Public engagement in scrutiny – discussion paper

All Wards

Report authorised by: Executive Director Finance & Resources: Mike Suarez

Executive summary

Members requested a report on ways of increasing levels of public participation in the scrutiny process.

Summary of financial implications

There are no direct financial implications contained within this report. Additional efforts to increase public participation in scrutiny would be met from the existing scrutiny budget.

Recommendations

That members consider the contents of the report and make recommendations as appropriate.
Consultation

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<th>Name of consultee</th>
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<td>Internal</td>
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<td>Mark Hynes</td>
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<td>Mike Dickens</td>
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<td>Jason Hinton</td>
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<td>Frank Higgins</td>
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<td>Dave Burn</td>
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<td>Amy Donovan</td>
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<td>Paul Morris</td>
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<td>Cllr Roger Giess</td>
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<td>Cllr Pete Robbins</td>
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Report history

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<tr>
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Background documents

_Lambeth Scrutiny Review, Centre for Public Scrutiny, June 2008_
_Champions of Participation: Engaging Citizens in Local Governance, IDeA._
_Empowering communities to influence local decision making, Communities and Local Government, June 2009._

Appendices

Appendix 1: Extract from the Lambeth Scrutiny Review, _Centre for Public Scrutiny_, June 2008.

Appendix 2: _Keeping a check on decision makers: about scrutiny in Lambeth_, information leaflet, July 2009.
Good public scrutiny enables the voice and concerns of the public and its communities
(Centre for Public Scrutiny)

1. Context

1.1 At its May meeting the committee commissioned a report from the scrutiny team on increasing levels of public participation in the scrutiny process. This report sets out current levels of public engagement in scrutiny in Lambeth, current activity to increase engagement, some of the broader principles behind public engagement in scrutiny and options for increasing engagement in Lambeth.

1.2 The independent Lambeth Scrutiny Review completed in June 2008 highlighted that whilst committee work programmes tended to reflect key issues in the borough ‘direct input from members of the public into scrutiny is not substantial’ and ‘overall there is limited public interest…in the function’. The Review noted however that limited public interest ‘is not uncommon for local authority scrutiny…the interest of the public and the media will always be stimulated by particular issues and not processes of the council’.

1.3 The Review (the relevant passages of which are at appendix 1) made a number of recommendations relating to the annual work programming process, utilising the council communications team and widening the pool of contributors to commissions/scheduled meetings. Progress has been made against all of these recommendations and this is detailed below.

1.4 Members should also be aware that from 1 April 2009 a new Duty to Involve came into force. This requires councils to ‘embed a culture of engagement and empowerment’ into their organisations (see paragraph 7 of this report for further information). Communities and Local Government highlight that greater empowerment can:

- Increase trust in public institutions
- Improve the quality of services
- Take and justify difficult decisions
- Promote good community relations; and
- Build resilient community networks

2. Current performance

2.1 Since 2006-7 the scrutiny team has had two internal performance indicators the objectives of which are to increase public participation and ensure that the work of scrutiny committees is relevant to our communities. These are:

PI 5: Number of citizens and community groups involved in scrutiny; and
PI 6: % of scrutiny work (commissions/Scrutiny questions) brought forward from the public

2.2 Performance against these indicators is as follows:
<table>
<thead>
<tr>
<th>PI 5</th>
<th>2006/7</th>
<th>2007/8</th>
<th>2008/9</th>
<th>2009/10¹</th>
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<tbody>
<tr>
<td>No of Citizens Involved</td>
<td>93</td>
<td>90</td>
<td>67</td>
<td></td>
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<tr>
<td>Annual Target</td>
<td>365</td>
<td>464</td>
<td>511</td>
<td>100</td>
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<td>Var to Target</td>
<td>-272</td>
<td>-374</td>
<td>-444</td>
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<tr>
<th>PI 6</th>
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<th>2008/9</th>
<th>2009/10</th>
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<tbody>
<tr>
<td>No of Items</td>
<td>109</td>
<td>125</td>
<td>108</td>
<td></td>
</tr>
<tr>
<td>No of items b/f from Public</td>
<td>12</td>
<td>16</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>% items b/f from Public</td>
<td>11.00</td>
<td>12.8</td>
<td>8.3</td>
<td></td>
</tr>
<tr>
<td>% Target</td>
<td>15</td>
<td>20</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td>Var. to % Target</td>
<td>-4</td>
<td>-7.2</td>
<td>-11.7</td>
<td></td>
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2.3 Performance against PI 5 has consistently been below target. Collation of the relevant data appears to be patchy, largely consisting of attendance sheets circulated at scheduled scrutiny meetings. Although the explanation behind the PI takes a broad view of involvement (any level of engagement with the process including responses to questionnaires) implementation appears to have been in the narrow or classic sense by just accounting for attendance at meetings.

