

**REVIEW OF EFFECTIVENESS OF OVERVIEW AND
SCRUTINY TASK AND FINISH GROUPS**

FINAL REPORT

Recommendations

1. The Leader of the Council and Interim Chief Executive be requested to ensure that high level officer support from across the Council's Directorates is provided to Task and Finish Groups to assist Scrutiny Members in undertaking effective and timely reviews. It is requested that this recommendation be agreed and implemented with immediate effect.

Cabinet Members, Members of the Business Management Overview and Scrutiny Committee and Council Directors Group are requested to note the concerns of the Group that, in some instances, there has been a lack of support from Cabinet Members and Directorates for some Task and Finish Group reviews. The Group have concluded the level of senior officer support impacts directly on the timeliness of reviews, the strength of recommendations arising and the ultimate outcome of the review.

2. The Business Management Overview and Scrutiny Committee agree to make the following changes to the management of Task and Finish Group Reviews:
 - Develop arrangements for Scrutiny Members and members of the public to highlight topical and/or timely issues and for these to be prioritised in the Task and Finish Group work programme under the leadership of the Chairman of the Business Management Overview and Scrutiny Committee.
 - Reduce bureaucracy around convening and appointing Members to enable a more flexible approach to be taken.
 - Encourage Group Secretaries to appoint Members to Task and Finish Groups based on personal and professional skill sets.
 - For each suggested review, a Feasibility Study should be completed before the review progresses to ensure that the review is timely and will add value.
 - Ensure that Task and Finish Groups have an external focus

The Group have concluded that the management of Task and Finish Group reviews has become overly bureaucratic resulting in: timely and topical reviews not progressing quickly enough; reviews taking too long to be established; a lack of support from the political groups when appointing Members; a lack of public engagement with the review process; and reviews taking too long to complete. The Group emphasised the importance of the role of the Chairman of the Business Management Overview and Scrutiny Committee in prioritising reviews and ensuring an appropriate level of support to ensure that they are timely and achieve positive outcomes.

3. The Scrutiny Office be requested to deliver by the end of December 2012 the following initiatives to develop Scrutiny Members skills and increase public awareness and participation in Task and Finish Group reviews:

- Scrutiny Media Engagement Strategy; and
- Scrutiny Member Development Programme

1 Background Information

- 1.1 On 18th April 2012, the Business Management Overview and Scrutiny Committee established a five-Member task and finish group to consider the Effectiveness of Task and Finish Groups. The outline remit of the group was to consider the impact of reviews completed since May 2009 particularly:
- How effectively task and finish groups were at holding the Executive to account;
 - Their success in developing policy and / or driving service improvements; and
 - The impact of recommendations made (accepted by Cabinet).
- 1.2 The following members were appointed to the Task and Finish Group:
Councillor Brian Salinger (Chairman);
Councillor Sury Khatri;
Councillor Reuben Thompstone;
Councillor Alison Moore; and
Councillor Alan Schneiderman
- 1.3 To assist Members in making an informed decision regarding whether topics should proceed to a full review or not, the Scrutiny Office introduced feasibility studies for the reviews which commenced in April 2012. The purpose of these studies was to enable Members to undertake a more in-depth evaluation of the subject matter to ensure that resources were targeted on genuine issues and where value could be added.

2. Feasibility Study

- 2.1 The Task and Finish Group (TFG) initially met on 28 June 2012 where they considered the feasibility study prepared by the Scrutiny Office (**Annex 1**). Following consideration of the feasibility study, the TFG elected to proceed with the review.
- 2.2 At the 28 June 2012 meeting, the Group identified the following six points set out in the feasibility study as being the key elements in achieving positive outcomes from task and finish group work:
- (i) Member leadership and engagement;
 - (ii) A responsive executive;
 - (iii) Genuine non-partisan working;

- (iv) Effective direct officer support and management of the scrutiny process;
- (v) A supportive senior officer culture; and
- (vi) A high level of awareness and understanding of scrutiny work¹

2.3 The Group suggested that the following were particularly problematic in Barnet:

- A responsive Executive;
- A supportive officer culture; and
- High level awareness and understanding of scrutiny work.

