

Using evidence in scrutiny

A practice guide for local government scrutiny

development **training** credibility **auth**
scrutiny **public services** proc
transparency leadership **research**

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review responsibilities accountability
structure public resources challenge
decision making evidence overview

ABOUT THIS PRACTICE GUIDE

This guide emerged from discussions between the Centre for Public Scrutiny, SOLACE, and the Alliance for Useful Evidence. Together we recognised an opportunity to re-cast for local government some of the work we have produced individually, and collate the good practice on evidence and scrutiny.

We drew particularly on the Alliance for Useful Evidence's *Using Research Evidence: A Practice Guide*, recognising that some of its key themes and guidance could hold relevance for the four hundred and eighteen councils across the UK, and the officers and councillors that keep them going.

This discussion paper is not a toolkit per se, but it will, we anticipate, provide practical tips for scrutiny practitioners to make it easier for them to deploy, identify, secure and understand the evidence they need for first class scrutiny.

About the Centre for Public Scrutiny

The Centre for Public Scrutiny (CfPS) 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. CfPS believes that accountability, transparency and involvement are strong principles that protect the public interest.

We publish research and practical guides, provide training and leadership development, support on-line and off-line networks, and facilitate shared learning and innovation.

About SOLACE

SOLACE represents over 1,200 Chief Executives and senior strategic managers working in local public services across the UK. We are committed to promoting public sector excellence. As well as providing our members with opportunities for personal and professional development, we also seek to influence debate around the future of public services to ensure that policy and legislation are informed by the experience and expertise of our members.

SOLACE's portfolio of work on evidence-informed policy making, through the Local Government Knowledge Navigator (LGKN) project – a joint initiative between ESRC, LGA and SOLACE – and our ongoing engagement with a range of organisations, is aimed at increasing the appetite of the local government sector, both politically and at officer level, for evidence-informed decision-making. Our website is <http://www.solace.org.uk>

About the Alliance for Useful Evidence

The Alliance for Useful Evidence is an independent charity that champions the use of evidence in social policy and practice. We are an open-access network of over 3,000 individuals from across government, universities, third sector organisations, businesses, and public services both in the UK and internationally.

The Alliance provides a focal point for advancing the evidence agenda, developing a collective voice, while aiding collaboration and knowledge sharing, through debate and discussion. Membership is free. To join visit: alliance4usefulevidence.org/join.

Disclaimer

The views and any errors in this report remain the authors' own and do not necessarily reflect the views of the CfPS, SOLACE, the Alliance for Useful Evidence, or our funders.

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Ensuring that public services, and the deployment of public resources, are evidence led, or at least evidence informed, is vitally important, and even more so in these days of permanent austerity, deepening unsolved wicked issues afflicting society, and the emergence of public sector policy being driven by fake news, alternative facts, and post-truth narratives.

This document comes out of the desire of our three organisations to rebalance the discourse, and establish a new tone of decision making, one that reflects the facts and evidence as best as we know them at any given point in time.

In local government, we have the specific opportunity to do this through the way in which scrutiny works. The vast majority of councils in England operate a Cabinet-Scrutiny governance system, and our desire is to see this used to its greatest effect to ensure that the decisions taken to deploy resources in those councils are evidence-led.

This can happen in two ways: firstly, through the work of scrutiny itself in undertaking reviews and making recommendations to the Executive to do things differently and better, based on consideration of present approaches, and informed comparison with the evidence available, including best practice elsewhere.

And secondly, through holding the Executive to account for the evidence upon which its own decisions are made. It would be a very powerful driver of change in local government if the simple question “where is the evidence?” was asked of all significant decisions, and if it was able to be answered cogently, coherently, and compellingly for every decision and deployment of resources.

We don't, in truth, expect this document to change the world; but we do want to play our part in countering the post-truth narrative, and championing the use of evidence in social policy and practice. And we expect that in doing so, councils will be better equipped to spend their resources wisely, and, most importantly of all, effect positive change and better outcomes for often the most needy and vulnerable in society.

After all, that is what most people in local government, officers or politicians, came into local government to do.

Abdool Kara

SOLACE Spokesperson on Evidence-Led Decision Making
Executive Leader, Local Services, National Audit Office

INTRODUCTION

Key messages

- High quality research evidence can and should be used as part of the scrutiny process
- Not all evidence is equal – some is more robust and valuable than others
- Independent officer advice is important – in terms of councillors having the confidence that they are receiving impartial support, and in terms of bringing skills in research and analysis to scrutiny councillors
- There is a huge range of information sources for councillors to use – part of the skill of evidence informed scrutiny lies in being discriminating, and being able to weigh and triangulate information appropriately
- Scrutiny itself can act as a change agent, enhancing the way that the council uses evidence for decision-making
- Elected councillors are well placed to enable active engagement with the public and other stakeholders in scrutiny

The case for evidence-influenced scrutiny

A common theme and reality for local government in recent times has been shrinking resources. It is familiar territory for councillors, practitioners and frontline staff. The well-versed mantra ‘doing things well for less’ has never been more pressing. Faced with this challenge, planning and targeting resources effectively, with a clear and compelling rationale that is supported by good evidence, is a must. Scrutiny forms an essential part of meeting this challenge, and can help ensure that value for money is achieved through knowing, or at least having a better idea of, what works, where, when, and for whom.

Evidence informed scrutiny can help influence decisions before they are taken, and press pause on ones that don’t stand up to the evidence test. It also has huge power not only to help councils reach better decisions, but to contribute to a positive culture of evidence more widely within the council.

“Scrutiny bodies can enable a wide range of research evidence to be drawn into the policy process and debated, including locally generated data and their own research findings. In particular, strong research evidence can provide scrutiny bodies with the legitimacy and power to challenge existing ways of doing things.”

Source: Nutley et al (2007), Using Evidence: How research can inform public services

On the matter of resources, it would be remiss of us not to acknowledge that the squeeze on resources in local government also applies to scrutiny. The CfPS 2014/15 annual survey of overview and scrutiny of local government demonstrates a continuing worrying trend away from dedicated officer resourcing for scrutiny.

CfPS believes that officer resourcing for scrutiny is a crucial part of councillors having support, advice and guidance in how they access and use information. An inability to access data, and to use it effectively, presents a significant risk to scrutiny. The examples of the scandals at Stafford Hospital and in Rotherham serve as two stark warnings of what can go wrong when evidence-based scrutiny

is not robust. This guide will, we anticipate, demonstrate the value of councils investing in evidence informed scrutiny.

This paper also holds a key message that not all evidence is equal. When assessing a topic in detail, the role of scrutiny is to arrive at as thorough and comprehensive a judgement as is possible, with reference to the circumstances in which it operates, the public and stakeholders it serves, the resources it has, and the evidence available. But crucially, that does not mean that all the evidence that comes before scrutiny should be treated in the same way and given the same weight.

While it may be a tough message for those working in local government to hear that some of the evidence they produce isn't as valuable or robust as other pieces of evidence, it's an important one if councillors are to get it right. That is not to disregard these other types of information which are also fundamental to scrutiny. But we are recommending that scrutiny applies the concept of a hierarchy of evidence to help make decisions more robust, and drive the greater use of research evidence in scrutiny practice.

Without evidence to back your decision or recommendation, you are effectively just winging it - and that's not good enough when it comes to the policies, programmes and services that have a huge impact on the individuals and communities that local government serves.

Good scrutiny needs evidence

The CfPS developed the four principles of good public scrutiny, which will be familiar to many readers, and which we believe encompass the main building blocks of successful scrutiny for any local authority.

The Four Principles of Good Public Scrutiny

- 1. Providing a 'critical friend' challenge**
- 2. Reflecting the voice and concerns of the public**
- 3. Taking the lead and owning the scrutiny process**
- 4. Making an impact on the delivery of public services**

Source: Centre for Public Scrutiny

In 2013 and 2014, the Wales Scrutiny Officers Network devised fifteen characteristics that reflect what the four principles of good public scrutiny look like in practice. They can be found in the Wales Audit Office report *Good Scrutiny? Good Question!* They show that good scrutiny requires a range of attributes, skills and conditions, but the three we are specifically interested in for the purposes of this discussion are listed below, and demonstrate how central evidence is to good scrutiny:

- overview and scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives;
- overview and scrutiny regularly engages in evidence-based challenge of decision makers and service providers; and
- overview and scrutiny provides viable and well evidenced solutions to recognised problems.

Doing scrutiny well means the topics chosen for scrutiny, the questions that get asked, the decisions that get taken, and the recommendations that get made are all informed by good quality evidence.

Evidence informed scrutiny can:

- generate new ideas and ways of doing things;
- challenge assumptions about existing ways of working;
- strengthen councillors' confidence in challenging and posing questions;
- engage members of the public and stakeholders;
- support recommendations with measurable outcomes; and
- increase accountability, transparency and credibility.

The remainder of this document is structured as follows:

- Section 1 we examine evidence-informed decision making and what it means for local government scrutiny;
- Section 2 we look at how evidence can add value and support scrutiny in its work;
- Section 3 we look at types of information that can help councillors to feel confident in challenging, generate new ideas, help engage members of the public and add credibility to the democratic accountability process;
- Section 4 then goes on to examine further assistance scrutiny committees can consider;
- Section 5 looks at how public engagement ties in with the evidence agenda in scrutiny; and
- Section 6 brings together the key messages of this paper in practical steps for practitioners

SECTION 1: UNDERSTANDING EVIDENCE-INFORMED DECISION MAKING

What do we mean by evidence?

Evidence, according to the Oxford English Dictionary, is: “the available body of facts or information indicating whether a belief or proposition is true or valid” (OED 2016).

