols to provide clarity in the communication process. Some councils have online information systems to inform members of the public of ongoing scrutiny work and discussions, including the interactive webcast of Scrutiny Committee meetings in one particular council.

An Eden District Council Participation Handbook (2011) was designed to support best practice community engagement and consultation within Eden Council and to help implement their Engagement and Consultation Strategy. It sets out how consultation and engagement should be undertaken, and includes an approach to considering who should be engaged for particular purposes.

Wiltshire County Council has an Overview and Scrutiny Communications Plan, which contains a scrutiny media protocol outlining the procedure for dealing with news releases and enquiries regarding scrutiny. The media protocol sets out the key principles and objectives for communication and the communication mediums used by the scrutiny function.

Buckinghamshire County Council has developed a scrutiny media protocol. This sets out agreed communication procedures including who can speak publically to the media on behalf of Scrutiny Committees or task and finish groups, who should approve press releases and when they should be issued.

West Dorset District Council has a protocol for public engagement. This protocol sets out the arrangements for members of the public to contact a Councillor, attend committee meetings, ask questions at full Council meetings, submit a petition for debate and contribute to scrutiny reviews. The protocol is publically available, and outlines the various arrangements for members of the public to engage with the Council and present their views. Providing a clear framework to the public of the mediums through which they can engage with the Council and the Scrutiny Function could make citizens more informed and aware of how they can present their views to the Council.

5.3.2. An Outline of the Local Authority Decision Making Process

A large number of local authorities provide a publically available outline the decision making process within the council and the role and influence of the scrutiny function on their respective websites. Some local authority websites contain an outline of the decision making process within scrutiny including: Solihull Council; Rochdale Council; Hackney Council; Bristol Council; London Borough of Richmond Upon Thames; Bradford Council; Forest Heath District Council; Wyre Forest and North Lincolnshire. Furthermore, there are a number of local authorities that have also issued scrutiny handbooks, which are available electronically and provide more detailed information on the work and role of scrutiny committees.

Scrutiny handbooks have been issued by a number of local authorities which explain the roles of each of their scrutiny committees. Examples of councils which have issued scrutiny handbooks include Durham Council, Merton Council, Basildon Council, Kirklees Council, Newham Council and Leicester Council. Some local authorities have provided further information on the decision making processes within scrutiny committees. This has been achieved by including protocols, templates, tools and techniques which are used in the scrutiny working and decision making processes within the scrutiny handbook. Councils which have published some of the above

information within their scrutiny handbooks include Sunderland Council, Cornwall Council, Lancaster Council, and Dorset Council.

5.3.3. Publishing Forward Work Programmes

The Guidance from the Local Government Measure 2011 (2012) recommends that programmes of planned work are publicly available.

A number of local authorities publish their scrutiny forward work programmes as a means of informing the public on the areas and topics which are being considered by their Scrutiny Committees. Examples of local authorities which publish their forward work programmes include: the Vale of Glamorgan; Wrexham Council; Cambridgeshire Council; North East Lincolnshire Council; Bridgend Council; Rotherham Council; Winchester Council; Hounslow Council; Bristol Council; Brent Council; The London Borough of Barking and Dagenham; Reigate and Banstead Borough Council.

5.3.4. Publication of Awareness Raising Literature.

Awareness raising literature is published by local authorities in order to inform the public of the work being undertaken by scrutiny committees and in some instances to invite citizens to participate in scrutiny activity. Some local authorities have published scrutiny bulletins and leaflets, and others have issued calendars of planned engagement and consultation activity and enabled the public to sign up for email alerts relating to their particular areas of interest.

Camden published a Scrutiny Bulletin to publicise the work of Overview and Scrutiny. According to the ODPM (2002), the Scrutiny Bulletin is issued four times a year and explains the purpose of the Council's Overview and Scrutiny.

It outlines past and current scrutiny investigations and asks readers to contribute to scrutiny. This Bulletin is sent to 2000 community, voluntary and statutory organisations, and to libraries, district housing and social services offices and sports centres. Whilst the Bulletin aims to improve public awareness of the scrutiny function, it also provides guidance on how members of the public can present their views. It outlines how citizens can suggest topics for the scrutiny panel to investigate and send / present their views to a scrutiny panel. It also explains how citizens could participate as a co-opted member of a scrutiny panel.

Maidstone Council uses a wide range of methods to publicise its work to the local community. The ODPM (2002) outlined how informative leaflets and email bulletins have been used to support the information on the work of Scrutiny Committees included on the Council's website. Leaflets were distributed in local shopping centres, supermarkets and housing estates outlining scrutiny committee structures and their purposes. Maidstone Borough Council was cited by CfPS [no date] for using a number of methods to maximise public involvement in scrutiny, including an interactive scrutiny website, 'e-agendas' and a monthly 'e-bulletin' which is sent to over 250 subscribers to raise their awareness of committee work.

Hounslow London Borough has webcast Overview and Scrutiny Committee meetings over the internet. This could reduce potential barriers to the observation of scrutiny committee meetings by the public.

More generally, there are local authorities which provide a facility for residents, interested organisations and groups to sign up for email alerts from their consultation pages for particular areas of interest. These include Milton Keynes Council, West Berkshire Council and Merton Council.

A number of councils also publish a calendar of planned engagement and consultation, including Birmingham Council, Oxfordshire Council and Kent Council.

5.4. Engagement at a Corporate Level

Many local authorities engage with members of the public at a corporate level. Whilst this engagement is not instigated by the scrutiny function, the public views and opinions received on council services could be used by scrutiny committees to inform their work priorities.

At a corporate level, some local authorities have public engagement strategies. Additionally, some local authorities have appointed specific engagement officers / managers in order to improve consultation and engagement with stakeholders. Some local authorities have held public consultation events, such as meetings and listening days. Local authorities have also used online consultation functions, including e-panels, e-forums and e-polls. Engagement monitoring tools have been used by local authorities to collect engagement data, which could be analysed to identify public opinions and views, and to quantify the engagement activity achieved. Finally, a number of local authorities use networking and partnership arrangements as a means of developing engagement opportunities.

