

Scrutiny Working Group – Scrutiny Review conclusions

The working group investigated a number of issues:

1. **the current and future picture**, such as Combined Authority scrutiny's current performance and impact, combined authority scrutiny's main challenges and what new challenges could be expected within an expanded mayoral authority.
2. **how scrutiny operates in other mayoral and regional authorities** including Greater Manchester and Greater London and also the differences between local scrutiny models/methods and what might work in a wider geography e.g. the select committee system employed in the Scottish Parliament and Welsh Assembly.
3. **how the mayor would be scrutinised directly**, based on current practice and lessons learned in other areas – a summary of which is outlined in **Appendix 1**.
4. **how local authority scrutiny** can better engage with combined authority scrutiny.
5. **operational and day to day improvements** such as greater training and support for members, clearer member and chair role profiles, report formats including independent analysis and summaries, pre meetings for question planning, greater pre-decision scrutiny of key decisions/projects and post-decision scrutiny of decisions made, the number (and role) of scrutiny officers, greater engagement with the public and stakeholders, and more efficient use of working groups for overview.
6. **The views of Combined Authority officers** as well as colleagues in other authorities.

The working group's findings and conclusions

The strategic nature and partnership structure of combined authorities has posed challenges to scrutiny that is modelled on local authority scrutiny. The attempt to imitate local scrutiny models at a regional level had not seemed to work and a more innovative approach to scrutiny in combined authorities was necessary. The Centre for Governance and Scrutiny and Local Government Association are currently developing new updated guidance for combined authority scrutiny with this in mind.

Most mayoral combined authorities only have one scrutiny committee – including Sheffield City Region, Liverpool City Region, Cambridgeshire-Peterborough and North of the Tyne. The exceptions were the West Midlands which has a transport scrutiny sub-committee and Greater Manchester which has three scrutiny committees.

It was generally found that regardless of an authority's committee structure, the challenges for scrutiny remained largely the same. The main challenges that scrutiny in combined authorities face are:

- the level of resources dedicated to scrutiny,
- the organisation's cultural attitude toward scrutiny and challenge,
- how closely scrutiny was integrated into existing improvement and governance processes,
- the quality expertise and quality of scrutiny chairs and members,

- the style and quality of reports submitted to scrutiny and;
- the number of and role of scrutiny officers;
- how focused and strategic scrutiny's work programme is – as opposed to scrutiny that is too focused and detail orientated.

There was a consensus that combined authority scrutiny is underfunded and needs greater investment, staff and resources. It also needs a higher public profile to better engage with the public/stakeholders and a more focused purpose that does not duplicate scrutiny-like work currently undertaken by other committees and advisory panels.

Scrutiny members agreed that, regardless of the chosen model and structure:

- scrutiny must 'be bigger' and it must look, feel and operate completely differently to how it does now.
- effectiveness of scrutiny depends on commitment by scrutiny members to dedicate the time to fulfilling their duties.
- more resources and scrutiny officers are necessary to support members fulfil their duties and manage a much-expanded scrutiny function expected to scrutinise an expanded mayoral combined authority with greater powers and spending.

The working group effectively narrowed down the possible ways forward to two main options:

1. **switch to a single select committee** with a different operational model and more strategic focus (Option 1)
2. **expand to multiple committees** each with a different thematic/functional responsibility (Options 2 and 3).

Full details on all the options considered can be found in the full report submitted to the Overview and Scrutiny Committee (Item 6) on 13 November 2020.

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

The Overview and Scrutiny Committee also resolved to recommend that the Combined Authority review the entire governance structure in the near future, most logically after the Mayor has been elected. The full statement of scrutiny's recommendation¹ was:

“Scrutiny’s view was that scrutiny is a fundamental part of any efficient and equitable governance structure and decision-making process and that the way that the current governance structure works means that a lot of ‘small-s scrutiny’ work is undertaken by ‘competing’ committees (such as Transport and its district sub-committees) and ‘expert’ panels (such as the advisory panels and a number of informal working groups).

Ideally, Scrutiny would have liked to see the authority take a clean slate approach and design a new governance structure for the mayoral era that took into account the new organisation’s needs without consideration of any

¹ Item 6, Overview and Scrutiny Committee (13 November 2020), Minute 24 (2020-21)

'legacy' governance arrangements which had historically been carried over from previous iterations of the organisation. Any re-design would also ideally take into account the potential of any streamlining and further efficiencies in decision making processes and structures.

However, Scrutiny also recognised that this might not be an easy task to accomplish in the time available, with less than a few months to the 'purdah' pre-election period. There are many challenges involved in reforming the current structure including political sensitivities and a requirement to revisit the previously agreed shared structure arrangements with the Local Enterprise Partnership (LEP). There was also the question of whether the directly mayor should be involved in helping shape new governance structure."