

Report of the Chair

Scrutiny Programme Committee – 10 April 2017

ANNUAL WORK PROGRAMME REVIEW 2016/17

Purpose	This is the last scheduled meeting of the committee of this council year, and council term. This report is to help councillors take stock of the work done this year and reflect on the experience. The committee may also want to consider what topics might be looked at by scrutiny in the new council year.
Content	The scrutiny work programme is described and reviewed. The work completed by the committee is attached together with a summary of the established scrutiny panels and working groups.
Councillors are being asked to	<ul style="list-style-type: none">• consider the effectiveness of the scrutiny work programme• consider how well the committee has worked this year• identify any topics that might be looked at by scrutiny in future
Lead Councillor(s)	Councillor Mary Jones, Chair of the Scrutiny Programme Committee
Lead Officer(s)	Mike Hawes, Director – Resources
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1. Introduction

- 1.1 Being the final scheduled meeting of this council year it is good practice for the committee to look back on the year's work and consider its effectiveness. This report is to help councillors take stock of the work done this year and reflect on the experience, and the committee may also want to identify future scrutiny topics.

2. Scrutiny Arrangements

- 2.1 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

2.2 The council's scrutiny arrangements, agreed by Council in October 2012, aimed to achieve the following:

- All work to be managed by a single Scrutiny Programme Committee through a single work plan. This will ensure that work is cross cutting and not restricted to departmental silos.
- Specific work will be undertaken both through the committee and by establishing informal panels (for in-depth activities) or working groups.
- The Chair of the Scrutiny Programme Committee shall maintain overall responsibility for the work and timetable for scrutiny, and ensuring that the work is carried out, in conjunction with the committee itself.
- All backbench councillors should have the opportunity to participate in scrutiny work regardless of committee membership.

2.3 The terms of reference of the Scrutiny Programme Committee are attached as **Appendix 1**.

3. Work Planning

3.1 The committee has needed to ensure that the work of scrutiny is:

- manageable, realistic and achievable given resources available
- relevant to council priorities
- adding value and having maximum impact
- coordinated and avoids duplication

3.2 A Scrutiny Work Planning Conference took place on 12 May 2016 and was attended by 16 scrutiny councillors, 5 co-opted members (including members of the Standards Committee) and the Chair of the Audit Committee.

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

3.4 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)

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

- 3.6 Taking into account feedback from the conference, the committee considered what additional work should be included in the work programme. This was 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.
- 3.7 The committee recognised the importance of aligning scrutiny work more closely to the corporate priorities. The committee also wanted to ensure that there was a good coverage of scrutiny activity across all cabinet portfolios.
- 3.8 A proposed work programme was discussed by the committee in June 2016 i.e. the topics that should be examined through various panels and working groups as well as a plan for future committee meetings. The work programme included work that was ongoing or already committed, either because of its importance or because work was incomplete, as well as new topics.
- 3.9 Non-executive councillors who are not members of the committee were given the opportunity to participate in panels and other informal task and finish groups. New scrutiny topics, once agreed, were advertised to all non executive councillors and expressions of interest sought. The membership of panels and working groups were then determined by the committee.

4. Summary of Work Completed

- 4.1 The work of scrutiny has been carried out primarily in three ways – through the committee itself and by establishing informal panels (for in-depth activities) or one-off working groups.

4.1.1 Formal Committee Meetings

- 4.1.2 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. A report was provided to each meeting to enable the committee to maintain an overview of agreed scrutiny activities (including the work undertaken by the informal Panels and Working Groups established), monitor progress, and coordinate work as necessary.

- 4.1.3 As well as developing and managing the overall work programme and keeping an oversight on all scrutiny activities, the committee has focussed on holding Cabinet Members to account by holding formal questioning sessions and providing challenge on a broad range of policy and service issues over the course of the year. This has resulted in the committee communicating findings, views and recommendations for improvement through chair's letters to Cabinet Members. A copy of this year's completed committee work plan is attached as **Appendix 2**.

4.1.4 The work can be summarised as follows:

- Cabinet Member Questioning Sessions

The committee held all 10 Cabinet Members to account by holding a series of question sessions throughout the year. This has enabled the committee to explore their work, looking at priorities, actions, achievements and impact.