2.4 At the conclusion of the meeting, the Group agreed the following actions:

- (i) Scrutiny to review previous TFG reports to indentify the role of public input in the forming of recommendations;
- (ii) Chairmen of previous TFGs to meet with the group at the next meeting;
- (iii) The Leader of the Council and the Chief Executive to be invited to attend a meeting to discuss the whether there was a high level awareness and understanding of scrutiny work;
- (iv) Review a document which detailed actions taken by the Executive and/or officers in relation to TFG recommendations;
- (v) A representative from the Scrutiny Office to provide an officer perspective; and
- (vi) A representative from the Centre for Public Scrutiny to be invited to give their view on delivering effective scrutiny

3. Evidence Sessions

3.1 In accordance with established best practice, the TFG undertook a series of evidence gathering sessions with key stakeholders.

Centre for Public Scrutiny

3.2 On 16th July 2012, the Group received evidence from the Research and Information Manager at the Centre for Public Scrutiny (CfPS). The CfPS is a charity whose principal focus is on scrutiny, accountability and good governance, both in the public sector and amongst those people and organisations who deliver publicly funded services. CfPS have identified the following as the core principals of good scrutiny:

- Constructive 'critical friend' challenge;
- Amplifies the voices and concerns of the public;

¹ INLOGOV / IDeA (April 2001) *Principals of Good Scrutiny*

- Led by independent people who take responsibility for their role; and
- Drives improvement in public services

3.3 The following were identified as key constituents to achieving good scrutiny outcomes:

1. Comprehensive scoping and/or feasibility studies prior to undertaking a review are essential pre-requisites;
2. Reviews need to have a clear focus on outcomes;
3. Success is often amorphous (i.e. it can be based upon developing good working relationships with stakeholders, or emerging from the contingencies surrounding particular reviews);
4. Public engagement can be difficult and needs to be given appropriate consideration against the topic under review;
5. Although it may not be necessary for reviews to produce complex financial data regarding their recommendations, there should be at least an element of best value consideration;
6. Scrutiny reviews can potentially provide a platform for in-depth policy review that the Executive does not have the time for;
7. Resourcing Scrutiny –
 - there is a need to prioritise limited resources carefully
 - liaise closely with the Executive
 - have in place clear protocols with the Executive (e.g. recommendations to be either accepted or rejected with an explanation of why)
8. Recommendations and the monitoring of their implementation can be improved by:
 - treating recommendations as a performance targets;
 - making sure recommendations are SMART (specific, measurable, achievable, realistic and timely);
 - agree a time for closing down recommendations as having been implemented;
 - link accepted recommendations to performance frameworks for ongoing monitoring, allowing the issue to be re-examined by scrutiny if necessary; and
 - process may be improved by the Chairman of reviews taking a proactive lead in monitoring implementation.
9. Duration – reviews should be tailored to specific circumstances, but based around a general understanding of how long reviews should take. Timing issues need to be addressed at initial scoping and feasibility stage;

10. Creating monitoring groups to track the implementation of recommendations should be approached with caution as historically this has led to working groups continuing indefinitely with little evidence of meaningful outcomes;
11. The best way to manage implementation and pass on knowledge and experience is to bring TFG learning back to the parent committee; and
12. In terms of scrutiny committees, there is a case to be made for individual members developing a knowledge base around particular subject areas. These members can then make positive contributions to reviews on related subject matter.

