

CITY AND COUNTY OF SWANSEA

MINUTES OF THE SCRUTINY PROGRAMME COMMITTEE

HELD AT ON MONDAY, 4 AUGUST 2014 AT 4.30 PM

PRESENT: Councillor A M Day (Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
A M Cook	E W Fitzgerald	J W Jones
D W Cole	J E C Harris	P M Meara
J P Curtice	T J Hennegan	R V Smith
N J Davies	A J Jones	M Thomas
P Downing		

Officers:

J Hooper	- Directorate Lawyer
D McKenna	- Overview and Scrutiny Manager
B Madahar	- Overview and Scrutiny Co-ordinator
S Woon	- Democratic Services Officer

31 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Mr D Anderson-Thomas and Mrs S Joiner.

32 **DISCLOSURES OF PERSONAL & PREJUDICIAL INTEREST.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests was declared:

Councillor M Thomas - personal - Minute Nos. 35 and 36 – Cabinet Member Question Session – Wellbeing Portfolio and Scrutiny Panel Progress Report – Wellbeing Portfolio. My wife works for the Authority in Adult Social Services. My Mother uses Adult Social Services. Councillor M Thomas stated that he had dispensation from the Standards Committee.

33 **PROHIBITION OF WHIPPED VOTES AND DECLARATION OF PARTY WHIPS.**

In accordance with the Local Government (Wales) Measure 2011, no declarations of Whipped Votes or Party Whips were declared.

34 **MINUTES:**

RESOLVED that the Minutes of the Scrutiny Programme Committee held on 7 July, 2014, be agreed as a correct record.

The Committee were updated on the following:

Minute no. 22 – WAO Report – Good Scrutiny? Good Question!

A Wales Audit Office representative was available to attend the next meeting on 1 September, 2014.

Minute no. 23 – Cabinet Member Question Session – Cabinet Member for Opportunities for Children and Young People

The Chair would write to the Cabinet Member following the presentation by the Director of People at today's meeting in order to include the committee's views about the draft Children and Young People's Rights Scheme.

Minute no. 28 – Forward Look (Cabinet Business) – Opportunities for Pre-Decision Scrutiny

The Cabinet Member for Citizen, Community Engagement and Democracy would attend the next meeting for the Cabinet Member Question Session and therefore issues surrounding forward look and opportunities for pre decision scrutiny would be discussed during that session.

35 **CABINET MEMBER QUESTION SESSION - WELLBEING PORTFOLIO.**

The Committee took the opportunity to question Councillor M C Child on his work having responsibility and accountability as Cabinet Member for Wellbeing.

The Cabinet Member provided an update on work he had undertaken, providing details on supported housing; affordable housing; children and family services; adult services, western bay and healthy cities.

The Committee asked questions in relation to portfolio objectives and developments, focussing on key activities, achievements and impact.

Key issues arising from discussion included:

- With regard to Western Bay, issues in relation to political accountability were highlighted.
- Information on 'all Wales' new parameters are awaited along with Welsh Government guidance in relation to standardising social services outcomes.
- Performance data in respect of Community Connections need to be developed.
- The need to monitor timescales in relation to disabled facilities grants and concentrate on the issues that can be dealt with quickly.
- The need to examine deadlines in relation to external organisations providing information for Case Conference outcomes.
- Affordable housing and the need to resolve issues with developers and planning and explore new models.

- The next key milestones in relation to the Transformation of Adult Social Services.

RESOLVED that the Chair of the Committee writes a letter to the Cabinet Member reflecting on the discussion and sharing the views of the Committee.

36 **SCRUTINY PERFORMANCE PANEL PROGRESS REPORT - WELLBEING PORTFOLIO.**

The Convenor of the Wellbeing Scrutiny Performance Panel presented the Panel Update and sought agreement to the recommendations contained in the letter dated 17 July, 2014 to the Scrutiny Programme Committee.

He referred to the concerns raised by Members of the Wellbeing Panel regarding workload and the capacity of the panel to ensure that scrutiny of performance of both adult and child and family services was focussed and robust.

A discussion ensued regarding the lack of performance data in respect of adult social services; the implications of the transformation of adult social services and the need for clear terms of reference.

The committee considered recommendations from the Panel, presented by the convener, Cllr Paxton Hood-Williams, about improving the effectiveness of scrutiny of these areas. The Cabinet Member for Wellbeing also was present to contribute to the discussion. He stated that he welcomed a Panel that solely examined Child and Family Services as it is important that the focus remains.

A decision was taken to make changes to the Wellbeing Panel.

