

Report of the Vice-Chair

Scrutiny Programme Committee – 22 December 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.
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 for review.
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>)• consider the information on future cabinet business and any opportunities for pre-decision scrutiny (<i>Appendix 5</i>)• consider the public suggestion for scrutiny (Section 7)• note actions in relation to developing the relationship with the Audit Committee and Democratic Services Committee (Section 9)
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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 aim of the scrutiny function is:

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; and
- 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:

a) **Formal committee meetings** – as well as developing and 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.

b) **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:

i) 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.

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.

ii) 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.

c) **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 This arrangement should help to achieve more focused and potentially quicker pieces of scrutiny, and provide flexibility to deal with things in different ways depending on the issue, and improve impact.

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 workload 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. **Appendix 3** provides a summary of progress with these current scrutiny activities.
- 4.2 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. Future Inquiries

- 5.1 At the last meeting the committee noted that there was capacity for further inquiries to be undertaken and selected two further topics based on previously identified areas of priority:

a) School Governance

An inquiry could potentially look at how the effectiveness of school governance can be improved. It would enable scrutiny councillors to explore: the role and responsibility of governors; and issues relating to recruitment and the support they are given.

b) Child & Adolescent Mental Health Services

An inquiry could potentially look at the effectiveness of the provision of mental health services to children and young people, especially with reducing resources and increased demand for CAMHS (Child & Adolescent Mental Health Services). It would enable scrutiny councillors to: find about the extent of the problem in Swansea and access to services; look at the effectiveness of multi-agency working in delivering such services; and consider what improvements could be made.

(As previously agreed a pre-inquiry working group would be the first step for any new topic and will allow the group to propose terms of reference of any inquiry for the committee to endorse)

- 5.2 Expressions of interest to participate in this work were invited from all scrutiny councillors. The membership and conveners of these various bodies will need to be confirmed by the committee (see separate report under Item 10).

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 The Cabinet Member Question Session generated some discussion on Twitter before, during and after the last meeting. A member of the public tweeted a suggestion for scrutiny in response to tweets relating to the last Scrutiny Programme Committee when the Leader, Cllr Rob Stewart attended.

- 7.2 The following tweets were directed at scrutiny:

@Partickvictoria wrote on 25 November:

*@SwanseaScrutiny @SwanseaCouncil how about some scrutiny re the intention to include school playgrounds in the LDP?
@ParklandsField*

@sarah_er_rees wrote on 28 November:

*@SwanseaScrutiny where is engagement and consultation with children and under-represented groups re school land sale?
@ParklandsField*

- 7.3 The scrutiny team responded that suggestions would be passed on as well as directing both members of the public to our web pages about making requests for scrutiny and inviting further information.

- 7.4 Although further contact / information has not been received the committee should note the feedback generated from its work as a positive outcome from using social media to engage the public, and is invited to consider the suggestion made at this stage.

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 5** is an extract from this document showing upcoming cabinet decision reports. 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.
- 8.2 If further information is sought about future cabinet business 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.
- 8.3 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. The committee may also deem it appropriate to delegate pre-decision scrutiny of a specific matter to a Scrutiny Panel, as in the case of the report on 'Everyone's IT: The Move to an In-House Managed ICT Service' which was considered by the Service Improvement & Finance Scrutiny Performance Panel ahead of discussion at Cabinet on 16 December.
- 8.4 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
- 8.5 Pre-decision scrutiny would enable the Committee to develop understanding and ask questions about a proposed cabinet report to provide 'critical friend' challenge and influence decision-making, for example:
- the rationale for the report
 - robustness of the proposed decision and decision-making process
 - potential impact and implications (including policy/budget issues) and risks
 - how different options have been considered
 - the extent of consultation undertaken

9. Developing the Relationship between Scrutiny and the Audit Committee and Democratic Services Committee

9.1 The chair of Scrutiny Programme Committee recently met with the chair of the Audit Committee and convener of the Service Improvement & Finance Performance Panel to discuss how the relationship between scrutiny and the Audit Committee could be developed in order for:

- Mutual awareness and understanding of the work of scrutiny and audit committee
- Respective work plans to be coordinated and avoid duplication / gaps
- Clear mechanism for referral of issues, if necessary

9.2 The recent report by the Williams Commission highlights the importance of scrutiny and other improvement processes being 'complementary, clearly aligned and mutually reinforcing' to 'increase their effectiveness in driving improvement while reducing the complexity that they create' (Williams, 2014, *Commission on Public Service Governance and Delivery*, para. 2.28). This is also reiterated in the 'Good Scrutiny? Good Question!' report which was published in May 2014.

9.3 The follow actions were agreed:

- i) Chair of Scrutiny Programme Committee / Convener of Service Improvement & Finance Scrutiny Performance Panel to be copied into Audit Committee agenda and vice versa
- ii) Scrutiny Work Programme / Service Improvement & Finance Panel Work Plan to be published in Audit Committee agenda for information and vice versa
- iii) At least once a year chair of Scrutiny Programme Committee to appear at Audit Committee to share work plan and for a 'health-check' and vice-versa
- iv) Audit Committee chair to be invited to Annual Scrutiny Work Planning Conference
- v) Chairs to raise any issues re. coordination / duplication on ongoing basis
- vi) Where matters to be referred from Audit Committee chair should write letter to chair of Scrutiny Programme Committee

9.4 There is further work to do in developing the relationship with external audit, inspection and review bodies, for example interacting with and utilising their work to help inform and shape scrutiny work programmes, building on learning highlighted as evidence for inquiries, considering how their findings are reported to scrutiny etc.

9.5 There has been a discussion within the Democratic Services Committee about its relationship with scrutiny and the role of the Head of Democratic Services. In light of the discussions the following measures were agreed by the Democratic Services Committee on 3 December:

- i) Democratic Services Committee Annual Report - This will include a section on Democratic Services and Scrutiny, Team Structures, Meetings, Training and associated issues. This will be presented to the Democratic Services Committee and to Council annually.
- ii) Quarterly Meetings between Chair of Democratic Services, Chair of Scrutiny Programme Committee, Councillor Support and Development Member Champion, Head of Democratic Services and the Scrutiny Manager.
- iii) Six monthly presentations to the Scrutiny Programme Committee by the Chair & Vice-Chair of Democratic Services and Head of Democratic Services.
- iv) Six monthly presentations to the Democratic Services Committee by the Chair & Vice-Chair of Scrutiny Programme Committee and Scrutiny Manager.

10. Financial Implications

10.1 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.

11. Legal Implications

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

Background papers: None

Date: 16 December 2014

Legal Officer: Nigel Havard
Finance Officer: Paul Cridland

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: Forward Look (Cabinet Business)