

DRAFT
***Your Guide to Overview and Scrutiny
in North Yorkshire County Council***

Insert picture for front cover



September 2007

Contents

	Page
Introduction	1
The role of Overview and Scrutiny	2
Political Structure	4
How do Overview and Scrutiny Committees work?	5
How are the public and partners involved in scrutiny?	8
How is scrutiny monitored?	9

Purpose of this Guide

The aim of this scrutiny guide is to provide Councillors, partners of the County Council, Health Partners County Council Officers and members of the public with the tools to offer effective scrutiny for the County of North Yorkshire. Within this guide you will find information on how scrutiny is arranged, the process of scrutiny and useful hints and tips to enable effective scrutiny.

Introduction

North Yorkshire County Council is comprised of 72 elected County Councillors.

The Local Government Act 2000 requires Local Authorities to have executive arrangements, which means that decisions are taken on behalf of the Council, on most major issues, by the Executive which is made up of 8 Councillors. The Executive make their decisions within the pre-approved Council policies.

To ensure that the decisions taken by the Executive are in the best interests of the people of North Yorkshire, Overview and Scrutiny Committees were established. Scrutiny is undertaken by Councillors who do not hold Executive posts within the Council. It is used to ensure that the work of North Yorkshire County Council is accountable, open and transparent. It also makes sure that decisions made by the Executive are in the best interests of the residents of North Yorkshire.

Scrutiny has a dual role; it is used to scrutinise the decisions taken by the Executive and also looks at issues, researches good practice and makes recommendations based on research, which can include a recommendation to the Executive to revise a policy. Scrutiny is an internal function of the Council, there is, however, the possibility of investigating external agencies that work in partnership with the County Council to deliver services for example within the Local Area Agreement (LAA). Scrutiny of Health has a specific power to scrutinise local health provision.

The Centre of Public Scrutiny propose that there are four principles to effective public scrutiny, these are:

- to be a 'critical friend' in challenging executives as well as external authorities and agencies;
- to reflect the voice and concerns of local people and communities;
- to lead and own the scrutiny process on behalf of the public;
- to make an impact on the delivery of public services.

The role of Overview and Scrutiny

This section describes how overview and scrutiny is organised, how it fits in with the political structure and is part of the Council's decision making process

There are nine overview and scrutiny committees whose job it is to look into how effectively the Council is serving the needs of its communities. The aims of these Committees are:

- * To hold the Executive to account.
- * To assist the Executive in ensuring the continuous improvement of services in North Yorkshire, with a particular focus on outcomes for the community.
- * To ensure that the experience and knowledge of businesses, community groups, service providers and service users are used to develop the County Council's services.
- * To help the County Council better fulfil its community leadership role by looking beyond services provided by the County Council to consider issues affecting the wider community, e.g. health services.

In other words, the purpose of overview and scrutiny is to examine how well the Executive and the authority are performing. Wherever possible it will concentrate on outcomes for the community, not on inputs. It is a mechanism for promoting the best interests and wellbeing of the County. In-depth Scrutiny Reviews therefore adopt the role of 'critical friend' and focus on strategic issues.

They produce reports and recommendations which advise the Executive and the Council as a whole on its policies and service delivery, as well as looking at reviews of individual services to see if they provide best value for local people. Overview and Scrutiny committees also monitor the decisions of the Executive. They may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.

The remit of the Overview and Scrutiny Committees are:

COMMITTEE	SCOPE
Safe and Sustainable Communities	Community development, community safety, community strategies and the accessibility of Council Services to communities.
Young People	The interests of young people, including education, care and protection and family support.
Care and Independence	The needs of vulnerable adults and older people and people whose independence needs to be supported by intervention from the public or voluntary sector.
Transport and Telecommunications Services	Transport and communications infrastructure of all kinds, however owned or provided, and how the transport needs of the community are met.

COMMITTEE	SCOPE
Economic Development and Regeneration	Supporting business, helping people develop their skills, including lifelong learning and regeneration of the economic infrastructure of North Yorkshire.
Environment and Heritage	Sustainable development, countryside management, waste management, environmental conservation and enhancement and cultural issues.
Corporate Affairs	The Council's corporate organisation and structure, resource allocation, asset management, procurement policy, equalities, people strategy, performance management and the implementation of corporate initiatives.
Communications	How the Council listens to and communicates with partners, stakeholders and the public; how it tells them how it plans to meet their needs and what it is doing, communications and information services delivered through libraries; and electronic communications.
Scrutiny of Health	<p>To review any matter relating to the planning, provision and operation of health services in the County, including Ambulance Trusts and the policies of the Strategic Health Authority.</p> <p>The aim is to ensure that the needs of the local people are considered as an integral part of the delivery and development of health services.</p> <p>To focus on action to achieve health improvement; to examine health care in the context of the wider determinants of health; to examine how health services address the needs of local communities; especially to address health inequalities; to ensure that local health and health related issues are being tackled jointly and in a co-ordinated way across agencies</p> <p>As part of the Healthcare Commission process of annual health checks to comment on the performance of all NHS Trusts serving North Yorkshire.</p>

NORTH YORKSHIRE COUNTY COUNCIL
POLITICAL STRUCTURE
(May 2006)

There are several ways in which the Overview and Scrutiny Committees undertake Scrutiny activities. Having a mixture of Scrutiny activities, more searching In-depth Reviews and shorter task-and-finish project groups to look into specific problems, will allow Scrutiny to demonstrate some 'quick wins' while still dealing with issues of substance. It is important to remember that Overview and Scrutiny Committees, as well as making suggestions for improvements to council services, can acknowledge good practice, strong performance and commitment within the authority.

Meetings:

Committee A formal County Council meeting involving members of the committee asking questions of partner agencies and individuals. It is open to the public and takes into account issues that have been raised by the public within the 3 day notice period required.

It is the responsibility of the Committee Members to declare an interest in any particular matter under discussion. If further guidance is required, this can be sought from the Committee Administrator or Monitoring Officer.

Fact Finding The committee calls a meeting with members of the public to consult with them on a particular issue.

Forum 'Question time' style of meeting which involves partner agencies participating and being prepared to answer questions from the Committee and members of the public without the 3 day notification period. (Subject to partner agreement to this approach.)

Task Group An informal meeting between key Councillors of the Committee, stakeholders and/or partners to gather information.

Call in: Challenging Executive decisions

To 'call in' a decision means to review a decision made by the Executive or an officer with delegated responsibility, before it is implemented. This should involve a discussion of the reasons behind the decision, and consideration of alternatives. There is a limited time-scale during which an Executive decision can be called-in. This process should be used to make sure that the Executive is making decisions based on the best available evidence, and that the outcomes will be beneficial for local people. More information on the 'call in' process can be found in the Scrutiny Information Sheet number 6.

