

Report of the Chair

Scrutiny Programme Committee – 1 September 2014

SCRUTINY WORK PROGRAMME 2014-15

Purpose	This report explains the background and purpose of the scrutiny work programme, and current position of all scrutiny activities. The report helps the committee to manage the work of scrutiny to ensure that the work programme is as effective as possible. The report also presents some proposals for agreement.
Content	The scrutiny work programme is attached which refers to work currently active, showing progress with the established Scrutiny Panels and Working Groups. A work plan timetable for future committee meetings is also included. A draft Inquiry Panel brief is also attached for agreement.
Councillors are being asked to	<ul style="list-style-type: none">• accept or make changes to the committee's work plan timetable, and plan for the meetings ahead (<i>Appendix 1</i>)• review progress of established Panels and Working Groups (<i>Appendix 2 & 3</i>)• approve the draft Performance Panel brief (<i>Appendix 5</i>)• consider response to public / councillors requests for scrutiny• consider the information about future cabinet business and any opportunities for pre-decision scrutiny (<i>Appendix 6</i>)
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Lead Officer	Dean Taylor, Director – Corporate Services
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1. Introduction

1.1 The Scrutiny Programme Committee is responsible for developing the Council's scrutiny work programme, and managing the overall work of scrutiny to ensure that it is as effective as possible.

1.2 The broad aims of the scrutiny function are to carry out a significant and constructive programme of activities that will:

- help improve services
- provide an effective challenge to the executive
- engage members in the development of policies, strategies and plans
- engage the public

1.3 At the same time the committee must ensure that the work of scrutiny is:

- manageable, realistic and achievable given resources available to support activities
- relevant to corporate priorities and focused on significant areas
- adding value and having maximum impact
- coordinated and avoids duplication

1.4 The scrutiny work programme is guided by the overriding principle that the work of scrutiny should be strategic and significant, focussed on issues of concern, and represent a good use of scrutiny time and resources.

2. **Methods of Working**

2.1 The work of scrutiny is undertaken primarily in three ways – through the committee itself and by establishing informal panels (for in-depth activities) or one-off working groups:

- **Formal committee meetings** – as well as managing the overall work programme, the committee will focus on holding Cabinet Members to account by holding formal questioning sessions, and provide challenge on specific themes over the course of the year - this may cover a broad range of policy and service issues. Matters considered at committee meetings will typically be ‘one-off’ opportunities for questions, which will result in the committee communicating findings, views and recommendations for improvement through chairs letters to cabinet members, and where appropriate by producing reports.
- **Informal panels** – Scrutiny panels are established, with conveners appointed by the committee, to carry out in-depth inquiries (sometimes referred to as reviews) or undertake in-depth monitoring of particular services. The use of panels helps to ensure that scrutiny can be flexible and responsive to issues of concern:
 - a) Inquiry Panels: to undertake discrete in-depth inquiries into specific and significant areas of concern on a task and finish basis. These would be significant topics where scrutiny can make a real difference. Inquiry panels will produce a final report at the end of the inquiry with conclusions and recommendations, informed by the evidence gathered.

The committee has agreed to adopt a new approach in that every piece of scrutiny work suggested for inquiry, will start off as a 'working group' – with an in-depth inquiry only following if the group agreed it was necessary and could suggest appropriate terms of reference to the committee (including key question that is 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.

b) Performance Panels: to provide in-depth monitoring and challenge for clearly defined service areas. Performance panels are expected to have on-going correspondence with relevant cabinet members in order to share views and recommendations, arising from monitoring activities, about services.

- **Informal working groups** – Although the majority of scrutiny work is carried out through the committee and panels, the committee can also establish informal working groups of councillors. This supports flexible working where it has been agreed that a matter should be carried out outside of the committee but does not necessitate the establishment of a Panel. This method of working is intended to be light-touch – effectively a one-off meeting to consider a specific report or information, resulting in a letter to relevant Cabinet Member(s) with views and recommendations.

2.2 The new approach outlined above should 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.

2.3 Non executive councillors who are not members of the committee have the opportunity to participate in panels and other informal task and finish groups. New panel / working group topics, once agreed, are advertised to all non executive councillors and expressions of interest sought. The membership of panels and working groups is then determined by the committee. More than one political group should be represented on each panel / working groups. These bodies also need to be of a manageable size in terms of team working and effective questioning. A minimum of 3 members should be present at all meetings.

3. The Committee Work Plan

- 3.1 An up-to-date work plan timetable for committee meetings, based on the agreed work plan, is attached as **Appendix 1**.
- 3.2 The committee's own work plan will remain under constant review to ensure it is robust and effective. An updated work plan timetable will assist forward planning and help the committee to manage workloads and review progress made.
- 3.3 Members should always review and confirm items for the next and future meetings giving specific consideration to who should attend and confirm expectations so that meetings are always well planned and prepared for, e.g. information required and key questions that the committee wishes to ask.
- 3.4 The committee will have the opportunity to introduce issues of concern and review priorities, as and when they arise.

