

CORPORATE SCRUTINY COMMITTEE

**MEETING TO BE HELD AT 2.00 PM ON FRIDAY, 8 MARCH 2024
IN MEETING ROOM 1 - WELLINGTON HOUSE, LEEDS**

A G E N D A

Please note that this meeting will be filmed for live or subsequent broadcast via the Combined Authority's internet site. At the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. Generally, the public seating areas will not be filmed; however, by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting. If you have any queries regarding this, please contact Governance Services on 0113 251 7220.

- 1. APOLOGIES FOR ABSENCE**
To note apologies and confirm **the quorum of 11 members is met.**
- 2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS**
- 3. POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC**
- 4. MINUTES OF THE MEETING HELD ON 19 JANUARY 2024**
(Pages 1 - 6)
- 5. CHAIR'S COMMENTS AND UPDATE**
- 6. MAYORS QUESTIONS - TRACY BRABIN**
(Pages 7 - 18)
- 7. MEMBERS REPORT - SCRUTINY PROTOCOL REVIEW**
(Pages 19 - 60)
- 8. WORK PROGRAMME**
(Pages 61 - 70)

Signed:



**Chief Executive
West Yorkshire Combined Authority**



MINUTES OF THE MEETING OF THE CORPORATE SCRUTINY COMMITTEE HELD ON 19 JANUARY 2024 IN CONFERENCE ROOMS 1/2, WELLINGTON HOUSE, 40-50 WELLINGTON STREET, LEEDS, LS1 2DE.

Present:

Barry Anderson (Chair)	Leeds City Council
Brenda Monteith (Deputy Chair)	Calderdale Council
Alan Griffiths	Bradford Council
David Nunns	Bradford Council
Aneela Ahmed (Sub)	Bradford Council
Mike Barnes	Calderdale Council
Jane Dawson	Leeds City Council
Tony Hames (Sub)	Wakefield Council
Richard Forster	Wakefield Council
Betty Rhodes	Wakefield Council
Andrew Waller	City of York Council

In attendance:

Ben Still	West Yorkshire Combined Authority
Alan Reiss	West Yorkshire Combined Authority
Sarah Eaton	West Yorkshire Combined Authority
Angela Taylor	West Yorkshire Combined Authority
Caroline Allen	West Yorkshire Combined Authority
Khaled Berroum	West Yorkshire Combined Authority

21. Apologies for absence

Apologies for absence were received from Councillors Paul Wray, Rahat Khan, Jo Lawson, Susan Lee- Richards, Samantha Harvey, Ralph Berry and Moses Crook.

Councillors Tony Hames and Aneela Ahmed substituted for Councillors Samantha Harvey and Ralph Berry respectively.

The meeting was confirmed as quorate with 11 members present (out of 11 needed for quorum).

22. Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

23. Possible exclusion of the press and public

There were no items requiring the exclusion of the press and public.

24. Minutes of the meeting held on 24 November 2023

Resolved: That the minutes of the meeting held on 24 November 2023 to be approved.

25. Chair's comments and update

The Chair confirmed that Mayor's Questions was postponed from this meeting until 8 March due to the Mayor's availability and an additional meeting on the 1 March will now take place to cover the original agenda items planned for the 8 March meeting.

Resolved: That the Chair's verbal update be noted.

26. Level 4 Devolution

The Director for Strategy, Communications and Intelligence presented a report summarising the additional powers, flexibilities and functions available to the CA through the Level 4 Devolution Framework, alongside timescales for the CA to submit an application and the process for implementing the Government's Scrutiny Protocol.

Questions and discussion centred around the following main headings:

Funding and autonomy

- A single settlement "Trailblazer" deal, with additional funding and greater spending autonomy which Greater Manchester and West Midlands have secured, was not offered to any new authorities in this round and the government is still reviewing how elements of the deal will work in those two areas.
- The Level 4 Devolution offer is a stepping stone to a Trailblazer deal and whilst not providing any additional funding it does give the CA the ability to consolidate funding into two pots, based on source to allow for flexibility in moving funding between previously 'ringfenced' funds from the Department of Levelling Up, Housing and Communities (DLUHC) and Department of Transport (DfT).
- Level 4 Devolution also removes the current requirement for "Gateway Reviews" by the government for Gainshare funding for those authorities which have already been through them.
- Many local authorities are currently in financial difficulty and the Mayor intends to mention this within the letter to government noting that local authorities' capacity to deliver directly impacts the CA's ability to deliver, as many of its schemes and programmes are delivered by local authority partners.
- The government has recently published a Funding Simplification Doctrine, covering all local authorities, which intends to simplify – similarly to combined authorities – how local authorities can spend capital funding. E.g. future funding will be added to existing funding

streams rather than a new one which would usually be ringfenced and governed and monitored differently.

- As Level 4 Devolution comes with no additional funding, any additional powers or functions the CA would receive would need to be delivered through existing resources and budgets – which would need to be reviewed when the new devolution deal is finalised.
- The consolidation of different funding streams into pots however would allow for greater efficiency in deploying funds, including to support delivery and administration, which would be a significant benefit to the area.

Timeline, approvals and consultation

- The Mayor and Leaders agreed at the Finance, Resources and Corporate Committee held on 18 January 2024 to submit a letter expressing interest in Level 4 Devolution to the government, by the 31 January 2024 deadline. The letter would be circulated to scrutiny members in due course.
- Subject to approval by the Secretary of State, the CA would then enter into negotiations with government on the details of the deal.
- The CA and all constituent councils would then need to discuss and approve the deal before it is formally approved – as was the case in 2020/21.
- If any particular council does not agree with any particular element of the new powers, then the CA would proceed without that element as part of the final agreement.
- It is expected, but not guaranteed, that any announcements will be made around Budget time in early March before the pre-election period begins.
- There is no statutory requirement at this stage to consult with the public and no formal plans to do so although elements of the Deal could require consultation at the next stage of the process..
- Members reported not being briefed or consulted on the L4 devolution framework and its details within their own councils. It is important that the Combined Authority and the partner authorities' brief members since approval from each council and most members is needed for any new devolution deal to be agreed.
- The CA has confirmed with the government that it does meet the eligible criteria for Level 4 devolution – as a current 'Level 3 institution' – and the Chief Operating Officer is responsible within the CA to ensure it remains so.
- Readiness conditions for an area are based on the eligibility of the combined authority and not the constituent authorities within it. If a constituent authority within a CA area filed a Section 114 notice, the CA would still be eligible as has been the case in the West Midlands where the CA is on the "Trailblazer" path while Birmingham Council filed a Section 114.

Powers from local authorities to the Combined Authority:

- Currently, the government has said that the additional powers around Transport and Employment and Skills on offer must be taken in full –

“all or nothing”. A number of Transport functions currently set out within the Framework are delivered by local authorities.

- Despite this, the CA is still negotiating the details as the government have not yet clarified exactly how some of the new powers would be exercised e.g. taxi licensing, pavement parking enforcement.
- The CA’s position is that it is not seeking to take on any function of local authorities in the region and that devolution is power devolved from central government to local areas – rather than from local authorities to combined authorities.
- Any role the CA is likely to have in the future on areas that the local authorities currently have statutory responsibility for, such as public health, would not impact on the local authority role in delivering functions at a locality level.
- The CA and five local authorities are currently refreshing and further developing the “principles of partnership working” to ensure that the partnership of six continue working efficiently together in any eventuality, regarding new powers.
- One of the principles concerns ‘sovereignty’ with agreement that the CA will not progress in a way that reduces the ‘sovereignty’ of the constituent authorities.
- On housing and land, there are no proposals within the Level 4 Devolution Framework to give the CA spatial planning powers. This element reflects what West Yorkshire does already, i.e. a ‘Strategic Place Partnership’ with Homes England chaired by the Mayor.
- Responsibility for Electric Vehicle (EV) charging infrastructure is not mentioned but the CA has funded EV charging facilities in different areas, is possibly expecting further funding from the Office for Zero Emission Vehicles and has drafted a Local Electric Vehicle Infrastructure (LEVI) Strategy which demonstrates a case for a common regional approach and coordination.
- On Public Health, the CA would not have the statutory responsibility that Councils discharge through their Directors of Public Health. The CA would instead adopt and further develop the Health in all Policies approach, in considering public health issues where it was relevant to existing CA functions and strategies e.g. employment, traffic pollution and housing quality.
- The CA currently has an Associate Director of Public Health, seconded from the Integrated Care Board (ICB), to oversee much of this work. A note on this area of work would be circulated to members.

Scrutiny Protocol

- At the previous Corporate Scrutiny Committee on 24 November 2023, a working group was established to engage in a member-led review of the Scrutiny Protocol and make recommendations to the CA on implementation and compliance.
- The CA needs to write to the Secretary of State to confirm and explain the implementation of the Scrutiny Protocol within a year of any L4 devolution agreement.
- The working group is due to meet on 29 January and 16 February 2024, with a final report returning to Corporate Scrutiny Committee on

the 1 March 2024 before being considered by the CA later in March – which has the final decision on any governance matters, including scrutiny arrangements. Allowance levels are set by independent remuneration panels (IRPs).

- The Deputy Director for Legal, Governance and Compliance is the responsible officer within the CA for governance and scrutiny arrangements.

Resolved:

- i) That the report and the Committee's feedback be noted.
- ii) That further information on the Combined Authority's role in EV charging and public health, the Scrutiny Protocol working group's terms of reference, the Level 4 Devolution letter be circulated to Members.
- iii) That a future item on the Combined Authority's role in public health strategy be considered, with the Associate Director for Public Health in attendance.

27. Work Programme

Resolved:

- i) That the work programme be noted.
- ii) That the new date and time for the next meeting on 1 March at 9.00 am – 11.00 am be noted.

28. Date of the next meeting – 1 March 2024

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Report to:	Corporate Scrutiny Committee
Date:	8 March 2024
Subject:	Mayor's Questions
Director:	Alan Reiss, Chief Operating Officer
Author:	Katie Wright, Scrutiny Support Officer

1. Purpose of this report

1.1 To introduce the Mayor's Questions session.

2. Information

2.1 Every year the Mayor of West Yorkshire is invited to each of the Combined Authority's scrutiny committees at least once to answer the Committee's questions on any matter related to that committee's remit in a public setting.

2.2 It is an opportunity for Scrutiny Members to hold the Mayor directly to account for the policies they adopt, the money they spend, the decisions they make, the services they are delivering and the outcomes they are achieving for the people of West Yorkshire.

2.3 This year the Mayor is scheduled to attend the following Mayor's Questions sessions at scrutiny committees:

Date	Committee	Time	Location
1 December 2023	Transport & Infrastructure Scrutiny	10am	Wellington House, Leeds
12 January 2024	Economy Scrutiny	10am	Wellington House, Leeds
8 March 2024	Corporate Scrutiny	2pm	Wellington House, Leeds

2.4 The session is divided into sections, each with a topic heading, which Members can ask related questions on; every Member will have the opportunity to speak and ask follow-up questions to their original question.

2.5 The minutes of the previous Mayors Questions sessions at the Corporate Scrutiny Committee, which took place on 19 November 2021 and 18 November 2022, are attached as **Appendices 1 and 2** for reference.

3. Tackling the Climate Emergency Implications

3.1 There are no climate emergency implications directly arising from this report.

4. Inclusive Growth Implications

4.1 There are no inclusive growth implications directly arising from this report.

5. Equality and Diversity Implications

5.1 There are no equality and diversity implications directly arising from this report.

6. Financial Implications

6.1 There are no financial implications directly arising from this report.

7. Legal Implications

7.1 There are no legal implications directly arising from this report.

8. Staffing Implications

8.1 There are no staffing implications directly arising from this report.

9. External Consultees

9.1 No external consultations have been undertaken.

10. Recommendations

10.1 To question the Mayor of West Yorkshire, Tracy Brabin, on matters pertaining to the remit of this Scrutiny Committee.

11. Background Documents

There are no background documents referenced in this report.

12. Appendices

Appendix 1 – Minutes: Corporate Scrutiny Mayors Questions – 19 November 2021

Appendix 2 – Minutes: Corporate Scrutiny Mayors Questions – 18 November 2022



**MINUTES OF THE MEETING OF THE
CORPORATE SCRUTINY COMMITTEE
HELD ON FRIDAY, 19 NOVEMBER 2021 AT COMMITTEE ROOMS 6/7,
LEEDS CIVIC HALL, CALVERLEY ST, LEEDS, LS1 1UR**

Present:

Councillor Mike Barnes	Calderdale Council
Councillor Andrew Cooper	Kirklees Council
Councillor Paul Davies	Kirklees Council
Councillor Jane Dowson	Leeds City Council
Councillor Jacob Goddard	Leeds City Council
Councillor Peter Harrand (Chair)	Leeds City Council
Councillor Tony Homewood	Wakefield Council
Councillor George Robinson	Calderdale Council
Councillor Melanie Stephen	Kirklees Council
Councillor Jeanette Sunderland	Bradford Council
Councillor Carol Thirkill	Bradford Council
Councillor Geoff Winnard (Deputy Chair)	Bradford Council

In attendance:

Mayor Tracy Brabin	West Yorkshire Combined Authority
Khaled Berroum	West Yorkshire Combined Authority
Ben Still	West Yorkshire Combined Authority
Angela Taylor	West Yorkshire Combined Authority

1. Apologies for absence

Apologies for absence were received from Councillors David Jones, Rachel Melly, Betty Rhodes, and Megan Swift.

The meeting was confirmed as quorate, with 12 members present out of 11 needed for quorum.

2. Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

3. Possible exclusion of the press and public

There were no items requiring the exclusion of the press and public.

4. Notes of inquorate meeting held on 24 September 2021

Resolved: That the notes of the inquorate meeting held on 24 September 2021 be noted and entered as public record of what was discussed.

5. Scrutiny and governance arrangements

The Committee considered a report of the Statutory Scrutiny Officer outlining membership changes since the last meeting and amendments to Scrutiny Standing Orders section on substitute rules to be proposed to the Combined Authority on 9 December.

The Chair welcomed new member Councillor Tony Homewood, representing Wakefield Council, to the committee.

The Committee thanked officers for considering their proposals on scrutiny substitutes and implementing the changes.

Resolved: That the report be noted.

6. Chairs comments and update

The Committee received a verbal update from the Chair on his activity since the last meeting and a number of matters, including:

- The three Scrutiny Chairs have written a joint letter with Mayor Tracy Brabin to the Secretary of State for Levelling Up, Housing & Local Government, Michael Gove, asking him to consider lowering statutory quorum requirements for combined authority scrutiny and allowing remote or hybrid meetings.
- Meeting with Mayor Brabin 1-1 to discuss the corporate scrutiny workplan and the committee's plans for the year. The Mayor outlined her own plans and expressed support for scrutiny's critical friend role.

