



Report to Scrutiny

Item Number: 7

Contains Confidential or Exempt Information

No

Subject of Report: Scrutiny in Ealing
Meeting: Scrutiny Review Panel 1
9th July 2013

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Scrutiny Officer: See above

Cabinet Responsibility: N/A

Director Responsibility: Helen Harris Director of Legal & Democratic Services
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Brief: To get an overview of the Scrutiny Function in Ealing

Recommendations: It is recommended that the Panel consider the report and if there is any further information required.

Scrutiny in Ealing

The History

- 1.1 To understand the way Scrutiny works in Ealing it is useful to look at its history since it was formed as part of the “modern” political structures arising from the Local Government Act 2000.
- 1.2 With a Cabinet owning portfolios that deliberately cut across directorates the Scrutiny function was designed to slice across council activities in a different dimension. This led to four large bodies named respectively, Borough, Community, Council and Individual. There were also a number of Task & Finish groups. The Ealing constitution was written so that it was relatively easy for items to be called in and these were handled by the appropriate committee. Each committee met eight times a year.

The other key decision taken at that time, and which remains today, was the adoption of a middle way in involvement of the opposition in scrutiny. Thus in many Councils Scrutiny Bodies are chaired by members of the Majority Party; in many others the opposition perform this role.

However, the Ealing approach was to attempt to develop a cross party structure so that one committee was chaired by a member of the opposition and vice-chairs were always of a different party to the Chair.

Further Chairs of the Committees received the same SRA¹ as members of the Cabinet to demonstrate the “Parity of Esteem”.

- 1.3 The key strategic decision in relation to officer support was to have a small dedicated team supporting Scrutiny rather than the hybrid models developed in many places.
- 1.4 After a few years it became time to revise the structure. This was partly to manage the effort expended, not always usefully, in Task and Finish Groups and also to raise the status of Scrutiny by making better use of the back benchers desire and ability to undertake detailed work through engaging experts, the public and others in properly constituted public meetings.
- 1.5 Further the random way in which call ins could pop up at any committee made managing both individual work programmes difficult and added some problems in implementing decisions if the meetings programme was not favourable. Finally with the new powers and duties relating to Health Scrutiny it was clear that this needed a dedicated body.
- 1.6 Therefore from the 2004/2005 municipal year a number of changes were made. An Overview & Scrutiny Committee (OSC) was created to oversee the panels and the budget and look strategically at areas not covered by other bodies. The Chair of this body received an enhanced SRA higher than that of Cabinet members and only lower than that of the Leader. Four Standing Panels were created that were able to make recommendations directly to Cabinet and other

¹ Special Responsibility Allowance, extra money to Councillors holding positions of particular responsibility.

decision makers plus four or five “Ad Hoc” Panels which were a way of formalising the Task & Finish activity in a manageable way and being essentially a body that looked at a topic over a year. Their reports had to be endorsed by OSC before going to a decision maker. One of the Standing Panels was created entirely to handle Call-ins and the other to consider Health.

- 1.7 After the elections in 2006, when there was a change of administration, the incoming Councillors broadly kept the same structure. The Standing Panels were refreshed becoming Education Leisure and Children’s Social Services; Council, Business and Community Partnerships; Health Housing and Adult Social Services and Transport and Environment. These broadly covered all aspects of the Council’s business and beyond. Ad Hoc Panels were renamed “Specialist Panels”.
The SRA arrangements were reviewed as part of cost cutting measures and the Chairs of OSC and the Standing Panels received the Cabinet level SRA.
- 1.8 This structure remained in place for the whole of the 2006/2010 administration.
- 1.9 In 2010 there was another change of administration with Scrutiny remaining unaltered though with different members.
- 1.10 However, for the year 2011/2012 and onwards the age of austerity saw the necessity for Scrutiny to bear its fair share of the savings required of the whole council. Therefore there was a reduction in scrutiny support, while still maintaining the principle of dedicated officers. Thus the support changed from four FTE to 2.3.
- 1.11 Attempting to maintain quality rather than quantity the strategic decision was taken not to attempt covering all the activities of the Council and its partners but focus on key areas of interest.
- 1.12 Thus the only Standing Panel that remains is the Health and Adult Social Services Panel; extremely necessary in the current changing Health Landscape.
- 1.13 There are three theme based “Scrutiny Review Panels” which, depending on members wishes either operate by focussing exclusively on a topic for a year or take a number of reports around a theme making recommendations as appropriate.
- 1.14 OSC continues to handle Call-ins and picks up key items not dealt with elsewhere.

Characteristics of Scrutiny in Ealing

- 1.15 Although structures have changed over the years there are a number of positive elements that are embedded and help to contribute positively to its work for residents.
- 1.16 **Limited Party Politics** is often noticeable particularly if it is the appropriate topic and task for the members and a good discussion would not enable a member of the public to distinguish Party allegiance. We also ensure that all three political groups are represented on all Scrutiny bodies. We have also maintained the principle of a member of the opposition chairing a Panel and

vice chairs being of an opposite party and involved in all aspects of the work.

In many ways this reflects the mature political culture in Ealing where the role of opposition is welcomed. For example Ealing is one of few authorities who have a fully constituted Shadow Cabinet who can call in key decisions; a power also enjoyed by the second minority group and any five councillors.

- 1.17 **Executive Co-operation**, though invariably mixed, is helped by a Leader who was a former OSC Chair, while Corporate Board takes a keen interest, receiving regular reports and is prepared to encourage officer participation in many cases. A typical example of Scrutiny's place in Ealing was that Ealing's examination of the riots in the summer of 2011 was done through Scrutiny rather than any other way.
- 1.18 **Process avoidance** is achieved through not having structures that automatically handle executive or other reports to enable members to focus on areas of interest though this does, sometimes, limit relevant pre-scrutiny.
- 1.19 **Public and Partner Involvement** over the years has been reasonably successful with a plethora of significant figures appearing before Scrutiny bodies, a large number of irrelevant co-optees, and many useful contributions from the public.
- 1.20 Obviously members might take a different view of success over the years and it is clear that successful Scrutiny is highly dependent on members' interests and skills and desire to drive improvement,

2. Legal Implications

- 2.1 The general scrutiny functions and powers and specific role of Overview and Scrutiny Committee and other bodies are set out in the Council Constitution. Any recommendations that go to Cabinet will have further comments by legal officers on any legal implications

3. Financial Implications

- 3.1 There are no direct financial implications arising from this report. Support to Scrutiny Review Panel 1 is contained within the allocated budget. Any recommendations that go to Cabinet will have further comments by finance officers on any financial implications

4. Other Implications

- 4.1 There are no other implications arising from this report.

5. Background Papers

- 5.1 Ealing Council's Constitution, available at www2.ealing.gov.uk/services/council/council_constitution/.

Consultation

<i>Name of Consultee</i>	<i>Department</i>	<i>Date Sent to Consultee</i>	<i>Date Response Received from Consultee</i>	<i>Comments Appear in Report Para:</i>
Internal				
Helen Harris	Director of Legal and Democratic Services	24/6/13	25/6/13	
Cllrs Young & Gordon	Chair & Vice-Chair	20/6/13		
External				
None				

Report History

Decision Type:			
Non-key decision		No	
Authorised by Cabinet Member:	Date Report Drafted:	Report Deadline:	Date Report Sent:
			25/6/13
Report No.:	Report Author and Contact for Queries:		
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