5.4.1. Public Engagement Strategies

A Practitioners' Manual for Public Engagement has been developed by Participation Cymru on behalf of the Welsh Government (2012). The aim of the manual was to help public sector practitioners and others to develop and undertake effective public engagement in accordance with the National Principles of Public Engagement (2011). These principles have been endorsed by the Welsh Government and aim to offer a consistent approach and good standard for public engagement across Wales. The manual provides engagement guidance, decision making tools, techniques, methods and approaches which could be used to inform engagement strategies at a corporate or scrutiny committee level.

Carmarthenshire County Council is reported as creating a co-ordinated and planned approach to citizen engagement by the Wales Audit Office (2012). The Council is reported as developing internal networking, overseen by the Assistant Chief Executive and a joint working approach with Local Service Board partners to reduce duplication.

Bridgend Council developed a Citizen Engagement Strategy. According to the Wales Audit Office (WAO) the Strategy identified clear aims and outcomes, to support, encourage and enable local communities to better engage with the Local Service Board. WAO reported that this will also help ensure that the agencies on the Local Service Board engage with citizens and service users in a coordinated manner. The Council has also taken a lead role in the establishment of a Local Service Board Citizen Engagement Steering Group, which comprises key partner organisations, and aims to ensure that the Strategy is implemented successfully. A new website has been developed, to enable and encourage citizens to engage with Local Service Board partners online. The Wales Audit Office has reported that through these initiatives the Local Service Board has set foundations for effective and co-ordinated public engagement. The Local Service Board anticipates that consultation and engagement will be more effective, with reduced costs and the avoidance of 'consultation fatigue' by citizens.

5.4.2. The Appointment of Engagement Officers / Managers

A number of local authorities have recruited community engagement officers / managers. These officers have been recruited in order to improve consultation and engagement with key stakeholders. However, the engagement posts identified through this research have predominantly operated at a corporate level, rather than within the scrutiny function. Flintshire Council was the only local authority identified through the research which had an engagement post holder (Member Engagement Manager) who was directly involved in scrutiny work. The full nature of this post is not

publically available, although the Member Engagement Manager receives requests from members of the public for scrutiny topics to be included in the work programme.

The local authorities which have engagement officers / managers at a corporate level include Durham County Council, South Ribble Borough Council, Portsmouth Council, Solihull Council, Teignbridge District Council, Rossendale Borough Council, Harrogate Council and Lewes Council.

5.4.3. Communication Practices

Some councils have not just informed members of the public, but have developed mechanisms for citizens to consult with, and participate in council activity. This level of engagement has been delivered through the use of public meetings and listening days and via online debating functionality, including e-panels, forums and polls. The views and opinions identified through these communication mediums could prompt changes in council services by the Cabinet or respective service areas. Equally, this information stream may be useful to Scrutiny Committees, who could use it to review the extent to which the design of council services has adapted in response to the needs of the public. The following local authorities have developed communication mediums at a full council level.

The Wolverhampton Partnership has an e-panel which aims to provide a mechanism for engaging people in forums and online polls. The Wolverhampton Partnership involves the Council, NHS and other public bodies, who answer queries and respond to citizens' comments.

Bristol City Council has a 'Have Your Say -'Ask Bristol' website, which includes information on the latest consultations and petitions, which members of the public can get involved in. The website also provides details of forthcoming committee meetings and Twitter feeds.

Let's Talk Newcastle has been cited by the LGA (2012) as a medium of engaging and involving local people in Council decisions. This is delivered through a dedicated website, which gives local residents an opportunity to participate in online council surveys and discussions. It has been reported that since its launch, let's talk Newcastle has involved over 8,000 people, whose views influenced the Council's 2012 budget proposals and long term planning for the future. The LGA has reported that the approach has enabled two way dialogue to promote a wider understanding of Council services with feedback received of a quality much higher than that generated by traditional surveys.

TalkBack Bexley Residents' Panel was reported by CfPS (2008) as being a crucial part of the Council's commitment to consultation. TalkBack is a medium through which Bexley Council can identify what residents think about the services provided by the Council and other resident issues.

Lancashire County Council has developed a Cabinet Question Time arrangement which involves 7 cabinet members including the Council Leader and Deputy Leader. The Office of the Deputy Prime Minister (ODPM) (2006) cited this as an effective mechanism for improving community consultation and public participation. It allowed the Cabinet to have a wider dialogue with the general public, as well as to break down perceptions that they were detached from citizens. According to Lancashire Council's website, any member of the public can turn up to the Cabinet Question Time events and raise their views and questions on the Council and its services. This mechanism has enabled members of the public to scrutinise the Cabinet directly.

'The Bucks Debate' was a public consultation and engagement arrangement which aimed to identify the opinions of the public on what services were valued the most, which services should be provided in the future, and where money could be saved. The debate took place in Buckinghamshire in 2010 and engagement with the public was undertaken through a number of

mediums including, public meetings and an online discussion forum. Buckinghamshire Council's website stated that all feedback from the public was analysed and considered in the way forward.

Denbighshire empowered and involved the community in decision making on the proposed closure of leisure facilities (Wales Audit Office 2012). The Council engaged directly with the public and faced opposition. Through engagement, the reasons for the opposition were identified with residents, and a budget was offered to residents to spend on alternative facilities. The Wales Audit Office reported that the impact of this consultation was to change the perceptions of the public and lessen the potential for criticism and resentment through engagement at all stages of the review with the public.

The 'Big Debate', also in Denbighshire, was cited by the Wales Audit Office (2012) as a means of consulting with the public on the Council's proposed programme of efficiencies over the next four years. The aim was to prioritise key objectives identified by the public. The project used web-based consultation and written responses in what the Wales Audit office termed a pragmatic and open process.

The London Borough of Newham ran a series of 'listening days' which were cited by Warwick Business School [no date]. It was reported that 60 managers and Councillors interviewed shoppers and householders about their views of the Council, and whether they would like to be involved in deciding spending priorities. The results informed a range of Council policies and were reported to the community through public meetings and via the issuing of booklets.

Greenwich Council has made considerable progress in developing a commitment to, and mechanisms for, community consultation and engagement (Greenwich Council Overview and Scrutiny Committee 2006). The Council used a residents' online panel as an engagement mechanism, involving forums, surveys and consultation groups. Consultations via the residents' panel can be initiated by the Council or a partner organisation, such

as the Health Service or the Police. The aim is to use the views of local citizens to improve public services.