What’s so special about research evidence?

Scrutiny committees receive various types of evidence (and so-called evidence) when conducting inquiries and will always rightly rely on a mixture of information to perform their function well. However, this guide particularly advocates more and better use of research evidence in scrutiny.

Research evidence has a number of attributes that often make it more reliable, trustworthy and valuable compared with other types of evidence. Independence is a key feature: it is highly unlikely that research evidence will have been funded, commissioned or carried out by interest groups or organisations seeking to influence council decisions and as such should have been conducted free of influence. At its best, it will also have been peer reviewed by other experts who know the subject matter well.

Research evidence provides an explanation of the methods used to carry out the research, which enables the reader to judge the way the work was done. This allows us to take a view on the trustworthiness of the research and to weigh it up. As the Alliance for Useful Evidence’s report *What Counts as Good Evidence?* notes:

“The conduct and publication of research involves the explicit documentation of methods, peer review and external scrutiny, resulting in rigour and openness. These features contribute to its systematic nature and help provide a means to judge the trustworthiness of findings. They also offer the potential to assess the validity of one claim compared to another.”

For these reasons, this paper advocates the use of research evidence as it is one of the strongest forms of evidence available to scrutiny.

Evidence vs Information

Many discussions around evidence conflate research evidence with other types of information; performance data, survey data, internal reports, policies and strategies. But they are fundamentally different things and should be treated as such.

Later in this guide, we go on to look at the other types of information available to scrutiny. Non-research evidence plays a vital role and scrutiny would be unable to function without it. Localised data, internal reports and a whole host of other information help provide for the needs of scrutiny serving a specific geographical area and the communities that reside within it.

Scrutiny practitioners will know that scrutiny relies on internally produced reports using local data sets that have not been externally reviewed. By their very nature, they have been produced internally because it’s unlikely any third party would do so and they will have in many cases been drafted specifically for the purposes of scrutiny or on request.

However, not all evidence is equal. Getting more high quality, high value evidence into scrutiny can only serve to complement the other information that also comes into consideration. It may also help identify, distinguish between and rule out information that is of little or no use at all.

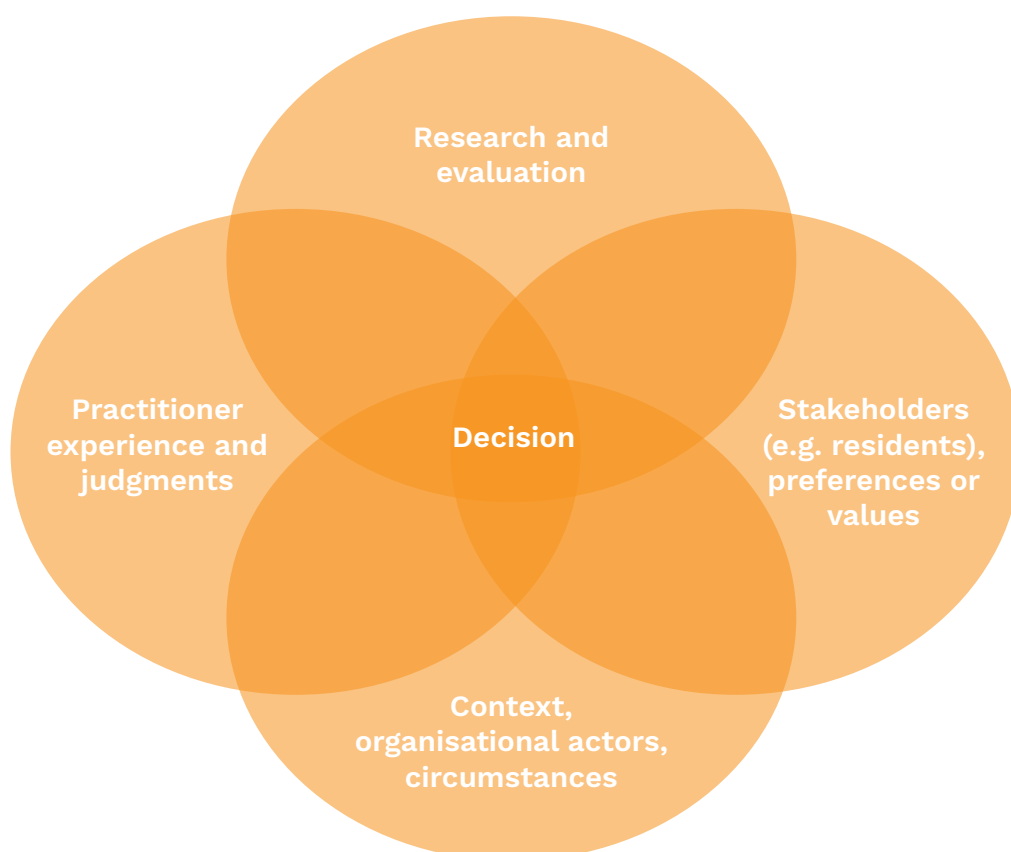
What is evidence-informed decision making?

In much of the discussion on using evidence in policy, you will unavoidably hear at some point the phrase ‘evidence-based’. There is a subtle but important distinction to be made here, especially as we hope this will be read by elected representatives and practitioners working in a political environment.

The Alliance for Useful Evidence advocates decision-making that is ‘informed’ by evidence, rather than being ‘evidence-based’. This is because policy is rarely based solely on formal evidence alone. In the real world, the resources available to policy makers, the costs, the ethical considerations, the possible risks and benefits, the local context, political judgement and values, experiences and views of stakeholders, and cultural norms all come into the equation.

So, it is right that decision makers are informed by the available evidence but in conjunction with a range of other relevant factors in making choices between alternative courses of action, which almost always will have both positive and negative considerations. Decisions are rarely based on formal evidence alone.

The Centre for Evidence-based Management’s four elements of evidence-based management provide a visual illustration of how different factors contribute towards decision-making.



Source: Professor Rob Briner, Centre for Evidence-based Management

The element at the top of the diagram, research and evaluation, is the most relevant for the purposes of this paper. But it’s useful to consider the four elements of evidence-based management in turn and what they look like in the context of local government.

Research and evaluation: this will usually be drawn from further afield than the council's geographical area, and will have the added benefit of having been prepared independently and subject to peer review. Good research and evaluation should be rigorous and have been subject to some level of scrutiny prior to publication, which is why it is considered one of the better types of evidence. Scrutiny officers should include this evidence whenever it is available and councillors should consider it carefully, in the knowledge that it is likely to be particularly robust.

Practitioner experience and judgements: this allows decision makers to gain first hand, direct insight on subject issues and can provide a useful level of detail and understanding from individuals at the helm or otherwise deeply involved in specific areas or services. Experience and judgement form a key part of the evidence mix, but should be carefully distinguished from opinion. Especially in evidence sessions, it is important that practitioner opinions are always supported and backed up by their experience and knowledge.

Context, organisational actors, circumstances: no two local authorities are identical. What works in one local area won't necessarily work in another (although learning and sharing experiences with similar councils is definitely a good idea). Each local authority will have a different history, geography, demographics and diverse sets of people involved with it and varying circumstances, not least the resources available to them. Councillors, as politicians and local leaders, will also be attuned more than most to the art of the politically possible - they will have a strong sense about how the council functions as a political body and the broader local circumstances that affect how decisions impact on the ground.

Stakeholders, preferences or values: councillors are well placed to have good understanding and knowledge of their electorate, including their needs and aspirations. As elected politicians, they also have a unique credibility and legitimacy to reflect and represent those views in their work at the council. They are elected on a mandate of values and often political allegiance which will shape the preferences and values that lead to a decision. In doing so, they bring to bear an important piece of the evidential jigsaw, which may not otherwise have been considered.

Of the four elements of evidence-based management, the latter two - Context and Stakeholders - can be easily related to the local nature of scrutiny and the representative role of elected councillors. However, equally important are the elements Research and Evaluation and Practitioner Experience and Judgements and for the purposes of this paper it is Research and Evaluation we primarily wish to consider. However, the model usefully serves to demonstrate the variety of factors that rightly are at play in decision-making.

What do we mean by research and evaluation?

In local government, when we talk about understanding 'research' what we often mean is 'internal evaluation'. Throw 'research evidence' into the mix and we have three terms that are used interchangeably. It's worth examining what each one actually is and the differences between them.

In the Alliance for Useful Evidence's Using Research: A Practice Guide, research evidence is singled out as being particularly useful for evidence-informed decision-making because of the 'safety checks' that research evidence is put through, compared with some other evidence. As an earlier guide on evidence says:

"Research is only one sort of evidence, but it has the advantages of greater rigour, relevance and independence when compared to other types of evidence."

