

Accountability works for you

Using the framework to carry out
a scrutiny evaluation

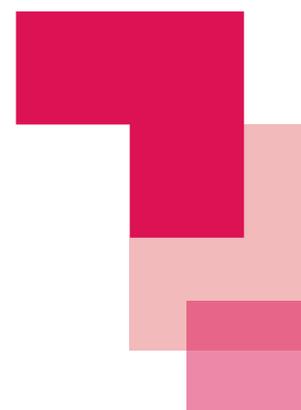


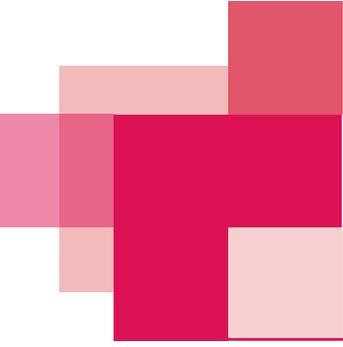
accountability, transparency, involvement



About us

The Centre for Public Scrutiny (CfPS), an independent charity, is the leading national organisation for ideas, thinking and the application and development of policy and practice to promote transparent, inclusive and accountable public services. We support individuals, organisations and communities to put our principles into practice in the design, delivery and monitoring of public services in ways that build knowledge, skills and trust so that effective solutions are identified together by decision-makers, practitioners and service users.





Background

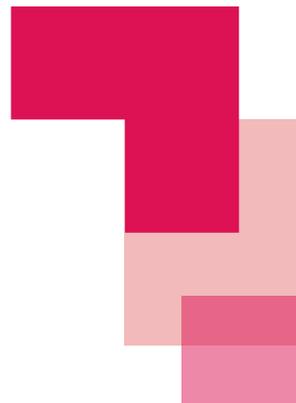
The Accountability Works for You framework has been designed to be flexible, proportionate and scalable, because:

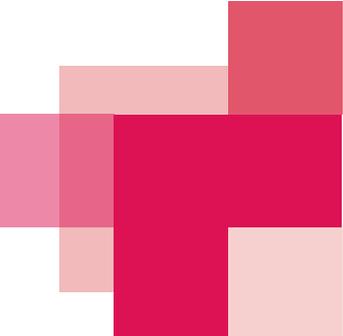
- It sets out basic, universal principles of good governance, based on the three principles of accountability, transparency and involvement, and can help any organisation in any sector to tackle governance matters;
- You can amend it to look at a small part of what you do, or use it to take a much more fundamental view of your governance and decision-making arrangements, thus tailoring it to your specific needs;
- It links governance closely to the concept of improving the services you provide, focusing on outcomes rather than on processes;
- It is open-ended, allowing you to put in place a regular and manageable system to continuously monitor and improve your governance arrangements;
- It's open-source, permitting you to take elements from it and amend it to suit your own needs completely independently.

We have designed it based on detailed research we have carried out on governance and accountability over the last few years – principally, our publication “Accountability Works” (2010), and a range of other sector-specific governance improvement tools. We've also looked to more formal inspection and regulation regimes to try to establish what makes governance work, and to explore how we can promote the idea that good governance is not about complying with an external notion of “best practice”.

Step 1: Project group

The framework recommends setting up a project group to guide the use of the framework. For a scrutiny evaluation, such a group could take the form of a task and finish group – comprising a few councillors and perhaps a couple of other people co-opted because of their experience either giving evidence to, or engaging with, the scrutiny function.





Step 2: High level evaluation

The high-level evaluation provides the opportunity to establish which key issues should be investigated in more detail.

The HLE involves working to a selection of structured questions that in full can be found in the methodology published on our website (www.cfps.org.uk/accountability-works). Not all of these will be directly relevant to a review of scrutiny – but many will be.

The questions cut across the themes of transparency, involvement and accountability. While you can select the questions that make most sense for you to ask, you should aim to look at issues that will allow you to get a balanced view.

How to go about the high-level evaluation

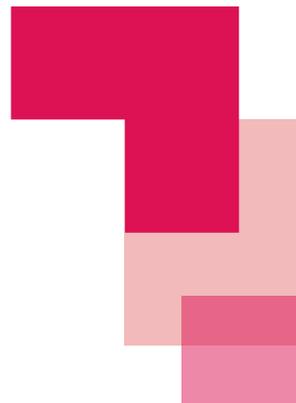
We envisage that, for a scrutiny evaluation, the HLE will be a desktop exercise, and should be something carried out by a scrutiny officer/manager and the chair of scrutiny (or another prominent councillor) before the findings are circulated to other key stakeholders to test conclusions.