3. Current activities

Changes to performance information

3.1 The management of performance information should drive improvement and targets therefore need to be both realistic as well as challenging. As a result PI 5 has been re-baselined for 2009/10 with a target of 100. Lead Scrutiny Officers have been requested to count the number of members of the public in attendance at their meetings and public notice question submissions and topic suggestions will be considered as ‘involvement’.

3.2 PI 6 has not been amended for 2009/10 and it will be of interest whether there is an increase in this figure as a result of the Your Shout communications campaign.

Work programme/‘Your Shout’ Communications campaign

3.3 In April 2009 the scrutiny team undertook a communications campaign based around the annual work programming process. The campaign, called ‘Your Shout, consisted of a revised link on the scrutiny website, Freepost postcards (these were distributed to all councillors for distribution at their surgeries, at council buildings and council events) and an advert in Lambeth Life all soliciting work programme suggestions. A provisional target of 40 responses was agreed with Finance & Resources communications team. Three web submissions, 20 responses to the advert and one completed postcard were received in the month following the campaign (although submissions can be received throughout the year).

¹ As at June 2009
3.4 The advert in Lambeth Life was the most successful method of engagement. The lack of success of the postcards could be attributed to a number of factors including poor communication of the purpose of the cards when distributed. As a result of one of the suggestions received from the public Health and Adult Services SSC will be considering an item on social care to support people with long term conditions.

3.5 In addition to the Your Shout campaign the CYPS SSC held a stakeholder event in the build-up to its first meeting of the year. Head teachers, Chairs of Governors and groups and individuals on Lambeth Voluntary Action Council’s membership list (800) were invited to the event at which the role of the committee was explained and work programme suggestions considered. Lessons learned from that event will feed into the proposal (in the Scrutiny Review) to hold a large stakeholder event covering all committees in 2010. The event led CYPS Scrutiny to take up a work programme item/commission on the youth service.

**People First Expos**

3.6 Information on the scrutiny function will be available at the People First Expos and staff from Democratic Services and Scrutiny will be available to answer any questions from members of the public. An information sheet setting out what scrutiny is has been produced (see appendix 2) and additional information setting out committee’s agreed work programme items will also be available. The Expos will also be used as a further opportunity to push the Your Shout postcards and solicit contributions from the public.

**Business as usual**

3.7 Engaging the public in scrutiny activities (scheduled meetings and commission work) is part of the scrutiny team’s business as usual. This is undertaken in a number of ways:

- When work programme items are agreed discussions are held with Chairs and council departments to identify groups that are known to be interested in the subject. The scrutiny team will then notify the relevant groups.

- Meetings are held in the evening when more people are likely to be able to attend.

- Where appropriate scheduled meetings are held outside the Town Hall. There has been mixed success with this in Lambeth. Environment & Community Safety SSC held a very successful meeting in 2008-09 at Brixton Rec (including a tour and the substantive item at the meeting was leisure services) and Health & Adult Services SSC has a similar record with meetings held in Streatham Vale (to discuss local health provision) and at Kings College Hospital (on the closure of the Maudsley Emergency Clinic) attracting good public attendance. However Children & Young People’s Service SSC held two meetings at Lilian Baylis School which were less successful, primarily because it was a straightforward change in location rather than the meetings being held there for a reason (such as to explore a particular education or North of the borough issue). Success factors for meetings held outside the Town Hall are that they need to be
done for a reason and the topics for discussion are relevant to those communities accessed at the venue.

- Scrutiny commissions provide greater opportunities for targeted engagement of individuals or groups given the more flexible approach that they allow. Recent examples in Lambeth include the co-option of tenant/leaseholder representatives on the Asbestos Commission, the engagement of multiple community groups in the Resident Participation Commission and engagement with pupil referral units, head teachers and the parents of excluded pupils on the Exclusions Commission. On the majority of occasions commission members will hold their information gathering sessions in the places most suitable for those they are engaging.

