

Report of the Chair

Scrutiny Programme Committee – 10 July 2017

SCRUTINY WORK PROGRAMME 2017/18

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	A proposed work programme is attached, which shows the topics that will be examined by scrutiny through various Panels and Working Groups. A plan for future committee meetings is also proposed.
Councillors are being asked to	<ul style="list-style-type: none">• agree the scrutiny work programme for 2017/18 (<i>appendix 3</i>), in particular :<ul style="list-style-type: none">- the proposed committee work plan (<i>appendix 4</i>)- Inquiry topics and order of priority (<i>para. 4.4</i>)- Performance Panels to be established and appointment of conveners (<i>para. 4.5</i>)- Working Group topics (<i>para. 4.6</i>)• plan for the committee meetings ahead• consider the information on future cabinet business and any opportunities for pre-decision scrutiny (<i>appendix 5</i>)
Lead Councillor	Councillor Mary Jones, Chair of the Scrutiny Programme Committee
Lead Officer	Head of Legal, Democratic Services and Business Intelligence
Report Author	Brij Madahar, Scrutiny Team Leader Tel: 01792 637257 E-mail: brij.madahar@swansea.gov.uk

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 such scrutiny activities will be published, in the same manner as the committee, on the Council's modern.gov online platform:

<https://democracy.swansea.gov.uk/ieDocHome.aspx?bcr=1&LLL=0>

3. Work Planning Conference

- 3.1 A Scrutiny Work Planning Conference took place on 19 June and was attended by 19 scrutiny councillors, and the Chair of the Audit Committee. The conference papers are attached (**Appendix 1**).
- 3.2 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 thinking, and achieving a balance of scrutiny across all Cabinet portfolios.
- 3.3 A range of perspectives were considered, including:
 - Review of last year's work plan
 - The council's corporate priorities (provided by Phil Roberts – Chief Executive)
 - Suggestions and ideas from councillors, staff/partners gathered from the annual scrutiny survey, and the public (Swansea Voices and other corporate consultations)
- 3.4 Those present shared views about the work programme and their priorities for the year ahead. There was clear support for a continued focus on Education and Social Services
- 3.5 The main topics coming out of the group discussions were:
 - Regeneration
 - Bus Services / Public Transport
 - Resilience and Emergency Planning
 - Community Cohesion
 - Care and Management of the Natural Environment
 - Public Toilets
- 3.6 A number of other topic suggestions were made. A complete summary of the topics suggested at the conference is attached as **Appendix 2**. Consideration has been given as to how these can be incorporated into the work programme.
- 3.7 The committee now needs to discuss and agree the work programme for 2017/8. 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.
- 3.8 The committee should also recognise the importance of aligning scrutiny work more closely to the corporate priorities, but retaining a balance so there is room to look at issues of community concern. The committee should consider whether there will be good coverage of scrutiny activity across all cabinet portfolios.

4. Proposed Scrutiny Work Programme 2016/17

4.1 Overall Programme

4.1.1 Taking into account feedback from the conference, overall scrutiny work programme proposals are set out in **Appendix 3** for consideration. This also shows topic suggestions which are more appropriate for referral to Performance Panels or can be picked up via Cabinet Member Q & A sessions or through other planned work.

4.1.2 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.

4.1.3. The following paragraphs break down the proposed work programme by specific ways of working.

4.2 Scrutiny Programme Committee:

4.2.1 The proposed committee work plan for the year ahead is attached as **Appendix 4**.

4.2.2 As a main feature of committee business the plan includes a schedule of future Cabinet Member Question & Answer Sessions. These provide opportunity to ask cabinet member to give public account for their work and be held to account for their decision-making and issues under their responsibility. The questioning will be focused on their priorities, actions, achievements and impact. It also provides a place where the committee can follow up on any recommendations which may have been made to cabinet members by recent Scrutiny Working Groups, which no longer meet. This includes the following topics: **Planning, Houses in Multiple Occupation**.

4.2.3 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 should 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.