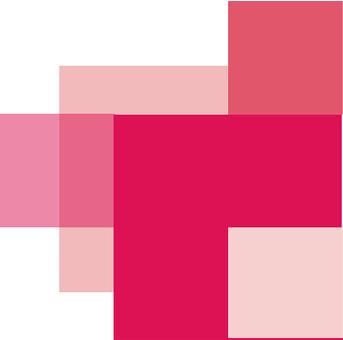
The following table consists of a number of questions, which have been extracted from the main Accountability Works For You methodology. We have changed some of the wording to make it more obvious exactly how it applies to scrutiny. We suggest that scrutiny evaluations focus on these questions specifically – but you may want to expand the scope of your work to look at other issues also covered by the framework.

As we note in the general methodology to Accountability Works For You, the questions are deliberately open-ended, but in answering them you might want to focus on the following areas:

- What in our culture and/or processes works well/are we proud of?
- Is there anything in our culture and/or processes that we know immediately requires improvement?
- Evidence: do we know what our residents/service users think of our performance in this area?
- Evidence: do we know what our partners think of our performance in this area?
- Evidence: what are the barriers or risks to changing our practice in this area – legal, cultural or perceptions of business efficiency and value for money?
- Actions: what might present a path to improvement, building on what works well and tackling the barriers?

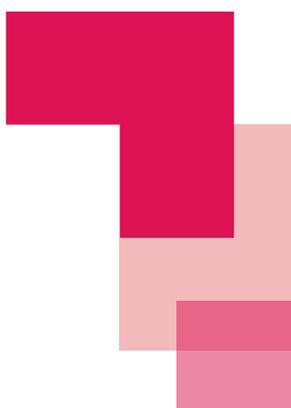
Question	Culture	Evidence
<p>(I-a-1) How are scrutiny councillors involved in influencing major decisions, and in considering and evaluating performance, finance and risk information?</p>	<p>Positive: decision-makers and those holding them to account have a dialogue about forthcoming decisions and there is a mutual understanding of how holding decisions to account adds value. Performance, finance and risk issues are considered by scrutiny committees “by exception”.</p> <p>Negative: there is a “process” for such involvement but it doesn’t generally result in any big changes to key decisions (eg, pre-scrutiny a couple of weeks before Cabinet). Performance information and finance information comes to scrutiny in quarterly reports which are discussed at committee with little outcome; there is little to no consideration of risk information.</p>	<p>Evidence of decisions being altered consensually as a result of non-executive involvement</p> <p>Evidence of an open approach being taken towards the evaluation of performance, finance and risk information by decision-makers which asserts the value of accountability</p>
<p>(I-b-3) Do different people with a role in holding decision-makers to account work together?</p>	<p>Positive: positive working relationships between a range of local non-executives – scrutiny, HealthWatch, the Police and Crime Panel, and others - leading to outcomes that may not have happened if they had been acting on their own.</p> <p>Negative: very limited joint working, or even fractious relationships if there is a feeling that one person is “duplicating” the work of another.</p>	<p>Evidence of tangible impact resulting from cross-organisational accountability, or at least an attempt by such bodies to establish where areas of mutual interest may arise, and an understanding that plans may have to be designed accordingly.</p>

