

Overview and Scrutiny Public Engagement Protocol

Introduction

Overview and Scrutiny is the statutory function that holds the Executive (Mayor, Cabinet and Chief Officers) to account, scrutinising council decision making, service performance, strategies and policies. Overview and Scrutiny also scrutinises the work and impact of relevant external agencies on the local community, such as matters relating to local health services and crime and disorder. Overview and Scrutiny is non-adversarial and non-partisan, acting as a critical friend to challenge decision makers within the Council as well as external agencies.

The powers afforded to Overview and Scrutiny are intended to enable the function to hold service providers to account for their performance. In order for the exercise of these powers to be effective, it is vital for all stakeholders to be engaged in the process and share a common understanding of Overview and Scrutiny's aims. Overview and Scrutiny aims to build collaborative working relationships to encourage engagement and use our statutory powers as a last resort.

Engagement and Overview and Scrutiny

A key element of Overview and Scrutiny's work is hearing directly from the public about their experiences of local services, and taking up issues which are of concern to local people. Their involvement provides a unique perspective on how well public services are being delivered and how they could be improved, from the point of view of those receiving and using the services.

Members of the public can be invited to participate in scrutiny meetings held in public, and can contact their local councillors and members of the Scrutiny Panel or relevant Scrutiny Commission to make their views known. There are also opportunities for the public to get involved in specific issues being investigated, for example Overview and Scrutiny councillors seek the views of the public through calls for evidence, site visits, focus groups and surveys.

Overview and Scrutiny recognises and values the views of the people who work, live and study in Hackney, and is committed to supporting local people to contribute to how decisions are made about local services. The protocol is based on good practice principles, and the Overview and Scrutiny function will continue to explore new and innovative ways to involve the public in its work where appropriate.

Participation at scrutiny meetings

Overview and Scrutiny meetings are held in public, rather than being public meetings. Local people have the right to attend meetings except where confidential or exempt information is likely to be disclosed and the meeting, or part of the meeting, is therefore held in private.

Overview and Scrutiny recognises that, for many, it is more convenient to observe meetings virtually, and a livestream facility is therefore provided for all meetings and included on the front sheet of meeting agendas. Meeting recordings are also available on the Council's YouTube channel, an innovation accelerated by the pandemic which has made Overview and Scrutiny proceedings far more accessible to the general public.

It is at the discretion of the Chair as to whether members of the public can ask questions, and it depends on the agenda. Members of the public are encouraged to contact the relevant Overview and Scrutiny Officer about raising questions or speaking at a meeting in advance of the meeting using the details on the front of the meeting agenda.

Members of the public attending a meeting should bear in mind that meetings are live streamed on the Council's YouTube channel and are also open to the press. When attending meetings members of the public should not behave improperly, offensively or interrupt the business of the meeting as such action may result in them being removed and excluded from the meeting.

Inviting members of the public to meetings

The Scrutiny Panel or relevant Commission often invite members of the public or community groups to present their views on certain issues being discussed at a meeting. If a member of the public is invited to attend and speak at a meeting, the relevant Overview and Scrutiny Officer will liaise with them to ensure they are prepared and feel comfortable attending the meeting.

If a member of the public or community group does not feel comfortable attending a meeting or is otherwise unable to attend, the Scrutiny Panel or relevant Commission may invite them to provide written or video testimony to be presented at the meeting. Members of the public who provide testimony in this way are not identified at the meeting, except where the person has agreed to identify themselves in their video testimony submission.

Testimony is only shared at a meeting where multiple similar accounts of an issue or service have been highlighted to Overview and Scrutiny councillors from local people or performance information, and the Scrutiny Panel or relevant Commission believes that the testimony points to high levels of public concern with an issue, or dissatisfaction with a service.

It should be noted that Overview and Scrutiny councillors should not take casework to scrutiny meetings, and officers and/or the Cabinet Member will not be expected to respond to individual cases at scrutiny meetings. Casework can sometimes lead on to policy development, but can be distinguished from these by virtue of the fact that casework usually deals with the resolution of an individual problem.