Source: S. Frost. The Evidence Guide: Using Research and Evaluation in Social Care and Allied Professions

As mentioned above, internal evaluations are sometimes referred to as ‘research’. Research and evaluation overlap and are used for similar purposes, but have distinct and important differences as outlined below:

Evaluation	Research
Addresses Practical Problems	Addresses theoretical problems
Results in action	Results in description
Makes judgement of merit / worth	Describes
Addresses short-term issues	Addresses long term issues
Uses evaluation methods	Uses research methods
Is non-discriminatory	Is disciplinary
Includes insider evaluation	Is always conducted by outsiders

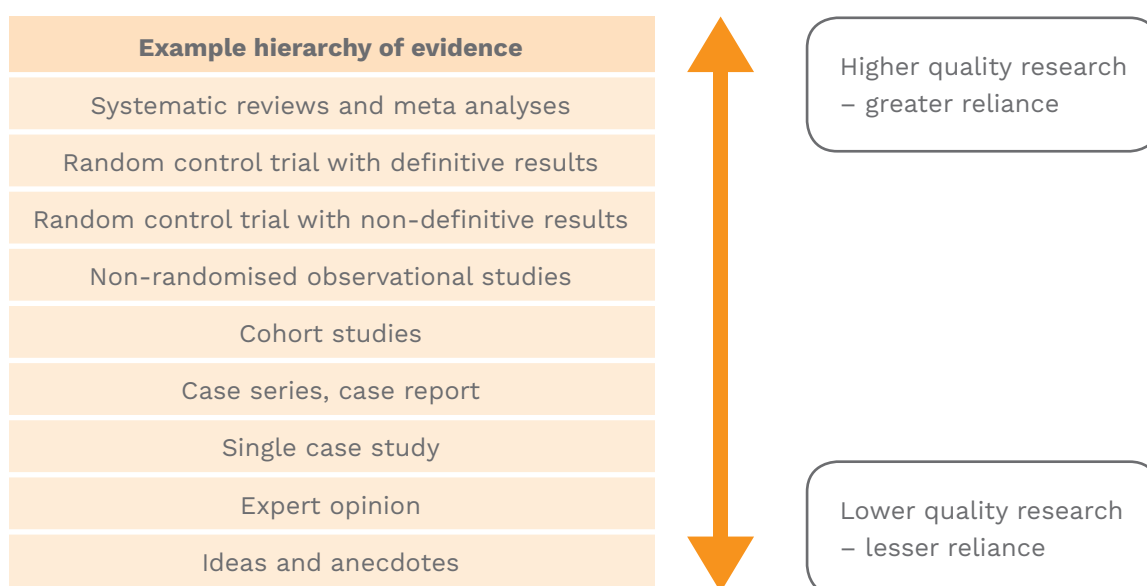
Source: Nutely et al. What counts as good evidence?

That internal evaluations will not meet the same standards as research evidence does not mean they are without value, but they will have less value when judged against research evidence. It means they need to be interpreted and understood by councillors knowing that they have not been subject to the same level of rigour, and as such cannot be considered as robust as research evidence.

Judging Evidence

Using evidence well is not just about accessing the evidence, but is about being able to judge it with an informed and critical eye. We have outlined the reasons why research evidence is considered to be high value compared with other types of information used in scrutiny, namely its independence, peer review, and explanation of methods used to do the research.

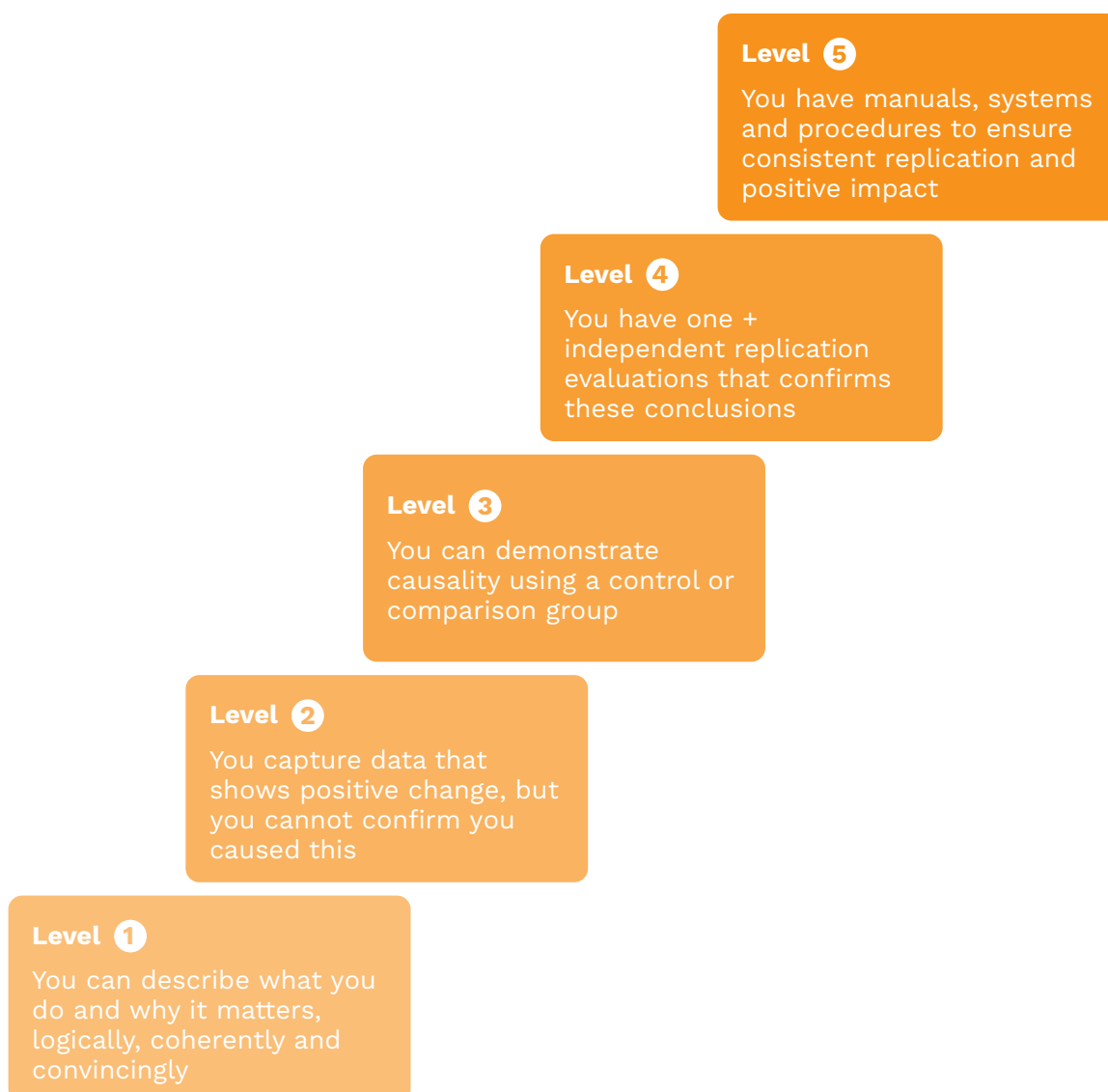
To help assess the quality of evidence, some evidence review groups and organisations develop hierarchies of evidence which place stronger research approaches, such as random control trials (RCTs), systematic reviews and meta-analyses at the top and weaker, less replicable methods, such as single case studies, at the bottom. The chart below outlines an example of a hierarchy of evidence that could be employed by an organisation like a local authority:



Hierarchies of evidence are particularly prevalent in healthcare but are seeing increased use in wider social policy. They look different depending on the organisation using it and the issues they seek to address. Hierarchies of evidence are themselves contentious though, with some critics arguing that they can be too restrictive and not reflective of the circumstances in which consumers of evidence have to operate. For us, what is important is having some kind of structure against which to weigh and assess evidence.

In 2012, Nesta developed standards of evidence to assess the evidence of impact of projects it had invested in. There are just five standards that are easy to grasp. Although originally drawn up to look at impact, the standards remain straightforward and can help to focus decision-makers' minds on what the evidence before them can and cannot do, to help come to a judgement on its merits. As noted in the Alliance for Useful Evidence's Using Research Evidence:

“The Nesta model has been tried-and tested. They provide a relatively easy-to-grasp, non-technical structure for the ‘evidence journey’ that many organisations need to go through; from the basics of a ‘theory of change’ to multiple replication studies. Evidence standards offer a way of vetting the strength of effectiveness claims, and of avoiding thinking that all evidence is equal.”



Source: Source: Puttick, R. and Ludlow, J. (2012) 'Standards of Evidence for Impact Investing' London: Nesta

Working with other types of information

In scrutiny, research evidence must be considered alongside other pieces of information. Both councillors and officers need to be able to judge and weigh up these other kinds of information too. One way to do so is to triangulate information from different sources, or other information from the same source. Triangulation in this context refers to a process of cross-checking one type of evidence against another, often a mixture of qualitative and quantitative data, to attempt to validate or corroborate findings (Bryman 2012).

So, for example council performance data on its own will provide an imperfect picture of how services are delivered on the ground, but when combined with other data on finance, risk and customer/resident insight, it will be possible to get a much more rich and accurate picture of performance.

Another thing that can help is for councillors – and the officers who support them – to develop a closer understanding of how the council draws together and analyses information itself. This can help to identify shortcomings and flaws in approaches to information and, over time, improvements that could lead to the information that the council produces being more reliable, consistent and accurate. By doing so it can also lead to a wider benefit of a healthier “evidence culture” across the council

Cognitive bias

In “Using Evidence: A Practice Guide” the Alliance for Useful Evidence examines the types of bias that even professionals and experts can be subject to and can sometimes lead them to getting it wrong. The lesson here is that professional expertise is useful and should be tapped into, but shouldn’t be put on a pedestal.

Whether we like to admit it or not, we are not impartial beings. We all carry preconceived ideas and biases around with us and don’t leave them at the door when we attend professional meetings, including council, committee and scrutiny meetings. This cognitive bias inhibits our ability to be entirely objective, which can result in errors of judgement and partial or illogical interpretations of evidence. These biases affect everyone.

Of course, councillors are elected on platforms that explicitly and rightly demonstrate their partiality, including their values, preferences, priorities and political views. So, this guide does not advocate disassociation from these key ingredients for vibrant local democracy. However, if we are more conscious and aware of the biases we are all subject to as officers, practitioners, councillors and members of the public, this will help us to take them into account when we judge evidence.

