



## Report of the Chair

Scrutiny Programme Committee – 12 August 2019

### Scrutiny Work Programme 2019/20

<b>Purpose</b>	This report presents the agreed Scrutiny Work Programme for 2019/20, which the Committee is responsible for monitoring.
<b>Content</b>	The agreed 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 attached.
<b>Councillors are being asked to</b>	<ul style="list-style-type: none"><li>• plan for the committee meetings ahead</li><li>• consider opportunities for pre-decision scrutiny</li><li>• review the scrutiny work programme (including progress of current Panels and Working Groups)</li><li>• consider the public request for scrutiny (see para 5).</li></ul>
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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 A report is provided to each meeting to enable the committee to maintain an overview of agreed scrutiny activities, monitor progress, and coordinate work as necessary.

1.3 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
- 1.4 The Scrutiny Work Programme is guided by the overriding principle that the work of scrutiny should be strategic and significant, focussed on issues of concern, and represent a good use of scrutiny time and resources.

It also needs to be:

- manageable, realistic and achievable given resources available
  - relevant to council priorities
  - adding value and having maximum impact
  - coordinated and avoid duplication
- 1.5 The work of scrutiny is undertaken primarily in three ways – through the Committee itself, by establishing informal panels or via one-off working groups. Panels and Working Groups would be open to all non-executive councillors - the Committee will determine membership and conveners following expressions of interest.
- 1.6 Scrutiny will regularly send letters to Cabinet Members communicating findings, views and recommendations for improvement and, where appropriate, by producing reports. Inquiry panels will always 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. Inquiry panels will reconvene to follow up on the implementation of agreed recommendations and the impact of their work – usually 6-12 months following cabinet decision.
- 1.7 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>

## **2. Scrutiny Work Programme 2019/20**

- 2.1.1 Following discussion at the committee meeting on 8 July the agreed scrutiny work programme for 2019/20 is set out in **Appendix 1**.
- 2.1.2. The following paragraphs break down the work programme by specific ways of working to provide a brief overview.
- 2.2 Scrutiny Programme Committee:
- 2.2.1 The Committee work plan for the year ahead is attached as **Appendix 2**. This should be kept under review to ensure it represents a robust

and effective plan. The plan includes a schedule of future Cabinet Member Question & Answer Sessions.

2.2.2 Committee members should review and confirm items for the next and future meetings giving specific consideration to who should attend so that meetings are always well planned and prepared for, e.g. information required and key questions that the Committee wishes to ask.

2.2.3 The main item(s) scheduled for the next Committee meeting on 9 September are:

- Cabinet Member Question Session: Cabinet Member for Homes & Energy - Councillor Andrea Lewis.

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

2.2.5 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 Cabinet Forward Plan attached as **Appendix 3**). 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.

2.2.6 Commissioning Reviews – it has already been acknowledged that reports about the various commissioning reviews / new cross-cutting reviews that are planned are key cabinet decisions and should be subject to scrutiny. There is a general agreement that all these Reviews will undergo pre-decision scrutiny. This will be carried out via the Committee or relevant Panels as appropriate. Any outstanding reviews and the new cross-cutting reviews will be on the scrutiny radar during the year ahead and scheduled into work plans.

### 2.3 Inquiry Panels:

2.3.1 Once membership and a convener have been appointed the first task of an Inquiry Panel will be to have a briefing on the issue and then determine the key question and terms of reference for the inquiry. Once the planning stage is complete, the inquiry will be evidence gathering, with the last stage being to develop the final report.

<b>In Progress / Planned</b>	<b>Completed (follow up stage)</b>
1. <b>Equalities</b> (final report to be presented to Cabinet 19 Sep) 2. <b>Procurement</b> (initial meeting to be arranged)	1. <b>Regional Working</b> (Oct 2019) 2. <b>Natural Environment</b> (tba)

#### 2.4 Performance Panels:

2.4.1 The following Performance Panels, which will enable regular and structured monitoring of performance within these key areas, have been agreed and will meet on an ongoing basis until otherwise agreed by the Committee (frequency of meetings in brackets):

<b>Performance Panel</b>	<b>Convener</b>
<b>1. Service Improvement &amp; Finance</b> (monthly)	Cllr. Chris Holley
<b>2. Schools</b> (monthly)	Cllr. Lyndon Jones
<b>3. Adult Services</b> (monthly)	Cllr. Peter Black
<b>4. Child &amp; Family Services</b> (every two months)	Cllr. Paxton Hood-Williams
<b>5. Development &amp; Regeneration</b> (every two months)	Cllr. Jeff Jones
<b>6. Natural Environment</b> (quarterly)	tbc
<b>7. Public Services Board</b> (multi-agency) (twice yearly)	Cllr. Mary Jones

2.4.2 Performance Panel conveners are scheduled to provide a regular update to the Committee to enable discussion on key activities and impact.

