

ITEM: 7

**REPORT TO: WEST OF ENGLAND COMBINED AUTHORITY OVERVIEW
AND SCRUTINY COMMITTEE**

DATE: 22 SEPTEMBER 2017

REPORT TITLE: SCRUTINY WORK PROGRAMME

AUTHOR: HELEN EDELSTYN

Purpose of Report

1. To feedback following the Centre for Public Scrutiny session on the 17th July.
2. To facilitate a discussion on the West of England Combined Authority (WECA) Overview and Scrutiny Committee work programme.

Issues for Consideration

3. The West of England Combined Authority Overview and Scrutiny Committee held a facilitated session with the Centre for Public Scrutiny on the 17th July. At the session members considered the legal powers of overview and scrutiny at combined authority level, reflections on others' experiences, features of successful scrutiny and potential areas for scrutiny focus. The note from this session is set out in appendix a.
4. During the session on the 17th July the Overview and Scrutiny Committee agreed a long list of potential areas for scrutiny to investigate. These areas are listed below for reference

Long list of potential areas for scrutiny

Members decided on the below as a longlist of potential areas for scrutiny to investigate.

- **Regional strategy.** The regional strategy is the foundation on which other plans for the area are built – it is the document that flesh out the Mayor and CA's vision for the area, as filtered through the investment and funding opportunities of the devolution deal. The Regional strategy will have a clear and realistic plan for growth and investment, and ensure that this growth works for local people;
- **Transport and housing challenges** – in particular, congestion, housing affordability. This was seen as particularly important – a high profile issues affecting all three authorities' areas, which acted as a barrier to growth and a key priority for the CA to resolve;
- **Future devolution.** Some areas – Greater Manchester in particular – have had success securing further deals, on top of their original agreement with central Government. The recent success of the West Midlands in doing so makes it clear that the opportunity still exists for these future agreements. Although some members were sceptical of the value of such scrutiny, it could help non-executive members to “horizon scan” – to look at the

longer-term future of the area and to understand how the Mayor and combined authority are planning to take advantage of the associated opportunities;

- **Finance and investment.** Members felt that looking at this aspect of growth – private sector decisions and where they might align or diverge with the Mayor and CA's plans – would be useful in being able to understand the medium-term;
- **Skills.** The development of a more consistent and high quality offer – to young people and those of working age – is a pressing challenge for all Mayors and combined authorities.

It was agreed that the framing of these issues would be around:

- How their impacts were experienced by local people;
 - The need for value for money and productivity arising from public investment;
 - The overall sustainability of the Mayor and CA's plans in a given area.
5. Moving forward the Committee will need to agree it's annual work programme. A blank template is attached at appendix b for reference. As agreed by the Committee the work programme should be sufficiently prioritised to ensure Scrutiny adds value to the items that matter most, but flexible enough to allow members to deal with shifting priorities.

Consultation:

6. This paper builds on the Overview and Scrutiny development session held on the 17th July 2017

Other Options Considered:

7. Not applicable

Public Sector Equality Duties:

8. Equality Impacts will be considered as part of items presented to Committee

Economic Impact Assessment:

9. The vision set out in the Regional Strategy discussion document is '*Our vision is to be a beacon of growth and innovation; a place where everyone has the opportunity to reach their potential and where prosperity delivers for everybody*'. It is the role of Scrutiny to hold WECA to account against the delivery of this vision.

Finance Implications:

- 8 There are no direct financial implications arising as a result of this report

Advice given by: Tim Richens, Interim Director Corporate Resources

Legal Implications:

- 9 There are no legal implications that arise directly from this report

Advice given by: Gill Sinclair, Interim Deputy Monitoring Officer

Human Resources Implications:

- 11 None

Advice given by: Sue Evans, HR Consultant

Recommendation:

- I. To feedback following the Centre for Public Scrutiny session on the 17th July.
- II. To facilitate a discussion on the West of England Combined Authority (WECA) Overview and Scrutiny Committee work programme.

Report Author: Helen Edelstyn

West of England Combined Authority Contact: Helen Edelstyn

Background Papers

Any person wishing to inspect the Background Papers, used in the preparation of this Report, should seek the assistance of the Contact Officer for the meeting, who is and who is available by telephoning Joanna Greenwood on 0117 35 76324. Writing to West of England Combined Authority Office, Engine Shed, Station Approach, Temple Meads, Bristol, BS1 6QH. Email: Joanna.greenwood@westofengland.org.

