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**Date: 18th January 2017**

Dear Sir/Madam,

A meeting of the **Scrutiny Leadership Group** will be held in the **Core Room 1.3, Penallta House, Tredomen Park, Ystrad Mynach** on **Thursday, 26th January, 2017** at **5.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

**Chris Burns**  
INTERIM CHIEF EXECUTIVE

## A G E N D A

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest.	
<p>Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution, and the Code of Conduct for both Councillors and Officers.</p>	
<p>To approve and sign the following minutes: -</p>	
3 Scrutiny Leadership Group held on 27th October 2017	

1 - 4

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4 Scrutiny Review: Scrutiny Self Evaluation and Peer Review.

5 - 10

5 Workshop: Scrutiny Reports Quality Review.

**Circulation:**

Councillors L. Ackerman, Mrs E.M. Aldworth, Mrs P. Cook, W. David, D.T. Davies, G. Kirby (Vice Chair), C.P. Mann, S. Morgan (Chair), J. Pritchard and D. Rees

**For Information:**

Councillor Mrs C. Forehead

And Appropriate Officers



## SCRUTINY LEADERSHIP GROUP

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH  
ON THURSDAY 27TH OCTOBER 2016 AT 5.00 P.M.

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PRESENT:

Councillor S. Morgan – Chair  
Councillor G. Kirby – Vice Chair

Councillors:

L. Ackerman, Mrs E.M. Aldworth, D.T. Davies, C. Mann, and D. Rees

Together with:

C. Forbes-Thompson (Interim Head of Democratic Services) and E. Sullivan (Democratic Services Officer)

### 1. APOLOGIES

Apologies for absence were received from Councillors Mrs P. Cook W. David and J. Pritchard.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the commencement or during the course of the meeting.

### 3. MINUTES – 28TH JULY 2016

RESOLVED that the minutes of the Scrutiny Leadership Group meeting held on 28th July 2016 be approved as a correct record and signed by the Chair.

### REPORTS OF OFFICERS

Consideration was given to the following reports.

#### **4. SCRUTINY REVIEW: TASK AND FINISH GROUP PROTOCOL AND GUIDANCE**

The Interim Head of Democratic Services introduced the report which presented a draft task and finish group protocol and guidance for the Committee's consideration.

Members were referred to Appendix 1 of the report and the Officer outlined the protocol and guidance contained therein.

The Chair thanked the Officer for her report and Members comments were welcomed.

A Member referred to Section 4 of the protocol and referenced it against the checklist contained on page 15. Section 4 referred to Cabinet and/or full Council consideration and yet the checklist referenced only Cabinet. Mrs Forbes-Thompson agreed to add full Council to the documents checklist.

Members agreed that a review date should be added to the protocol in order to ensure that the document remains relevant going forward.

RESOLVED that subject to the addition of Council to the document checklist and the inclusion of a review date the Task and Finish Group Protocol and Guidance be approved and added to the Members Portal.

#### **5. SCRUTINY REVIEW: EXPERT WITNESS PROTOCOL AND GUIDANCE**

The Interim Head of Democratic Services introduced the report which presented the draft expert witness protocol and guidance for the Committee's consideration.

Members were referred to Appendix 1 of the report and the Officer outlined the protocol and its provisions. The importance of ensuring a balanced approach when deciding on witnesses was emphasised in order to equally present the various perspectives, reference was made to the forward work programme process and marrying how reports contained therein could benefit from expert witness contributions.

The Chair thanked the Officer for her report and Members comments were welcomed.

Members discussed the need to think ahead in terms of inviting witnesses and welcomed the different view points they could provide to the discussion. Clarification was sought in relation to public consultation and the Officer reminded Members that the public can get involved via the website and can comment or request to speak on any report coming forward should they be minded to do so. The work programmes now include a narrative which allows those not familiar with council processes to easily understand the topic coming forward and make representations. The Committee were also mindful that the number of witnesses in any meeting would need to be carefully managed so that the process did not become unmanageable.

Members agreed that a review date should be added to the protocol in order to ensure that the document remains relevant going forward.

