Pecyn Dogfennau Cyhoeddus

Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Cath Forbes-Thompson
(Rhif Ffôn: 01443 864279 Ebost: forbecl@caerphilly.gov.uk)

Dyddiad: Dydd Mercher, 19 Hydref 2016

Annwyl Syr/Fadam,

Bydd cyfarfod **Grŵp Arweinyddiaeth Craffu** yn cael ei gynnal yn **Ystafell Ebwy ,Tŷ Penallta ,
Tredomen Park, Ystrad Mynach** ar **Dydd Iau, 27ain Hydref, 2016** am **5.00 pm** i ystyried materion a gynhwysir yn yr agenda canlynol.

Yr eiddoch yn gywir,

Chris Burns

Chris Burns
PRIF WEITHREDWR DROS DRO

A G E N D A

Tudalennau

1   I dderbyn ymddiheuriadau am absenoldeb

2   Datganiadau o Ddiddordeb.

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.

A greener place Man gwyrddach

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

Cylchrediad:
Cynghorwyr L. Ackerman, Mrs E.M. Aldworth, Mrs P. Cook, W. David, D.T. Davies, G. Kirby (Is Gadeirydd), C.P. Mann, S. Morgan (Cadeirydd), J. Pritchard a D. Rees

Er Gwybodaeth:
Cynghorydd Mrs C. Forehead

A Swyddogion Priodol

SCRUTINY LEADERSHIP GROUP

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
ON THURSDAY 28TH JULY 2016 AT 5.00 P.M.**

PRESENT:

Councillor S. Morgan – Chair
Councillor G. Kirby – Vice Chair (Presiding)

Councillors:

L. Ackerman, Mrs E.M. Aldworth, Mrs P. Cook, W. David, D.T. Davies, C. Mann, J. Pritchard and D. Rees

Together with:

C. Forbes-Thompson (Interim Head of Democratic Services), G. Williams (Interim Head of Legal Services and Monitoring Officer) and E. Sullivan (Democratic Services Officer)

1.   **APOLOGIES**

There were no apologies for absence received, however it was noted that Councillor S. Morgan (Chair) had notified the Committee that he would not be present at the start of meeting and so Councillor G. Kirby as Vice Chair took the Chair in his absence.

2.   **DECLARATIONS OF INTEREST**

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

3.   **MINUTES – 10TH MAY 2016**

RESOLVED that the minutes of the Scrutiny Leadership Group meeting held on 10th May 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: CABINET MEMBER STATEMENT DRAFT PROTOCOL**

The Interim Head of Democratic Services introduced the report which presented a draft protocol in respect of Cabinet Members statements for consideration and comment.

The protocol outlined the guidance on the provision of Cabinet Member's statements at Scrutiny Committee which would encourage a more strategic and forward looking content than that currently provided. The four key focus areas for a statement were detailed and it was noted that they would be circulated to Committee Members on the Friday before the committee meeting to allow Members ample time to prepare any questions.

The Officer asked Members to consider the protocol and take a view on the attendance of Cabinet Members at meetings going forward.

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

Members noted the length of time taken in certain scrutiny committees by Cabinet Members statements that encompassed more than one portfolio within their remit and acknowledged that this was far from ideal. The quality and duration of the current statements was discussed at length.

The Committee agreed that they would like to see Cabinet Members take a more proactive and answerable role at scrutiny and they should be prepared and able to robustly answer any questions from Members with regard to their portfolio objectives.

Cabinet Members attendance was fully discussed and the Committee agreed that as long as there had been a prior discussion with the Chair of the relevant Scrutiny Committee, the respective Cabinet Member need not present a statement but should be in attendance.

In relation to the protocol as attached in Appendix 1 of the Officer's report the Scrutiny Leadership Group fully endorsed its content.

Following consideration of the Officer's report it was moved and seconded that the comments of the Scrutiny Leadership Group be noted and by show of hands this was unanimously agreed.

> RESOLVED that: -
>
> (i)   the draft protocol as detailed in Appendix 1 of the Officer's report be agreed.
>
> (ii)   Cabinet Members statements be circulated to the relevant Scrutiny Committee Members on the Friday before the committee meeting.
>
> (iii)   with prior discussion with the relevant Scrutiny Committee Chair, the respective Cabinet Member need not present a statement but should be in attendance.