- Crime & Disorder Scrutiny

The Scrutiny Programme Committee is designated as the Council's Crime & Disorder Committee under the Police & Justice Act 2006. The committee met with Chief Superintendent Martin Jones (South Wales Police) and Chris Sivers (Director – People) about the Safer Swansea Partnership to discuss progress on Safer Swansea Partnership Performance with questioning on plans, performance, and challenges.

- Final Inquiry Reports

The following inquiries were completed over the last year. The committee formally agreed the final inquiry reports, produced by Panels, for submission to cabinet for decision:

Inquiry	Report to Cabinet	Cabinet Decision	Recommendations		
			Agreed	Partly	Rejected
Building Sustainable Communities	20 Oct 2016	19 Jan 2017	10	0	0
Child & Adolescent Mental Health Services	20 Oct 2016	16 Feb 2017	13	1	1
Tackling Poverty	16 Mar 2017	awaited			
School Readiness	tba following SPC approval on 5 Apr	awaited			

A response to the following inquiries (completed during 2015-16) was also received in the last year:

Inquiry	Report to Cabinet	Cabinet Decision	Recommendations		
			Agreed	Partly	Rejected
Gypsy Traveller Site Search Process	18 Feb 2016	21 Jul 2016	5	0	0

School Governance	18 Mar 2016	16 Jun 2016	6	2	4
			4 actions already in place		

- Chair's Letters - these are an established way for scrutiny to communicate findings, views and recommendations for improvement directly to Cabinet Members, reflecting discussion at meetings. Letters sent by the committee and working groups, and those by panels where required action from the committee, and Cabinet Member responses were published within the Scrutiny Programme Committee agenda for discussion. Response times are being monitored and currently (as at 30 Mar) show the average response time being 19 days (against target of 21 days). Of the 42 letters which required a response 66% have been responded to within time.
- Scrutiny Dispatches – the committee produced a quarterly summary of the headlines from the work of scrutiny for council and the public, which focussed on impact and how scrutiny is making a difference. It was reported to Council in September and November and March. Using Scrutiny Dispatches as a mechanism for internal and external communication of activity has resulted in greater media coverage both in the Evening Post and Swansea Bay Radio. This is one of the agreed improvement outcomes for scrutiny. Scrutiny Dispatches is proving to be a valuable way to support and shape media coverage in the future.
- Pre-decision Scrutiny – Taking into account strategic impact, public interest, and financial implications., 9 cabinet reports were subject to pre-decision scrutiny:

Report	Cabinet Member	Cabinet Meeting	Undertaken by
Waste Management Commissioning Review	Environment & Transportation	16 Jun 2016	Service Improvement & Finance Panel
Castle Square – Development & Public Realm Opportunity	Enterprise, Development & Regeneration	16 Jun 2016	Committee
Corporate Building & Property Services Commissioning Review	Next Generation Services	18 Aug 2016	Service Improvement & Finance Panel
Parks & Cleansing Commissioning Review	Environment & Transportation and Wellbeing & Healthy City	15 Dec 2016	Service Improvement & Finance Panel
Budget	Finance & Strategy	9 Feb 2017	Service Improvement & Finance Panel
Domestic Abuse Commissioning Review	Services for Children & Young People	16 Feb 2017	Child & Family Services Panel

Family Support (Under 11s and Over 11s Cluster)	Services for Children & Young People	16 Mar 2017	Child & Family Services Panel
Castle Square Development & Public Realm Opportunities	Enterprise, Development & Regeneration	16 Mar	Committee
Swansea City Centre Regeneration – Funding & Delivery Strategy	Enterprise, Development & Regeneration	16 Mar	Committee (focus on accommodation strategy)

- Referrals from Council (or other bodies) – None
- Coordination with Audit Committee – the Chair of Audit attended to share the work plan of Audit Committee for discussion to ensure mutual awareness and understanding of respective work plans and co-ordination. Likewise the Chair of the Scrutiny Programme Committee also attended the Audit Committee. The work plan of the Audit Committee has been a standing item on the committee agenda.

Other Reports:

- Annual Corporate Safeguarding Report
- Scrutiny Annual Report for 2015/16
- Scrutiny Councillor Support & Development
- Guidance for Co-opted Scrutiny Members
- Annual Local Government Performance Bulletin 2015/16
- Council Priorities: Update from Director - Resources
- Children & Young People's Rights Scheme – Compliance & Progress
- Sustainable Swansea – Cross Cutting Proposals
- Oceana Building – Asbestos Survey / Contract Award & Financial Implications
- Scrutiny Performance Panel conveners provided progress reports on the work and impact of their Panels.

