



## **SCRUTINY LEADERSHIP GROUP**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON THURSDAY 11TH OCTOBER 2018 AT 5.00 P.M.**

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PRESENT:

Councillor J. Pritchard – Chair

Councillors:

L. Binding, D.T. Davies, G. Kirby, D. Havard, C. P. Mann, and Mrs M.E. Sargent.

Together with:

R. Edmunds (Corporate Director Education and Corporate Services), R. Tranter (Head of Legal Services and Monitoring Officer), C. Forbes-Thompson (Interim Head of Democratic Services) and E. Sullivan (Senior Committee Services Officer)

Also Present:

Mr G. Jones and Ms A. Rees (Wales Audit Office)

#### **1. APOLOGIES**

Apologies for absence were received from Councillors Mrs C. Andrews, J. Bevan, Mrs C. Forehead.

#### **2. DECLARATIONS OF INTEREST**

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

#### **3. MINUTES – 25TH JANUARY 2018**

RESOLVED that the minutes of the Scrutiny Leadership Group meeting held on the 25th January 2018 be approved as a correct record and signed by the Chair.

#### **REPORTS OF OFFICERS**

Consideration was given to the following reports.

#### **4. WALES AUDIT OFFICE REPORT – OVERVIEW AND SCRUTINY FIT FOR THE FUTURE? – CAERPHILLY COUNTY BOROUGH COUNCIL**

Mr G. Jones, Wales Audit Office (WAO) provided background on the review and the report and Members were also referred to the Corporate Response document which was tabled at the meeting.

It was noted that all 22 Councils had taken part in the review which explored how fit for the future their scrutiny functions were. The review also considered how Councils were responding to the challenges facing scrutiny around key legislation such as the Wellbeing of Future Generations Act 2015, the scrutiny of Public Service Boards and the different skills that scrutineers would require in the future. Members were advised that the review had been benchmarked against the characteristics of good scrutiny and along with the questionnaire had utilised focus groups and meeting observations. Proposals for improvement were presented in the table at page 13 of the pack and were outlined for information.

The Chair thanked Mr Jones for introducing the report and Members questions were welcomed.

Cllr D.T. Davies, Chair of Regeneration and Environment Scrutiny Committee referenced page 17 of the agenda pack and the section relating to the observation of the meeting of that committee held on the 12th December 2018. Within paragraph 23 it stated that the meeting finished at 8.00pm due to the building closure time and the final agenda item received no scrutiny. The Member emphatically refuted the statement; he advised that Scrutiny Chairs were well versed in constitutional procedures and the rules governing the suspension of standing orders which allowed a committee meeting to extend to a 9.00pm limit. In the strongest terms he argued that the report incorrectly represented the debate and scrutiny that had taken place earlier in the meeting as well as the length of the debate on the two final agenda items. He referred to the minutes of that meeting which clearly illustrated the discussions undertaken. The inference that a Member of the committee at that meeting had stated that the building closing was directly linked to the length of debate was also strongly challenged as inaccurate and a request for an apology was made for what he considered to be a clear misrepresentation of the meeting in question.

Mr Jones confirmed that an annotation had been added to the final report which referenced the Council's constitution and advised that Officers had been given the opportunity to comment on the draft report. It was also noted that the comment about the building closure had been made during one of the focus groups rather than at the meeting on the 12th December 2018. Mr Jones accepted that the report was perhaps not as balanced as it could have been, but at this point in time no adjustments could be made as the report had been finalised. However he would feedback the Members comments and review process.

The Member felt that a review would be pointless at this stage given that an erroneous report had been finalised and published within which there was a strong inference that a shortcut had been taken to allow the committee to conclude at 8.00pm, which was not the case. Other Members having read the report agreed that it did leave the impression that the comments had been made on the night and that items had been rushed in order to facilitate the buildings' closure.

Mr Jones referred Members back to the report and highlighted the opinion stated therein that 'Scrutiny Chairs managed meetings well...' and added that there was no intention to infer that scrutiny was not working within the Council. Its purpose was to analyse if the necessary tools were in place to ensure that scrutiny was fit for future challenges and those challengers were understood and taken into account by scrutineers.

Councillor L. Binding provided information on how committees managed forward work programmes, balancing agenda items and expert witnesses in order to maximise scrutiny potential. The Member referenced the use of special meetings and single item agendas for

certain reports and subjects and although he accepted that some items could run long and deviate from the remit he emphasised that Chairs actively encourage Committees to reach conclusion and make recommendations in a fair and transparent way. He added that this was not a recent development but had always happened within this Council's scrutiny process.

