

Report To: County Council

Date of Meeting: 7 May 2013

Member Presenting: Councillor Colin Hughes

Report Authors: Scrutiny Chairs and Vice-Chairs Group/
Scrutiny Coordinator and Democratic Services Officer

Title: Annual Report of the Council's Scrutiny Committees

1. What is the report about?

The Scrutiny Committees' Annual Report to Council for 2012/13.

2. What is the reason for making this report?

- 2.1 To present to Council the Scrutiny Committees' annual report on their activities during 2012/13.
- 2.2 To comply with Article 6.3.7 of the Council's Constitution which stipulates that scrutiny committees must report annually to full Council on their work and make recommendations for future work programmes and amended working methods if appropriate.

3. What are the Recommendations?

That Council considers the Annual Report of the Scrutiny Committees for 2012/13 and comments accordingly.

4. Report details.

- 4.1 The Constitution of Denbighshire County Council stipulates that the Authority's scrutiny committees will report annually on their activities during the year to County Council.
- 4.2 The Scrutiny Chairs and Vice-Chairs Group (SCVCG) wanted this year's Annual Report to follow a more concise format than in previous years, in order that residents, members and officers could be provided with a brief overview of the how scrutiny operates, the work the scrutiny committees do, and how residents can participate in the scrutiny process. A summary of the recommendations made by each of the three scrutiny committees, and an example case study to illustrate how some issues have been scrutinised, are included in the report.
- 4.3 During recent years the Annual Report has included a form which enables the general public to suggest areas or services for scrutiny's consideration. The rationale for including this form was to generate public interest and improve

their interaction with scrutiny, an aspect with which the majority of local authorities continue to struggle. During the past year a handful of residents have contacted the scrutiny function to suggest items which in their view merited scrutiny. As public engagement will form an important part of scrutiny in the future, under the provisions of the Local Government (Wales) Measure 2011, this form has again been included in this year's Annual Report as a mechanism for the public to use to get in touch with scrutiny. Details of how residents can raise issues and/or participate in the scrutiny process are included in the main report.

Self-Evaluation

- 4.4 In previous years the SCVCG conducted a self-evaluation exercise to gauge the effectiveness of the Council's scrutiny function. The purpose of this exercise was to identify areas of weakness and draw-up measures to try and address them. However as Denbighshire this year, like all other local authorities in Wales, is participating in the Scrutiny Improvement Study facilitated by the Wales Audit Office (WAO) it was decided that undertaking a separate self-evaluation for the purposes of the Annual Report would not be an effective use of resources.

Wales Audit Office's Scrutiny Improvement Study

- 4.5 The WAO's Scrutiny Improvement Study – 'Good Scrutiny? Good Question!' – began in late summer 2012. During the autumn of 2012 all 22 Welsh local authorities had to undertake a self-evaluation exercise and assess themselves against 27 questions. These questions were split into three different categories dealing with the environment within which scrutiny operates, scrutiny practices and scrutiny's impact both internally within the Council and externally. A judgement had to be formed on each question as to whether the Council's scrutiny arrangements 'hindered', 'partly supported', 'positively supported' or 'significantly supported' effective scrutiny. Our self-evaluation concluded that generally the Council's scrutiny arrangements 'positively support' effective scrutiny. A few questions were judged as 'significantly supporting effective scrutiny' and a few were judged as 'partly supporting effective scrutiny'. None were judged as 'hindering'. The majority of the questions were judged as 'positively supporting' as were the three individual categories.
- 4.6 The WAO Study is split into six phases. Under Phase 4 of the Study a Peer Learning Exchange Team (PLET), made-up of elected members and officers, from another local authority had to observe two scrutiny meetings and meet with the scrutiny chairs and vice-chairs before completing an identical assessment questionnaire on the authority's scrutiny function. Each PLET had access to the peer authority it was charged with evaluating's self-assessment. Denbighshire was peer assessed by Flintshire County Council. A PLET from Denbighshire peer-assessed Wrexham County Borough Council's scrutiny function.
- 4.7 We are now into Phase 5 of the Study. The initial findings of North Wales' PLETs' assessments were fed back to the authorities at a workshop on 29 April. It is fair to say that Flintshire's overall assessment of our scrutiny