Select Committee Scrutiny working

This refers to a particular approach to Scrutiny work, where an Overview and Scrutiny (O&S) Committee works as a whole Committee to address a particular issue. This includes deciding on the scope of the topic, framing questions, and calling in witnesses. Where appropriate, Committees involve other interested parties and stakeholders in determining what are the most important questions that need answering. The Committees are solely responsible for making recommendations to the Executive. This type of activity is particularly useful when there is a specific

service area or activity that Councillors want to check is performing well or otherwise be held to account. Select Committee working can be a very effective way of gathering evidence and tackling issues of community concern in a time efficient manner.

Question and answer session

When an issue is quite discrete and contained, when time is short, or when initial concerns have yet to be clarified, O&S Committees can choose to conduct a short question and answer session involving one or two people with a particular expertise in, or knowledge of, the topic. Committees discourage such representatives from giving stock presentations and instead concentrate on building up information through probing questions. This enables the O&S Committee to conduct a relatively quick and straightforward piece of work. However, it is not just 'fact-finding', as Committees conclude by making specific comments and recommendations for consideration by the Executive or for other relevant agencies to act upon.

Small Task and Finish Group

Small task and finish groups are set up by O&S Committees to carry out research into an issue to help inform the whole Committee's discussion at a later point. The task group is usually made up of three or four members of the Committee and is responsible for reviewing key documents, understanding relevant legislation, and where appropriate interviewing key officers, external experts or members of the public. This type of activity is particularly useful when the Committee knows it has a detailed or lengthy plan coming to it for Scrutiny and would benefit from some guidance as to what are the key issues to explore, before the meeting takes place. Such preparation allows the Committee to make the best use of its limited time and resources during the meeting to concentrate on the key points.

The Task and Finish Group report its findings back to the originating O&S Committee. The Chairman of the O&S Committee and/or a representative of the Task and Finish Group then present the report and any recommendations to the Executive or Executive Member.

Policy Development and Review

This identifies a topic for Scrutiny to look at in detail. This work is often carried out as an In-depth Scrutiny Review undertaken by a small group of Scrutiny Councillors tasked by a particular O&S Committee. Scrutiny Reviews involve taking up issues that are important to the community, evaluating council policies and services, and measuring North Yorkshire's performance against the council's own standards and the performance of other local authorities. It does this with a view to involving local people, and responding to their concerns. This process is more time-consuming for Scrutiny Councillors than other Committee activities, and Scrutiny Reviews usually require a longer time-scale than other, less detailed pieces of Scrutiny work. Given the time involved and the limited resources at Scrutiny's disposal, it is unlikely that any given Scrutiny Committee can succeed in doing more than one or two Reviews in a year. Topics for Scrutiny Reviews are therefore carefully prioritised.

In order to make sure that the Review is as effective as possible, it is vital that the scope of the Review is well defined, and that the project is well run. For this reason each Review starts with a 'scoping template' which outlines the time-scale, key

sources of information, principal witnesses and public involvement. See information sheet 5 for further information on scoping the review.

The Task Group can interview expert witnesses and stakeholders, service users, managers and Executive Members. This questioning process is a significant element of the Review and can provide important evidence from both the 'front line', as well as a strategic overview. The Financial and Central Services Directorate should first sign off any financial implications outlined in the review before the Task Group presents the evidence collected to the full Overview and Scrutiny Committee and the Committee signs off the report.

The report and recommendations are then considered by the Executive which is required to respond to the Scrutiny proposals. The outcome of the Review process should be a significant influence on Executive decisions concerning policy in important areas of service provision and council management.

Overview

It is important for the Overview and Scrutiny Committees to monitor service areas within their remit, this is done through; one off 'for information' reports from officers on a specific topic requested by the Committee or progress and performance reports brought forward from the Directorates

Monitoring external agencies

Scrutiny work can be undertaken to address issues that affect local people and involve services which are delivered by external agencies. This could include the police and criminal justice agencies, the voluntary sector, health services, utility companies and others. The County Council is engaged with agencies to provide a range of services and it is important that these partnership arrangements are transparent and accountable.

Councillor Call for Action

A Councillor can bring forward local issues to be considered by the relevant overview and scrutiny committee. The o&s committee will take a view on whether the matter can be included within the work programme.

How are the public and partners involved in scrutiny?

This section sets out how individuals and external groups can be involved with the overview and scrutiny function.

External organisations and individuals can bring a new perspective to an issue and an in depth day to day knowledge of a policy and/or service area. North Yorkshire County Council is committed to making scrutiny meetings accessible to all sections of the community wherever possible and to remove barriers to participation.

Agendas (which include the minutes of the previous meeting) are always published 8 days ahead of the Committee meeting and are available on the NYCC website or on request from Committee Services.

If members of the public have a particular question to ask or statement to make they are requested to inform the Committee Administrator at least 3 working days before the meeting. In exceptional circumstances, however, the Committee Chairman may use his discretion to allow public questions at the meeting.

There are several ways of engaging the public:

- ◆ contributors to the work programmes;
- ◆ as participants at meetings of the committees;
- ◆ as co-opted Members;
- ◆ as experts and witnesses;

To develop effective participation we need to be:

- ◆ clear about the goals in order to select the most appropriate participation technique;
- ◆ let people inside and outside the authority know what we're doing;
- ◆ invite as broad a range of people to participate rather than wait for people to come forward;
- ◆ be alert to the barriers affecting the participation of particular groups;
- ◆ have clear and achievable timetables where participation is to play a part.

In order to make this work, participation needs to:

- ◆ have an impact on decision-making;
- ◆ clearly identify contributor involvement and influence;
- ◆ ensure appropriate methods of involvement;
- ◆ use plain English;
- ◆ ensure equal status for participants.

Some possible approaches:

- ◆ change the physical environment (appropriate venue or room layout)
- ◆ encourage participation
- ◆ greater use of press releases and media launches
- ◆ utilise links with partner and other agencies e.g. joint working parties, workshops, research

- ◆ site visits
- ◆ Co-option of representatives.

How is scrutiny work monitored?

This section explains how Scrutiny recommendations are followed up to ensure the function is having an impact.

After a scrutiny review report has been reported to the Executive (or to the full council or some other external body such as an NHS Trust, a voluntary sector organisation, or a local strategic partnership) the Overview and Scrutiny Committee is entitled to expect a response from the recipient to clearly state which of the recommendations it is going to put into action. This response should also set out an explanation for any recommendations that have not been accepted. This statement can then form the basis of any follow-up work the Committee might undertake.

For Overview and Scrutiny to have credibility with local people they need to know that it leads to improvements. O&S Committees therefore track the outcome of the scrutiny review recommendations. Each O&S in-depth review is revisited 6 to 12 months after the presentation of the final report to the Executive. This allows the O&S Committee to assess what progress has been made.

We hope you find this guide to overview and scrutiny at North Yorkshire County Council useful. If you have any suggestions about how we could improve it further please do not hesitate to contact us.

We would like to thank Oxfordshire County Council and Leeds City Council for allowing us to use their scrutiny guidance and to our own Scrutiny Board Working Group who played a significant role in its content and design.



Overview and Scrutiny Information leaflets

This section lists all the additional information sheets referred to throughout this guide which contain more detailed information to better understand specific aspects of overview and scrutiny and include lots of tips and hints to make overview and scrutiny more effective.

