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FULL COUNCIL REPORT

Date Written	11 th July 2016
Report Author	Howard Jones
Service Area	Scrutiny
Exempt/Non Exempt	Non-Exempt
Committee Date	7 th September 2016

To: Mayor, Ladies and Gentlemen

Annual Scrutiny Report - 2015 / 2016

1.0 SUMMARY OF THE REPORT

- 1.1 Overview and Scrutiny (more commonly just called "scrutiny") is a function of local authorities in England and Wales. It was introduced by the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within councils. The Local Government Wales Measure 2011 strengthened the role of scrutiny in Wales. All non-Executive councillors are eligible to participate in the work of scrutiny.
- 1.2 Scrutiny's function includes monitoring performance, challenging the Council's spending proposals, reviewing services, contributing to policy development, examining the work of other local public service providers, and to promote public engagement in the democratic process
- 1.3 The scrutiny function at Merthyr Tydfil County Borough Council is performed by six scrutiny committees. These scrutiny committees are made up of elected local Members (Councillors) who are not part of the Council's executive (Cabinet), along with Co-opted representatives.
- 1.4 The purpose of the report is to apprise Council and other interest parties of the role of the Scrutiny Committees, and their work during the 2015/16 municipal year.
- 1.5 The report also provides an update on the recommendations in the Review and Evaluation of Member Scrutiny which took place during the Spring of 2015 resulting in a report to Cabinet on 6th May 2015.
- 1.6 There are a number of challenges that scrutiny will need to incorporate into its working practices for example the Wellbeing of Future Generations (Wales) Act

2015, and the expectations as detailed in the guidance from the Older People's Commissioner for Wales.

2.0 RECOMMENDATION(S) that

- 2.1 The content of this report be noted.
- 2.2 Webcasting of all / a selection of scrutiny committee meetings be introduced as soon as practicable after the May 2017 Local Government Elections.
- 2.3 The Governance, Performance, Business Change and Corporate Services Scrutiny Committee is designated as this Authority's scrutiny committee for the Cwm Taf Public Service Board, until such time a joint scrutiny committee (MTCBC and RCTCBC) is agreed and established.
- 2.4 The Chair and Vice Chair of the Governance, Performance, Business Change and Corporate Services Scrutiny Committee together with Officers further discuss joint scrutiny arrangements for the Cwm Taf Public Services Board with colleagues at Rhondda Cynon Taf CBC and report to Council with proposals in due course.

3.0 INTRODUCTION AND BACKGROUND

- 3.1 Each year the Council's Scrutiny Committees produce an Annual Report. This report includes a retrospective insight into the work undertaken by each of the Council's Scrutiny Committees during the municipal year.
- 3.2 Overview and Scrutiny (or just "scrutiny" as it is more commonly referred to) is a function of local authorities in England and Wales and was introduced by the Local Government Act 2000 which created separate Executive (Cabinet) and Scrutiny functions within councils. In Wales the scrutiny function was extended in the Local Government (Wales) Measure 2011.
- 3.3 All local authorities operating a Cabinet and Scrutiny model have a Cabinet (Executive) made up of the Leader of the Council and up to nine other members (At MTCBC it is the Leader plus six other members). All executive decisions (i.e. those needed to implement the Policy Framework and Budget approved by the Council) are taken by the Cabinet. Scrutiny, unlike Cabinet, is not a decision making body, but rather an influencing body, and makes recommendations to Cabinet (or Council) when necessary.
- 3.4 Scrutiny is a principal way of achieving open and democratic accountability for the provision of public services. The key aims of scrutiny are to;
 - Provide healthy and constructive challenge
 - Give voice to public concerns
 - Support improvement in services
 - Provide an independent review

- 3.5 The Centre for Public Scrutiny¹ (CfPS) has established four principles of good scrutiny and these are to;
 - Effective Scrutiny should be a 'critical friend' to decision makers, external authorities and agencies. It should challenge policy development and decision making in a robust, constructive and purposeful way while developing a partnership with external agencies and authorities.
 - Effective Scrutiny should reflect the voice and concerns of the public and its communities. It should ensure an ongoing dialogue with the public and represent and engage diverse communities to ensure that their voice is heard and responded to. It should have open and transparent processes with public access to information.
 - Effective Scrutiny should be carried out by "independent minded governors" who take the lead and own the Scrutiny process on behalf of the public. It should be independent from decision makers, impartial and active, engaging constructively with the executive, officers and advisers. It should champion the value of good scrutiny and facilitate measured deliberation and consensus building with the aim of supporting public accountability and community leadership.
 - Effective Scrutiny should drive improvement and make an impact on the delivery of public services. It should aim to promote community well-being and quality of life, providing strategic quality assurance and co-ordinated reviews of service performance, policies, plans and budgets.

