

Report To: Democratic Services Committee

Date of Meeting: 28 November 2014

Lead Officers: Democratic Services Manager
& Scrutiny Co-ordinator

Title: Developing Scrutiny in Denbighshire

1. What is the report about?

The report aims to develop and implement proposals discussed with the Scrutiny Chairs and Vice Chairs' Group on how the Council's Scrutiny function can be improved.

2. What is the reason for making this report?

There have been a number of recent national reports on improving Scrutiny in Wales and the Scrutiny Chairs and Vice-Chairs Group (SCVCG), Democratic Services Committee and Council should consider their recommendations in the context of how they could improve Scrutiny within Denbighshire.

3. What are the Recommendations?

That the Democratic Services Committee:

- 3.1 Endorses the application of proposal forms for use by members for adding topics to scrutiny committee forward work programmes **(appendix 1 shows two versions for consideration)**
- 3.2 Supports the development activities for the improvement of Scrutiny in Denbighshire that can contribute effectively to the current demands of large budget savings and the achievement of the Corporate Plan targets **(appendix 2)**
- 3.3 Endorses the adoption of the outcomes and characteristics for effective scrutiny and principles for public engagement outlined **(appendices 3, 4 and 5)**
- 3.4 Considers whether Council should be requested to amend the membership of the Scrutiny Chairs and Vice Chairs Group to include the chair of the Democratic Services Committee.

4. Report details.

Improving Efficiency & Reducing the Costs of Education Scrutiny

- 4.1 The Scrutiny education co-optees are members of each of the 3 scrutiny committees whenever those committees are considering schools and

education matters. As a result, co-opted members are sometimes required to attend a number of short meetings on different days involving extra journeys and expense. It has also been necessary for senior education officers to separately brief the co-opted members on developments in education. The SCVCG reviewed a proposal that would see all items that required the co-optees to be present to be taken to the Performance Scrutiny Committee (which currently scrutinises educational attainment and performance). The remit of the Performance Scrutiny Committee would otherwise remain the same and the co-optees would remain members only for education topics.

National Reports on Scrutiny in Wales

- 4.2 Over the last decade there have been a series of key national publications which have reviewed Scrutiny's role in delivering services and local accountability. These include the Welsh Government's *Making the Connections* initiative beginning in 2004; the *Review of Local Service Delivery* (the *Beecham Report*) in 2006 and more recently the report from the *Commission on Public Service Governance and Delivery* (the *Williams Commission Report*) in January 2014 and the Wales Audit Office's *Good Scrutiny? Good Question!* in May 2014.
- 4.3 The outcomes and characteristics of effective scrutiny which form part of the WAO report (Appendix 3) are also reflected in the recommendations of the *Williams Commission* (Appendix 4). Local authorities have been asked to consider adopting the outcomes and characteristics of effective scrutiny and scrutiny functions will in future be measured against these outcomes and characteristics.
- 4.4 Recently the Welsh Government published its response to the recommendations of the Williams Commission in the form of a White Paper, titled 'Reforming Local Government'. Numerous references are made in the White Paper to the need to reinforce scrutiny, to see it as an investment for improvement, and for authorities to use it to engage with the public, build relationships between service users and service providers, and to measure the impact of decisions.
- 4.5 In Denbighshire, the Chief Executive's report '*Sharpening Our Act*' outlined the Council's plans to continue with the delivery of its Corporate Plan despite unavoidable budgetary cuts. That report emphasises the need to do things differently, to do "less with less", but with high standards of service.

Denbighshire's Key Improvement Areas

- 4.6 In July 2014 the SCVCG and the Leader of the Council considered the Wales Audit Office's (WAO) national report on scrutiny '*Good Scrutiny? Good Question!*' and supported the central proposals to move the focus of the Scrutiny Committees activities to a smaller number of topics than is currently considered, but to use the time and resources made available by this reduction for more detailed and extensive Scrutiny work on priority topics.