4. Scrutiny Panels and Working Groups

- 4.1 To facilitate monitoring of the overall scrutiny work programme **Appendix 2** provides a snapshot of the informal Panels and Working Groups that have been established by the committee.
- 4.2 **Appendix 3** provides a summary of progress with these current scrutiny activities.
- 4.3 For further information about the work of specific panels / groups a contact list of lead scrutiny members and officers is contained in **Appendix 4**.

5. New Panels / Working Groups

- 5.1 At the last meeting the committee agreed a number of changes to the work programme:
 - 5.1.1 To split the work of the current Wellbeing Performance Panel as follows:
 - a) a separate **Child & Family Services Scrutiny Performance Panel** be established. The Panel will monitor and challenge assessments on service performance on an ongoing basis. Although improvements have been reported continued monitoring of this critical area is necessary. However, it is suggested that this Panel would only be required to meet between 4-6 times a year. Draft Terms of Reference are attached at **Appendix 5** for agreement.

- b) 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. This will start off as a 'working group' to gain a greater understanding of the background and develop the scope and terms of reference to determine how the Panel should operate. 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.

NB – we have been alerted by the Centre for Public Scrutiny to a project they are doing on transformation and commissioning and they are inviting bids that will involve receiving their support, which could benefit this Panel's work. This could be a good opportunity to bring in some external help and guidance for this scrutiny to ensure that it can add some value to what is obviously a challenging and critical agenda. We are in discussion with the Centre for Public Scrutiny about this project and the committee will be updated on any possible bid. Legal advice will be sought as necessary e.g. potential conflicts of interest.

- 5.1.2 To establish a pre-inquiry working group on **Corporate Culture**. A possible inquiry could look at the culture of the organisation and influences, and explore how changes can help tackle the challenges being faced, e.g. demand management, reduced resources and rising expectations. This could involve looking at innovative approaches / models implemented elsewhere and drawing lessons that could be applied in Swansea. If the group agrees an inquiry is necessary terms of reference will need to be put to the committee for agreement before the Panel can proceed.
- 5.2 Pre-inquiry working groups will need to consider issues around access to appropriate documentation and evidence that will inform deliberations and how quality is monitored in the area under scrutiny.
- 5.3 Expressions of interest to participate in these activities, as well as the Working Groups previously agreed were invited from all scrutiny councillors. The membership and conveners of these various bodies will need to be confirmed by the committee and are reported separately under Item 9.

6. Monitoring the Work Programme

- 6.1 A report is provided to each meeting to enable the committee to maintain an overview of all scrutiny activities to ensure that the work programme is co-ordinated and effective. In particular the committee will monitor progress of work undertaken by the informal Panels and Working Groups and findings to ensure that this work is effective and has the required visibility. Performance Panel conveners will be asked to attend the committee on a regular basis to provide updates and enable discussion on key activities and impact.

7. Public / Councillor Requests for Scrutiny

- 7.1 At the last meeting the committee was informed of correspondence received from 2 councillors with suggestions for scrutiny.

a) to look at the policy adopted by council regarding transport to faith schools and impact on budgets of schools facing possible increase in numbers.

b) relating to the handling of corporate complaints and procedures

- 7.2 The committee needs to consider whether and how to include the above in the work programme.
- 7.3 Further information is being sought and a proposal will be brought to the committee.

8. Pre-Decision Scrutiny

- 8.1 To facilitate the ability to undertake pre-decision scrutiny a forward look document showing future cabinet business is made available to scrutiny. An internal 'Forward Look' document is maintained by Democratic Services and covers reports to both Cabinet and Council. Attached as **Appendix 6** is an extract from this document showing upcoming cabinet decision reports.
- 8.2 This information is already made available to all scrutiny councillors on a weekly basis and any councillor can make a request for pre-decision scrutiny.
- 8.3 If further information is sought about the content that would help inform whether pre-decision scrutiny should be formally requested on a particular matter then this should be identified as soon as possible and will be referred to the relevant Cabinet Member for response.
- 8.4 If the committee identifies any particular matter for pre-decision scrutiny a discussion with the Cabinet Member will be necessary in order to consider timescales and window of opportunity for scrutiny involvement. This may necessitate a special committee meeting.

8.5 To ensure the best use of time and resources it is assumed that pre-decision scrutiny will take place on an exceptional basis - decisions that may have big significance, thinking about things like:

- strategic impact
- public interest
- significant financial implications

9. Financial Implications

9.1 Any costs that arise out of work plan activities, for example expenses for witnesses or transport costs, are not envisaged to be significant and will be contained within the existing Scrutiny Budget.

10. Legal Implications

10.1 There are no specific legal implications raised by this report.

Background papers: None

Date: 21 August 2014

Legal Officer: Nigel Havard
Finance Officer: Carl Billingsley

Appendices:

Appendix 1: The Committee Work Plan 2013/14
Appendix 2: Scrutiny Activity Timetable
Appendix 3: Progress of Panels and Working Groups
Appendix 4: Scrutiny Councillor / Officer Leads
Appendix 5: Draft Performance Panel Brief
Appendix 6: Forward Look (Cabinet Business)