The Committee's response to other issues raised by the Wellbeing Panel were:

- Pre-decision scrutiny on cabinet business is a matter for the Scrutiny Programme Committee to agree. However, Panels can draw items to the Committee's attention and the Committee can delegate specific items to Performance Panels for deliberation.
- The Committee will give consideration to how scrutiny of the Western Bay Health & Social Care Regional Programme can be developed. It was noted that a presentation has been arranged for all councillors on 13 August on the Western Bay Health and Social Care Programme and why it has been established, who is involved and what it is aiming to achieve. The committee would await this meeting and then consider way forward in relation to scrutiny of the Western Bay arrangements.
- The issue raised about the consultation on changes to the services for people with learning disabilities was noted – the Cabinet Member clarified the purpose of the consultation and current position. The committee felt there was scope for this area (e.g. service options) to be subject of future discussion by the new TASS Panel, as at this point the Cabinet Member confirmed there were no immediate changes proposed.

- The Cabinet Member acknowledged shortcomings in information / consultation with regard to members on the TASS programme and accepted this needed to be improved.

The committee thanked Wellbeing Panel members for their work.

RESOLVED that the work of the existing Wellbeing Panel be split as follows:

1. a separate Child & Family Services Scrutiny Performance Panel be established;
2. creation of a separate Panel with a specific remit to focus on the Transforming Adult Social Services (TASS) agenda (looking at the change process and providing critical friend challenge to the proposed or anticipated improvements). This Panel will consider the outcome of the independent review into older people's services due to report in early September and how it will be used to progress the transformation of services, and inform budget discussions.
3. As the Inquiry work of this Panel comes to an end, it will be set up as an Adult Social Services Performance Panel, and Terms of Reference will be changed to reflect this change.

37 **CHILDREN AND YOUNG PEOPLE'S RIGHTS SCHEME.**

The Director of People presented the Children and Young People's Rights Scheme for Swansea which set out arrangements to ensure compliance of the United Nations Convention on the Rights of the Child (1989) (UNCRC).

The report was considered by Cabinet on 29 July, 2014 and approval was given to commence the public consultation exercise.

Members noted the background of the Scheme and the work undertaken by Officers and external organisations. An operational decision had been made in relation to impact assessments within the existing equality impact assessments.

The Scheme was supported across the Council and a training programme was being devised.

Youth participation officers have commenced the consultation process with a group of young people and notification letters have been sent to all key partners (third sector organisations and statutory organisations).

The role of scrutiny was detailed to ensure compliance in addition to the work of Swansea University who would also be acting as a critical friend.

Members' questions focussed on the robustness of the Scheme; the impact on existing budgets; training; monitoring outcomes; engaging children and any possible conflicts of interest in future decisions.

In response to Member questions the Director of People confirmed that:

- the implementation of the Scheme which would be done within existing budgets, with individual champions from each department within the Council reprioritising workloads to ensure the development of the Scheme was achieved.
- Training had been provided by the Welsh Government free of charge.
- Feedback from Estyn had been positive. Children having more confidence and a greater understanding of welfare and child protection issues. Processes for measuring outcomes were being developed.
- In relation to engagement with children, Schools were working closely with the voluntary sector partners and this created a better variety of networks.

It was noted that a letter had been received from the Welsh Government praising work model for across Wales.

RESOLVED that the views of the committee be included in a letter to the Cabinet Member for Opportunities for Children & Young People.

38 **FINAL SCRUTINY INQUIRY REPORT**

Councillor Jeff Jones, convenor of the Inward Investment Scrutiny Inquiry, presented the final report and sought approval to agree the report for submission to Cabinet.

Councillor J W Jones detailed the aims of the inquiry, the evidence considered, and the conclusions and recommendations. He praised Panel Members and the Scrutiny Officer for their work.

The Committee debated the report and asked questions of Councillor J W Jones who responded accordingly.

Some issues discussed:

- importance of access to the council for potential investors (being able to speak to right people)
- the value of both big and small investment (e.g. micro-business, support to local graduates to keep skills / knowledge in Swansea)
- the importance of attracting the right kind of business
- geographical distance from large centres not significant – it's more about good communication networks
- selling what Swansea has to offer
- having a 'can do' approach

The Committee thanked the Panel for its work.

RESOLVED that the report proceed to Cabinet.

39 **SCRUTINY ANNUAL REPORT 2013 - 14.**

The Chair presented the Scrutiny Annual Report 2013-2014.

The committee agreed an addition to the foreword proposed by the chair in relation to issues about the consideration of Scrutiny Dispatches at Council:

'While Swansea's Scrutiny arrangements have been receiving recognition from outside the Council, the Committee has been concerned to provide for the opportunity for the profile of scrutiny to be raised at Council meetings and for important topics to be discussed. While the Scrutiny Dispatches continue to appear on each Council Summons, and despite clarification from the Chair of Council that questions can be raised, there is confusion about the report's status as it is marked 'For Information Only'. As Chair of the Scrutiny programme Committee, I recommend to Council that the profile of scrutiny can be raised by having a clear opportunity for discussion and debate at Council.'