Members discussed training and development opportunities for scrutiny and poor attendance levels at both training sessions and the scrutiny committee meetings themselves. Reference was then made to proposal for improvement P2 'Clarifying the roles of Cabinet Members' and the use and value of the Cabinet Member statements. Discussions on the impact of not having the statements available in the public domain commenced and Members agreed that in the interest of transparency this process should be reviewed as seemed to disadvantage the public. The content of the statements was then discussed and it was agreed that if they were more of a promotional document rather than a driver for change then their relevance to the committee should also be reviewed. It was noted that certain committees whose remit fell within several Cabinet portfolios could have more than one Cabinet Member addressing scrutiny which had an impact on committee time.

In reviewing future challenges Mr Jones confirmed that although focus groups were aware of the various reviews and had expanded on activities such as attending meetings, reading papers etc. there was no clear view on what they anticipated to be coming forward for the next few years, for example future funding solutions, implications for services, joint scrutiny arrangements particularly arising from partner organisation such as City Deal and Public Services Board. There was also not a large amount of feedback with regard to the Wellbeing of Future Generations and the five ways of working.

Training on the Wellbeing of Future Generation was queried and it was confirmed that it had formed part of the Induction Programme but this session had been aimed at an introductory level targeted at newly elected Councillors. However it was further complemented by introductory training for each individual scrutiny committee. It was noted that the Health Social Care and Wellbeing Scrutiny Committee had also received a dedicated presentation from the Director of Social Services sharing the challenges for the service area for the next twelve months. Members discussed the possible review of the current annual training programme to include a briefing of this kind for all service areas. Members agreed that scrutiny and its impact can be a complex concept for newly elected Councillors to get to grips with and this practice might assist, perhaps expanding the session to two hours rather than the customary half hour to an hour.

The proposals for improvements were outlined and the Interim Head of Democratic Services confirmed that some of the actions had already been completed. Certain elements of the training referred to, had been scheduled as part of the requested training programme and were available to all Councillors not just those on scrutiny. Further training on the Wellbeing of Future Generations would be also be organised on an annual basis after each Annual General Meeting of Council.

Following on from this the Officer confirmed that workshops would be organised with Councillors and Officers to establish a way forward to improve scrutiny and from this an action plan would be developed which would then be monitored by the Scrutiny Leadership Group. A further self evaluation questionnaire would be circulated with questions benchmarked against the nationally recognised characteristics of good scrutiny.

Members requested that when the comments of this committee are taken back to Wales Audit Office that feedback is provided on any outcomes. Members also requested that in future any draft audit reports in relation to scrutiny are circulated to Scrutiny Leadership Group and Committee Chairs for comment before a corporate response is submitted. Mr Jones confirmed that the WAO were mindful that it took time to embed process and that some of the work relating to the identified areas of improvement would be completed over a period of time, therefore it would be some time before a re-visit was scheduled. Mr Jones assured Members

that their comments had been taken on board, would be taken back and there had been no intentional criticism of Chairs or Councillors.

Having fully considered the report, the review and the corporate response it was moved and seconded that the recommendation contained within the report and the aforementioned additional recommendations be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (i) the Wales Audit Report 'Overview and Scrutiny – Fit for Purpose' be noted;
- (ii) the proposals in respect of the 2018 self-evaluation process be approved;
- (iii) Scrutiny Leadership Group be consulted on any future audit reports before the submission of a corporate response;
- (iv) Cabinet Members Statements be reviewed;
- (v) Annual Training for Scrutiny be reviewed.

## **5. MEMBER ATTENDANCE AT SCRUTINY PRE-MEETINGS**

The Interim Head of Democratic Services introduced the report which detailed the level of Members attendance at pre-meetings for each Scrutiny Committee.

In presenting the statistics the Officer confirmed that had a Member arrived late for pre-meeting they had not been included within the data. Members reviewed the figures and noted that there were no stand out anomalies with similar attendance levels achieved at pre-meeting and formal committee.

Members discussed attendance levels and it was noted that all Councillors attendance information was available on-line and therefore could be monitored by the individual political groups. It was noted that Chairs have previously emailed Committee Members directly on this issue and it was agreed that given the hard decisions coming forward this practice might be worth repeating.

The Officer sought confirmation as to whether to committee wished to continue with the monitoring process and Members agreed that there was no need to extend the monitoring period.

Having fully considered the report and it was moved and seconded that the recommendation contained there be approved and by show of hands this was unanimously agreed.

RESOLVED that the report be noted.

The meeting closed at 18.00 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the next appropriate meeting they were signed by the Chair.

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CHAIR