<u>Number</u>	<u>Title</u>
1	Questioning Techniques
2	Guidance notes for external witnesses
3	Guidance notes for County Council officers called as witnesses
4	Choosing scrutiny topics
5	Scoping an in-depth review
6	What is call-in?
7	What is a councillor call for action?
8	Guidance notes for public sector partners
9	Guidance notes for Scrutiny of Health

If you would like a copy of any of the leaflets please contact the Scrutiny Team.

To get in touch with the Scrutiny Team:



0845 8 72 73 74



scrutiny@northyorks.gov.uk



Overview and Scrutiny
Scrutiny and Corporate Performance Unit
County Hall
Northallerton
North Yorkshire
DL7 8AD



www.northyorks.gov.uk

If you would like this information in another language or format, please ask us

Jeżeli chcieliby Państwo uzyskać informacje
w innym języku lub w innym formacie, prosimy dać nam znać.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Questioning Techniques

Introduction

This document applies particularly to In-depth Scrutiny Reviews but the principles and techniques set out can be adopted for use at all Overview and Scrutiny Committees. As ‘witnesses’, Members, officers and interest groups may be called on to respond to questions from the Overview and Scrutiny Committee (or the Task Group on their behalf), which aims to collect evidence relevant to the In-depth Scrutiny Review. The focus of this paper is on the principles and techniques to be employed when considering what questions are appropriate for witnesses, to ensure that the interview session is useful and effective.

Preparation

Before ‘witnesses’ are called they will be sent a copy of the relevant guidance for witnesses and be given an idea of the questions they will be asked. The purpose of questioning is to elicit useful information and not to try to catch people out. Councillors ask questions and pursue a point but there should be no hostility in the process. Questioning needs to be probing but not destructive – incisive but constructive. The most powerful questions can often be the simplest and provoke the most interesting response.

The Styles of Questioning

When questioning witnesses, different techniques can be used to elicit the most useful responses. For easy reference, these have been divided into “do’s” and “don’t’s”.

The Do’s

Open questions

Open questions have the greatest potential. Information is requested in a neutral way and the witness is encouraged to do most of the talking and to expand on relevant points.

- Q** What do you consider is best about...e.g., .the service?
- Q** How did you establish x, y priority(ies) in the service?
- Q** How did you decide which aspects of the service to delegate/ to focus on as a key priority etc?

The key prefixes are What? How? Why? The following phrases are also useful: -

- Q** Tell me about a time when ...
- Q** Explain to me about how you ...

Follow up responses with probing questions to yield additional clarity. This technique can also be used to help you get beyond superficial or rehearsed answers to questions. It may even be necessary to help you to form a balanced picture by seeking contrary evidence. Probing questions use the answer received for one question as the basis for taking the discussion further with your next question. For example: -

- Q You say that you did ... Can you give me a specific example of how you carried that out?
- Q I was interested to hear you say ... can you tell me more about that?
- Q Can you enlarge on the statement you made about ...?

Hypothetical Questions

This can be useful in obtaining good evidence for the Review, as well as testing possibilities to formulate new ideas and solutions. They can be valid in testing knowledge such as whether someone is familiar with a certain procedure or process.

- Q How would you set about changing your/Council's strategy for doing X?

Behavioural questions

This sort of question can provide guidance as to how a service provider or an organisation might do a task (which may be central to the Review) in future. The question obtains an accurate example of past behaviour.

- Q What did your organisation do on this issue before, to ensure outcomes x, y, z?

The Don't's **Closed questions**

A question which can be answered in a single word, can actually be very useful in clearing up points of fact. However if it is over-used, it will close down the witness and restrict the amount of information which the witness may be able to give.

- Q Did you know/are you aware that x priority identified in this service was achieved/will be achieved?

Leading questions

These questions are phrased in such a way as to make it clear to the respondee what answer is expected. The technique is poor because it may force people into a false position because they are aware how they are expected to respond.

- Q Presumably, from knowledge of your organisation's position, you agree that service/policy x successfully achieves.....?

Double-Headed questions

These ask more than one question at a time and should be avoided as they are confusing. Moreover they offer witnesses an easy strategy to defend themselves by simply selecting the bit of the question they are comfortable answering whilst ignoring the rest.

- Q** In your role/your organisation's role there is a responsibility for doing/achieving/monitoring etc X,Y ,.... and what is the system for communicating these to the Authority in relation to the service or policy under review?

Whilst these "two questions in one" might both be valid lines of enquiry, they would be more productive if presented one at a time.

Multiple Choice questions

The witness is presented here not only with a question but also 2 possible answers, neither of which may provide a real explanation.

- Q** Do you or does your organisation believe/do etc x, y or do you/your organisation instead do x, y, z,?

Discriminatory questions

- Q** How would you react to this service being managed by women only?

As well as being a leading question, it runs counter to equal opportunity considerations, and this type of question is unacceptable.

Five ways to ask difficult questions

Asking challenging questions is a skill that comes from practice and experience and works best when you can simultaneously create a relaxed and comfortable environment. The following pointers may help you probe what people actually say to uncover the real meaning behind it.

1) Open wide and close in

When you begin to ask questions make them as open as possible. The object of an open question is to get the other person to say as much as possible. Ask it in an open and friendly way. Then use subsequent questions to focus in on the detail.

2) Listen for avoidance words

One way people deal with difficult questions is to use phrases to duck the question and avoid answering it fully. Examples include, 'we are looking into', 'we are considering', 'we will do this in the future'. Focus on these avoidance techniques and force the other person to define what they mean by each of the phrases they use – when are you looking into this, how, who is doing it, how will you know, etc.

3) Listen for doubt

One of the reasons people avoid difficult questions is that they expose the truth. And the truth is often that we say one thing and really think another. It

takes a very polished performer to avoid giving away true feelings about a subject. It's just a question of actively listening and carefully watching.

4) Be charming

Recognising the hard work that people do can help create a rapport. Disarming techniques will open up people keen to keep certain issues at a distance. We are more likely to reveal our true feeling when we can empathise with the questioner.

5) Repeat the question & be silent

Two very powerful techniques are repetition and silence. Repeating the question says, "I am not prepared to take no for an answer and I will keep on asking this until I get a reasonable answer to my question". Be careful as this technique is likely to annoy or intimidate the other person. And finally using silence can be golden. Ask a question and say nothing. Just listen and wait. What you'll find (probably after practice) is that the other person will speak, stop, speak some more, stop, and then say all sorts of really interesting things that they probably hadn't planned to say.

Key Questions for Scrutiny work

The following issues provide a list of some of the potentially key points to consider when formulating questions for witnesses. This list is in no way comprehensive and will not fit for all Scrutiny work. Before any witness session ask yourself two questions: (i) What information do I want? (ii) What questions do I need to ask to get it?

