

Report of the Chair

Scrutiny Programme Committee – 13 June 2016

SCRUTINY WORK PROGRAMME 2016/17

Purpose	This report explains the background and purpose of the scrutiny work programme. The report invites the committee to consider the scrutiny work programme for the year ahead taking into account feedback from the recent Scrutiny Work Planning Conference.
Content	The proposed work programme is attached, including a plan for future committee meetings, which shows the topics that will be examined by scrutiny through various Panels and Working Groups. It includes work that needs to be carried over, either because of its importance or because work is incomplete, as well as proposed new topics.
Councillors are being asked to	<ul style="list-style-type: none">• agree the scrutiny work programme for 2016/17, in particular :<ul style="list-style-type: none">- the proposed committee work plan (appendix 1)- identify 2 new inquiry topics (appendix 7)- identify up to 5 new working group topics (appendix 7)• plan for the committee meetings ahead• review progress of established Panels and Working Groups• consider the information on future cabinet business and any opportunities for pre-decision scrutiny
Lead Councillor	Councillor Mary Jones, Chair of the Scrutiny Programme Committee
Lead Officer	Mike Hawes, Corporate Director (Resources)
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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:

- 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 council priorities and focused on significant areas
- adding value and having maximum impact
- coordinated and avoids duplication

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 developing and managing the overall work programme and keeping an oversight on all scrutiny activities, the committee will focus on holding Cabinet Members to account by holding formal questioning sessions, and provide challenge on a broad range of policy and service issues over the course of the year. 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 and members appointed by the committee, to carry out in-depth inquiries 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 are expected to take no longer than six months to complete and will produce a final report at the end of the inquiry with conclusions and recommendations for Cabinet (and other decision-makers), informed by the evidence gathered.

A pre-inquiry Working Group is arranged at the start of any proposed inquiry. The Working Group will receive a detailed presentation of the subject matter, with advice from relevant Cabinet Members / officers, and existing research and information available. This will enable the Working Group to determine whether an in-depth inquiry is necessary and inform decisions about its focus. If so, the Working Group will develop and report appropriate terms of reference (including the key question / line of inquiry, and timescales) to the committee for agreement. Alternatively, the Working Group

may agree that no further work is needed, but can submit opinion and proposals to Cabinet Member(s) as required.

Inquiry Panels will reconvene to follow up on implementation of agreed recommendations and cabinet action plans, and the impact of their work – usually 6-12 months following cabinet decision, with a further follow up arranged if required.

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. Performance Panel conveners are required to provide the committee with regular progress reports on the work and impact of their Panels.

- ***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 These arrangements help to achieve more focused scrutiny activity 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 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 group. 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.

2.4 Although much of the work of scrutiny is carried out by informal Panels and Working Groups these meetings are accessible to the public. Agendas, reports, letters relating to all scrutiny activities are published on-line: <http://swansea.gov.uk/scrutinypublications>.

3. Proposed Scrutiny Work Programme 2016/17

3.1 Scrutiny Programme Committee:

3.1.1 The proposed committee work plan for the year ahead is attached as **Appendix 1**. This includes a schedule of future Cabinet Member Question & Answer Sessions.

3.1.2 The committee 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. Committee members will 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. The committee will have the opportunity to review priorities and introduce issues of concern as and when they arise, e.g. pre-decision scrutiny which may require extra meetings.

3.1.3 Pre-decision scrutiny – this is carried out by the committee unless delegated elsewhere. The committee is invited to consider the available information on future cabinet business and any opportunities for pre-decision scrutiny, taking into account strategic impact, public interest, and financial implications (see Forward Look attached as **Appendix 2**). Any requests will require discussion with relevant Cabinet Member(s) to confirm timescales and window of opportunity for scrutiny involvement. Pre-decision scrutiny enables scrutiny to develop understanding about and ask questions on proposed Cabinet reports to provide ‘critical friend’ challenge and influence decision-making.

3.1.4 Commissioning Reviews – it has been acknowledged that reports about the various commissioning reviews that are planned over the next year are key cabinet decisions and should be subject to scrutiny. There is a general agreement that all Commissioning Reviews will undergo pre-decision scrutiny. This will be carried out via the committee or relevant Panels as appropriate. This work will need to be scheduled into respective work plans. The following commissioning reviews are expected:

Commissioning Review	Cabinet Portfolio	Cabinet	Pre-decision by Scrutiny Panel / Committee
Waste Management	David Hopkins	June	Service Improvement & Finance
Corporate Building & Property	Rob Stewart / Andrea Lewis	August	Service Improvement & Finance
Highways & Transportation	David Hopkins	September	Service Improvement & Finance