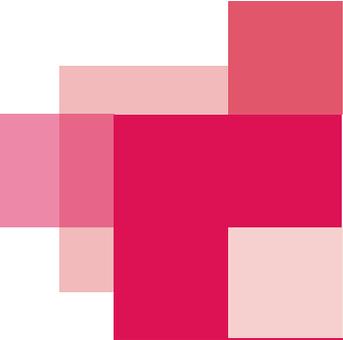




Question	Culture	Evidence
<p>(III-a-2) How does scrutiny investigate and take action on issues of importance to local people, on the basis of evidence?</p>	<p>Positive: there is common understanding amongst councillors and officers of the value that scrutiny activity can add. Scrutiny committees carry out work according to a work programme which is consistently focused on adding value and securing tangible outcomes. The work programme looks at issues, not “departments” or individual partners, and cuts across the responsibilities of a range of different bodies in the local area.</p> <p>Scrutiny actively seeks to understand what is important to local people by going out and engaging them where they are, and reflecting their concerns in work programmes.</p> <p>Negative: scrutiny activity is uncoordinated or ad hoc. Where there is a work programme, topics for it are chosen on the basis of personal preferences and take little to no account of the need to add value. Duplication and poor timing are common issues, limiting the impact of what work is carried out.</p> <p>Where attempts are made to engage with the public they might be over-formalised, or not involve a substantial number of people.</p>	<p>Evidence that scrutiny councillors and the executive understand each others’ plans and priorities, and that work is planned to take account of this.</p> <p>Evidence that in carrying out work in this way, the impact of local accountability is heightened.</p> <p>Evidence of genuine public participation in the work programming process.</p>

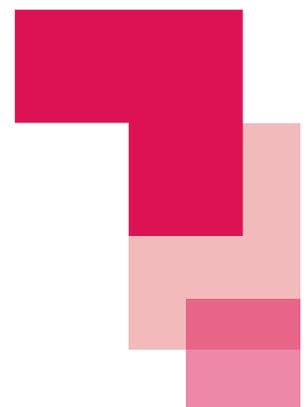
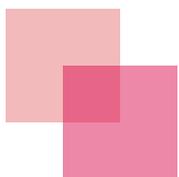
Question	Culture	Evidence
<p>(III-a-3) How does scrutiny gather evidence?</p>	<p>Positive: evidence gathering for task and finish reviews is planned at the outset and ensures that scrutiny’s time is spent effectively. Evidence gathering is proportionate, and directed at achieving real outcomes. It takes account of the fact that there are likely to be many different views on a given issue, and plans its approach to capture as many of those views as possible. Scrutiny looks outside the council to gather evidence.</p> <p>For committee items, councillors and officers take steps – through the provision of short briefings and/or question plans – to ensure that the most is made of these valuable set-piece opportunities.</p> <p>Scrutiny – where appropriate and relevant – takes active steps to engage with the public that are relevant to the review, with engagement tailored to meet the needs of different individuals and groups of stakeholders.</p> <p>Negative: evidence-gathering is ad hoc and poorly planned, with evidence being gathered which may not relate to the objectives of a task and finish review or agenda item, if indeed objectives exist at all. Work has a tendency to “drift” and move away from its original purpose.</p> <p>Public engagement is also poorly planned, and often relies on the public making efforts to engage in scrutiny, rather than the other way round.</p>	<p>Evidence that evidence gathering is tied in to the objectives of the work – and that objectives themselves are agreed, clear and unambiguous - and to the production of recommendations at the end.</p> <p>Evidence that this has resulted in scrutiny time being used more effectively.</p>

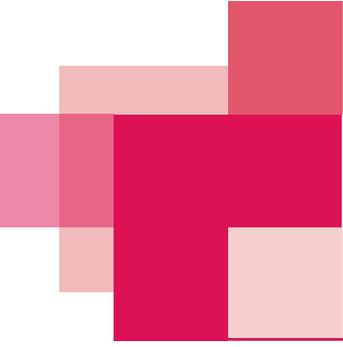




Question	Culture	Evidence
<p>(III-a-4) How does scrutiny weigh the evidence that it has collected?</p>	<p>Positive: scrutiny adopts a constructively critical attitude to assessing the suitability, relevance and accuracy of evidence, recognising that different sorts of evidence should be weighted differently.</p> <p>Negative: there is no understanding of the different importance of different sorts of evidence – scrutiny councillors (and officers) lack confidence in evaluating and balancing evidence.</p>	<p>Evidence that successful weighing of evidence has led to more robust findings, and better recommendations, that have led to strong and tangible outcomes which otherwise might not have occurred.</p>
<p>(III-a-5) How is performance, finance and risk information considered as a part of the evidence-gathering process?</p>	<p>Positive: performance, finance and risk data are considered together and underpin other research.</p> <p>Negative: if they are considered at all, performance, finance and risk data are investigated entirely separately and do not influence wider investigations.</p>	<p>Evidence that scrutiny councillors understand the value and utility of this kind of information and that it has been “mainstreamed” in other work with positive results.</p>
<p>(III-a-6) What is the “tangible impact” that scrutiny activity has on the ground?</p>	<p>Positive: scrutineers can point to specific results on the ground that would not have happened but for their input – things that have resulted in real, positive change for local people.</p> <p>Negative: there is more of an interest in methodology of work carried out than its impact – outcomes are not monitored effectively and results from work are marginal or non-existent.</p>	<p>Evidence that scrutineers know how to establish the impact of their work, and can demonstrate in doing so that they are effective. Evidence that there is acceptance of this fact within the council at large.</p>
<p>(III-b-2) What happens when decision-makers disagree with scrutiny?</p>	<p>Positive: dialogue helps to resolve many disagreements – disagreements are generally avoided in the first place by dialogue and mutual understanding of roles and responsibilities.</p> <p>Negative: disagreements happen late in the process and can be driven by a lack of awareness of the interests and work of those holding decision-makers to account. Impasses often develop.</p>	<p>Evidence that decision-makers and other stakeholders are capable of mature, positive discussions around agreement that lead to mutually satisfactory conclusions.</p>