5. **SCRUTINY REPORTS QUALITY WORKSHOP**

The Interim Head of Democratic Services outlined the parameters of the workshop which would support Members to review, compare, monitor and comment on the quality of reports being presented at Scrutiny.

Copies of performance management reports were distributed and Members were requested to review the purpose, summary and main body of the report to establish it was clear and understandable with any references to National Standards or Legislation easily recognisable.

Members reviewed the documents and provided comments to the Officer.

Members agreed that for the most part the purpose and the content of the reports under review were clear and understandable. However they noted a lack of comparative and accumulative data which would help establish perspective, should this data not be available then that should be made clear within the report. Members noted that there was often excessive amounts of information incorporated into reports and agreed the importance of ensuring that any data presented is salient and relevant.

Reference was made to the Wellbeing of Future Generations Act and the impact this would have on reports was discussed at length. It was noted that training had already been provided to the Future Generations Panel and Partnerships Scrutiny Committee in this regard with further training to be rolled out to all Members in due course.

Members agreed that it was difficult to judge content in a stand alone environment, as many of the reports under review would have been delivered with an accompanying presentation that would have brought further clarity. It was noted that report writers should also be mindful that this information is in the public domain and would therefore need to be understood by members of the public with no prior knowledge or understanding of the topic.

The Interim Head of Legal Services acknowledged the difficulties that Officers experienced in striking the right balance in terms of report content and the appropriate technical level to set with a report that would need to be understood by Members, with background knowledge, as well as members of the public. It was noted that training was available to Officers in order to improve report writing.

Reference was made to the use of appendices and concern expressed that now that the scrutiny agenda was limited to four items, Officers may come to rely on over-extended appendices to convey the meat of the report and the importance that the content of any report should be able to stand alone was emphasised, with only additional information attached as an appendix. Members agreed that jumping back and forth between the main body of a report and the appendices did little to enhance the readability of a report.

Having reviewed the quality and content of the reports provided the Scrutiny Leadership Group agreed that this monitoring exercise should be undertaken on a biannual basis and by a show of hands this was unanimously agreed.

> RESOLVED that report monitoring be undertaken by the Scrutiny Leadership Group on a biannual basis and this activity should be added to the forward work programme.

6. **SCRUTINY REVIEW: SCRUTINY LEADERSHIP GROUP TERMS OF REFERENCE**

The Interim Head of Democratic Services introduced the report which set out the revisions to the terms of reference for the Scrutiny Leadership Group.

Members were referred to section 4.1 of the report which highlighted the Group's additional responsibilities.

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

Having fully considered its content the Scrutiny Leadership Group noted the report and the revisions to its terms of reference.

7. **SCRUTINY LEADERSHIP GROUP FORWARD WORK PROGRAMME**

The Interim Head of Democratic Services introduced the report which presented the draft forward work programme for comment and agreement.

Members noted that a report on Scrutiny Self Evaluation and Peer Review added to the programme for October and sought clarification as to what would inform the review. The Officer confirmed that this was the final stage in the Scrutiny Review process, the self-evaluation element would take the form of a questionnaire and a small peer group would be invited to attend meetings and make observations, this group would include outside bodies, for example a Member from a neighbouring authority. A report on the outcome of the review and evaluation would then be brought back to the Scrutiny Leadership Group for consideration.

Reference was made to the Audit Committee's role within a review of this kind and requested that the outcome of the evaluation also be reported to that committee. Members were then advised that Sara-Jane Byrne of the Wales Audit Office had requested to attend the Group's October meeting in order to discuss a number of projects they will be bringing forward including a Thematic Governance Review.

With regard to observations at scrutiny, Members were advised of a request from Nicole Scammell in relation to senior staff development. Senior Staff would be invited to attend committee meetings in order to see how reports are presented as part of their continuing personal development.

Members welcomed the inclusion of external representatives within the peer review group, the presence of Senior Staff at scrutiny meetings to observe practice and the attendance of the Wales Audit Office representative at their October meeting.

Following consideration of its content the Scrutiny Leadership Group noted the report and it was moved and seconded that Scrutiny Reports Quality Monitoring be added to the forward work programme for the 27th April 2017 and by show of hands this was unanimously agreed.