All Residential and Day Care Services provided via: Learning Disability; Mental Health; Physical Disability Services	Jane Harris	October	Adult Social Services
Family Support	Christine Richards / Mark Child	November	Child & Family Services
Parks and Cleansing	David Hopkins / Mark Child	November	Service Improvement & Finance
Alternative Learning Needs /Special Education Needs	Jennifer Raynor	December	Schools
All Housing & Public Protection	Andrea Lewis / Mark Child	tbc	Service Improvement & Finance
Planning Services/Economic Development/City Centre	Robert Francis Davies	February 2017	Service Improvement & Finance

3.2 Inquiry Panels:

3.2.1 The following Inquiry Panels are currently active:

In progress (yet to report):	Completed (follow up stage)
1. Child & Adolescent Mental Health Services (final report stage) - Expected End: Jun/Jul 2016 2. Building Sustainable Communities (final report stage) – Expected End: Jun/Jul 2016 3. Tackling Poverty (planning stage) – Expected End: Dec 2016	1. Social Care at Home (Jun/Jul 2016) 2. Corporate Culture (Jul 2016) 3. Education Inclusion (Oct 2015) 4. School Governance (cabinet decision awaited)

3.2.2 The committee is invited to identify 2 new inquiry topics taking into account feedback from the annual work planning conference held on 12 May (see section 4 of this report).

3.3 Performance Panels:

3.3.1 The following Performance Panels are now well established, with work ongoing:

1. Service Improvement & Finance 2. Schools	3. Child & Family Services
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3.3.2 The following new Performance Panels were established by the committee in April:

4. Public Services Board – supersedes the Local Service Board Performance Panel in accordance with new legislative requirements
5. Adult Social Services – following the conclusion of the Transformation of Adult Social Services Panel

3.3.3 No further Performance Panels are proposed.

3.4 Working Groups:

3.4.1 The following Working Groups are currently live and will meet during the year ahead:

1. Local Flood Risk Management <i>(the committee has agreed that this Working Group should meet annually to review flood risk plans)</i>	3. Tethered Horses <i>(the Working Group is meeting to consider the Cabinet Member response to its findings and recommendations)</i>
2. Civic Events <i>(the Convener requested a follow-up meeting to address a number of issues that the Working Group felt needed further consideration)</i>	

3.4.2 The committee is invited to identify up to 5 new working group topics taking into account feedback from the annual work planning conference held on 12 May (see section 4 of this report).

3.5 Regional Scrutiny:

3.5.1 Swansea scrutiny is also involved in a regional scrutiny arrangement with the six councils participating in the 'Education Through Regional Working' (ERW) school improvement consortium. A scrutiny councillors group has been set up in order to coordinate scrutiny work across the region and ensure a consistent approach. It is initially meeting bi-annually. The Swansea Scrutiny Team is providing support for this group as the Council's contribution to ERW. Swansea is represented by the chair of the Scrutiny Programme Committee and convener of the Schools Performance Panel. The next meeting taking place in September 2016 will be hosted by Pembrokeshire Council.

3.6 **Appendix 3a & 3b** provide a snapshot of progress with all of the informal Panels and Working Groups established by the committee to carry out specific activities, and current position.

3.7 For further information a contact list for lead scrutiny members and officers is also contained in **Appendix 4**.

4. **Work Planning Conference**

4.1 A Scrutiny Work Planning Conference took place on 12 May and was attended by 16 scrutiny councillors, 5 co-opted members and the Chair of the Audit Committee. The conference papers are attached (**Appendix 5**).

4.2 Those in attendance were asked to think about what topics scrutiny should focus on in the year ahead, considering whether anything important was missing from current work, and whether the balance was right across Cabinet portfolios.

4.3 A range of perspectives were considered, including:

- Review of last year's work plan
- The council's corporate priorities (provided by Mike Hawes – Corporate Director for Resources)
- Suggestions and ideas from councillors, cabinet members, staff, partners, and the public (gathered from the annual scrutiny survey)

4.4 Those present shared views about the work programme and their priorities for the year ahead.

4.4.1 The main topics coming out of the discussions were:

- **Collaboration** – how effective is it? How could the Council's collaboration with its partners be improved?
- **Preparedness for School** – This is one of the key challenges for Swansea as a Healthy City but is the Council getting this right? How can support for 0-3 year olds be improved so that they arrive at school ready to learn?
- **Corporate Building Services** – Does it offer value for money?
- **Digital Inclusion** – Many council services will be digital in future but is the quality of services being preserved? How can we ensure that people who are not being excluded from services once they become digital?
- **Housing Strategy** – The Council has ambitious plans for meeting housing need through building new homes but how realistic are these plans? How can housing needs best be met?