arrangements, as reported at the workshop, reflected our overall judgment that our arrangements 'positively support' effective scrutiny. Whilst their judgements on some of the questions differed from ours, they also concluded that some of our arrangements 'significantly supported' effective scrutiny and that none 'hindered' scrutiny's work. To conclude Phase 5 of the Study Denbighshire's PLET has been asked to complete another self-assessment. In doing this the Team will need to have regard to its initial self-assessment and to Flintshire's peer assessment. In addition an action plan will also need to be drawn up specifying how we will address the areas which could benefit from being strengthened. The Action Plan will be presented to the SCVCG for consideration and approval ahead of its implementation.

- 4.8 The WAO Study will culminate with the publication of a national summary report in the autumn of 2013. This will highlight areas of good practice across Wales and local authorities will be able to use it as a reference document for the future.

Local Government (Wales) Measure 2011

- 4.9 Part 6 of the Local Government (Wales) Measure 2011 confers a number of powers and duties on local authority scrutiny committees. The main duties and powers affecting scrutiny are:

- a **duty** to consult with citizens and to take into account their views on major issues of policy;
- a **duty** to publish the forward work plans of the Council's scrutiny committees; and
- a **duty** on Council Executives to respond to reports and recommendations made by scrutiny committees
- a **duty** to scrutinise other organisations who deliver services of a public nature to residents of the area.
- the **power** to establish joint scrutiny committees with other local authorities;
- the **power** to co-opt non Council members as members of local authority scrutiny committees;

Councillors will be considering a report on the Local Government (Wales) Measure 2011, and the progress to date with its implementation, earlier on the current meeting's business agenda. Whilst draft regulations and guidance are available with respect to the establishment of joint scrutiny arrangements, draft regulations and guidance are still awaited with regards to which outside organisations delivering services to local residents the Council can compel to engage with scrutiny (these organisations are referred to in the Measure as 'designated persons'). Until such Regulations are made and final Guidance documents are available scrutiny will not be able to use any of the additional duties or powers conferred upon it.

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

Effective scrutiny will assist the Council to deliver its corporate priorities in line with community needs and residents' wishes.

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

6.1 The publication of the Annual Report forms part of the regular committee reports despatch to county councillors and other recipients, therefore there are no additional costs entailed with its publication. The Annual Report will be distributed to Council outlets such as libraries, One Stop Shops, leisure centres and to town and community councils, with electronic versions sent to all school councils within the County. It will also be available on the Council's intranet and website.

6.2 Any costs incurred with respect to the new powers conferred on scrutiny committees by the Local Government (Wales) Measure 2011 will be funded and contained within the Council's existing budget for democratic costs. Any costs arising from the holding of joint scrutiny meetings with other local authorities will have to be negotiated with the relevant local authority/ies and met from within the existing budgets.

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

Effective scrutiny of Council policies, procedures and decisions should mitigate the risk of there being any adverse impact on people who share protected characteristics.

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

Members of the Scrutiny Chairs and Vice-Chairs Group have been involved with the drafting of the Annual Report and have been consulted on its contents.

9. Chief Finance Officer Statement

There are no significant financial implications resulting from this report. As mentioned in paragraph 6 above any costs relating to the production of the Report will be contained within existing budgets and any costs arising from the establishment of joint scrutiny meetings will have to be the subject of negotiations between the relevant authorities.

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

No risks have been identified with respect to the consideration of the Committees' Annual Report.

11. Power to make the Decision

Article 6.3.7 of the Council's Constitution stipulates that the Council's scrutiny committees must report annually on their activities to full Council.

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