



Report of the Chair of the Scrutiny Programme Committee

Scrutiny Programme Committee – 18 October 2022

Scrutiny Work Programme

Purpose	This report presents the agreed Scrutiny Work Programme for 2022/23, which the Committee is responsible for monitoring.
Content	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.
Councillors are being asked to	<ul style="list-style-type: none">• plan for the Committee meetings ahead• consider opportunities for pre-decision scrutiny• review the Scrutiny Work Programme (including progress of current Panels and Working Groups)
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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 engage non-executive councillors in activities to:

- provide an effective challenge to the executive
 - help improve services, policies, and performance
 - engage the public in its work
- 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 to support activities
 - relevant to council priorities
 - adding value and having maximum impact
 - coordinated and avoids duplication
- 1.5 The work of scrutiny is undertaken primarily in three ways – through the Committee itself, by establishing informal Panels (for in-depth activities) 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 2022/23

- 2.1.1 The agreed Scrutiny Work Programme for 2022/23 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 constant review to ensure it represents a robust, manageable, and effective plan.

2.2.2 Committee members should always review and confirm items for the next and future meetings considering 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.

2.2.3 The main item(s) scheduled for the next Committee meeting on 15 November are:

- Scrutiny of Cabinet Member Portfolio Responsibilities: Fly Tipping - Councillor Cyril Anderson, Cabinet Member for Community (Services) will attend along with relevant officer(s) to report on this matter and answer Committee questions. (This item has been re-scheduled from the cancelled September Committee meeting)
- Annual Corporate Safeguarding Report - This is a standing annual item within the Committee work plan, enabling the Committee to review corporate safeguarding arrangements and comment on progress, achievements, and implementation of policy. It is not specifically about the work of social services, but of the wider efforts of the Council to make safeguarding everyone's business. Councillor Louise Gibbard, Cabinet Member for Care Services will attend, along with lead officer(s) will report to the Committee.
- Follow Up: Workforce Scrutiny Working Group – As the standalone topic-based Working Groups are one-off scrutiny sessions, the Scrutiny Programme Committee takes responsibility for following up on progress on the issues and action following any suggestions coming out of these scrutiny sessions. Councillor David Hopkins, Cabinet Member for Corporate Services & Performance, will attend along with relevant officer(s) to report on progress in the context of the previous scrutiny on Workforce, on actions, delivery of work and achievements / performance.

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.

2.3 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.

In Progress / Planned	Completed (follow up stage)
1. Anti-Social Behaviour (initial meeting planned for 24 Nov)	1. Procurement (cabinet decision on recommendations expected 20 Oct. Follow up tba)

2.4 Performance Panels:

2.4.1 The following Performance Panels, which 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):

Performance Panel	Convener
1. Service Improvement & Finance (monthly)	Cllr. Chris Holley
2. Education (monthly)	Cllr. Lyndon Jones
3. Adult Services (every six weeks)	Cllr. Susan Jones
4. Child & Family Services (every six weeks)	Cllr. Paxton Hood-Williams
5. Development & Regeneration (every two months)	Cllr. Chris Holley
6. Climate Change & Nature (every two months)	Cllr. Hannah Lawson

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:

1. Road Safety 2. Co-production	3. Healthy City 4. Customer Contact
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2.6 Joint / Regional Scrutiny:

- 2.6.1 **Partneriaeth** - A Joint Scrutiny Councillor Group, comprising of Education Scrutiny Chairs and Vice Chairs, or equivalent, across Swansea Council, Carmarthenshire Council and Pembrokeshire Councils will scrutinise the work of the new regional Partnership which will support the delivery of school improvement, and ensure greater public accountability over decisions made. Scrutiny will seek reassurance and consider if the Partnership is operating according to the Joint Committee Agreement, and its Business Plan, and is being managed effectively. The Chair of the Scrutiny Programme Committee and Convener of the Education Scrutiny Performance Panel are participating in the Scrutiny of Partneriaeth. The Partneriaeth Joint Committee, comprises the Leaders of the three Councils, as the strategic decision-making body. The Swansea Scrutiny Team will support the Scrutiny of Partneriaeth.
- 2.6.2 **Swansea Bay City Region City Deal** – Swansea scrutiny is also involved in the Swansea Bay City Region Joint Scrutiny Committee, approved by Council in July 2018. This arrangement involves three councillor representatives from each of the four Councils involved in the City Region, meeting to scrutinise the work of the Joint Committee responsible for delivering the City Deal programme. As per the Joint Committee Agreement, the Scrutiny Committee is serviced by Neath Port Talbot Council. Swansea Scrutiny Councillor representatives are currently: Jan Curtice, Victoria Holland & Chris Holley.
- 2.6.3 **South West Wales Corporate Joint Committee** – Following establishment of the Corporate Joint Committee (CJC), which involves Swansea, Neath Port Talbot, Carmarthenshire and Pembrokeshire Councils, as well as Brecon Beacons and the Pembrokeshire Coast National Park Authorities, the CJC has agreed to set up a CJC Overview & Scrutiny Sub-Committee which will consist of three elected members from each Council which will meet at least quarterly. The Joint Overview & Scrutiny Committee, serviced by Neath Port Talbot Council, will scrutinise the decisions / actions of the CJC as it discharges its functions and performance in relation to policy objectives and targets. The CJC will exercise functions relating to strategic land use planning, regional transport planning and the exercise of economic well-being powers. Swansea Scrutiny Councillor representatives are currently: Peter Black, Wendy Lewis & Mike White.
- 2.6.4 The Scrutiny Programme Committee will need to ensure that there is no duplication between local and regional scrutiny. A regular update on regional scrutiny activity will be provided to Committee members to ensure awareness. Regional scrutiny arrangements will not, however, preclude Councillors within constituent Councils discussing the impact of the regional body on their Council and locality, and holding Cabinet Members to account for their involvement / Council's involvement and engagement in regional bodies, and relevant local decision-making.