It’s estimated that there may be up to 150 cognitive biases that can affect the way we think and we don’t have the room or expertise to examine them all here. However, there are three which may be particularly relevant for the day-to-day work of local government practitioners and scrutineers, namely confirmation bias, availability bias and groupthink, which we examine in more detail below. If you want to know more about other types of bias, such as optimism bias, hindsight bias, or loss aversion bias, check the Alliance for Useful Evidence’s Practice Guide.

Confirmation Bias: is where we tend to favour evidence that fits with our world view and to discount or ignore evidence that doesn’t. Take the daily news we consume: individuals tend to buy a newspaper (or these days visit their website) that reports news in a way that is closer to their own world outlook than other news outlets.

When it comes to evidence, confirmation bias can be even more pronounced. Take for example an experiment conducted in the 1970s with two groups of people with opposing views on the death penalty. Each group were given two made up studies on the effectiveness of it as a deterrent against offending, one which supported and one which refuted their existing beliefs. Sure enough, both of the groups rated as more convincing the studies that fitted with their existing beliefs (Lord et al 1979).

Confirmation bias can therefore be a real problem when scrutiny evidence presents uncomfortable truths and information that does not sit well with existing beliefs of both councillors and officers.

Availability Bias: personal anecdotes and examples used in meetings will be a familiar to many of us. Availability bias is when these anecdotes and examples are mistakenly interpreted as common and important, or more likely because they have been easy to bring to mind. In fact, the availability bias, also known as the ‘availability heuristic’, is a mental shortcut the brain uses to make judgements. In their 2014 report on decision-making in children's social work, the Behavioural Insights Team (Kirkman and Melrose 2014) illustrate how this bias can come into play in real life decision-making for social workers:

“If the worker can think of a number of cases where the abuser has been an alcoholic and these examples come quite readily into mind then they may perceive alcoholism to be a strong risk factor of abuse. Whilst this belief may be factually correct, the point is that the perception has been formed in the absence of objective data.”

Source: Clinical Judgement and Decision-Making in Children's Social Work: An analysis of the ‘front door’ system, Behavioural Insights Team

Groupthink: in ‘Nudge’, the best-selling behavioural insights book by Thaler and Sunstein (2008), they refer to following the herd: “Humans are not exactly lemmings, but they are easily influenced by the statements and deeds of others” . They discuss a number of conformity experiments that have been conducted across the world which demonstrate that when in groups, the tendency to conform against people's own better judgment is between 20% and 40% of the time. As the British Psychological Society explains:

“When a person deviates from an opinion held by the wider group, the brain evaluates it as an error and consequently adjusts behaviour. The brain creates a strong incentive for “toeing the line” through the reward centres in the brain and at the same time it experiences rejection from a group in a similar way to physical pain. As this is at a predominantly subconscious level, people are often unaware that they are altering their behaviour or being influenced by others.”

Source: British Psychological Society

This holds important lessons for the challenge element of scrutiny and some of the group dynamics described here may be familiar to local government members and officers. Potentially, if the rest of the group appear to accept a finding, councillors may feel unwilling to deviate from the group and provide a challenge, so understanding this subtle but important cognitive bias can help to overcome and rationalise the group behaviour that people working within council scrutiny functions witness (and are sometimes part of!).

What about Political Bias?

In putting this paper together, a number of scrutiny practitioners told us that they thought political bias was sometimes a barrier to evidence-informed scrutiny. Some scrutiny officers told us that they deliberately avoided suggesting ‘political’ topics for scrutiny, on the grounds that they would not accomplish what they set out to do and that the value of evidence and information would be lost in the process of party politics. This is a sorry indictment of barriers to good scrutiny being put up by the very people who should value it most!

As mentioned earlier, political allegiance and values are key ingredients of local democracy. However, councillors should demonstrate one of the fifteen characteristics of good scrutiny outlined earlier in this guide that is particularly relevant to their role:

“Overview and scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives.”

Source: Wales Scrutiny Officers Network (emphasis our own)

Ultimately, scrutiny should be about testing that councils are making the best decisions that can be made, in the interests of the people they serve. As Steve Leech and Colin Copus (2004) have observed in their work on scrutiny, the impact of scrutiny at the level of local government relies on its ability to influence: “overview and scrutiny committees cannot require an executive to change a decision or modify a policy, they can only “persuade””. And for scrutiny to persuade, it needs credibility and some level of cohesion.

They go on to issue a stark warning about the extent of ‘blockage’ that politicised behaviour can have, which reduces the influence of other positive factors:

“...lack of political willingness to make the scrutiny system work cannot be compensated for by exemplary practice in relation to analytical capacity and appropriate management...Unless the behaviour of party groups facilitate “effective scrutiny”, other influences have relatively little power to add value.”

Source: Leach, S & Copus, C (2004) Scrutiny and the political party group in UK local government: new models of behaviour.

So even if scrutiny committees draw on the best evidence available, use it well, and engage meaningfully with stakeholders, all that good practice is of limited value if the political willingness to make scrutiny a purposeful process is not there. There is no quick fix or remedy to this problem other than for councillors to challenge political bias where it manifests itself as a barrier, both in others and themselves.

SECTION 2: HOW EVIDENCE CAN HELP YOU

When used well, evidence has the power to challenge existing assumptions, reveal fresh and robust insight, stimulate new ways of working. It should support sensible recommendations and result in a more credible process. But to reach these very attractive outcomes, we need to consider the nuts and bolts of how evidence can be practically used to maximum effect.

When we reflect on how evidence is used in scrutiny, the first thing that comes to mind is the inquiry stage of committee work, which is where much of the business of scrutiny really gets underway. However, it is not just at the inquiry stage that evidence need play a role.

Selecting a topic

While selecting a topic might appear to be a straightforward task for a scrutiny committee, it can in fact lead to pitfalls later down the road if evidence was not used to help inform the original decision. For example, the selection of a topic that may feel timely and relevant to current council priorities may turn out to be an unrewarding and ill-conceived choice if evidence shows that the inquiry won't actually make any difference or have any impact.

Equally, if a committee learns that it's likely that central government is about to launch a major review or introduce new legislation for example, this can indicate that that selecting the topic for inquiry would render it quickly out of date and defeat one of the key functions of scrutiny - to influence. Therefore, having a sound understanding of current and available information can lead to a better judgement on whether scrutiny of the topic has the potential to actually make a difference.

Once a topic has been selected, evidence can and should be used throughout the scrutiny process by getting an overview, gathering, evaluating and then setting evaluation measures for recommendations

Getting an overview

Getting an overview allows scrutineers to get to know what the key issues are, who the main players are and what information they might hold. That overview can be undertaken by reviewing the existing evidence, comparing historically, comparing with others and revisiting previous enquiries.

Reviewing existing evidence

Having an overview of the existing evidence offers scrutineers the opportunity to get to grips with a topic before committing to examining it further. It allows consideration of the current status of specific issues and understanding if they are in flux.

Reviewing the evidence allows us to get an idea of where the gaps are and, crucially, understand whether there is enough evidence to inform a topic.

Compare historically

Councils will hold information about performance and other local issues going back several years. Using this to reflect on how performance has changed over time can be a powerful way to use evidence.

So called 'longitudinal' studies of performance, which provide information spanning long periods of time, sometimes decades, can help to answer the following kinds of questions:

- has reduced funding on an issue reduced our ability to deliver outcomes in that area?;
- are there cross-cutting issues that may have impacted on services in unpredictable ways in the past?;

- what can previous experiences tell us about the way that we deal with and learn from unexpected occurrences?; and
- do we feed previous experiences into the models that we use to design services in the future?

A critical issue, however, is proving causation – that is, proving that a specific intervention directly resulted in a certain outcome. Remember level three of the Nesta standards of evidence; “You can demonstrate causality using a control or comparison group”? Typically, interventions do not take place in carefully constructed environments or with an appropriate control group. Instead they take place in a constantly changing operating environment, amongst other interventions, circumstances and as part of wider society. So proving that a particular council policy was responsible for a certain outcome, rather than say, a national policy or programme can be highly problematic.

On the whole, local authorities do not have models in place that would enable accurate predictions about how, when and whether certain actions will lead to certain effects. Local government, local democracy and the local public service landscape is complex; looking at information on past activity and performance will only take your understanding so far.

Case study: Causation, correlation and coincidence – using models, and evidence, to prove that a stimulus has resulted in an effect: MONIAC

In 1948, as a student at the LSE, the economist Alban Phillips designed and built an analogue computer to model the workings of the UK economy. The computer used water, which passed between different tanks in response to users’ inputs, to model the flow of cash through the economy. At the top of the tank sat the treasury – water could be made to flow into different tanks showing how public money was spent.

Water could be pumped back into the treasury from certain tanks, showing the effects of taxation.

MONIAC worked – and provided a surprisingly accurate model of how cash moved around the economy in the post-war world, because it was based on well-developed economic models of how the world worked. It also focused solely on how money flowed – not on the outcomes or growth that public spending might bring about (so it could model how public money was spent on education, but obviously couldn’t show the effect of this spending on educational outcomes).

For local politicians, seeking to use historical data to ‘model’ the likely effects of public spending on local delivery, developing a mechanistic system like MONIAC, which is closed and predictable, is impossible. There are too many variables in play.

Scrutiny councillors – indeed, anyone – are on a slippery slope if they think that such simple models can be developed. We can use evidence to identify how investments in public services are made, to identify how services are delivered, and to see what outcomes local people experience. But to assume that there are clear and simple causal relationships between all these factors – that opening sluice A will lead to a predictable rise in the water level in tank B, as with MONIAC – is a dangerous road to go down.

That said, looking at historic data is useful if you understand its limitations.

