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Date: 4th October 2018

Dear Sir/Madam,

A meeting of the **Scrutiny Leadership Group** will be held in the **Ebbw Room, Penallta House, Tredomen, Ystrad Mynach** on **Thursday, 11th October, 2018** at **5.00 pm** to consider the matters contained in the following agenda. Councillors and the public wishing to speak on any item can do so by making a request to the Chair. You are also welcome to use Welsh at the meeting, both these requests require a minimum notice period of 3 working days, and a simultaneous translation will be provided if requested.

All Committee meetings are open to the Press and Public, observers and participants are asked to conduct themselves with respect and consideration for others. Please note that failure to do so will result in you being asked to leave the meetings and you may be escorted from the premises.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

Christina Harrhy
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest.	

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



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.

- 3 To approve and sign the following minutes:-
Scrutiny Leadership Group held on 25th January 2018.
- 4 Wales Audit Office Report - Overview and Scrutiny Fit for the Future? - Caerphilly County Borough Council. 3 - 28
- 5 Member Attendance at Scrutiny Pre-Meetings. 29 - 32

Circulation:

Councillors C. Andrews, J. Bevan, L.J. Binding, D.T. Davies, Mrs C. Forehead, D. Havard, G. Kirby, C.P. Mann, J. Pritchard and Mrs M.E. Sargent

For Information:

Councillor Mrs B. Jones

And Appropriate Officers

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SCRUTINY LEADERSHIP GROUP

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
ON THURSDAY 25TH JANUARY 2018 AT 5.00 P.M.

PRESENT:

Councillor J. Pritchard – Chair

Councillors:

L. Binding, D.T. Davies, W. David and Mrs M. Sargent

Together with:

C. Forbes-Thompson (Interim Head of Democratic Services).

1. APOLOGIES

Apologies for absence received Councillor C. Mann.

2. DECLARATIONS OF INTEREST

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

3. MINUTES – 27TH JULY 2017

RESOLVED that the minutes of the Scrutiny Leadership Group meeting held on 27th July 2017 be approved as a correct record and signed by the Chair.

REPORTS OF OFFICERS

Consideration was given to the following reports.

4. FORWARD WORK PROGRAMMES WORKSHOP

The Interim Head of Democratic Services outlined the parameters of the workshop which were to consider the arrangements for the forward work programme workshops to be held in May 2018, that will be held following the Annual General Meeting of Full Council and also reflect on what had worked well in Scrutiny in the past year and what could be improved.

External Witnesses

The benefits of inviting and hearing from expert witnesses were highlighted and the need to consider this at an early stage in the work programme planning stages was emphasised.

Crosscutting and Strategic Approach

It was agreed that more crosscutting issues should be considered by committees, including joint working groups, and ensure that items on the Corporate risk register are considered when discussing the forward work programmes.

Training and Support

The knowledge and understanding of service areas is an important area for Members development, it was agreed that further training should be offered to committee members. It was also agreed that some training on rules of procedure would be helpful for Members and the questioning and listening skills training which is included in the training programme will be of benefit.

General

It is generally agreed that it is important for Members to take ownership of the Scrutiny process and ensure that all committee members take part in the work programme workshops.

Members discussed the benefits of pre-meetings, but expressed concern that there are still some Members who do not attend, an informal record of attendance has been taken for the past year, and it was suggested that an additional column to show late arrivals would be of assistance to chairs.

It was agreed that site visits for Committee prior to reports being considered is a useful means to give Members a fuller understanding of issues, in some instances meeting in other venues can help improve public involvement.

The meeting closed at 18.36 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 11h October 2018 they were signed by the Chair.

CHAIR



SCRUTINY LEADERSHIP GROUP – 11TH OCTOBER 2018

SUBJECT: WALES AUDIT OFFICE REPORT – OVERVIEW AND SCRUTINY FIT FOR THE FUTURE? - CAERPHILLY COUNTY BOROUGH COUNCIL

REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 To advise Scrutiny Leadership Group of the outcome of the review undertaken by Wales Audit Office (WAO) outlined in its report 'Overview and Scrutiny Fit for the Future' (appendix 1). The WAO review has no statutory recommendations but makes proposals for improvement. Scrutiny Leadership Group is asked to consider the findings and recommend actions in order to respond to the report.

2. SUMMARY

- 2.1 This report outlines the recommendation contained in the Wales Audit Office report 'Overview and Scrutiny Fit for the Future' and includes a breakdown of the training and development available to Members during the Induction 2017. The report suggests the timescale for the next scrutiny self-evaluation and also proposes a workshop for Members and senior officers in order to develop an action plan.