RESOLVED that subject to the addition of a review date to the document the Scrutiny Committee Expert Witness Protocol be approved and added to the Members Portal.

#### **6. SCRUTINY REVIEW: SCRUTINY SELF EVALUATION AND PEER REVIEW**

The Interim Head of Democratic Services introduced the report which outlined proposals to conduct a self-evaluation and peer review to determine the impact of the changes implemented as a result of the scrutiny review.

The procedures for the proposed review were outlined and the need to look at good practice, outcomes and characteristics of good scrutiny across Wales as a benchmark measurement was emphasised. This would ensure the robustness of the self-evaluation and more accurately gauge the effectiveness of the changes to the scrutiny process. Members were advised that these characteristics had been developed by the Welsh Scrutiny Practitioners Network and endorsed by Wales Audit Office.

The Officer confirmed that a questionnaire would be sent to all Councillors as attached in Appendix 1 of the report and Members would be asked to comment on 3 different sections relating to the scrutiny environment, scrutiny practice and the impact of scrutiny. Further to the questionnaire a peer review group will be set up to observe scrutiny practice and provide feedback. The peer group will be drawn from Members from Newport and Monmouth authorities the WLGA and possibly Wales Audit Office subject to their availability and the Committee's approval.

The Chair thanked the Officer for her report and full discussion ensued.

Members agreed that it would be useful to have a representative from WAO on the review group and suggested that a representative from Grant Thornton might also be useful. Mrs Forbes-Thompson advised that Grant Thornton would probably have to be paid to attend, but would make enquiries in this regard. Members agreed that if payment for attendance was required then no invitation should be issued.

The Committee suggested that the similar questionnaire be issued to newly elected Members in order to establish a base line for future analysis.

Having full considered the report and its content it was moved and seconded that the proposals for self-evaluation and peer review be approved.

RESOLVED that the proposals for self-evaluation and peer review be approved.

## **7. ANY OTHER BUSINESS**

Councillor T. D. Davies queried the need for a pre-meeting for the forthcoming Special Scrutiny Committee meetings on the Budget and asked the Leadership Group's opinion on the matter. The Member suggested that they be dispensed with for Special Meetings to allow the order of business to start promptly at 5.00pm allowing more formal discussion time.

This was discussed and it was agreed that Mrs Forbes-Thompson would check guidance in relation to special meetings and then contact all the Scrutiny Committee Chairs as to the majority view and provide feedback on the outcome.

The meeting closed at 17.22 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 26th January 2017 they were signed by the Chair.

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CHAIR

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## SCRUTINY LEADERSHIP GROUP – 26TH JANUARY 2017

**SUBJECT: SCRUTINY REVIEW: SCRUTINY SELF EVALUATION AND PEER REVIEW**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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### **1. PURPOSE OF REPORT**

- 1.1 For Scrutiny Leadership Group to be informed of the outcome of the self-evaluation and arrangements for the planned peer review.

### **2. SUMMARY**

- 2.1 This report sets out the outcome of the scrutiny self-evaluation and arrangements for a peer review as discussed by Scrutiny Leadership Group Council on 27th October 2016. Scrutiny Leadership Group is asked to comment on the outcome.

### **3. LINKS TO STRATEGY**

- 3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.
- 3.2 The self-evaluation proposals contribute to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016 by ensuring that scrutiny function evaluates its effectiveness and identifies areas for improvement. An effective scrutiny function can ensure that council policies are scrutinised against the following goals:
- A prosperous Wales
  - A resilient Wales
  - A healthier Wales
  - A more equal Wales
  - A Wales of cohesive communities
  - A Wales of vibrant culture and thriving Welsh language
  - A globally responsible Wales

### **4. THE REPORT**

#### **SELF-EVALUATION**

- 4.1 The Scrutiny Review agreed by full Council on the 5th October 2015 included a recommendation to carry out a self-evaluation 12 months after the changes had been agreed.

