

Scrutiny Protocol

Background

One of the actions from the findings of the review carried out by Centre for Governance and Scrutiny (CfGS) was that a Scrutiny Protocol be developed which would set out the role profile for Overview and Scrutiny Members, mutual expectations, information access, support arrangements and commitment required for the Committee to review and agree. The draft protocol is set out below for approval by the Committee.

SCRUTINY PROTOCOL FOR THE CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY

Purpose of the Protocol

This Protocol is designed to assist Members of the Combined Authority's Overview and Scrutiny Committee and the Mayor as well as Members of the Combined Authority Board. The Protocol aims to establish a positive framework and build upon the procedures laid out in the Constitution which exist to enable the Committee to work effectively. It aims to promote and maintain an ethos of mutual respect, trust and courtesy between Members, the Mayor, Combined Authority Board and officers and to encourage openness. It also aims to engender constructive, yet challenging, where necessary, debates.

The Role of the Overview and Scrutiny Committee in holding decision-makers to account

One of the fundamental principles of Scrutiny is the ability to hold decision-makers to account. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities published by the Ministry of Housing, Communities and Local Government (May 2019) states that "Overview and Scrutiny Committees have statutory powers to scrutinise decisions the executive is planning to take, those it plans to implement, and those that have already been taken/implemented. Recommendations following scrutiny enable improvements to be made to policies and how they are implemented. Overview and Scrutiny committees can also play a valuable role in developing policy".

What holding decision-makers to account should be about:

- Providing a "critical friend" challenge
- Challenging decisions and securing the best outcomes for residents
- Examining the Authority's Forward Plan to identify forthcoming issues for scrutiny
- Working with decision-makers to develop and scrutinise Authority policies

What holding decision-makers to account should not be about:

- Confrontation
- Challenging individuals or personalities
- Party politics
- Championing personal agendas

The Relationship between the Mayor/Combined Authority Board and Scrutiny

The relationship between the Combined Authority Mayor and Board, and Scrutiny is governed in part by law and in part by the Authority's Constitution. The purpose of this

section is to set out the principles which should be followed by Board and Overview and Scrutiny Committee Members. The principles below set out how the working relationship between decision-makers and the Committee should operate:

1. The Mayor and Board, and the Committee recognise that they each have different functions and responsibilities which can and should contribute to securing the best outcomes for residents
2. The Mayor and Board, and the Committee will work alongside each other in a positive manner.
3. The Mayor and the Board will recognise that Overview and Scrutiny Committee Members have a number of rights such as call-ins.
4. All participants will look to work within a spirit of mutual respect and constructive challenge.
5. The relationship between the Mayor and Board, and the Committee will be open and transparent as far as possible.

The Overview and Scrutiny Committee Expectations of the Mayor/Combined Authority Board

There is an expectation that Combined Authority Lead Members and the Mayor will attend meetings of the Overview and Scrutiny Committee, when requested, in order to present reports relevant to their portfolio and answer any subsequent/relevant questions.

If necessary, the Mayor will meet with Overview and Scrutiny Chair and Vice-Chair, the Scrutiny Officer, and Monitoring Officer to consider the best way to deal with any forthcoming items of business.

Expectations of the Overview and Scrutiny Committee

The Committee will provide constructive 'critical friend' challenge to the Mayor and Combined Authority's proposals and decisions.

The Committee will remain non-political and be effectively led by Members who take responsibility in their role to drive service improvements and voice the concerns of residents.

The Combined Authority response to Scrutiny's recommendations will be published in the agenda of the next scheduled relevant Committee meeting.

The Committee will monitor the effectiveness of services and undertake regular review of performance in relation to the Authority's services.

Within Meetings

At its meetings the Committee should seek to promote an atmosphere of openness and should strive to ensure that questioning and debate takes place within a climate of mutual respect and trust between all participants.

Panel Members should be prepared to ask searching and challenging questions of the Mayor, Combined Authority Lead Members, Directors and officers' when necessary, but acknowledge that participants may not always be in a position to answer every question immediately.

The Chair of the meeting shall at all times ensure that the conduct of the meeting shall be fair and that all participants are treated courteously whilst promoting the Authority's role in striving to improve services and monitor the effectiveness of Combined Authority policies. Questions and responses should be clear and concise where possible and meetings should be carried out in a professional and business like, non-confrontational manner.