



DEMOCRATIC SERVICES COMMITTEE - 3RD OCTOBER 2013

SUBJECT: SCRUTINY IMPROVEMENT ACTION PLAN

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To provide details of the Wales Audit Office (WAO) Scrutiny Improvement Study and seek endorsement of the resultant Scrutiny Improvement Action Plan. The Action Plan also includes changes required by legislative changes contained in the Local Government (Wales) Measure 2011 and the recent governance review prompted by the WAO Report in the Public Interest.
- 1.2 To set out the Council's strategic vision for its scrutiny function.

2. SUMMARY

- 2.1 This WAO Scrutiny Improvement Study was a national scrutiny study, which involved local authorities undertaking a self-evaluation and peer-learning exchange with a partner council. The feedback resulted in a final self-evaluation the outcome of which requires the Council to produce an action plan.
- 2.2 As explained above a consolidated Scrutiny Improvement Action Plan has been developed to provide a strategic approach to a significant programme of change.

3. LINKS TO STRATEGY

- 3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.

4. THE REPORT

- 4.1 WAO commenced a National Scrutiny Improvement Study in November 2012 and was completed on the 31 May 2013. Caerphilly County Borough Council was partnered with Monmouthshire County Council within the Gwent WAO study area.
- 4.2 Each Council had to establish a Learning Exchange Team (LET) and the following members of the Democratic Services Committee agreed to participate:

Councillor H David
Councillor W David
Councillor D T Davies
Councillor C Forehead
Councillor G Kirby
Councillor C Mann

- 4.3 In addition Councillors, J Summers, M Sargent and D Carter acted as substitutes during the study.
- 4.4 Monmouthshire County Council's LET observed two Scrutiny Committee meetings; Health Social Care & Wellbeing and Policy & Resources and provided verbal feedback to the Scrutiny Committee and written feedback to our LET. A focus group followed made up of Members from Monmouthshire and Caerphilly Councils to clarify any outstanding issues and develop findings.
- 4.5 Monmouthshire LET's findings are outlined below:
- Too many officers in attendance, which could upset the balance between Scrutiny Committee Members and Officers i.e. risk of handholding.
 - Concern that a young persons representative at the Health Social Care & Wellbeing Scrutiny Committee meeting was asked a personal question.
 - Establish Scrutiny Chairs forum.
 - Reports should contain performance information to allow scrutiny members to probe deeper seeking outcomes and added value.
 - The Cabinet Member and Officers presenting (i.e. witnesses) could be better identified if sat at a separate table (i.e. 'Cabinet style') with nameplates for the benefit of any observers. This would also ensure the committee is "seen to be independent" and would better separate responsibilities and ensure accountability.
 - There were instances when 'good' questions could have led to 'better' supplementary questions i.e. probing beneath the surface of the first answer. However Members did not pursue their lines of inquiry. This could signify a confidence issue or a training need.
 - Committees should introduce a short planning session at the start each scrutiny meeting to agree questioning themes and the structure of questioning, to ensure best use of time and robust answers from those questioned.
 - The wide range of individuals co-opted onto the Health, Social Care and Well-being Scrutiny Committee and their active role was praised.
 - Provide opportunities for the public to engage in scrutiny meetings.
- 4.6 The WAO required each Council to complete a final self-evaluation questionnaire, which was submitted on 31 May 2013.
- 4.7 Following the submission of the final self-evaluation a consolidated Scrutiny Improvement Action Plan has been produced which is attached at appendix 1.
- 4.8 The development of the Scrutiny Action Plan provides the opportunity to define a strategic vision for scrutiny within the Council's governance framework. The Centre for Public Scrutiny and Welsh Scrutiny Officers have jointly developed the following set of shared 'Outcomes and Characteristics of Effective Scrutiny in Local Government':

Outcome <i>What does good scrutiny seek to achieve?</i>	Characteristics <i>What would it look like? How could we recognise it?</i>
<p>1. Democratic accountability drives improvement in public services.</p> <p><i>“Better Services”</i></p>	<p>Environment</p> <ul style="list-style-type: none"> 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. <p>Practice</p> <ul style="list-style-type: none"> iii) Overview and scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives. <p>Impact</p> <ul style="list-style-type: none"> 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.

