



SCRUTINY LEADERSHIP GROUP – 30TH JULY 2015

SUBJECT: SCRUTINY REVIEW 2015

REPORT BY: ACTING DIRECTOR CORPORATE SERVICES & SECTION 151 OFFICER

1. PURPOSE OF REPORT

- 1.1 To outline the findings from a review of scrutiny arrangements that was carried out to identify improvement to the operation of scrutiny. This was following the findings of the Wales Audit Office report 'Follow-up of the Special Inspection and Reports in the Public Interest', dated January 2015.

2. SUMMARY

- 2.1 This report identifies the areas for improvement identified by the workshop groups in relation to agendas, forward work programmes and witnesses, information and reports, task and finish groups, scrutiny support, the role of cabinet and scrutiny members at committee and meeting organisation and chairing skills, and finally the external scrutiny role of local authorities.

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 The Improving Governance Programme Board (IGPB) are responsible for overseeing the improvements to scrutiny recommended by the Wales Audit Office report 'Follow-up of the Special Inspection and Reports in the Public Interest', and were asked to consider the findings and recommendations identified during the review.
- 4.2 The Wales Audit Office report 'Follow-up of the Special Inspection and Reports in the Public Interest', dated January 2015 has identified further improvements scrutiny. The report recognised the work carried out under the scrutiny improvement action plan and the structural arrangements put in place. However, the report identified that the next stage is to develop the effectiveness of scrutiny and clarify its role.
- 4.3 The WAO's main findings can be summarised as:
- The Chairs and Vice Chairs of scrutiny committees have mixed views on the benefits of pre-meetings.
 - Effectiveness of scrutiny's challenge role is limited.
 - The role of scrutiny is confused.
 - Meetings are long and agendas lack focus.

- 'For Information' agenda items could be handled more efficiently outside of the formal scrutiny process.
- The Regeneration and Environment Scrutiny Committee's terms of reference are very wide which restricts the time available to discuss subjects in depth.
- Agenda items need to be prioritised and focused on the Council's priorities.
- Information provided to scrutiny is good, however, Chairs and Vice Chairs would like more use of qualitative, historical and comparative information.
- Task and Finish Groups should be used more frequently to review specific issues in more depth.
- Members want to continue to improve their scrutiny role.

4.4 In order to identify how improvements can be made a project group was set up to oversee the improvement programme, the members of the project group were:

- Gail Williams Interim Monitoring Officer & Head of Legal Services
- Angharad Price Interim Head of Democratic Services and Deputy Monitoring Officer
- Councillor Hefin David Chair Scrutiny Leadership Group
- Councillor Colin Mann Chair Democratic Services Committee
- Councillor Christine Forehead, Cabinet Member HR, Governance and Business

4.5 The aim of the improvement programme was to identify possible changes to improve the operation of scrutiny. In order to ensure that all interested parties were involved in discussing possible changes to scrutiny, four workshops were held over a two-week period and attended by 64 people. Each workshop consisted of mixed groups of Members and Officers made up of the Leader and Deputy Leaders, Scrutiny Leadership Group, Democratic Services Committee, Scrutiny Committee Members and Co-opted Members, CMT, Heads of Services and Third Tier Officers.

4.6 The purpose of the workshop was to discuss the WAO findings and to find a 'long list' of options to action those findings. The workshop groups were asked to consider the following statements:

- The Wales Audit Office stated that the effectiveness of scrutiny's challenge role is limited.
- The Wales Audit Office stated that the effectiveness and role of scrutiny is confused.
- The Wales Audit Office stated that agenda items need to be prioritised and focused on the Council's priorities.

Participants were then asked to consider the following questions:

- What are we trying to achieve?
- How can we do it?
- What are the benefits/constraints?

4.7 The workshops groups also identified some general scrutiny suggestions, as follows:

- Review terms of reference for all scrutiny committees
- Review number of scrutiny committees
- Review how & when scrutiny committees will be involved during policy development – develop guidance for officers

4.8 The feedback from the workshops has been grouped into subject headings, as follows:

Agendas

4.9 The workshops groups suggested that we develop options for revised arrangements for scrutiny agendas, to include:

- Maximum number of items for discussion.
- Prioritise agendas to focus on strategic issues (risks, corporate priorities, external Audit, Inspection & Regulation reports, performance, finance) – link to Forward Work Programme.
- Revise arrangements for report requests – set up procedure to determine priorities (matrix) that can be determined by scrutiny committee.
- Consider other means to provide information to Members e.g. seminars.
- Scrutiny Committee to decide which pre-decision reports are added to agenda – from the cabinet work programme.

4.9.1 The general consensus across all of the workshops agreed that scrutiny committee agendas are overloaded, particularly Regeneration & Environment and Policy & Resources. This has been alleviated in the short term by the change to the terms of reference of Regeneration & Environment by moving Public Protection to Health Social Care & Wellbeing Scrutiny Committee. However a long term solution is needed to ensure that scrutiny committees use their valuable time more effectively, by prioritising items to be included on agendas but also ensuring flexibility so that issues raised by Members, stakeholders and the public are considered for inclusion.