Resolved: That the Chair's verbal update be noted.

7. Corporate Scrutiny Work Programme

The Committee considered a report of the Statutory Scrutiny Officer outlining the 2021/22 Work Programme which was based on the discussion held at the previous inquorate meeting and subsequent conversations with directors and heads of service.

It was suggested that a special budget focused workshop be set up between 9 December and the Christmas Break for Members to be briefed on the latest draft budget and the budget and business planning process ahead of the fuller draft budget coming to Corporate Scrutiny at the 21 January committee meeting (before it is approved at the 3 February CA meeting).

Resolved:

- i) That the appended 2021/22 Work Programme be approved.
- ii) That a Budget Workshop for Members be arranged between 9 December and Christmas.

8. Mayor's Question Time - Tracy Brabin

The Chair thanked the Mayor Tracy Brabin for attending Corporate Scrutiny to answer the Committee's questions and outlined the format of the Mayor's Question Time. The session would be split into pre-agreed topic areas and members would be able to ask any questions under those topic areas, and any follow ups.

The topic areas were:

- Devolution settlement and powers vs Mayoral 'soft power'/influence
- Partnership working across West Yorkshire and strategic alignment
- Gainshare spending and Budget and business planning
- Internal corporate matters

Before questions, the Mayor provided an update on the government's announcement cancelling HS2 and its potential impact on the CA's work.

Following questions and supplementary questions, the following was reported to the committee:

1. **Direct mayoral powers:** Mayors' powers differ by area as each devolution deal is bespoke. Manchester and West Yorkshire have police powers, but Manchester also has health powers and additional spatial planning powers. West Yorkshire's planning powers may be expanded following national planning reforms planned by the government and it is felt that additional powers on climate related issues are important to tackle environmental issues, in particular when related to buses and other existing transport issues, which still require government's final approval.
2. **Soft power, profile and influence:** A significant part of mayoral power is 'soft power' that is based on profile, influence and relationships. The Mayor spends a lot of time building and maintaining relationships with a range of stakeholders, from the partner councils, to local transport operators, and government ministers. As a former MP the Mayor has a number of pre-existing relationships with ministers and council leaders, and the goal of current communications activity is to raise the authority and mayor's profiles to increase soft power capacity. There is a balance to be made between working with central government constructively and criticising some decisions as necessary.
3. **Bidding for funding:** A lot of the Combined Authority time is spent identifying or bidding for funding. Officer capacity for this has increased over the years and the CA has been relatively successful in the level of funding won, in particular, the largest growth deal. The capacity to participate in bidding and securing funds is also under review. It can be time consuming and repetitive and many consider requiring central government approval for local plans is not quite within the spirit of devolution.
4. **Gainshare spending strategy:** is a new form of local government

spending which a Mayoral Combined Authority can spend on anything at all. There are concerns that Gainshare spending would be used as a 'slushfund' or be distributed along 'political' lines. There is a debate as to whether the money should be distributed equally between council areas or spent strategically to fulfil the Mayor's manifesto pledges and schemes with the highest overall impact, focusing on outcomes/outputs. Current plans are to ensure that all Mayors Pledges have spending and activity against them and all Gainshare spending requests be judged against how they will achieve strategic objectives. All spending will go through the usual decision-making processes at public committee meetings and are subject to scrutiny call-in to avoid any undue favouritism and absence of rigour.

5. **Borrowing against Gainshare:** There is also the potential to borrow against Gainshare to increase level of long-term investment. This possibility is being explored as part of budget planning for next year and medium term. It is possible to borrow, and there are advantages to using it to raise extra money for investments, especially as Gainshare is not indexed to inflation over the 30 years. Borrowing also has its risks and downsides which must be explored thoroughly, not least 'tying' the hands of successors and increasing the organisation's debt commitment costs over time. The CA currently borrows from the Public Works Loan Board, as all local government, as per its treasury management policy overseen by the Audit Committee.
6. **Budget and business planning:** Budget planning across local government is difficult this year in the wake of COVID-19. At the CA, the biggest challenges are risks in transport funding, potential pay award, and the risks arising from uncertainty about government funding as Growth Deals and European funding comes to an end this year. Commitments have been made not to introduce a mayoral precept or increase the transport levy in this financial year, so work is ongoing to find savings to ensure the budget is balanced. The current target is to plan to mayoral term lengths – the first term being three years and then the four years after as most business planning is now being aligned to mayoral pledges which have informed corporate priorities.
7. **Partnership working and strategic alignment across councils:** The Mayor and council leaders work closely. Council leaders are not only members of the CA, but the Mayor and leaders meet frequently to lead the organisation and ensure that activity, policies and investments are aligned and in the region's benefit. This level of partnership is a core part of the CA's decision-making structures and good working relationships between the leaders and Mayor is vital. The Mayor does not instruct council leaders on policies for their area, which they are best placed to know.
8. **ESG (Environmental, Social, and Governance) / EDI (Equality, Diversity, Inclusion):** ESG/EDI issues have increased in prominence as a key Mayoral strategic priority. Work is underway to recruit a regional Inclusivity Champion and inclusivity impact and assessment has now been deployed in all reports (and assurance framework

analysis) and new services and policies are being developed to plug inclusion gaps (e.g. quotas in programmes targeting individuals/communities). There is still work underway to assess and determine a way forward in terms of ESG and procurement and seeking living wage accreditation in the organisation's suppliers and partners (as the CA already pays living wage to employees). It is considered vital that the authority 'practices what it preaches' in this area.

9. **6 months in – first impressions:** The Mayor's role is very diverse. Sometimes there is a lot of focus on PR and building profile, meeting people and representing the region in the media and at events. On the other hand is the decision making and strategizing and building ideas in meetings. There has been a steep learning curve but the organisation has been well equipped to onboard a new Mayor. Some changes were needed, in building a new bespoke Mayor's office and in increasing external comms capacity to cater to the needs of a Mayoral operation.

Resolved: That the Mayor be thanked for attending and the Committee's feedback and conclusions be considered further.

9. **Date of the next meeting - 21 January 2022**

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**MINUTES OF THE MEETING OF THE
CORPORATE SCRUTINY COMMITTEE
HELD ON FRIDAY, 18 NOVEMBER 2022 AT CONFERENCE ROOM 1/2,
WELLINGTON HOUSE, 40-50 WELLINGTON STREET, LEEDS, LS1 2DE**

Present:

Councillor Mike Barnes	Calderdale Council
Councillor Moses Crook	Kirklees Council
Councillor Paul Davies	Kirklees Council
Councillor Jane Dowson	Leeds City Council
Councillor Alun Griffiths	Bradford Council
Councillor Peter Harrand (Chair)	Leeds City Council
Councillor Samantha Harvey	Wakefield Council
Councillor David Jones	Wakefield Council
Councillor Susan Lee-Richards	Kirklees Council
Councillor Brenda Monteith	Calderdale Council
Councillor Carol Thirkill	Bradford Council
Councillor Geoff Winnard (Deputy Chair)	Bradford Council
Councillor Paul Wray	Leeds City Council

In attendance:

Mayor Tracy Brabin	West Yorkshire Combined Authority
Hannah Scales	West Yorkshire Combined Authority
Ben Still	West Yorkshire Combined Authority
Angela Taylor	West Yorkshire Combined Authority

11. Apologies for absence

Apologies for absence were received from Councillors Betty Rhodes and Fiona Fitzpatrick.

The meeting was confirmed as quorate, with 13 members present out of 11 needed for quorum.

12. Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

13. Possible exclusion of the press and public

There were no items requiring the exclusion of the press and public.

14. Minutes of the last meeting held on 23 September 2022

Resolved: That the minutes of the meeting held on 23 September 2022 be approved.

15. Chair's comments and update

The Committee was introduced by the Chair who reminded Members of the process and proceedings for the Mayor's Question Time.

Resolved: That the Chair's verbal update be noted.

16. Mayor's Question Time

The Chair thanked the Mayor Tracy Brabin and officers for attending Corporate Scrutiny to answer the Committee's questions. The session would be split into pre-agreed topic areas and members would be able to ask any questions under those topic areas, and any follow ups. The topic areas were broadly around *Mayoral Powers and partnerships, Impact of Inflation and budgets and the Mayor's Pledges on Equality, Diversity & Inclusion*.

Mayoral Powers and "trailblazers":

- The Mayor wished to deepen devolved powers relating to skills, transport, climate, and culture.
- There were two "trailblazer" schemes taking place at the West Midlands and Greater Manchester combined authorities which sought to trial certain additional powers and funding models before potential rollout to other combined authorities.
- It is not currently known if previously promised planning powers would be part of this rollout and the future of fire authority devolution is also still in consideration.
- The importance of resourcing local authorities was emphasised, as the Mayor felt that the partnership could not be efficiently transformational when the five local authorities were facing financial and delivery challenges due to uncertainty and lack of long-term funding.

The M10 and soft power relationships:

- The Mayor had been elected Chair of the M10 which, as a group, was an effective way to come together as one 'voice' speaking on areas of mutual interest such as bus service funding and HS2/northern powerhouse rail. There are preliminary plans to make the M10 a more formal body, but this is in its infancy.
- The Mayor hoped to deepen her profile as a spokeswoman for the West Yorkshire region, the M10 and globally. She recently completed a trade delegation to India, securing some agreements and investments. The Inward Investment teams were increasingly seeing a demand from other countries to directly engage with City Mayors and Regional Governates, instead of only going through national ministries.
- The Mayor had also been accepted onto the Bloomberg Mayors Project, consisting of mayors across the world, and is part of the project the Mayor had been chosen to participate in a data track programme which aimed to deepen understanding of mass transit and bus reform.

- The Mayor continued to develop working relationships with Government Ministers, letters had been sent to new Ministers following the change in government – stability in ministers is welcomed after a period of changeover that was not ideal.
- All of these ‘soft power’ relationships and stakeholder engagement had benefited from the Mayor’s increasing profile among the public and the engagement strategy since her election.

Inflation, budgets, and mayoral precept and gainshare:

- The Mayor acknowledged the strain on budgets and reminded members of the partner and business packages on offer.
- Budget forecasting was consistent with the Combined Authority’s Local Authority partners and is based on national projections on inflation and expected national spending freezes in some areas.
- The Director for Corporate and Commercial Services had mapped out the budgets going forwards and the Combined Authority is in the midst of a complete in-depth review of capital programmes and schemes to see where money could be saved.
- The current cost management process is to prioritise phases of certain schemes instead of cancelling anything – as it is important that strategically sound projects are retained, and that the authority has ‘shovel ready’ schemes which can be ready to go as soon as government announce funding.
- It is estimated that around £270m will be taken out of the overall £1.4bn transport capital programme.
- The Mayor did not intend on implementing an increase on the Mayoral Precept, which, in any case, can only be spent on transport and on a specified thing – due to expected rises in council tax.
- The Mayor has used Gainshare funds to support cost of living alleviation programmes. Addressing concerns around Gainshare which is supposed to be used as investments for economic growth, in the Mayor’s view, the economy cannot grow or be sustained if people are unable to buy the basics.
- Internal procurement and contracts were also under review to ensure that the authority was receiving value for money from suppliers contracted to deliver services and upcoming launch of a new internal corporate system is also expected to save money long term.

Equality, Diversity & Inclusion (EDI) and equity across the region:

- The Golden thread running through the Mayor’s approach was equality, diversity, and inclusion. As part of this:
 - The Combined Authority was in the process of recruiting an Inclusivity Champion, a specific individual with a managerial and health background to lead on diversity, inclusion, and equality across West Yorkshire.
 - The Mayor was also keen to ensure that all parts of West Yorkshire benefit from combined authority activity and are represented in any profile building, trade delegations, inward investment queries and any services the authority provides.
- The Mayor considers “Levelling Up” locally as important as “Levelling Up” nationally. The council leaders were agreed in the need to promote the entire region as a whole, and often support each other in doing so,

instead of just promoting their areas.

Strategic prioritisation and Mayor's Pledges:

- The Mayor told the Committee that all pledges held equal weight of importance in her view, however, some pledges had already been achieved and others are still in progress or face strategic challenges.
- In terms of achievement, the pledge for 1,000 well paid, skilled jobs for young people had been achieved and in response to the 'put keeping women and girls safe at the heart of my policing plan' pledge, 20 PCSOs had been placed in the bus network.
- The Mayor was hopeful that despite cost pressures, all 10 of her pledges would be addressed by the May 2024 election.
- Though commitments such as the one to tackle the climate emergency was harder than others, and £40 million had been allocated to the pledge – though more funding would be needed to achieve it.
- Local authorities also worked together to ensure that all priorities could be achieved, supporting each other's strengths.
- Many schemes are jointly delivered with local authority partners, and everyone used each other's existing community networks to deliver pledges.

Resolved: That the Mayor, Chief Executive and Director of Corporate and Commercial Services be thanked for attending and the Committee's feedback and conclusions be considered further.

17. Corporate Scrutiny Work Programme

The Deputy Chair reminded members of the workshop to be held on 25 November at 2pm focusing on internal staff and workforce issues and plans. All members are invited to attend virtually. The Chair also reminded members of the budget workshop due to be held on 20 December at 11am, virtually, which all members are also invited to. The purpose of the workshops was to lay the groundwork for discussion of these topics at the next committee meeting on 20 January 2023.

Resolved: That the appended 2022/23 Work Programme be noted.

18. For Information - Corporate Update

19. Date of the next meeting - 20 January 2023

Report to:	Corporate Scrutiny Committee
Date:	8 March 2024
Subject:	Members' Report - Scrutiny Protocol Review
Director:	N/A
Author:	Khaled Berroum, Statutory Scrutiny Officer

1. Purpose of this report

- 1.1 To introduce the Scrutiny Protocol Working Group's report (**Appendix 1**) concluding its review of the government's Scrutiny Protocol and its recommendations.

2. Information

- 2.1 The government's new Scrutiny Protocol – published alongside the Autumn Statement in November 2023 – sets out the best practice for accountability and scrutiny within Mayoral Combined Authorities.
- 2.2 The Scrutiny Protocol was developed in consultation with scrutiny officers, chairs and members nationwide as well as academic and sectoral experts (Centre for Governance and Scrutiny, the House of Commons Library, Onward and The Bennett Institute at the University of Cambridge).
- 2.3 The full Scrutiny Protocol (available under "Background Documents") covers identifies 18 Key Principles and two additional principles, for a total of 20, which the working group's report mirrors.