Good listening behaviour

Messages are conveyed not only with words but also through non-verbal cues. Reading body-language means you are much more likely to get the whole message. Active listening builds rapport and involves:

- Looking Attentive – the Task Group will need to show that they are listening through appropriate "body language".
- Giving Encouragement – give appropriate verbal and non-verbal responses.
- Keeping an Open Mind – Councillors should seek not to over-react to initial responses! Continue to pay attention as the witnesses develop their responses and probe as necessary.
- Controlling the Flow – when sufficient information has been received.
- Not Thinking Ahead – everyone thinks more quickly than they can talk. Good listeners listen carefully to hear what the witnesses say rather than allow themselves to run ahead and make assumptions.
- Checking it Out – effective listening involves understanding by paraphrasing and reflecting what has been said by witnesses.
- "Listening Between the Lines" – this involves not only listening to the words but also to the way that they are said and to the feelings behind them. This will lead to a clearer understanding of the responses.
- Summarising – at the end of the main element of a response to a question the

Task Group may find it is useful to summarise the main points that the witness has made.

Summary of Guidelines for Questioning

1. Decide what type of question will get the information you want.
2. Think about the specific question you need to ask.
3. Establish lines of questioning prior to a meeting.
4. Ask specific, clear open or closed questions – probably using the former more often.
5. Avoid leading, multiple and judgemental questions.
6. Give the other person time to hear and understand the question, and think of the response.
7. Live with the silence, a silence is often an indication that a thoughtful question has been asked.
8. Concentrate on listening to answers rather than thinking of your next question. It is often very effective to summarise the response as a way of checking understanding.
9. Remember the power of - How? Where? What? Why? When? Who?

What are Witnesses?

Being invited to come to meet Scrutiny Councillors as a 'witness', simply means coming to talk to some Councillors. This is because they feel that you have valuable opinions and/or expertise that will help them gain a better understanding of an issue they are looking at. Councillors are lay members of the community and need to hear contributions from a wide range of people with a connection to the topic being scrutinised, if they are to come to a well considered decision. Being a 'witness' simply means coming along to answer some questions and to tell the Councillors what you think about a particular issue.

What are Overview and Scrutiny Committees?

Overview and Scrutiny Committees assist the Executive (the decision making body of the County Council) in improving and developing North Yorkshire County Council's services. The Committees can examine all functions and responsibilities of the Council. To fulfil the Council's community leadership role Overview and Scrutiny Committees look at issues affecting the wider community, e.g. health services. Overview and Scrutiny Committees consist of elected Councillors who are not members of North Yorkshire's decision-making Executive.

What are the aims of Overview and Scrutiny Committees?

- * To hold the Executive to account and to examine specific areas with a view to influencing the development of policies (it is important to understand that it is the Executive that takes the decisions).
- * To ensure the continuous improvement of services in North Yorkshire, with a particular focus on outcomes for the community.
- * To ensure that the experience and knowledge of businesses, community groups, service providers and service users are used to develop the County Council's services.
- * Overview and Scrutiny is about increasing accountability, improving performance and engaging local people in the organisations whose decisions and actions shape their communities.

How do Overview and Scrutiny Committees work?

Overview and Scrutiny Committees collect evidence from a wide variety of sources, including:

Questioning 'witnesses'/ experts

Conducting literature reviews and undertaking surveys

Taking written submissions from professionals, businesses and community groups.

For convenience these guidance notes assume all Scrutiny work is done by the whole Committee, in fact sometimes functions are delegated to a sub-set of Councillors who then form a Task and Finish Group. This guide also refers to 'witnesses' and the 'giving of evidence', but this does not imply that Overview and Scrutiny Committees are courts or bodies convened with any legal power over those who attend them.

Overview and Scrutiny Committees perform an essential function on behalf of the people of North Yorkshire in looking at council policy and practice. It is hoped that those invited to give evidence will agree to do so in the interests of the community, which is intended to benefit by the activity of the Overview and Scrutiny Committees. Although at times the Overview and Scrutiny Committees will have difficult questions to ask they are always grateful for the help and co-operation they receive.

'Witnesses' can include: -

Voluntary sector representatives
Professional experts
Service users
Community Groups
Local employers
Councillors and officers

The Committees consider all the evidence they have collected before making recommendations to the Executive on how services could be improved or developed to best meet the needs of North Yorkshire's residents and businesses.

If I am asked to attend what will Councillors ask me?

You will receive a written invitation to the meeting and this will include details of the areas you will be asked questions on. Some Overview and Scrutiny Committees will prepare lists of questions in advance but witnesses should not expect the Overview and Scrutiny Committee to restrict itself to these. The Committee will have invited you along to provide them with information that will help them make evidence-based recommendations on the further development of services. You won't have to answer questions which you feel unhappy answering and it's fine to tell the committee when you don't know the answer to a question. The meeting is ordinarily open to the public, if for any reason you want to give some or all of your evidence in private please contact one of the Scrutiny Support Officers or speak to the Chairman of the Overview and Scrutiny Committee to discuss. If you would like to have the support of another person when you meet the Councillors please let the Scrutiny Support Officer know.

How should I prepare to be an Overview and Scrutiny Committee 'witness'?

Following these easy steps will mean you use your time at the meeting to maximum effect: -

- * Read all the papers for the Committee meeting you have been sent. This will ensure that you have knowledge of the key concerns or developments being explored by the Committee.

- * Prepare a list of information you would like to provide to the Committee, but do not bring prepared presentations (unless the Committee has specially requested one).
- * As time for oral evidence may be limited, all witnesses are invited to submit written evidence beforehand. This helps to make oral evidence more productive, as Councillors have the witnesses' statements in front of them. Written evidence should be restricted to any factual information they have to offer from which the Overview and Scrutiny Committee might be able to draw conclusions (or which could be put to other witnesses for their reactions).
- * Recognise that Committee Councillors may not be experts in your area. Try to avoid jargon/ professional speak when giving answers.
- * Talk to Scrutiny Support Officers supporting the Committee. These officers will be able to tell you the Committee's expectations of you.
- * Remember attending a Scrutiny Committee offers a good opportunity to present your organisation's knowledge and experiences directly to County Councillors.

Further information

There are several pages relating to Overview and Scrutiny on the County Council website. These pages not only describe the role of the Overview and Scrutiny function and the individual Scrutiny Committees, but provide links to completed Scrutiny Reports. Scrutiny Committees meet in public at least five times a year. If a member of the public wishes to come to any of these meetings, they can check the schedule of meetings to find out when and where they take place. The web pages also make agendas available for downloading.

The County Council website provides information about how members of the public can address council meetings and get involved with overview and scrutiny both in terms of the issues it is examining currently, and by suggesting an item for future scrutiny work. When we invite you to attend please let us know if there is anything we can do to make it easier for you to attend and participate. If you have any suggestions for improving the process or if you want any further information on Overview and Scrutiny Committees please contact a member of the Scrutiny Support team.

Guidance Notes for County Council officers called as witnesses

What are the aims of Overview and Scrutiny Committees?