#### 2.5 Working Groups:

2.5.1 The following Working Groups will be convened during the year ahead, in the order shown:

<b>1. Brexit</b>	<b>3. Road Safety</b>
<b>2. Staff Health &amp; Wellbeing</b>	<b>4. Digital Inclusion</b>

#### 2.6 Regional Scrutiny:

2.6.1 **Education Through Regional Working** - Swansea scrutiny is involved in a regional scrutiny arrangement with the six councils participating in the 'Education Through Regional Working' (ERW) school improvement consortium. A Scrutiny Councillor Group has been in existence since 2016 in order to provide challenge to ERW, coordinate scrutiny work across the region and ensure a consistent approach. The Swansea Scrutiny Team is providing support for this group as the Council's contribution to ERW via Service Level Agreement. Swansea is represented by the chair of the Scrutiny

Programme Committee and convener of the Education Performance Panel. The next meeting, taking place on 23 September 2019, will be hosted by Ceredigion Council.

**2.6.2 Swansea Bay City Region City Deal** – Swansea scrutiny is also involved in the Swansea Bay City Region Joint Scrutiny Committee established during 2018/19. This involves three councillor representatives from each of the four Councils involved in the City Deal, meeting to scrutinise the work of the Joint Committee responsible for delivering the City Deal programme. As per Joint Agreement, the Scrutiny Committee is serviced by Neath Port Talbot Council. The next meeting, taking place on 2 September 2019, will be hosted by Neath Port Talbot Council.

**2.6.3 Launch of Joint Scrutiny Handbook** - The Committee should note that recently there was a national launch of a Joint Scrutiny Handbook (second edition) which was attended by the Chair of the Scrutiny Programme Committee, convener of the Development & Regeneration Performance Panel, and members of the Scrutiny Team.

The handbook includes guidance on establishing joint working arrangements, key lessons from joint scrutiny practitioners, and references good practice. This includes the regional arrangements for ERW scrutiny and Swansea's multi-agency PSB Scrutiny Performance Panel.

The book emphasises the need for joint scrutiny activities, whichever way they are set up, to have a clear strategic purpose. The book describes the benefits of joint scrutiny:

- To provide a check and balance to regional decision making
- To test the extent to which regional services are responsive to local circumstances and provide value for money
- To influence policy developments at the regional level by providing a forum for debate
- To improve public confidence and transparency in shared service delivery
- To support greater innovation, risk taking, commercialism and entrepreneurial drive through the provision of integrated accountability
- To pool scrutiny talent and expertise to maximise the benefits of effective scrutiny
- To ensure a strategic, longer-term approach is taken, e.g. in line with the Well-being of Future Generations (Wales) Act 2015

Seven steps to effective joint scrutiny are featured:

1. Selecting the right model
2. Designing shared rules
3. Preparing councillors
4. Setting-up officer support

5. Reviewing processes
6. Co-ordinating the evidence-gathering
7. Reporting arrangements

The book concludes with ten lessons for joint scrutiny teams:

1. Joint scrutiny does not mean reinventing the wheel
2. The success of joint scrutiny is not the sole responsibility of scrutiny officers and non-executive councillors
3. Building a collegiate sense of purpose amongst scrutiny teams is vital
4. Joint scrutiny is a front-loaded process
5. The function of joint scrutiny needs to be agreed, supported and coproduced by multiple partners
6. Joint scrutiny needs firm and clear coordination
7. Scrutiny chairs need to be confident ambassadors in selling and telling the benefits of joint scrutiny
8. Joint scrutiny should be fair and objective
9. Joint scrutiny requires clear and agreed reporting arrangements
10. Joint scrutiny teams should be self-aware throughout.

The book will be published on-line shortly and will be shared with the Committee when it is available.