Working Group's report

- 2.4 On 24 November 2023, the Corporate Scrutiny Committee – whose remit includes governance and assurance, including scrutiny arrangements – set up a Scrutiny Protocol Working Group with volunteers from all three scrutiny committees, to review the Protocol and make recommendations on how the Combined Authority can ensure compliance with all of the Key Principles.
- 2.5 This fulfilled a commitment from the previous review of Scrutiny in 2020/21 prior to the first mayoral election to review the current scrutiny arrangements before the end of the Mayor's first term.

2.6 The report constitutes an introduction, a summary 'vision', an executive summary of the 20 recommendation groups (one for each of the key principles) and over 60 total recommendations across the key principles.

3. Tackling the Climate Emergency Implications

3.1 There are no climate emergency implications directly arising from this report but, in general, an improved and robust scrutiny function will better monitor, scrutinise and drive improvements in all outcomes including those related to tackling the climate emergency.

4. Inclusive Growth Implications

4.1 There are no inclusive growth implications directly arising from this report but, in general, an improved and robust scrutiny function will better monitor, scrutinise and drive improvements in all outcomes including those related to inclusive growth.

5. Equality and Diversity Implications

5.1 There are no equality and diversity implications directly arising from this report but, in general, an improved and robust scrutiny function will better monitor, scrutinise and drive improvements in all outcomes including those related to EDI workstreams – and making improvements in how Scrutiny Members are selected, trained, supported and remunerated would likely attract a wider base of membership interested in the role.

6. Financial Implications

6.1 There are no financial implications directly arising from this report, but, in general, an improved and robust scrutiny function could better monitor, scrutinise and drive value for money improvements across the CA's activities and functions, internally, financially and strategically.

6.2 Successfully implementing and sustaining the Scrutiny Protocol has been cited by the central government as a key factor in securing deeper devolution deals which could secure greater financial autonomy in administering previously ringfenced departmental funding as single pots, which will allow for funds to be redeployed more flexibly than they are the moment, including on administrative efficiencies.

6.3 Any change in the number of formal committees, members, chairs, deputy chairs and general scrutiny member role profiles may change the level of remuneration and the overall amount spent on remuneration, in either direction, subject to review by an Independent Remuneration Panel – as required by law.

6.4 Extra resourcing for the procurement of member training and consultative-style advice and briefings from subject experts may require additional financial resource, but long-

term efficiencies are possible if bespoke re-usable training materials are procured on a one-off basis for delivery by internal staff long-term, for example.

- 6.5 There are unavoidable direct and indirect financial implications from increasing scrutiny activity and scope related to staff resource, outlined under the “Staffing Implications” heading below.

7. Legal Implications

- 7.1 There are no legal implications directly arising from this report, but the Combined Authority already complies with all statutory requirements relating to governance and scrutiny already as a matter of course.
- 7.2 The process for adopting a report and recommendations is outlined in Scrutiny Standing Order 11 – link to the Standing Orders:
<https://westyorkshire.moderngov.co.uk/documents/s34096/Part46ScrutinyStandingOrders.docx.pdf>
- 7.3 The Scrutiny Protocol is not legislation but government guidance. The Combined Authority’s constitution (Scrutiny Standing Order 16) obligates it to ‘have regard’ for government guidance in the formation and operation of its scrutiny function.
- 7.5 Scrutiny committees are not decision-making committees and may only make recommendations to decision-makers. The Combined Authority must decide all governance arrangements including scrutiny arrangements and procedures, within statutory limits, at a formal meeting.
- 7.6 Any changes to scrutiny arrangements must be considered in Annual Meeting/Council planning well in advance so that officers and elected members in the constituent councils are able to take it into account when they consider committee appointments following the elections and annual council seasons in May 2024.
- 7.7 There is a new statutory requirement for combined authorities to convene an Independent Remuneration Panel to assess and recommend allowances paid to members on scrutiny committees – which was already the established practice of the Combined Authority to date.
- 7.8 There is no statutory requirement for constituent authorities to approve combined authority scrutiny arrangements, in the same way as it is required for constituent authorities to approve devolution deals agreed with ministers. It is the Combined Authority members, co-opted from the constituent councils, who make that decision at the main Combined Authority meeting.

8. Staffing Implications

- 8.1 There are no staffing implications directly arising from this report, but the impact level depends on the committee model ultimately adopted.
- 8.2 Greater scrutiny activity in both quantitative and qualitative terms as required by the Protocol would necessarily involve greater direct and indirect staff resource to facilitate, including but not limited to; making budgets/finances available to scrutiny which need to be managed, more communications and marketing for scrutiny, greater policy/research/briefing support for scrutiny, training and development and more administrative/scrutiny support in general.
- 8.3 As a general rule, the greater the number of committees / sub-committees, co-opted members and formal meetings, the greater resource is necessary to administer them. The use of informal structures and platforms, such as working groups, evidence sessions, and individual scrutiny are not subject to the formalities of statutory committee meetings but would still require both admin and non-admin resource, such as research, analysis and policy recommendation.
- 8.4 Particular departments and teams would likely be affected by an enhancement of scrutiny activities more than others, including: scrutiny, committee services, Mayor's office and any portfolio holder support, communications and marketing, portfolio and programme management, research and intelligence, policy and development, corporate performance and strategy, and senior leadership team in general.
- 8.5 The Protocol and working group's report also addresses the situation with combined authority officer time and resource being requested at local authority's scrutiny committees on a regular basis.

9. External Consultees

- 9.1 No external consultations have been undertaken but the draft versions of the working group's report were circulated to scrutiny members on all three Combined Authority scrutiny committees and to the corporate and political leadership of the Combined Authority and local authorities.

10. Recommendations

- 10.1 That the Corporate Scrutiny Committee considers the working group's report and recommendations.

11. Background Documents

Scrutiny Standing Orders:

<https://westyorkshire.moderngov.co.uk/documents/s34096/Part46ScrutinyStandingOrders.docx.pdf>

Background documents are listed within the appended report.

12. Appendices

Appendix 1 – Scrutiny Protocol Working Group Members Report

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West
Yorkshire
Combined
Authority

Tracy
Brabin
Mayor of
West Yorkshire



Scrutiny Protocol Review

Corporate Scrutiny Committee
Members Report

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Introduction

Greater Devolution, Greater Scrutiny

This review was undertaken by Scrutiny Members led as a demonstration of an independent and honest assessment of where Scrutiny is now and where it needs to be in future to fulfil its duties.

It is a follow up review to the last review of scrutiny arrangements in 2020, after the agreement of a mayoral devolution deal, which resulted in the current scrutiny system in place since May 2021.

At the time, it was understood that greater devolution should require greater scrutiny – and that principle is still true now.

The public want to be assured that devolved funding and powers are being properly scrutinised and challenged.

The government published a new Scrutiny Protocol, co-developed with scrutineers and experts nationally, to support combined authorities in conducting good scrutiny and possibly accessing deeper devolution in the future.

The Protocol is a genuinely good summary of good scrutiny which all combined authorities should aim to implement.

It consists of 18 Key Principles and 2 additional principles which this working group was established to review and make recommendations on.

This report includes many comprehensive, wide-reaching recommendations based on the collective experience of scrutiny chairs, Members and officers over the years.

The recommendations form a long-term ambitious vision for an ideal Scrutiny function which adds genuine value and is right for the West Yorkshire Combined Authority.

The “Perennial Problem”

There’s a perennial problem with how Combined Authority governance structures were established, which has created a fundamental scrutiny deficit.

The only regional mayoral authority prior to their establishment in the English regions was in Greater London, whose Mayor is scrutinised by 25 directly elected full-time members (“AMs”), who have considerable coverage through an overarching body (“the London Assembly”), 13+ committees and a total support staff of over 100; including over 50 in committee services, over 20 scrutiny and research officers, and a team of dedicated comms and marketing officers.

In the West Yorkshire Combined Authority, Scrutiny is conducted by 48 part-time councillors, on top of their local council and ward duties and full-time jobs, across 3 separate co-equal committees supported by 2 officers.

The legislative basis and functions – as well as the geography, population, and budget (roughly three times more) – differ between West Yorkshire and London and even between different mayoral combined authorities.

This does not serve as an argument that what works in London and other mayoral areas will work in West Yorkshire, but the picture presents an idea of the scale and challenge of scrutinising complex activity at a regional county level compared to the resources and member time available.

For combined authorities, it was assumed that part-time councillors from constituent authorities who already have other responsibilities could be co-opted onto combined authority scrutiny committees to do the same job with less.

This was already a tall order, and as combined authorities and metro-mayors evolved and expanded in funding, powers, and profile – the order has become taller and taller, without commensurate resources to match.

Combined authorities are evolving and may change in the future but in the meantime, the Scrutiny Protocol and this report's recommendations attempt to bridge the gap of this scrutiny deficit and suggest creative, resourceful ways of working to ensure that Scrutiny is productive, challenging and makes a *provable* impact on the Combined Authority's outcomes and on lives of the people of West Yorkshire.

Terms of Reference

This working group was established on 24 November 2023 by the Corporate Scrutiny Committee to:

1. review the newly published Scrutiny Protocol and its Key Principles.
2. assess the Combined Authority’s current compliance with it.
3. make any recommendations needed in order to make improvements.
4. report any findings and recommendations to the appropriate decision-maker.

Membership

The responsibility for convening and approving this report and its recommendations falls within the remit of the Corporate Scrutiny Committee and the working group was chaired by that committee’s Chair.

However, the working group was a joint-scrutiny effort calling on members from all three scrutiny committees and seeking representation from all council areas and political parties.

Member	Scrutiny Committee	Council	Party
Cllr Aneela Ahmed	Economy	Bradford	Labour
Cllr Barry Anderson (Chair)	Corporate (Chair)	Leeds	Conservative
Cllr Kayleigh Brooks	Transport & Infrastructure	Leeds	Labour
Cllr Bob Felstead	Economy (Deputy)	Bradford	Conservative
Cllr Samantha Harvey	Corporate	Wakefield	Conservative
Cllr Charlie Keith	Transport & Infrastructure	Wakefield	Labour
Cllr Susan Lee-Richards	Corporate	Kirklees	Green
Cllr Dave Merrett	Transport & Infrastructure	York	Labour
Cllr Amanda Parsons-Hulse	Transport & Infrastructure (Chair)	Calderdale	Lib Dem
Cllr Andrew Pinnock	Transport & Infrastructure (Deputy)	Kirklees	Lib Dem
Cllr Richard Smith	Economy (Chair)	Kirklees	Conservative

The Working Group was also advised in part by Debbie Simpson, Independent Chair of the Combined Authority’s Governance and Audit Committee, at their first session.

Timeline

- 22 November 2023 – Scrutiny Protocol published as part of the Autumn Statement
- 24 November 2023 – The working group and its terms of reference was established
- December 2023 – Recruitment of working group members from all three committees
- January 2024 – Discussion on Protocol at scrutiny committees
- 29 January 2024 – 1st session of working group, reviewing Key Principles and suggestions
- 9 February 2024 – draft report sent to all scrutiny members and corporate/political leadership
- 16 February 2024 – 2nd session of working group, finalisation of report and recommendations
- 29 February 2024 – publication of final report

Background information

Links to background documents and information referenced throughout and considered by the Working Group during its deliberations are available at the end of the report under “Background documents”.

These include, amongst others, the following:

- the government's Scrutiny Protocol (2023)
- the previous WYCA scrutiny review conducted in 2020 and subsequent decision in 2021
- Greater Manchester independent review of scrutiny 2022/23 and subsequent CfGS '1 year on' evaluation in 2023
- West Midlands IRP's review of scrutiny allowances and review of Transport Committee in 2023
- English devolution framework, Level 4 Devolution technical document and the Combined Authority's letter to the government in 2023/24

Glossary and acronyms

CA – Combined Authority (a type of local government authority that is a partnership of two or more local councils)

Constituent council / authority – the five West Yorkshire member authorities which make up West Yorkshire Combined Authority (Bradford, Calderdale, Kirklees, Leeds and Wakefield)

GMCA – Greater Manchester Combined Authority

IRP – Independent Remuneration Panel (made up of independent persons who review and determine allowances for various member positions at a local or combined authority)

ITA – Integrated Transport Authority (the previous transport authority which WYCA was established from in 2014)

KD – Key Decision (any decision spending £1m+ or affecting two or more electoral wards, as defined in the Access to Information Rules of the WYCA Constitution)

KPI – Key Performance Indicators

MCA – Mayoral Combined Authority (a combined authority led by a directly elected metro-mayor)

MQT – Mayors Question Time (for members of the public to question the Mayor in 'town hall' style sessions moderated by an independent local journalist or businessperson)

MQs – Mayors Questions (for scrutiny members at scrutiny committee meetings to question the Mayor)

Non-constituent council / authority – the non-voting observer member (City of York Council)

OfLog – Office for Local Government (not yet in operation)

WMCA – West Midlands Combined Authority

WY – West Yorkshire

WYCA – West Yorkshire Combined Authority

Recommendations

Scrutiny does not have the power to make decisions, only to make recommendations which the decision-maker must then consider and decide whether to implement and how – or not.

There are over 60 recommendations in this report, grouped around 20 recommendation summaries – one for each of the Protocol's 18 Key Principles and the 2 additional principles.

The recommendations are:

- designed to ensure Scrutiny fulfills the requirements of the Scrutiny Protocol in the long term.
- comprehensive and a combination of broad strategic-focused recommendations and detailed process-focused recommendations,
- a general consensus of what the working group agreed and areas where there was no consensus are left open to the Combined Authority, such as the overall committee model.
- directed towards the:
 - Combined Authority, both as a decision-making entity (Mayor, CA Members) and as a corporate entity (officers and leadership).
 - constituent authorities, through the Combined Authority in its role as a partner, on matters relating to their functions e.g. member appointments and how combined and local scrutiny committees can cooperate.
 - future WYCA Scrutiny members, in matters under Scrutiny's control e.g. work programming and meeting format.

Executive summary of recommendations

The following is a summary of each *group* of recommendations under each Key Principle; the full recommendations (over 60+ in total) and their formal wording are within the report.

Primary Recommendation:

The Scrutiny Protocol should be implemented in full and expressed as a clear, long-term vision with supporting annual plans focusing on implementation.