Introduction

This paper provides a summary of discussions at a session held for members of the combined authority overview and scrutiny committee on 17 July.

The legal powers of overview and scrutiny at combined authority level

The session covered these powers in brief. These are covered in more detail in the CfPS “plain English guide” to combined authority scrutiny – <http://www.cfps.org.uk/overview-and-scrutiny-in-combined-authorities-a-plain-english-guide/>

Reflections on others’ experiences

CfPS held a seminar for combined authority members and support officers in March, and since then has been in frequent contact with those areas who have recently had Mayoral elections.

It has taken time for scrutiny arrangements to move on from being in “shadow” form in those areas. The General Election campaign brought with it a hiatus, when it was expected that June would have led to significant Mayoral work on the ground in many areas. Following the election, only a few weeks passed before the summer holiday period began. Many areas have appointed their committee memberships, but little else.

Scrutiny work up until now has tended to follow a pattern. Most has focused on information gathering. This is important in getting members up to speed on the priorities of the Mayor, the combine authority and other local partners, but should be seen as a transitional activity before the real business of scrutiny begins. The danger is that these reactive information sharing becomes what scrutiny “is about” – a clearing house for officer reports and general updates on policy progress. Such updates are important – and there needs to be a space for them. Scrutiny committee meetings are not that space however.

Another potential risk lies in a fixation on the “decision point” – the legal act of decision-making – rather than the policy development process that leads up to it. CfPS feels that scrutiny focused on policy development can be far more productive, but it is inevitable that, in some cases, combined authority scrutiny has been drawn into looking at issues which arise immediately around formal decision-making. There are opportunities here – effective and intelligent use of call-in, for example, can be powerful – but overall we find that the risks can outweigh the benefits. This is something on which all areas will need to take an informed view as things progress.

Around the country members are generally enthusiastic about the opportunities arising from scrutiny of the Mayor and CA (where they exist). It is, for the moment, too early to make judgments about how the relationship between the key players is developing to allow those opportunities to be realised.

What is scrutiny here to do?

Issues

We discussed what potential issues might have arisen, or might arise in the future, and which would require effort from members and officers to resolve. They include:

- Clarity of role (an issue which is picked up below);
- Relationships with other bodies, and the use of those relationships to gather evidence. Members particularly discussed bodies and sectors over whom the committee had no formal powers – transport providers and the further education sector, for example;
- Avoiding being a talking shop;
- Dealing with capacity issues (both in relation to the officer resource available to members and the time that members themselves have to commit to scrutiny at this level);
- Prioritisation (another issues which is picked up below);
- Operation of call-in. This relates in part to the point made above about moving active scrutiny away from the formal “decision point”. However, it is not to say that call-in is not useful as a backstop.

Features of successful scrutiny

In this context we discussed what features make scrutiny successful – and how they could help to resolve some of the above challenges.

- **Flexibility.** Particularly with limited resources, there can be a temptation to plan everything in advance. The predictability that this brings is offset by the fact that it makes it difficult to respond to emerging issues in-year. Good scrutiny keeps to a framework and is focused on outcomes (so its work is not scattergun) but within that framework, there is enough flexibility to give members the confidence to deal with shifting priorities.
- **Prioritisation.** Not everything is important, and good scrutiny involves making tough decisions about whether scrutiny can really add value by looking at a given topic. There are likely to be subjects that members will find interesting
- **Working effectively as a team.** There are three aspects to this:
 - Scrutiny members working well as a team themselves. A common understanding of scrutiny’s role and purpose and a shared view of scrutiny’s outcomes will build a more collegiate approach. A good Chair will understand the relative skills and abilities of a committee’s members, and plan work accordingly. Also, a scrutiny committee working well as a team will understand where the motivations of its individual members might diverge – as they inevitably will – on issues such as politics and geography. Understanding these points of divergence can minimise more destructive disagreements further down the line;
 - Scrutiny working well with other non-executives in the area. This will principally be the scrutiny committees of the constituent councils of the combined authority. Across the area there is a loose team of non-decision makers, all with a common intent to hold decision-makers to account;
 - Scrutiny working well the Mayor and combined authority. While it might be odd to talk about the scrutiny committee, the CA and the Mayor working as a team, the identification of common objectives for the area will bring people together around the objectives set out in the devolution deal, and other local priorities. Scrutiny, like others, has a role in bringing those objectives about, and needs to work closely together with those who it is holding to account, to ensure that this can happen.