- 4.2 Scrutiny Leadership Group considered the methodology for a self-evaluation of the scrutiny function and agreed to measure the effectiveness of scrutiny against an established set of characteristics for good scrutiny. These Outcomes and Characteristics of Effective Scrutiny in Local Government had previously been endorsed by full Council in October 2013, as its strategic vision for a scrutiny function. Therefore these characteristics were used as a basis for the questionnaire.
- 4.3 The questionnaire was issued to all 73 Members and senior officers. The response rate was 37.5 with a total of 65 responses received. The following table gives a breakdown of responses received:

<b>Respondent</b>	<b>Responses</b>	<b>Percentage of overall responses</b>
Scrutiny Member	23	35%
Cabinet Member	2	3%
Non-scrutiny member	3	5%
Officer	36	55%
Not indicated	1	2%
<b>Total</b>	<b>65</b>	<b>100%</b>

- 4.4 The questionnaire is made up of three sections, Scrutiny Environment; Scrutiny Practice and Impact of Scrutiny. Each section set out a series of statements and asked respondents to indicate if they 'Strongly Disagreed' 'Disagreed' 'Agreed' 'Strongly Agreed' or 'Don't Know', however not all respondents answered every question. There was also the opportunity to give comments at the end of each section.
- 4.5 The following table shows the statements in the Scrutiny Environment section of the questionnaire and the analysis of responses received from Members.

### **Scrutiny Environment**

<b>Statement</b>	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Agree</b>	<b>Strongly Agree</b>	<b>Don't Know</b>
Scrutiny has a clearly defined role in the council's improvement arrangements	3.5%	11%	39%	43%	3.5%
Scrutiny has a valued role in the council's improvement arrangements	3.5%	11%	32%	50%	3.5%
Scrutiny have the dedicated officer support it needs from officers	4%	14%	43%	39%	0%
Scrutiny members have the training and development opportunities they need to undertake their role effectively	3.5%	7%	61%	28.5%	0%
Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement	4%	14%	39%	32%	7%

- 4.6 The questionnaire also allowed respondents to give comments at the end of each section, listed below are the two comments from Members:

- 'I feel we need another scrutiny officer so we can do more task and finish'
- Councillors are not elected to be scrutineers or part of a mechanism for 'community engagement'. They are elected to be decision makers at Council and its Committees. In my view the Cabinet and CMT system does not work for the Council, its employees or the public.



4.7 The responses in respect of Scrutiny Environment show that the average result 15% of Members disagreed with the statements, whereas 82% agreed with the statements, with an average of 3% stating don't know.

4.8 The following table shows the statements in the Scrutiny Practice section of the questionnaire and the analysis of responses received from Members.

### Scrutiny Practice

Statement	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't Know
Scrutiny inquiries (Task & Finish Group) are non-political	7%	14%	50%	21%	7%
Scrutiny inquiries (Task & Finish Group) are methodologically sound	4%	11%	57%	21%	7%
Scrutiny inquiries (Task & Finish Group) incorporate a wide range of evidence and perspectives	3.5%	11%	43%	32%	7%
Scrutiny is member-led and has 'ownership' of its work programme	3.5%	11%	43%	39%	3.5%
Scrutiny takes into account the views of the public, partners and regulators, whilst balancing between prioritising community concerns against issues of strategic risk and importance	0%	21%	29%	39%	11%
Stakeholders have the ability to contribute to the development and delivery of scrutiny forward work programmes	0%	7%	50%	29%	14%
Overview and scrutiny meetings and activities are well-planned	0%	11%	50%	36%	3%
Overview and scrutiny meetings and activities are chaired effectively	11%	11%	54%	21%	3%
Overview and scrutiny meetings and activities make best use of the resources available to it	0%	7%	64%	25%	4%
Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability	0%	14%	50%	25%	7%
Scrutiny operates non-politically	11%	36%	25%	21%	7%
Scrutiny deals effectively with sensitive political issues, tension and conflict	7%	11%	54%	25%	3%
Scrutiny builds trust and good relationships with a wide variety of internal stakeholders	0%	18%	46%	29%	7%
Scrutiny builds trust and good relationships with a wide variety of external stakeholders	0%	25%	43%	25%	7%

4.9 Members gave the following comments at the end of this section, as follows:

- It still seems hard to get general public to engage in the scrutiny process.
- With apparently over 500 services and 9600 staff, with an overall budget of £600million, Councillors are in the dark as the work undertaken in the 'back offices' of the council, Cabinet Members seem not to be in charge of their portfolios. Scrutiny should meet in the daytime,

take longer if necessary, should involve much more of the public and less reports and, more practical visits to see for themselves the work that is done.