Recommendation summaries:

1. Consider a committee model which fulfils the requirements of the Scrutiny Protocol, to be reviewed in a few years, and is properly resourced to operate as intended. (p15-18)
2. Consider reprofiling substitutes as 'deputies' with enhanced duties supporting their member scrutinise issues within their portfolio, if a single committee model is adopted. (p18-19)
3. Continue to calculate political balance across the entire scrutiny membership, including substitutes if appointed, to allow for the most representative political balance. (p19)
4. Consider calculating geographic balance based on the number of members each council has and support members to see issues through a WY-wide lens. (p19-20)

5. Consider the role profile of the Scrutiny Chair, the time requirement, and how they are selected, to ensure they have independence and greater parity in their profile, support and access to resources. (p20)
6. Establish role profiles for all scrutiny members and roles, including substitutes if appointed, and encourage councils to appoint members for longer terms. (p21)
7. Dedicate more resources to onboarding, developing and engaging with scrutiny members on a 1-1 basis to boost attendance, their skills and the quality of scrutiny. (p22)
8. Help scrutiny build its own network of experts to call upon, including drawing upon existing stakeholders engaging with other committees and service areas. (p22-23)
9. Convene an IRP to reconsider allowances, as required, if role profiles are reviewed in light of enhanced member and committee duties and increase the officer resource and capacity available for direct scrutiny work. (p24-25)
10. Revisit Mayors Questions format, scrutinise political leadership more often and extend invitation to scrutiny chairs and members to appropriate meetings, like the main CA. (p25-26)
11. Look to improve Scrutiny's participation in, and impact on, major strategies, policies and decisions at earlier stages. (p27-27)
12. Improve and strengthen the call-in process and key decision records and transparency. (p27-28)
13. Provide full monthly and quarterly KPI data in a scrutiny-friendly format for close long-term monitoring. (p28)
14. Provide all necessary information, data and resources so Scrutiny can establish (and monitor) a suitably comprehensive, but strategic work programme. (p29-30)
15. Conduct more 'task and finish' reviews and involve Scrutiny more in other ongoing non-Scrutiny reviews. (p30)
16. Agree a WY-wide protocol to manage scrutiny co-working and duplication and establish a dedicated communications plan and resource for WYCA scrutiny activity. (p30-31)
17. Review scrutiny arrangements and effectiveness more frequently and publish impact-focused annual scrutiny reports. (p32)
18. Use OfLog's data when available and notify Scrutiny of external reviews being undertaken on WYCA. (p32-33)
19. Conduct an Audit-led review of audit committee, including resource and membership and establish co-working between scrutiny and audit chairs and work programmes. (p33)
20. Continue to host regular, widely marketed public Mayors Questions Time. (p34)

Long term vision

There is a recognition that there are many recommendations within this report covering many issues and that it would take some time to implement many of them and build up the scrutiny function to the enhanced level the Combined Authority and region needs.

Therefore, it is useful to see the entire plan presented in the form of a clear long-term vision and a supporting, phased implementation plan that can be easily tracked and monitored during that time.

- **Scrutiny Vision:** Long term strategic vision to be achieved by 2028 (by the 3rd Mayoral election) with significant progress by 2025/26.
- **Scrutiny Plan:** Short/medium term implementation plans to implement the Vision to be overseen jointly by Scrutiny and the Combined Authority on an annual basis.

WYCA Scrutiny Vision 2028

Summary – WYCA Scrutiny Vision 2028	
Ambition	<p>The Scrutiny Vision aims to position WYCA’s Scrutiny function to:</p> <ul style="list-style-type: none"> • Go above and beyond the Scrutiny Protocol and best practice. • Determine a unique approach suited to the unique needs of regional, strategic scrutiny in West Yorkshire, compared to local authority-level scrutiny or MCA scrutiny elsewhere. • Support WYCA’s fundamental strategic purpose, defend the interests of the organisation with regards to its functions and consider the needs of <i>all</i> WY residents it serves. • Foster and sustain an organisational culture within WYCA where scrutiny and challenge is welcomed, independent, and impactful. • Become demonstrably outcomes-focused, no different to any other corporate core service, which can prove the impact it makes on a regular basis.
Role	<p>To directly scrutinise, advise and hold the Mayor and Combined Authority to account in public and private.</p> <p>To have a unique role and purpose, not conducted by other committees, focused on providing serious challenge to identify, monitor and resolve ‘persistent strategic challenges’ by:</p> <ul style="list-style-type: none"> • Enabling – supporting (but not <i>leading</i>) <ul style="list-style-type: none"> ○ policy development ○ service improvement ○ programme delivery • Protecting – monitoring <ul style="list-style-type: none"> ○ activity, risks and performance

	<ul style="list-style-type: none"> ○ studying data and information ○ maintaining accountability ○ investigating persistent issues. <p>A wide Terms of Reference which clearly outlines Scrutiny’s powers and responsibilities, to provide maximum manoeuvrability and oversight.</p> <p>Strictly non-parochial and non-partisan – having a holistic, strategic focus which considers WYCA and West Yorkshire’s interests.</p> <p>An understanding with local scrutiny functions on rules of engagement in scrutinising cross-cutting areas, including formal referral and joint scrutiny arrangements.</p>
<p>Structure</p>	<p>An overarching, strategic overview and scrutiny committee supported either by multiple formal committees/subcommittees or more flexible member-led panels / working groups able to operate more flexibly and with greater focus.</p> <p>Permanent working groups (‘panels’) to focus on <i>overview</i> duties monitoring activity and advising the committee:</p> <ul style="list-style-type: none"> ● KPIs and budget ● key decisions & project delivery ● portfolios, committees and directorate activity ● recommendations and the work programme ● public & democratic (member) engagement <p>Temporary working groups (‘task and finish’) to focus on <i>scrutiny</i> duties and report back to committee:</p> <ul style="list-style-type: none"> ● fact finding and answering questions ● reviewing and investigating issues and decisions ● making recommendations ● policy & strategy review and challenge ● call-in
<p>Membership</p>	<p>Politically and geographically proportionate membership; calculated across both members and deputies (substitutes) to ensure maximum representation in terms of parties and place (i.e. urban, rural).</p> <p>A ‘fuller-time’ Chair able to dedicate time to maintaining a comprehensive overview of WYCA activity and maintain a degree of parity in officer interface and profile.</p> <p>Independent Member(s) recruited, as required, for longer terms to maintain continuity over many years and provide expertise.</p> <p><i>To be determined based on final structure, but if adopting a single committee model, should consider: two Vice Chairs,</i></p>

	<p>overseeing a strategic portfolio, managing a pool of trained, well-supported Members appointed for multi-year terms, who each oversee portfolio areas and working groups as a team.</p>
<p>Duties</p>	<p>Role profiles clearly outlining each Member’s responsibilities, be maintained and regularly reviewed.</p> <p><i>To be determined based on final structure, but if adopting a single committee model, should consider the following role profiles:</i></p> <p>The roles:</p> <ul style="list-style-type: none"> • Chair x 1: Overall Lead • Vice Chairs x 2: Strategic Leads (<i>possibly: Infrastructure and Economy</i>) • Members: Portfolio / Working Group Leads • Deputies (formerly substitutes): Assistant Portfolio / Working Group Leads (as appropriate) • Independent Member <p>1 x <u>Chair</u> (‘Overall Lead’) is expected to:</p> <ul style="list-style-type: none"> • Manage all committee meetings and agendas • Oversee overall MCA strategy, WY Plan and activity • Oversee corporate issues, assets and services • Manage Vice Chairs and other leads • Shadow the Mayor • Interface regularly with officers internally <p><u>2 x Vice Chairs</u> (‘Strategic Leads’) are expected to:</p> <ul style="list-style-type: none"> • Support the Chair as required throughout the year • Manage/Chair all relevant meetings within their strategic portfolio • Act as a ‘strategic portfolio lead’ and oversee multiple portfolio areas under two strategic categories, e.g. <ul style="list-style-type: none"> ○ <i>Economy (Business, Skills, Culture portfolios)</i> ○ <i>Infrastructure (Transport, Environment, Place portfolios)</i> • Manage ‘portfolio leads’ within their strategic portfolio • Shadow appropriate strategic chairs <i>i.e. the Transport Committee and Business Board chairs</i> <p>TBC x <u>Members</u> (‘Portfolio Leads’) are expected to:</p> <ul style="list-style-type: none"> • Attend all meetings or send their Deputy • Brief and keep their Deputy in the loop on their portfolio • Act as a portfolio lead – maintaining a watching brief over activity in their portfolio area, attend relevant meetings, take relevant briefings, and lead updates and questioning on that area • Chair working groups and reviews as required <p>TBC x <u>Deputy Members/Substitutes</u> (‘Assistant Portfolio Lead’) are expected to:</p>

	<ul style="list-style-type: none"> • Attend all meetings as required with, or on behalf of, their Member • Keep in the loop on all matters related to their portfolio • Act as a deputy portfolio lead – maintaining a watching brief over activity in their portfolio area, attend relevant meetings, take relevant briefings, and lead updates and questioning on that area, and advice their Member on anything of note • Chair working groups and reviews as required
<p>Support</p>	<p>To perform enhanced duties, Members will be provided with:</p> <ul style="list-style-type: none"> • Appropriate allowance level and travel expenses commensurate with new enhanced duties. • Onboarding and induction at the beginning of the year, with frequent in-year follow up. • Training, development and ‘360 performance review’ throughout the year, as required. • Engagement through regular 1-1s and catch ups. • Summaries, analysis and advice on lines of questioning in advance of meetings to ensure productive, strategic scrutiny. • Direct access to relevant information, members, officers and meetings, as required (i.e. Key Decisions, agenda forward plans, reports/committee papers, media scanning, briefing notes) at an equal level to ‘Executive’ members. <p>Scrutiny will be well resourced and supported by a dedicated team of scrutiny support officers able to provide independent overview, scrutiny, research, review, analysis, advisory and administrative duties, reporting to the statutory scrutiny officer.</p>
<p>Meetings</p>	<p>An appropriate number of full committee meetings per year supplemented with regular meetings of panels, working groups, workshops, briefings and director / portfolio holder catch ups – as required.</p> <p>Public committee meetings have two purposes/outcomes:</p> <ul style="list-style-type: none"> • Document accountability; ‘challenge and shine a light’ • Manage recommendations; ‘drive and monitor improvement’ <p>These outcomes will be primarily pursued in two formats:</p> <ol style="list-style-type: none"> 1. Inward (member-member interface): members reporting on their inter-meeting overview and scrutiny duties and agreeing recommendations and actions 2. Outward (member-witness interface): members questioning relevant witnesses (politicians, experts, public, officers) on overarching strategic themes and challenges to build evidence to agree recommendations and actions <p>Business-focused sessions (Inward):</p>

	<ul style="list-style-type: none"> • Early “AGM-style” agenda to formally confirm governance and work programme (i.e. member roles and working groups) and consider previous year’s annual report. • Mid-year “State of the union” meeting to consider the overall performance situation and the previous, current and next year’s budget and business planning. • Late year “final chance” meeting in before the pre-election period to wrap up the municipal year’s business and decide how to monitor issues during the election/nomination season. • Pre-meeting for Members to ask clarifying questions on reports and receive briefings on live issues. • Standing items: minutes/notes of relevant meetings, work programme, member reports, working group reports, review reports and recommendation tracking. <p>Evidence-focused sessions (‘Outward’):</p> <ul style="list-style-type: none"> • Members, officers, experts, guests, other members invited to be questioned and give evidence. • Focusing on answering themed, strategic, cross-cutting questions e.g. <i>“Is WYCA activity Leeds-centric?”</i> or <i>“Are residents and members views being taken into account in decision-making?”</i> • Pre-meeting for Members to ask clarifying questions, discuss lines of questioning and establish outcomes. • “Wrap up” to establish conclusions, next steps and emerging recommendations. • Reports include cross cutting background information, data and analysis and aim to support Members’ in-session questions.
<p>Profile</p>	<p>Parity of profile with executive members, in terms of access to organisational resources and impartial advice by officers.</p> <p>Reporting scrutiny activity to other committees, including through attendance by appropriate Scrutiny Members at appropriate meetings (i.e. Scrutiny Chair / Vice Chairs at the main Combined Authority meetings).</p> <p>Consideration of Scrutiny’s work programme and recommendations in the MCA’s planning, decision-making and activity to ensure Scrutiny participates and contributes to key areas of work.</p> <p>Dedicated communications plan to support and promote Scrutiny activity, including consultation, press releases and social media management.</p> <p>Maintain its own network of stakeholders including members, the public, experts, and scrutiny partners to support the scrutiny process.</p>

WYCA Scrutiny Plan 2024-2028

Summary – WYCA Scrutiny Plan 2024-2028			
Phase	Focus	Years	Objectives
1	Agreement (Vision)	2023-24	<p>Review and approve improved scrutiny arrangements.</p> <ul style="list-style-type: none"> Review the Scrutiny Protocol, make recommendations and propose consensus-based Vision. Convene an IRP to assess allowances according to new enhanced duties.
2	Development (Resources)	2024-25	<p>Build new structures, processes, systems, resources, and member roles:</p> <ul style="list-style-type: none"> Implement new committee and working group structure. Recruit, induct and train members – and assign and test new member roles. Identify biggest strategic challenges and establish long term work programme goals. Conduct reviews through working groups. Determine officer support structure (i.e. recruit officers, scrutiny in business planning, regular briefing arrangements) Design and test new systems and processes (i.e. key decisions, report templates, etc) <i>[Report and document changes to government in the event of any L4 deeper devolution deal.]</i>
3	Application (Activity)	2025-26	<p>Build on structures, processes, systems, additional resources, and member training and experience established in Phase 2 to:</p> <ul style="list-style-type: none"> Deepen level of outcomes-based scrutiny activity. Begin higher-profile evidence sessions and reviews. Expand working group and member activity, according to resource.
4	Evaluation (Impact)	2026-27	<p>Independent/external review and evaluation to determine if:</p> <ul style="list-style-type: none"> the goals of Phases 1-3 have been achieved. the Vision is making good progress, there is a demonstrable impact and outcomes in from Scrutiny work. how WYCA has benefited from scrutiny as an organisation.
5	Consolidation (Results)	2027-28	<ul style="list-style-type: none"> Make improvements and adjustments required by the Evaluation. Confirm the Vision has been implemented in full. Outline real impact of Scrutiny since 2024.

“Principle 0” – Committee structure

This is not a Key Principle, but acts as a “Principle 0” from which all the Key Principles flow; the structure is the core around which membership, processes, and resources must be built.

It is clear that the interconnection of policies across a number of portfolio areas and authorities across a larger geography makes MCA-level scrutiny fundamentally different to local authority scrutiny.

The Protocol *recommends* but does not *require* MCAs to have a single, overarching scrutiny committee and suggests Greater Manchester Combined Authority’s system as an example and suggests, at least, that all scrutiny members should be treated as a singular body or ‘scrutiny pool’.

The previous review of WYCA scrutiny arrangements in 2020/21 recommended arrangements very similar to the one ultimately adopted by Greater Manchester Combined Authority.

At the time, Scrutiny considered it prudent to retain one scrutiny committee, while the organisation adjusted to Mayoral working, and builds its resource and process base.