- * To hold the Executive to account.
- * To assist the Executive in ensuring the continuous improvement of services in North Yorkshire, with a particular focus on outcomes for the community.
- * To ensure that the experience and knowledge of businesses, community groups, service providers and service users are used to develop the County Council's services.
- * To help the County Council better fulfil its community leadership role by looking beyond services provided by the County Council to consider issues affecting the wider community, e.g. health services.

In other words, the purpose of overview and scrutiny is to examine how well the Executive and the authority are performing. Wherever possible it will concentrate on outcomes for the community, not on inputs. It is a mechanism for promoting the best interests and wellbeing of the County. In-depth Scrutiny Reviews therefore adopt the role of 'critical friend' and focus on strategic issues.

How do Overview and Scrutiny Committees work?

Overview and Scrutiny Committees collect evidence from a wide variety of sources, including: -

- * Questioning 'witnesses'/ experts
- * Literature searches/ deskbound reviews
- * Undertaking surveys and utilising focus groups
- * Taking written submissions from professionals, businesses and community groups.

Overview and Scrutiny Committees perform an essential function on behalf of the people of North Yorkshire in looking at policy and practice which will often have a vital part to play in services provided to the community. It is hoped that those called to give evidence will do so in a non-defensive manner in the interests of the community which it is intended to benefit by the debate that ensues.

The Overview and Scrutiny Committees consider all the evidence they have collected before preparing a formal report making recommendations to the Executive on how services could be improved or developed to best meet the needs of North Yorkshire's residents.

For convenience these guidance notes assume all Scrutiny work is done by the whole Committee, in fact sometimes functions are delegated to a sub-set of Councillors who then form a Task and Finish Group.

How will I know when an Overview and Scrutiny Committee is looking at a service I manage?

During the scoping process, the Scrutiny Support Officer will have approached the relevant Corporate Director of a service or services. This will have provided an opportunity to clarify any misconceptions and ensured that the Councillors involved are aware of some of the views of the service at the outset. Moreover, Overview and Scrutiny Committees will periodically agree work programmes and copies of these work programmes will be forwarded to the relevant Corporate Directors. Each Overview and Scrutiny Committee has an identified Scrutiny Support Officer to act as a conduit for exchanging information, and you may wish to have a chat with them too.

What information will I be asked to provide?

For convenience this guide refers to ‘witnesses’ and the ‘giving of evidence’, but this does not imply that Overview and Scrutiny Committees like courts. They are simply seeking information. Indeed many managers and chief officers may welcome the opportunity provided by an In-depth Scrutiny Review to inform Councillors and the public about their services performance and may find it instructive to hear how it is perceived by others. Reviews are key to meeting the local authority agenda of continuous improvement.

Overview and Scrutiny Committee members will identify the people they wish to hear from at their meetings. Officers attending Scrutiny Committees must abide by the Code of Conduct in the Constitution governing officers of the Council.

Councillors should always conduct their relations with courtesy and respect for officers and seek information not confrontation.

If I am asked to attend what will Councillors ask me?

Your invitation will be arranged with the agreement of the relevant Corporate Director. Some Scrutiny Committees will prepare lists of questions in advance but witnesses should not expect the Scrutiny Committee to restrict itself to these. The committee will have invited you along to provide them with information that will help them make evidence-based recommendations on the further development of services. You must use your best endeavours to answer questions as fully as possible. Where information which would assist the Overview and Scrutiny Committee is not immediately available, you should draw the attention of the Chairman to the existence of information, or another person, which might or who may be able to answer the question posed if this is known to them. In keeping with the spirit of transparency and openness Overview and Scrutiny Committees are required to meet in public save in exceptional circumstances specifically authorised by law. Likewise, evidence submitted may also be referred to or commented upon in public. If you want to give some or all of your evidence in private because you feel confidential or exempt information is likely to be disclosed please contact the Scrutiny Support Officer to discuss this.

How should I prepare to be a ‘witness’?

Following these few easy steps will ensure that you use your time at the meeting to maximum effect: -

- * Remember that attending an Overview and Scrutiny Committee offers a good opportunity to present your Directorate's knowledge and experiences directly to County Councillors.
- * Read all the papers for the Overview and Scrutiny Committee meeting you have been invited to. This will ensure that you have knowledge of the key concerns or developments being explored by the Committee.
- * Check with other officers in your department working on similar areas to ensure that the views you are bringing to the Committee are representative of your Directorate's work.
- * Do not bring prepared presentations (unless this has been specially requested).
- * As time for oral evidence may be limited, all witnesses are invited to submit written evidence beforehand. This helps to make oral evidence more productive, as Councillors have the witnesses' statements in front of them. Written evidence should be restricted to any factual information they have to offer from which the Scrutiny Committee might be able to draw conclusions (or which could be put to other witnesses for their reactions).
- * Be prepared to give your views candidly and openly and contribute to the debate or discussion
- * Recognise that Committee Members may not be experts in your area. Try to avoid jargon/ professional speak when giving answers.

Introduction

Overview and Scrutiny Committees should use effective processes to select topics that will contribute towards the best possible Work Programme. This means looking at the sources of information that may help and using them to choose the right topics. This involves:

- a) Understanding what information is available to help identify potential issues.
- b) Drawing out and discussing what matters most to Councillors and to the community at large.
- c) Finding out about any research that has been completed or that is planned, by way of the dedicated scrutiny support staff.
- d) Prioritising topics.
- e) Looking at what Scrutiny has done before.
- f) Planning how to get the best from the Committee meetings themselves.

Sources of work programme ideas

Numerous sources of information can help to inform topic selection, including:

- The Local Involvement Networks (LINKs) (Local Government and Public Involvement in Health Act 2006) can refer issues to O&S Committees. The O&S Committee must provide a reason if it decides not to look into the issue brought forward by the LINKs.
- The concerns that have been raised with Councillors on the doorstep, in surgeries, in their divisions or through Councillor Calls for Action.
- Experience with PTA groups, School Governing Bodies, Parish Councils/ Forums.
- Issues that have been flagged up by audits and inspections (past and present).
- Consultations and interviews.
- What the local community is concerned about and what is raised via the Scrutiny Suggestions form.
- Poor performance – not meeting targets.
- “Stakeholders” concerns – raised by the Council’s partners and the users of services - who may feel that the Executive is neglecting important priorities.
- Strategic gaps shown up by plans and performance monitoring reports.
- Executive Members and Directors’ presentations about the pertinent issues that are emerging and any opportunities or threats on the horizon.
- Central government priority changes.
- The County Council’s Forward Plan.
- Scrutiny Forums
- Call – in

- Pre and post Executive decisions

Deciding upon Scrutiny topics?

Each Overview and Scrutiny Committee has its own independent work programme. Overview and Scrutiny is also encouraged to think about external Scrutiny and the monitoring of other public bodies, and how its activities will engage partner organisations, the media and the public.