Task and Finish Group Chairman

- 3.4 The Group also received evidence from Councillor Braun who provided some reflections on her experiences as the Chairman of a recent review into Health and Social Care Integration. She highlighted the importance of:
 1. A sound evidence base;
 2. Benchmarking current performance;
 3. The non-partisan nature of TFGs; and
 4. Timetabling
- 3.5 Cllr Braun informed the Group that the members of the Health and Social Care Integration TFG had acquired detailed specialist knowledge during the review. She questioned how that acquired knowledge could be applied to scrutiny work on an ongoing basis.
- 3.6 Following the evidence session, the Group noted the following key points:
 - topic selection process needs to be clearly defined with amendments made to the current arrangement;
 - all non-executive members should be encouraged to participate;
 - there needs to be a balance between policy development and reviews of existing services while being able to take up matters arising of community importance;
 - there needs to be a clear understanding of the resources available for Scrutiny and how these can be divided between formal committees and TFGs;
 - Scrutiny work needs to be publicised. This should include:
 - Promoting positive outcomes secured from scrutiny work; and
 - Using new media to encourage public participation / identify issues of public concern.

Leader of the Council and Chief Executive

- 3.7 On the 18th July 2012, the Group met with the Leader of the Council and Chief Executive to question how the political and managerial leadership of the authority viewed TFGs.
- 3.8 In outlining the key issues, the Chairman and Group Members outlined to following:
- There was a requirement for greater flexibility in the way the TFGs were organised, especially with regard to appointment arrangements at the Business Management Overview and Scrutiny Committee and the flexibility within the current arrangements to respond to “burning issues.” It was agreed that the appointment process should be reconsidered by Business Management, with alternative options explored.
 - Aside from the operational issues outlined above, there were cultural issues within the organisation that inhibited successful outcomes from some TFG reviews.
 - Where recommendations which had been accepted by Cabinet had not been fully implemented, Cabinet Members and Officers should be presenting alternative options for dealing with the issue highlighted and this information should be presented in the recommendation tracking report to the Business Management Overview and Scrutiny Committee.
- 3.9 Responding to the issues raised by TFG Members, the Leader and Chief Executive outlined to the following:
- TFGs should focus outwards towards key issues affecting the Borough and not just focus on internal council issues. Scrutiny had a wide ranging remit and had been missing the opportunity to address issues that affected the services provided by multiple public agencies. Currently, the work of scrutiny was too inwardly focussed and improvements needed to be made in work programming arrangements.
 - Topics need to be of interest to the public in order to maintain an interest, regardless of engagement platform (i.e. social media or local newspapers). The work of the Secondary School Places Overview and Scrutiny Panel had provided an example of how scrutiny could respond to a genuine issue of local public concern and facilitate dialogue between the Council and interested parties.
 - As the Health and Social Care Integration TFG had demonstrated, there was a place for Officers to promote the uptake of topics for Member-led reviews. Such an arrangement had enabled there to be

a high-level buy-in for the review which had delivered a positive outcome for the participants and wider authority.

3.10 The Leader of the Council made the following additional points:

- Scrutiny should be engaging with issues that the Council would not otherwise consider in the policy cycle;
- Even when recommendations were not accepted by the Executive, reviews generated debate amongst Council's leadership;
- It was accepted the Cabinet Forward Plan (now superseded by new regulations around advanced notification of executive decisions) was an issue which prevented Scrutiny Members from having an oversight of the Executive's programme of work, thereby limiting their influence; and
- Scrutiny could improve their use of existing sources of intelligence (such as insight and performance data) to pick up on issues.

3.11 The Chief Executive identified the following:

- Scrutiny should focus on (external) cross-cutting issues to attract the interest of the public;
- Members have a democratic mandate and this should encompass other key public sector providers (such as the police and health);
- Flexibility needed to be built into the design to enable Scrutiny to be responsive; under the current structure, there is no elected Member leader for Scrutiny; and
- The budget and Medium Term Financial Strategy set out key decisions to be taken over an administrative year (rather than the Cabinet Forward Plan) and Scrutiny should be using this information to inform their work programme.