Ultimately, the Combined Authority opted for the current model of three ‘co-equal’ committees of 48 members, without an overarching committee, covering corporate, economy and transport/infrastructure issues primarily to:

1. Ensure that as many members as possible can be involved in WYCA scrutiny, in part, to ‘de-mystify’ the MCA in eyes of members and the public.
2. Ensure that Scrutiny can maintain an overview of all the new MCA’s activity and functions through separate groups of members.

Assessment and conclusions:

The current system has advantages, and these are outlined throughout the report where it is recommended that they are retained, strengthened and built upon.

However, it has also presented numerous challenges directly linked to the number of committees, members and meetings – and the complicated nature of cross-cutting strategic MCA activity over a wider geographic area – compared to the level of resources available to support them.

- **Resourcing challenges** – scrutiny, governance, and the wider officer corps (which Scrutiny relies on for reports, information and analysis) spend a lot of time servicing the many committee meetings and members across the governance structure (not just scrutiny) – and even local authority scrutiny committees – leading to capacity struggles and gaps in member support.
- **Member availability and support** – a frequently changing membership each year, unable to dedicate enough time to the increasing demands of the role and attending meetings, with a complicated substitute system, leading to persistent quoracy issues (outlined below in Figure 2) when coupled with officer resourcing challenges, has meant members have not felt supported in their roles and the time they do dedicate is not actualised in terms of impact; many councils have struggled to appoint members to persistent vacancies.
- **‘Silo scrutiny’** – fragmented ‘silo working’ with committees looking at different issues from different points of view, keen not to step into each other’s remits, without a single

group with an overview of *all* activity to spot patterns and understand wider context. Remits have been shuffled numerous times but still leave unnecessary strategic gaps, no one has ‘ultimate authority’ and scrutiny members are not part of a single body where they would be briefed on all the authority’s work, as they are at *full council*.

- **Reactive, less strategic** – due to the thematic distribution and lack of central oversight, along with officer resourcing pressures, the committees end up reacting to the thematic committees chaired by WYCA’s portfolio holders and responding late to issues that have already emerged or progressed, rather than maintaining a pro-active strategic work programme – engaging in little pre-decision scrutiny.
- **Outcomes and impact** – Due to the aforementioned pressures and challenges, the committees have not been able to conduct reviews or produce reports as a direct outcome of their work, and any ‘soft’ recommendations have been difficult to both prove and track as evidence of Scrutiny’s impact; to date, no review has been completed by a scrutiny committee at the Combined Authority in the mayoral era.

Figure 2 – Number of inquorate meetings due to low attendance

Committee	Inquorate (Less than 11)	Nearly inquorate (11 present)	Barely quorate (12 present)	TOTAL w/ quoracy issues
Corporate	20%	10%	40%	30%
Economy	60%	10%	20%	70%
Transport	10%	40%	30%	50%

In summary, the current system suffers from severe resourcing difficulties and consequent member availability challenges which affect the level of integrated, strategic scrutiny which can optimally take place.

Figure 3 – MCA structure comparisons

MCA	LAs ⁱ	Cttees	Members	Call-in	Chairs ⁱⁱ	Meetings
West Yorkshire	5 (+1)	3 ⁱⁱⁱ	48 (+ 5 subs) (16 per cttee)	5	3	12 (4 per cttee)
Greater Manchester	10	1	20 (+ 20 subs)	3	1 ^{iv}	10
West Midlands	7 (+11)	2 ^v	39 (15 + 24)	5	2	14 (7 per cttee)
South Yorkshire	4	1	10 (+10 subs)	5	1	4
Liverpool City Region	6	1	20	13	1	6
North of Tyne	3	1	9	4	1	4
Cambridgeshire-Peterborough	7	1	14	5	1	7
West of England	4	1	11	1	1	7
Tees Valley	5	1	15	5	1	5
North East	4	1	10 ^{vi}	4	1	3

ⁱ (Non-constituent councils in brackets)

ⁱⁱ All have deputy chairs apart from South Yorkshire.

ⁱⁱⁱ Corporate, Economy + Transport Infrastructure

^{iv} Elected at the first meeting.

^v Overview & Scrutiny + Transport Delivery Scrutiny, who question the Mayor jointly.

^{vi} 8 elected, 2 independent non-members who are Chair and Deputy Chair.

Structure and number of committees

The Scrutiny Protocol recommends either a single committee model or an alternate multi-committee model in which all scrutiny members have oversight over all MCA activity as a single body or 'pool'.

All other MCAs have a single committee structure apart from the West Midlands, which has two scrutiny committees; one of which is a reconstituted version of their former ITA's 'legacy' Transport Committee.

There are three possible options for committee models open to the Combined Authority:

- Single committee option: a single overarching committee, which operates more like a select committee, with both permanent and temporary working groups to conduct many reviews and maintain comprehensive overview duties.
- Status quo: simply retaining the current three co-equal committee model as they currently operate without an overarching or joint body, with or without reforms to the remits, but with extra officer resource to support the system as a whole and more review work.
- Joint scrutiny: a retention of multiple committees in some form, that would also meet or be structured as a joint scrutiny body, i.e. an overarching committee w/ sub-committees, with increased officer resource to support the system as a whole and more review work.

The working group could not arrive at a consensus on which of these options should be recommended, citing concerns about WYCA's level of activity, Scrutiny's subsequent workload, the number of members involved in Scrutiny, and the level of officer resource needed to optimally support it all.

The working group, therefore, leaves the question of structure open but notes that a single committee might ultimately become the preference of the Combined Authority.

If so, it asks that the Combined Authority ensures:

1. Scrutiny is properly resourced whatever model is adopted
2. as many of the benefits of the current model are retained as possible
3. any single committee model does not reduce the amount of scrutiny work taking place, and that it utilises working groups and panels to supplement its formal committee meetings

Select Committees and strategic scrutiny

The structure and size of Scrutiny is important, but *how* the scrutiny is conducted is equally, if not more, important.

There is a strong argument in favour of modeling MCA scrutiny along the lines of parliamentary select committees which scrutinise large government departments which cover a large geography and complicated, cross-cutting policy issues.

The government's expressed desire to see metro-mayors with "trailblazer" – or full single settlement funding – scrutinised by the region's MPs in select committee format is an expression that this is an appropriate way to scrutinise Mayors similarly to ministers.

Recommendation 1:

The Combined Authority should:

- a) **Consider whether to reconstitute scrutiny arrangements to consist of either:**
 - i. **a single overarching ‘select committee style’ model, which operates mainly through temporary working groups and permanent sub-panels.**
 - ii. **a multiple committee model, with or without some capacity for overarching joint-scrutiny committee arrangements.**
- b) **Evaluate, within a few years, the level of scrutiny work to determine if the chosen committee structure is still working.**
- c) **Ensure that whatever structure is chosen is appropriately resourced so that it can operate as intended.**

Figure 4 – Suggested working groups for a single committee structure

West Yorkshire Scrutiny / Select Committee (*name to be confirmed*)

Overview – monitoring groups

- KPIs and budget
- key decisions & project delivery
- portfolios, committees and directorate activity
- recommendations and the work programme
- stakeholder engagement

Scrutiny review – task and finish groups

- fact finding and answering questions
- reviewing / investigating issues
- making recommendations
- policy & strategy review
- call-in

Key Principle 1 – A pool of members

Assessment and conclusions

- Scrutiny committees operate best when the members operate and feel like a close-knit and united team.
- Currently a member of one WYCA scrutiny committee can only call upon a member of another WYCA scrutiny committee from the same party and authority – which has proven complex.
- Members from bigger parties and authorities have more options, but short notice often makes them unavailable, leaving meetings inquorate.
- This system is necessary due to legal limitations only members formally co-opted onto the MCA being able to act as substitutes – due to requirements to declare disclosable pecuniary interests and receive a dispensation.
- The only alternative is to appoint one substitute per member, taking the total number of scrutiny members to 96 (48 x 2).
- Members are not routinely briefed on other scrutiny committees’ activity beyond work programmes being shared on agendas and meeting papers for the meetings they are substituting at.
- Due to availability reasons, briefings are usually conducted through email which are not a reliable way of keeping members informed of events.

Recommendation 2:

The Combined Authority should consider, if a single committee model is adopted, reprofiling the role of “substitute” as a paid “deputy” for each appointed member, treated equally in terms of rights and information as a scrutiny member and permitted to be part of (and even lead) working groups, reviews and any other scrutiny work on behalf of their member or the committee.

Key Principle 2 – Politically balanced membership

Assessment and conclusions

- This is a legal requirement which WYCA meets and goes beyond by calculating political balance over the entire 48-person scrutiny membership, rather than on a per-committee basis, to ensure that as many parties are represented as possible which has included since 2021 the Green Party and a local Morley Borough Independents political group.

Recommendation 3:

The Combined Authority should continue to calculate political balance across the entire pool of scrutiny members where possible as it does now, including substitutes if appointed, in order to ensure that scrutiny membership is as politically representative as possible.

Key Principle 3 – Geographically balanced membership

Assessment and conclusions

- This is a legal requirement which WYCA meets by appointing three members from each West Yorkshire constituent authority and one member from the non-constituent authority, York.
- Some councils have struggled more than others to find members to fill vacancies, sometimes leaving them – or substitute positions – vacant for long periods and even for the entire municipal year.
- WYCA scrutiny members should not see themselves as representatives of their council or their ward area, but as a single body representing the interests of West Yorkshire residents *as a whole*.
- Members should be supported to approach WYCA Scrutiny through a West Yorkshire wide, holistic, and strategic lens, instead of relying on the Ward-Member dynamic more established and understood at Local Authority level.

Recommendation 4:

The Combined Authority should:

- a) Consider calculating geographic balance allocation similarly to political balance, by the number of councillors each authority has, to ensure that all positions are suitably appointed to, and membership is as geographically representative as possible.

- b) Support Members with regional-level data and information so that they are able to better consider matters brought before them through a WY-wide strategic lens.**
- c) Ask the constituent authorities to consider ‘place’ when appointing scrutiny members during the annual appointments process, to ensure that there is a good distribution between rural, urban and town representation.**

Key Principle 4 – Appointing a chair

Assessment and conclusions

- This is a legal requirement which WYCA meets by appointing both Chairs *and* Deputy Chairs only from parties different to the party of the incumbent Mayor (and previously, the Combined Authority Chair) – which since 2014 has been the Labour Party.
- WYCA is also the only MCA whose parliamentary Order includes three seats (including three substitutes, for a total of six) on its main Combined Authority board allocated to opposition “Balance Members” – currently two Conservatives and one Liberal Democrat.
- The Scrutiny Chairs are currently ‘informally’ chosen by these opposition “Balance Members” and mirror the same political proportions.
- This ensures that the Mayor and council leaders do not have a say in who Scrutiny Chairs are supporting their independence, but it is less clear what process or criteria is considered when Chairs and Deputies are selected by that group.
- The primary criteria for selecting the Scrutiny Chair should be their experience, knowledge and ability to perform their role in an independent and productive way.
- The Scrutiny Chair position should essentially be a ‘fuller time’ position exercised for multiple days a week to ensure that the Chair is able to dedicate the necessary amount of time to:
 - maintaining an effective parity with the Mayor
 - interfacing with officers more regularly and fully
 - maintaining an overview of all WYCA activity
 - directing scrutiny activity accordingly
- Other MCAs have different methods of appointing Scrutiny Chairs including allowing opposition members to elect one of their own and having an Independent Person as Chair and Vice Chair.
- WYCA’s (non-scrutiny) Transport Committee currently has two ‘fuller-time’ Deputy Chairs, each responsible for a strategic area (active travel and buses), to support the Transport Chair, who is a council leader, in their role.

Recommendation 5:

The Combined Authority should:

- a) Consider the Chair’s role profile and how much time a Chair is required to dedicate to the role and how they are selected in terms of that role profile.**
- b) Ensure and protect the independence – and access to information and resources – of the Scrutiny Chair so that they are able to properly perform their duty to hold the Mayor, portfolio holders and MCA to account as a “check and balance”.**
- c) Consider, if a single committee model is adopted, appointing two enhanced Scrutiny Vice Chair positions to cover the strategic portfolios currently covered by the multiple scrutiny committees and lead panels and reviews in those areas.**

Key Principle 5 – Sustained appointments made on interest and skills

Assessment and conclusions

- The basis on which members are appointed by the constituent councils differs from authority to authority, political group to political group and member to member.
- No formal role profiles are currently used to aid political groups and members in determining the time demands of the role, ahead of selection.
- As a result, many members don't have enough time to dedicate to the role as needed on top of ward and council duties – and their full-time jobs.
- Remuneration is not enough to compensate them for a loss of income elsewhere to attend. This leads major quorum, availability and engagement challenges.
- It would be difficult for Councils to appoint members for more than one year at a time as they work to annual governance horizons set by elections.
- Some councils and groups struggle to appoint members at all, with a few persistent vacancies.
- Around half of scrutiny members appointed each year to WYCA scrutiny committees are new to both the Combine Authority as a whole and to Scrutiny.
- Even those with experience in local scrutiny do not have experience in the different form of scrutiny required in a regional context.
- Chairs have remained more consistent and so far, since 2021, only changed due to retirement or election loss rather than being replaced.
- This has allowed some sense of continuity, but committees are collectives that progress at the pace of the membership as a whole.

Recommendation 6:

The Combined Authority should:

- a) Design and establish role profiles for all the membership roles serving on Scrutiny (i.e. “Chair”, “Vice Chair”, “Member” and “Deputy/Substitute”) to ensure that Members are clear on their duties and to encourage members to pursue scrutiny positions.**
- b) Consider appointing an “Independent Person” for a 4-year term to act as a long term, sustained link between different municipal years where membership may change too frequently.**
- c) Establish a formal and comprehensive “onboarding” programme for newly appointed members, alongside the Scrutiny Chair, to assess their level of experience / knowledge and expertise / interests, to determine the level of briefing and training they would need to fulfil the new enhanced role profiles.**
- d) Encourage constituent authorities to aim to, wherever possible, retain as many members as possible over multiple years, if there is no major change in political balance requiring a wholesale change in nominations.**
- e) Support constituent authorities in their appointments by maintaining attendance and engagement data to ensure that appointed members are either well supported to perform the duties required in the role profiles or can be replaced by a more suitable member in a timely manner if their circumstances change.**

Key Principle 6 – Well-resourced training

Assessment and conclusions

- WYCA currently supports over 150 members (including councillors, independent persons and private sector representatives) across its committee structure, not including ex officio sectoral representatives – which is larger than any single authority within the WY area.
- There is currently no specific dedicated budget, or internal officer capacity, for member training beyond the current, limited induction processes for new and returning members.
- Scrutiny, in the past, has attempted to issue new members with a “proforma” to audit their experience/knowledge level but the return rate was low.
- Relatively regular offline briefings are provided to Scrutiny Chairs – including ahead of the main CA meetings – but not members as a whole, with some exceptions for information provided during workshops (e.g. Budgets) and working groups.
- This means that scrutiny committee meetings themselves are often the place that members are briefed and informed on WYCA activity – and there are no pre-meetings due to limited member availability.