4.2.1 Informal Scrutiny Panels and Working Groups

4.2.2 A number of scrutiny panels were 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 ensured that scrutiny was both 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 would 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.

The following Inquiry Panels met over the last year:

Inquiry	Status
Building Sustainable Communities	Complete
Child & Adolescent Mental Health Services	Complete
Tackling Poverty	Complete
School Readiness	Complete

(NB – An inquiry into partnerships and collaboration was agreed but was placed on hold due to available time and resources)

Follow up of Previous Scrutiny Inquiries – Inquiry Panels reconvene to follow up on the implementation of agreed recommendations and cabinet action plans, and the impact of their work. A meeting will usually be held 6-12 months following cabinet decision, with a further follow up arranged if required. The following previous scrutiny inquiries were followed up during the year:

Inquiry	Monitoring Status
Corporate Culture	Complete
Social Care at Home	Complete
Education Inclusion	Complete

- 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 have also been required to provide the committee with regular progress reports on the work of their Panels.

Five Performance Panels have been established and met over the last year:

- Service Improvement & Finance
- Schools
- Child & Family Services
- Adult Services
- Local Service Board (*multi-agency Panel*)

4.2.3 Working Groups - Although the majority of scrutiny work would be carried out through the committee and panels, the committee can also established informal working groups of councillors. This has supported flexible working where it had been agreed that a matter should be carried out outside of the committee but did not necessitate the establishment of a Panel. This method of working was intended to be light-touch – effectively a one-off meeting to consider a specific report

or information, resulting in a letter to the relevant Cabinet Member(s) with views and recommendations.

Working Group meetings took place during the last year to look at the following:

- Planning
- Houses in Multiple Occupation
- Local Flood Risk Management
- Digital Inclusion

4.2.4 Scrutiny of Regional Bodies:

Education through Regional Working (ERW):

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 was set up in 2015/16 in order to coordinate scrutiny work across the region and ensure a consistent approach. At present this involves two meetings per year. Swansea is represented by the Chair of the Scrutiny Programme Committee and Convener of the Schools Performance Panel. Meetings took place in September 2016 (hosted by Pembrokeshire Council) and February 2017 (hosted by Ceredigion Council).

The Swansea Scrutiny Team is providing the support for this group as the Council's contribution to ERW.

4.2.5 **Appendix 3a and 3b** provides a snapshot of progress with the informal panels and working groups established by the committee to carry out specific activities and their current position. For further information a contact list for lead scrutiny members and officers is also contained in **Appendix 4**.

4.2.6 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 and letters relating to all scrutiny activities are published on-line: <http://swansea.gov.uk/scrutinypublications>.

5. **Public Requests for Scrutiny**

5.1 In accordance with the Local Government (Wales) Measure 2011 the Scrutiny Programme Committee has a protocol to deal with requests for scrutiny from individual councillors (who are not members of the committee) and/or members of the public.

5.2 Also, councillor calls for action (CCfA) 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 In accordance with these protocols, the chair of the Scrutiny Programme Committee is required to consider any requests received and bring about a proposal about how to deal with these to the committee for consideration.

5.4 Over the year the committee considered 1 public request for scrutiny:

- Houses in Multiple Occupation - this related to concerns about the numbers and control of HMOs in Swansea, and in particular the spread of HMOs into the east side due to the new University campus, and effect on local areas. This was added to the work programme and a Working Group was set up to discuss this topic.

5.5 Requests for scrutiny from councillors other than committee members were also made, regarding:

- Oceana Building Demolition: Concern about financial implications as described in a report to Cabinet on 20 October. Although this request was initially not agreed the committee subsequently held a discussion on this matter in March 2017, focused on the asbestos survey / contract award and implications.
- Renewable Energy: This would enable information and discussion / questions on the Council's aims and objectives, development projects / initiatives, and progress in the promotion and use of renewable energy. This topic is relevant to the aims of the Wellbeing of Future Generations Act and sustainable development. Concern was raised in particular with clarity about the output of renewable energy installations. This was added to the list of future Working Groups.