Question	Culture	Evidence
<p>(III-b-3) When scrutiny makes formal recommendations, how are these responded to?</p>	<p>Positive: substantive responses are received accepting or rejecting recommendations (usually giving reasons, if the latter). Recommendations can be followed up, because they are clear and specific.</p> <p>Negative: recommendations are often “noted”, accepted without any firm commitment being given on implementation, or rejected without explanation. Recommendations are rarely followed up because they are vague, and their object is unclear or subject to disagreement.</p>	<p>Evidence of high-quality substantive responses which are reviewed and evaluated after six months, or a year, and that result in a real impact.</p>
<p>(III-c-1) What happens when things go wrong?</p>	<p>Positive: scrutiny takes responsibility for its own success to identify and learn from problems and failures. There are clear methods – for example, through the annual report – to flag up worries and deal with them effectively.</p> <p>Negative: blame is redirected to others – service departments, partners, senior Cabinet members – and while processes might be tweaked when problems occur, cultural concerns (within scrutiny, and within the executive) are not addressed.</p> <p>Scrutiny structures reflect a notional sense of “best practice”, based on approaches taken in other authorities which may not be locally appropriate.</p>	<p>Evidence that failures in the scrutiny function are swiftly investigated once they come to light and steps taken to strengthen accountability arrangements.</p> <p>If no recent instance of this happening, evidence that steps have been taken to mitigate this risk.</p>





Step 3: In depth analysis

The next stage in the framework is the in depth analysis. This involves drawing together some cross-cutting themes that have made themselves apparent through the high level evaluation. Your answers to the questions will help you to tease these out – they should be relatively straightforward to discern but some examples might be:

- Scrutiny isn't especially good at following up its work or measuring its impact – it is more concerned with the process of completing reviews rather than their outcomes;
- Scrutiny's lack of consistency in the way that it evaluates evidence seems to be causing problems with the way it engages with the executive, and partners, on finished reports and recommendations;
- A lack of agreement on basic principles for work programming is hindering scrutiny's effectiveness;
- A lack of public involvement in scrutiny work is hindering its credibility, and consequently its ability to effect change.

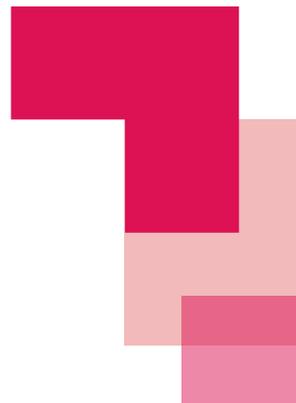
Equally, the in-depth analysis could be used to highlight particularly effective working, which you could build on to sustain excellent performance or transfer the learning to other parts of your work. The in-depth analysis is certainly not just about drawing out and dwelling on the negatives.

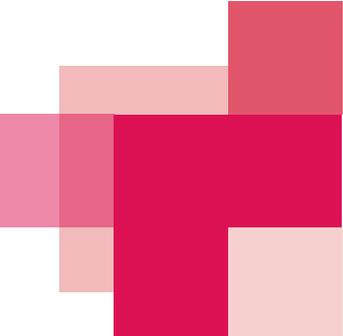
The in-depth analysis stage involves extracting three cross-cutting issues and looking at them in more detail. It will involve reflecting on current practice and exploring how improvements might be made. In doing so, the project group may wish to cast the net a little wider to gauge the opinions of others. This may include:

- People who have given evidence to scrutiny in the past;
- Corporate directors and senior officers;
- Political leadership;
- Councillors more generally;
- People from partner organisations.