- 4.2.4 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 5**). 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.
- 4.2.5 Commissioning Reviews – it has already 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. The following commissioning reviews are expected in the next three months. Therefore scrutiny arrangements for these will need to be scheduled into work plans.

Commissioning Review	Cabinet Portfolio	Expected Cabinet Meeting
Catering Services	Service Transformation & Business Operations	17 Aug
Highways & Transportation Service	Environment Services / Commercial Opportunities & Innovation	tbc
City Regeneration & Planning	Culture, Tourism & Major Projects	tbc
Family Support	Health & Wellbeing	tbc
Public Protection	Environment Services	tbc
Additional Learning Needs	Children, Education & Lifelong Learning	tbc

- 4.2.6 As there is a report on Catering Services scheduled for 17 August cabinet meeting it could be dealt with at the committee meeting scheduled for 14 August.

- 4.3 Proposed Panel and Working Groups - taking into account feedback from the Work Planning Conference and relevant considerations (e.g. what makes a good work programme and good topic for scrutiny, resources to support activities) the following Panels and Working Groups are proposed:

4.4 Inquiry Panels:

- 4.4.1 The committee is asked to agree the establishment of the following in-depth task and finish Inquiry Panels:

1. Regional Working

Exact terms of the reference (with key question) will need to be drawn up by Panel members, but this could explore:

- what does regional working look like at moment?
- how well is it understood (internally and publically)?
- lines of accountability?
- arrangements for scrutiny?
- what needs to be done to improve partnerships / collaboration to achieve Well-being of Future Generations Act outcomes?

2. Natural Environment

Exact terms of the reference (with key question) will need to be drawn up by Panel members, but this could explore:

- how well are we caring for and managing our natural environment?
- green spaces?
- are we maximising the value and benefits?
- how can we meet Well-being of Future Generations Act responsibilities / requirements?
- role of the council / partners in tackling the issues?
- link with planning / other areas of Council?
- impact of budget reductions across services?

4.4.2 The committee should agree which of these inquiries should commence first. Once membership and a convener have been appointed the first task of the Inquiry Panel will be to have a briefing on the issue and then determine the key question and terms of reference for the inquiry.

4.4.3 The following previous inquiries will need to be followed up during the course of the year, to monitor implementation of agreed recommendations and assess the impact of this work. Each of these Panels will be reconvened to carry out the follow up:

- **School Governance**
- **Building Sustainable Communities**
- **Child & Adolescent Mental Health Services**
- **Tackling Poverty**
- **School Readiness**

4.5 Performance Panels:

4.5.1 The committee is asked to agree the establishment of the following ongoing Performance Panels (frequency of meetings in brackets), which will enable regular and structured monitoring of performance within these key areas:

1. Service Improvement & Finance (monthly)	4. Child & Family Services (4-6 meetings max)
2. Schools (monthly)	5. Public Services Board (multi-agency) (6 meetings)
3. Adult Services (monthly)	6. Development & Regeneration (quarterly)

4.5.2 This increase in the number of Performance Panels is dependent on a number of things given resources to support activities. The Child & Family Services Panel and Public Services Board Panel will be limited to no more than 6 meetings per year. The new Development & Regeneration Panel will be expected to meet quarterly.

4.5.3 The Development & Regeneration Panel will provide for initial discussion about progress on the Swansea Bay City Deal, as well as wider monitoring of the health of the city centre, and the economic development of Swansea.

4.5.4 In order to provide continuity for this first year of the new Council term, it is proposed that the councillors previously acting as conveners, and who wish to continue, be re-appointed in that role. The committee should therefore agree to the appointments:

Service Improvement & Finance – appoint Councillor Chris Holley
Adult Services – appoint Councillor Peter Black
Child & Family Services – appoint Councillor Paxton Hood-Williams

(NB: the chair of the Public Services Board Panel is fixed as the Chair of the Scrutiny Programme Committee. The Vice-Chair of the committee and Performance Panel conveners are also included in the membership of the Panel, along with partner representatives. It is the only Panel to have a fixed membership.)