Thurrock Council used a proactive neighbourhood engagement approach to decision making (ODPM 2005). The Council was reported to be successful in developing the ability and opportunity for communities to influence local services. This was achieved through the establishment of an area committee, and a programme of community training to develop the public's capacity to be involved. According to the ODPM, local democracy has been made more relevant to the people of Thurrock and as a result there has been an increase in turn out at local elections of 10%.

Derbyshire Community Engagement Group (DCEG) is a network which involves the voluntary sector, in addition to local authorities and statutory partners (police, fire service and the health sector). According to the LGA [no date] the partnership has been set up to co-ordinate engagement activity across the county, build capacity and reduce duplication. It was reported that key achievements include the creation of Derbyshire Facilitators Network to enable public participation and partnership working, and a citizen's panel, which comprises 8,000 residents.

5.4.4. Public Engagement Monitoring Tools

Some local authorities utilise public engagement monitoring tools. These tools collect engagement data, which could be analysed to identify public opinions and views, and to quantify the engagement activity achieved.

Brighton & Hove City Council is cited by the Leadership Centre for Local Government [no date] as using social media as one aspect of a wider strategy to improve engagement with local residents. The Council was reported as researching into the perceptions residents held of the Council. They mapped public views of the Council, and put together a strategy to address the

negative perceptions and to improve the public image of the Council. The communications unit firstly used social media, and introduced a 'buzz' monitoring tool to identify sentiment and conversation about the Council online. A social media training programme was subsequently rolled out across the organisation.

Powys Councils Public Consultation and Engagement website Portal was cited by the Wales Audit Office (2012) for providing a good base to maintain and record engagement. It was reported that an additional benefit was the availability to further develop the portal for partners to use and share effective feedback from engagement activity.

Caerphilly Council has a public consultation and engagement website portal which uses new technology to collect, store and share public engagement activity among partners and the public (Wales Audit Office 2012). It is reported as providing a good base to maintain and record engagement.

5.4.5. Networking and Partnership Arrangements

A number of local authorities use networking and partnership arrangements as a means of developing engagement opportunities. Networking and partnership arrangements have been used to engage with stakeholder and community groups. The following engagement examples are corporate in nature and not specific to scrutiny. However, they could offer a means of identifying the public's views, opinions and needs, which could be used to inform scrutiny work.

The Tower Hamlets Partnership brought together stakeholders to give all community groups and service providers equal say on issues affecting the future of the Tower Hamlets (ODPM 2005). Partnership members include the Council, Police, the Primary Care Trust, public services, voluntary and community groups, faith communities, local businesses and residents.

According to the Tower Hamlets website, the partnership gives residents more powerful input in the way services are provided and helps to deliver the Council's Community Plan objectives, which thousands of people have contributed to.

Kent County Council is an exemplar of partnership working, according to the Office of the Deputy Prime Minister (ODPM) (2005). It has established an annual Stakeholders' Conference which was open to any interested parties. A wide range of stakeholders were invited to contribute their views and monitor the partnership's progress to achieving the 'Vision for Kent', which is a countywide strategy for the social, economic and wellbeing for the communities in Kent.

A Bristol Disability Forum (BDEF) is consulted on a range of matters related to the Council's service provision and proposals for improvements (ODPM 2005). It is reported that the BDEF has representation on a number of key decision making forums, including a Council Scrutiny Committee.

Croydon Council successfully engaged with many users of Supporting People services and their representatives according to an Audit Commission Inspection Report (2005). This was achieved through partnership boards and a bi-annual inclusive forum. In the social services department, partnership boards were created for the majority of client groups. Each partnership board had an associated service user forum or network. The Supporting People programme used these partnership boards as a mechanism to reach and consult with service users. An inclusive forum was established in Croydon in 2002. It is held at least twice a year to enable adult social care service users and their carers to meet with service managers and to comment on a full range of issues that affect adult social service users in the borough. The Council was awarded ODPM beacon status in 2005 for engaging with communities.

Bury Metropolitan Borough Council undertook a strategic review, resulting in an organisational re-structure, and the establishment of a new corporate

planning process aimed at improving processes and outcomes for customers. The ODPM (2005) has reported that through discussion with stakeholder groups, nine 'corporate ambitions' emerged. At the community level, the corporate ambitions helped the Council to focus on the delivery of customers' needs. Six area boards were established as community networks, and local 'listening days' were established for residents. It has been reported by the ODPM (2005), that the results of the listening days and surveys show that customers are seeing and feeling the benefits of the changes made.

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7. Appendices

7.1. Appendix A - PICK Scoring System

(Stockton-on-Tees Democracy Services, 2011. Scrutiny Toolkit)

PICK Scoring System

Public Interest: the concerns of local people should influence the issues chosen

Score	Measure
0	no public interest
1	low public interest
2	medium public interest
3	high public interest

Impact: priority should be given to the issues which make the biggest difference to the social, economic and environmental well-being of the area

Score	Measure
0	no impact
1	low impact
2	medium impact
3	high impact

Council Performance: priority should be given to the areas in which the Council, and other agencies, are not performing well.

Score	Measure
0	'Green' on or above target performance
1	'Amber',
2	low performance 'Red'

Keep in Context: work programmes must take account of what else is happening in the areas being considered to avoid duplication or wasted effort.

Score	Measure
0	Already dealt with/ no priority
1	Longer term aspiration or plan
2	Need for review acknowledged and worked planned elsewhere
3	Need for review acknowledged

Each topic will be scored under each category as indicated above. Where a category is not applicable, no score will be given.