3. LINKS TO STRATEGY

- 3.1 The scrutiny function is a key part of the governance arrangements in Caerphilly County Borough Council. It is important therefore to ensure that Members understand and are supported to fulfil their scrutiny role, so that decisions that may impact on future generations are properly scrutinised. 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

- 4.1 Wales Audit Office carried out a review of the scrutiny function across all 22 Welsh local authorities in order to establish how 'fit for the future' they are in responding to current challenges such as the Wellbeing of Future Generations Act 2015, scrutiny of Public Services Boards and continued pressure on public finances. The WAO also looked at the progress

made in addressing the recommendations from their earlier national improvement study 'Scrutiny? Good Question' (May 2014).

4.2 The proposals for improvement to the scrutiny function are as follows:

P1 - Improving the provision of training and development opportunities for members to help:

- a. improve their understanding of their role in overview and scrutiny;
- b. develop their skills to be able to scrutinise effectively; and
- c. improve their understanding and consideration of the Well-being of Future Generations Act when undertaking scrutiny activity by providing further training.

P2 - Clarifying the role of Cabinet Members within the overview and scrutiny process to ensure that arrangements support transparency and accountability.

P3 - Setting clear priorities and actions for improvement for the scrutiny function taking into account current and future challenges.

Training and Development

4.3 Wales Audit Office stated that:

- The Council values its overview and scrutiny function but for it to improve and meet future challenges, members need more focussed training, development and support to better understand and undertake their scrutiny roles effectively. The overview and scrutiny function is hindered by limited member understanding of their role and a lack of timely and specific training and development opportunities to support them to be more effective.
- Scrutiny Chairs manage meetings well but improved planning would help scrutiny activity be more focussed.
- Despite regularly reviewing its overview and scrutiny function, the Council has not identified clear actions to improve its impact, and most members lack an understanding of future challenges for the overview and scrutiny function.

Background

4.4 Following the local government elections in 2017, Members were offered the following information, training and seminars:

4.4.1 **Overview of Council** - A presentation in the Council Chamber by the Chief Executive and Corporate Directors to give an overview of the organisation and some of the key services offered by the local authority. Members also had an opportunity to meet senior officers and other Councillors at a 'Market Place' event at Penallta House.

4.4.2 **Introduction to Scrutiny Committees Training** – this was offered as part of the Induction in 2017 and was held before first meeting of the scrutiny committee held after the Annual General Meeting. This training has covered the following:

- Role and purpose of scrutiny.
- Committee terms of reference.
- The Characteristics of Good Scrutiny and Attributes of Good Scrutiny.
- How Scrutiny works at Caerphilly.
- Forward work programmes which include expert witnesses and prioritisation.
- Dedicated performance management meeting.
- Pre-meetings.

- 4.4.3 The training also directed Members to the Members Portal and the protocols developed on forward work programmes, expert witnesses, cabinet member statements, requesting reports and task and finish groups. Members had the opportunity to ask questions and make requests for further information.
- 4.4.4 All scrutiny committee members were invited to the scrutiny training with specific encouragement to newly elected members, who were able to attend more than one session to allow them to gain an understanding of the varying responsibilities of each committee. Attendance at these sessions was as follows:

Scrutiny Committee	Overall Attendance	Of Which Newly Elected Members
Education for Life Scrutiny Committee	11	8
Health Social Care & Wellbeing Scrutiny Committee	10	5
Policy and Resources Scrutiny Committee	11	5
Partnerships Scrutiny Committee	5	0
Regeneration and Environment Scrutiny Committee	5	4

- 4.4.5 **Forward Work Programme Workshops** - Each scrutiny committee member was invited to participate in a workshop to plan the scrutiny committee work programme for the year ahead. Directors and Heads of Service provided information on the key issues and Members had the opportunity to consider and decide what would be added to the forward work programme, alongside issues identified by the committee. The committee were also able to consider any expert witnesses they may have wished to invite.
- 4.4.6 The Induction programme also included a seminar on Decisions for Future Generations in and was attended by 19 Members. Since the WAO review was carried out each scrutiny committee has received refresher training on the Wellbeing of Future Generations Act during the annual scrutiny training held in May/June 2018.

Training Programme 2018 -2020

- 4.5 Democratic Services Committee endorsed the Member Training Programme for 2018-2020, at the meeting held on 23rd July 2018. This programme has been developed from the Member Development Survey and includes training on Chairing Skills, Advanced Chairing Skills, Questioning and Listening Skills, Effective Pre-meetings, communication, influencing & negotiating skills, public speaking, performance & improvement, strategic thinking & regional working as well as e-learning module on Decisions for Future Generations.