Recommendation 7:

The Combined Authority should:

- a) Provide resource for training scrutiny members and chairs, according to the needs identified in their onboarding process and as new duties may require, and/or procure bespoke training materials to be later delivered by officers – including specific training needed to conduct reviews into specific topics, if required.**
- b) Draw upon the experience and expertise of existing members identified in the onboarding process to peer-train and mentor fellow members, as their time allows.**
- c) Maintain relationships with the “Local Government Association” (LGA) and the “Centre for Governance and Scrutiny” (CfGS) and draw upon any training or peer mentoring/review services they can provide, when available.**
- d) Consider expanding the reports briefings currently provided to Combined Authority board members before and after publication of Combined Authority meeting agendas, to all scrutiny members – divided, as now, by party or alternatively by council area.**

Scrutiny should:

- e) Make use of pre and/or post meeting briefings for scrutiny members to ask clarifying questions to officers on key issues and reports to avoid committee meeting time being used as de-facto briefings and to allow members to pursue more advanced lines of questioning in committee time.**

Key Principle 7 – Inviting technical expertise

Assessment and conclusions

- The Protocol highlighted WYCA’s Scrutiny ⁴⁶ as a case study under this Principle for inviting a local academic who had conducted some personal research into the Real Time

Information system, along with the internal operational manager at WYCA, to answer technical questions.

- On another occasion, the professional expertise of councillors was utilised to lead a member-member discussion on behavior change in transport.
- This represents an example of good scrutiny practice – the triangulation of evidence, beyond the usual officer-member interface.
- It is vital for good scrutiny and accountability that Scrutiny seek multiple points of view and sources of evidence beyond the political and corporate leadership that usually attend committee meetings.
- Sometimes it is more appropriate and valuable to speak to operational managers and internal expert analysts directly, or sense check assumptions and facts through external non-MCA expertise.
- However, despite the Protocol highlighting this as a case study, this was in fact a relative exception to 'business as usual' scrutiny.
- The other occurrence of Scrutiny using external experts to feed into the scrutiny process was in 2019/20 in when two different working groups conducted views into:
 - business grants programmes – speaking to consultants and businesses directly on their experience – and;
 - WYCA's response to the climate emergency – speaking to local academics, pressure groups, and green sector businesses.
- This also reinforces the value that working groups have in the scrutiny process, in that it is easier to engage with experts through them than at committee meetings.
- Scrutiny does not currently have, or have access to, a budget to hire consultants to provide evidence or advice – although, as during the business grants review, Scrutiny independently engaged with consultants already hired by WYCA to evaluate the business grants programmes.

Recommendation 8:

The Combined Authority should:

- a) Make available to Scrutiny its own network of external experts and stakeholders used during consultation exercises, in other policy and strategy development, and any consultants contracted to review or evaluate any MCA activity.**
- b) Ensure that Scrutiny continues to have equal access to internal officer experts, who have specific expertise in key policy areas and functions.**
- c) Provide, or share existing, resources to deliver bespoke briefings from experts to members related to topics or reviews they are looking at, as and when required.**

Scrutiny should:

- d) Consider, during work programming, what information and data they need and from what source, in order to identify external sources to triangulate internally sourced testimony with.**
- e) Build its own network of expert contacts, either independently or in coordination with other officers and committees' private sector, independent and/or ex-officio sector representatives.**
- f) Engage in greater use of evidence gathering sessions, working groups and offline workshops, to allow experts to be more 'candid' and provide sensitive but vital background information which can be taken into account in the rest of the public scrutiny process.**

Key Principle 8 – Remuneration and status

Assessment and conclusions

- WYCA pays allowances to scrutiny members through the general powers function provided in the WYCA Order, including additional allowances to chairs and deputies, on the advice of an IRP. However, allowances were significantly reduced in 2021 due to the increase in committees and members.
- Councillors are not full-time positions but part-time roles, which must be fulfilled in addition to full-time ‘day jobs’, wherein members often must take time off from work to fulfil council duties. Adding MCA duties on top of council duties means WYCA ultimately receives members ‘part-time of part-time’.
- Scrutiny work is demanding and does not only consist of attending committee meetings but building knowledge and skills through briefings and training, maintaining a constant overview of a large base of complicated cross-cutting activity across a large geography and multiple partners, and then having enough data and information to properly scrutinise, review and recommend, and challenge high profile programmes and leaders.
- Scrutiny will always need to draw upon the time and expertise of officers for most of the scrutiny process including reports and meeting attendance, especially senior officers – which poses a major capacity conflict as officers must balance commitments to scrutiny against commitments to other committees, the Mayor and portfolio holders and actually delivering in their ‘day jobs’.
- Due to the reality that, without London Assembly style full-time elected members and substantial assembly resources and the lack of wider member / political support that members have access to at their authorities, scrutiny members will always struggle for availability and rely disproportionately more on scrutiny support officers.
- In particular, members need a greater amount of direct scrutiny advice, which has not been as forthcoming as needed. MCA scrutiny officers must necessarily take on the brunt of the ‘overview’ role and be able to read, summarise and analyse a large number of papers produced by other officers and then draw out the key areas for closer scrutiny, based on parameters and focuses set by scrutiny members during work programming.
- It may be necessary sometimes for scrutiny officers to act as proxies for scrutiny members and pursue lines of questioning and answers on their behalf, especially in preliminary or follow up stages.
- Scrutiny currently has two support officers, out of the three theorised as needed during the 2021 review, who are the sole support to all scrutiny chairs and members including all administrative, committee secretariat, and general member support.

Recommendation 9:

The Combined Authority should:

- a) Convene an IRP to review scrutiny allowances against role profiles and duties expected of Scrutiny, taking into account vital non-committee meeting work (such as working groups, evidence gathering, and drafting reports) to ensure members are able to give up work and council commitments to dedicate more time to WYCA Scrutiny.**
- b) Ensure that Scrutiny Members are not treated, however unintentionally, differently to ‘executive members’ such as the Mayor and CA Members or seen as ‘externals’; they must be given equal access to organisational personnel and resources, including genuinely impartial advice from all officers on all matters.**

- c) **Ensure scrutiny activity is taken into account more widely in the business plans of the service areas which will engage with Scrutiny most often, including but not limited to: policy and strategy, member and committee support, research and intelligence, project appraisal and delivery, communications and marketing, and senior management.**
- d) **Consider appointing additional scrutiny officers and/or reprofiling job descriptions, as suggested during the previous review period in 2020/21, to ensure that Scrutiny Members are thoroughly supported in all overview, scrutiny and corporate duties as necessary – in particular, direct scrutiny advice.**

Key Principle 9 – Holding the mayor or directly elected leader and the institution to account

Assessment and conclusions

- Public scrutiny should focus on public accountability and the accountable leadership should appear at Scrutiny more often.
- While it is appropriate to question operational-level officers on details in working group format or in briefings, public questioning should be directed at political (Mayor, Leader) and corporate (Head of Service upwards) decision-makers on the decisions they are making and why – and hold them to account for the performance of their areas of responsibility.
- The Mayor has always attended scrutiny committee meetings – or meetings with Scrutiny Chairs and other Members – when asked and has made sure to rearrange when a diary clash emerged.
- Portfolio Holders do not attend Scrutiny as a matter of course to present on areas of responsibility, but the Transport Chair does meet relatively regularly with the Transport Scrutiny Chair.
- Currently, each scrutiny committee dedicates one of their four meetings per year to a “Mayors Questions” session where the Mayor attends to answer the committee’s questions for the whole duration – based on a very open format which allows members to ‘control’ the agenda and ask any question related to their committee’s remits. The sessions are received well by members but there has been some debate as to the exact format.
- Scrutiny Chairs do not have a standing invitation to the main Combined Authority board meetings – or any other relevant committee, such as Transport.

Recommendation 10:

The Combined Authority should:

- a) **Revisit the format of Mayor’s Questions including, but not limited to: the length of the sessions, how frequently the Mayor should attend, whether they should submit a formal “Mayor’s Report”, whether “Mayors Questions” should be arranged outside of committee meetings as a separate public session, and whether Portfolio Holders could also participate.**
- b) **Consider how the Portfolio Holders can better engage with the Scrutiny process on areas within their portfolio’s area of responsibility including attending meetings and engaging with any Scrutiny Member selected to shadow their portfolio.**

- c) **Extend a standing invite to the Scrutiny Chair(s) to attend the main Combined Authority board meetings – including exempt items – to represent Scrutiny’s view during decision-making.**
- d) **Consider extending standing invitations to relevant Scrutiny Members to attend other committees relevant to their scrutiny duties e.g. any scrutiny portfolio or working group leads, which have been appointed, attending the relevant committee (i.e. Transport Committee).**

Key Principle 10 – Participation in pre-policy and pre-decision scrutiny

Assessment and conclusions

- The level of pre-decision Scrutiny at WYCA consists of a mixed picture – but Scrutiny does not contribute to ALL major policy and strategy development as the Protocol suggests.
- In some cases, it does happen, and officers look to bring some strategies to Scrutiny early in the process to inform ‘high level’ thinking and discuss the overall narrative and approach, as has happened this municipal year (2023-24) e.g. Economy Strategy, Assurance Framework and Local Transport Plan 4 – at Economy, Corporate and Transport Scrutiny respectively.
- It is not entirely clear if Scrutiny’s input is highlighted to the decision-makers or simply incorporated into the final document. In any case, it has been difficult to track the impact of scrutiny as a result.
- In other cases, some major decisions and strategies are not taken to Scrutiny at all pre-decision due to either unfortunate oversight by both the scrutiny and officer side, or scheduling issues e.g. bus reform and mass transit decisions in late 2023.
- There is some conflict that arises due to the thematic committees, which are chaired by the Council Leaders who each hold a portfolio and have many independent or private sector members on them, performing the policy and strategy development role and engaging in ‘*lower case s*’ scrutiny type role.
- Scrutiny is often told it cannot see a strategy, review or decision if it has not been to another committee or political leadership first – but often if it has gone to another committee, it may be too late to make an impact; there are limited meetings of both scrutiny and non-scrutiny committees.
- There is a view that policy development should remain a duty of the thematic/portfolio committees, and scrutiny should provide ‘devil’s advocate’ challenge and monitor achievement on overall strategic goals, instead of straying into making ‘policy by proxy’.
- A Forward Plan of Key decisions is published as legally required but where decisions are withdrawn or there is a change in decision date or decision-maker, Members are either not informed, or the number of changes invites confusion.
- Forward plans of non-key decisions e.g. policy/strategy discussions, updates, reviews for the other committees are not published as a matter of course, and there is no ‘central forward plan’.
- Scrutiny has not to date focused formally on Value for Money assessments – with the type of scrutiny done more ‘high level’ and qualitative than methodical or quantitative.

Recommendation 11:

The Combined Authority should:

- a) **Identify certain decisions as being ‘major strategic decisions’ (MSDs) – separate from the statutory ‘Key Decision’ system – that Scrutiny should scrutinise and challenge before final decision; and the final report of which should include a section outlining scrutiny’s comments and recommendations.**
- b) **Be flexible in allowing Scrutiny to feed into reviews, policy / strategy development and service reform early in the development cycle in the most appropriate method, if an early draft is approved by the relevant Portfolio Holder for scrutiny – and/or by allowing Scrutiny members to attend other committees if they occur before the nearest scrutiny committees.**
- c) **Maintain and make available to Scrutiny up-to-date forward agenda plans for all committees so that Scrutiny is aware of upcoming decisions, discussions, reviews and other pertinent items – and not just ‘Key Decisions’.**
- d) **Reconsider the terms of reference, or operating practice, of the thematic committees to ensure that, just as Scrutiny should not make policy, thematic policy committees should not ‘mark their own homework’ through self-scrutiny.**

Scrutiny should:

- e) **Avoid a formal role in policy making and instead focus on challenging, as ‘Devil’s Advocates’, the assumptions and logic behind policy directions and strategic visions to ensure that process has been followed and all viewpoints and data points have been taken into account.**
- f) **Consider “Value for Money” (VfM) methodology and assessments more often during overview and scrutiny.**

Key Principle 11 – Provision to call in

Assessment and conclusions

- This is a legal requirement which WYCA fulfills through the “call-in” process as outlined in the Scrutiny Standing Orders, but the law allows a lot of leeway in how this process is administered and fulfilled.
- Only Scrutiny members, formally co-opted onto WYCA scrutiny committees may call-in decisions; at least 5 members (out of 48), including at least one from two different WY councils.
- CA members and Transport Committee members may not call-in decisions they are able to vote in at their committees. Councillors not co-opted onto WYCA scrutiny committees may not participate in the call-in process, except to lobby scrutiny members.
- To date, no decision of the Mayor, an officer or decision-making committee has been called in during the mayoral era (2021 onwards) but attempts to do so did reveal some issues around the current process e.g. the definition of day for the deadlines, whether it is the scrutiny officer or Chair that directs the delay of a decision, and what to do when either the scrutiny, or subsequent decision-making, committee is inquorate. These issues should be ironed out.
- Call-in represents a ‘nuclear option’ when all other options have been exhausted and a failure of scrutiny or decision-making has taken place. If Scrutiny is suitably briefed, kept

in the loop and given opportunity to input into key decisions or sensitive projects at earlier stages, then call-in becomes less likely and unnecessary.

- Processes around Key Decision management could be improved so that it is clearer to Scrutiny Members what KDs are going or not. E.g. some KDs decision dates and decision makers are constantly changed without clarification, making it more difficult for Members to track their progress.
- There is currently a gap with regards to Key Decisions that are exempt items and decided in private. The Scrutiny Chairs are permitted to see exempt items and reports, but the wider membership cannot – making it impossible to scrutinise.