7.2. Appendix B – Topic Selection Criteria Template

(East Lindsey District Council, 2007. Scrutiny Toolkit)

Topic Selection Criteria Template

Initial Topic Selection Criteria and Developing a Rationale

Topic:

Suggested by:

Date:

Step 1 – Initial selection criteria:

Selection Criteria	Rejection Criteria
Improvements to services would be likely	The topic is already being addressed
High public concern shown through consultation	Scrutiny is unlikely to result in service improvements
Poor performing service	Matter sub-judice or prejudicial to the Council's interests
Enhances the Council's Priorities	The issue is more appropriately addressed by a body other than Overview and Scrutiny
High budgetary commitment	The objective cannot be achieved within given timescales
New guidance or legislation has recently become available	The subject topic is too broad to make a review realistic

Select: Reject:

Step 2 – Should a suggested topic pass the initial selection criteria a rationale will need to be developed:

Rationale for Scrutiny Enquiry	
Rationale	
Evidence	
Evidence	
Desired Outcome	
Risks	

7.3. Appendix C – Prioritising Topic Template

(East Lindsey District Council, 2007. Scrutiny Toolkit)

Prioritising the Topic Template

Topic:

Suggested by:

Date:

Use the rationale and the following scoring guide to gauge the importance and impact of the subject:

Score	Importance	Impact
0	No evidence of links to Aims and Priorities	No potential benefits
1	No evidence of links to Aims and Priorities, but a subject of high public concern	Minor potential benefits affecting only one ward / customer / client group
2	Some evidence of links, but indirect	Minor benefits to two groups / moderate benefits to one
3	Good evidence linking both Aims and Priorities	Moderate benefits to more than one group / substantial benefits to one
4	Strong evidence linking both, and has a high level of public concern	Substantial community-wide benefits

Importance score:

Impact score:

Importance	4	Possible Topic For Scrutiny But Not a Priority	Priority Topic For Scrutiny		
	3				
	2	Reject Topic For Scrutiny	Possible Topic For Scrutiny But Not a Priority		
	1				
	0	1	2	3	4
	Impact				

Outcomes:

Reject Topic for Scrutiny - Reject:

Possible Topic for Scrutiny - Place on reserve list:

Priority Topic for Scrutiny - Select:

Appendix D

MENU OF OPTIONS FROM DRAFT RESEARCH

WORK PROGRAMMING

The Welsh Government Statutory Guidance from the Local Government Measure (WLGA) recommends citizens and communities should be able to access details of how they can shape and contribute too the delivery of the work programmes

OPTIONS

- A form on the website for “Suggestions for topics”
- Publish criteria and guidance on what makes an appropriate scrutiny topic
- Use the PICK (Public Interest, Impact, Council Performance and Keeping in Context) scoring system for a statistical value to potential scrutiny topics (see attached Appendix A)
- Using a defined methodological procedure to prioritise and assess topics for the Work Programme (see attached Appendices B and C)
- Scoring matrices explained in handbooks to determine acceptance or rejection in the Work Programme

CITIZEN INVOLVEMENT IN COMMITTEES

The WLGM requires the local authorities to make arrangements for all citizens who live and or work in an area to have their views considered in any matter under consideration on committees.

OPTIONS

- Submit questions to the council and have a written response in 10 days as well as invited to the relevant scrutiny meeting to put questions to the Members and officers.
- Submit questions to the Democratic Manager three days in advance of the scrutiny meeting and then set aside 15 minutes at the beginning of each meeting to take the questions from the public.

- Set up protocols for the public to speak on each item for three minutes, intention to speak does not need to be registered. However, they must complete a Public Address Protocol and advise the Scrutiny Officer of their intention to speak.
- Give three days notice to the Democratic Manager of the intention to speak at a scrutiny committee
- Place the protocol for the public to speak at committees on the website. They can ask a question or submit a petition in any item on the agenda. At the start of the meeting set aside 20 minutes for questions, statements or petitions with three minutes for each speaker from the public.
- Submit a question two days before the meeting and allow 30 minutes at the beginning of the meeting for the questions.

PUBLIC SPEAKING IN CALL-IN

The WLGM recommends that where the topic is not confidential or exempt multiple recommendations can be made at Call In meetings in order to have public perspective on the deliberations

OPTIONS

- Have protocols in place for the public to speak at Call In meetings which can also be at the discretion of the chair

PUBLIC INVOLVEMENT AT TASK AND FINISH INQUIRIES

The WLGM does not recommend the involvement of the public in Task and Finish Inquiries nevertheless it is seen as good practice to do so. Some local authorities have utilised the following ways to involve the public and these are very useful for scrutiny committee meetings as well.

OPTIONS

- Depending on the topic the public is given an opportunity to put their proposals forward on an issue being looked at
- Comprise a “hub group” composed of the relevant partners depending on the issue at hand, for example council, health trusts, voluntary sector etc. Each partner to look at the topic with the communities they work with. Thus allowing people in these various communities to come forth and do what they feel relates to the issue at hand, for example design and undertake a survey to explore the issue and report back via the hub group
- Engage with public through workshops with the public, private and the voluntary sector depending on the issue. Workshop to first identify the stakeholders and then to gain their views.
- Local councillors to engage and consult with residents to feedback
- Engage young people when topics related to them even contentious ones
- Scrutiny Outreach Teams in some authorities get to those who are not “usual suspects”
- Go to the public rather than waiting from them to come to you

STRATEGIES AND ARRANGEMENTS FOR CO-OPTION

The WLGM recommends local authorities to have varying strategies to identify co-optees as well as role description to be developed.

OPTIONS

- Application forms on-line
- Sought character reference from third party for appropriateness
- Develop role profile and person specification – there are suggestions in WLGM
- Appoint co-optees to all scrutiny committees as well as any ad-hoc committees

- Same training and development courses available as the Members
- Two co-optees and one voluntary sector representative on each scrutiny committee
- Co-optees to contribute specialist information to committees as well lead certain task and finish inquiries.

PUBLIC CONSULTATION FOR RESEARCH

Scrutiny committees have also engaged with the public for research. They have not only used the findings to inform them in their work programme but also used members of the public to lead the research.

OPTIONS

- Recruit members of public as peer lead researchers
- Public survey informed the Work Programme
- Utilise council publications, press release, social media, website and public visits for reflecting the public's voice
- Use internal research department and consultation mechanisms already set up.
- Dedicated website for two way engagement where the public has contributed to the budget and in turn have gained wider understanding of council services – higher quality than standard surveys

COMMUNICATION

The WLGM recommends a multi method communication strategy be developed to engage with public. It also recommends making the programmes of planned work publicly available.

OPTIONS

- Have an accessible guide to scrutiny and the local authority's decision making process
- Dedicated section on council website for programmes of planned work

- Scrutiny Media Protocol set out by and within the Media protocol and key principles and objectives for communication
- Protocol to be made publicly available clarifying mediums through which the public can engage

LOCAL AUTHORITY DECISION MAKING PROCESS

Many local authorities provide an outline of the decision making process and the role of scrutiny within that process as well as including protocols, templates, tools and techniques used in scrutiny working and decision making processes. These can be included on website and scrutiny handbooks

PUBLISHING FORWARD WORK PROGRAMME

The WLGM recommends the Forward Work Programme be made publicly available. A number of local authorities do publish their work programme.