Self-Evaluation

- 4.6 Scrutiny Leadership Group has been responsible for the oversight of the Scrutiny provision and during 2016/2017 took part in peer evaluation with Newport and Monmouthshire Councils alongside a self-evaluation questionnaire. The outcome was reported to SLG on 26th January 2017 and Members asked that the questionnaire be re-sent to Councillors in order to encourage more responses, this was subsequently done and then reported to SLG on 27th July 2017. SLG asked that the outcome be reported to Full Council (October 2017) and that the survey be repeated twice per council term.
- 4.7 The self-evaluation questionnaire is due to be sent during autumn 2018 (appendix 2) and it is suggested that this is launched alongside a workshop with invitations to both Members and senior officers in order to address the findings in the WAO report. The proposal is to ask workshop members questions in respect of the WAO findings P1, P2 and P3 and use the information to develop an action plan. The outcome of the workshop and the questionnaire can then be reported to Scrutiny Leadership Group alongside the action plan to outline any

further improvements to the scrutiny function.

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 the Act in that supporting Members to carry out their scrutiny function will ensure that they understand their role in challenging proposals and decisions in the context of the wellbeing of future generations.

6. EQUALITIES IMPLICATIONS

- 6.1 This report is for information purposes only, so the Council's full Equalities Impact Assessment process does not need to be applied.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications contained in this report.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no personnel implications contained in this report.

9. CONSULTATIONS

- 9.1 There are no consultations that have not been included in the report.

10. RECOMMENDATIONS

- 10.1 Scrutiny Leadership Group is asked to consider the Wales Audit office report attached at appendix 1.
- 10.2 Scrutiny Leadership Group is asked to agree the proposals in respect of the 2018 self-evaluation and workshop.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To ensure that the findings of Wales Audit Office are considered and set out proposals to identify further improvements as necessary.

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: Richard Edmunds Corporate Director Education and Corporate Services.
Rob Tranter, Head of Legal Services and Monitoring Officer.

Background Papers:

Democratic Services Committee 17th November 2016 Agenda item 5.
Scrutiny Leadership Group 27th July 2017 Agenda item 5.

Appendices:

- Appendix 1 Wales Audit Office – Overview and Scrutiny – Fit for the Future? – Caerphilly County Borough Council.
- Appendix 2 Scrutiny Self-Evaluation Questionnaire 2018

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WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU

Archwilydd Cyffredinol Cymru
Auditor General for Wales

Overview and Scrutiny – Fit for the Future? – **Caerphilly County Borough Council**

Audit year: 2017-18

Date issued: July 2018

Document reference: 609A2018-19

This document has been prepared as part of work performed in accordance with statutory functions.

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We welcome correspondence and telephone calls in Welsh and English. Corresponding in Welsh will not lead to delay. Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg a Saesneg. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

This document is also available in Welsh.

The team who delivered the work comprised Allison Rees, Gareth Jones, Tim Buckle, programme managed by Non Jenkins under the direction of Huw Rees.

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Summary report

Summary

- 1 This review explored with each of the 22 councils in Wales how 'fit for the future' their scrutiny functions are. We considered how councils are responding to current challenges such as the Wellbeing of Future Generations Act 2015 in relation to their scrutiny activity and how councils are beginning to undertake scrutiny of Public Service Boards. We also examined how well-placed councils are to respond to future challenges, such as continued pressure on public finances and the possible move towards more regional working by local authorities.
- 2 As part of this review, we reviewed the progress that councils have made in addressing the recommendations of our earlier National Improvement Study 'Good Scrutiny? Good Question' (May 2014) (see [Appendix 2](#)). We also followed up on the proposals for improvement relevant to scrutiny that we issued in local reports. These reports included our 2016-17 thematic reviews of Savings Planning and Governance Arrangements for Determining Significant Service Changes.
- 3 Our review aimed to:
 - a) identify approaches to embedding the sustainable development principle into scrutiny processes and practices to inform practice sharing and future work of the Auditor General in relation to the Wellbeing of Future Generations Act;
 - b) provide assurance that scrutiny functions are well placed to respond to current and future challenges and expectations;
 - c) help to embed effective scrutiny by elected members from the start of the new electoral cycle; and
 - d) provide insight into how well councils have responded to the findings of our previous Scrutiny Improvement Study.
- 4 To inform our findings we based our review methodology around the Outcomes and Characteristics for Effective Local Government Overview and Scrutiny (see [Appendix 1](#)) that scrutiny stakeholders in Wales developed and agreed following our previous National Improvement Study 'Good Scrutiny? Good Question'.
- 5 When we undertook our review in December 2017, we reviewed documents, interviewed officers and held focus groups with members involved in scrutiny to obtain their views on Caerphilly County Borough Council's (the Council) current scrutiny arrangements and understand how the Council is approaching and intends to respond to the challenges identified above.
- 6 In this review, we conclude that the Council values its overview and scrutiny function but for it to improve and meet future challenges, members need more focussed training, development and support to better understand and undertake their scrutiny roles effectively. We came to this conclusion because:
 - a. The overview and scrutiny function is hindered by limited member understanding of their role, and a lack of timely and specific training and development opportunities to support them to be more effective;

- b. Scrutiny Chairs manage meetings well but improved planning would help scrutiny activity be more focussed; and
- c. Despite regularly reviewing its overview and scrutiny function, the Council has not identified clear actions to improve its impact, and most members lack an understanding of future challenges for the overview and scrutiny function.