It might be appropriate to try to engage members of the public or people who use services in the exercise, especially if they've been engaged with scrutiny before – you will probably need to be quite creative if you want to build up a groundswell of public interest in a review of scrutiny's effectiveness!

The in depth analysis should be outcome focused. A consideration of the root cause of the issue should lead naturally to ideas about possible approaches that could be made to improve the situation (or, in the case of good performance, sustaining it). This leads logically onto the next, and penultimate, stage in the framework.





Step 4: Action planning

This stage is about translating possible improvements and solutions into defined, timed and realistic actions that can be measured. In a way, you can take a similar approach to this stage as you might towards the development of recommendations from a scrutiny review.

In coming to a judgment, possible actions could be analysed by looking at the following issues.

- Impact – how can we ensure that taking this action will have a positive impact not only on the way that scrutiny works, but on the actual work it carries out and – ultimately – on the impact that work has on local people?
- Independence and objectivity – how can we ensure that this action recognises and values the independence of scrutiny?
- Realism – does this action aim too high? It may be that the action plan should suggest small steps towards improvement rather than suggesting a “big bang” approach to change.
- Process/culture – is this action a response to a cultural challenge with a cultural solution, or is it biased towards changes in process? While process changes are important, without cultural change they will have very little chance of success.
- Learning and improving governance – how can we make sure that we keep up the momentum of improvement once initial actions have been completed?

It's vitally important that any actions that have been identified focus on culture and values and do not involve process. Process is easier to measure and change is easier to implement, which makes it tempting to rely on it, but at the heart of the framework is the idea that credible organisations have an open and inclusive culture that shuns complacency.

Once actions have been agreed, you may want to submit them to your main overview and scrutiny committee (if you have one) for agreement. If your council runs different political management arrangements (for example a committee system, you might want to think about how to use full council as a crucible for debating the issues). You may want to submit your detailed work as well, but it may make more sense to provide a short précis rather than the full high level evaluation and in-depth review.

Step 5: Monitoring and evaluation

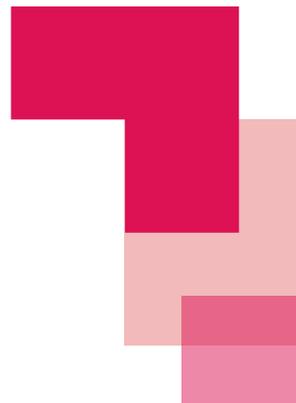
The final stage is checking your progress against your action plan in the future. Ownership should probably rest with your overview and scrutiny management board – if you have one – or if you don't, with whichever committee or group of members you think most appropriate. That committee can return to the actions six months and a year after the work is carried out to see how far you've got in achieving your aims.

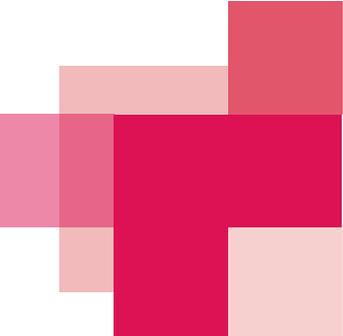
It's important to remember that the results of your work may take some time to bear fruit. Work programmes in many authorities run from May to May, and scrutiny work itself can take a year or more to bring about tangible change. You may want to tweak your timescales, or your planned monitoring activity, to take account of this. You may also want to divide some of your actions into milestones, to make sure you are on the right path.

Getting CfPS involved

CfPS offers a free “helpdesk” service to local authorities – funded by the LGA – to assist in supporting council scrutiny in England and Wales. We can provide assistance over the phone or by e-mail on the use of the framework, or you can draw evidence from us about how scrutiny happens in other authorities (naturally, in the context of the caveats that we always express about “best practice”).

If you want us to be involved more substantively, either CfPS staff, one or more of our Expert Adviser Team, or a combination, can provide you with that help – whether it is helping you with the high-level evaluation, assisting with action planning or providing some “external assurance” at key stages in the framework. This is a service that we charge for, although our fees are modest compared with general public sector consultancy rates. We have a scale of fees and charges for Accountability Works For You which can be found at www.cfps.org.uk/accountability-works





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