- As part of the Rush Common Commission the scrutiny team produced a direct-mail drop notifying all residents within the Rush Common area of the commission’s work, seeking contributions and notifying them of relevant meetings. The meeting was also advertised on the front page of the council’s website. The mail drop took place only shortly before the meeting and this drew a number of complaints from residents. Despite this 17 responses were received and a number of residents attended the meeting. There is an inherent challenge to communicating commission work – it can be a lengthy process (engagement with corporate communications, arranging printing etc), must be done as early in the process as possible yet can only be done once fixed terms of reference, membership and aims of the commission have been agreed. Clearly communications will need to be factored into the commission/meeting planning process at a much earlier stage.

- Public Notice Questions enable any person who lives, works or studies in the borough to submit a question to one of our scrutiny committees. Also anyone can access the ‘suggest a topic for scrutiny’ part of our website and all suggestions are discussed by members as part of their work programme discussions.

4. **Principles**

4.1 The role of the public at scrutiny meetings can be broadly classified as: contributors, participating spectators, co-opted members; and experts and witnesses.

4.2 The following are suggested as principles that should increase public involvement in scrutiny:

- Work programme items must be relevant.
- Engagement must be meaningful (and seen to be meaningful).
- Communications must be targeted.

4.3 With regard to relevance the work programming process could be formalised so that items are ‘scored’ and public interest is given a higher weighting. However members have shown little appetite for such a scoring process in the past. The
quote in paragraph 1.2 highlights that it is issues that get people most interested. Scrutiny in Lambeth tends to take a strategic view and it could be argued that the diversity and geography of the borough may dilute interest in the more strategic issues. It could also be argued that by conducting scrutiny on a more local basis greater public involvement could be generated. As we have already demonstrated in Lambeth only the most committed Streatham resident is likely to travel to the Town Hall to discuss the provision of health services in their area whereas they are more likely to attend a discussion in their neighbourhood. In Shropshire a village scrutiny process was successfully used to investigate how to improve access to services.

4.4 There are clear resource implications for taking a more local and/or less strategic approach to scrutiny and it would be a discussion for members as to whether or not there was an appetite for such an approach and if so how it would be conducted.

4.5 Regarding the meaningfulness of engagement a valid criticism of PI 5 is that it simply reflects footfall or contact without measuring outcomes. At Maidstone Borough Council a feedback questionnaire is used to gain the views of attendees at meetings. Informal feedback from those involved in the commission process suggests positive experiences and when updates on the implementation of commissions are received officers notify those who were involved. This has often improved the challenge provided at meetings. Part of meaningfulness is also ensuring clarity about what scrutiny is and can do. It is not uncommon for people to attend scrutiny meetings and leave disappointed that no ‘decision’ has been made. It is proposed that in future the information leaflet (see appendix 2) is provided to members of the public who we know will be attending our meetings and also that it is available at the meetings themselves.

4.6 Ensuring meaningfulness does not have huge resource implications as the principles broadly accord with those of good customer service and good communication of what scrutiny is.

4.7 Targeted communications have already proved their worth with the Rush Common commission thanks largely to support from the Finance & Resources Communications Team. Recent work with corporate communications should also result in a higher profile for scrutiny work in Lambeth Life through closer monitoring of work programmes and an increased use of press releases. Although there are clear resource implications of a higher communications profile the team has a budget of approximately £11k for advertising so there is available capacity. Consideration of the communications requirements for each meeting (whether targeted or not) and discussions with both members and communications officers at as early a stage in the process as possible should result in both a higher profile in the borough and improvements in public involvement.

5. Alternatives to formal meetings

5.1 *Involve*, a not for profit organisation specialising in increasing public participation, highlight a number of alternatives to the traditional public meeting which vary because of the technology used, the discussion structure, the level of formality and the approach to agenda setting. There are also considerable web resources available for increasing public participation (see particularly [www.peopleandparticipation.net](http://www.peopleandparticipation.net)).

