

Cambridgeshire and Peterborough Combined Authority

Scrutiny improvement review (SIR): findings and suggested actions

The Centre for Governance and Scrutiny is the leading national organisation for advice, support and guidance on matters relating to corporate governance, constitutional matters, and scrutiny in combined authorities and local authorities. CPCA approached us to conduct a review of the scrutiny arrangements in place at the combined authority. This review was carried out by Ed Hammond (Deputy Chief Executive) with support from Kate Grigg (Senior Policy and Research Officer).

Our findings and suggested actions are set out below, and members are invited to review them and consider how to take them forward.

Our method

Our approach followed an amended version of our standard scrutiny improvement review (SIR) methodology. This included examination of:

- **Culture.** The mindset and mentality underpinning the operation of the overview and scrutiny process. This will involve a focus on the CA's corporate approach to scrutiny, and the attitude of those in executive positions to the operation of the function;
- **Information.** How information is prepared, shared, accessed and used in the service of the scrutiny function;
- **Impact.** Ways to ensure that scrutiny is effective, that it makes a tangible difference to the lives of local people.

We:

- Examined the effectiveness of the operating model of scrutiny in the CPCA setting

- Reviewed and considered lessons to be learned from environmental changes and challenges, including ways of working arrangements operating pre-, and since the onset of, the pandemic;
- Gathered general evidence to identify practical improvement actions and innovations which will enable scrutiny to make an impact on the work of the CA and the wider area;
- Looked particularly at:
 - the work of SPVs, trading companies and other commercial activity, and considered the most proportionate way to ensure effective oversight of these arrangements;
 - the terms of reference underpinning the committee's operations;
 - how challenge in committee, and outside it, is made and received;
 - the oversight, and call-in, of key and non-key decisions;
 - the nature of scope of support to scrutiny from senior CA officers.

In reviewing the above we will have particular regard for the need to clarify scrutiny's focus and role.

We carried out this work by way of:

- **Desktop work.** We reviewed recent agendas, minutes and reports, and constitutional material relating to the operation of the scrutiny function. We looked at scrutiny agendas, minutes and reports going back to mid 2019, and papers from selected meetings of the CA Board and the Audit and Governance Committee over the same period;
- **Interviews.** We interviewed 13 members and officers to understand the attitudes and behaviours, and perceptions, that underpin scrutiny work. We tested initial findings informally with a small group of scrutiny committee members;
- **Observation.** We reviewed a small selection of recent webcasts.

Summary of findings

- In common with the situation in other combined authorities, the combined authority has struggled to find a role for scrutiny. The impact of recent scrutiny work has been limited;
- Scrutiny's focus on the detailed operational oversight of Mayoral decision-making is not the best use of councillors' time and efforts – a new and unique focus for the function is required. This must not however be at the expense of a continued, strong role for the function in holding the Mayor to account;
- The organisation is committed to making the function relevant and effective, and the election of a new Mayor provides an excellent opportunity to recast the function's role and its relationship to the wider authority;

<p>behaviours but the general political dynamics applying in an environment where there is contention and disagreement;</p> <ul style="list-style-type: none"> • An organisational environment where CA officers have not had the capacity to work alongside members to reset and redesign the approach, despite a willingness to do so in principle; • An organisational environment which has, since 2017, become increasingly complex (particularly with the establishment of special purpose vehicles for the delivery of certain services) <p>This has led to the potential of overlap in functions between scrutiny and other parts of the CA – in particular Mayoral committees.</p>	<p>Action 2: The Chair, the Mayor and the CA Monitoring Officer to begin meeting regularly to ensure that the strategic purpose of scrutiny is understood and acted on (see also Action 8).</p> <p>Action 3: When a clear role and purpose for scrutiny can be clearly articulated, work on internal communications to be carried out to ensure that this is understood by the wider CA (including CA Board members and officers).</p> <p>In due course it may be that relationships would be assisted through the agreement of a protocol between the scrutiny function and the Mayor/CA, although time should be taken for new arrangements to bed time before action is taken here.</p> <p>The approach described here should feed directly into the approach we suggest below on work programming.</p>	<p>Short term (beginning September)</p>
<p>The challenge in drawing together councillors from across the CA area, and regular changes in membership, means that – the chair aside – members have had little capacity to drive the scrutiny function forward with focus. The convening of meetings remotely during the pandemic enhanced member attendance but did not result in any appreciable change to the nature and impact of scrutiny’s work. Members of the committee recognise that a greater commitment of time is necessary to</p>	<p>Action 4: CA officers, in support of the Chair, to engage with constituent councils to better understand</p> <ul style="list-style-type: none"> • how their nominated members can be better supported, and • how the business of CA scrutiny can be administered to support members to attend and engage with the work of the function <p>This will inform decisions on work programming, below.</p>	<p>Short term (over August)</p>

