

CAERPHILLY COUNTY BOROUGH COUNCIL

SCRUTINY MANAGEMENT PANEL

MINUTES OF THE MEETING HELD AT THE COUNCIL OFFICES, TREDOMEN ON THURSDAY, 10TH FEBRUARY 2005 AT 5P.M.

PRESENT:

Councillor K.V. Reynolds – Chairman

Councillors:

Mrs C. Forehead, D.M. Gray, K. James, A.S. Williams and T.J. Williams

Together with:

T. Peppin (Head of Policy and Central Services), I. Medicott (Monitoring Officer), T. Hooper (Policy & Research Manager), J. Jones (Scrutiny Co-ordinator) and S. Allen (Scrutiny Research Officer)

Also in Attendance until agenda item 2:

G. George (Committee Services Manager)

1. APOLOGIES

Apologies for absence were received from Councillors Miss A. Morgan and Ms E.E. Forehead.

2. APPROVAL OF MINUTES 16TH DECEMBER 2004 AND MATTERS ARISING

The Minutes were moved and approved as accurate. Mr Jones stated that all outstanding actions had been completed:

- **ACTION – Mr C Jones to circulate risk assessment report to members**
(Action carried forward from 15th November)
This has been completed and was circulated to members at the meeting.
- **ACTION – Mr Jones to produce a report on financial reporting at Scrutiny Committees**
This has been completed and is at agenda item 6.
- **ACTION – Scrutiny Support Unit to present the completed scrutiny web pages to the Scrutiny Management Panel prior to publication on the internet**
This has been completed and is at agenda item 5.
- **ACTION – Mr Jones to present a comprehensive report on the implementation of proposed changes to the Corporate Management Team, the Modernisation Working Group and the Scrutiny Management Panel**
This has been completed and is at agenda item 4.

- **ACTION – Issue of call-in of delegated executive decisions to be brought to the next meeting of the Scrutiny Management Panel**

This has been completed and is at agenda item 3.

COMMITTEE TIMETABLE TO AUGUST 2006

Before moving to the agenda, Mr Gary George Committee Services Manager requested to speak regarding alterations to the Committee timetable up to August 2006.

Cllr Reynolds informed Mr George that as the constitution of Chairs and Vice-Chairs of Scrutiny Committees could change after the next Annual General Meeting of Council, the views of the Panel on this issue might not be as valid. Mr Medicott informed members that any changes to the agreed by them would be valid due to the requirement of setting committee dates in advance.

Mr George raised the issue of 2 additional performance management meetings per Scrutiny Committee in March and September of each year, and asked members if they felt additional meetings were necessary or if they could be absorbed into the existing cycle. The Panel agreed that in order to emphasise the importance of performance management, some additional meeting meetings would be necessary. Mr Jones stressed the importance of these additional meetings, stating that if performance management issues dominated two of the seven Scrutiny Committees per cycle this would effectively remove a third of Scrutiny Committees from members. Members agreed.

Mr George proposed that the first of these meetings be absorbed into the existing cycle, in light of existing pressures on the Committee diary. He stated that additional meetings could be slotted into the September cycle. Members agreed this course of action.

Mr George then asked for the Panel's opinion on the budget consultation meetings currently incorporated into the December/January committee cycle. Members agreed that these meetings were effective and should continue. Mr Jones agreed, stating that themed finance meetings were best held at this time due to constraints on members' time during the festive period.

Finally, Mr George queried whether members would consider starting Scrutiny Committee meetings at 4pm, an hour earlier than at present. Cllr A. Williams expressed concern that members in full-time employment would find attendance at this earlier time difficult. The Panel agreed that the start time for Scrutiny Committees should remain as 5pm.

Mr George thanked the Panel for their views, stating that they would be implemented in the committee timetable up to August 2006.

- **ACTION – Mr George to circulate Committee timetable up to August 2006 to members prior to the next meeting of the Scrutiny Management Panel**

3. DELEGATED POWERS AND CALL-IN

Mr Medicott drew members' attention to the report, and stated that some minor amendments had been made to this draft as a result of the Modernisation Working Group debate on 24th January.

Mr Medicott stated that the aim of the report was to identify a method by which delegated executive decisions could be called-in without slowing the decision implementation process down or focussing on less important decisions. He informed the Panel that the main changes to existing call-in rules would be the ability for members to call-in all executive decisions (those taken by Cabinet and delegated to

officers), the introduction of electronic call-in and a shorter call-in deadline of 3 working days.

Mr Medicott informed the group that executive decisions delegated to officers would be published on the intranet. Cllr Forehead asked whether any allowances would be made for members who did not have access to IT facilities, or for those who experience frequent difficulties with their IT equipment. Mr Medicott stated that a paper distribution of these decisions would further delay the implementation of decisions, so despite the disadvantage to some members, electronic publication of decisions was the most efficient method.