4. Recommendation Tracking

4.1 Since May 2009, a total of 16 task and finish groups and scrutiny panels have concluded their work on the following topics. Dates that the review reported their findings to the Council's Cabinet are set out in brackets:-

- Enterprise in the Borough (3rd February 2010)
- School Places Planning (3rd February 2010)
- Advice Provision in the Borough (22nd February 2010)
- Homelessness and Young People (12th April 2010)
- Road Resurfacing (12th April 2010)
- Recycling and Waste Minimisation (6th September 2010)
- Remodelling Older People's Housing with Support (20th October 2010)
- Council's Response to Cold Weather (20th October 2010)
- Housing Allocations Overview and Scrutiny Panel (10th January 2011)
- Domestic Violence (7th March 2011)
- Fostering Recruitment (14th September 2011)
- Secondary School Places Overview and Scrutiny Panel (9th January 2012)
- Health and Social Care Integration (4th April 2012)
- Early Intervention and Prevention Services (Children's Services) (4th April 2012)
- Contract Monitoring and Community Benefit (4th April 2012)
- Carbon Footprint (4th April 2012)

4.2 The Business Management Overview and Scrutiny Committee has within its terms of reference responsibility for coordinating and monitoring the work of scrutiny panels and task and finish groups. To assist the Committee in discharging this responsibility, a Recommendation Tracking report has been reported to the Committee since mid-2010. The information presented provides the Committee with updates received from services on the implementation of recommendations accepted by the Cabinet. Each submission is RAG rated to provide the Committee with an overview of progress made in relation to each recommendation.

4.3 Whilst the information has assisted Members to determine what outcomes there have been from reviews, there are a number of issues that have arisen as a result of the reporting of this information. Firstly,

due to other business on the agenda, there is often an insufficient amount of time for the Committee to consider the information in detail and provide a robust challenge where there has been little or no progress. Secondly, there is no defined end date for the Committee to stop receive updates meaning that information is being reported on review which completed their work up to two years ago.

4.4 In order to address these issues, the Group agreed that:

- (i) Following reporting of the 18 month update to the Committee, any recommendations with a 'Green' or 'Completed' RAG rating should no longer be reported;
- (ii) Where recommendations had a 'Red' or 'Amber' rating, these should continue to be reported to the Committee, with the Cabinet Member and/or Lead Officers called to give account to the Committee on why there has been a lack of progress;
- (iii) Recommendations made by Task and Finish Groups and Scrutiny Panels should be drafted in such a way that directorates can include them as service-based performance targets which will form part of the wider corporate performance framework.
- (iv) Recommendation Tracking updates should be sent to Members who participated in the work of the Task and Finish Group as and when they become available, enabling them to make comments, recommendations and representations to Member of the Business Management Overview and Scrutiny Committee if appropriate.

5. Structural and Cultural Issues

Overview

- 5.1 This section will consider the structural and cultural issues which affect overview and scrutiny and, consequently, the conduct and effectiveness of Task and Finish Groups and Overview and Scrutiny Panels.
- 5.2 Executive decision making was imposed on local authorities with the introduction of the Local Government Act 2000. Executive arrangements were intended to mirror the Westminster Cabinet and Select Committee model of decision making, where power is concentrated with ministers with distinct departments or portfolios which are held to account by cross party, independently resourced select committees.
- 5.3 Executive arrangements were introduced in local authorities due to perceived limitations of the committee system form of governance which included: the requirement to hold a large number of meetings for

decisions to be taken; the reinforcement of departmental silos; and a concentration of power in the hands of committee chairman and senior officers. Executive arrangements were perceived to have a number of advantages over the committee system, particularly the speed of decision-making and the creation of clear lines of accountability to individual Executive Members².