3. Monitoring the Work Programme

- 3.1 The Committee is responsible for monitoring progress against the agreed work programme and this includes 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 A timetable of all scrutiny activities (projected or actual where dates are known) is attached as **Appendix 4a**. Lead councillors and officers are also noted within. Also provided as **Appendix 4b** is a snapshot of progress with all Panels and Working Groups established by the Committee, as well as Regional Scrutiny, and their current position. These will be updated and provided to every Committee meeting.
- 3.3 The work plans of the individual Performance Panels, once agreed, will also follow to improve Committee oversight of topics being examined, check coverage across cabinet portfolios, and help avoid duplication of effort between the Committee and Panels and between Panels etc.
- 3.4 The Scrutiny Work Programme will be kept under constant review by the Committee, with changes made as necessary. The Committee will always retain the flexibility to adapt and re-prioritise the work of scrutiny in response to changing circumstances and/or urgent issues which may arise in-year, to ensure the continued relevance of the programme.
- 3.5 To ensure awareness and avoidance of any issue of duplication it is beneficial for the Committee to receive information about the work plans of relevant Council bodies. The work plans of the Council's Corporate Delivery Committees will also be reported when these are available. Any issues regarding possible overlap / duplication will be discussed between the Chair of the Scrutiny Programme Committee and relevant Chairs.

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. This can be via the Council's website: www.swansea.gov.uk/raiseanissuetoscrutiny or email to scrutiny@swansea.gov.uk. 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. Taking into account relevant advice, any such issues may merit inclusion in the work programme, referral elsewhere, or no action.
- 4.2 No public requests for scrutiny have been received.

4.3 Whilst not specifically requests for scrutiny we do receive correspondence from members of the public raising concerns about policies, services, decisions and their experiences, and/or having question(s) for Cabinet Members. If no specific Scrutiny of matters that are raised is planned / upcoming, such correspondence is forwarded directly to relevant Cabinet Members for them to respond directly to the member of the public. The Chair of the Scrutiny Programme Committee is copied into all correspondence to assess whether there is a need for action / scrutiny activity. For Committee awareness, members of the public have recently contacted the Council via the Scrutiny Team regarding:

- concerns about disruption to Gower businesses and the public due to road closures because of recent Ironman / triathlon events and questioning the benefits given losses to local businesses and lack of wider media coverage.
- the amount of road closures in Swansea West, particularly from events, causing disruption to road users.

Both have been responded to.

5. Feedback on Scrutiny – Estyn Inspection of Swansea Council Education Services

5.1 Following fieldwork in June, Estyn has now published its inspection report on the Council's Education Services. This will be discussed in detail by the Education Scrutiny Performance Panel on 27 October and it will consider the Council's response, which the Panel will monitor as necessary.

5.2 The inspection report considered a wide range of aspects to the management, organisation and delivery of Education Services, and how effectively they are supporting schools and learners. This includes consideration of the quality of Scrutiny arrangements and practice. It is pleasing to see positive feedback from Estyn on the work of Scrutiny, in particular the Education Performance Panel which is led by Councillor Lyndon Jones. In a section called 'Leadership and Management' the report finds that:

'The Education Scrutiny Panel considers a broad range of relevant activity. There is a strong focus on understanding how schools support and contribute to delivering the local authority's agenda on reducing the impact of poverty. There is also a renewed focus on employability skills linked to the regional skills partnership. The panel engages well with schools and, where appropriate, includes the views of pupils and school leaders when evaluating agenda items brought before them. Pertinent and sometimes sensitive matters, such as school reorganisation proposals, are considered appropriately in pre-decision scrutiny activity...' (p.12; Estyn Inspection Report)

6. Integrated Assessment Implications

6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language.
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

6.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

6.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

6.2 An IIA screening has been undertaken noting there are minimal impact assessment implications associated with this report (IIA can be viewed in **Appendix 5**). The work of Scrutiny is open to the public, promoted via Council media channels, and enable all citizens to ask questions, raise issues and/or input views. The Work Programme takes into account a range of factors, including Council priorities and community concerns. The public were invited to input scrutiny topic suggestions. The work of Scrutiny will involve examination of Council services and making recommendations for improvement to Cabinet Members (and other decision-makers). Scrutiny activities have the potential for engagement to ensure public views can feed into the Scrutiny process. Each Scrutiny Inquiry and report will be subject to its own IIA process.

7. Financial Implications

7.1 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.

8. Legal Implications

8.1 There are no specific legal implications raised by this report.

Background papers: None

Appendices:

Appendix 1: Agreed Scrutiny Work Programme 2022/23

Appendix 2: Scrutiny Programme Committee Work Plan 2022/23

Appendix 3: Cabinet Forward Plan

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

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

Appendix 5: IIA Screening Form