Another caveat to comparing data over time, which equally affects the ability to compare to others (see below), is differences in methodology. Over time and across organisations, it is likely that different methodologies have been used to measure similar things. This may mean that any comparisons are not strictly reliable. Changes in other national and local circumstances over the period of the data can have a similar an effect – an effect which can often not be reflected in the data itself.

This is why having some form of independent evidence and advice is important in understanding the wider context in which such evidence sits.

Compare with others

No two councils are the same, but many will share common features. Some councils are members of 'benchmarking clubs' of councils which have demographic and other similarities, and who can then legitimately share information about plans and performance.

'LG Inform' is the Local Government Association sponsored repository for performance data and other metrics from councils across the country. Getting access to this data and using it to compare performance can be useful for weighing up relative performance and in setting targets and expectations.

For specific scrutiny enquiries, it can be worth seeing if comparable authorities have conducted similar enquiries. They may have drawn on or received submissions that can help inform the conduct of your own inquiry and consider how it may best add value.

A digest of recent scrutiny reviews can be found on the 'Scrutiny Practitioners' group of the Knowledge Hub, an online resource that brings public sector practitioners together to share information and ideas and to network.

Some councils are part of regional scrutiny networks, which meet periodically to discuss issues of mutual interest.

As we have noted above in the context of comparisons over time, some information may not be directly relevant. Benchmarking clubs work well because they compare councils to their statistical 'nearest neighbours' in an attempt to avoid this problem. A council's statistical 'nearest neighbour' may well not be its geographic neighbour, but a council with similar demography, similar challenges and similar patterns of service delivery.

For this reason, comparisons that do not take account of the many different local circumstances which contribute to the way an area is governed will not be very helpful. Practitioners should therefore take some care when deciding on who they club together with, and on what issues.

Revisiting previous inquiries

The evidence available from previous inquiries to you can help inform decisions about whether an inquiry should be revisited, the appropriate timing for a revisit and the best inquiry methodology to adopt. Scrutiny should consider the extent to which recommendations have been implemented and evaluate what new evidence has been produced since that inquiry and how it changes the context in which work is happening.

Gathering evidence

Once an understanding is gained of what evidence is available and what the key issues are that scrutiny is aiming to resolve in the topic selected, evidence can start to be meaningfully gathered. Council officers will be the lead organisers of this function.

Independent advisers and co-optees can also be helpful in signposting and we cover this in more detail in section 4.

The public are an important source of information and the aspects of gathering information from the public are covered in section 5.

Basic considerations when looking for and using evidence for scrutiny are that it should relate directly to the scope of the review and provide a sound evidence base, which includes:

- strong, peer-reviewed or otherwise high-quality research evidence (which may be useful to get a sense of good practice or to critique the council's overall policy direction);
- a range of verifiable and mutually-complementary datasets of sources of evidence that together provide a holistic picture of a given topic; and
- reflections, opinions and experiences from stakeholders.

Beware of cherrypicking...

Even when a scrutiny committee has access to high quality research evidence, there is still a danger that this evidence can be subject to cherry-picking. We have seen in Section 1 that we can all be subject to unconscious biases that hinder our ability to handle evidence entirely objectively. Cherrypicking is just that - selecting evidence that fits our beliefs and preferences. Literature reviews can fall into the same trap and are therefore not something we recommend. A literature review that elicits a rich amount of evidence may still have been done by consciously or unconsciously picking out evidence we like and discounting evidence we don't like. There may well be good evidence missing because it has been subject to our inherent biases.

One way to avoid this pitfall is to use systematic reviews. These find and review as much research as possible on a given topic using explicit criteria and search terms. They bring together an exhaustive body of evidence and assess its quality, validity and what conclusions, if any, can be reasonably drawn from it.

Systematic reviews are highly comprehensive and can take from six to twelve months to complete. We don't recommend scrutiny committees attempting to undertake systematic reviews themselves. Rather, if existing systematic reviews are available to an inquiry and are relevant to the subject being investigated, they should be used. We've seen, especially in Health and Wellbeing Scrutiny Committee inquiries, good use of Cochrane Institute reviews to inform inquiry work on often complex clinical and health care topics. The Cochrane Library is a free, online resource that holds a wealth of information for scrutiny practitioners to tap into.

However, there won't always be a systematic review that matches a scrutiny inquiry topic though. Alternative options, such as rapid evidence assessments, rapid reviews and scoping reviews can also be considered.

Rapid evidence assessments also look at and synthesise the evidence, in a much shorter window of time. Scoping reviews can be useful for what we referred to earlier as 'getting an overview'. They can tell us how much evidence there is on a topic and if there's enough to merit taking it further. A rapid review gives us a broad overview what is known about a specific topic.

Making the most of these options can help save scrutiny practitioners time and help gather a good body of evidence and knowledge for a topic that avoids the cherrypicking pitfall.

Setting evaluation measures for recommendations

The ability of scrutiny to influence and have impact also lies in part in the strength of the recommendations it makes and the kind of evaluation measures it sets to measure success. An inquiry that has been evidence-informed will have a solid foundation for setting these measures.

A good evidence base should help scrutiny committees to have a good idea of:

- when the right time is to reflect and return to work to see if and how recommendations have been implemented;
- how realistic, challenging and ambitious recommendations should be. More specifically, the evidence should guide us to set recommendations which are SMARTER (Specific, Measurable,

Achievable, Relevant, Time-specific, Evaluate, Revise); and

- where evidence and political reality coincide and whether these tensions and convergences can be exploited for the benefit of effective scrutiny.

Beyond the committee

To only use evidence at committee inquiry stages is to miss out on a rich variety of opportunities to add to and improve the culture and day-to-day running of local authorities. Even beyond committee work, individual councillors have the opportunity to make evidence a part of the culture of their authority, by using it to hold the executive to account.

By asking the simple but powerful question of the executive ‘what evidence have you based that on?’, councillors can shift the terms of the debate closer towards evidence. In doing so they will nudge the executive to think about and use evidence more, in turn stimulating the demand for evidence.

Of course, we hope that when it comes to holding the executive to account, questions on evidence will be many and varied, will get into the detail of the kind of evidence that has been cited; its provenance, relevance and reliability; and whether it's been properly used in context.

The point is that evidence-informed scrutiny does not have to start and finish at the committee room door and using it across the council will help to foster a wider and deeper evidence-informed culture.

SECTION 3: WHERE TO GO FOR EVIDENCE AND INFORMATION

Having touched on gathering evidence in the previous section, we now turn to where to go for evidence and to make the important distinction between internal council-produced information and external information.

The vast array of information available (and its variable quality) can be overwhelming. Here we don't seek to create an exhaustive list, but to identify some of the most useful sources and resources available to allow good quality evidence to be more easily accessed and used by officers and councillors. Knowing the key 'go to' places can help you to navigate the evidence eco-system for your specific evidence needs.

External Evidence

Here we discuss some of the key sources of external evidence that we think are particularly relevant to local government. A good starting point when setting out to look for high quality research evidence is the Alliance for Useful Evidence's **Evidence Ecosystem for Social Policy**, an interactive tool (available on the Alliance's website) that provides a picture of the producers, consumers and intermediaries of evidence in social policy and allows you to explore them in more detail by drilling down into each of the section headings.



While there is still research evidence that you must pay to access (i.e. certain academic journals), there is lots of evidence that is freely available and easily accessible. The evidence ecosystem ranges from government departments and organisations, What Works Centres professional membership bodies and charities, to name but a few. For example, considering the evidence available from the

charity sector, a scrutiny inquiry on homelessness should check evidence available from Shelter, or an inquiry on child protection should look at the NSPCC's work.

For time constrained scrutiny officers, these ready-made pieces of research not only save time but are often written in ways designed to make them accessible to decision-makers too.

What Works Centres

The Cabinet Office launched What Works Centres in 2013 to produce and synthesise high quality evidence summaries on a range of areas that are relevant to local government scrutiny. These summaries are concise, accessible and topical.

The current What Works Centres the National Institute for Health and Care Excellence (NICE); the College of Policing; the What Works Centre for Local Economic Growth; the Early Intervention Foundation; the Education Endowment Foundation; the What Works Centre for Wellbeing; the Centre for Ageing Better; What Works Scotland; and the Public Policy Institute for Wales. A full list of the centres and their remits is set out in Appendix A.

Free online resources for evidence

- **The Cochrane Library** is a collection of six databases that contain high-quality, independent evidence to inform healthcare decision-making. Cochrane systematic reviews of primary research in human health care and health policy are internationally recognised evidence health care resources.
- **EPPI Centre** (Evidence for Policy and Practice Information) is a co-ordinating centre based at University College London that provides access to a range of free databases, such as the Database of Education Research and the Database of Promoting Health Effectiveness Reviews. It also has an evidence library covering a range of policy areas.
- **The Campbell Collaboration Library** holds systematic reviews and plain language summaries on topics including crime and justice, social welfare and education.

Local Government Resources

Local government umbrella organisations offer a wealth of information, both in officer knowledge and publications, as well as timely and topical updates and discussions. The **Local Government Association (LGA)**, the **Welsh Local Government Association**, the **Convention of Local Scottish Authorities** and the **Northern Ireland Local Government Association** are useful in the context of different devolved policy and legislative arrangements.

For councils in England, there are several other sources of information to which most councils will have access:

- LG Inform via the LGA, which can be useful for comparative purposes;
- the Local Government Knowledge Navigator, an “interactive exchange platform” which allows researchers and practitioners to share information. It was funded by the ESRC and delivered jointly with the LGA and SOLACE. Reports are available at <http://www.lgkn.org>;
- analytics and metrics from CIPFA, SOLACE and other membership bodies; and
- periodicals and journals, for example Municipal Journal, Local Government Chronicle and Health Service Journal.

