



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

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 be 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.

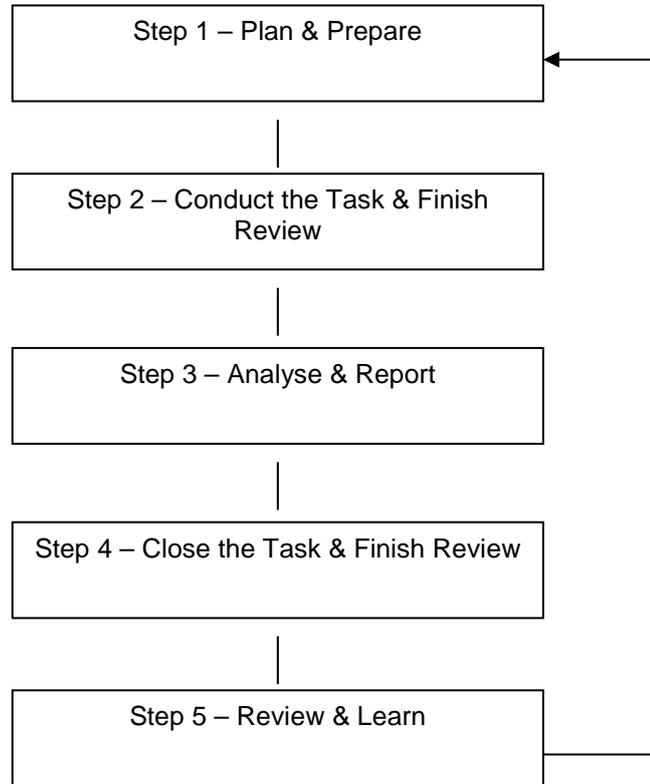
The review should also aim to add value and aim to influence and improve policy and service delivery.

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:



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.