Proposals for improvement

Exhibit 1: proposals for improvement

The table below contains our proposals for ways in which the Council could improve the effectiveness of its overview and scrutiny function to make it better placed to meet current and future challenges.

Proposals for improvement	
The Council's scrutiny function could be strengthened by:	
P1	Improving the provision of training and development opportunities for members to help: <ul style="list-style-type: none"> a. improve their understanding of their role in overview and scrutiny; b. develop their skills to be able to scrutinise effectively; and c. improve their understanding and consideration of the Well-being of Future Generations Act when undertaking scrutiny activity by providing further training .
P2	Clarifying the role of Cabinet Members within the overview and scrutiny process to ensure that arrangements support transparency and accountability.
P3	Setting clear priorities and actions for improvement for the scrutiny function taking into account current and future challenges.

Detailed report

The Council values its overview and scrutiny function but for it to improve and meet future challenges, members need more focussed training, development and support to better understand and undertake their scrutiny roles effectively

The overview and scrutiny function is hindered by limited member understanding of their role and a lack of timely and specific training and development opportunities to support them to be more effective

- 7 The Council clearly sets out, in its 'Introduction to Scrutiny' guide, the role and responsibilities of its scrutiny function and the relationship between scrutiny and Cabinet. The Council is committed to ensuring that there is a good working relationship between Cabinet and the scrutiny function. This is important to ensure constructive and challenging debate to help improve public services. We found a respectful relationship developing between scrutiny and Cabinet, with Cabinet valuing the role of scrutiny in the Council's governance and improvement arrangements.
- 8 To assist scrutiny members in carrying out their role effectively, timely and relevant training and development opportunities are important. We found that following the May 2017 local government elections, members at the Council received a general induction programme, which included information on the role of scrutiny. The Council also provided an initial one-hour training to members of each overview and scrutiny committee. Members had mixed views as to the appropriateness of this training in preparing them for their scrutiny role. While some members felt that this was useful for new members, more experienced members felt it to be too basic and not tailored to meet their needs.
- 9 Despite the Council providing some initial training for members of each scrutiny committee, not all members were clear on their role within the scrutiny function. This can limit members' ability to undertake their scrutiny role effectively. For example, some members were unaware they could ask expert witnesses to attend scrutiny committee meetings even though the Council has arrangements in place for expert witnesses to attend scrutiny meetings. The Council should explore the reasons why its arrangements do not appear to be fully effective. Some members were also unaware they can ask for member briefings to help better understand an issue to inform their forthcoming scrutiny activity.

- 10 The Council does recognise the importance of providing training and development opportunities for members, however, training is not always timely. The Council developed a draft member development and support programme (2018-2020), having asked members to complete a training needs analysis in July 2017. However, at the time of this review, the Council did not have a final and approved member development and support programme covering training and development activities designed specifically for overview and scrutiny committee members. Committee members are therefore trying to fulfil their role without necessarily having received training and development to meet their individual and collective needs.
- 11 As part of the member induction programme, the Council delivered a seminar to members on the Well-being of Future Generations (Wales) Act 2015¹ (WFG Act), the sustainable development principle, associated five ways of working and the role of elected members within this legislation. However, scrutiny committees are not yet scrutinising how the Council's decisions and policies are complying with the Act and the five ways of working.
- 12 In August 2016, we issued a report to the Council on a Review of arrangements to address external audit, inspection and regulation recommendations and proposals for improvement. One of our proposals for improvement was that 'the Council should strengthen arrangements to enable scrutiny to hold Cabinet to account more effectively and to take action to ensure its Cabinet Members are equipped and prepared to be held accountable for the roles they fulfil'. Whilst we recognise that as of December 2017 six of the nine Cabinet Members are new, we consider that the Council has yet to address this proposal for improvement.
- 13 Some members are still unclear about the role of Cabinet members at scrutiny meetings. Cabinet members attend scrutiny committees for the full meeting and, if members of the public are present, Cabinet members read their prepared Cabinet member statements. These statements are not tailored to relate to the items on scrutiny committee's agenda. Officers, rather than Cabinet members, present committee reports including those relating to policy development and performance issues, which are areas of Cabinet member responsibility. Scrutiny members directed their questions, including those relating to policy development, and performance, to officers rather than Cabinet Members. The Council may find it useful to review their arrangements in line with the guidance² issued by the National Assembly for Wales in 2006 which states:
- "The executive and overview and scrutiny committees should always bear in mind that it is for the elected executive to answer questions about its policies and decisions. When officers appear to answer questions their contribution should, as

¹ Integration, Prevention, Long-term, Collaboration and Involvement

² Guidance for County and County Borough Councils in Wales on Executive and Alternative Arrangements 2006 (2006 No. 56)

far as possible, be confined to questions of fact and explanation relating to policies and decisions.”