Forward Work Programmes (FWP) and Witnesses

4.10 The workshops groups suggested that:

- Scrutiny involved and engaged in developing work programmes - annual meeting to discuss year ahead to prioritise items for work programme.
- Scrutiny Committee to discuss FWP at each meeting and agree items to be added – including Member requests – need to reach consensus prioritising on key strategic issues vs. individual Member ward issues.
- Work programmes – to be balanced between interests of committee and the core function of scrutiny to hold executive to account.
- All FWPs to contain an overview of report and explain reason/outcome/objectives for scrutiny.
- Members decide if they want a cabinet report to come to scrutiny – therefore cabinet work programme needs to be available well in advance so that scrutiny can choose and contain narrative of the purpose and key issues.
- Use expert witnesses more – develop list of key organisations.
- Develop information and guidance on key witnesses further.
- Public/ Key Stakeholder engagement – develop strategy to manage, improve and support – linked to Welsh Government White Paper on work programming.
- Non-statutory co-optees have not been reviewed. Review what is their role, and appointment system.

Information

4.11 The workshops groups suggested that:

- Review how information is made available to members.
- Information reports – use other methods to inform members such as seminars, email, intranet, website or Members portal – video/podcasts.
- Officers to make themselves available for a surgery 1 hour before Council & Scrutiny for Members to drop in with concerns etc.

4.11.1 The feedback from the workshops indicated a general agreement that there needed to be an effective solution(s) to providing information to Members. It was felt that the burden on scrutiny agendas could be alleviated through reducing the number of report requests that were sometimes parochial ward issues or had no specific purpose or outcome.

Reports

4.12 The workshops groups suggested that:

- Scrutiny Committees to do less things but well, Members requests to be considered against a prioritisation matrix.
- Using a matrix should prevent 'for information reports' and ensure forward work programmes become more focused and strategic.
- Use checklist of other methods to resolve issues (see Crime & Disorder CCfA) as evidence that request is last resort.
- The matrix for reports written for Officers as well as Members.
- Remind Members of other means to resolve issues for example by contacting officers directly or via email – need to develop contact lists for issues/services on members portal or intranet.
- Minutes for all committees highlight action points when referring items to scrutiny.
- Review report structure:
 - Include key points to focus on in the report.
 - Develop summary section of report further.
 - Recommendations on front page.
 - Covering reports, short and snappy with key points.
- Review timescale for receipt of reports before meetings, can they be circulated earlier to Members – particularly large reports with detailed appendices, to allow members time to digest.
- Use exception reports for performance management.

4.12.1 It was highlighted during the workshops (as mentioned under forward work programmes) that there needs to be a manageable process to consider requests for reports. To allow the scrutiny committee to balance requests against the demands upon the work programme and allow time to focus on less issues and in more depth.

Task and Finish Groups and Scrutiny Support

4.13 The workshops groups suggested the following:

- Develop strategy for managing and supporting task and finish groups – maximum numbers, resources etc.
- Agree support arrangements for scrutiny going forward.

4.13.1 The general consensus amongst all workshop participants was that task and finish group work is an effective means of scrutinising topics in depth and developing Members understanding of issues. There was some concern that any reduction in resources for scrutiny will impact upon the support for task and finish group work and for developing the use of external witnesses at scrutiny committee meetings.

Cabinet Members & Scrutiny Members Role & Skills

4.14 The workshops groups suggested:

- Training for Cabinet Members on their role and interaction with scrutiny
- Questioning skills – mandatory training for scrutiny skills
- Each scrutiny committee to have training delivered together and include cabinet members, Directors and Heads of services.
- Carry out a Members skills and interests audit following local government election, and appoint to scrutiny according to interest and skills.
- Carry out peer review after scrutiny review changes have settled in.

Meeting Organisation & Scrutiny Chairs

4.15 The workshops groups suggested that:

- Pre-meetings review, days and times – consider if each scrutiny committee should determine its own arrangements for pre-meetings.
- Further training on making the most out of pre-meetings.
- Challenge Members who are late for pre-meetings or do not attend – through political groups.
- Training Chairs and review periodically their performance to ensure consistency.
- Training to improve chairing skills and better pre-meeting organisation.
- Chair to monitor and challenge attendance of scrutiny committee members.
- Appointment of Chairs – review current procedure.

4.15.1 The majority of Members who took part in the workshops expressed satisfaction that scrutiny committee pre-meetings were working well, helping to organise questions and providing a challenge. However a minority did feel they were not working effectively and there was some dissatisfaction that some Members were not attending pre-meetings.

External scrutiny

4.16 The workshops groups suggested:

- Explore possibility to set up Joint Scrutiny Committees for strategic overview of public sector organisations

5. EQUALITIES IMPLICATIONS

5.1 This report is for information purposes, so the Council's EqIA process does not need to be applied.

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 Scrutiny Leadership group are asked to consider the feedback and give their views.

10. REASONS FOR THE RECOMMENDATIONS

10.1 In order to respond to the recommendations in the follow up of the special inspection and reports in the public interest.

11. STATUTORY POWER

11.1 Section 21 of the Local Government Act 2000.

11.2 Local Government (Wales) Measure 2011.

Author: Catherine Forbes-Thompson Scrutiny Research Officer

Consultees: Gail Williams Interim Monitoring Officer and Head of Legal Services

Angharad Price Interim Head of Democratic Services and Deputy Monitoring Officer