> RESOLVED that Scrutiny Reports Quality Monitoring be added to the forward work programme for the 27th April 2017.

The meeting closed at 18.27 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 27th October 2016 they were signed by the Chair.

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CHAIR

SCRUTINY LEADERSHIP GROUP – 27TH OCTOBER 2016

SUBJECT: SCRUTINY REVIEW: TASK AND FINISH GROUP PROTOCOL AND GUIDANCE

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 consider the draft task and finish group protocol and guidance.

2. **SUMMARY**

2.1   This report sets out a draft task and finish group protocol and guidance as recommended and endorsed as part of the Scrutiny Review agreed by Council in October 2015. Scrutiny Leadership Group is asked to comment on the draft.

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 task and finish group protocol and guidance contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016 by outlining how all task and finish groups will review services and policies. The methodology in the guidance states that the group should consider if the service area or policy under review have considered 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   The Scrutiny Review report agreed by full Council on the 5th October 2015 included a recommendation to develop a protocol for task and finish groups. A draft protocol is attached at appendix 1.

4.2   Members are asked to consider and comment on the protocol prior to publication on the Members Portal and wider circulation to all scrutiny committee members and officers.

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 all task and finish groups will take into account the Wellbeing Goals when reviewing services and policies. Task and finish groups will also need to consider the positive and negative impacts upon future generations, long term community resilience and economic, environmental and social capital of any recommendations it put forward for consideration.

6.   EQUALITIES IMPLICATIONS

6.1   The task and finish group protocol and guidance states that potential equalities implications upon on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan will be included in the methodology for the review.

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 that are not contained in the report.

10.   RECOMMENDATIONS

10.1   Scrutiny Leadership to consider and comment on the draft task and finish group protocol and guidance before publication on the Members Portal.

11.   REASONS FOR THE RECOMMENDATIONS

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

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 Papers:
Scrutiny Review Council 5th October 2015

Appendices:
Appendix 1 – Draft task and finish group protocol and guidance

Protocol and Guidance on Undertaking Task and Finish Group Reviews

Introduction

The Local Government Act 2000 introduced the concept of scrutiny and gave scrutiny committees wide-ranging powers, including the power to review any function of the council or other issues which affect the residents of the county borough. The purpose of this guidance is to explain the role of task and finish groups and outline a model process for completing scrutiny reviews.

What is a Scrutiny Review?

A scrutiny review is undertaken by a task and finish group made up of a maximum of 10 members from a scrutiny committee and the membership of the task and finish group should be cross party. The review group will supported by a scrutiny officer and there is therefore a limit of one task and finish group that can operate at a time. The task and finish group will also be supported by officers from the service under review.

The Chair and Vice Chair can sit on the task and finish group but the Scrutiny Chair cannot chair the task and finish group or vote, the chair would be classed as ex-officio.

Purpose of a Scrutiny Review

A task and finish group is an opportunity for a group of members to gain a thorough understanding of the issue under consideration, its impact and make recommendations for improvement. It is important that members have a clear understanding of the Council's responsibilities and quality of service provision. Equally, the task and finish group need to understand how well the Council's service meets the needs of local people and compares with others.
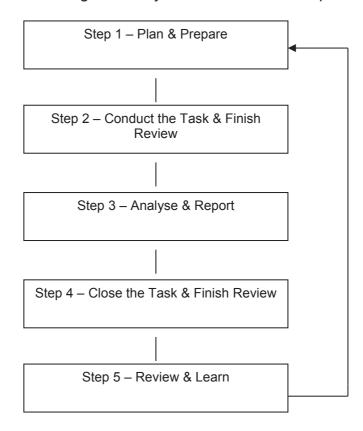
The review should also aim to add value and aim to influence and improve policy and service delivery.

In completing their work, a task and finish group could undertake many different activities including; receiving reports from officers, undertaking site visits, meeting with members of the public, user groups or partner agencies etc. These witnesses can be invited to submit evidence either in writing or attend a meeting. {cross reference with Expert Witness Protocol}

The process outlined below shows how a task and finish group can carry out a scrutiny review. This should be considered as a helpful starting point and amended to match the nature of the issue under review.