5.6 Additionally, correspondence was received by the scrutiny team from members of the public and was dealt with as follows by the chair:

- Cutting of Trees at 'Bolgoed Field', Pontarddulais / Impact on Bat Roosts: Correspondence referred to relevant Cabinet Members / officers. Member of public advised of Council's Corporate Complaints Procedure if considered necessary.
- Parc y Werin / Proposed New Primary School Build: Correspondence opposing the new school build and concern about impact on the park referred to Monitoring Officer given current legal process (application for village green status / inquiry).

6. Developing the Work Programme for 2017/18 and beyond

6.1 A Work Planning Conference will take place in the new municipal year that will help the committee to consider and identify priorities for scrutiny for the coming year. All scrutiny councillors will be invited to participate in this. As well as new topics the work programme for

2017/18 will need to consider the continuation of current activities because of their importance or because work may be incomplete.

6.2 Work Outstanding

The following work may need to be carried over from the current work plan:

- Inquiry Panels (identified by not started)
 - Partnerships & Collaboration (*this inquiry was placed on hold due to available time and resources. It has been suggested this could look at how the Council could improve its approach to partnership working and collaboration to help achieve the outcomes of the Well Being of Future Generations Act*)
- Follow up of Previous Scrutiny Inquiries
 - School Governance
 - Building Sustainable Communities
 - Child & Adolescent Mental Health Services
 - Tackling Poverty (cabinet decision awaited)
 - School Readiness (cabinet decision awaited)
- Performance Panels
 - Service Improvement & Finance
 - Schools
 - Child & Family Services
 - Adult Social Services
 - Public Services Board (*multi-agency Panel*)
- Working Groups
 - Local Flood Risk Management (*the committee has agreed that this Working Group should meet annually to review flood risk plans*)

Previously identified:

 - Roads / Highway Maintenance
 - Corporate Building Services
 - Dog Fouling
 - Renewable Energy
- Other
 - ERW Scrutiny Councillor Group (twice a year)
- Any suggestions arising from this year's scrutiny work to feed into the next Work Planning Conference.

- 6.3 Commissioning Reviews – it has been agreed by the committee that final reports on all commissioning reviews should be subject to 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.
- 6.4 The Committee is invited to share ideas about any other topics that might need to be looked at by scrutiny in future.
- 6.5 The first scheduled meeting of the Scrutiny Programme Committee in the new council year is expected to be 12 June 2017.

7. **The Scrutiny Experience**

- 7.1 The committee will recall that the flexible approach to scrutiny in Swansea, which has attracted interest from other councils, was recognised nationally when the City and County of Swansea was shortlisted for a Municipal Journal Award in the category of Excellence in Governance and Scrutiny. Unfortunately we did not claim the top prize but to be shortlisted for this award was a real achievement and shows how far we have come.
- 7.2 As the committee reaches the conclusion of the year's work it is good practice to reflect on achievements and issues that have arisen. Committee members are encouraged to share their views on how process and practice can be improved, thinking of experiences both positive and negative.
- 7.3 The following questions may be worth considering:
- What has worked particularly well?
 - What has not worked so well?
 - Has scrutiny focused on the right things?
 - What could be improved about the committee?
 - What would help you develop as a scrutineer?
- 7.4 A range of relevant statistics about scrutiny activity covering the last year is attached as **Appendix 5** to help the committee consider the performance of scrutiny. Member attendance at the committee is noted as 68%, which means on average 11 out of 16 Councillors were present across the 11 meetings held to date this year.
- 7.5 The annual councillor scrutiny survey was also issued during February and March to all councillors. As well as gauging general perceptions and getting views to inform improvements to the way scrutiny works in the future, the survey was also designed to capture councillor's ideas about what the scrutiny work programme should look like – these will be fed into the scrutiny work planning conference that will take place in the new municipal year. 35 survey responses were received. This includes 27 out of the 62 non-executive councillors (43%). The full results of the survey are attached as **Appendix 6**.

Some points to note from the councillor survey:

- 97.2% stated they had a good understanding of scrutiny
- 88.5% stated that scrutiny arrangements are working well
- 94.2% agreed that non-executive members have good opportunities to participate in scrutiny
- 94.3% felt that scrutiny activities are well-planned
- 85.8% felt that scrutiny provides regular challenge to decision-makers
- Most valued: the ability to question cabinet members; and flexibility to hold in-depth inquiries as well as one-off meetings to look at issues of concern.
- As well as to ask questions, many people engaged with scrutiny because of the opportunity to influence.
- Areas for improvement, include:
 - quality of information
 - participation of more councillors
 - time of meetings
 - cabinet responses to scrutiny / cabinet scrutiny relationship

The results will be captured in the Scrutiny Annual Report, including trends over the last few years, which will be drafted in the next few months. This will also include results from the staff / partner survey which is currently running.

