



## Report of the Chair

Scrutiny Programme Committee – 14 May 2018

### Annual Work Programme Review 2017/18

<b>Purpose:</b>	<p>This is the last scheduled meeting of the Committee of this council year. This report is to help councillors:</p> <ul style="list-style-type: none"><li>• look back at the work done this year</li><li>• reflect on the experience</li><li>• look forward to the new council year, and work programme.</li></ul>
<b>Content:</b>	<p>The 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.</p>
<b>Councillors are being asked to:</b>	<ul style="list-style-type: none"><li>• consider the effectiveness of the scrutiny work programme and practice</li><li>• consider how well the Committee has worked this year</li><li>• start thinking about the new work programme</li></ul>
<b>Lead Councillor(s):</b>	Councillor Mary Jones, Chair of the Scrutiny Programme Committee
<b>Lead Officer(s):</b>	Tracey Meredith, Head of Legal, Democratic Services and Business Intelligence
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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 current 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 19 June 2017 and was attended by 19 scrutiny councillors, and the Chair of the Audit Committee.

3.3 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.

- 3.4 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)
- 3.5 Those present shared views about the work programme and priorities for the year ahead. Taking into account feedback from the conference, the Committee considered what 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, but retaining a balance so there is room to look at issues of community concern. 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 July 2017 i.e. the topics that should be examined through various panels and working groups as well as a plan for future committee meetings. The agreed work programme is attached as **Appendix 2**.
- 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 3**.

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 Committee formally agrees any final inquiry reports, produced by Panels, for submission to Cabinet for decision. No inquiries were completed over the last year, although the inquiry on Regional Working is about to report.

A response to the following inquiries (completed during 2016-17) was received in the last year:

Inquiry	Report to Cabinet	Cabinet Decision	Recommendations		
			Agreed	Partly	Rejected
Tackling Poverty	16 Mar 2017	15 Jun 2017	12	1	2
School Readiness	20 Apr 2017	15 Jun 2017	9	0	0

- 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 4 May) show the average response time being 19 days (against target of 21 days). Of the 30 letters which required a response 75% 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 January and April. Scrutiny Dispatches is used as a mechanism for internal and external communication of activity, and valuable way to support and shape media coverage in the future.
- Pre-decision Scrutiny – Taking into account strategic impact, public interest, and financial implications, the Committee carries out pre-decision scrutiny unless delegated to relevant Panels. 12 cabinet reports were subject to pre-decision scrutiny:

<b>Report</b>	<b>Cabinet Member</b>	<b>Cabinet Meeting</b>	<b>Undertaken by</b>
Adult Services Commissioning Reviews Consultation Outcome	Health & Wellbeing	15 Jun 2017	Adult Services Panel
Catering Services Commissioning Review	Service Transformation & Business Operations	17 Aug 2017	Committee
Planning & City Regeneration Commissioning Review	Culture, Tourism & Major Projects	17 Aug 2017	Committee
Public Protection Commissioning Review	Environment Services	19 Oct 2017	Service Improvement & Finance Panel
Castle Square Regeneration	Culture, Tourism & Major Projects	19 Oct 2017	Committee
Family Support (Children with Additional Needs & Disability)	Health & Wellbeing	16 Nov 2017	Child & Family Services Panel

Commissioning Review			
More Homes Pilot Scheme	Housing, Energy & Building Services	16 Nov 2017	Committee
Liberty Stadium	Joint Leader and Service Transformation & Business Operations (Deputy Leader)	16 Nov 2017	Committee
Transfer of Management of Allotments	Future Generations	15 Feb 2018	Committee
Highways & Transportation Commissioning Review	Environment Services	15 Feb 2018	Service Improvement & Finance Panel
Budget	Economy & Strategy (Leader)	15 Feb 2018	Service Improvement & Finance Panel
Residential Care and Day Services for Older People Commissioning Review	Health & Wellbeing	19 Apr 2018	Adult Services Panel

- Referrals from Council (or other bodies) – None

#### Other Reports:

- Scrutiny Annual Report for 2016/17
- Annual Corporate Safeguarding Report
- Oceana Building Demolition
- Children & Young People's Rights Scheme – Compliance & Progress
- Sustainable Swansea Programme – Commissioning Reviews: Service Areas – Post Implementation Updates
- 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:

<b>Inquiry</b>	<b>Status</b>
Regional Working	Final Report Stage
Natural Environment	Planning Stage

**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:

<b>Inquiry</b>	<b>Monitoring Status</b>
School Governance	Complete
Building Sustainable Communities	Complete
Child & Adolescent Mental Health Services	Follow up meeting held in Nov 2017 – agreed further follow up necessary around Sep-Nov 2018
School Readiness	Complete
Tackling Poverty	To be arranged (May-June)

- 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 provide a regular update to the Committee to enable discussion on key activities and impact.

Six Performance Panels have been established and met over the last year (frequency of meetings in brackets):

- Service Improvement & Finance (monthly)
- Schools (monthly)
- Adult Services (monthly)
- Child & Family Services (every two months)
- Local Service Board (*multi-agency Panel*) (every two months)
- Development & Regeneration (quarterly)

4.2.3 Working Groups - Although the majority of scrutiny work would be carried out through the Committee and panels, the Committee can also establish 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:

- Emergency Planning & Resilience
- Community Cohesion & Hate Crime
- Car Park Charges
- Tethered Horses
- Roads & Footway Maintenance
- Local Flood Risk Management (meets annually)
- Renewable Energy

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 2017 (hosted by Powys Council) and March 2018 (hosted by Carmarthenshire County Council).

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

4.2.5 **Appendix 4a** provides a timetable of all scrutiny activities. Lead councillors and officers are also noted within.

4.2.6 **Appendix 4b** provides a snapshot of progress with all of the informal Panels and Working Groups established by the Committee and their current position.



4.2.7 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 such scrutiny activities are 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>

## 5. **Public Requests for Scrutiny / Public Engagement**

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 Summary of activity over the year:

- no public requests for scrutiny were received
- one request for scrutiny from councillors who do not sit on the Committee
- on four out of 10 occasions questions were submitted to the Committee for raising during Cabinet Member Q & A Sessions.
- 33% of Committee meetings had public observers (four out of 12 meetings)
- 25% of Committee meeting agendas have had some form of public input (this includes questions being asked during Public Question Time at two out of 12 meetings)
- one of 12 Committee meeting agendas generated media coverage (Castle Square Regeneration)

## 6. **The Scrutiny Experience**

6.1 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 their experience has been (positive and negative), and whether there are aspects of practice / process that could be improved.

6.2 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?

6.3 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 67%, which means on average 11 out of 17 Councillors were present across the 12 meetings held, to date, this year.

6.4 The annual councillor scrutiny survey was also issued during February and March to all councillors and co-opted members. 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 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 June.

The results of the survey are attached as **Appendix 6**. 49 survey responses were received (63% response rate). This includes 40 out of the 61 non-executive councillors (66% response rate); 4 Cabinet Members, and 5 Co-opted Members. It also includes 4 non-executive councillors who have not engaged in scrutiny meetings this year, who were asked tailored questions about their reasons for not being able to participate and any comments they had.

Some points to note from the councillor survey:

- 100% of those asked stated they had a good understanding of scrutiny (45 respondents)
- 85% of those asked stated that scrutiny arrangements are working well (45 respondents)
- 98% of those asked agreed that non-executive members have good opportunities to participate in scrutiny (41 respondents)
- 96% of those asked felt that scrutiny activities are well-planned (45 respondents)
- 89% of those asked felt that scrutiny provides regular challenge to decision-makers (45 respondents)

The results will be captured in the Scrutiny Annual Report which will be drafted in the next few months. This will also include results from the staff and public surveys which are also carried out every year.

6.5 An Improvement & Development Workshop was held on 3 May in order for committee members to review the results and consider what action should follow from the feedback about process and practice and how this should guide improvement actions for the scrutiny function here.

## 6.6 Training & Development Sessions:

Training received by scrutiny councillors during the year

- All scrutiny councillors were invited to a Scrutiny Induction session in June 2017. The session also included a focus on effective questioning.
- The Public Services Board Performance Panel was invited to a workshop in September 2017 to develop understanding about the Well-being of Future Generations Act.
- Councillor Mary Jones attended the Wales Audit Office event in January on the Role of Scrutiny in relation to the Well-being of Future Generations Act.