SUGGESTED PROCESS FOR TASK AND FINISH GROUP REVIEWS

The model process contained below identifies 5 separate steps that should be considered when undertaking a scrutiny review. These are explained below:

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│        Step 1 – Plan & Prepare          │◄──────┐
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│   Step 2 – Conduct the Task & Finish     │       │
│                Review                    │       │
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│        Step 3 – Analyse & Report         │       │
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│   Step 4 – Close the Task & Finish Review │       │
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│        Step 5 – Review & Learn           │───────┘
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STEP 1 – PLAN AND PREPARE

The first step for any scrutiny committee is to decide what topic will be subject to review, how the review will be undertaken and who will need to be involved.

Choosing a Topic for Review

To maximise the impact of a scrutiny review, it is important that a topic is chosen which is relevant across the whole of the county borough. Topics could be chosen for example because it has been identified as a Wellbeing Objective in the Council's Annual Performance report, or members could recommend a council service or other subject is reviewed because of their experiences or from feedback from constituents. Regardless, members are invited to make suggestions for review topics when work begins on the draft annual scrutiny work forward programme in March each year for consideration by the respective scrutiny committee.

Involving Key Personnel

The service area under review will name a lead officer during the review who will liaise during the scoping and throughout the review. It is vital that key officers who have responsibility for the day to day management of the issue

under consideration are identified and involved in discussions about the proposed subject for review and planned methodology.

The task and finish group will depend in part on their valuable expertise in completing the review. Therefore, it is important to establish that key officers are available and the appropriateness of the review timing to ensure that it does not clash with an audit or inspection or other similar activity.

Developing a Terms of Reference

The Scrutiny Committee can determine an outline terms of reference which can be amended by the task and finish group. The group may decide once they have met and considered the initial evidence that they need to expand their work in order to deliver the desired outcome. However the terms of reference should be specific, output based and achievable within the time and resources available to the task and finish group.

Developing a Methodology

It is essential that any review is planned carefully to ensure that all evidence is considered, adequate resources are available to complete the project and that a realistic timetable of events is agreed.

Most services will usually operate within complex frameworks made up of legislation, Council policy, codes of conduct or best practice, performance indicators and Policy Agreements. In addition, any subject matter usually has an associated external network of stakeholders such as members of the public, service users, regulatory bodies and partner organisations. Therefore, it is essential that task and finish groups understand the constraints and obligations of services and identify both best practice and stakeholders in order that they gain a true picture of the service and its performance.

The task and finish group should also consider the requirements of the Wellbeing of Future Generations Act, and the Equalities Act when developing its methodology. Policies and services under review need to be measured against the requirements of this legislation.

When developing a review methodology, it may be helpful to consider the following checklist:

1. What do we want to review?
2. Why are we conducting the review and what are the reasons behind the review?
3. What evidence will we need to conduct the review, for example:

   - Who is responsible for the service?
   - When was the service subject to review and what were the key messages?
   - Is there legislation in force that places certain demands on the service?

- Are there likely to be any changes to the current legislation or Council policy that will affect the service?
- How do we measure performance e.g. are there any Westminster or Welsh Government Policy Agreements or Performance Indicators that relate to the service?
- How do we compare with others?
- Are there any local and national interest groups?
- How can we involve staff, service users and the public in the review process?
- Has the policy or service considered the seven wellbeing goals outlined in the Wellbeing of Future Generations Act?
- How have the Future Generations Act 'five ways of working' been applied? (LONG TERM, PREVENTION; INTEGRATION; COLLABORATION; INVOLVEMENT).
- Have equalities implications upon on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan been considered?

4. How will we collate the evidence i.e. through meetings, visits, correspondence, public notices, research etc?
5. How long will the project take?

When the task and finish group has agreed what information and research is needed, who will be invited to give evidence, what visits and meetings are needed, who will be responsible for doing what and a project timetable, the methodology will be complete.

STEP 2 – CONDUCTING THE REVIEW

Collecting Evidence

This stage of the review puts into action the agreed review methodology, outlined below are examples of different strategies that can be used by task and finish groups to collect evidence:

Committee Meetings

Meetings can be used for members to discuss their terms of reference and methodology, receive information from officers on the service under review, ask questions and agree reports etc. In addition, a task and finish group can invite stakeholders to meetings to discuss a particular service.