Council information

Local authorities find themselves in the dual position of being both producers and consumers of information. Therefore, scrutiny committee inquiries will require some information produced by the council itself, be it recycling rates, council procurement figures, expenditure forecasts, or any other number of sets of information that are collected, collated and provided by the council. As such, there is a wealth of internal information that councillors and officers can draw on, which can normally be divided between strategic and operational information.

Strategic Information	Operational Information
Council Budget and Policy Framework	Minutes and agendas
Corporate Plan	Audit reports
Council policies	Performance management data

For a full list of strategic and operational information see Appendix A

Internal council information to inform scrutiny can be found through a number of different mechanisms:

- requests of service department officers (although see ‘Hiding in Plain Sight’ (CfPS, 2014));
- research commissioned or carried out by scrutiny officers; and
- councillors’ independent inquiries – a large amount of information will often be available on councils’ intranet sites accessible to councillors. These sources of information can help scrutiny committees in a variety of ways. For example, scrutiny can assess whether the council delivers services in line with its own policies and to what extent it meets the standards it sets itself.

The various pieces of evidence that sit behind these plans and strategies and the quantity and quality of this information vary significantly. Background papers underpinning major decisions are meant to be listed and made available by law. Frequently, such papers will technically be available, but are often not listed – making it difficult for councillors to properly interrogate them.

Part of the challenge for councillors is understanding how to get hold of internal evidence. By asking for it and challenging where it is not easily available, councillors contribute to a wider culture of evidence within their council.

Councillor’s Information Rights

Councillors sitting on overview and scrutiny committees in England have had enhanced information rights since 2012. The Overview and Scrutiny (Executive Arrangements) (Access to Information) (England) Regulations 2012 provide a right for councillors to access almost any information held by the authority (this can include information produced by third parties). This includes information that might otherwise be confidential or excluded for commercial reasons. Personal information covered under the Data Protection Act is not included. More information can be found in the CfPS Practice Guide 8 and in ‘Pulling it together’ (CfPS, 2017). Similar access rights exist for councillors in Wales. In Scotland and Northern Ireland, where scrutiny arrangements are different, councils’ constitutions make provision for the kind of information which councillors are able to access.

CASE STUDY: Imperial College Hospital NHS Trust cancer referral reporting break (Westminster Council)

In 2012, Imperial College Healthcare (ICH) took a waiting list reporting break to assess patient safety throughout the referral process. Through robust public questioning, Freedom of Information requests and data analysis, scrutiny's work revealed that the Trust's data management had effectively 'lost' more than a thousand cancer referrals, with a patient backlog of over 3,000.

As a result of the work:

- ICH agreed to raise the incidents with the National Patient Safety Agency (NPSA), inform GPs about the loss of cancer referrals data and independently and externally assess the risks of clinical harm;
- a local Clinical Commissioning Group decided to discontinue cancer referrals to the Trust until data, backlogs and patient safety standards were improved;
- the Trust reviewed procedures for receipt and management of referrals; and
- the Trust now uses 'walk-arounds' to promote incident reporting and identify barriers to reporting.

The internal evidence produced and used by councils should always be triangulated with other types and sources of information, much of which is free, readily available and designed for practitioners and decision-makers who are short on time and in need of reliable, digestible evidence, where some of the synthesis has already been undertaken.

SECTION 4: CALLING ON ASSISTANCE

Partner up and co-opt

The 2006 Grace Report looked at the divides that exist between local government and the research community. Bridging them seems sensible for both parties and evidence-informed scrutiny can play a role.

The research community is an untapped resource in many local authorities that can add huge value and insight. Academics and researchers are increasingly being encouraged, via the Research Excellence Framework (REF), to demonstrate the impact of their work. Engagement with local government policy and practice is one way to do that.

There are examples of councils and academics working together. For example, Gloucestershire drew on the technical advice of an academic as part of its review into the 2007 flooding emergency – resulting in a highly effective piece of work that fed directly into the Pitt Review, which recommended significant changes to emergency planning and civil contingencies.

In Cornwall, since 2012 two externally-led panels have carried out reviews of the council's governance arrangements, including scrutiny. This approach can be applied to scrutiny, Co-opting an expert is one way to do this for the specific inquiry topic.

Information about councils authorities that have developed close working relationships with the academic sector can be found through Local Government Knowledge Navigator case studies available at <http://www.lgkn.org/case-studies/>

Working with the voluntary, community and social enterprise sector can be a valuable way of gathering insight from a wider range of voices – helping to tackle complex or multifaceted issues.

Case study - Use of a Range of Evidence: City of Lincoln - Food Poverty

In 2014 Lincoln Council's Community Leadership Scrutiny Committee conducted a year-long review into poverty which involved over 120 partners from across the city and a range of sectors including the voluntary, community and social enterprise sector.

The scrutiny inquiry was an attempt to assess the links between benefits, low incomes, access to work, child poverty and education, health and housing. At the time, Lincoln was recognised as having one of the highest rates of acute deprivation in England.

The work involved the use and analysis of a wide range of data, including statistical and demographic information, academic journals, organisational data and reports and case studies from people experiencing poverty.

As a result of this comprehensive scrutiny inquiry, the Council adopted an Anti-Poverty Action Plan, supported by many of the organisations who participated in the inquiry.

There are a number of approaches that councils can use to benefit from external voices:

- co-option onto a committee or task and finish group;
- appointment of an independent 'technical adviser'; and
- other forms of asking for advice.

Co-option onto a committee

Councils can co-opt external people by virtue of s9FA(4) and (5) of the Local Government Act 2000. Usually, co-optees will not have voting rights.

The co-option of members onto scrutiny committees is managed differently to other kinds of council co-option (for example, the filling of casual vacancies on parish councils). The procedure is not specified in legislation, but many councils have co-option schemes to manage the appointment of co-optees, setting out basic information about appointment processes for co-optees. Councils need to be clear about the expected outcomes from co-option - if a committee has very broad terms of reference, co-optees may only be able to add value to a small part of the committee's work, making subject-specific expertise less worthwhile. Conversely, a non subject-specific co-optee (for example a statistician or accountant) means they can bring their skills to bear across a range of evidence.

Co-option onto a task and finish group

It is common to appoint co-optees to sit on task and finish groups for specific subjects. Because such work is time-limited, it may be easier to find people to participate – the focus of the work also makes it clearer how co-optees can assist.

In the informal environment of a task and finish group, a co-optee can help councillors to plan the way they gather evidence, scope the review, ask questions of witnesses. Insight from a co-optee with subject knowledge at the planning stage could be important – their understanding of the existing evidence will help councillors to better target their efforts to gather evidence from other individuals and groups.

Appointment of an independent technical adviser

Although less common, scrutiny committees have found that the appointment of a technical adviser can help them understand complex issues.

Councils need to be clear about how an adviser can help. An adviser's role is different to that of a witness – advisers help councillors to better understand a topic so that they can ask questions of witnesses, informing their work through evidence. An adviser can help councillors understand the likely scope of their work and the key, substantive issues they are likely to face or wish to address. Depending on the individual, they can also help councillors engage with some of the big evidential issues covered by this paper.

Academics can often provide advice for a number of reasons:

- higher education institutions operate under the Research Excellence Framework (REF), which encourages academic engagement beyond academia for the benefit of, or impact on, wider society;
- academics can have an up to date and detailed understanding of specialised issues – councillors can use this insight to manage and assess other evidence they receive; and
- academics can be perceived as 'neutral' when dealing with contentious issues.

Experts and academics are also subject to the biases in Section 1 and there are examples of experts whose views are challenged. Appointing them as technical advisers may be a safer way to benefit from their subject knowledge than co-opting them onto a body, because they are providing the benefits of that expertise without playing an active part in evidence-gathering.

Drawing on expert opinion, backed by knowledge and experience, can lead to better scrutiny, but should not be relied on for all the answers; rather, it should be part of the wider evidence mix in the scrutiny process.

Case Study - Co-opting an Expert: Swansea Council's inquiry into school governance

Swansea Council's school governance scrutiny inquiry panel posed the question: "How can the Council ensure that school governors provide effective challenge for their schools?" To help answer it, they co-opted Professor Catherine Farrell from the University of South Wales as a member of the panel for the duration of the inquiry, with a background in research in school governance in Wales.

By including Professor Farrell in this way, the committee were able to draw on her knowledge and expertise when presented with a range of evidence. This evidence included comparisons with other Welsh councils, visits to Clerks' Forums to hear about support for school governing bodies, evidence sessions with Estyn (the Schools Inspectorate for Wales) and with newly trained school governors.

Dave McKenna, Scrutiny Manager at Swansea Council said: *"By co-opting Professor Farrell, the panel was able to make links to the national policy work that Professor Farrell had been involved in and develop lines of questioning that might not otherwise have come up. Professor Farrell's expertise in this field also provided valuable assurance for the panel that their recommendations were both realistic and appropriate. As an academic, she was able to confirm the robustness of the evidence gathering and the analysis for the final report – she was also able to highlight the report's wider relevance outside of the Council."*

SECTION 5: PUBLIC AND STAKEHOLDER ENGAGEMENT

Insight from the public is a vital part of good scrutiny on a number of levels. Their experiences and views should help to inform council decisions about services they use and/or pay for. But too often, council decisions only become visible at the implementation stage i.e. when a policy is put into action. Scrutiny has an even lower awareness amongst most of the public. Yet including the public on the evidence and decision-making 'journey' can improve the legitimacy of decisions and increase understanding about why they've been taken.

This is fundamentally a two-way process: partners can at times bring new information and evidence to the table for scrutiny, and can discover new evidence when they engage with scrutiny. This in turn helps stakeholders and members of the public to better understand the reasons behind scrutiny recommendations and executive decisions.