The Centre for Public Scrutiny describes local government scrutiny as 'an independent function, led by local elected Councillors, that works with local people and local bodies to help improve services'

4.0 SCRUTINY COMMITTEES AND MEMBERSHIP

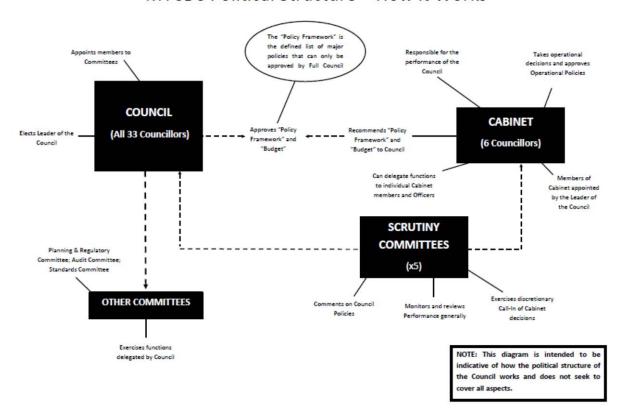
- 4.1 All non-executive (non-Cabinet) Councillors are eligible for membership of the scrutiny committees.
- 4.2 The Council has six Scrutiny Committees. These are:-
 - Governance, Performance, Business Change, and Corporate Services
 - Neighbourhood Services, and Public Protection²
 - Regeneration, Planning, and Countryside
 - Learning and LAESCYP
 - Social Services
 - Joint Scrutiny Committee

¹ The Centre for Public Scrutiny promotes the value of scrutiny and accountability in modern and effective government and supports non-executives in their scrutiny role. Founder members (LGA, CIPFA and LGiU)

² This scrutiny committee also undertakes the role of the Authority's Crime and Disorder Committee.

Each of these committees is also able to establish time-limited Task and Finish Group reviews that focus on a particular issue and consider it in greater detail than is possible at Committee.

- 4.3 Each scrutiny committee has seven Councillors. In addition each scrutiny committee has co-opted members who provide invaluable assistance to the work of the scrutiny committees and the Council as a whole. The membership of each committee as per 30th April 2016 is shown at APPENDIX I.
- 4.4 Each committee has one Voluntary Sector Co-opted member as nominated by Volunteer Action Merthyr Tydfil (VAMT). There are also two publicly appointed co-opted members per scrutiny committee. The Schools Scrutiny Committee also appoints a Merthyr Tydfil Governors Association representative, Parent Governor Representatives and Church Representatives.
- 4.5 The diagram below shows how scrutiny "fits into" the political structure at Merthyr Tydfil County Borough Council



MTCBC Political Structure – How it Works

5.0 WORK UNDERTAKEN BY THE SCRUTINY COMMITTEES FOR THE PERIOD MAY 2015 TO APRIL 2016

- 5.1 The Governance, Performance, Business Change, and Corporate Services Scrutiny Committee. The Committee is currently looking at / has looked at the following issues:-
 - WAO Corporate Inspection Report 2014
 - Transformational Change Programme An update