Public Meetings

A task and finish group may also decide to hold a public meeting to take evidence from the general public. This can be an effective method of communication when members need to understand a particular problem affecting a certain community or part of the local population. Unlike the procedure at committee meetings, the task and finish group will have little

control over who attends and speaks at a public meeting. It is always difficult to predict how many people will attend a public meeting, however, to ensure that as many interested people as possible attend, public meetings should be well publicised and take into account people who may have a particular interest in the topic in order to maximise the likelihood of a successful event.

Style of Meetings

Consideration should be given to the style of meetings, particularly when stakeholder groups and members of the public are invited to attend. Whilst there are no hard and fast rules about how meetings are managed, it is important that meetings are well organised. It is also likely that those who wish to attend a public meeting are motivated to do so because they have concerns or have strong feelings about a subject. Therefore, the task and finish group should carefully plan the management of any public meeting. It is important that all evidence is considered before the group comes to any conclusions to avoid suggestions of bias. Therefore, the task and finish group should be seen to be open minded about the service under review and evidence given by the public and stakeholders. As collecting evidence is key to success of any review, those who attend task and finish group meetings should be made to feel welcome, encouraged to speak freely, and whenever possible, understand in advanced what will be expected of them.

Meeting Venues

It is a matter for task and finish groups to decide the venue and timing of their meetings. Choosing the right venue is particularly important when stakeholders or members of the public are invited to attend. Issues such as transport arrangements, parking, accessibility, facilities and the size of meeting rooms should be considered in light of those invited or expected to attend. For task and finish group meetings limited to members and officers in attendance, a committee room in a council office would be an appropriate venue. By contrast, public meetings could be held in the community in a community centre, leisure centre or church hall etc.

Timing of Meetings

Meetings should be held at a time convenient for all those who wish to attend. Whilst most meetings are held at 5.00pm, if the task and finish group wish to seek evidence from hard to reach groups, meetings during the daytime or weekends should be considered.

Public Access to Meetings

In accordance with the usual procedures with regard to openness and accountability, all meetings of task and finish groups are held in public.

Visits

A less formal approach to gaining a better understanding of a service is to arrange a visit. Task and finish groups may undertake site visits in order to see a service in action or gain a better appreciation of ongoing works or completed projects.

Written Evidence

Written evidence may be gathered from a wide variety of sources. The local press may be used to notify the public of the review and to invite their views in writing. Written evidence could be sought from targeted sources by writing directly to specific stakeholders such as members, officers other agencies, voluntary organisations and trade associations etc.

Research

Task and finish groups can consider commissioning research, including questionnaires, surveys, focus groups and comparisons with other authorities.

Types of data

When undertaking any research or requesting evidence, it is important to distinguish between objective and subjective data. While both types of data are valuable in terms of gaining an understanding of a service, their differences should be understood to allow a proper analysis of facts and perceptions.

Objective Data

This is factual data, for example figures and statistics, where no perception is involved in analysis. This data is important as statistics and figures are often used as performance indicators of a service.

Subjective Data

This is data that involves an element of perception, for example public opinion surveys, staff interviews and focus groups. This data is important as it focuses on customer and user views of the council service.

3 – ANALYSE AND REPORT

After evidence has been collected, the next step in the review process is for the task and finish group to document their activities, analyse the information and make decisions about any conclusions and recommendations that they wish to include in the final report.

Documenting the Review

Task and finish groups should produce a report which documents who undertook the review, what information was considered, those who gave evidence or contributed to the review and, the task and finish group's analysis of information, conclusions and recommendations for improvement. The Scrutiny Officer will provide the necessary support in preparing these reports.

Analysis of Information

An analysis of the information or evidence collected should be completed in order to provide an accurate picture of the subject under review. All members of a task and finish group should be involved in the analysis of the information collected during the review. This will ensure the widest possible level of scrutiny of the information made available to the task and finish group.

The types of analysis undertaken will depend of the terms of reference and issue under consideration, but may contain:

- An overview of the service.
- Key operational achievements, barriers to success or problems.
- An analysis of the service provided compared with the service wanted by customers.
- A comparison with best practice.
- New opportunities and threats.
- Results of research, surveys or opinions.
- The views of our partners or interest groups.
- Results of reviews undertaken as part by CSSIW and ESTYN or other regulatory bodies for example.
- Financial, Equalities, Sustainability and Personnel considerations.