Recommendation 12:

The Combined Authority should:

- a) Consider what best practice of the call-in processes of the constituent authorities and other MCAs could be adopted to strengthen WYCA's call-in process.**
- b) Ensure that Key Decision definitions, information and processes are clearer between officers and Members, so that it is clear what decision is being taken, the general level of spending that will take place, who is making the decision and when, and why there are any changes – including a provision for scrutiny of exempt items in an appropriate way.**

Key Principle 12 – Regular performance monitoring including agreed outcomes

Assessment and conclusions

- It is vital that KPI and other relevant data is monitored consistently, closely and long-term so that proper context can be established, and patterns noticed.
- Early warning and intervention is often vital to avoiding bigger problems down the line and this can only be done with long-term, close monitoring.
- Scrutiny does not currently regularly monitor overall KPIs as a matter of course – partly due to the split of remits between three committees.
- When KPIs have been to committee, they are usually only the ones linked to the item being discussed.
- When committees have looked at general KPIs, they tended to stray towards another committee's remit due to the inherent cross-cutting nature of an MCA's activity.
- KPI data is not considered by Scrutiny at the beginning of the year, nor is it adjusted mid-year based on KPI data.

Recommendation 13:

The Combined Authority should:

- a) Provide Scrutiny with the latest performance data at the beginning of the municipal year, alongside committee forward plans and the usual corporate / strategic plans, so that Scrutiny can identify topics for the work programme.**
- b) Provide Scrutiny with monthly and quarterly KPI data, in a format suitable to Scrutiny's needs (i.e. emphasising narrative of RAG ratings and comparing historic data and future projections), for regular monitoring.**

Key Principle 13 – Robust work programming

Assessment and conclusions

- There is usually a process-driven approach to work programming, which is done informally at the beginning of the municipal year and involves multiple discussions with senior officers – but this differs in depth, year to year.
- The process is focused on allowing all members to raise issues of interest and concern for them, and then amalgamating the different suggestions into topic areas and lines of enquiry that make sense – so that all members feel ownership of the work programme.
- The Mayor, CA members and the public are not usually involved in the work programming stage.
- The work programme is reviewed and amended at every meeting and Chairs usually have leeway to amend it in between meetings as needed.
- Communication about upcoming issues and decisions is not always timely to allow scrutiny to amend the work programme as needed.
- Due to the sheer amount of activity, and the ‘multiplication factor’ in that WYCA activity covers the entire WY geography and all constituent councils, it is arguably impossible for Scrutiny to cover all activity if it takes a reactive approach i.e. trying to comment on and scrutinise all decisions, projects, and items.
- It is more prudent for Scrutiny to determine a criteria and priority system to filter WYCA activity through during the overview stage to be more selective in what is escalated to direct scrutiny.
- The type of scrutiny that takes place at MCA level is necessarily different from that which takes place at local authority level due to the different nature of MCAs as fundamentally strategic, partnership bodies created to consider cross-cutting issues across larger geographies.
- The type of scrutiny by WYCA’s Scrutiny must mirror the type of organisation that WYCA is – that is, strategic scrutiny of a strategic organisation.

Recommendation 14:

The Combined Authority should:

- a) Ensure that political and corporate leadership keep Scrutiny in the loop on the topics selected for the work programme so that timely scrutiny can take place and notify Scrutiny when issues not considered at work programming stage emerge.**
- b) Include reports from the Mayor, portfolio holders and directors outlining the major issues and decisions expected that year and suggesting possible areas of challenge or interest that would benefit from scrutiny during the work programme stage.**
- c) Provide communications resource (i.e. advice, YourVoice, social media etc) to allow Scrutiny to consider views and suggestions from the public, community groups, businesses, and non-WYCA members for the work programme – as part of a consultation-style approach.**
- d) Include an end-of-year “wrap up report” where officers summarise the MCA’s response to the various actions, suggestions and recommendations made throughout the year – to be a key part of the following year’s work programming.**

Scrutiny should:

- e) **Ensure that the work programme topics and approach to overview are suitably strategic to properly mirror the Combined Authority's nature and type of activity.**
- f) **Review the work programme at the mid-year point to ensure that any new issues are considered, and the work programme is as live as possible.**

Key Principle 14 – Focused task and finish exercises

Assessment and conclusions

- Smaller working groups of members, working on a directive from the main committee with a time limit and without the bureaucratic formalities of committee, have proven to be the most effective way of scrutinising and reviewing fast moving and complicated issues.
- WYCA is inexperienced in utilising Scrutiny to lead reviews. Scrutiny has not engaged in many task and finish reviews in the mayoral era, largely due to lack of resource and member availability, with the first two such reviews taking place this year;
 - this two-session review of the Scrutiny Protocol and
 - a single-session spotlight review of the cancelled FlexiBus scheme.
- Other working groups established have been informal 'overview' groups without end dates.
- There is a 'Catch-22' in that there is little value in pursuing a review of a topic that is already being looked at by another committee or body, and would therefore duplicate efforts and use up officer resource, and at the same time, pursuing a topic that WYCA is not currently working on, would require a large amount of officer resource which, if available, would likely have already been deployed in tackling that same issue.

Recommendation 15:

The Combined Authority should:

- a) **Ensure Scrutiny has the resource to conduct a much greater number of in-depth reviews per year on cross-cutting, strategic topics that will add genuine value to WYCA's objectives and/or resolve persistent strategic challenges WYCA, or the region, faces.**
- b) **Involve scrutiny more closely in other reviews – internal or external – to seek their input, seek some needed challenge, or as part of a triangulation of evidence.**

Key Principle 15 – Strong relationships with stakeholders

Assessment and conclusions

- There are currently no formal links between WYCA Scrutiny and constituent authority scrutiny committees, beyond the inevitable overlap in membership.
- There have been no instances of formal joint scrutiny by WYCA and local scrutiny of joint services, stakeholders or areas of interest.

- There is also little knowledge of or uptake of WYCA's constitutional provisions that allow any elected Member in West Yorkshire to formally refer matters to WYCA Scrutiny and receive a response.
- There is a large degree of duplication when local scrutiny committees scrutinise WYCA activity and officers directly, including the Mayor who regularly attends full council meetings across the region.
- This creates a large demand on WYCA officers' time and resources that then cannot be made available to WYCA Scrutiny, limiting its ability to fulfil its duties.
- Discussions on 'scrutiny taking place in the right place' have been debated throughout the years by members.
- On the one hand, WYCA activity affects local authority areas and activity and is a legitimate object of scrutiny by councillors – especially those not on WYCA scrutiny committees.
- The opposing view is that scrutiny of WYCA activity should be conducted by WYCA Scrutiny, and that local scrutiny members should direct their scrutiny of what their area receives from WYCA to their authorities' political and corporate leadership.
- Most of WYCA's projects and schemes are local council schemes promoted and delivered by local councils but only funded and assessed by WYCA. There is a discussion to be had about whether scrutiny of certain WYCA projects is most effective by WYCA Scrutiny or by members in that council.
- Attempts to establish a WY-wide scrutiny officers and WY scrutiny chairs network groups have been attempted a few times but are not sustained due to resourcing issues.
- Scrutiny does not currently have communications and marketing resources or activity, beyond webcasting meetings and a relatively buried section on the WYCA website.
- There is little promotion of Scrutiny activity and no press releases of work programmes, meetings or post-meeting readouts with member statements; even Mayor's Questions does not yield much attention.
- Public engagement could be vastly improved. The public rarely attend scrutiny committee meetings, with the exception of a few environmental campaign groups throughout the years, and webcasting view count is very low as meetings take place during the working day.

Recommendation 16:

The Combined Authority should:

- a) Agree a formal 'WY-level scrutiny protocol' between partner authorities establishing 'rules of engagement' on who has responsibility for scrutinising which elements and how joint scrutiny and referrals would work on areas of mutual interest, to ensure that the most effective scrutiny is taking place and duplication is avoided.**
- b) Enable greater liaison between WY scrutiny officers and WY scrutiny chairs through an established WY scrutiny network to share work programmes, best practice, relevant updates as well as manage duplication, joint work and referrals.**
- c) Establish a committed communications plan and schedule to promote and publicise Scrutiny activity and build Scrutiny's profile including promotion of work programming, meetings, evidence sessions, reviews, recommendations, and Mayor's Questions – so there is greater parity between Scrutiny and CA Members and so that the public is more aware of, and engaged in, the Scrutiny process (i.e. to submit evidence in writing or verbally).**

Key Principle 16 – Regular self-evaluation and reflection

Assessment and conclusions

- Members are able to discuss and amend the work programme at every meeting but the standing item is at the end of the agenda when time is tighter and often does not invite comment.
- A factual, minutes-focused annual report is published every year by officers in the ‘inter-election’ period between May-June.
- It is vital that Scrutiny is not, and is not perceived as, a ‘talking shop’ but makes a genuine impact and helps drive improvements and outcomes across WYCA and the region.
- Members and officers time is valuable and neither want to participate in a process that is not productive and has clear, observable and actionable outcomes they can clearly point to as a product of the hard work they will put it.
- Scrutiny, as a function, has only been evaluated once in 2020/21 ahead of the first mayoral election and Scrutiny’s recommendations (to retain a single committee and move to working group focused work) were not adopted by the Combined Authority board at the time.

Recommendation 17:

The Combined Authority should:

- a) **Commit to more regular mini-reviews of Scrutiny (and wider governance) to ensure the system is productive, contributing to outcomes and working most efficiently – including with independent, external reviewers at appropriate times.**

Scrutiny should:

- b) **Re-orientate the annual report to focus on outcomes and impact of Scrutiny and be discussed by members in draft form at the end of the year and approved at the beginning of each municipal year.**
- c) **Hold post-committee ‘wrap ups’ so members can review the meeting and its conclusions more honestly and amend the work programme accordingly.**
- d) **Hold bi-annual ‘wrap up’ meetings to review and discuss the direction of the work programme.**

Key Principle 17 – Access to data, research, and analysis

Assessment and conclusions

- The proposed “Oflog” (Office for Local Government) has not yet been established, and there hasn’t been as much external public analysis of MCAs as there is of local authorities.
- Scrutiny could make greater use of existing LGA data on authorities within the WYCA area and pay more attention to reviews conducted by external consultants on WYCA,

including internal corporate matters such as the analysis of the leadership structure conducted in 2021/22 as part of the mayoral readiness agenda – amongst others.

Recommendation 18:

The Combined Authority should:

- a) **Use Oflog’s data frequently in its work programming and overview duties, as part of a triangulation of data, when OfLog is established.**
- b) **Notify Scrutiny when external analysis of WYCA is taking place and of any data that is generated as a result.**

Key Principle 18 – Strong relationship with audit committees

Assessment and conclusions

- There are many ways Scrutiny and Audit can work in a complimentary way while not treading on each other’s remit, through agreed ‘rules of engagement’ and frequent contact between Chairs.
- The current Audit Chair and Corporate Scrutiny Chair have met more frequently than their counterparts have met in the past, leading to the planning of joint workshops on areas of mutual interest, such as risk management, and the Audit Chair participating in this review of the Scrutiny Protocol.
- This Principle also includes recommendations for audit committees to have more ‘Scrutiny-style’ dedicated officer resource to produce annual reports on their work, amongst other things.

Recommendation 19:

The Combined Authority should:

- a) **Conduct an Audit-led review of the audit committee to ensure that it fulfills the requirements outlined in the Scrutiny Protocol including consideration of:**
 - i. **providing a dedicated resource to support the Audit Chair in producing annual reports on their work.**
 - ii. **reviewing membership of the audit committee to explore participation of non-executive councillors, similarly to other MCAs.**

Scrutiny should:

- b) **Arrange regular meetings between the Scrutiny and Audit Chairs so that they can agree ways of working to allow them to refer matters of concern, including reports and recommendations, to each other’s committees according to their defined duties.**

Additional Principle – [Public] Mayor’s Question Time

Assessment and conclusions

- WYCA has now begun public Mayors Question Time sessions which are ‘town hall’ style events, moderated by local journalists and/or businesspeople, where the public can ask the Mayor any question.
- The first three sessions were 25 January in Wakefield), 5 February in Halifax and 22 February in Leeds – with more planned in the near future.
- This required Scrutiny to ‘rebrand’ its own mayoral question sessions, previously also known as Mayors Question Time – and now known as Mayors Questions.

Recommendation 20:

The Combined Authority should continue to host regular public Mayors Question Times and ensure they are as accessible as possible to the public – including live casting if resources allow – and are suitably challenging and independently moderated.

Background documents

Scrutiny Protocol for English Institutions with Devolved Powers

<https://www.gov.uk/government/publications/scrutiny-protocol-for-english-institutions-with-devolved-powers>

English Devolution Accountability Framework

<https://www.gov.uk/government/publications/english-devolution-accountability-framework>

Technical Paper on Level 4 Devolution

<https://www.gov.uk/government/publications/technical-paper-on-level-4-devolution-framework>

Combined Authority's Letter to the government formally applying for devolution – “The Asks”

<https://westyorkshire.moderngov.co.uk/documents/b3998/Supplementary%20Appendix%203%20to%20item%207%2001st-Feb-2024%2011.00%20West%20Yorkshire%20Combined%20Authority.pdf?T=9>

Review of WYCA Scrutiny Arrangements 2020/21

<https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=945&Ver=4>

Outcome of the review of WYCA scrutiny arrangements 2020/21 (Minutes of 9 March 2021 WYCA meeting)

<https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=133&MId=1070&Ver=4>

Independent Review of Greater Manchester Scrutiny arrangements 2022

<https://democracy.greatermanchester-ca.gov.uk/documents/s21088/4%20Final%20GMCA%20scrutiny%20report%202022.pdf>

CfGS Evaluation of Greater Manchester Scrutiny arrangements 2023

<https://democracy.greatermanchester-ca.gov.uk/documents/s27974/Appendix%20A%20-%20Scrutiny%20evaluation%20report.pdf>

West Midlands IRP's review of scrutiny allowances June 2023

<https://governance.wmca.org.uk/documents/s10527/Report%20of%20the%20Independent%20Remuneration%20Panel.pdf>

<https://governance.wmca.org.uk/documents/s10528/Enc.%201%20for%20Report%20of%20the%20Independent%20Remuneration%20Panel.pdf>

West Midlands review of Transport Committee governance June 2023

<https://governance.wmca.org.uk/documents/s10525/Transport%20Governance%20Review%20Report.pdf>

<https://governance.wmca.org.uk/documents/s10526/Enc.%201%20for%20Transport%20Governance%20Review.pdf>



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**West
Yorkshire
Combined
Authority**

**Tracy
Brabin
Mayor of
West Yorkshire**

Report to:	Corporate Scrutiny Committee
Date:	8 March 2024
Subject:	Work Programme 2023/24
Director:	Alan Reiss, Chief Operating Officer
Author:	Katie Wright, Scrutiny Support Officer

1. Purpose of this report

- 1.1 To note the current Work Programme.
- 1.2 To consider any additional agenda items, formal referrals to scrutiny, reviews, call in, and any other tasks, issues or matters the Committee resolves to undertake or consider further.