RESOLVED that the report be **AGREED**.

40 **SCRUTINY WORK PROGRAMME 2014 - 15**

The Chair presented the Scrutiny Work Programme 2014/15. The report explained the background and purpose of the Scrutiny Work Programme and the current position of all scrutiny activities. The Work Programme referred to the work currently active, showing progress with the established Scrutiny Panels and Working Groups. The Work Plan Timetable for future Committee meetings was also provided.

The Overview and Scrutiny Manager referred to the manner in which in-depth pieces of work are dealt. A discussion ensued regarding the impact and benefits of working groups as opposed to inquiry panels. Members felt that a clear focus for the meeting was important along with better research and information. It was agreed to adopt a new approach - every piece of scrutiny work starting off as a working group – with an in-depth inquiry only following if the group recommended it and were able to suggest appropriate terms of reference to the committee (including key question to be explored, evidence gathering that might be necessary and timescales). The 'working group' approach will involve a detailed presentation of the subject matter at the outset (with advice from relevant cabinet members / officers and provision of existing research & information) which will enable opinion and proposals to be submitted to cabinet member(s) if these can be clearly expressed at that point, with no further work needed, or help inform decisions about the focus of any inquiry that is necessary.

It was felt this would help to achieve more focused and potentially quicker pieces of scrutiny, and provide flexibility to deal with things in different ways rather than follow a rigid in-depth inquiry process, depending on the issue. It could also improve impact as the experience of recent working groups have shown more impact with a single hit than some of the in-depth pieces of work.

The Chair reported on a public request for scrutiny in relation to Welsh Medium primary school provision in Swansea West and in the light of the cabinet member providing a response to the member of the public suggested to the committee agreed that no action was necessary.

The Chair also acknowledged receipt of 2 requests from other councillors. One asked for scrutiny to look at the policy adopted by council regarding transport to faith schools and impact on budgets of schools facing possible increase in numbers. One related to the handing of corporate complaints and procedures. It was acknowledged that further information was necessary before the committee could consider whether and how to include these in the work programme.

A question was raised about the follow up to the Public Transport Inquiry and lack of date. It was agreed to contact the convener of the Panel to progress this.

RESOLVED that:

- 1 the Scrutiny Committee Work Plan Timetable and Plan for future Meetings ahead be accepted;
- 2 the progress of established Panels and Working Groups attached at Appendix 2 of the report be noted;
- 3 Revised working arrangements be put into place in relation to inquiries / working groups;
- 4 Corporate Culture (along with the suggested Panel brief) be taken forward as an inquiry topic adopting the new approach;
- 5 No action be taken in relation to the public request for scrutiny on Welsh medium education.

41 **MEMBERSHIP OF SCRUTINY PANELS AND WORKING GROUPS.**

The Chair presented a report which advised of changes required to the membership of Scrutiny Panels and Working Groups.

RESOLVED that the following membership changes be agreed:

1. **Car Parking Scrutiny Working Group**
REMOVE Councillor Cheryl Philpott
ADD Councillor David Cole

42 **SCRUTINY LETTERS:**

The Chair reported the updated Scrutiny Letters Log and referred to the recent correspondence between Scrutiny and Cabinet Members:

- a Letter to/from Cabinet Member for Anti Poverty (Committee Meeting – 14 April 2014)
- b Letter to/from Cabinet Member for Wellbeing (Wellbeing Performance Panel Meeting – 2 June 2014)
- c Letter to/from Cabinet Member for Place (Committee Meeting – 9 June 2014)

The committee noted receipt of amended letter from Cllr June Burtonshaw which confirmed that the issue of the Quality Bus Contract was still being considered and

that the outcome of discussions once a decision has been taken would be shared with the committee.

- d Letter to/from Cabinet Member for Finance & Resources (Service Improvement & Finance Performance Panel – 11 June)
- e Letter to Cabinet Member for Learning & Skills (Schools Performance Panel Meeting – 3 July 2014)

A discussion ensued regarding the letter from Cabinet Member for Place in respect of developing partnerships with the Bus Company.

RESOLVED that the:

1. above letters and action log be noted;
2. the Chair correspond further with the Cabinet Member for Place on the issue of public transport.

43 **SCRUTINY DISPATCHES - AUGUST 2014**

The Chair reported the draft Scrutiny Dispatches for agreement.

RESOLVED that the contents of the report be agreed and submitted to Council on 9 September 2014.

44 **DATE AND TIME OF FUTURE MEETINGS FOR 2014/15 MUNICIPAL YEAR (ALL AT 4.30PM EXCEPT WHERE NOTED):**

The dates and times of future meetings for 2014/15 Municipal Year were submitted for information.

The meeting ended at 6.59 pm

CHAIR