- LAESCYP Self Evaluation Key Questions 2 and 3
- Post Inspection Action Plan (PIAP) Update on R2 and R3
- Corporate Plan Performance Report, Quarter 4 (Year End update)
- Annual return Standards for Welsh Public Libraries
- Scrutiny Committees Membership, Remits and Meeting dates
- Draft Annual Scrutiny Report 2014 / 2015
- A Review and Evaluation of Member Scrutiny 2014/15 and Recommendations for 2015/16
- Draft Annual Governance Statement for financial year 2014/2015.
- Corporate Strategy Direction
- Local Service Board Wellbeing of Future Generations Act 2015
- Corporate Plan Challenge Process
- Performance against our outcome agreement with the Welsh Government
- Lessons Learned- Human Resource update
- Local Service Board Merthyr Tydfil Single Integrated Plan (SIP) 2013-17.
- Performance and Challenge against "Strategies on a Page"
- Transition from Local Service Board to Public Services Board
- Performance Report Learning Performance Board
- Update on MTCBC Whistleblowing Policy
- 5.2 Neighbourhood Services, and Public Protection Scrutiny Committee
 The Committee is currently looking at / has looked at the following issues:-
 - WAO Corporate Assessment 2014 Update
 - Transformational Change Programme An update
 - Community Regeneration An Update
 - Energy Efficiency Awareness Raising
 - Corporate Plan Performance Report Quarter 4 (Year End Update)
 - Key Transformational Budget Projects
 - Waste Management at MTCBC
 - Highways Performance Report
 - Fly Tipping Enforcement
 - Update on the review of Community Safety Functions at MTCBC
 - Annual Return: Fifth Assessment Framework for Welsh Public Library Standards 2014/15.
 - Safer Merthyr Tydfil Update on Domestic Abuse and Sexual Violence (Crime and Disorder Committee)
 - Neighbourhood Services Change Programme
 - Update report on the Transformational Change for Highway Maintenance
 - Merthyr Tydfil Leisure Trust 3rd Quarter update 2015/16
 - Addressing Substance Misuse through Effective Partnerships (Crime and Disorder Committee)
 - Update on Carbon Management Activities
 - Overcoming the Blight of Fly-tipping and Litter in the County Borough
 - The Fifth Quality Framework for Welsh Public Libraries Welsh Public Library Standards Return

- 5.3 Regeneration, Planning, and Countryside Scrutiny Committee.

 The Committee is currently looking at / has looked at the following issues:-
 - Awareness Raising Committee's Areas of Responsibility
 - Scrutiny Committees Membership, Remits and Meeting dates
 - Housing Grants / Disabled Facility Grants
 - Merthyr Tydfil CBC Local Development Plan (2006-2021)
 - Disabled Facility Grants Does the current approach to DFG's provide Value for Money
 - Economic Growth
 - The Merthyr Tydfil Local Development Plan 2006- 2021 and Associated Annual Monitoring Report
 - Vibrant and Viable Places Programme Update report
 - Deregulation Act
 - Child Sexual Exploitation Rotherham MBC
 - Housing (Wales) Act 2014 One Year On...
 - Merthyr Tydfil Destination Management Plan
 - Social Enterprise Developments
 - Performance Board Community Regeneration

5.4 Learning and LAESCYP Scrutiny Committee

The Committee is currently looking at / has looked at the following issues:-

- LAESCYP Self Evaluation Key Question 2 & 3
- Lessons Learned update Human Resources
- Schools & LAESCYP Scrutiny Committee: additional areas of responsibility
- School Governing Bodies
- Early Years Provision
- National Categorisation of Schools
- Central South Consortium to meet with the Managing Director and Chair of the Joint Committee
- Central South Consortium Report
- School Budgets An update
- Gellifaelog Primary School
- Recovery Board Report to Learning and LAESCYP Scrutiny Committee
- Summary and School Specific Attainment Performance in 2014/15 (Foundation Phase, Key Stage 2 and Key Stage 3)
- Progress in addressing the recommendations of the Estyn Inspection 2012
- LAESCYP Self-Evaluation against the Common Inspection Framework
- Quality of provision for ALN pupils and the impact in terms of outputs and outcomes
- Improving the Quality and Performance of Local Authority Education Services for Children and Young People - R7 Youth Support Services
- Performance Board Learning
- National Categorisation of Schools
- Key Stage 4 Standards 2014/15
- Service Level Agreements (SLA's) for Local Authority Services to Schools

- School Balances 2015/16
- Performance Board Action Points Parental Engagement
- Strategy to improve Outcomes for more and Able and Talented Pupils
- Education Services Strategy on a Page
- Caedraw Primary School Attendance at Scrutiny meeting
- Reducing Young People Not in Education Employment Training (NEET)
- The Performance of Groups of Vulnerable Learners
- Performance Board Area for Improvement School Governance and Governing Bodies
- Performance Board Area for Improvement Collaboration