RAISING AWARENESS LITERATURE

OPTIONS

- Some local authorities have published scrutiny bulletins and leaflets
- Scrutiny bulletins published four times a year.
- Others have issued calendars of planned engagement and consultation activity.
- The public can sign up to email alerts in selected areas if they wish.
- Publish past and current scrutiny processes and their outcome to encourage participation.
- Send bulletins to community, voluntary, statutory organisations, libraries, housing estates, social services, sports centre, shopping centres, supermarkets, etc,
- Interactive scrutiny website with e bulletin and e agendas to subscribers

ENGAGEMENT AT CORPORATE LEVEL

Whilst this area is not within the scrutiny function nevertheless, the views, concerns and issues can be shared with scrutiny services in order to inform the work priorities

OPTIONS

- There are specific engagement managers and officers to improve consultation and engagement
- Holding Listening Days and other consultation events
- On line consultation such as e –panels, e forums and e polls
- Utilise networking and partnership arrangements to develop opportunities for engagement
- Engagement monitoring tools to collate and analyse data to identify public opinion as well as the level of activity achieved.

PUBLIC ENGAGEMENT STRATEGIES

Participation Cymru have developed *A Practitioners' Manual for Public Management* for the Welsh Government. The manual contains the National Principles of Public Engagement which have been endorsed by the Welsh Government. This is so Wales can have a consistent approach to engagement. There are tools, techniques, methods and approaches that assist with guidance, procedure and decisions for both corporate and scrutiny.

OPTIONS

- Coordinated and planned approach to engagement overseen by Assistant Chief Executive. Working jointly with Local Service Board to reduce duplication thus working on internal networking
- Establishment of Local Service Board Citizen Engagement Steering Group
- Website encouraging citizens to engage with the Local Service Board partners
- Appointing Member Engagement Manager deals with matters with public for scrutiny

- Cabinet Question Time – including Council Leader and Deputy Leader – public can scrutinise the Cabinet
- ‘Big Debate’ on Council’s proposed programme of efficiencies
- Listening Days – managers and councillors out in public gaining views and results fed back via public meetings.
- Proactive neighbourhood engagement by offering community training to develop the public’s capacity – resulted in 10% increase in turn out in local elections.
- Community Engagement Group – consisting of all statutory and voluntary partners. Carry out engagement in partnership to reduce duplication.
- Utilise a website portal to share the above amongst partners. Also keep track and maintain the database
- Stakeholder conferences
- Utilising partnerships and networks to feed information to and from
- Utilise partnerships and networks of communities of faith, culture, neighbourhoods etc

s c r u t i n y



Scrutiny Research Team

Cabinet Question time in Scrutiny

Meetings:

A Desk Based Review of Current Practices

Research Report - August 2014



The City of Cardiff Council

1. Introduction

This research was commissioned to assist an exploration of how Cabinet Members were scrutinised in other local authorities. To help inform this, the Scrutiny Research Team were specifically asked to explore the practice of Cabinet Question time in other local authorities.

2. Methodology

The research involved a desk-based review of arrangements for local scrutiny meetings, focussing on the involvement of Cabinet Members in scrutiny. The information presented in this research report was based on a review of local authority websites, plans and other online documents that were publically available. Telephone conversations and email correspondence were also conducted when additional information or clarification was required.

3. Results - Summary

The results of this review found that the majority of authorities conduct their Cabinet scrutiny in a very similar way to the way Cardiff Scrutiny Services does currently. Most authorities therefore require the relevant Cabinet Member to attend a Scrutiny meeting which is exploring an item/s that are within their portfolio. There were however, a small number of authorities which used an alternative technique. This practice was generally referred to as Cabinet Question time. This involved Cabinet Members attending a scrutiny

committee on a timely cycle to report and answer questions on the whole of their portfolio.

This usually involved a written report being produced by the cabinet member, prior to the meeting, detailing certain information which would then be followed by a brief presentation. The Scrutiny Committee would then have the opportunity to question the Cabinet Member on any aspect within their portfolio.

This was the general format adopted by most authorities who used this approach. However, the practice was not uniform and there were variations across differing authorities. This often depended on how scrutiny was arranged in the local authority. As scrutiny setups vary significantly it is clear that one practice is not suitable to all. The majority of authorities for example, used their single Overview Committee to scrutinise Cabinet Members individually throughout the year. Others, who had a number of committees, used the relevant Scrutiny Committee to conduct the Cabinet Question time on a timely basis.

Some authorities used the whole meeting to question the Cabinet Member without any time limit for the item. Other authorities explored additional items alongside the time limited Cabinet question time period. These items were sometimes related to the relevant Cabinet Member while others were completely outside of their remit.

This demonstrates that while there were overarching principles attached to the practice of Cabinet Question Time, there are also a variety of practices across a number of authorities. The case studies outlined below therefore provide some additional information on how differing authorities practiced their Cabinet Question Time.

4. Cabinet Question time – Case studies

4.1. Swindon – Cabinet Member Portfolio Questioning

Swindon Council requests each of their Cabinet Members to attend the Overview Scrutiny Committee on an annual basis to answer questions on their portfolio. There are nine cabinet Members so each attends once a year, while the Leader of the Council attends twice a year. The Leader provides a presentation on their priorities and then an update on progress half way through the year.

The cover reports for the meetings state that:

“A key purpose of the Overview and Scrutiny function is to hold the Cabinet to account and ensure that Council priorities and performance are being delivered. The Scrutiny Committee partly fulfils this requirement through the use of question and answer sessions on each executive portfolio with each Cabinet Member.

The purpose of the Question and Answer session is to ensure that each Cabinet Member regularly provides the Scrutiny Committee with performance information relative to their portfolio responsibilities. It also requires the Cabinet member to provide budget information for their portfolio responsibilities and provides an opportunity for the Scrutiny Committee to ask questions on the portfolio responsibilities.”

At each meeting the Cabinet Member provides a report to the Committee under the following headings:

- Portfolio responsibilities

- What have you done well?
- What would you do differently?
- What are the challenges facing your portfolio?
- Priorities moving forward.