Mr Jones emphasised the need for publication of decisions in the interests of openness and transparency, and stated that call-in should not be seen as the primary aim of this scheme. More importantly, the publication of decisions taken would make members more aware of the work undertaken in the organisation. Dr Peppin agreed, stating that there was no accountability or record of delegated decisions at present and that the proposed system would give members the opportunity to scrutinise as well as call-in the decisions delegated to officers.

Cllr James asked Mr Medicott for clarification on the wording of paragraph 4.4 in relation to abuse of the call-in procedure and procedural rules for call-in. Mr Medicott stated that a call in would not be allowed if the issue had already been discussed by the Scrutiny Committee and recommendations made to Cabinet.

Cllr James asked for further clarification on the nature of 'significant decisions' as cited in paragraph 6.3. Mr Medicott stated that the decisions made at Head of Service level and above were considered to be significant, but no finite definition of a significant decision could be provided as it would be too restrictive. Cllr James expressed a concern that members would need some definition of what constitutes a significant decision.

- **ACTION – Mr Medicott and Mr Jones to examine definition of 'significant decisions'**

Cllr T. Williams asked for clarification on the wording of paragraph 9.3 (b) in relation to exemptions from call-in. While Mr Medicott explained to the group that the purpose of this paragraph is to encourage officers to evidence that decisions are taken properly, members agreed that the wording of this section was confusing and should be simplified.

- **ACTION – Mr Medicott to simplify the wording of paragraph 9.3(b)**

Mr Medicott assured the Panel that the areas exempt from call-in outlined in paragraph 9.1 would be more comprehensive after directorates had identified categories subject to exemption. Mr Medicott explained that this identification process is currently ongoing.

With regard to the timetable for implementing the changes proposed in the report, Mr Medicott informed the group that the decision table would be available on the intranet from March 2005, and that the revised call-in arrangements would come into effect in May, after the Councils' AGM.

Cllr Reynolds queried what measures were in place to protect the revised call-in system from abuse by members. Mr Medicott assured the Panel that the stringent rules applied to call in would still apply, with agreement between himself as Monitoring Officer and the Chair of the appropriate Scrutiny Committee necessary to validate any call-in request. Mr Medicott further stated that if evidence of abuse of the new system does become apparent, then it would be for full council to consider how best to remedy the abuse.

Members agreed the scheme in principle, subject to the comments made during the meeting.

4. PROPOSALS FOR THE IMPLEMENTATION OF REVISED ARRANGEMENTS FOR THE OPERATION OF SCRUTINY AND SCRUTINY COMMITTEES

Mr Jones informed the group that the Modernisation Working Group had met and agreed the key principles of change to the scrutiny function. The report tabled at this meeting incorporated changes made by both the Modernisation Working Group and Corporate Management Team.

Mr Jones outlined the report, highlighting the main changes as follows:

- No definition of 'key issues' that should be referred to Scrutiny Committees would be provided as a closed definition or list may prove to be too restrictive
- Scrutiny Committees would be held in a cabinet style (ie with officers joining the main table only to speak to their reports) only where the size of the Scrutiny Committee demanded it
- The payment of a co-opted members allowance is not provided for under Welsh Assembly Government Guidance, but changes soon to be proposed by WAG may alter this
- In relation to pre-decision consultation, the importance of pre-decision scrutiny and the effect of consultation on call-in is recognised
- The issue of lengthy Scrutiny Committee agendas is addressed via the introduction of a 'for information' section, where reports will be provided to members but discussed only at their request. This will help to sharpen the focus of the Scrutiny Committee
- Cabinet members will present reports to Scrutiny Committees, with relevant officers present only to provide detail. Scrutiny Committee reports will be clear and concise, and more emphasis will be placed on the discussion of reports rather than their presentation
- Cabinet members will present a short report at the start of each Scrutiny Committee to inform members of their recently completed and proposed work, allowing members to ask questions on the information presented
- The introduction of smaller member led reviews to allow members to be active participants in the scrutiny function and to identify areas for further investigation by the Scrutiny Committee
- The realignment of Scrutiny Committees in accordance with the four themes of the Community Strategy, with the retention of Policy and Resources Scrutiny Committee
- The provision of training for elected and co-opted members and officers to ensure that all parties are equipped to make scrutiny a success

Cllr Reynolds asked for clarification on the procedure for dealing with exempt items in meetings involving co-opted members. Mr Jones stated that co-opted members are regarded as members of the Scrutiny Committee and are therefore entitled to hear and discuss exempt items.

The Panel agreed that they needed more time to digest and properly understand the implications of the changes suggested. Mr Jones assured the Panel that a comprehensive consultation exercise among members and Heads of Service to be undertaken in late February would allow them to have a greater degree of input into the report.