- 14 The same Guidance also makes clear that one of the roles of councillors exercising overview and scrutiny is:

“to hold the executive to account for the efficient exercise of executive functions – especially the performance of the executive as measured against the standards, objectives and targets set out in the policies and plans which it is implementing.”

As questions are often directed at officers rather than Cabinet members, it is unclear how the Council’s overview and scrutiny committees are undertaking this role effectively.

- 15 The purpose of the Cabinet member statements at scrutiny committees is unclear. In our 2016 report on a Review of arrangements to address external audit, inspection and regulation recommendations and proposals for improvement, we reported overview and scrutiny committee chairs’ dissatisfaction with the Cabinet Member statements provided at the start of each scrutiny meeting. In response, the Council developed a Cabinet member statement protocol for scrutiny committees. However, scrutiny members continue to be dissatisfied with these statements as their purpose continues to be unclear. In this context, overview and scrutiny committees should consider how they can hold Cabinet members to account more effectively through other mechanisms.
- 16 Cabinet members should also consider different ways of providing information to members and the public in a way that supports more effective scrutiny and accountability.
- 17 Although the relevant scrutiny committee members receive Cabinet member statements at least three days before each meeting, the statements are not publicly available on the Council website. This arrangement is not transparent and does not support public accountability of Cabinet members to overview and scrutiny committees. The Council needs to ensure that it complies with the requirements of the Local Government Act 1972 in respect of making information available for public inspection.
- 18 The Council has a Scrutiny Manager, who at the time of this review was also the interim Head of Democratic Services. One scrutiny support officer assists the scrutiny manager. These two staff provide support to the Council’s five scrutiny committees and Task and Finish groups. Members were complimentary about the support provided by the scrutiny support team and acknowledged how quickly they respond to member queries. Additional support for the scrutiny function is available from service-based officers who support scrutiny cross party working groups. Task and Finish and cross party working groups can meet more frequently than scrutiny committees and can be an efficient way for members to gain a greater understanding of an issue.
- 19 The Council has arrangements that allow scrutiny members to receive quarterly performance reports. These quarterly reports are for information only and are not substantive agenda items. Members can escalate quarterly reports to committee

meetings if they have concerns about performance. However, during this review, members could not give any examples of when performance reports have been escalated to the main committee agenda. This highlights an area where overview and scrutiny could more proactively scrutinise the executive for its performance. We found that scrutiny committees receive annual end of year performance reports on the Council's well-being objectives in a timely manner, although annual service performance reports, for example Social Services and Planning, are not always received in a timely manner. This could restrict scrutiny's ability to influence changes to policies and practice that could improve service performance.

Scrutiny Chairs manage meetings well but improved planning would help scrutiny activity be more focussed

- 20 We observed three scrutiny committee meetings during this review. These were:
- a) Policy and Resources Scrutiny Committee – 14 November 2017
 - b) Regeneration and Environment Scrutiny Committee – 12 December 2017
 - c) Partnerships Scrutiny Committee – 20 February 2018
- 21 In the committees we observed, Chairs ensured that the scrutiny meetings had a clear focus. The Council has introduced pre-meetings that take place thirty minutes before each scrutiny meeting. Pre-meetings are helpful to inform the questioning strategy and structure for the main meeting. At the meetings we observed, the Chair ensured the questions raised at the pre-meetings were asked during the main committee meeting. However, not all members attended the pre-meetings and therefore were not aware of the proposed questions which meant that the quality and focus of member questioning and participation varied at the three meetings we observed. The Chairs of Scrutiny Committees monitor non-attendance of committee members at pre-meetings as requested by the Scrutiny Leadership Group. Also, we are of the view that Members need to elevate questioning to a more strategic level.
- 22 The right people need to attend scrutiny meetings with member questions directed to the right people. At the Partnerships Scrutiny Committee on 20 February 2018, Public Service Board partners were not in attendance. Questions generally focussed on individual public bodies rather than on those issues that partners were seeking to resolve collectively. In the absence of inviting partner bodies to the scrutiny committee to be accountable for answering relevant questions, a council officer answered all member questions.
- 23 The Council's scrutiny committees can be constrained by time and therefore require focus and prioritisation. Scrutiny meetings start at 5pm or 5.30pm. We witnessed the Regeneration and Environment scrutiny meeting on 12 December 2017 which finished by 8pm which members told us is the building closing time. There were four main agenda items. The presentation and conclusion of the last two main agenda items took ten minutes as it was close to 8pm. The final agenda item received no scrutiny. This situation is not conducive to

effective scrutiny. The Council's Constitution,³ however, states that meetings may be extended '...and that no meeting in any event continue beyond 9.00pm'. Members need to understand this provision in the constitution to ensure effective agenda management. Members also need to be confident to reduce the number of items on each agenda if the issues for consideration are complex and require a lengthy debate, rather than rush through items with limited scrutiny attention.