4.4.2 Other topic suggestions included:

- Deprivation of liberty safeguards
- Vibrant and viable city centre
- Job creation
- Community cohesion
- Safeguarding
- Estates / asset management
- School transport
- Residents parking
- Planning
- Well-being of Future Generations Act

4.4.3 A complete summary of the topics suggested at the conference is attached as **Appendix 6**.

4.5 The committee should consider what additional work should be included in the work programme. This should be 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.

- 4.6 The committee recognises the importance of aligning scrutiny work more closely to the corporate priorities. The committee also wants to ensure that there is a good coverage of scrutiny activity across all cabinet portfolios.

Proposals for New Work:

- 4.7 Taking into account feedback from the conference, proposals for new work are attached as **Appendix 7** for consideration. This includes options for in-depth inquiries and working groups and topics appropriate for referral to existing performance panels. Within these options the committee is reminded of topics identified from the previous work programme but not started. The committee may also wish to consider whether there are topics that may work best as all-scrutiny councillor events, with a 'scrutiny seminar' type approach.
- 4.8 Further guidance about selecting / prioritising topics is attached as **Appendix 8**.
- 4.9 Prioritisation of scrutiny activities is vital in view of limited scrutiny time and resources. Aligning the amount of scrutiny with available resources will help to sharpen the focus on the quality of scrutiny and impact. The committee should recognise that a limited number of panels and working groups can be supported in any given year, keeping a degree of flexibility to adapt to issues that may emerge during the year.

5. Public Requests for Scrutiny / Councillor Calls for Action

- 5.1 In accordance with the Local Government (Wales) Measure 2011 the Scrutiny Programme Committee has agreed arrangements to deal with requests for scrutiny from individual councillors (who are not members of the committee) and/or members of the public.
- 5.2 Councillors who are not on the Scrutiny Programme Committee who have suggestions for scrutiny during the course of the year should make these known to the chair and vice-chair of the Scrutiny Programme Committee for consideration. However for a more formal route there is the Councillor Call for Action (CCfA). CCfAs specifically enable councillors to refer issues of local importance to an overview and scrutiny committee, however as a means of "last resort" in a broad sense, with issues being raised at a scrutiny committee after other avenues have been explored.
- 5.3 Members of the public are able to make requests for scrutiny by contacting the Scrutiny Team in writing detailing the issue of concern, its impact, and suggested action.

- 5.4 In accordance with the agreed protocol for both councillor calls for action and public requests for scrutiny the chair of the Scrutiny Programme Committee will consider any requests received and bring about proposals to deal with these to the committee for consideration.

6. Support

- 6.1 The work of the Committee, Panels and Working Groups will have the dedicated support of a member of the Council's Scrutiny Unit. This lead scrutiny officer will project manage scrutiny activities and help to ensure that things runs smoothly, for example for in-depth inquiries they will:

- contact and arrange witness sessions
- carry out and assist with any consultation and public engagement exercises
- carry out research on behalf of the Committee
- help to keep the work to time
- capture and reflect back the ideas, evidence gathered and any key issues that have been highlighted
- assist in the compilation of final reports

- 6.2 The Executive Board and Service Departments are also an essential source of advice and support. Engagement with departments will be important in providing context for areas of work, knowledge about policies and service delivery, and technical expertise.

7. Monitoring the Work Programme

- 7.1 A report will be provided to each meeting to enable the committee to maintain an overview of agreed scrutiny activities, monitor progress, and coordinate work as necessary. 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.

- 7.2 To ensure awareness and avoidance of duplication with the work of Cabinet Advisory Committees (CAC) it may be beneficial for the committee to receive information about CAC work plans.

8. Financial Implications

- 8.1 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.

9. Legal Implications

- 9.1 There are no specific legal implications raised by this report.

Background papers: None

Legal Officer: Wendy Parkin

Finance Officer: Paul Cridland

Appendices:

Appendix 1: Proposed Committee Work Plan 2016/17

Appendix 2: Forward Look (Cabinet Business)

Appendix 3a: Current Scrutiny Work Programme Timetable 2016/17

Appendix 3b: Progress of Panels and Working Groups

Appendix 4: Scrutiny Councillor / Officer Leads

Appendix 5: Scrutiny Work Planning Conference Papers

Appendix 6: Work Planning Conference - Group Feedback on Topics

Appendix 7 - Proposals for New Work for 2016/17

Appendix 8: Scrutiny Work Planning Guidance