- 5.4 Just as local authority Executives were modelled on the Westminster Cabinet, it was intended that local authority scrutiny would operate in a similar way to select committees (where individual committees review the work of individual departments of state). However, when the legislation was enacted, local authority scrutiny was not given some of the powers afforded to select committees, particularly the power to require relevant people to attend. In addition to this, local authority scrutiny lacked the profile of select committees. Consequently, many local authorities struggled to make scrutiny work effectively in the early years.
- 5.5 The Centre for Public Scrutiny has been conducting annual surveys of local authority scrutiny since 2005. The surveys have been used to identify the most and least effective areas overview and scrutiny work. Members and officers have consistently identified policy development, policy review and health scrutiny as the most effective aspects of scrutiny work, with pre-decision scrutiny and finance scrutiny being the least effective areas³. This suggests that short in-depth reviews and post-implementation policy analysis are the most effective elements of local authority scrutiny work.

Structural

- 5.6 Executive arrangements mean that most local authority decisions are taken by the Executive (or Cabinet) which has a maximum of 10 Members. As a consequence, there are a significant number of elected Members who are no longer directly involved in decision-making (except for quasi-judicial functions such as planning and licensing).
- 5.7 Organisational structures tend align senior officers to Executive portfolios. As such, local authorities are structured to deliver the policy agenda of the Executive. The extent to which there is a political and corporate commitment to overview and scrutiny has a direct impact on the effectiveness of the function.
- 5.8 Overview and scrutiny is intended to enable non-Executive councillors to keep in touch with and influence the policy process. However, without a sufficiently forward look at the policy agenda and a political/corporate commitment to involve scrutiny at an early stage in

² Scrutiny: Theory and Practice in Local Governance, Coulson, 2010

³ CfPS Annual Surveys 2005 – 2011

the policy cycle, making a positive contribution to the policy agenda is problematic.

- 5.9 In theory, overview and scrutiny was intended to provide a non-partisan space for policy debate. Given the political nature of local authorities, this was perhaps an unrealistic expectation. In reality, local authorities have struggled to remove the politics from scrutiny. Effective scrutiny of politically contentious issues has been problematic.
- 5.10 The executive decision making structure has, therefore, given rise to a number of issues:
- Executive Members being unwilling (due to political considerations) or unable (due to timing issues) to share policy proposals with scrutiny until a late stage in the process. As a consequence, scrutiny Members are often frustrated due to a lack of awareness, a lack of involvement and inability to influence key decisions affecting the borough.
 - Scrutiny committees have become the space for political discourse which is contrary to the intended non-partisan nature of these bodies.
 - The focus of organisational resources on delivering the policy agenda of the Executive.

Cultural

- 5.11 Barnet, like many other authorities, has struggled to make scrutiny effective on a consistent basis. Whilst there are some examples of positive scrutiny work, the following issues have impacted on the focus and effectiveness of scrutiny across committees and working groups:

Call-in – when executive arrangements were introduced, call-in provisions were intended to be used in exceptional circumstances and as a matter of last resort⁴. In many local authorities, call-ins are used in exceptional circumstances and are only where there are perceived to be serious concerns relating to an Executive decision.

Since the implementation of the 2000 Act, there has been an overreliance in Barnet on the call-in mechanism as a way of holding the Executive to account. Call-ins have been used as the default mechanism for opposition Members to hold the Executive to account, evidenced in the fact that between 2002/02 and 2008/09, the number of call-ins per year has ranged between 40 and 71, compared with a national average of between 2 and 3. Between 2009/10 and 2011/12, there was a reduction in the number of call-ins (ranging between 11 and 24), primarily due to the introduction of more robust criteria for call-in decisions and the development of more systematic pre-decision scrutiny arrangements. Notwithstanding this, Barnet still has a significantly higher number of call-ins than many other boroughs.

⁴ Centre for Public Scrutiny, Research Report No. 1, Call-in Procedure

Call-ins, when used appropriately, should result in Executive Members giving serious consideration to the concerns raised by scrutiny and, in some circumstances, result in decisions being amended.