- 24 The Council has helpfully produced a protocol for scrutiny committees to set annual forward work programmes. This protocol explains how the work programmes are developed, and includes a prioritisation matrix to assist members in deciding which issues to include. Annually, in March, each scrutiny committee meets to discuss and agree priorities for the forthcoming year. However, as stated in the above paragraph, we found that the committee's use of the prioritisation matrix is not always effective as there are occasions where some agenda items did not receive sufficient time for detailed scrutiny.
- 25 The Council has had limited success at engaging the public in scrutiny. The public can suggest issues for scrutiny by submitting a form on the 'get involved in Scrutiny' page on the Council website to ask scrutiny to consider an issue. A recent example of public engagement at a committee meeting was on the issue of the Public Spaces Protection Order – dog fouling. Members of the public, and a representative from an animal welfare group spoke to provide the committee with an alternative perspective. However, overview and scrutiny committees have undertaken limited activity to proactively engage the public in its work and seek their views to inform their conclusions when scrutinising individual topics. There is therefore an opportunity to consider how overview and scrutiny arrangements could evolve from their traditional committee approach, to enable more effective engagement with the public.

Despite regularly reviewing its overview and scrutiny function, the Council has not identified clear actions to improve its impact, and most members lack an understanding of future challenges for the overview and scrutiny function

- 26 The Council regularly reviews its scrutiny function and following previous reviews, had developed a Scrutiny Improvement Action Plan. The latest review of the scrutiny function took place during November and December 2016, with members and officers responding to a self-evaluation scrutiny questionnaire, and between February to April 2017 when the Council took part in a scrutiny peer review with two neighbouring councils. At a Full Council meeting in October 2017, having considered a report on the outputs from the peer review and scrutiny self-evaluation, the Council decided to conduct two further scrutiny self-assessments

³ Council Constitution, Part 4 – Rules of Procedure, 9 – Duration of Meeting, paragraph 9.1

at the end of 2018 and in 2020. The report to full Council did not recommend any further scrutiny improvement actions to improve scrutiny following the engagement of members, officers and peer reviewers from the self-evaluation in late 2016 and peer review in early 2017.

- 27 The Council produces an annual report, which contains a brief overview of work undertaken by each scrutiny committee and a summary of the scrutiny support provided. The annual report does not clearly set out the impact of the scrutiny function. Despite the number of meetings and items considered by each committee and their task and finish groups, during the fieldwork for this review officers and members were able to identify few examples where overview and scrutiny activity has had a clear impact or resulted in a clear outcome.
- 28 We discussed with officers and members their views on the future challenges that face the scrutiny function. There are a number of factors that are currently influencing the way in which Council services operate. These factors include different operating models, regionalisation of services, financial challenges and different methods of engaging with the public. We found that officers and members demonstrate differing levels of awareness of the challenges facing the scrutiny function. Many members were unable to state any future challenges for scrutiny. There was some member uncertainty as to how scrutiny could change, or if scrutiny would need to change to respond to current challenges and prepare for future ones.
- 29 Officers, however, were more aware of potential future internal and external challenges. For example, trying to improve and deliver services under financial pressures, potential joint scrutiny arrangements, and the need for a resolution on the scrutiny arrangements of the Cardiff Capital Region City Deal. Officers consider the Partnership Scrutiny Committee as having additional future challenges. These include the potential volume of work when this committee only meets twice a year, the broad topics for members to understand, and to the difference in scrutinising the Public Service Board as opposed to individual public services.
- 30 Both members and officers need to be more aware of, and better prepared for, the challenges that face the scrutiny function in light of changes to the way that public services operate, so that both members and officers can contribute meaningfully to the solutions.

Appendix 1

Outcomes and characteristics for effective local government overview and scrutiny

Exhibit 2: outcomes and characteristics for effective local government overview and scrutiny

Outcomes	Characteristics
What does good scrutiny seek to achieve?	What would it look like? How could we recognise it?
1. Democratic accountability drives improvement in public services. 'Better Services'	Environment i) Scrutiny has a clearly defined and valued role in the council's improvement arrangements. ii) Scrutiny has the dedicated officer support it needs from officers who are able to undertake independent research effectively, and provide Scrutiny members with high-quality analysis, advice and training. Practice iii) Overview and Scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives. Impact iv) Overview and scrutiny regularly engages in evidence based challenge of decision makers and service providers. v) Scrutiny provides viable and well evidenced solutions to recognised problems.