8. Improving Scrutiny

8.1 The various improvement activities can be summarised as follows:

8.1.1 Scrutiny Annual Report:

The Scrutiny Annual Report for 2015/16 was agreed in July 2016. The report supports continuous improvement for the scrutiny function. The committee has identified a simplified set of improvement outcomes to provide a focus for scrutiny. Progress against these is outlined below:

1. We need to talk more to cabinet members so that we can plan better and ensure that our work is making a difference

Comment: An informal meeting between the Cabinet Member for Transformation & Performance and Chair of the Scrutiny Programme Committee took place to discuss cabinet business and the interface with scrutiny. This enabled some issues relating to the pre-decision scrutiny process to be resolved.

2. We need to align the work of scrutiny more closely to the five corporate priorities so that we can focus and impact on the things that matter.

Comment: The Committee established new Inquiry Panels on School Readiness and Partnerships & Collaboration. The work of scrutiny over the past year has also focussed on the Sustainable Swansea Programme, with all Commissioning Reviews undergoing pre-decision scrutiny. The committee also considered an annual report on corporate safeguarding. It is also having a regular dialogue with the Director – Resources about corporate priorities to ensure the work programme is looking at the right things.

3. We need more briefings and development sessions so that we have the knowledge and skills we need

Comment: The committee discussed support and development needs during the year. Members welcomed more e-learning opportunities and identified the need for a training session on questioning skills, to ensure the right questions are asked and questioning is robust. Scrutiny training is to be delivered as part of the Councillor Induction Programme following the council election in May.

4. We need more coverage in the media so that the public are more aware of our work

Comment: The 'Scrutiny Dispatches' quarterly report is written in a more newsworthy style, and with assistance from the Communications Team press releases have been developed for media coverage. The last year has seen greater media coverage of scrutiny activities and impact, in the South Wales Evening Post, BBC Wales online, and Swansea Bay Radio. Seven topics looked at by scrutiny have featured, including Child & Adolescent Mental Health Services.

5. We need more members of the public contributing to scrutiny meetings so that we can reflect their views in our work

Comment: In addition to inviting questions for Cabinet Member Q & A sessions and requests for scrutiny, the committee agenda now includes a public question time. We are seeing people in the public gallery at almost 20% of scrutiny meetings (51 observers in total). Similarly around 20% of scrutiny agendas have an element of public input (e.g. reporting public views), and almost 10% of meetings are generating press coverage. This is the first year we have collected this information so will look with interest at progress in future years.

6. We need closer links with regulators and inspectors so that we can provide a more coordinated and effective challenge

Comment: We still need to discuss with Wales Audit Office links between our work plans, mutual awareness and use of audit / scrutiny findings. It appears that regulator and inspectors are now actively seeking the involvement of scrutiny councillors in their work e.g. invitations to attend performance review meetings alongside cabinet members and officers, and this is welcomed.

8.1.2 Training & Development Sessions:

Training received by scrutiny councillors during the year:

- Councillors Holley and Hood-Williams attended a seminar arranged by the Wales Audit Office on 'The Future of Governance: Effective Decision Making for Current and Future Generations'. It focused on the implications of the Wellbeing of Future Generations Act on running, delivering and holding public services to account, and skills and behaviours needed.
- All scrutiny councillors were invited to attend a Poverty Awareness Workshop, delivered as background to the Tackling Poverty Scrutiny Inquiry.

9. Scrutiny Annual Report

- 9.1 The key achievements from the scrutiny work carried out over the past year will be featured in the Scrutiny Annual Report which will be published in the next few months.

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

Legal Officer: Wendy Parkin

Finance Officer: Paul Cridland

Appendices:

Appendix 1: Scrutiny Programme Committee Terms of Reference

Appendix 2: The Committee's Completed Work Plan 2016/17

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

Appendix 3b: Progress of Panels and Working Groups

Appendix 4: Scrutiny Councillor / Officer Leads

Appendix 5: Scrutiny Performance Data

Appendix 6: Annual Councillor Scrutiny Survey Results