Long list of potential areas for scrutiny

Members decided on the below as a longlist of potential areas for scrutiny to investigate.

- Regional strategy. The regional strategy is the foundation on which other plans for the area are built – it is the document that flesh out the Mayor and CA’s vision for the area, as filtered through the investment and funding opportunities of the devolution deal. The Regional strategy will have a clear and realistic plan for growth and investment, and ensure that this growth works for local people;
- Transport and housing challenges – in particular, congestion, housing affordability. This was seen as particularly important – a high profile issues affecting all three authorities’ areas, which acted as a barrier to growth and a key priority for the CA to resolve;
- Future devolution. Some areas – Greater Manchester in particular – have had success securing further deals, on top of their original agreement with central Government. The recent success of the West Midlands in doing so makes it clear that the opportunity still exists for these future agreements. Although some members were sceptical of the value of such scrutiny, it could help non-executive members to “horizon scan” – to look at the longer-term future of the area and to understand how the Mayor and combined authority are planning to take advantage of the associated opportunities;
- Finance and investment. Members felt that looking at this aspect of growth – private sector decisions and where they might align or diverge with the Mayor and CA’s plans – would be useful in being able to understand the medium-term;
- Skills. The development of a more consistent and high quality offer – to young people and those of working age – is a pressing challenge for all Mayors and combined authorities

It was agreed that the framing of these issues would be around:

- How their impacts were experienced by local people;
- The need for value for money and productivity arising from public investment;
- The overall sustainability of the Mayor and CA’s plans in a given area.

This framing is important. As it stands, the topics described above are quite broad, and will need effort to define better, and focus. The critical aspect of effective task and finish working is to ensure that an inquiry has a clear plan and scope, and a set of objectives that are realistic.

How can evidence and information on scrutiny topics be gathered?

There were brief discussions about the access to and use of information. Scrutiny should not be an industry, requiring the provision of large amounts of information requested indiscriminately. Members were acutely aware of the risks of focusing on quantity of information, rather than quality. To support their work, members will need to be more self-servicing (accessing and reading information themselves) as well as supported informally by officers, through the provision of (for example) informal member briefings. Generally speaking, CfPS has found that scrutiny is more effective where information-sharing happens away from formal settings like committee meetings, leaving that time freer for the act of scrutiny itself.

Next steps

- Members agree the three focus areas which will “frame” scrutiny’s work, and discuss prioritisation and focus in more detail;
- Members consider ways to look at other topics in a more light touch way;
- Discussions between scrutiny members and Mayor / CA on the above issues;

- Information-sharing protocols to be developed and refined with members.

Members might find it prudent to consciously review the success of these actions, and the outcomes of their work more generally, at the beginning of the 2018/19 municipal year.

West of England Combined Authority Overview and Scrutiny Committee Forward Plan

MEETING DATE	ITEM	CHIEF OFFICER AND CONTACT FOR ENQUIRIES	WECA / Joint Committee item
22 September 2017	Appointment of chair		WECA
22 September 2017	Work programme	Helen Edelstyn	WECA
22 September 2017	Investment programme	Chris Jennings	WECA
22 September 2017	Skills	Chris Jennings	WECA
22 September 2017	Budget	Tim Richens	WECA
22 September 2017	Regional Strategy	Jessica Lee	Joint Committee
22 September 2017	Joint Spatial Plan	Laura Ambler	Joint Committee
22 September 2017	Joint Transport Study	Bill Davies	Joint Committee

November 2017			
10 November	Skills (to include AEB and Innovation Pilot)	Chris Jennings	WECA
10 November	Regional Strategy	Jessica Lee / Helen Edelstyn	Joint Committee
10 November	Transport (to include Key Route Network and Bus Strategy)	Bill Davies	WECA
10 November	Joint Spatial Plan	Laura Ambler	Joint Committee
January 2018			
15 January			
March 2018			
21 March			