



Association of
Democratic Services
Officers

Submission from Association of Democratic Services Officers (ADSO) to the Government's response to the Communities and Local Government (CLG) Select Committee inquiry into overview and scrutiny in local government

ADSO is a professional organisation established in 2009 to support those working in the democratic and governance roles within local authorities in England, including scrutiny. We provide a range of benefits to our members, including professional qualifications and training. We operate regionally and have a national board elected annually. With over 950 members we have become an established voice for the sector. We encourage shared learning and building on best practice.

We very much welcome the Government's conclusions, in the main. We are particularly pleased that the Government will consider how to ensure external providers working in the public sector will be subject to scrutiny. We believe that it is important for good governance and accountability for there to be a level and consistent playing field. We also agree, that whilst we all want scrutiny to succeed, it would be wrong to impose structures on local authorities. It is fine balance.

Whilst there are excellent examples of innovation up and down the country, we are concerned that more and more is expected of scrutiny (particularly in relation to external partners) against a backdrop of reduced resources and support across most authorities.

Additional comments are set below. We are conscious that the Government is looking to consider some of the recommendations further, and we are more than happy to assist in that exercise in view of our expertise in this area.

Recommendation 1: Proposed revisions to Government guidance on scrutiny committees (Page 7)

7 (a) A number of our members are pondering the likely impact of a change to the legislation requiring scrutiny reports to be submitted to full Council. It is worth noting that full Council cannot change executive decisions, only recommend alternatives, so many hours could be spent by full Council debating things which would need to be referred back for reconsideration. This could cause major delays. Most Councils produce some sort of annual report to full Council that includes a 'recommendation tracker' so that full Council can see how many recommendations from Scrutiny the Executive have taken on board. We are hopeful that any changes will be mindful of the above risk and avoid a sizeable increase to the number of Council agenda items and meetings required. This is a specific example where we could assist, along with member access to information.

7 (b) Agreed.

7 (c) Agreed. ADSO would be very willing to help with this additional work.

7 (d) Agreed but our comment in relation to reduced resources applies.

7 (e) Agreed but we would add 'service providers' as well as 'service users'. Both can make important contributions to improving the way services are delivered.

Recommendation 2: That DCLG works with the Local Government Association and Centre for Public Scrutiny to identify willing councils to take part in a pilot scheme where the impact of elected chairs on scrutiny's effectiveness can be monitored and its merits considered (Paragraph 35).

Again, ADSO would welcome the opportunity to be involved in these discussions.

Recommendation 3: Councils should be required to publish a summary of resources allocated to scrutiny, using expenditure on executive support as a comparator (Paragraph 62)

We agree with the Government's response.

Recommendation 4: That the Government extend the requirement of a Statutory Scrutiny Officer to all councils and specify that the post-holder should have a seniority and profile of equivalence to the council's corporate management team. To give greater prominence to the role, Statutory Scrutiny Officers should also be required to make regular reports to Full Council on the state of scrutiny, explicitly identifying any areas of weakness that require improvement and the work carried out by the Statutory Scrutiny Officer to rectify them (Paragraph 65).

We agree with the principle of the Government's response – that this is best left to local choice - but we can understand the point being made by the Select Committee. The lack of support and regard given to scrutiny in some authorities is a concern. ADSO is involved in training scrutiny councillors who commonly complain about the way scrutiny is treated by the Executive's within their authorities. The responsibility for ensuring effective scrutiny rests with the Chief Executive. Yet their role in practice can be more aligned to the Leadership and the Executive, leaving scrutiny almost as the 'poor relation'. More should also be done to promote the role of the scrutiny councillor so that the more able member sees scrutiny as more than just a stepping stone to being on the Cabinet.

Recommendation 5: The Department to put monitoring systems in place and consider whether the support to committees needs to be reviewed and refreshed. We invite the Department to write to us in a year's time detailing its assessment of the value for money of its investment in the Local Government Association and on the wider effectiveness of local authority scrutiny committees (Paragraph 76).

We generally agree with the Government's response.

Recommendation 6: Scrutiny committees must be able to monitor and scrutinise the services provided to residents. This includes services provided by public bodies and those provided by commercial organisations. Committees should be able to access information and require attendance at meetings from service providers and we call on DCLG to take steps to ensure this happens (Paragraph 90).

As advised we are encouraged by the Government's response to this recommendation although our point above about increased workload and reduced resources applies. We agree that there is scope to include openness and transparency into contracts and any support to embed that expectation would be positive. We would be willing to assist with this and any other matters.

Recommendation 7: The Government to make clear how LEPs are to have democratic, and publicly visible, oversight. We recommend that upper tier councils, and combined authorities where appropriate, should be able to monitor the performance and effectiveness of LEPs through their scrutiny committees. In line with other public bodies, scrutiny committees should be able to require LEPs to provide information and attend committee meetings as required (Paragraph 96).

We do not disagree with the Government's response. This is another example however of scrutiny being asked to take on more responsibility and workload with ever diminishing resources.

Recommendation 8: We are concerned that effective scrutiny of the Metro Mayors will be hindered by under-resourcing, and call on the Government to commit more funding for this purpose. When agreeing further devolution deals and creating executive mayors, the Government must make clear that scrutiny is a fundamental part of any deal and that it must be adequately resourced and supported. (Paragraph 104)

We welcome the Government's response.

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