

Report To: Democratic Services Committee

Date of Meeting: 13 December 2012

Lead Member / Officer: Gary Williams, Head of Legal and Democratic Services

Report Author: Steve Price, Democratic Services Manager

Title: Consultation on Joint Scrutiny Committees and Annual Reports by Members

1. What is the report about?

Sections 58 of the Local Government Measure 2011 empowers the Welsh Ministers to make regulations to permit two or more local authorities to appoint a joint overview and scrutiny committee and to issue statutory guidance to which joint overview and scrutiny committees must have regard when exercising its functions.

Section 5 empowers the Welsh Ministers to issue statutory guidance to which local authorities must have regard when making arrangements for the production of annual reports under section 5.

2. What is the reason for making this report?

The Welsh Government is currently conducting a consultation exercise for views on the Joint Scrutiny Committees (appendix 1) and the production of Annual Reports by Members (appendix 2). Any views the Committee may have can be relayed to the Welsh Government.

A version of this report will also be taken to the Scrutiny Chairs and Vice Chairs Group today (13 December) for comments on the joint Scrutiny arrangements.

3. What are the Recommendations?

That the Democratic Services Committee considers and comments on:

- (a) the draft Statutory Guidance for Joint Overview and Scrutiny Committees (appendix 1),
- (b) the draft Statutory Guidance for Annual Reports by Members of a Local Authority (appendix 2); and
- (c) the process for preparing, submitting and publishing Annual Reports of Members.

4. Report details.

Joint Scrutiny Committees

4.1 The Measure gives two or more local authorities the power to form joint scrutiny committees in order to strengthen scrutiny arrangements through the promotion of collaboration and sharing of scrutiny expertise. Joint committees would also make it easier to scrutinise services or issues that cut across geographical boundaries.

4.2 The draft Guidance gives examples of instances where a joint committee might be appropriate:

- On-going monitoring of a joint service delivery mechanism;
- Investigating a topic that may require a regional response (for example, waste management or sustainable development);
- Sharing scrutiny resources to investigate a similar topic of high interest or high importance to more than one authority (although not necessarily requiring a joint / multi-authority response).

4.3 It must be noted that matters which could be considered by the 'Crime and Disorder Committee' (the Partnerships Scrutiny Committee) under the Police and Justice Act 2006 cannot be covered by a joint scrutiny committee. These include the work of the Community Safety Partnership and local crime and disorder matters such as forms of crime and disorder that involve anti-social behaviour adversely affecting the local environment in the area represented by a particular member, or the misuse of drugs, alcohol and other substances in that area.

4.4 Because of the added complexity in establishing and running a joint scrutiny committee the Guidance recommends outline scoping to help determine whether or not to establish a joint committee; and to decide whether an ad-hoc or standing committee was required. A project management approach is strongly recommended to ensure that objectives are met.

Annual Reports

4.5 The Measure requires each local authority to have arrangements for every member to make an annual report on their activities in their role as councillor and to publish all those reports; with publishing arrangements applying equally to all Members. Denbighshire's website would be adapted to include information about the annual reports and where they can be accessed.

4.6 The draft Statutory Guidance allows local authorities to place restrictions on the contents of the reports which should be factual and likely to be centred on meetings, events, conferences, training and development. A template for use in completing annual reports should assist Members in completing their report with

appropriate information. Based on the Guidance the following areas could be used as the main headings of a template:

- Role and responsibilities – to include details of membership of committees and outside bodies, attendance records for these and full council.
- Local activity – details of surgeries held, representations made on behalf of electors and the results of these
- Major projects – involvement in local, county or regional initiatives or projects.
- Learning and development – details of training and development events attended or undertaken, conferences and seminars attended.

4.6 A template could have standard information on the Council's corporate priorities included for each member's report.

4.7 As there are certain limitations to what can be included in an annual report, there will need to be a review or editing stage before publication, to ensure that the contents conform to Statutory Guidance and any restrictions placed by the Council. The Committee's views on the process for completing and submitting annual reports, e.g. whether or not group leaders have a role for members of their groups, is requested.

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

The issues covered in this report are statutory requirements but the intentions behind them would be appropriate for the Council's priority area *Modernising The Council To Deliver Efficiencies And Improve Services For Our Customers*.

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

Supporting joint Scrutiny committees and the production and publication of annual reports by members will result in additional work for supporting officers. This may be managed by largely process-driven support for annual reports but the impact of joint Scrutiny committees will depend on the scale and scope of the activities.

7. What consultations have been carried out with Scrutiny and others, and has an Equality Impact Assessment Screening been undertaken?

A report on joint Scrutiny committees will be considered by the Scrutiny Chairs and Vice Chairs Group in December. The Leader of the Council, Lead Member for Modernising and Performance and the Corporate Executive Team have been consulted on the contents of this report.

8. Chief Finance Officer Statement

The potential resource implications of establishing and supporting joint scrutiny committees must be considered as part of the council's assessment process. Supporting the annual reports process and approving content for publication will undoubtedly involve additional officer time, particularly in the first year. The cost of this should be contained within existing resources but should be reviewed as the process develops.

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

These are statutory provisions and the minimum requirements will be met. There is a risk that additional demands that may result from these activities will result in fewer resources being available elsewhere (particularly in respect of the scrutiny provisions).

10. Power to make the Decision

The Local Government (Wales) Measure 2011.