Considering the views of the public and stakeholders

The views of the public and stakeholders are crucial for good decision-making. The views of service users and stakeholders can help with developing and using criteria to inform the choice of scrutiny topics, for example survey data, or feedback from focus groups or public forums that gives an insight into views on specific policy areas, then that can help take those views into account and explore them further.

Public consultation is subject to its own methodological pitfalls, including low response rates and unrepresentative sampling, which can mean disproportionate representation of those whose voices are loudest, or those able to participate in this type of research. When presented with survey data for example, practitioners and councillors should always ask questions about who took part, what was the sample size, what was the response rate and how were the questions phrased, to ensure the information they are looking at can be assured as representative and fair, or at least set in context.

Although there are many methods that can be used to collect evidence from the public, there are some key principles that should inform councils' approach:

- thinking about scrutiny from the point of view of the public and how they experience and use services ;
- rather than mandating responses through set questions and options for answers, invite more general reflections on the topic;
- designing ways of collecting evidence where people are and where people are having conversations (the voluntary, community and social enterprise sector can help with this approach); and
- using quantitative (e.g. survey) data alongside qualitative (e.g. focus group) data to give rounded insight .

Case Study - Evidence and Public Engagement: Calderdale Flood Commission

On Boxing Day, 2015, Calderdale was devastated by the worst flooding on record. It extended 26 miles along the length of the valley, affecting approximately 4,000 homes and businesses. Entire communities were cut off and the impact of the flood and its aftermath were immense. The eyes and ears of Government were focused on Calderdale to a greater degree than ever before.

There was a risk that five Scrutiny Panels could each examine the element that related to their remit, thus diluting the strategic approach and taking up valuable time and resources and that partners would begin their own debriefing and action planning in isolation. So a cross-party Floods Commission was set up, chaired by Paul Cobbing, the Chief Executive of the National Flood Forum.

The Commission held five public meetings in localities that had been affected. The meetings were themed around 'a place where people want to live', 'emergency preparedness and response', 'the economy', 'physical infrastructure' and 'upland and countryside management'. Each meeting started with the chance for people to tell their stories, raise issues or ask questions.

Each meeting had representatives from relevant agencies who were questioned by the panel and the public. Many of the meetings were emotionally intense, but the council intentionally wanted to capture some of the rawness that people felt.

The Commission also held a meeting in Parliament with the Floods Minister and senior staff from DEFRA and DCLG and an interim report was produced with some 'quick win' recommendations, which was then taken back to a public meeting in one of the most affected areas. Further site visits were also undertaken, including to a local grouse moor which was the focus of concern to some residents. The Council also received written submissions and emailed evidence and as a result it set up private meetings with individuals who didn't feel able to speak in public.

The result was a report containing over 100 recommendations aimed at stakeholders locally, regionally and nationally. This was accepted in full by the Council. Recommendations covered areas as diverse as emotional health and wellbeing, planning regulations, funding mechanisms and natural flood risk management.

The work of the Commission has since influenced the Leeds City Region Flood Review and has been used in Parliamentary Select Committee evidence.

Evaluating evidence from the public

A key question is often 'to what extent can we treat information from the public as evidence?' Evidence from the public is often regarded as simply anecdotal, from a small sample that does not meet the rigorous checks and balances of research evidence. In a hierarchy of evidence, it would fall very low indeed. But that does not mean it doesn't have its place.

There is a frequently-quoted statement that "the plural of anecdote is not data". This is a misquote. The actual phrase, attributed to Ray Wolfinger, a US political scientist, was: "the plural of anecdote is data". Somehow an errant "not" found its way into the quotation.

Data is, indeed, the plural of anecdote. Data is not just statistics or peer reviewed research evidence of the high quality that we discussed earlier. It is not even the kind of professional insight that we have discussed as having been of lower evidential value. It is any information which you might collect about a subject – including the views of individuals, however they might be expressed.

This includes the views of the public. However you gather information about their views, the key lies not just in the method of collection (although that is important, as we will set out below) but also in how you analyse it and what weight you give to it. Analysis is the critical part of drawing in evidence from the public. Understanding what weight to place on public input is critical to being able to use it effectively.

The subjective biases of the individuals (or groups) responding come into play here – as do the biases of those carrying out the analysis. Because insight from the public often involves working through value judgments, opinions based on a partial picture, and, critically, perspectives built on personal

experience it can, where used properly, be a very useful balance to a council's 'corporate worldview' whose own partiality is hidden by the way that its own research evaluations are carried out. Essentially, public insight can be a way of 'stress-testing' how a council and its partners understand the views of its users.

This highlights the fact that often public insight can be most useful in identifying the public's perspectives of an issue – regardless of whether those perspectives are 'correct' when evaluated against other information that the council holds. This can provide some valuable stories about the connection between councils and their communities.

That is not to say that information from the public will not also give valuable insight into a service in a more substantive sense – that is, telling you how a service is actually being delivered as opposed to how it is perceived to be being delivered. But when such insight is used for this purpose, care will be needed to weight it appropriately. Often, individual complaints can demonstrate a wider failure in service that formal systems may not have picked on – but sometimes they can be outliers. Often, identifying the difference is a matter of political judgment.

Scrutiny plays a fundamental role in local democratic accountability, yet it does not always get the recognition it merits. Active engagement in the scrutiny process by a wide range of partners helps the process to be more diverse and democratic.

Engagement is not a separate aspect of a scrutiny review – it is a fundamental part of the process. The types of evidence that wider engagement can elicit have already been covered, but there are some broad themes applying here, as follows.

- engagement and involvement should be a continuous process, before, during and after reviews are undertaken, in order to maximise the opportunities arising from broad local conversations. Where the scope itself is informed by the points of view of the public, it will be easier to have a productive conversation as part of the evidence-gathering process. Where councils and residents debate the review's findings and recommendations, they can be grounded not only in research and evaluation evidence, but also the expectations of the public – allowing councillors to understand the political and community dynamics of the actions they are proposing;
- narrative insight is useful for gaining a deeper understanding of user experience and offering members of the public an opportunity to share their experiences and be heard by decision-makers;
- engaging in conversation is a valuable way to gain first hand insight. Although scrutiny's work may have a narrow focus or a specific set of terms of reference, trying to fit the public's views into this predetermined sense of what is and what is not important can be counterproductive. People often want to 'tell their story' rather than be constrained by what they can regard as bureaucracy; and
- surveys are useful up to a point (and their outputs are easier to manage and collate), but they can suffer from the biases of those who write them, may be statistically insignificant or unrepresentative of the population and can often measure the wrong things – or the right things in the wrong way. Councillors should always be mindful of this when presented with survey information and look for ways to balance and triangulate such data with other forms of evidence.

SECTION 6: PRACTICAL STEPS FOR PRACTITIONERS

This guidance provides an introduction to the fundamentals of evidence-informed policy-making and how scrutiny can ensure that its own work can be properly informed by research evidence alongside other kinds of information.

Once councillors and officers have grasped the basics, there is more to do to put theory into practice. There are five steps necessary to do this – this guidance will help mainly with the first two.

- 1. Learn: get to grips with the basic building blocks to understanding evidence, including where it can be accessed and how it can be best used.**
- 2. Understand: learn how to analyse and reflect on research evidence and how to triangulate and verify information from other sources, to build up strong sets of findings that are mutually reinforcing.**

These first two steps are about developing the confidence necessary to take action on the final three steps. The actions you carry out on those steps will depend entirely on the approach your council and partners takes to managing information and data.

- 3. Challenge: use this knowledge to challenge councils and their partners to do more to improve the standards of evidence that are produced.** Earlier in this Guide, we discussed the various biases that exist around the production of evidence. Scrutiny can challenge practice here, helping to tease out bias and to develop a better cultural understanding of what evidence is, where it comes from and how much weight can be placed upon it.

How can you do this? Conversations with council officers – and those from partner bodies – can lead to a better understanding about how information is collected, collated, analysed and shared. This is not about scrutiny conducting a detailed investigation of evidence-gathering across the whole council (though doing so would be entirely legitimate), but about scrutiny councillors having the skills and understanding of information to be able to pick up on shortcomings when they present themselves in the normal run of their work, for example in reviewing decisions being made by the Executive. Having an understanding of these issues will also help scrutiny with its regular work programming processes.

- 4. Develop: use scrutiny recommendations to develop a culture of evidence-informed policy-making and decision-making.** This is about using scrutiny to build up a new culture that takes evidence seriously and uses it intelligently – building on good practice, but also building on the challenge that scrutiny exerts in the third step.

How can you do this? This is about making recommendations in the right way – using them to engage with the evidence that councils and partners hold and to provoke them to manage evidence in different and productive ways and use it to drive good decision-making.

- 5. Master: retool scrutiny itself as a way to research and create new, high quality evidence that will inform decision-making in the future.** In the sections above we have noted that cultural change and changing mindsets is important. Refocusing scrutiny's work to allow it to become a source of evidence for evidence-informed policy-making can be a powerful way of ensuring that the function adds value and ensuring that future scrutiny work builds on that carried out in the past.

How can you do this? Looking at previous scrutiny work and thinking about how research evidence and other types of information was or wasn't used to influence both past work programmes and scrutiny inquiries is probably the best place to start. What recommendations and pieces of work had the best effect – and why? What was the research question that scrutiny

work aimed to resolve? Having an understanding of how you used evidence in the past will help you to understand – with this guide – how it might be used better in the future. You can then design scrutiny reviews to rise to the challenge – to understand where councils and partners don't know much about a given issue and to capitalise on the opportunity to locate high quality evidence and bring to bear skills in analysing and using it.