The Scrutiny Committee then have the opportunity to question the Cabinet Member on this report and any other aspect of their portfolio. The questions and responses at the meeting are recorded and minuted but there is no formal letter written to the Cabinet Member as a result of the meeting.

Swindon also has three other topic based Scrutiny Committees where Cabinet Members are held to account by for their individual portfolio items. There are also annual Cabinet Question Time meetings at these scrutiny committee meetings for the relevant portfolio holders.

4.2. Elbridge – Scrutiny of Cabinet Members

Elbridge Council take a very similar approach to that of Swindon. Indeed their cover report states very similar rationale behind their use of Cabinet Member Question Time.

“The Chairman of the Overview and Scrutiny Committee has invited members of Cabinet to attend the Overview and Scrutiny Committee meetings over the course of the Municipal Year. Each member of Cabinet will be asked to provide an update on the work currently being undertaken as part of their Portfolio, including any issues and challenges, providing members of the Overview and Scrutiny Committee with an opportunity to ask any relevant questions.

A key role of the Overview and Scrutiny Committee is to hold the Cabinet to account. The Council’s Constitution states that one of the functions of the

Overview and Scrutiny Committee is 'to review the discharge by Cabinet of any of its functions'. In undertaking the scrutiny of Cabinet Members, the Committee is fulfilling this function."

However, the key difference to the Swindon example is that rather than only having one portfolio holder attending the meeting in Eldridge has two. The Committee therefore receives two separate reports and then questions each Cabinet Member separately at the same meeting.

4.3. Croydon

Croydon had a very structured approach to their Scrutiny meetings and Cabinet member question Time. At each of their Overview Committee meetings there would firstly be a Public Question time. This was followed by Committee Member Question Time, which allowed the Committee to question a different portfolio member at each meeting. These were then followed by one or two overarching items.

This approach was also followed in their three thematic Scrutiny sub committees (health and adult social care, Children Learning and Leisure, Community Services). Here each session began with a Public Question Time, then was followed by a Committee Question Time with the relevant portfolio holder. As there were more meetings than portfolio holders at the Sub Committees, Cabinet Members tended to be involved in two question time sessions per year. Interestingly, in the Health sub Committee, the Chief Executive of the local NHS trust was required to attend.

It is important to note however that Croydon no longer practises this kind of Scrutiny arrangement. Since a new Administration has come to power, they now practice the more 'traditional' model of Scrutiny

whereby Cabinet members are requested to attend to answer questions on the particular items they are investigating.

4.4. Swansea – Cabinet Member Question Time

Swansea follow the same model as both Swindon and Croydon in that each Cabinet Member attends their overview scrutiny committee once per year with the leader attending twice. These Question sessions take up the majority of time for the meeting.

Scrutiny Members are encouraged to think of relevant questions for the Cabinet Member prior to the meeting. Sometimes these may be submitted to the Cabinet member in advance to allow for a comprehensive response. Members of the public are also encouraged to submit questions electrically which can then be asked to the Cabinet Member via the Chair of the Committee.

As a result of these meeting the Committee will write a letter to the Cabinet Member to record any concerns, recommendations and priorities they feel need to be addressed.

Unlike Swindon and Croydon however, Swansea's scrutiny sub Panel meetings are not held in public and are formed to explore particular topics in detail. The Cabinet Members can therefore be requested to attend to give evidence to the Panel but are very rarely attend the Panels to be held to account. The Cabinet Member Question Times are therefore the only public opportunity in the year for the Cabinet Members to be questioned in public.

Scrutiny Services, The City of Cardiff Council,
Room 243, County Hall, Atlantic Wharf, Cardiff CF10 4UW.
Tel: 029 2087 2296 Fax: 029 2087 2579
Email: scrutinyviewpoints@cardiff.gov.uk
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s c r u t i n y



Scrutiny Research Team

Public Involvement in Scrutiny Meetings: A Desk-based Review of Current Practices

Research Report - August 2014



The City of Cardiff Council

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1. Introduction

In order to inform potential decisions made in relation to scrutiny meetings incorporating further public involvement, the Scrutiny Research Team was commissioned to identify practices employed by other authorities with regard to facilitating public statements and questions at scrutiny meetings.

Practices are mostly split between formal and informal approaches, the former being fairly standardised among local authorities. For this reason the first part of the report outlines a general structure for public interaction at scrutiny meetings and incorporates the subtle variations from different case studies.

There then follows some examples of the informal approach. A table giving an overview of the formal structures is attached in appendix A.

As the Team was also asked to provide information on the practices of core UK cities, a final section briefly outlines the approaches of:

- Birmingham
- Bristol
- Glasgow
- Leeds
- Liverpool
- Manchester
- Newcastle
- Nottingham
- Sheffield

2. Methodology

The research involved a desk-based review of arrangements for local scrutiny meetings focussing on the level of involvement afforded to the public. The data presented in this research report was based on a review of local authority websites, plans and other online documents that were publically available. Telephone conversations and email correspondence with the core cities' scrutiny teams also contributed to the evidence reported here.

3. Formal Procedures for Public Speaking

3.1 Submission of questions/statements

Questions or statements should be submitted prior to the meeting. These should be sent to the chair of the Committee or named Governance Officer on the publicly-available agenda. In some cases notification of acceptance will be issued, and the deadline for submissions varies:

- 5 days in advanced for a detailed response (brief details to relevant officer any time before the meeting if not) – **Leicester**
- 4th working day before the meeting: 12pm – **Suffolk**
- 3 clear working days before the meeting: 5pm – **Oxford**
- 3 working days before the meeting: 5pm – **Thurrock**
- 2 clear working days before the meeting: 12pm – **Cornwall**
- 2 clear working days before the meeting – **Hart**
- 2 working days before the meeting – **Herefordshire**
- 2nd working day before the meeting: 10am – **Barnet**
- The day before the meeting: 12pm – **Devon**
- The day before the meeting: 12pm (same deadline for photos or documents for circulation) – **Wyre Forest**
- The working day before the meeting - **York**
- The day of the meeting: 2.15pm – **Wychavon.**

3.2 Content of Questions/Statements

Questions must be relevant to an item on the agenda but some local authorities specify other criteria. Generally the committee chair will decide which statements/questions are valid and will be included.