5.5 Social Services Scrutiny Committee

The Committee is currently looking at / has looked at the following issues:-

- Post Inspection Action Plan (PIAP) Update on R2 and R3
- Transformational Change Programme Update
- Merthyr Tydfil Looked After Children Strategy
- Care and Social Services Inspectorate for Wales (CSSIW) site visit -February 2015
- Social Services & Wellbeing Act
- MTCBC Safeguarding Review (Rotherham) Self Assessment
- Annual Report on Social Services 2014 / 2015
- Deregistration of Glendere and Park View
- Social Services and Well-being (Wales) Act 2014
- Merthyr Tydfil Looked After Children Strategy
- Budget & Transformation Projects 2014/15
- Performance against our outcome agreement with the Welsh Government
- Merthyr Tydfil Community First Clusters
- Safeguarding Arrangements for reporting and managing Professional Abuse
- Safeguarding The role of the Cwm Taf Safeguarding Children Board (CTSCB)
- The Development of the Joint Commissioning Statement for Older People
- Vale, Valleys and Cardiff Regional Adoption Collaborative Progress Report
- De-registration of Glendere and Park View
- Cwm Taf Youth Offending Service
- Cwm Taf Safeguarding Boards Annual Reports 2014-15
- Referral from Governance Scrutiny Committee Disabled Facility Grants (DFG's)
- Social Services Response to CSSIW Report
- Looked After Child Prevention Strategy
- Fostering Service Social Services response to CSSIW report
- Looked After Children Strategy Implementation
- Social Services response to CSSIW report
- Annual report Social Services Complaints, Representations and Compliments

6.0 CHAIRPERSON COMMENTS

6.1 Governance, Performance, Business Change and Corporate Services Scrutiny Committee (Chair, Cllr Tom Lewis)



"It has again been a challenging year for the Council and also for scrutiny. The Council continues to face the challenge of delivering services to the people of the County Borough with less and less money and scrutiny is tasked with analysing this work and its outcomes and providing constructive challenge.

This year and indeed the following years look set to be challenging years, with councils continuing to look at the way they have

traditionally provided services to their residents. The Council will need to make some difficult decisions on funding priorities and scrutiny will need to be at the very centre of these considerations in order to ensure that decisions are taken in a transparent and evidence-based way."

I would like to take this opportunity to thank my fellow committee members and officers for their support and guidance over the past 12 months."

6.2 Customer Services Scrutiny Committee (Chair, Cllr Darren Roberts)



"The Neighbourhood Services and Public Protection Scrutiny Committee drafted its Work Program early last year knowing that with reducing budgets and increasing service pressures the need for more robust Scrutiny was required.

It is important that the public are able to contribute to the work of Scrutiny and this is an area that we as scrutiny members need to encourage and develop. All the scrutiny committees welcome the

involvement of residents, businesses and community groups in the County Borough in our scrutiny work.

This Authority has worked hard this year to help safeguard the services that matter the most to the public and the most vulnerable in our society.

May I take this opportunity to thank all members of the committee, Cabinet Colleagues, the officers and partners who have contributed to the work of the scrutiny committee throughout the year; can I also thank the Scrutiny and Democratic Services departments for the invaluable support and guidance.

6.3 **Schools Scrutiny Committee** (Chair, Cllr Lisa Mytton)



In 2015/16 our scrutiny committee focused on key objectives including ongoing progress by officers and schools in ensuring that we were successful in our Estyn Inspection and that we would be taken out of special measures. We have had the opportunity to meet many School Heads and Chairs of Governors who have given a deeper insight into some of the challenges facing schools in the county borough and also allowing us to celebrate some of

the highlights and success stories.

We have sought to ensure schools are encouraged to share information and develop joint working strategies to address such issues as attendance, additional learning needs, effective teaching and classroom practice etc. We will continue to have a strong robust forward work programme including a focus on key challenges facing schools and a review examining the current provision of apprenticeships and other opportunities for school leavers and those who are classed as NEET to consider if current places meet demand and what can be done to increase numbers and the range of opportunities for young people. Additionally whilst results showed improvement in our attainment and achievement rates Scrutiny will continue to monitor results to ensure that we continuously improve and strive to achieve the goals and ambitions set out by all within the Borough.