Structures – committee and working group structures have been through a number of iterations since the introduction of Executive arrangements. Barnet current has a flat committee structure (with four full committees and no sub-committees) which means that work programme coordination is difficult. Multiple committees frequently request items that fall within the remit of other committees – without an elected Member lead for scrutiny, coordinating work programmes can be problematic. Additionally, the number of committee meetings means that limited officer support resources are being utilised to support committee rather than task and finish group / scrutiny panel work resulting in delays to these groups concluding their reviews.

Resourcing – Barnet has a dedicated scrutiny support team comprising three FTE. This is approximately in line with the average for London boroughs. However, budget reductions implemented in 2011 saw a significant reduction in the number of committee support staff. As a consequence, Scrutiny Officers are required to support the work of the council's decision-making bodies more generally, resulting in a reduced focus on scrutiny work. As there has been a focus on committees and other governance meetings, task and finish group and scrutiny panel work has lower priority, impacting on the timeliness and impact of reviews.

Member Commitment and Engagement – task and finish groups and scrutiny panels are reliant on non-Executive Members being available and committed to review work. Reviews often require Members to attend additional meetings in already congested schedules which include work, personal, committee meeting and other municipal commitments. Officers frequently encounter problems when trying to schedule task and finish groups and scrutiny panels. In addition to scheduling issues, there has been an unwillingness from Members of all parties to involve themselves in task and finish group and scrutiny panel work – often the same Members are participating in review work. Ideally, appointments to scrutiny working groups would be on the basis of the skills and experience that non-Executive Members could bring to a review topic. In practice, the political groups have struggled to find Members who are willing to participate in reviews which places a disproportionate burden a small number of Members.

Topic Selection – identifying pertinent issues for scrutiny reviews has been an issue. On occasion, the Business Management Overview and Scrutiny Committee have not given full consideration to the relative merits of each review topic proposed. As a result, some reviews have been completed which have failed to add value – their findings are consequently not taken seriously by the Executive. This has been mitigated to a limited extent by the introduction of feasibility studies to

allow Members to make an informed decision about the relative merits of a review.

Outcomes – non-Executive Members have commented that once reviews had been completed, they were not aware of any outcomes that had been achieved. To address this, the Scrutiny Office introduced a mechanism to track the implementation of recommendations made by task and finish groups and scrutiny panels. These are reported at regular intervals to the Business Management Overview and Scrutiny Committee until the recommendations are fully implemented. Whilst this mechanism has enabled outcomes from reviews to be monitored, there have been instances where recommendations have not been fully implemented due to a number of factors. In these instances, there has been a lack of challenge from the task and finish groups / scrutiny panels participants and Business Management Overview and Scrutiny Committee regarding the lack of progress. Notwithstanding this, the tracking mechanism has placed an increased emphasis on Cabinet Members and services to deliver on recommendations made by non-Executive Members.

Conclusions

- 6.1 In considering the effectiveness of Task and Finish Group reviews, Members highlighted a number of issues that needed to be addressed to improve the process and, ultimately, outcomes. Members agreed that some of the reviews that had progressed were considering issues that were either not specific enough or not timely. It was noted that this could be mitigated by ensuring that elected Members and/or members of the public provided as much information as possible when proposing reviews so that comprehensive initial research could be undertaken for translation into a feasibility study. Elected Members could then make an informed decision about the relative merits of each review and prioritise reviews which could have the most impact.
- 6.2 The Group highlighted that frequently the same small group of Members participated in reviews. It was accepted that the political groups needed to do more to encourage all non-Executive Members to participate in reviews and, wherever possible, ensure that skills of Members were utilised in reviews. Issues with scheduling and finalising reports also had an adverse effect on the timeliness and impact of reviews.
- 6.3 Members accepted that reviews had been too internally focussed and not expedited quickly enough in many circumstances. The Group agreed with the comments of the Leader and Chief Executive that scrutiny should be addressing issues of public concern which crossed public agencies.