Questions or comments will not be permitted:

- If they are requests from or in connection with the aims and activities of a political party - **Barnet**
- If they would result in the release of confidential information, or which may prejudice enforcement - **Barnet, Breckland, Herefordshire**
- If they relate to a matter where this is a right of appeal against any decision of the Council - **Barnet**
- If they are defamatory, abusive or offensive - **Barnet, Breckland, Suffolk**
- If submitted from Council employees or trade unions on employment matters - **Barnet**
- If they relate to the making / confirmation of Tree Preservation Orders, as the procedure for making objections or representations is prescribed by the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012. - **Barnet**
- If they are in more than one part - **Thurrock**
- If they are on behalf of anyone else - **Thurrock**
- If they are not written clearly - **Thurrock**
- If they concern actual or potential legal proceedings involving the Council - **Breckland**
- If they make allegations against, or comments about, the conduct of individual Council Members or Officers - **Breckland**
- If they concern individual planning or licensing applications - **Herefordshire, Hart**
- If they concern applications for grant aid - **Hart**
- In some cases only statements and not questions are permitted - **Suffolk.**

3.3 Allocated Time for Questions/Statements

A designated time may be set aside for questions. These are of varying lengths:

- 60 minutes – **Devon**
- 45 minutes - **Oxford**
- Up to 30 minutes – **Barnet**
- 20 minutes – **Suffolk**
- 20 minutes at the start of the meeting – **Breckland**
- 10 minutes are the start of the meeting - **Cornwall**

Other meetings incorporate questions into the relevant agenda item:

- A total of 4 minutes per agenda item – **Hart**
- 3 minutes at the point of the relevant item – **Wyre Forest**
- 3 minutes per speaker - **Breckland**
- Questions will be asked before the relevant agenda item – **Thurrock**.

3.4 Number of Speakers

In the interests of time, restrictions may be imposed on the number of people able to speak. For example:

- There must be time to hear from both those 'for' and 'against' – **Hart**
- Only one addressee per topic though if more than one request is made to speak, the five minutes will be shared – **Oxford**
- The chair will have discretion over who is permitted to speak in the case of a large number of requests. Up to five people may speak per topic and must decide between themselves who will be nominated. If an issue is likely to be of interest to a certain group, they will be contacted – **Wyre Forest**

- If more than one person wishes to speak on an issue they must agree a spokesman – **Cornwall**
- Entirely at the Chair’s discretion – **Leicester**

3.5 Length of Time Granted to Speakers

The amount of time for which the speaker is given the floor can be closely monitored:

- Maximum of five minutes unless the Chairman agrees otherwise - **Wychavon**
- Up to 5 minutes (with time possibly reduced if there are more than 4 speakers) – **Suffolk**
- Up to 3 minutes – **Oxford**
- Up to 3 minutes – **Barnet**
- 3 minutes per person – **Devon**
- 3 minutes – **Cornwall**
- 2 minutes – **Hart**
- Chair’s discretion – **Leicester**.

3.6 Responses from the Committee

The nature of the response a speaker can expect is often laid out clearly:

- Written responses to public questions will be circulated to the questioner in advance, or at the meeting. – **Barnet**
- Responses are entirely at the Chairman’s discretion. They may seek clarification of facts but will not enter into a debate during public participation – **Suffolk**
- The Chair will answer the question and a more detailed answer may be given in writing – **Thurrock**

- The address will be referred without discussion to the Chief Executive who will arrange for a response to be made. Board members may choose to make a response at the meeting in addition – **Oxford**
- Detailed ‘answers’ will be given to any points raised – **Devon**
- In response to any question received (**Wychavon**) , the Chairman may respond in the following ways
 - an oral answer
 - reference to information contained within a publication or
 - a written answer, which would be circulated at the latest with the minutes of the Meeting.

3.7 Supplementary Questions

In addition to the original questions speakers may be permitted to ask a follow-up question:

- If they wish, members of the public can ask the Committee Chairman one supplementary question at the Committee meeting, which will be answered without discussion. The supplementary question must be relevant to the original question put to the Chairman – **Barnet**
- One supplementary question is permitted – **Wyre Forest**
- One extra question is allowed that relates to the first question or the given answer – **Thurrock**
- However sometimes only one question is permitted – **Thurrock, Oxford**

3.8 Questions/Statements in Absentia

In some cases special provision is made for those who have an intention to speak but are unable to attend the meeting:

- Members of the public submitting questions are able to send a substitute to ask their supplementary question if they are unable to attend the committee

meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing. Comments made in writing will be published as an addendum to a report – **Barnet**

- Any requests submitted by letter, email or phone before the meeting will be reported at the start of the meeting. A written answer will be provided – **Herefordshire**
- Only those who have submitted the request may speak when his or her name is called - **Hart**

4. Informal Procedures for Public Speaking

Other local authorities welcome comments or questions from the public but there are less structured guidelines in place than those above. Examples include:

- **Bury** – Each Committee agenda will include a Public Question Time item: a period of 30 minutes set aside specifically for questions from the public. Questions can relate to an item on the agenda for consideration or a matter of interest regarding services or the performance of the Council.
- **Croydon** – It's advisable to speak to a clerk beforehand but the Chair has discretion of who speaks during the meeting. Any financial or personal interest should be declared.
- **Ealing** – scrutiny committees and panels actively engage people with debates part of the decision-making process.
- **Luton** – Apart from occasions where exempt information is involved, all meetings are open to the public and The Democracy Team will try to accommodate requests to speak.
- **Merton** – Members of the public can be invited to speak on a certain subject but they can also request an invitation to speak by contacting the scrutiny officer. All decisions are made by the Chair.
- **Rugby** – The level of formality is at the discretion of the panel but scrutiny meetings tend to be fairly informal. Members of the public will be invited to partake in discussions and ask questions rather than submit pre-prepared questions.
- **Warwickshire** – A public question time during the meeting allows questions and comments can be sent in writing.
- **York** – a public participation scheme encourages residents to attend and partake in an open floor.

5. No Provision for Public Speaking

In some circumstances the public are not permitted to speak at all:

Lancashire

- Under the constitution, the public can attend Overview and Scrutiny Committee meetings (except where personal or other confidential items are being considered).
- Members of the public will not generally be permitted to ask questions or make statements when viewing a committee meeting.
- However, the public may be invited to give information to an Overview and Scrutiny Committee or task group, either in person or in writing.