Outcomes	Characteristics
<p>What does good scrutiny seek to achieve?</p>	<p>What would it look like? How could we recognise it?</p>
<p>2. Democratic decision making is accountable, inclusive and robust. 'Better decisions'</p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny councillors have the training and development opportunities they need to undertake their role effectively. ii) The process receives effective support from the Council's Corporate Management Team which ensures that information provided to scrutiny is of high quality and is provided in a timely and consistent manner. <p>Practice</p> <ul style="list-style-type: none"> iii) Scrutiny is Member led and has 'ownership' of its work programme taking into account the views of the public, partners and regulators whilst balancing between prioritising community concerns against issues of strategic risk and importance. iv) Stakeholders have the ability to contribute to the development and delivery of scrutiny forward work programmes. v) Overview and scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it. <p>Impact</p> <ul style="list-style-type: none"> vi) Non-executive Members provide an evidence based check and balance to Executive decision making. vii) Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities.
<p>3. The public is engaged in democratic debate about the current and future delivery of public services.</p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement. <p>Practice</p> <ul style="list-style-type: none"> ii) Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability. iii) Scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict. iv) Scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders. <p>Impact</p> <ul style="list-style-type: none"> v) 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.

Appendix 2

Recommendations from the report of the Auditor General's national improvement study 'Good Scrutiny? Good Question?' (May 2014)

Exhibit 3: recommendations from **Good Scrutiny? Good Question?** Scrutiny Improvement Study

Recommendation	Responsible Partners
R1 Clarify the role of executive members and senior officers in contributing to scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R2 Ensure that scrutiny members, and specifically scrutiny chairs, receive training and support to fully equip them with the skills required to undertake effective scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R3 Further develop scrutiny forward work programming to: <ul style="list-style-type: none"> • provide a clear rationale for topic selection; • be more outcome focussed; • ensure that the method of scrutiny is best suited to the topic area and the outcome desired; and • align scrutiny programmes with the council's performance management, self-evaluation and improvement arrangements. 	Councils
R4 Ensure that scrutiny draws effectively on the work of audit, inspection and regulation and that its activities are complementary with the work of external review bodies.	Councils, Staff of the Wales Audit Office, CSSIW, Estyn
R5 Ensure that external review bodies take account of scrutiny work programmes and the outputs of scrutiny activity, where appropriate, in planning and delivering their work.	Staff of the Wales Audit Office, CSSIW, Estyn

Recommendation	Responsible Partners
R6 Ensure that the impact of scrutiny is properly evaluated and acted upon to improve the function's effectiveness; including following up on proposed actions and examining outcomes.	Councils, Welsh Government, Welsh Local Government Association
R7 Undertake regular self-evaluation of scrutiny utilising the 'outcomes and characteristics of effective local government overview and scrutiny' developed by the Wales Overview & Scrutiny Officers' Network.	Councils
R8 Implement scrutiny improvement action plans developed from the Wales Audit Office improvement study.	Councils
R9 Adopt Participation Cymru's 10 Principles for Public Engagement in improving the way scrutiny engages with the public and stakeholders.	Councils

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Scrutiny Self-Evaluation 2018

Please consider the following questions in respect of scrutiny at Caerphilly County Borough Council and select one response for each question.

Please indicate whether you agree or disagree with the following statements

Scrutiny Environment	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't Know
Scrutiny has a clearly defined role in the council's improvement arrangements					
Scrutiny has a valued role in the council's improvement arrangements					
Scrutiny have the dedicated officer support it needs from officers					
Scrutiny have the training and development opportunities they need to undertake their role effectively					
The scrutiny process receives effective support from the Council's Corporate Management team who ensure it receives high quality information in a timely manner					
Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement					
Do you have any comments to make relating to the Scrutiny Environment?					
Scrutiny Practice	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't Know
Scrutiny inquiries (Task & Finish Group) are non- political					
Scrutiny inquiries (Task & Finish Group) are methodologically sound					
Scrutiny inquiries (Task & Finish Group) incorporate a wide range of evidence and perspectives					
Scrutiny is member-led and has `ownership` of its work programme					
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					
Stakeholders have the ability to contribute to The development and delivery of scrutiny forward work programmes					
Overview and scrutiny meetings and activities are well-planned					
Overview and scrutiny meetings and activities are chaired effectively					

Overview and scrutiny meetings and activities make best use of the resources available to it.					
Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.					
Scrutiny operates non-politically.					
Scrutiny deals effectively with sensitive political issues, tension and conflict.					
Scrutiny builds trust and good relationships with a wide variety of internal stakeholders					
Scrutiny builds trust and good relationships with a wide variety of external stakeholders					
Do you have any comments to make relating to the Scrutiny Practice?					
Impact of Scrutiny	Strongly Disagree	Disagree	Agree	Strongly Agree	Don't Know
Scrutiny regularly engages in evidence based challenge of decision makers					
Scrutiny regularly engages in evidence based challenge of service providers					
Scrutiny provides viable and well evidenced solutions to recognised problems					
Non-executive members provide an evidence based check and balance to Executive decision making					
Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities.					
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.					
Do you have any comments to make relating to the Impact of Scrutiny?					