2. Information

Work Programme 2023/24

- 2.1 The Work Programme is set at the beginning of the year and considered at each meeting where it can be amended and changed as the year progresses. It outlines the work the Committee has agreed to undertake, investigate, and focus on in the municipal year (June 2023 – June 2024) within the resources, remit, and powers available.
- 2.2 The Work Programme was decided over the summer following an initial work planning meeting between Members in July, and subsequent discussions between the Scrutiny Chairs, Scrutiny Members, scrutiny officers and the lead directors and officers for each committee. During discussions, amongst other things, they considered:
 - The Committee's remit and terms of reference
 - Combined Authority's main strategic priorities and the Mayors Pledges
 - The committee's work last year and what should be rolled over
 - Major ongoing and upcoming challenges for West Yorkshire residents
 - Members' areas of expertise and interests
 - The number of meetings: three, excluding Mayors Question Time, each being two hours long
- 2.3 The joint work programme (as of the date of publication), including the other two scrutiny committees, is attached as **Appendix 1**.

Referrals to scrutiny

- 2.4 Under Scrutiny Standing Order 7, any CA Scrutiny Member, any Combined Authority Member, or any elected Member of a West Yorkshire council (or the City of York Council) may formally refer a matter to a scrutiny committee for consideration. The referral must be in writing to the Statutory Scrutiny Officer. The relevant scrutiny committee must then consider and discuss the referral and respond to the referrer explaining whether or not it will consider the matter further and why.
- 2.5 There are no formal referrals for this committee to consider at this meeting.

Key decisions and call in

- 2.6 Scrutiny members may call in any decision of the Mayor, Combined Authority, a decision-making committee, and any key decisions taken by an officer (with the exception of urgent decisions). Key decisions are defined as any decision incurring a financial cost or saving of £1 million or more, or a decision likely to have a significant effect on two or more wards.
- 2.7 Decision-makers (both committees and officers) have two days to publish notice of a decision, at which point scrutiny members have five working days to decide whether to call in the decision, delaying its implementation while it is under scrutiny.
- 2.8 Any five members of a scrutiny Committee – including at least one member from two different constituent councils (West Yorkshire) – may call-in a decision by notifying the Statutory Scrutiny Officer in writing by 4.00 pm on the fifth working day following publication of a decision notice. The relevant scrutiny chair must then decide whether to delay the implementation of the decision, and the committee has 14 days to meet, scrutinise the decision and make any recommendations.
- 2.9 Further information is set out in Scrutiny Standing Order 14.
- 2.10 The latest key decisions and forward plans of key decisions are published and available for viewing on the [key decisions section of the Combined Authority's website](#).

Changes in membership

- 2.11 Since the last meeting, Cllr Jo Lawson has stepped down from the Committee leaving a Kirklees Labour vacancy which is yet to be filled.

Actions for the Statutory Scrutiny Officer

- 2.12 As outlined in Scrutiny Standing Order 17, the statutory scrutiny officer provides support to a scrutiny committee's work programme and all scrutiny members in exercising their scrutiny duties and fulfilling their objectives.

3. Tackling the Climate Emergency Implications

3.1 There are no climate emergency implications directly arising from this report.

4. Inclusive Growth Implications

4.1 There are no inclusive growth implications directly arising from this report.

5. Equality and Diversity Implications

5.1 There are no equality and diversity implications directly arising from this report.

6. Financial Implications

6.1 There are no financial implications directly arising from this report.

7. Legal Implications

7.1 There are no legal implications directly arising from this report.

8. Staffing Implications

8.1 There are no staffing implications directly arising from this report.

9. External Consultees

9.1 No external consultations have been undertaken.

10. Recommendations

10.1 That the Committee notes or amends the Work Programme and forward plan.

11. Background Documents

[Scrutiny Standing Orders](#)

[Key Decisions Forward Plan \(as of this month\)](#)

12. Appendices

Appendix 1 – Joint Scrutiny Work Programme (as of the date of publication)

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Scrutiny Work Programmes 2023/24

Summary of main topics and meeting dates

Committee	Main topic areas	Meetings
Corporate	<ul style="list-style-type: none"> • Corporate performance monitoring • Budget, finances and resources (incl staff capacity) • ‘Deeper devolution’ • Decision making and governance • Projects: ICS, Wellington House refurbishment, MCA Digital Programme, Procurement and social value 	<ul style="list-style-type: none"> • 22 September 2023 • 24 November 2023 • 19 January 2024 (Mayors Questions) • 8 March 2024 (PM)
Transport & Infrastructure	<ul style="list-style-type: none"> • Bus franchising and service improvement (incl BSIP+) • Mass Transit • Strategy, policy and Local Transport Plan 4 pre-scrutiny • Performance monitoring of transport network, bus services, passenger experience and transport projects • Affordable Housing (achievement of mayoral pledge) • Projects: Flexi Bus 	<ul style="list-style-type: none"> • 29 September 2023 • 1 December 2023 (Mayors Questions) • 26 January 2024 • 15 March 2024
Economy	<ul style="list-style-type: none"> • Economic outlook/data • Economic strategy development: strategic challenges, current / future challenges • Adult Education Budget and adult learning • School engagement, apprenticeships and youth learning • Approach to business support and investment, including culture / creative industries • Economics services performance/outputs monitoring 	<ul style="list-style-type: none"> • 15 September 2023 • 17 November 2023 • 12 January 2024 • 1 March 2024 • 8 March 2024 (PM) (Mayors Questions)

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Corporate Scrutiny Committee

Topic	Sub-topics/focuses	Date
Strategic focus and performance monitoring	<ul style="list-style-type: none"> How is performance monitored – how does the process work? (Who monitors it? What data is collected and how is it presented?) Logic and assumptions behind deciding the actual KPI/target/objective numbers; evidence based, need based, capacity based? Is it 'arbitrary'? Focus on long term progression 'journey of delivery' for greater context – past KPIs, current, future. What impact is the CA actually making? What 'levers' does it actually have? Is there proof of 'additionality'? Strategic alignments: Region-first thinking, avoiding local parochialism; Levelling up within WY vs Leeds centricity (inclusion in KPIs and performance monitoring of it?); Competition between districts and in district priorities (especially in bidding)? 	22 September 2023
Budget and resources (including staff capacity)	<p><u>Budget and finances:</u></p> <ul style="list-style-type: none"> Usual budget monitoring and pre-scrutiny. Gainshare spending + Gateway Review 2023/2024. Reserves policy/level – Audit's view of risks and viability. Corporate borrowing – possibility, rules, amount. Revenue raising and additional sources of funding. Use of past data to contextualise current budget against past budgets and future projected budgets. <p><u>Staff capacity:</u></p> <ul style="list-style-type: none"> Does the organisation have the staff to deliver? Pressures between efficiency savings (e.g. vacancy management, lower pay awards in competitive market) and delivery capacity. Recruitment and retention challenges in local government – what are the areas of concern, what can be done, where can the five authorities work together (e.g. pooling resources). Progress and changes since the last staff survey analysis (and historic context). 	<p>24 November 2023 (+ Gateway Review as separate item)</p> <p>19 January 2024 (workshop after committee meeting)</p>
Deeper devolution	<ul style="list-style-type: none"> Current status of promised powers that have not yet been devolved e.g. planning. (Autumn update?) Future expected further devolution, including 'single settlement' funding model. 	19 January 2024
Decision making and governance.	<ul style="list-style-type: none"> Governance rules and structure etc. How are decisions made – from the origin point (inception) of an idea (or need) to policy/service development, to scrutiny/discussion, to decision, to monitoring delivery, to evaluation. 	22 September 2023 (Assurance Framework)

	<ul style="list-style-type: none"> • Role of members and level of control and influence over process. • Role of officers and internal decision-making structures – when do officers decide, when do members decide. • How each stage is communicated to stakeholders (members, public) and how they are involved. • The Assurance Framework and role of PAT in project decisions/management/scrutiny/evaluation etc. • Scrutiny system. 	<p>element and project decision-making)</p> <p>TBC – other elements, possibly after/alongside deeper devolution item.</p>
Project: Integrated Corporate System (ICS)	Update on progress since last year.	TBC – when the system is live
Project: Wellington House refurbishment	Post-project Evaluations report.	TBC – when evaluations report is complete. Chair to advise.
Project: MCA Digital Programme	Briefing on project and progress.	1 March 2023, as part of Cyber Security
Project: Procurement and social value	Update from last year: methodology, risks, real value.	TBC – Chair to receive briefing and suggest way forward
Scrutiny Protocol	Review of government’s newly published Scrutiny Protocol, which WYCA must be compliant with to receive additional powers and funding through Level 4 Devolution. Review will assess WYCA’s current compliance level and recommend changes to a) be compliant and b) improve scrutiny in general.	Working Group report to 1 March meeting

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Transport & Infrastructure Scrutiny Committee

Topic	Sub-topics/focuses	Date
Bus reform and improvement	<p>Overview of long-term bus reform plans (Franchising) and short-term efforts to improve bus services in the meantime (BSIP, etc)</p> <p>Long term reforms – Bus franchising:</p> <ul style="list-style-type: none"> • Background and update on bus franchising and upcoming consultation (<i>to be approved at 28 Sept CA meeting, held the day before TSC</i>) <p>Short term improvements – BSIP update and performance:</p> <ul style="list-style-type: none"> • Update/changes in BSIP since 2021/22 (<i>when the committee last looked at it</i>) 	<p>22 September 2023 – Overview, background and update (ahead of bus franchising consultation)</p> <p>26 January 2024 – Further update on franchising consultation and BSIP</p>

	<ul style="list-style-type: none"> • Most updated quarterly report and KPIs – including update on RTI accuracy (<i>considered by committee last Sept</i>). • Bus network performance and passenger experience data <p>Areas of interest:</p> <ul style="list-style-type: none"> - Current bus service / operator performance issues - Effects of service cuts and possible solutions - Public engagement, customer service quality re complaints, consultations and service changes 	TBC – look at consultation report and results around March 2024 final approval
Mass Transit	Overview of the background to the Mass Transit scheme, level of funding, short term and long-term timelines, main challenges and risk assessment, legal questions, type of transit systems being considered and how future proof it is, public consultation, and multi-modal connectivity.	26 January 2024 Any further update based on timelines
Overview and Monitoring – transport services and projects/schemes	<ul style="list-style-type: none"> • KPI, projects, objectives – performance and achievement. • Understand transport schemes, funding/bidding, strategic and ROI criteria, impact assessments on non-transport areas. 	29 September 2023 – buses/passenger experience
Strategy/policy and Local Transport Plan 4	<ul style="list-style-type: none"> • Decarbonisation (and government assessment toolkit) • Behaviour Change and Active Travel (including bikes, e-bikes/e-scooters, and motorbikes) • Freight and waterways as a resource • Current and future transport trends; the pandemic and beyond (bus/rail footfall, homeworking positives vs rise in deliveries) • Infrastructure, energy and sustainability challenges and opportunities of future proof transport system (electricity demand vs sources, lithium dependency and mining, effect on other industries and sectors)] • Pollution, health and clean air zones 	15 March 2024 (LTP4 consultation in Summer 2024, for adoption in 2025)
Housing	<ul style="list-style-type: none"> • Achievement of ‘affordable’ and ‘sustainable’ targets • Challenges and solutions (target vs need in region) • Available funding and what it is being spent on 	1 December 2023, at MQT 15 March 2024
Projects: Flexi Bus	Review July Transport Cttee report and reason for non-viability and early termination, and circumstances of decision	Workshop for working group, 26 January 2024 (PM)

Economy Scrutiny Committee

Topic	Sub-topics/focuses	Dates
Economic outlook and strategic challenges	<p><u>Current situation/data:</u></p> <ul style="list-style-type: none"> • Latest data and economic outlook since last year e.g. economic figures, inflation, cost of living effects • Any comparisons with neighbouring regions with overlapping economic footprints e.g. NY and GM. <p><u>Current/persistent challenges:</u></p> <ul style="list-style-type: none"> • Continuing post-pandemic challenges: effects on town centres / hospitality businesses and plans to deal with this (e.g. shopfront grants, cultural exhibitions, IT/study areas); changes in work habits and effects of people being able to work remotely on local economies and other areas. • Persistent economic challenges: NEETs, people 'missing' from data, part time work trends, over-50s/retirees returning to work, green sector/skills growth and preparation, manufacturing in need of support, inter-regional imbalances in economic growth/jobs within WY, and retention of talent within WY. <p><u>New/Future challenges:</u></p> <ul style="list-style-type: none"> • AI, automation, green/decarbonisation (+ any other disruptions?) which have accelerated recently and their potential consequences on the regional economy, businesses and jobs. • Are we prepared for these challenges? Can we get ahead of other MCAs/areas and position ourselves as leaders in these emerging markets? • Potential conflict between productivity/growth/tech advancement vs job creation/community/place/diversity considerations. <p><u>Economic Strategy update:</u></p> <ul style="list-style-type: none"> • How we are addressing the above challenges through the economic strategy + current thinking/progress + timeline for finalisation and adoption 	<p>15 September 2023 – intro and main discussion</p> <p>8 March 2024 – update on economic strategy</p>
Adult Education Budget, Schools and Training Providers	<ul style="list-style-type: none"> • Update on last year's AEB performance and this year's spending and outputs. • School engagement and young people opportunities and apprenticeships • Apprenticeships and non-university career routes 	17 November 2023
Business investment and outcomes (including culture + creative industries) and	<p><u>Business investment:</u></p> <ul style="list-style-type: none"> • How we are investing in businesses and generating outcomes <p><u>Culture and creative industries:</u></p>	8 March 2024

<p>performance monitoring/outputs/funding</p>	<ul style="list-style-type: none"> • A mayoral objective, an increasing percentage of the region’s economy and upcoming/recent city of culture events (in Bradford and Leeds) <p><u>Performance monitoring and KPIs</u></p> <ul style="list-style-type: none"> • Monitoring achievement of economy targets/KPIs from the corporate plan. • “Follow the money”: where is funding coming from, how is it spent, what are the revenue opportunities. • Inter-regional levelling up, avoidance of Leeds-centricity, ensuring certain areas/towns are not forgotten, place-based element of targets/KPIs e.g. number of jobs/houses/businesses supported in different districts 	
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Minutes from all scrutiny committee meetings 2023/24:

Economy:

- 15 September 2023- <https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=228&MId=1342&Ver=4>
- 17 November 2023- <https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=228&MId=1343&Ver=4>
- 12 January 2024- <https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=228&MId=1344&Ver=4>

Corporate:

- 22 September 2023- <https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=226&MId=1346&Ver=4>
- 24 November 2023- <https://westyorkshire.moderngov.co.uk/ieListDocuments.aspx?CId=226&MId=1347&Ver=4>
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