The event featured discussion on effective regional governance and sharing of experiences across Wales, and input from the Centre for Public Scrutiny on the English experience. The event also included roundtable discussions on the following topics:

- a) Sharing experiences of Public Service Board Scrutiny\*
- b) Lessons from Joint Scrutiny of School Improvement Consortia\*
- c) Early learning from Cardiff Capital Region City Deal Joint Scrutiny.
- d) Developing ground rules for future Joint Scrutiny.

\* Swansea played a lead role in facilitating this group discussion.

Main points to note:

- Swansea is one of the most established in terms of its PSB Scrutiny
- Swansea has an established Panel in place and work plans which have looked at the Well-being Assessment, Well-Being Plan and the delivery of activity under the 'steps'
- There is a variety of Panel configurations and approaches from other Councils
- There was interest in practice in Swansea around our approach to the Sustainable Development Principle informing the direction and content of the Panel.
- The direct engagement of the Future Generations Commissioner with Swansea scrutiny was a surprise to other Councils and may encourage them to do the same

- There were lots of questions asked about how, what and why we scrutinise the way we do
- The whole idea of PSB scrutiny is new and developing and every Council seems to be finding what suits them
- We highlighted the requirement for the WBFGA principles to be underpinning ALL scrutiny activity as they should underpin ALL policies and plans
- Some discussion about sharing best practice of PSB scrutiny as it is a developing area of work and there are some interesting ideas being delivered by other scrutiny teams
- Regional Education Consortia across Wales are all very different. Other Councils were interested in how we do scrutiny across the ERW region including how scrutiny is arranged, who attends and how it is supported (in ERW case it is by Swansea). Only two out of the four consortia have a well-developed scrutiny processes for their consortia.

### **3. Monitoring the Work Programme**

- 3.1 The Committee is responsible for monitoring 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.
- 3.2 **Appendix 4a** provides a timetable of all scrutiny activities (projected or actual where dates are known). Lead councillors and officers are also noted within.
- 3.3 **Appendix 4b** provides a snapshot of progress with all of the Panels and Working Groups established by the Committee and their current position.
- 3.4 Policy Development Committee Work Plans - Distinction between the work of scrutiny and the Council's Policy Development Committees is important. To ensure awareness and check for any potential issues regarding duplication, it is beneficial for the Committee to receive information about Policy Development Committees work plans. As far as known the topics that these Committee are planning to discuss are shown in **Appendix 5**, for any comment or observations.

### **4. Public Requests for Scrutiny / Councillor Calls for Action**

- 4.1 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. In accordance with agreed protocol 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.
- 4.2 Public Request - a public request for scrutiny has been received from residents of Mayals with concern about nuisance from seagulls and anti-social behaviour of people feeding the gulls within communities

and urban areas. There is concern that the Council is failing to safeguard residents' well-being, health and safety by not deterring those feeding the birds.

- 4.3 The members of the public have already been in contact with the Council about the issues being experienced in their community but to date have been advised the Council is unable to take any action, such as carrying out a public campaign. The Committee will note that Swansea had a campaign a few years ago to get the public to 'feed the bins, not the birds'. The Committee should note that this issue was reported upon in the South Wales Evening Post (Front Page and p5, 18 July 2019) and has also been raised at Welsh Government level by Dr Dai Lloyd, AM for South Wales West in order that there is a consistent approach across Wales by local councils. A copy of the press article is **appended**.
- 4.4 Chair's Proposal - it is proposed that this matter be included in a future Scrutiny Programme Committee agenda, as soon as practicably possible, in order that the Committee can consider the issue, which affects residents across Swansea, hear from relevant persons, and discuss possible solutions. At a minimum the Committee will invite the persons making the request for scrutiny to outline the issues, and call the relevant Cabinet Member (with support from relevant officers) to account for the Council's position on this matter and respond. The Committee may also wish to seek advice from others, for example local representative of the RSPB etc. Following discussion the Committee will be able to make recommendations to the Cabinet Member.

## **5. Financial Implications**

- 5.1 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.

## **6. Legal Implications**

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

**Background papers:** None

### **Appendices:**

**Appendix 1:** Agreed Scrutiny Work Programme 2019/20

**Appendix 2:** Scrutiny Programme Committee Work Plan 2019/20

**Appendix 3:** Cabinet Forward Plan

**Appendix 4a:** Scrutiny Work Programme – Projected Timetable of Activity

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

**Appendix 5:** Policy Development Committee Work Plans

**Appendix 6:** South Wales Evening Post Article 'Seagulls' attacks on children and pets spark call for action' published 18 July 2019