APPENDIX A: ACCESSING EVIDENCE

What Works Centres

There is now a growing range of What Works Centres in the UK, which belong to a wider what works network. Each one is independent and produces topical reports, bringing together and summarising what evidence is available on specific subjects relevant to their remit. They also produce other practical resources such as policy design toolkits. These resources can save officers and practitioners many hours of legwork in locating evidence and then reading through and evaluating sometimes large volumes of research evidence.

What Works Centre for Local Economic Growth (WWG): the centre was set up in 2013 as a partnership between the London School of Economic, Centre for Cities and Arup. WWG produces a range of reviews highly relevant to local government, on topics ranging from estate renewal, to transport to apprenticeships.

Sutton Trust / Education Endowment Foundation (EEF): founded in 2010, the EEF is the What Works Centre for improving education outcomes for school age children. Their resources include the teaching and learning toolkit, which analyses over 30 teaching interventions, rated by their impact on attainment, cost and strength of evidence supporting them. Their families of schools database contains over 17,000 schools in England, allowing practitioners to compare schools with similar characteristics, and supporting them to learn from one another.

Early Intervention Foundation (EIF): this what works centre champions and supports the use of effective early intervention for children with signals of risk. Their work includes reviews on evidence of early intervention to prevent gang and youth violence, domestic abuse, and work on identifying and appraising risk indicators on child sexual abuse and exploitation.

National Institute for Clinical Excellence (NICE): probably the best known what works centre, NICE provides evidence based guidance that can be used by the NHS, local authorities, employers, voluntary groups or anyone else involved in delivering care or promoting wellbeing. Topics range from preventing and managing specific conditions, improving health and managing medicines in different settings, to providing social care to adults and children, and planning broader services and interventions to improve the health of communities. Its NICE Evidence resource is an online search engine for guidance on clinical, public health and social care. Its UK DUETS resource (short for Database of Uncertainties about the Effects of Treatments) highlights where question marks remain about whether treatments are effective.

What Works Centre for Wellbeing: set up to help national and local governments and the third and business sector understand what they can do to increase wellbeing, this what works centre has a particular focus on work and adult learning, community wellbeing, culture and sport. Their resources include local wellbeing tools, discussion papers, and toolkits on wellbeing engagement with communities.

Centre for Ageing Better: aims to help everyone prepare better and ensure fewer people miss out on a good later life. Their areas of work include transitions in later life, being in fulfilling work, and keeping physically active. Their website offers resources including roundtable reports, evidence briefings, and infographics.

What Works Crime Reduction: led by the College of Policing, this what works centre reviews research on crime reduction interventions, looking at them in terms of cost, impact, why they work, context, and implementation issues. Their work includes reviews of gating alleys to reduce crime, interventions on domestic violence, and use of speed cameras to reduce speeding and injuries.

Public Policy Institute Wales (PPIW): this centre has a dual function as a What Works in Tackling Poverty Centre, and to provide the Welsh Government with independent analysis and advice. As such, their work is diverse and includes topics ranging from enterprise zones, childcare policy, and intergenerational worklessness, to rural poverty and comparing the performance of councils across the UK.

What Works Scotland: with a particular focus on public service development and reform, What Works Scotland has a range of resources, including literature reviews, evidence reviews, working papers, and case studies. Their publications include work on participatory budgeting, partnership working across public services, and scaling up innovations.

Potentially, the work of all of these works centres can be drawn on at some point, dependent on the nature of the scrutiny work being undertaken.

Non-government Bodies

Institute of Local Government Studies (INLOGOV): based at the University of Birmingham, INLOGOV is the leading research centre on local government. It produces a wide range of briefing and discussion papers highly relevant to local government members and practitioners.

Local Area Research Information and Association: LARIA promotes continuous improvements in the quality and impact of local research and intelligence. Their website offers a range of case studies, publications, and signposting to other valuable sources of information, and also has local regional networks.

Idox Information Service: this information service has been running for over forty years in various forms. It offers access to a database of over 200,000 reports dating from the 1980s on over 30 subject areas, and is updated daily. This is a subscription service.

URBADOC: this is an international resource that holds over 700,000 resources on urban and regional policy in Europe. Currently made up of five databases from the UK, Italy, Germany, France, and Spain. This is a subscription service.

Government legislatures and arms-length bodies

Between the UK government, arm's length government bodies, and devolved legislatures, there is a wealth of information for scrutiny to tap into.

National Audit Office (NAO): the NAO scrutinises public spending for Parliament, helping Parliament to hold government to account and improve public services. This includes undertaking value for money studies, local audit and investigations, all of which are available on the NAO website.

Committee Inquiries and research briefings: national and devolved legislature carry out inquiries that can be drawn on for local purposes and can add value in terms of the witnesses that they call and the transcript material that is also available. Their research services also offer briefings that are publically available, and are produced in readable, concise formats and will show what sources they have used.

Audit and Statistical information: these offer independent reliable and publically available collection and analysis of statistical data sets and information that can often be drilled down to the regional and local levels. Organisations like the Office for National Statistics, Stats Wales, Northern Ireland Statistics and Research Agency (NISRA), and National Records of Scotland make most of their information freely available and accessible.

APPENDIX B: INFORMATION PRODUCED BY COUNCILS

Strategic information

Budget and policy framework: a legal document agreed prior to the beginning of the next financial year (usually in February). It sets out plans for the next year and sets out how those plans will be resourced.

Community plan or strategy: sets out the council's priorities for the area for possibly the next ten to fifteen years. It will inform other council plans and strategies. It will often be broadbrush in nature, and will often highlight the council's partnership working plans.

Strategic /Corporate plan: a plan focused on the council's needs and objectives for the next business period in light of available resources, often one, three or five years. This will set the context of transformation plans and the council's other strategic plans.

Large scale transformation plans: increasingly councils recognise the need to change and will have plans to help them to do this. There will often be a big organisational development theme to these plans, ensuring that the staff and skills are in place to deliver them.

Corporate policies: these are the equalities, information governance, health and safety policies and so on that a council should have. Often these are submitted to OSCs for sign-off before being formally agreed.

Service-specific strategic plans: individual council services will have strategies which define the next three years for their service or department.

Tactical and operational information

Contracts and commissioning agreements: legal documents setting out the relationship between the council and external bodies. May often be withheld for reasons of commercial confidentiality.

Partnership agreements: agreements with other public sector bodies over the joint delivery of services. The Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy, for example, define the relationship between the council and its NHS bodies, and other partners with responsibilities around wellbeing.

The forward plan: a legal document setting out council 'key decisions' proposed to be made in the next three/six months. This is the main mechanism for local councillors to understand what decisions will be forthcoming in the period ahead.

Service/operational/departmental/team plans: short term, in-year plans for the delivery of services on the ground. These are often mechanistic in nature, and tend to focus on the allocation of resources.

Options appraisals: these set out numerous options for developing policy or decision-making, and using evidence to weight them up. The use of comprehensive options appraisals is uncommon in local government. While alternatives may be considered and discarded, councillors can often find it difficult to find out if this has happened or the evidence that underpins such judgments.

Business cases: alongside options appraisals, business cases will help decision-makers consider the reasons for undertaking or not undertaking certain action. The Centre for Public Scrutiny produced a report on councils' use of social value, and social return on investment, models to give business cases more heft, but this is still a minority pursuit in the sector.

Risk registers: councillors are often not aware of risk registers' existence, and do not know how to effectively use risk data when they do have it. Councils tend to be poor at understanding risk, and

risk registers tend to reflect this lack of confidence. Attempts by councillors to get access to risk registers may be challenged. It is often impossible to get hold of the risk registers held by other local organisations.

Financial projections, budget monitoring information and other in-year finance data: this includes the usual, regular monitoring data that all organisations produce on income and expenditure. Some councils send this information to scrutiny periodically – in others this falls to the Audit Committee. Councillors tend to do little with it, if they do see it, as it tends to be of a technical nature.

Performance information (scorecards etc): often sent to scrutiny committees periodically, though sometimes without much context. This will include scorecards, benchmarking, and other associated data about performance.

Contract monitoring reports: similar reports, but relating to performance of council contracts, and used by clientside officers to manage payments to contractors. Often more complex systems will be in existence for open-book or commissioning arrangements. Some may be kept from councillors on grounds of commercial confidentiality.

Reports to cabinet: formal reports submitted to Cabinet, or Cabinet Members, for decision. By law must contain reference to relevant background papers – in practice they often tend not to. Sometimes these reports are submitted to scrutiny before Cabinet for ‘pre-decision’ consideration.

Audit, governance and other monitoring reports: usually formal, legal reports about the running of the council. These tend to be designed for internal compliance purposes.

Agendas, papers and minutes of various formal/informal meetings and panels: the minutes and papers of formal meetings will generally be publicly available. Papers for other less formal meetings will generally not be available to councillors. The existence of informal groups may not be acknowledged by councils, and effort goes into ensuring that they are not referenced in official documents.

Complaints data: digests of complaints data from residents. Sometimes this is aggregated and members see monthly/quarterly summaries, but this is unusual. Some councils use complaints data strategically to improve the service, but this relies on the quality of information recorded, which can be quite poor.

Responses to public consultations: formal public consultations can often reveal rich insight about local people’s needs and aspirations, but tends to be collated and analysed as a data-entry task. Councillors will rarely see the detail of individual consultation responses.

Freedom of Information requests: FoI is often treated as a transactional issue relating to legal compliance, rather than as a mechanism to review transparency in the authority. For example, councillors will not often use FoI data as a tool to discern what issues particularly concern local people.

APPENDIX C: REFERENCES

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