

# Scrutiny: What does this look like now?

Local Government House, 16 July 2010

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# introduction

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## What is CfPS?

### The four principles of effective scrutiny:

1. provides 'critical friend' challenge to executive policy-makers and decision-makers
2. enables the voice and concerns of the public and its communities
3. is carried out by 'independent minded governors' who lead and own the scrutiny process
4. drives improvement in public services

# Policy Summary

- Local Government Act 2000
- Health and Social Care Act 2001
- Local Government Act 2003
- National Health Service Act 2006
- Police and Justice Act 2006
- Local Government and Public Involvement in Health Act 2007
- Local Democracy, Economic Development and Construction Act 2009
- Local Government (Overview and Scrutiny) Bill 2010

**Pulling it all together**  
A guide to legislation covering overview  
and scrutiny in English local government

**Local Government Act Health and Social Care Act National Health Service Act Local Democracy Economic Development and Construction Act Freedom of Information Act Police and Justice Act Local Government and Public Involvement in Health Act**

Issue 1 - April 2010

# Out in the field

## Annual Survey of Overview and Scrutiny 2009

- Discretionary scrutiny budget has declined by **12%** (**83%** in London Boroughs)
- **6%** rise in officer provision but **19%** fall in London Boroughs, **10%** fall in County Councils and **9%** fall in Mets. District and Unitary authorities seeing increases.
- 82% of scrutiny functions are scrutinising partnerships (up **12%** from last year).
- Scrutineers disagreed that scrutiny is valued by the public (2.3/5)



# When accountabilities collide!

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There are instances when different forms of accountability intersect.

This is because many are **institutional** in nature and we are now entering a world increasingly typified by **partnership working**.

Eg – crime and disorder scrutiny (potential conflict between police authorities and local gov scrutiny) or the potential for conflict between managerial and non-executive accountability.

# The web of accountability

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Rather than suggest wholesale structural change to accountability in the public sector we posit a more pragmatic approach – the **web of accountability**.

**The web** is typified by close, collaborative working between all those engaged in accountability at local and national level.

It meets the needs of tangled governance arrangements in a proportionate and realistic way.

## On the horizon

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- Less inspection – self regulation
- More freedom – removal of ring-fencing and the challenge of protecting vulnerable groups
- Less money – Scrutiny is not a front line service so must demonstrate VFM
- Return to the committee model – impractical?
- Transparency – more than just publishing raw data
- Total Place – Total Accountability?
- Big Society – holding the voluntary sector to account for the services it delivers

# Equity and Excellence: Health White Paper

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- Changing Structure – PCTs and Strategic Health Authorities out, GP Commissioning Consortia and Healthwatch (formally LINKs) are in
- Changing Culture – quality and outcomes rather than processes and structures to be assessed
- Patient and public involvement – Healthwatch
- Commissioning – Framework establish by NHS Commissioning Board
- New roles for councils – Public Health responsibility of PCTs to be transferred to councils via Health and Well Being boards

Comments on the White Paper are invited before 5 October 2010.  
A Health Bill is published in the Autumn.

# Our recommendations

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On the basis of looking at **what** accountability is, **why** it's important and **what impact** it has, we have developed some recommendations which include:

- A commitment by those arguing for a reduced inspection burden to robust accountability through other means;
- A need for future legislation to take into account the existence of the “web of accountability”;
- The need to set up local (informal) networks of those “delivering” accountability, which put participation and openness at the centre of their work.

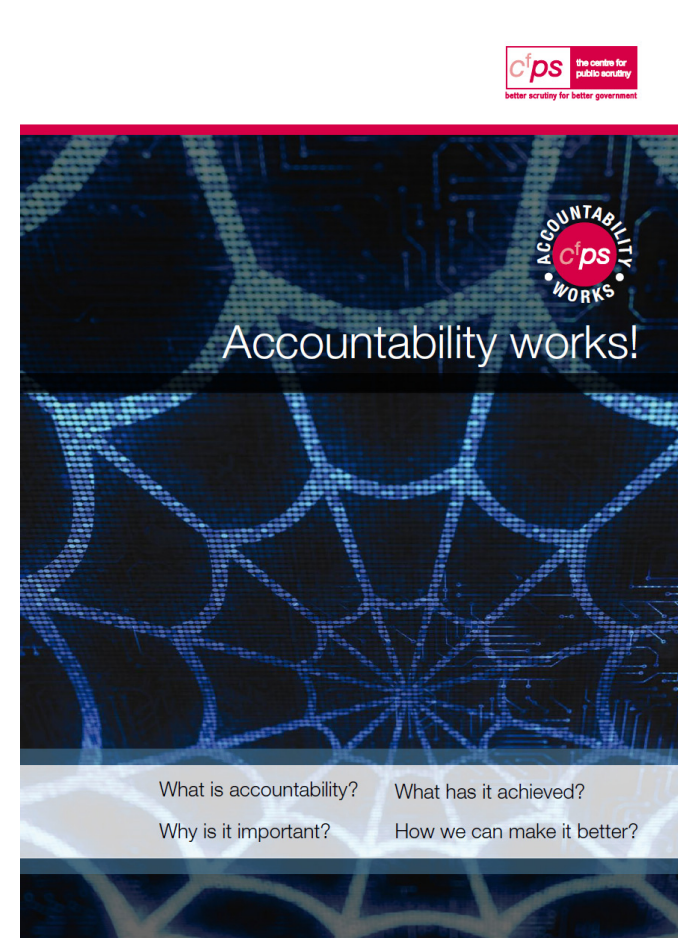
# Accountability Works!



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# Group exercise

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1. What can scrutiny do to demonstrate effectiveness?
2. What can the local authority do to get the most out of scrutiny?
3. How can scrutiny become more visible to the public?
4. If you were to design local services from scratch, what would the accountability structure look like?