4.10 The responses in respect of Scrutiny Practice show that on average 18% of Members disagreed with the statements, whereas 75% agreed with the statements, with an average of 7% stating don't know.

4.11 The following table shows the statements in the Impact of Scrutiny section of the questionnaire and the analysis of responses received from Members.

**Impact of Scrutiny**

<b>Statement</b>	<b>Strongly Disagree</b>	<b>Disagree</b>	<b>Agree</b>	<b>Strongly Agree</b>	<b>Don't Know</b>
Scrutiny regularly engages in evidence based challenge of decision makers	3.5%	14%	50%	25%	3.5%
Scrutiny regularly engages in evidence based challenge of service providers	0%	18%	46%	25%	7%
Scrutiny provides viable and well evidenced solutions to recognised problems	3.5%	18%	39%	29%	7%
Non-executive members provide an evidence based check and balance to Executive decision making	7%	14%	50%	21%	4%
Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities	11%	18%	36%	28%	3.5%
Overview and scrutiny enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes	7%	18%	50%	18%	3.5%

4.12 Members gave the following comments at the end of this section, as follows:

- 'Really difficult to get people involved'
- 'One cannot blame the staff it is the system that is at fault'
- 'Because we have pre-decision scrutiny it does not always affect cabinet decisions but cabinet always takes the views of scrutiny on board.'

4.13 The responses in respect of Impact of Scrutiny show that on average 23% of Members disagreed with the statements, whereas 72% agreed with the statements, with an average of 5% stating don't know.

4.14 In some instances there were some incomplete responses to the questions, therefore not all sections add up to 100%.

**PEER REVIEW**

4.15 Arrangements for a peer review are in hand with agreement reached with Members at Newport City Council and Monmouthshire County Council to take part in reciprocal peer evaluations. The WLGA have agreed to assist each group to carry out the observations and WAO will provide a briefing for peer group members but not take part in the observations. It was hoped to carry out the first observations during November/December 2016, however there was insufficient time to co-ordinate dates. Therefore it is planned to commence in February 2017.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This report contributes to the well-being goals as set out in links to strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in that by carrying out a self-evaluation and taking part in a peer observation the scrutiny function will be better able to identify areas for improvement. This should ensure that the scrutiny function is more effective when reviewing services and policies and ensure it considers the wellbeing goals.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 This scrutiny self-evaluation included questions on involving a wide range of evidence and perspectives, building trust and good relationships with a wide variety of internal and external stakeholders. This sits alongside protocol and guidance on expert witnesses and task and finish group guidance. The aim was to evaluate the scrutiny function and any further areas for improvement.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications that are not contained in the report.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications that are not contained in the report.

## **9. CONSULTATIONS**

- 9.1 There are no consultation responses not contained in the report.

## **10. RECOMMENDATIONS**

- 10.1 Scrutiny Leadership to consider and comment on the outcome of the self-evaluation.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To ensure that the changes as a result of the scrutiny review are evaluated.

## **12. STATUTORY POWER**

- 12.1 Section 21 of the Local Government Act 2000.  
12.2 Local Government (Wales) Measure 2011.

Author: Catherine Forbes-Thompson, Interim Head of Democratic Services  
Consultees: Chris Burns, Interim Chief Executive  
Nicole Scammell Acting Director Corporate Services and Section 151 Officer  
Gail Williams, Interim Head of Legal Services and Monitoring Officer

Background: Scrutiny Review Council 5th October 2015  
Scrutiny Improvement Action Plan Council 8th October 2013  
Good Scrutiny? Good Question! - Auditor General for Wales Improvement Study:  
Scrutiny in Local Government – 29th May 2014