Mr Jones stated that the final report would be presented to the Panel at the next meeting prior to approval by Modernisation Working Group and full Council on 5th April. Members were informed that the agreed changes and any necessary alterations to the constitution would be implemented after the AGM in May.

Cllr James raised a concern on the proposed two-hour time limit for Scrutiny Committees. Mr Jones assured the Panel that the two-hour limit is a benchmark aim only, not an absolute limit on proceedings.

The Panel agreed that their views on the final draft of the report should be expressed to the Modernisation Working Group. Mr Jones assured members that the report

would be presented at the next meeting, prior to presentation at the Modernisation Working Group.

- **ACTION – Mr Jones to present the final draft report on the implementation of proposed changes to scrutiny at the next meeting of the Scrutiny Management Panel**

5. SCRUTINY WEB PAGES PRESENTATION

Miss Allen gave a short presentation of the Caerphilly County Borough Council Scrutiny web pages. The Panel was informed that the further development of these pages has been included in the Scrutiny Support Unit's 2005-06 Service Improvement Plan, subject to the availability of the Web Design Team in the Communications Department. Miss Allen stated that further improvement of the pages would include the final reports of completed task and finish reviews, regular updates on current reviews and Scrutiny Committee agendas.

6. BUDGET MONITORING ARRANGEMENTS IN SCRUTINY COMMITTEES

Mr Jones outlined the findings of the report, in relation to the inconsistencies found in budget monitoring reporting at Scrutiny Committees. Members noted that Social Services Scrutiny Committee could be used as a benchmark, as it is the only Scrutiny Committee to receive consistent budget monitoring reports, with revenue budget information presented at every other meeting. Members were invited to give their views on achieving consistent budget reporting arrangements at all Scrutiny Committees.

Cllr Reynolds suggested that the Social Services model be adopted by all Scrutiny Committees. The Panel agreed that this method of presenting budget information was effective and would be welcomed by all respective Scrutiny Committees.

Cllr Reynolds further suggested that the revenue budget need not be presented in its entirety to scrutiny at these regular intervals, but stated that significant areas of under and overspend should be focussed on to help member identify problem areas and make suggestions to rectify these problems. Additionally, the Panel agreed that appropriate offices should attend the Scrutiny Committee meetings to explain reasons for under and overspend and to answer members' questions.

The Panel agreed this course of action, stating that it would give members a better understanding of the position of each Directorate's revenue budget.

- **ACTION – Scrutiny Support Unit to present the views and suggestions of the Scrutiny Management Panel to Corporate Management Team**

7. SOUTH-EAST WALES SCRUTINY CHAMPIONS NETWORK

Miss Allen outlined the report and stated that a regional meeting had been scheduled for March 22nd in order to identify and share best practice with scrutiny representatives from eight neighbouring local authorities.

Due to the number of authorities involved, Miss Allen suggested that attendance be limited to 3 people per authority, two officers and one elected member. Cllr Reynolds enquired which member would attend. Miss Allen stated that as the meeting had been endorsed by the WLGA as the first Regional Scrutiny Champions network in Wales, the Councillor representative should be Cllr Reynolds in his capacity as the Council's Scrutiny Champion. The Panel agreed that a deputy would attend in the event of Cllr Reynolds' non-availability.

The Panel approved the report, and agreed that the establishment of a regional best practice group was a good way forward for the improvement of the scrutiny function.

8. TASK AND FINISH GROUP RECOMMENDATIONS UPDATE (VERBAL REPORT)

Miss Allen outlined the background to the report. Members were reminded of the meeting held on 30th September 2004, where it was agreed that Task and Finish Group progress tables be sent electronically to the appropriate service directors. Directors would be asked to complete the tables for submission to Scrutiny Management Panel and to the relevant Scrutiny Committee in order to allow the monitoring and management of agreed Task and Finish Group recommendations.

Miss Allen informed members that the Task and Finish Group recommendation progress matrices had been sent to Directors on 4th November 2004. Due to a poor response rate, a reminder was sent on 21st January 2005, but no fully-completed progress matrices had been received.

The Panel agreed that in order to fully realise the value of Task and Finish Group reviews, members need feedback on their recommendations as a recognition of the time and effort spent on each review.

- **ACTION – Miss Allen to present a full update on the status of Task and Finish Group Recommendations to date to the next meeting of the Scrutiny Management Panel**

9. ANY OTHER BUSINESS

No others items of business were raised.

10. DATE OF NEXT MEETING

Due to constraints on the Committee diary, members agreed that the next meeting of the Scrutiny Management Panel would be held as scheduled on 24th March 2005, at 5pm in **Room 101, Ystrad Fawr Council Offices**.