Meeting	Review of Effectiveness of Task and Finish Group
Date	
Subject	Review of Effectiveness of Task and Finish Group – Feasibility Study
Report of	Scrutiny Office
Summary	This report outlines the findings of a feasibility assessment of the proposal to conduct a review of the effectiveness of overview and scrutiny task and finish groups

Officer Contributors	Andrew Charwood, Overview and Scrutiny Manager
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1. RECOMMENDATION

- 1.1 That Members consider the findings of the feasibility assessment and, based on the information contained therein, decide whether to proceed with a review of the effectiveness of task and finish groups.

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Annual Council, 19 May 2009, Agenda Item 13.2.1, Report of the Special (Constitution Review) Committee, Overview and Scrutiny: New Arrangements
- 2.2 Policy & Performance Overview & Scrutiny Committee, 2 June 2010, Agenda Item 7 (Overview & Scrutiny Appointments)
- 2.3 Business Management Overview & Scrutiny Committee, 8 March 2012, Agenda Item 10 (Any Other Items the Chairman Decides are Urgent) – the Committee outlined proposed review topics
- 2.4 Business Management Overview & Scrutiny Committee, 18 April 2012, Agenda Item 14 (Task and Finish Group Appointments)

3. INTRODUCTION & OVERVIEW

- 3.1 At the Business Management Overview and Scrutiny Committee meeting of the 18 April 2012 Members considered topics for the basis of future Task and Finish Group reviews. Included within the topics proposed for consideration was a review of the effectiveness of overview and scrutiny task and finish groups. In line with the protocols agreed with Members and following the best practice guidelines for good scrutiny, the Scrutiny Office have undertaken an initial feasibility study to assess whether review of the effectiveness of overview and scrutiny task and finish groups is an appropriate topic to take forward as TFG.
- 3.2 Following consideration of the information contained within this assessment, Members are requested to determine whether to proceed with a review or not.

4. KEY PRINCIPALS AND ASSESSMENT CRITERIA

- 4.1 In January 2012, the Council received support from the Centre for Public Scrutiny (CfPS) to develop a framework for scrutinising issues relating to the Ageing Well Programme. The Scrutiny Office has adapted this framework to be more generic for application with all overview and scrutiny topics, including task and finish group reviews. The framework identifies the following key considerations:
 1. Exceptionality;
 2. Clearly defined objective;
 3. A TFG as the most appropriate means of investigating the issue; and
 4. Appropriate levels of resources being available to ensure an effective review of the issue

- 4.2 Informing the Scrutiny Framework is the Scrutiny Best Practice Guidance provided by the CfPS which advises that Scrutiny should:
1. Provide a “critical friend” challenge to decision-makers as well as external authorities and agencies;
 2. Reflect the voice and concerns of the public and its communities;
 3. Take the lead and own the scrutiny process on behalf of the public; and
 4. Make an impact on the delivery of public services.

- 4.3 They go on to suggest that effective Scrutiny should engage the public as active citizens and secure the effective promotion of community well-being at the local level. A joint report from INLOGOV and the IDeA in April 2001 set out the following requirements for effective scrutiny:

Member leadership and engagement;

A responsive executive;

Genuine non-partisan working;

Effective direct officer support and management of the scrutiny process;

A supportive senior officer culture; and

A high level of awareness and understanding of scrutiny work

5. Overview and Scrutiny Working Groups

- 5.1 Overview and scrutiny working groups (or task and finish groups) ordinarily comprise of a small group of between three and five of non-Executive Members which look at a particular issue in detail over a prescribed period of time. Currently, the suggested timeframe for a review is three months. However, in practice reviews often take longer due to a number of factors which include: officer support; Member availability; the complexity of the issue under consideration; scope creep; the report drafting process; and timescales for reporting to Business Management OSC and Cabinet.
- 5.2 The purpose of the groups can be twofold:
- (i) to investigate an issue of concern to elected Members or members of the public which does not form part of the council's policy agenda (policy development); or
 - (ii) to review council policy (in development or during implementation) and make recommendations for improvements (policy review).
- 5.3 Overview and scrutiny working groups have been established in Barnet in a variety of formats since the introduction of executive arrangements. This feasibility study will focus on scrutiny reviews conducted over the last six years (2006 to 2012).
- 5.4 Between 2006 and 2009, overview and scrutiny committees commissioned working groups to consider issues in detail. Findings were initially reported to

the parent committee for review / approval and then to the Cabinet. Reviews considered during this period are as follows:

- Section 106 Review (Cabinet, 24 July 2006)
- CPZ Reviews – Consultation Process (Cabinet, 8 May 2007) (majority and minority reports)
- Waste Management Review (Cabinet, 26 July 2007)
- Effects of Domestic Violence on Children and Families in Barnet (Cabinet, 29 October 2007)
- Hate Crime Review (Cabinet, 21 February 2008)
- Review of Local Strategic Partnership (Cabinet, 6 October 2008)
- Children’s Centres and Extended Services (Cabinet, 3 December 2008)
- Young Carers in Barnet (Cabinet, 20 January 2009)
- Protection of Trees in the Borough (Cabinet, 22 April 2009)
- Anti-Social Behaviour (Cabinet, 22 April 2009)
- Parks in Barnet (Cabinet, 22 April 2009)
- Review of Signature Street Cleaning (Cabinet, 8 June 2009)
- Open Spaces in Barnet (Cabinet, 8 June 2009)

5.5 In late 2008, a Member Working Group was convened to consider overview and scrutiny arrangements. Committee structures were reformed and an emphasis was placed on the task and finish group work as this was recognised to be good practice nationally. In May 2009, the Council implemented the new overview and scrutiny arrangements.

5.6 Working arrangements for task and finish groups are not overly prescriptive. The Council’s Constitution contains the following:

“Task and Finish Groups, Project Groups, Research

Much of the work of Task and Finish Groups will be carried out informally both in gathering information and interviewing relevant personnel. Those sessions will not be expected to be held in public nor will they be subject to the Access to Information Rules.

However, where it is appropriate for more formal meetings to be held in public, the presumption is that they will be. The findings and recommendations of Task and Finish Groups will be presented for consideration by the appropriate Overview & Scrutiny body, operating under the Access to Information Rules.

HOWEVER, when these Groups are conducting their research there will be a general expectation that:

- (i) Members in carrying out these activities will, as appropriate, visit and meet with local communities, meet with the Council’s partners and others as necessary.
- (ii) Members will look at a variety of methods for inviting comments and views and publicising their work.
- (iii) Meetings and other activities may, on occasions, take place at locations away from the Town Hall or other Council offices. The Democratic Services Manager will make the necessary arrangements in consultation with the relevant Chairman and Members.”

5.7 Task and groups have the ability to determine their own terms of reference and working arrangements. They can draw evidence from a wide range of sources including elected members, interest groups, academics, service

users, residents, officers and any other interested / relevant parties. In addition, detailed research can also be undertaken to inform evidence-based recommendations.

- 5.8 In 2010, the Scrutiny Office introduced a mechanism for tracking the implementation of recommendations made by task and finish groups which had been accepted by Cabinet. In monitoring recommendation, the initial response of Cabinet is captured (i.e. accept or reject, plus any commentary). Each recommendation is assigned a responsible officer who is contacted at six-monthly intervals to provide updates. Updates are reported regularly to the Business Management Overview and Scrutiny Committee. Copies of the tracking document will be made available at the first meeting.
- 5.9 If is Group elect to proceed to review, the following key lines of enquiry could be considered:
- (i) Actions to capture the progress made in implementing recommendations made by scrutiny working groups conducted between 2006 and 2009;
 - (ii) Review of recommendations by task and finish groups / scrutiny panels between 2009 and 2012;
 - (iii) Topic selection; and
 - (iv) Review of working arrangements including: officer support; evidence received (verbal and written); quality of reports; political considerations; measuring outcomes; and public engagement.