About You

These questions are only asked to ensure that the responses received are representative. A full range of equalities monitoring questions are not included to ensure anonymity of respondents of the small sample group. I am responding as a:

Scrutiny Member		Cabinet Member	
Non-Scrutiny Member		Officer	
Other, please state:			

Thank you for taking the time to complete this survey. Please click on the "Submit" button below to complete the survey.

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SCRUTINY LEADERSHIP GROUP – 11TH OCTOBER 2018

SUBJECT: MEMBER ATTENDANCE AT SCRUTINY PRE-MEETINGS

REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 For Scrutiny Leadership Group to be informed of the level of Member attendance at Pre-meetings for each Scrutiny Committee.

2. SUMMARY

- 2.1 This report provides a detailed breakdown of Members attendance at the Pre-meeting of each of the four Scrutiny Committees (Policy and Resources, Health, Social Care and Wellbeing, Education for Life and Regeneration and Environment) since September 2017.

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

- 4.1 Following concerns raised by a Scrutiny Committee Chair, it was agreed that the attendance of Committee Members at Scrutiny Pre-meetings would be monitored.
- 4.2 Pre-meetings for Scrutiny Committees, whilst they were standard practice, altered as a result of the Scrutiny Review, which was conducted by the Wales Audit Office (WAO). It was recommended that the Scrutiny Committee Pre-meeting would be run and lead by the Committee, with attendance by the Scrutiny Officer to provide advice and guidance on procedural matters. Since it's introduction, some Scrutiny Chairs have raised concerns at the level of member attendance at the pre-meetings and felt that, in order to encourage effective

scrutiny, member attendance at pre-meetings would be monitored and commenced at the first round of Scrutiny Committees, following August recess in 2017.

4.3 Attendance at each Scrutiny Committee pre-meeting was logged and the attendance figures for the period September 2017 to September 2018 are outlined in the table below.

Education for Life Scrutiny Committee	26th Sept 2017	7th Nov 2017	7th Dec 2017	9th Jan 2018	26th Feb 2018	19th April 2018	24th April 2018	22nd May 2017	3rd July 2018	25 th Sep 2018
Member Attendance at Pre-Meetings	11	11	10	14	12	13	11	12	10	13
Attendance at Committee	11	10	12	14	12	14	11	13	11	13

Health Social Care and Wellbeing Scrutiny Committee	12th Sept 2017	24 th Oct 2017	5th Dec 2017	18th Dec 2017	6th Feb 2018	20th March 2018	1st May 2018	19th June 2018	11 th Sept 2018
Member Attendance at Pre-Meetings	12	11	14	8	12	9	9	9	10
Attendance at Committee	12	12	16	8	12	9	10	12	13

Policy and Resources Scrutiny Committee	3rd Oct 2017	14th Nov 2017	4th Dec 2017	16th Jan 2018	27th Feb 2018	10th April 2018	29th May 2018	6 th Sept 2018
Member Attendance at Pre-Meetings	11	12	10	13	7	14	13	10
Attendance at Committee	11	12	10	13	7	14	14	10

Partnerships Scrutiny Committee	14 th Sept 2017	20 th Feb 2018	13 th Sept 2018
Member Attendance at Pre-Meetings	8	9	10
Attendance at Committee	9	11	10

Regeneration and Environment Scrutiny	19th Sept 2017	1st Nov 2017	12th Dec 2017	13th Dec 2017	13th Feb 2018	27th March 2018	15th May 2018	26th June 2018	18 th Sept 2018
Member Attendance at Pre-Meetings									
Attendance at Committee									

Committee									
Member Attendance at Pre-Meetings	10	9	11	10	10	10	12	10	12
Attendance at Committee	11	10	11	11	10	13	13	12	12

4.4 The data demonstrates that generally most Scrutiny Committee Members who are present at scrutiny committee meetings attend the pre-meeting. In some cases Members arrive late at the pre-meeting and have not been included as in full attendance.

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 attending and conducting pre-meetings, the scrutiny function will be better organised for each meeting and encourage more effective questioning and scrutiny. In addition, this should ensure that the scrutiny function is a more effective critical friend when reviewing services and policies and ensure it considers the wellbeing goals.

6. EQUALITIES IMPLICATIONS

6.1 This report is for information only therefore an equalities impact assessment is not required.

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 Group is asked to consider and note the content of the report.

11. REASONS FOR THE RECOMMENDATIONS

11.1 To ensure that pre-meetings are effective, are well attended and assist effective Scrutiny.

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: Rob Tranter, Head of Legal Services and Monitoring Officer