- 4.7 In September 2014 the SCVCG further considered these issues and agreed:
- To support the development activities for the improvement of Scrutiny in Denbighshire in their committees and the Council as a whole.
 - That Members should be required to complete a proposal form when asking a scrutiny committee to add an item to its work programme; and that a suitable form be developed for members' use (see appendix 1)
 - That, whilst education items may be routinely taken to the Performance Scrutiny Committee to reflect the co-optees wishes and achieve some savings in travel and attendance costs, where a topic appeared to be much better suited to the remit of another scrutiny committee that this option not be ruled out, or a joint scrutiny committee meeting be held.
 - To take a report on Developing Scrutiny in Denbighshire to the Democratic Services Committee.
 - To adopt the 'outcomes and characteristics for effective scrutiny (appendix 3) and Participation Cymru's 'National Principles for Public Engagement in Wales' (Appendix 5) as guides to future scrutiny activities in Denbighshire.
- 4.8 Appendix 2 identifies some key areas which would benefit from being strengthened in Denbighshire to improve Scrutiny with the management of the forward work plans a crucial consideration. Training for Denbighshire members from the Welsh Local Government Association on scrutiny topic selection and forward work planning skills and criteria was held on the 21 October 2014 which reinforced the message that committees must evaluate suggested scrutiny topics carefully, and concentrate on important and key strategic issues.
- 4.9 The Scrutiny Committees will not be able to strengthen the areas identified in Appendix 2 unless it makes appropriate choices when considering topics put forward for Scrutiny. The topic selection flowchart on the reverse of the draft members' proposal form (appendix 1) can be used in conjunction with the *Scrutiny Proposal Forms* submitted to the committees by officers. Many items originate with members (this is appropriate for 'member-led Scrutiny' of course), but the issues proposed should be measured against agreed criteria before being accepted, or the topic covered in an information report or other non-committee medium.

5. How does the decision contribute to the Corporate Priorities?

Effective scrutiny is an essential element of the governance arrangements required to deliver the Council's services and corporate priorities and can act as an important mechanism for engaging with the public on service and governance issues.

6. What will it cost and how will it affect other services?

Appropriate application of topic selection criteria and forward work planning will be required to deliver the improvements outlined in this report, within the resources allocated to supporting the Scrutiny function.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision?

No equality impact assessment has been undertaken at present as consideration of the Scrutiny Improvement Study's findings and proposed changes to the methods of scrutinising areas is not likely to have an impact on people who share protected characteristics. However, any proposals with respect to enhancing public engagement with scrutiny will need to be subjected to an EqIA once developed.

8. What consultations have been carried out with Scrutiny and others?

This report forms part of the consultation process with scrutiny and stakeholders with respect to developing and enhancing scrutiny practices in Denbighshire. The SCVCG has been consulted and made recommendations which are included in this report.

9. Chief Finance Officer Statement

Not obtained for this report.

10. What risks are there and is there anything we can do to reduce them?

The Council needs to demonstrate that it is actively pursuing ways of improving scrutiny practices, enhancing scrutiny's effectiveness in adding value to the decision making process, and measuring the impact of scrutiny's work. As the Scrutiny Improvement Study formed part of the WAO's Regulatory Programme the Authority should have regard to the Study's findings and evidence that it has considered the Study's conclusions by identifying areas that require strengthening with a view to improving scrutiny's influence and effectiveness. In doing so it would also be adapting itself to deliver the duties and powers conferred on scrutiny by the Local Government (Wales) Measure 2011. A robust scrutiny function has the potential to support the Council's efforts to add value, realise maximum benefits for taxpayers' and improve outcomes for citizens in challenging financial times, and assist it in its ambition to get closer to the community.

11. Power to make the Decision

Article 6.5.4 of the Council's Constitution stipulates that the Scrutiny Chairs and Vice-Chairs Group may consider "issues which will assist Members to perform the scrutiny function effectively." The remit of the Democratic Services Committee includes reviewing the adequacy of provision by the authority of staff, accommodation and other resources to discharge democratic services functions (Section 9 of Part 1 of the Local Government Measure 2011).