Criteria for examining and testing possible areas of Scrutiny work include:

- Considering risk – we have to try to prioritise competing demands, especially given finite time and resources, and there may be risks involved in either doing or not doing a piece of Scrutiny work on any given subject.
- Cost and Duration - how feasible is any in-depth Scrutiny endeavour in terms of cost and in terms of how timely such work might be?
- Duplication of activity – Some potential topics may duplicate others suggested that are circulating within the Scrutiny process. Some issues for Scrutiny may be cross cutting; others may have already been identified for other Scrutiny Committees, or duplicate Internal Audit work.
- Methods of working - it is also important to consider what is the best method to deal with any given Scrutiny topic. These might include:
 - (i) whole Scrutiny Committee investigations in one special ‘select committee’ session,
 - (ii) ‘Q & A sessions’ during an ordinary Scrutiny Committee meeting,
 - (iii) Scrutiny commissioned small task groups to do initial preparation before reporting back to a Scrutiny Committee meeting, or
 - (iv) a full-blown In-depth Scrutiny Review.
 - (v) Joint working with other O&S Committees through meetings or joint Task and Finish Groups.

The choice may depend on the nature of the activity being undertaken, but the capacity of the Overview and Scrutiny Committee’s members to carry out the work, and the balance of the Committee’s activities must also be considered. The final decision whether to undertake a piece of scrutiny work rests with the O&S Committee.

Deciding priorities

It is not possible for Overview and Scrutiny to do everything that might be suggested by Councillors and the community.

Overview and Scrutiny Councillors must be selective and should apply criteria to their decision-making to be certain that the very best topics are chosen. As Scrutiny succeeds in increasing local community involvement and more and more issues are suggested by the public it becomes increasingly important to be able to show why and how decisions have been reached. Councillors should be prepared to put the arguments in favour of including a topic, or outlining the potential risks and disadvantages. It requires careful analysis and planning to prioritise those topics that will add the most value to the work programme and have the greatest impact.

In order to be effective, every in-depth scrutiny review must be properly project managed. This is to make sure that the review achieves its aims and has measurable outcomes. One of the most important ways to make sure that a review goes well is to ensure that it is well defined at the outset.

The scoping template has been designed to help each Committee undertaking an in-depth review to think through the purpose of a review. A good scoping document is also a great communication tool in helping others to understand what the review is about. Once agreed, the scope should be circulated to relevant officers, partners, stakeholders and potential witnesses.

???????????????????? Overview & Scrutiny Committee

Plan of Scrutiny Review

Review Title

Background

Provide background information on which the decision to undertake the review is based.

Include relevant corporate objectives

Objective

Outline the aims of the review.

Methodology

Outline the research methods to be used.
Determine Task Group or whole Committee approach.
Identify possible site visits.


Participants & Stakeholders

Outline the individuals and groups who will inform or provide evidence for the review

Proposed Work plan

Outline the timescale for the review

Meeting Date	Meeting	Focus



Call-in is the process by which non-executive members of the Council can have recommendations of the Executive (or senior officers with delegated responsibility) considered by a scrutiny committee. Call-in should not be used trivially.

A request to call-in a decision must give reasons, but no guidelines have been developed in relation to the appropriate reasons for call-in, because councillors need to have the freedom to use the process where they feel it is right. Councillors calling in a matter will be responsible for presenting their own case to the scrutiny committee. The role of officers in this is to advise them on how best to set out their case.

Generally, Councillors will need to be able to argue that a Council policy has been contravened; that some significant information relating to the issue has not been considered; or that undue or insufficient importance has been attached to some information that has been considered or that relevant information has not been considered. Call in can also be used where information has only become available after the decision was made.

The aim is to facilitate a full and open discussion at the meeting so that Councillors are in the best position to take a view on the decision taken by the Executive which has prompted the call in. So that participants are clear about what will happen at the meeting and how they might contribute committees are recommended to adhere to the following order of business

Public questions or statements of a general nature after the Minutes and notification of Substitutions but individuals are asked not to raise any points which relate to the main item on the agenda.

1. Portfolio Holder and/or Corporate Director explain circumstances and reasons for the decision.
2. Signatories of Call-in invited to explain their position and reasons for request for scrutiny committee to consider the issue.
3. Portfolio Holder and/or Corporate Director be given opportunity to respond.
4. Representatives of the public or interested/affected organisations be invited to comment.
5. Any further comments from the public (duration limited to 15 minutes, and no members of the public being entitled to speak for more than 3 minutes)
6. Committee discussion and questioning by committee members.
7. Summing up by Spokesperson of Call in request and Executive decision takers.
8. Committee agrees its recommendation to Executive decision takers.

What is a Councillor Call for Action (CCA)?

The Councillor Call for Action empowers Councillors to bring forward local issues to be considered by an appropriate overview and scrutiny committee.

In practice, this means that:

- members of the public will not be able to raise CCAs directly (and thus ward Councillors will not be under a duty to respond to them on a CCA issue)
- there will be no right of appeal via the council's executive or policy committees
- County Councillors can raise Calls for Action in relation to crime and disorder matters

The intention is that any issue is dealt with at the most appropriate level. Overview and Scrutiny is identified as the route once all other avenues have failed.

Guidance Notes for Public Sector Partners

Introduction

The Local Government and Public Involvement in Health Bill 2007 extends the powers that local authorities already have to scrutinise health services within their areas, to the activities of a number of partners, as part of their wider community leadership role for the county.

The purpose of this guide is to provide advice and develop a common understanding for how scrutiny of statutory public sector partners will operate in North Yorkshire when the new powers are enacted. This guidance has been drawn up during the early stages of the new arrangements and may be amended and further developed as the relationship between overview and scrutiny and public sector partners develops. The aim is for all parties to help ensure that the process of overview and scrutiny is a positive yet challenging experience. It is important that scrutiny is regarded as a critical friend from the outset and wherever possible it should be based on advanced notification and discussion of the issues it wishes to review.

What is the role of Overview and Scrutiny?

It is a mechanism for promoting the best interests and wellbeing of the people who live, work and visit the County. The aims of scrutiny are:

- * To hold the County Council Executive to account.
- * To assist the County Council Executive in ensuring the continuous improvement of services in North Yorkshire, with a particular focus on outcomes for the community.
- * To ensure that the experience and knowledge of businesses, community groups, service providers and service users are used to develop the County Council's services.
- * To help the County Council better fulfil its community leadership role by looking beyond services provided by the County Council to consider issues affecting the wider community.

Public Sector Partners

The public sector partners outlined in the Local Government and Public involvement in Health Bill, 2007, covered by this guidance are:-

- District authorities
- Chief Officer of Police
- Police authorities
- Local Probation Boards
- Youth Offending Teams
- Primary Care Trusts
- NHS Foundation Trusts
- NHS Health Trusts
- The Learning and Skills Council in England
- Jobcentre Plus
- Health and Safety Executive
- Fire and rescue authorities
- Metropolitan Passenger Transport Authorities
- The Highways Agency
- The Environment Agency

- Natural England
- Regional Development Agencies

Scrutiny of the partners in North Yorkshire will cover activities undertaken by them to deliver improvement targets in the Local Area Agreement (LAA). This includes the planning, provision and operation of services commissioned and provided by the partners.