Conclusions and Recommendations

Task and finish groups may make conclusions and recommendations as part of their final report. Any conclusions or recommendations must be based on the information and evidence discovered during the task and finish groups' review process.

The task and finish group must also consider the seven wellbeing goals outlined in the Wellbeing of Future Generations Act and equalities implications upon groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan when forming its conclusions and recommendations.

It is a matter for the task and finish group to decide what, if any, recommendations should be included as part of their report. Ideally, the group should decide each recommendation unanimously. However, there will be times when members will have different opinions which will lead to recommendations not supported by the whole group. When a task and finish group find themselves in this position, all recommendations should be

included, with those supported by a minority of members highlighted accordingly.

Consultation

Once the task and finish group has agreed its final draft report, it should be subject to consultation with interested parties to ensure that evidence given during the review is presented accurately. In the main this will involve consulting the Director, Head of Service and Cabinet Member responsible of the service subject to the review. Any responses should be considered by the task and finish group before agreeing the final report. There can be no expectation that changes will be made, except where the Chair is in agreement.

4 – CLOSING THE TASK AND FINISH REVIEW

Finalising the Report

Once a task and finish group has completed its final report, it must be approved by the appropriate scrutiny committee(s), before being considered by the cabinet and, if necessary, full council.

Seeking the endorsement of the appropriate scrutiny committee is the final step needed to complete the task and finish review. This is an important last step as task and finish groups are essentially sub-groups of a scrutiny committee.

Consideration of the Report by Cabinet and Council

Following approval by the scrutiny committee, the final report is sent for consideration by the cabinet and/or full council, depending on whether the report contains recommendations for action outside of the Council's agreed policy or budget framework.

Monitoring Agreed Recommendations

After issuing the report it is necessary to continue to monitor progress made in implementing those recommendations agreed by the cabinet and/or full council. The Scrutiny committee should consider requesting progress updates from Directors when determining its work programme.

5 – REVIEW AND LEARN

Upon completion of the task and finish group review, its success should be evaluated.

Members should consider whether the way the review was conducted was helpful, and highlight any changes that could be adopted by future task and

finish groups to improve the effectiveness of that review. The success of the review will ultimately be evidenced by a change to the policy/service in question.

TASK AND FINISH REVIEW CHECKLIST

1. Scope the task and finish review – define its boundaries and identify the rationale for reviewing the policy/service.
2. Define the task and finish group terms of reference, including the approach to be taken, and likely timescale.
3. Identify the information needed.
4. Identify the information sources and witnesses.
5. Draw up a schedule of meetings and other review activities, considering frequency, suitability of venues, access issues, times etc.
6. Draw up a question plan, decide who will ask each, send questions to witnesses with their invitation to attend so that they can come prepared.
7. Collect the evidence presented to the task and finish group by witnesses or from other sources.
8. Analyse the evidence at a separate meeting of the task and finish group.
9. Draft the report, with recommendations agreed by the task and finish group.
10. Finalise the report, and present to Cabinet, after circulating the draft to key contributors and stakeholders beforehand to check factual accuracy and content.

Gadewir y dudalen hon yn wag yn fwriadol

SCRUTINY LEADERSHIP GROUP – 27TH OCTOBER 2016

SUBJECT: SCRUTINY REVIEW: EXPERT WITNESS PROTOCOL AND GUIDANCE

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

1.   PURPOSE OF REPORT

1.1   For Scrutiny Leadership Group to consider the draft expert witness protocol and guidance.

2.   SUMMARY

2.1   This report sets out a draft expert witness protocol and guidance as recommended and endorsed as part of the Scrutiny review agreed by Council in October 2015. Scrutiny Leadership Group is asked to comment on the draft.

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 expert witness protocol and guidance contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016 by outlining how scrutiny committees will include expert witnesses at meetings. The guidance states that the group should consider if the report under consideration would benefit by extending an invitation to an expert witness and enhance the scrutiny against the following wellbeing 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   The Scrutiny Review report agreed by full Council on the 5th October 2015 included a recommendation to develop a protocol for expert witnesses. A draft protocol is attached at appendix 1.

4.2   Members are asked to consider and comment on the protocol prior to publication on the Members portal and wider circulation to all Scrutiny Committee Members and officers.