4.6 Working Groups:

4.6.1 The following one-off Working Groups are proposed for the year ahead in the order of priority shown:

1. Emergency Planning & Resilience	5. Renewable Energy
2. Community Cohesion & Hate Crime	6. Digital Inclusion
3. Roads / Footway Maintenance	7. Bus Services
4. Homelessness	8. Public Conveniences
	9. Car Park Charges

(NB: an annual meeting on **Local Flood Risk Management** is a standing item in the work programme and will take place in Dec/Jan)

4.6.2 Working Groups are limited to 1 or 2 meetings in order to have a ‘quick’ look at an issue. It will typically involve getting information from and having discussion with the relevant Cabinet Member and Director / Head of Service, and where necessary input from others. At the conclusion of the Working Group it will write to the cabinet member with its views and recommendations. Additionally any working group could give rise to an inquiry need. If as a result of discussion and consideration of the issues the Group feel that an inquiry is necessary

it can recommend this to the Committee for consideration. The committee will need to respond accordingly as and when that happens.

4.6.3 With a number of new councillors involved in scrutiny an initial focus on Working Groups would be a good way to achieve 'quick wins' for scrutiny. Previously Working Groups have been convened one at a time however it is proposed that the start of a second in-depth inquiry is put back in order that a few Working Groups can take place first, giving councillors time to gain experience and more knowledge about scrutiny, see quick impacts, and settle into new roles.

4.7 Regional Scrutiny:

4.7.1 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 is taking place in 29 September 2017 will be hosted by Powys Council.

4.8 Other Approaches:

4.8.1 The committee may also wish to consider whether there are topics, either current or in the future, that may work best as a one-off all-scrutiny councillor event - a 'scrutiny seminar' type approach - where the main objective is to be briefed about a subject of wide appeal, with opportunity to ask questions.

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 (or Scrutiny Team) for consideration. However a more formal route exists for a 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 Chair or 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 Team. This lead scrutiny officer will assist with work planning and project-manage scrutiny activities and help to ensure that things runs smoothly, for example for in-depth inquiries they will:

- directly support meetings
- contact and arrange witness sessions
- carry out research and arrange evidence gathering
- liaise with departments, partners and the public
- carry out and assist with any consultation and public engagement exercises
- 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 drafting of scrutiny letter and reports
- promote work using social media and other methods of communication

6.2 The Corporate Management Team 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 committee meeting so that the committee can maintain an overview of agreed scrutiny activities, monitor progress, and coordinate work as necessary.

7.2 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.

7.3 To ensure awareness and avoidance of duplication with the work of the new Policy Development & Delivery Committees it may be beneficial for the committee to receive information about their work plans.

8. Next Steps

8.1 Subject to the committee's agreement of a work programme expressions of interest will be sought from scrutiny councillors to participate in these activities. The committee will then need to agree membership and appointment of conveners. Based on the work programme proposals contained within this report, this will mean initially agreeing membership for:

- 1 Inquiry Panel
 - Regional Working or Natural Environment

- 5 Performance Panels
 - Service Improvement & Finance
 - Schools
 - Adult Services
 - Child & Family Services
 - Development & Regeneration

- 2 Working Groups
 - Emergency Planning & Resilience
 - Community Cohesion & Hate Crime

8.2 Expressions of interest in future inquiries and working groups will be sought in due course.

8.3 The next scheduled committee meeting is on Monday 14 August. The Cabinet Member for Housing, Energy, and Building Services will attend for a question and answer session. The committee will need to think about developing questions for this session, and, as is usual, all scrutiny councillors and members of the public will be able to suggest questions. It will be a timely opportunity to ask about actions taken locally and implications following the Grenfell Tower fire regarding the safety of high rise council housing, and other buildings, in Swansea.

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

Legal Officer: Sandie Richards

Finance Officer: Paul Cridland

Appendices:

Appendix 1: Scrutiny Work Planning Conference Papers

Appendix 2: Work Planning Conference - Group Feedback on Topics

Appendix 3: Proposed Work Programme for 2017/8

Appendix 4: Proposed Committee Work Plan 2017/18

Appendix 5: Forward Look (Cabinet Business)