



Centre for Governance and Scrutiny

# The scrutiny protocol

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# Setting the scene

- Government's objectives: "levelling up"
- Enhanced expectations around governance: The English Devolution Accountability Framework
- Dealmaking, and the "trailblazers"
- Likely post-election scenario: the "Take Back Control Act"

# Scrutiny in CAs

- Members of all constituent authorities represented
- It's emerged that CA scrutiny needs to look and feel quite different from LA scrutiny...
- ... but engaging with members on that reality has been challenging
- Resourcing has been a challenge, but has been improving

# The scrutiny protocol

- Published yesterday!
- Aims to set standards / expectations around effective scrutiny in CAs
- Follows closely a model we recommended to GMCA as part of a review last year
- Complements the 2019 statutory guidance
- Will form a key component of Government's view of areas' readiness for enhanced Mayoral deals



## Why?

- A sense that CA scrutiny has been ineffective;
- A sense that CA governance, overall, has been ineffective!
- Recognition that the original streamlined CA governance model hasn't worked
- Recognition that locally-led public accountability needs to be a part of the “devolution settlement”

# The scrutiny protocol: contents

18 principles, including:

- Single committee model favoured
- Pool of members (allowing for substitution)
- Politically and geographically balanced membership
- Independent (minded) chairing
- Member appointments made on basis of interest and skills
- Well-resourced training
- Drawing in technical expertise
- Remuneration

# The scrutiny protocol: contents

- Focus on Mayoral accountability (including separate three-monthly public-led MQT)
- Balanced of pre-decision and post-decision scrutiny
- Dissuasion from call-in
- Work programming informed by performance monitoring
- Focused task and finish work
- Strong links with partners
- Regular self-evaluation
- Expectations around use of Oflog data
- Good relationships with Audit Committees

# What it means

Broadly speaking reflects much of the good practice that CfGS talks about (with some important areas of divergence!)

Much more directive than existing guidance

A step change in expectation, requiring more resourcing and oversight

A step change in culture and behaviours

A tough ask of DSOs and scrutiny officers

A tough ask of members!



# What it means for LAs

- Scrutiny operations will be more central to dealmaking
- Aspects of practice likely to “leak” through to LA scrutiny in CA areas – eg arguments for opposition chairing (especially given increased Gov focus on governance – Oflog etc)
- Possible changes for county areas pursuing deals – uncertainty about exactly how this will impact on existing counties

# Labour's position

- CAs, and current structures overall, likely to remain
- Devolution as a default for a variety of policy areas – to combined authorities and individual authorities
- Strengthened scrutiny as a core element of these arrangements (as a way of assurance fiscal devolution)
- Local PACs may form a possible model, particularly at sub-regional level



## Discussion

**Q: What is your take on these new expectations?**

**Q: Do you think they will come to influence and inform how scrutiny is carried out at a “local” level?**

**Q: Is this an opportunity, a threat, or a bit of both?**

**Q: What kind of support do DSOs, and scrutiny officers, need if scrutiny is to be reformed in the way suggested in the Protocol?**

**Q: Do you have any broader expectations / aspirations regarding scrutiny as we approach the election?**