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 all Scrutiny Committees will take into account the Wellbeing Goals when considering potential witnesses.

6. EQUALITIES IMPLICATIONS

6.1 This expert witness protocol and guidance includes reference to the potential equalities implications upon on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan and advises that scrutiny committee should consider potential witnesses where applicable.

7. FINANCIAL IMPLICATIONS

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

8. PERSONNEL IMPLICATIONS

8.1 There are no personnel implications 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 draft expert witness protocol and guidance before publication on the Members Portal.

11. REASONS FOR THE RECOMMENDATIONS

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

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 Papers:
Scrutiny Review Council 5th October 2015
Protocol for Scrutiny Committee Forward Work Programmes
Protocol for Report Requests
Protocol and Guidance for Task and Finish Groups
A Practical Guide to Scrutiny

Appendices:
Appendix 1 – Draft expert witness protocol and guidance

Scrutiny Committee Expert Witness Protocol

External Witnesses

A scrutiny committee may invite any person to address it, in order to discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and representatives from other external organisations and shall invite such people to attend.

The participation of external organisations and individuals in the scrutiny process is fundamental to ensure that each scrutiny review achieves a balanced perspective. It is vital that local people and community interests have an opportunity to have their say and that Members hear their views. Collectively, this brings an in-depth day-to-day knowledge of subjects which is invaluable.

The scrutiny committee should consider if there are potential equalities implications upon on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan and consider if external witnesses should be approached.

Details of the public and stakeholders can get involved are publicised on the Council website alongside a guide 'A Practical Guide to Scrutiny'. The public can comment on items detailed on the scrutiny committee work programme and also make suggestions for topics. The Scrutiny committee will consider these requests when finalising their work programme and decide who would be appropriate to invite.

It is important that the scrutiny committee ensures that it has a balanced approach when deciding on witnesses. For example, if a group with a singular remit or purpose were to be invited, it would be important to ensure that a witness with a counter argument is given the opportunity to speak, if they exist. The scrutiny committee should also explore if there are any recognised organisations with expertise in the subject area that could provide additional evidence.

The scrutiny committee should consider if the report to be considered would benefit by extending an invitation to an expert witness who can enhance the scrutiny of the report against the following wellbeing 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

Cross reference - {Protocol for Scrutiny Committee Forward Work Programmes} {Protocol for Report Requests}

Task and Finish Groups

Where Task Groups conduct investigations they may also ask people to attend to give evidence at meetings which are to be conducted in accordance with the following principles:

Cross Reference – {Task and Finish Group Protocol}

(a) That the investigation is conducted fairly and all members of the group are given the opportunity to ask questions of witnesses, and to contribute and speak.

(b) That those assisting the group by giving evidence be treated with respect and courtesy.

(c) That the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

External Advisers

External Advisers provide expert knowledge and a valuable independent perspective on the policy or service being examined as part of a scrutiny review.

An independent perspective can be achieved by co-opting a specialist on to the Task Group for the period of the review. Co-optees will sit alongside other members of the Task Group and are able to hear evidence, ask questions and contribute to the findings. They are appointed because of their specialist knowledge and/or expertise. Co-optees do not have voting rights.

Task and Finish Group External Witnesses

The Task Group will normally formally invite witnesses to a meeting after consideration and agreement at the project planning stage. The following should apply:

- There is no pre-set maximum to the number of witnesses.
- The time and commitment made by external witnesses is appreciated and the group will show all witnesses courtesy and respect at all times.
-
- Questions should be asked one at a time and witnesses should be given sufficient time to answer questions without feeling harassed or under pressure to give answers.
- Members of Scrutiny Task Groups will hear evidence from witnesses in an impartial manner and without passing judgmental comments.
- Prior to the meeting, witnesses should receive information on the background to the scrutiny review and the area of questioning.
- In order to help the Task Group do its job, contributors should present their evidence whether written or oral, in a concise clear, jargon free manner. Initials and acronyms should be avoided wherever possible.

- Where possible, witnesses should also be provided with the opportunity to provide a written submission. If received in advance of a meeting, questions of clarification will be possible.
- Following the meeting, witnesses may be asked to provide written documentation to support the answers and views that they have given.
- Any questions from either officers or external witnesses will be directed through the Chair at all times. The Chair will have final discretion on any questions put forward.
- Any written documentation must be submitted at least 48 hours prior to a Task Group meeting taking place.