Overview and Scrutiny (O&S) Committees will not inspect, audit or manage the performance of the partners in the county, although performance information may be requested by a Committee to inform a scrutiny review. Arrangements for inspection, audit and performance management of the partners will continue to be carried out by the appropriate regulatory bodies or agencies and will not be affected by the scrutiny function of the County Council. O&S Committees will not duplicate advocacy arrangements on behalf of customers, clients, or other service users for the partners.

How do Overview and Scrutiny Committees work?

O&S Committees collect evidence from a wide variety of sources, including: -

- * Public Sector Partners
- * Questioning 'witnesses'/ experts
- * Literature searches/ desk top reviews
- * Undertaking surveys and utilising focus groups
- * Taking written submissions from professionals, businesses and community groups.

O&S Committees perform an essential function on behalf of the people of North Yorkshire in looking at policy and practice, which will often have a vital part to play in services provided to the community. It is hoped that those called to give evidence will do so in an open manner in the interests of the community that it is intended to benefit.

What information will I be asked to provide?

The Government sees the extension of scrutiny powers to overview and scrutiny of partners as a way of enhancing community leadership and improving outcomes in local areas.

The work of the O&S Committees will involve a combination of maintaining an overview of developments within the county; being aware of the activities of the partner bodies and undertaking in-depth scrutiny reviews.

To support and enable this work, O&S Committees will require information from the partners. The information expected by the O&S Committee will need to be of sufficient detail to enable the Committee to discharge its scrutiny duties. Some of this may include information currently covered by the Freedom of Information Act 2000. Usually a written report will be required by the Committee. This will provide a basis for discussion between representatives of the partners and members of the Committee. The Scrutiny Support Team can advise you on the particular information required.

Scrutiny Reviews have agreed terms of reference outlined in a scoping document. This document identifies the subject areas members of the Committee wish to pursue. These will be used to inform you of the emphasis of a particular inquiry. Officers from the Scrutiny Support Team will liaise with you during the preparation of scoping document to ensure that the focus of the inquiry is relevant and the timing of it appropriate.

For convenience this guide refers to 'witnesses' and the 'giving of evidence', but this does not imply that O&S Committees are like courts. They are simply seeking information in a reasonably informal setting. Indeed many partners welcome the opportunity provided by an

In-depth Scrutiny Review to inform Councillors and the public about their services performance and may find it instructive to hear how it is perceived by others.

O&S Committees do not have decision-making powers but are able to make recommendations to partners and other organisations as well as the County Council. O&S Committees monitor the decisions made by the Council's Executive and Officers, contribute to the development of policies and scrutinise the work of the council, partners and local NHS bodies. They have an important function in providing checks and balances on performance and decision making and act as a critical friend. Once it is set up in 2008 the Local Involvement Network (LINK) can refer issues to overview and scrutiny committees.

Confidentiality

In keeping with the spirit of transparency and openness O&S Committees are required to meet in public save in exceptional circumstances specifically authorised by law. Where confidential information has been requested by an O&S Committee, you should take all reasonable steps to anonymise this information. Where this is not possible the public will be excluded from the meeting whilst the Committee considers the confidential information provided.

If you want to give some or all of your evidence in private because it is confidential, or exempt from publication please contact the Scrutiny Support Officer to discuss this.

If I am asked to attend what will Councillors ask me?

Although matters sometimes arise at short notice, each O&S Committee publishes a forward work programme. Where information or attendance of a partner at an O&S Committee meeting is requested, the Scrutiny Support Team will make every effort to provide a reasonable notice period. Where attendance will require the partner to produce a report, sufficient notice will be given for the preparation of that report to comply with the publication deadline of the Committee's public agenda. Partners may also be requested to attend as a witness during an inquiry in the services of another partner agency.

Some O&S Committees will prepare lists of questions in advance but partners should not expect the Committee to restrict itself to these. The Committee will have invited you along to provide them with information that will help them make evidence-based recommendations. Where information which would assist the Committee is not immediately available, you should draw the attention of the Chairman to the existence of information, or another person, which might or who may be able to answer the question posed if this is known to them. If you do not immediately know the answer to the question you are asked, the Chairman will be happy to receive a written response at a later date.

How should I prepare to be a 'witness'?

Following these few easy steps will ensure that you use your time at the meeting to maximum effect: -

- * Remember that attending an Overview and Scrutiny Committee offers a good opportunity to present your organisation's knowledge and experiences directly to County Councillors.
- * Read all the papers for the Overview and Scrutiny Committee meeting you have been invited to. This will ensure that you have knowledge of the key concerns or developments being explored by the Committee.
- * Be prepared to give your views candidly and openly, to contribute to the debate or discussion and to bring forward ideas and suggestions of your own.
- * Recognise that Committee Members may not be experts in your area. Try to avoid jargon/ professional speak when giving answers.

Final Report and recommendations

At the conclusion of a Scrutiny Review, O&S Committees usually produce a final report. This will contain a summary of the evidence submitted and the Committee's conclusions and recommendations. Where an O&S Committee is considering making recommendations to a partner it will invite advice from the partner prior to finalising its recommendations.

Once an O&S Committee has completed its review, it may make recommendations to the partner. The partner will then have two months to respond to any recommendations. In addition, the O&S Committee will publish and circulate its report and make it available to the public.

The O&S Committee will ask the partner to set out their response to the recommendations made, including:-

- the views of the partner; and
- proposed action and timescales; or
- reasons for not progressing recommendations.

This response will be published by the O&S Committee and the implementation of any agreed scrutiny recommendations will be monitored within a timescale agreed with the partner.

Introduction

Scrutiny of Health is an important part of the Government's commitment to place patients and the public at the centre of health services. Under the Health and Social Care Act 2012 local authorities with social services responsibilities are required to ensure that their overview and scrutiny committee or committees have the power to scrutinise the planning, provision and operation of health services. The legislation provides the Scrutiny of Health Committee with specific powers and places duties on NHS bodies to engage with the Scrutiny of Health Committee.

The purpose of this guide is to provide advice and develop a common understanding for how the County Council's scrutiny of health will operate in North Yorkshire. The aim is for all parties to help ensure that overview and scrutiny is a positive yet challenging experience. It is important that scrutiny is regarded as a critical friend from the outset and wherever possible it should be based on advanced notification and discussion of the issues it wishes to review.

What is the role of the Scrutiny of Health Committee?

It is a mechanism for promoting the best interests and wellbeing of the people who live, work and visit the County. The aims of scrutiny of health are:

- * To ensure that people's needs for health and health related services have been identified so as to move towards health improvements
- * To ensure that these services meet the needs of all the population (including minorities, socially excluded and other target groups)
- * To scrutinise whether services that impact on health are accessible to all parts of the community
- * To scrutinise whether the outcomes of intervention (whether through services or other intervention designed to impact on health) are positive for all groups/sections of the population
- * To look beyond health care services at the wider determinants of health such as housing, employment and lifestyle, and act as an advocate of public health messages.

What are the powers of the Scrutiny of Health?

The strength of scrutiny is in its independence and ability to take on board differing perspectives.