Where testimony is due to be shared at a scrutiny meeting, the relevant Director and/or Cabinet Member are expected to attend the meeting to respond and **the Chair of the Scrutiny Panel or relevant Commission should give them written notice of at least 10 clear working days prior to the meeting**. At this point the key background information (as

set out below) and testimony should be shared with the relevant Director, Cabinet Member and/or legal officer to ensure due diligence checks can be undertaken.

- Name
- Address
- Confirmation if known to service area

In certain circumstances, the relevant Director, Cabinet Member and/or legal officer **may advise that written or video testimony is not shared at a meeting**. The Chair of the Scrutiny Panel or relevant Commission should be notified of this at least 48 hours in advance of the meeting. Circumstances in which this advice may be given include:

- **If the testimony relates to a current planning or licensing application and/or decision;**
- **If the testimony relates to live legal proceedings against the Council or references matters which are the subject of legal proceedings against the Council;**
- **If the testimony relates to threatened legal proceedings against the Council and/or mediation;**
- **If the testimony is considered vexatious, discriminatory or not relevant or otherwise inappropriate to be discussed at a meeting of the Scrutiny Panel or relevant Commission.**

Gaining views on specific issues being investigated

As well as attending or providing written or video testimony for meetings of the Scrutiny Panel or relevant Commission, the public may be asked to submit their views on specific issues being investigated more informally. Overview and Scrutiny use a variety of methods to gather the views of the public, but some of the more commonly used methods include calls for written evidence, site visits, focus groups and surveys. When asking the public to submit their views on specific issues, the function will look to utilise the Council's website and/or social media channels, as well as any existing engagement networks and channels.

Engaging the public in this way is a valuable means of incorporating an alternative viewpoint into the scrutiny of a topic being investigated, enhancing the capacity for effective scrutiny by highlighting what may be a different point of view and accounts from those who the service will directly impact. It is used in conjunction with a wider range of evidence gathering exercises, such as desktop research and analysis, consultation with Cabinet Members, Council officers and local stakeholders, comparisons with other local authorities or service providers and specialist contributions.

Calls for written evidence

The Scrutiny Panel or relevant Commission will sometimes seek written submissions for scrutiny reviews or investigations using a combination of generic calls for evidence and/or targeting specific stakeholders or experts. This helps councillors understand what things are like for local people and organisations affected by, or with a stake in, the topic being explored.

Wider calls for written evidence will usually be shared on the Council's website and/or social media channels, and the Scrutiny Panel or relevant Commission may also write to specific stakeholders or experts in a particular area. Any call for evidence will usually include information on the primary focus of the review or investigation and the key areas the Scrutiny Panel or Commission are interested in.

Focus groups

Focus groups are group discussions that explore a specific area using open questions and the sharing of views and experiences between participants. These can be useful for Overview and Scrutiny because they can provide rich insights into the experiences of local people through group discussion and debate.

Focus groups usually involve six to eight participants, although more or less may be involved depending on the topic. Where possible, members of the public should be compensated for their participation in appreciation of their time. Participants' identities and contributions are anonymised, and the relevant Overview and Scrutiny Officer will make notes and produce a report on the findings of the focus group for the consideration of the Scrutiny Panel or relevant Commission.

Sometimes, if a large number of people want to participate in focus groups, Overview and Scrutiny will make a selection to create a sample of participants with consideration given to principles such as ensuring a good spread of Hackney's geographical areas, recognising the positive values of issues of diversity such as ethnicity, culture and faith and including people who may lack other formal mechanisms for having a voice.

Surveys

Survey research involves collecting information about a group of people by asking them questions and analysing the results. They are usually most useful to get a broad overview of the public perception of an issue or service, and allows more detailed scrutiny investigations to be carried out based on their findings.