Gadewir y dudalen hon yn wag yn fwriadol

SCRUTINY LEADERSHIP GROUP – 27TH OCTOBER 2016

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 proposals to carry out a self-evaluation
       and peer review, which will aim to determine the impact of the changes implemented as a
       result of the scrutiny review.

2.   SUMMARY

2.1   This report sets out the proposals to carry out a self-evaluation and peer review as agreed by
       Council in October 2015 under the Scrutiny Review. Scrutiny Leadership Group is asked to
       comment on the proposals.

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   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   In order to carry out a self-evaluation of the scrutiny function consideration should be given to
       ensuring that the methodology and robustness of the evaluation is sound. Therefore it is
       suggested that the effectiveness of scrutiny is measured against an established set of
       characteristics for good scrutiny.

4.3 It was determined by full Council in October 2013 to adopt the Outcomes and Characteristics of Effective Scrutiny in Local Government as its strategic vision for a scrutiny function. These Characteristics were developed by the Centre for Public Scrutiny and Welsh Scrutiny Officers and subsequently endorsed by Wales Audit Office (WAO) in its report 'Good Scrutiny? Good Question!'

4.4 It is suggested therefore that these characteristics are used as a basis for a questionnaire (appendix 1) to be sent to all Councillors. In addition that we invite a peer group of Councillors from neighbouring local authorities and a representative from both Wales Audit Office and WLGA to observe a minimum of two scrutiny committee meetings during November/December 2016. They would be asked to consider the scrutiny committees against the characteristics and provide an outside perspective of our scrutiny arrangements.

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 includes 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 is 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 proposals for self-evaluation and peer review.

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

Appendices:
Appendix 1 – Scrutiny Self-evaluation questionnaire

Scrutiny Self-Evaluation 2016

Please consider the following questions in respect of scrutiny at Caerphilly County Borough Council and select one response:

Scrutiny Environment			
1. Scrutiny has a clearly defined and valued role in the council's improvement arrangements.			
Strongly Disagree	Disagree	Agree	Strongly Agree
2. Scrutiny have the dedicated officer support it needs from officers.			
Strongly Disagree	Disagree	Agree	Strongly Agree
3. Scrutiny members have the training and development opportunities they need to undertake their role effectively.			
Strongly Disagree	Disagree	Agree	Strongly Agree
4. The scrutiny 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.			
Strongly Disagree	Disagree	Agree	Strongly Agree
5. Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement.			
Strongly Disagree	Disagree	Agree	Strongly Agree
Comments:			

Scrutiny Practice			
6. Scrutiny inquiries (Task & Finish Group) are non-political, methodologically sound and incorporate a wide range of evidence and perspectives.			
Strongly Disagree	Disagree	Agree	Strongly Agree
7. 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.			
Strongly Disagree	Disagree	Agree	Strongly Agree
8. Stakeholders have the ability to contribute to the development and delivery of scrutiny forward work programmes.			
Strongly Disagree	Disagree	Agree	Strongly Agree
9. Overview and scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it.			
Strongly Disagree	Disagree	Agree	Strongly Agree

10. Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.

Strongly Disagree	Disagree	Agree	Strongly Agree

11. Scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict.

Strongly Disagree	Disagree	Agree	Strongly Agree

12. Scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders.

Strongly Disagree	Disagree	Agree	Strongly Agree

Comments:

Impact of Scrutiny

13. Scrutiny regularly engages in evidence based challenge of decision makers and service providers.

Strongly Disagree	Disagree	Agree	Strongly Agree

14. Scrutiny provides viable and well evidenced solutions to recognised problems.

Strongly Disagree	Disagree	Agree	Strongly Agree

15. Non-executive members provide an evidence based check and balance to Executive decision making.

Strongly Disagree	Disagree	Agree	Strongly Agree

16. Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities.

Strongly Disagree	Disagree	Agree	Strongly Agree

17. 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.

Strongly Disagree	Disagree	Agree	Strongly Agree

Comments:

Thank you for your participation, please return form to Democratic Services Team, Penallta House

Gadewir y dudalen hon yn wag yn fwriadol