## 7. Developing the Work Programme for 2018/19

7.1 A Work Planning Conference will take place on 11 June (in place of the scheduled Committee meeting) that will help the Committee to consider and identify priorities for scrutiny for the coming year. All scrutiny councillors and co-opted members will be invited to participate in this. As well as new topics the work programme for 2018/9 will need to consider the continuation of current activities because of their importance or because work may be incomplete.

### 7.2 Carry Over:

The following work will need to be carried over from the current work plan, as it is outstanding:

- Inquiry Panels (still in progress)
  - Regional Working (final report anticipated Jun)
  - Natural Environment (anticipated completion Oct)
- Follow up of Previous Scrutiny Inquiries
  - Tackling Poverty (May / June)
  - Child & Adolescent Mental Health Services (Sep – Nov)
- Homelessness Working Group (two meetings planned for May and June)
- ERW Scrutiny Councillor Group (this is a regional scrutiny arrangement with meetings twice a year)

### 7.3 Recurring Activities:

Unless changes are made by the Committee after the Work Planning Conference the following work will continue:

- Performance Panels
  - Service Improvement & Finance
  - Schools
  - Adult Social Services
  - Child & Family Services
  - Public Services Board (*multi-agency Panel*)
  - Development & Regeneration
- Working Groups
  - Local Flood Risk Management (*the Committee has agreed that this Working Group should meet annually to review flood risk plans*)

7.4 Any suggestions arising from this year's scrutiny work will be fed into the next Work Planning Conference. The Committee will have to take account of new topic suggestions against those previously identified but not commenced e.g. Working Groups on Digital Inclusion, Bus Services, Public Conveniences, and the Archive Service, unless the Committee determines that one or more of these should be progressed and given priority over new topics.

7.5 Councillor Request for Scrutiny – A request for scrutiny has been received from Councillors Peter May and Irene Mann on Residents Parking. They have expressed concern about the new electronic residents parking issuing system in place which has replaced paper permits. They would like scrutiny to ask about the effectiveness of the handheld technology used by parking wardens, the issue of temporary permits and its effect on parking bays capacity, the effects of a lack of a visual indicator such as a paper permit, and how our practice compares with other authorities / good practice. Although they have used the opportunity to put questions to the Cabinet Member for Environment Services at a number of Council meetings this year the councillors feel that there are anomalies and inefficiencies in the system which is failing the residents. They would like scrutiny to examine the issues and advise the cabinet member on improvement, and therefore request this should be included work programme.

This topic would merit a one-off Working Group. The Committee may wish to consider this request immediately or await the work planning conference to consider competing demands for work.

7.6 Pre-decision scrutiny – the Committee is invited to consider the available information on future cabinet business (attached as **Appendix 7**) and any opportunities for pre-decision scrutiny, taking into account strategic impact, public interest, and financial implications. 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, raise thoughts, and ask questions on proposed cabinet reports to provide 'critical friend' challenge and influence decision-making. The

Committee has previously agreed that future cabinet reports on Castle Square Regeneration, and the second More Homes Pilot Scheme at Parc Yr Helyg should be subject to pre-decision scrutiny. Also 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.

7.7 The Committee is invited to share ideas about any other topics that might need to be looked at by scrutiny in future.

7.8 Following the work planning conference the first scheduled meeting of the Scrutiny Programme Committee in the new council year is expected to be 9 July 2018.

## **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

### **Appendices:**

Appendix 1: Scrutiny Programme Committee Terms of Reference

Appendix 2: The Agreed Work Programme 2017/18

Appendix 3: Scrutiny Programme Committee - Completed Work Plan 2017/18

Appendix 4a: Work Programme 2017-18 – Projected Timetable of Activity

Appendix 4b: Progress Report – Current Scrutiny Panels and Working Groups

Appendix 5: Scrutiny Performance Data

Appendix 6: Annual Councillor Scrutiny Survey Results

Appendix 7: Cabinet Forward Plan