5.2 As was highlighted in paragraph 3.7 if members wished to engage in one of these approaches it would be important to ensure that the approach was being used because it was the most suitable approach, not just for the sake of doing something different. Some external facilitation or support may also be necessary.

**Technology**

5.3 Citizens' summits utilise new technology to overcome many people's fears of speaking in front of large numbers of people and avoids the dominance of the 'usual suspects' who speak at meetings. The use of voting pads (think 'Who Wants to be a Millionaire?') overcomes these problems though with clear cost implications.

**Discussion structure**

5.4 These are deliberative workshops where a random selection of citizens are provided with balanced evidence on a policy choice and asked to reach a verdict over a number of meetings. Alternative approaches are having a bank of individuals who are willing to take part and provide their views on particular issues. Such an approach is considered more meaningful than opinion polls or surveys.

**Level of formality**

5.5 Consultation activities held in community venues or through methods such as peer interviews are increasingly used. The World Café approach involves participants meeting in a setting where they feel comfortable talking and are a good way of reaching those who would not otherwise attend a scrutiny meeting.

**Open Space Events**

5.6 These events provide participants with greater control over the agenda. Participants are encouraged to come forward with sessions that they want to take responsibility for thus placing responsibility for content etc on the participants and providing them with greater ownership.

**Individual Member work**

5.7 Given that scrutiny committees plan their work programmes in advance committees could hold informal planning meetings. Outcomes of this could involve individual members undertaking research in their own communities and reporting back to the formal committee when items are discussed.

6. **Comments from Executive Director of Finance and Resources**
6.1 There are no revenue or capital financing implications contained within this report. If members decide they wish to take a more active approach to engaging the public in the activities of our scrutiny meetings the financial cost of those activities will be met from within the existing scrutiny budget.

7. Comments from Director of Legal and Democratic Services

7.1 Reference is made in paragraph 1.4 above the new “duty to involve”. Section 138 of the Local Government and Public Involvement in Health Act 2007 inserted a new Section 3A into the Local Government Act 1999 and subsection (1) states:

“Where a best value authority considers it appropriate for representatives of local persons … to be involved in the exercise of any of its functions by being:

(a) provided with information about the exercise of the function,
(b) consulted about the exercise of the function, or
(c) involved in another way,

it must take such steps as it considers appropriate to secure that such representatives are involved in the exercise of the function in that way.”

7.2 Section 3A also provides that, in deciding how to fulfil its duties under subsection (1), an authority must have regard to any guidance issued by the Secretary of State. The statutory guidance (Creating Strong, Safe and Prosperous Communities) include the following points:

(a) In the context of the duty for a best value authority to involve representatives of local persons in the exercise of its functions where it considers this appropriate, "representatives of local persons" means a balanced selection of the individuals, groups, businesses or organisations that the authority considers likely to be affected by or to have an interest in the functions. Authorities should consider the diverse groups who might be affected by or interested in a particular function.

(b) Authorities should consider providing opportunities for representatives of local persons to: influence or directly participate in decision making; provide feedback on decisions, services, policies and outcomes; co-design/work with the authority in designing policies and services; co-produce/carry out some aspects of services for themselves; work with the authority in assessing services.

(c) In considering when it is appropriate to involve representatives of local persons, an authority should consider any need for privacy, previous engagement or involvement, and possible benefits and costs.

(d) In considering how best to engage local representatives, an authority should consider accessibility, proportionality, co-ordination, partnership working and timing.

8. Results of consultation
8.1 None undertaken.

9. **Organisational implications**

9.1 **Risk management:**
Risks arising from increasing public participation in the scrutiny process, such as the holding of meetings outside the town hall, would need to be assessed in advance of such work being undertaken.

9.2 **Equalities impact assessment:**
No equalities impact assessment has been undertaken due to the nature of this report which outlines the need to increase public participation and provides a number of key success factors and methods to achieve this; it does not define any major change in how the function operates. As part of our three-year equality impact assessment programme, the scrutiny function will be assessed. At this time scrutiny will be expected to assess the different types of engagement methods used by the function and determine how successful they are in terms of accessibility and engaging different equality groups.

9.3 **Community safety implications:**
None.

9.4 **Environmental implications:**
None.

9.5 **Staffing and accommodation implications:**
None.

9.6 **Any other implications:**
None.

10. **Timetable for implementation**

10.1 None.