There are lots of different types of survey methods, and the methods used may depend on the specific issues being investigated or intended outcomes of an investigation. Some of the main types used by Overview and Scrutiny include online surveys, mail surveys, and personal interviews.

Council officers, partner organisations and local groups are usually invited to help identify groups of interested individuals. Before responding to a survey, the public are given information on its purpose, on the scrutiny enquiry itself and how their feedback may be used. The relevant Overview and Scrutiny Officer will collate and analyse their responses, and produce a report on the findings for the consideration of the Scrutiny Panel or relevant Commission.

Site visits

Site visits can be useful in helping Overview and Scrutiny get to grips with issues under review by meeting with people using services, frontline staff and other professionals and seeing how facilities are used. Site visits are an opportunity to get detailed information from people who are knowledgeable about a service or issue, and are a valuable source of information that you may not get from written submissions.

Council officers and/or partner organisations are usually invited to identify suitable groups and organisations to visit, and may help to organise and/or attend the visit where appropriate. Site visits are not open to the public, and are attended by Overview and Scrutiny councillors only except where the relevant Cabinet Member is invited to attend. The Cabinet Member's role on the visit is in the capacity of an observer, and any questioning should be directed to the host by Overview and Scrutiny councillors.

Before a site visit is conducted the host will be sent information on the purpose of the visit, the scrutiny enquiry itself and how their comments may be used. The relevant Overview and Scrutiny Officer will attend the site visit, make notes and produce a report on the findings of the site visit for the consideration of the Scrutiny Panel or relevant Commission.

Suggesting topics for scrutiny to review

Members of the public can suggest topics for possible scrutiny review. At the start of each municipal year the Overview and Scrutiny function asks local residents, partner organisations, council officers, and stakeholders to highlight areas of concern or make suggestions for a scrutiny review or smaller investigation.

Overview and Scrutiny's Annual Public Consultation usually runs from May to June, and will usually be shared on the Council's website and/or social media channels. Feedback on the outcome of any suggestions is provided to residents and stakeholders shortly after the Scrutiny Panel and Commissions' work programmes are agreed in July.

Overview and Scrutiny also takes suggestions throughout the year, although there may be a gap between the time that suggestions are received and the time it is considered for inclusion in the next annual work programme, which usually begins in May. Members of the public and stakeholders are encouraged to fill out the [scrutiny review topic suggestion form](#) if they would like to suggest a topic outside of the annual consultation period.

There is a limit to the number of reviews the Overview and Scrutiny function can carry out each year. A suggestion is more likely to be accepted if local people can be shown that it affects a significant number of people in Hackney and provide evidence supporting their concern. Overview and Scrutiny will not consider judicial or quasi judicial matters or those which are currently being investigated, individual planning, licensing or grant applications or appeals, or individual complaints about specific issues or the conduct or behaviour of a councillor or employee of the Council.

When the Scrutiny Panel or relevant Commission is deciding whether or not to accept a topic for consideration, the following criteria is generally considered:

- Will the topic have an impact on, or is it of interest to, a community or other group of residents in Hackney or is it of wider public concern?
- Does the topic link with any of the Council's current improvement objectives, items from the Cabinet forward work programme or recommendations resulting from external reviews?
- Is effective scrutiny of the topic achievable with available resources and within a reasonable timescale?
- Will scrutiny of the topic lead to duplication of work that is being or has already been carried out by the Scrutiny Panel or relevant Commission, or by another committee, group or organisation?

Even if a suggestion is not accepted for immediate scrutiny and included in the Scrutiny Panel or relevant Commission's work programme for the current municipal year, the issue will be logged and may be addressed at a later date.

Further support and guidance

Further advice or information on any aspect of this protocol or on Overview and Scrutiny at Hackney Council is available from the Overview & Scrutiny Team, Room 118, 2nd Floor, Hackney Town Hall, Mare Street, London, E8 1EA.

E-mail: scrutiny@hackney.gov.uk

Website: www.hackney.gov.uk/scrutiny