<p>make scrutiny deliver strong and consistent outcomes, but – in common with other CA areas – their commitments at their constituent councils makes their available time very limited.</p> <p>A lack of overall direction meant that scrutiny settled organically on close scrutiny of Mayoral decision-making because it was felt to be tangible and was expedient.</p> <p>This has led scrutiny to look and feel quite operational in nature. It has been difficult to develop an understanding that scrutiny at the combined authority needs to look and feel different to scrutiny at local level.</p>	<p>Action 5: a role profile setting out mutual expectations for scrutiny members – including around information access, support arrangements and requirements around commitment – to be agreed and circulated.</p> <p>While this will provide a useful part of an induction process for new members it could also form part of a wider guide to scrutiny at the CA which would be of use to members more generally.</p>	<p>Medium term (autumn, into winter 2021/22)</p>
<p>Scrutiny work is generally unprioritised, resting as it does on the rhythm of Mayoral decision-making. Scrutiny has successfully formally held the Mayor and CA to account on many matters – this formal, public accountability is important in its own right and will need to continue in an amended form.</p> <p>As well as work in committee, “task and finish” style work is carried out, although with mixed results. Capacity constraints – relating to both officers and members – have produced challenges.</p> <p>As things stand it is difficult to see how this form of scrutiny has changed the</p>	<p>Action 6: a new approach to the sharing of information with scrutiny members which involves:</p> <ul style="list-style-type: none"> • an end to the regular sharing, and scrutiny of, Mayoral decisions at committee, with information being shared on an ongoing basis outside of committee to inform the appropriate escalation of issues to committee based on need; • more clarity to members in the management of items and reports deemed to be exempt from publication • the assignment of individual councillors to act as “rapporteurs”, to develop a subject expertise in specified areas of policy, to highlight issues of importance to the chair for 	<p>Short term (new agenda arrangements coming into force at the 27 September meeting)</p>

<p>organisation's direction or approach. Scrutiny members themselves recognise that it places significant demands on them to digest and understand large volumes of paperwork, and that the timescales involved in working this way makes scrutiny unlikely to deliver change.</p> <p>Despite the large volume of information being provided, councillors do not always have the right information at hand to allow them to prioritise scrutiny's work effectively. Sometimes, information is made available late in the day, meaning the members have little opportunity to shape decisions. Ultimately, this derives from the ad hoc approach to scrutiny described above, which makes it difficult for officers to provide relevant and timely information to councillors on a proactive or reactive basis.</p> <p>Where members do have access to information they do not use it as effectively as they might. Questioning and discussion at committee struggles to find a focus, although there are examples of where the right people and the right information have been brought together to deliver punchier work which offers hope for the future.</p>	<p style="text-align: center;">escalation to committee and potentially to lead on questioning on such matters.</p> <p>Work programming discussions should lead to the use of information to identify one or two substantive items per committee agenda, consideration of which could benefit from external witnesses or the consideration of evidence wider than just officer reports. Scrutiny would discuss matters of strategic concern to the CA and the wider area – linked to Mayoral priorities and decision-making but not directly to the run of decisions in the forward plan.</p> <p>We set out below how the agendas for these meetings would be put together. The subject matter for such agendas would still need to be informed by evidence.</p> <p>Action 7: use of shared information, the forward plan and frequent Chair/Mayor/MO conversations to identify forthcoming decisions, and to discuss the developing work programme.</p> <p>The parties to this conversation would be able to bring together an awareness of the ongoing business of the audit committee, Mayoral committees and the Business Board. There may be cause to engage in separate bilateral conversations with the chair of the audit committee as time continues. Based on these conversations the Chair and others would agree how and where information on Mayoral / CA activity would be shared with the committee for information, and to inform their judgements on the content of the work programme¹.</p>	<p style="text-align: center;">Short term (first session to inform 27 September meeting)</p>
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¹ In local authorities it is generally recommended that a regular "information digest" be prepared containing management information about the authority about its services, allowing members to keep a watching business over such matters. In a combined authority context there is less logic in the preparation of such a document / suite

	<p>Action 10: the programming of a regular and general Mayor's Question Time to allow high profile, direct holding to account of the Mayor to continue</p> <p>An MQT process would need to be modelled in a way that provides members with support to ask high quality questions at what would be a set piece event. Officer support on questioning would be needed to support these sessions – including the possibility of a committee pre-meeting immediately before the session.</p> <p>Depending on the success in designing this approach (and resting on how the Mayor chooses to make decisions alongside the Board) the scrutiny of CA Board members might also follow this model.</p> <p>Action 11: work by the MO and others to consider how scrutiny can productively be engaged in the ongoing governance of SPVs</p> <p>This is contingent on the new Mayor making clear how he wishes to take service delivery forwards, and whether SPVs as currently organised provide his preferred mechanism for doing so.</p>	<p>Medium term (winter 2021/22)</p>
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