Devon

- A lack of scope for public speaking until a recommendation to change the rules for meetings on 7th July 2014 caused public unrest and protests.

6. Core Cities

It was interesting to note that none of the core cities outlined detailed, structured processes for public involvement. They described their inclusion of the public as follows:

Birmingham

- All meetings are open to public attendance and are live streamed online.
- Any public interaction is at the chair's discretion.
- Emails can be sent to the scrutiny team prior to the meeting and the chair will decide whether or not to incorporate the comment or question.

Bristol

- Public questions are welcomed but must be submitted three days before the meeting. Responses are then prepared and tabled one hour before the meeting.
- For statements the same process applies but the deadline for submission is 12pm the day before the meeting
- A total of 30 minutes is allowed for statements with 3 minutes granted for each.
- The Chair may allow for supplementary questions but there is no standing order the means he or she is bound to give them

Glasgow

- Glasgow were approached to provide information on the way that the public can speak at their meetings but we had not received any information by the deadline of this report.

Leeds

- All Scrutiny meetings are open to the public to attend as observers.
- Speaking may be permissible at the meeting following submissions to the chair beforehand.
- Permission to speak is at the discretion of the Chair, who will manage the meeting to allow a range of questions to be put and give the opportunity for answers to be given.
- Members of the public can speak to a scrutiny advisor who will advise them on their request and how best to submit it.

Liverpool

- When the scrutiny exercise has finished, the report if the panel is submitted to the parent Select Committee for approval.
- Executive Directors and Assistant Executive Directors attend the relevant Select Committee when there are issues to discuss.
- Members of the public can submit questions in advance to help have an answer ready for the meeting or there is a public question time at the end of select committees with no time limit.

Manchester

- All meetings are open to the public with a work programme published in advance. At the meeting clerks will speak to attendees and scout the audience to see who is there and what their point of interest is. They will identify those who have expressed a desire to speak prior to the date.
- There are two scrutiny officers present – one to lead and one to act a seconder and support the clerk in liaising with the public, advising and notifying the chair about those wishing to speak prior to the start,
- All contributions are subject to the discretion of the chair
- There is no set time limit and public discussion is quite informal – the raising of a hand can and has been acknowledged.

Newcastle

- All meetings are open and the public are welcomed to speak.
- Questions or points can be raised prior to the date of the meeting or even just before the start of the meeting itself. There is an informal approach which is hoped will encourage participation.
- A time limit of five minutes has been implemented when required at popular call-in meetings.
- There is no set element in the agenda but the chair would weave in public questions or statements as required

Nottingham

- All meetings are open and public quests/comments are welcomed at the chair's discretion.
- Questions are normally submitted to the chair prior to the meeting
- However there is a reasonably informal air and the raising of a hand can be accepted by the chair.

Sheffield

- There is an item at every Scrutiny meeting called 'Public Questions and Petitions' where anyone can ask a question.
- Attendance at the meeting is compulsory to ask a question, unless there is a request for a reasonable adjustment.
- It is helpful and advised send questions in advance. This can help a fuller answer to be provided on the day of the meeting.

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Croydon Scrutiny Page

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<http://www.ealing.gov.uk/info/200892/decision-making/344/scrutiny/4>

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http://www.luton.gov.uk/Council_government_and_democracy/Local-democracy/Overview%20and%20Scrutiny/Pages/Get%20Involved.aspx

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http://www.merton.gov.uk/scrutiny_handbook_oct_2011-3.pdf

Oxford 'Oxford City Council Meetings – Public Involvement

<http://www.oxford.gov.uk/Library/Documents/Council/Council%20Meeting%20Procedures%202013.pdf>

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<http://www.wychavon.gov.uk/scrutiny-suggestion>

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Scrutiny Services, The City of Cardiff Council,
Room 243, County Hall, Atlantic Wharf, Cardiff CF10 4UW.
Tel: 029 2087 2296 Fax: 029 2087 2579
Email: scrutinyviewpoints@cardiff.gov.uk
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Appendix A - Table to demonstrate variation in practice for public speaking at scrutiny meetings.

Type of public involvement	Variations in practice across authorities.						
	Leicester	Suffolk	Oxford	Cornwall	Devon	Barnet	Hart
Submission of questions / statements prior to the meeting	5 days in advance for a detailed response	4 working days before the meeting	3 working days before the meeting	2 working days before the meeting	The day before the meeting	2 nd working day before the meeting	2 clear days before the meeting
Allocated time for questions	60 minutes	20 minutes	45 minutes	10 minutes at the start of the meeting	60 minutes	Up to 30minutes	A total of 4 minutes per agenda item
Number of speakers allowed.	Entirely at the chairs discretion	Information Not Available (INA)	Only one addressees per topic but if more than one request is made the time must be shared.	If more than one person wishes to speak on a topic they must agree a spokesman.	INA	INA	INA
Length of time granted to speakers	Chairs discretion	Up to 5 minutes	Up to 3 minutes	3 minutes	3 minutes per person	Up to 3 minutes	2 minutes
Nature of responses from the committee	INA	Responses are entirely at the Chairman's discretion. They may seek clarification of facts but will not enter into a debate during public participation.	Referred without discussion to the Chief Executive who will arrange for a response to be made. Board members may choose to make a response at the meeting in addition.	INA	Detailed 'answers' will be given to any points raised	Written responses to public questions will be circulated to the questioner in advance, or at the meeting	INA

	Leicester	Suffolk	Oxford	Cornwall	Devon	Barnet	Hart
Questions are not permitted	INA	If they are defamatory, abusive or offensive. In some cases only statements and not questions are permitted	INA	INA	INA	If they are requests from or in connection with the aims and activities of a political party. If they relate to a matter where this is a right of appeal against any decision of the Council. If submitted from Council employees or trade unions on employment matters.	If they concern individual planning or licensing applications. If they concern applications for grant aid
Questions in Absentia	INA	INA	INA	INA	INA	Members of the public submitting questions are able to send a substitute to ask their supplementary question if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing. Comments made in writing will be published as an addendum to a report.	Only those who have submitted the request may speak when his or her name is called