<p>2. Democratic decision making is accountable, inclusive and robust.</p> <p><i>“Better decisions”</i></p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny members 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 who 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><i>“Better engagement”</i></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.

- 4.9 The Outcomes and Characteristics of Effective Scrutiny in Local Government complement and align with the practical improvements contained in the Scrutiny Improvement Action Plan. It is recommended that the Council adopts the Outcomes and Characteristics as its strategic vision for a scrutiny function to assist with the delivery of better services, better decision making and better engagement with stakeholders and residents.
- 4.10 The Action Plan has been split into four thematic headings, as follows:
- Training and Development for Members and Officers
 - Scrutiny Development and Organisation
 - Performance Management
 - Forward Work Programmes
- 4.11 The key changes to the current scrutiny arrangements are highlighted below:
- The establishment of a Scrutiny Leadership Group made up of Scrutiny Chairs and Vice Chairs plus the Chair and Vice Chair of the Audit Committee. The proposed terms of reference for this group is contained at appendix 2.
 - Scrutiny committee members along with a scrutiny support officer hold a pre-meeting immediately prior to a normal scrutiny committee meeting to agree lines of questioning.
 - That the scrutiny committee room layout is re-organised so that the appropriate Cabinet Member, Director and lead officer sit at the end of the scrutiny committee table, similar to the layout used in Cabinet.
 - Officers (other than Directors) leave the meeting once they have presented their report.
 - The role of the Cabinet Member during a scrutiny committee meeting is further explored.
 - Forward Work Programmes are produced and published every 3 months following consultation with stakeholders and the public. A flow chart explaining the process is attached at appendix 3.
 - Members are supported with a suite of training to further improve their scrutiny skills and subject knowledge
 - There will be a greater emphasis on performance data.
 - Scrutiny Committees will be expected to scrutinise other public service providers following the implementation of the Local Government Wales Measure 2011.
 - To measure our success in improving the Council's scrutiny arrangements a Peer Review will be held in 12 months.
- 4.12 The WAO will monitor the implementation of the Scrutiny Improvement Action Plan and how changes are embedded into the Council's self-evaluation and improvement arrangements. It is expected the WAO will monitor our progress using the 'Outcomes and Characteristics of Effective Scrutiny in Local Government' outlined above.

5. EQUALITIES IMPLICATIONS

- 5.1 An **EqlA screening** has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqlA has not been carried out.

6. FINANCIAL IMPLICATIONS

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

7. PERSONNEL IMPLICATIONS

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

8. CONSULTATIONS

- 8.1 There are no consultation responses not contained in the report

9. RECOMMENDATIONS

- 9.1 Democratic Services Committee are asked for their views on the following recommendations which will go forward to full Council on 8 October 2013:
- 9.1.1 Council agree the actions contained in the Scrutiny Improvement Action Plan.
- 9.1.2 Council approve the Outcomes and Characteristics of Effective Scrutiny in Local Government as its as it strategic vision for a scrutiny function.
- 9.1.3 The Scrutiny Leadership Group terms of reference are approved
- 9.1.4 Council agree that the Scrutiny Leadership Group act as the Project Board to oversee the implementation of the Scrutiny Improvement Action Plan and monitor progress.
- 9.1.5 Any consequential amendments to the Council's Constitution required as a result of this report are made by the Monitoring Officer.

10. STATUTORY POWER

- 10.1 Section 21 of the Local Government Act 2000

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Appendices:

- Appendix 1 of 3 - Scrutiny Improvement Action Plan
Appendix 2 of 3 - Scrutiny Leadership Group terms of reference
Appendix 3 of 3 - Forward Work Programme flowchart