(Dept of Health O&S of Health Guidance 2003)

The Scrutiny of Health Committee may:

- * Review and scrutinise any matter relating to the planning, provision and operation of health services in the County;
- * Require the attendance of a representative of local NHS body to answer questions and provide explanations about the planning, provision and operation of health services in the County;
- * Require a local NHS body to provide information about the planning provision and operation of health services in the County;
- * Make reports and recommendations to local NHS bodies and the County Council on any matter scrutinised by the Committee;
- * Establish a joint committee with other local authorities to undertake scrutiny of health services;

- * Delegate functions of health scrutiny to another local authority committee;
- * Contribute to the Health Care Commission's process of Annual Health Checks;
- * Refer to the Secretary of State for Health:
 - Where the committee is concerned that consultation with the Scrutiny of Health Committee, on a substantial variation or development of services has been inadequate; or
 - Where the committee considers that, a proposal for a substantial variation or development of services is not in the best interests of the public.

(This is a power not expected to be used frequently.)

The Scrutiny of Health Committee will not inspect, audit or manage the performance of health partners in the County, although performance information may be requested by a Committee to inform a scrutiny review. Arrangements for inspection, audit and performance management of the partners will continue to be carried out by the appropriate regulatory bodies or agencies and will not be affected by the scrutiny function of the County Council. The Scrutiny of Health Committee will not duplicate advocacy arrangements on behalf of patients, or other service users for the health partners but rather complement the work of advocates by receiving reports and endorsing findings where appropriate.

How do Overview and Scrutiny Committees work?

O&S Committees collect evidence from a wide variety of sources, including: -

- * Members of the public
- * Health Partners (including Strategic Health Authority (SHA), Primary care Trusts (PCT) and Hospital Trusts)
- * Other Public Sector Partners
- * Questioning 'witnesses'/ experts
- * Literature searches/ desktop reviews
- * Undertaking surveys and utilising focus groups
- * Taking written submissions from professionals, businesses and community groups.
- * Networking

Evidence can be collected in a variety of ways, for example:

- * Committee meeting – A formal County Council meeting involving members of the committee asking questions of partner agencies and individuals. It is open to the public and takes into account issues that have been raised by the public within the 3 day notice period required.
- * Fact finding – the committee calls a meeting with members of the public to consult with them on a particular issue.
- * Forum meeting – 'Question time' style of meeting which involves the partner agencies participating and being prepared to answer questions from the Committee and members of the public without the 3 day prior notification period. (Subject to partner agreement to this approach.)
- * Task Group meeting – an informal meeting between key Councillors of the Committee with stakeholders and/or partners to gather information.
- * Networking – informal information gathering on a day to day basis

The Scrutiny of Health Committee performs an essential function on behalf of the people of North Yorkshire in looking at the planning, provision and operation of health services in the County.

What information will I be asked to provide?

The work of the Scrutiny of Health Committee will involve a combination of maintaining an overview of developments within the County; being aware of the activities of Health partner bodies and undertaking in-depth scrutiny reviews.

To support and enable this work, the Scrutiny of Health Committee will require information from the partners. The information expected by the Scrutiny of Health Committee will need to be of sufficient detail to enable the Committee to discharge its scrutiny duties. Some of this may include information currently covered by the Freedom of Information Act 2000. Usually a written report will be required by the Committee. This will provide a basis for discussion between representatives of the partners and members of the Committee. The Scrutiny Support Team can advise you on the particular information required.

Scrutiny Reviews have agreed terms of reference. The scoping document identifies the subject areas members of the Committee wish to pursue. These will be used to inform you of the emphasis of a particular inquiry. Officers from the Scrutiny Support Team will liaise with you during the preparation of terms of reference to ensure that the focus of the inquiry is relevant and the timing of it appropriate. This may involve preliminary meetings and discussions between the Committee and the partner.

For convenience this guide refers to 'witnesses' and the 'giving of evidence', but this does not imply that O&S Committees are like courts. They are simply seeking information. Indeed many partners welcome the opportunity provided by an In-depth Scrutiny Review to inform Councillors and the public about their services performance and may find it instructive to hear how it is perceived by others.

O&S Committees do not have decision-making powers but are able to make recommendations to Health and public sector partners and other organisations as well as the County Council. O&S Committees monitor the decisions made by the Council's Executive and Officers, contribute to the development of policies and scrutinise the work of the council, public sector partners and local NHS bodies. They have an important function in providing checks and balances on performance and decision making and act as a critical friend. Patient and Public Involvement Forums and their successor from 2008, the Local Involvement Network (LINK), can refer issues to the Scrutiny of Health Committee.

Confidentiality

In keeping with the spirit of transparency and openness O&S Committees are required to meet in public save in exceptional circumstances specifically authorised by law. Where confidential information has been requested by an O&S Committee, you should take all reasonable steps to anonymise this information. Where this is not possible the public will be excluded from the meeting whilst the Committee considers the confidential information provided.

If you want to give some or all of your evidence in private because it is confidential, or exempt from publication please contact the Scrutiny Support Officer to discuss this.

If I am asked to attend what will Councillors ask me?

Although matters sometimes arise at short notice, each O&S Committee publishes a forward work programme. Where information or attendance of a representative of a Health partner at a Committee meeting is required, the Scrutiny Support Team will make every effort to provide a reasonable notice period. Where attendance will require the Health partner to produce a report, sufficient notice will be given for the preparation of that report to comply with the publication deadline of the Committee's public agenda.

The Committee will have invited you along to provide them with information that will help them make evidence-based recommendations. Where information which would assist the Committee is not immediately available, you should draw the attention of the Chairman to the

existence of information, or another person, which might or who may be able to answer the question posed if this is known to them. If you do not immediately know the answer to the question you are asked, the Chairman will be happy to receive a written response at a later date.

How should I prepare to be a 'witness'?

Following these few easy steps will ensure that you use your time at the meeting to maximum effect: -

- * Remember that attending a Scrutiny of Health Committee offers a good opportunity to present your organisation's knowledge and experiences directly to County Councillors.
- * Read all the papers for the Committee meeting you have been invited to. This will ensure that you have knowledge of the key concerns or developments being explored by the Committee.
- * Be prepared to give your views candidly and openly, to contribute to the debate or discussion and to bring forward ideas and suggestions of your own.
- * Recognise that Committee Members may not be experts in your area. Try to avoid jargon/ professional speak when giving answers.

Final Report and recommendations

At the conclusion of a Scrutiny Review, the Scrutiny of Health Committee will produce a final report. This contains an explanation of the issue considered, a summary of the evidence submitted, a list of participants and the Committee's conclusions and recommendations. The draft final report will be forwarded to the NHS bodies who have been the subject of the review to check for factual accuracy.

The Scrutiny of Health Committee will ask the Health partner to set out their response to the recommendations made, these should be received within 28 days and include:-

- * the views of the partner; and
- * proposed action and timescales; or
- * reasons for not progressing recommendations.

This response will be published by the Scrutiny of Health Committee and the implementation of any agreed scrutiny recommendations will be monitored within a timescale agreed as appropriate.