As the chair of scrutiny I'm so pleased to report that following our Inspection the recommendations by Estyn show a strong improvement in all of the key areas and whilst we still need to improve in some areas the overall result was excellent and we were taken out of special measures in December 2015. Scrutiny has discussed many informative reports from officers during the year, and is grateful to all who contribute to these. We send our congratulations to staff and governors of our schools on their excellent ESTYN reports.

Once again my thanks to all members of this committee, officers and schools who have contributed over the last 12 months "

6.4 <u>Social Services & Social Regeneration Scrutiny Committee</u> (Chair, Cllr Bill Smith)

"The Social Services and Social Regeneration Scrutiny Committee has had a busy year and is looking forward to another busy 12 months, reviewing the Council's policies and performance and supporting improvements to service provision at a time when Council services face ever increasing financial pressures.

The committee will continue to check that the requirements of the Social Services and Well-Being (Wales) Act 2014 are implemented. The Act seeks to deliver greater consistency, promote equality, improved quality and enhanced access arrangements across Wales and sets out duties for local authorities corporately and partners in the NHS, as well as social services departments.

The Scrutiny function must continue to ensure that it adds value and plays its part in the improvement of public services despite the financial pressures that the Authority faces.

I would finally like to thank all Scrutiny Councillors, Cabinet colleagues, employees and partners for their input into the Scrutiny process during the last year"

6.5 Regeneration, Planning and Countryside Scrutiny Committee (Chair, Cllr Gareth Jones)



The Regeneration, Planning and Countryside Scrutiny Committee is a recently formed body which monitors and scrutinises the 3 above devolved departmental areas.

During 2015/16 we have developed a work programme designed to scrutinise prioritised areas of these council departments such as current and planned working practices; departmental capacities and

expertise' target setting and attainment as part of our monitoring and evaluating departmental performance and self-improvement; service delivery and value for money issues.

All these have been set against the Council's stated 'Change Agenda' stemming from enforced drastic financial cuts imposed on MTCBC.

A work programme for 2016/17 has been developed which will seek to continue our scrutiny role of the departments; to review and monitor progress as we face further on-going financial austerity measures.

I would like to thank the members of the Committee for their hard work and valued inputs. Similarly to those officers who have appeared before us and members of the Democratic Services Department who support the organisation and running of the Regeneration, Planning and Countryside Scrutiny Committee.

7.0 A REVIEW AND EVALUATION OF MEMBER SCRUTINY 2014/15 AND HOW THE RECOMMENDATIONS HAVE BEEN ADDRESSED.

Review and Evaluation of Member Scrutiny 2014-15

- 7.1 A review and evaluation of Member Scrutiny took place during the Spring of 2015 resulting in a report to Cabinet on 6th May 2015³ with a number of recommendations being put forward. These recommendations together with a brief update on each are shown at APPENDIX II
- 7.2 A recommendation emanating from this evaluation concerns the introduction of webcasting for scrutiny meetings. (See recommendation 2.2 in this report & recommendation 10 in Appendix II).

8.0 SCRUTINY WORK PROGRAMMES 2016/17

8.1 At the time of writing this report the 2016/17 scrutiny work programmes are being developed and are nearing finalisation. The work programmes are aimed at

³ <u>A Review and Evaluation of Member Scrutiny 2014-15 and Recommendations for 2015/16</u> – Cabinet 6th May 2015

- ensuring scrutiny maintains a strategic and co-ordinated approach based on major areas of Council and partner organisations' activity.
- 8.2 The selection of review topics for the work programmes takes account of what is of direct and significant interest to residents, and what would be timely, relevant, and likely to add value. Please note however that the work programmes will necessarily be subject to continual refinement and updating.

9.0 PUBLIC PARTICIPATION AT SCRUTINY

- 9.1 Whilst Scrutiny members, Cabinet members and Council officers contribute regularly to scrutiny activities, we also welcome public attendance and input at our meetings.
- 9.2 The involvement of local residents, community organisations and partners is an important part of the scrutiny process and scrutiny committees are committed to responding to the views and concerns of residents. We would like to encourage residents and organisations to attend and contribute to scrutiny work in securing the best possible public services. The intention is to make sure that we are dealing with the matters that are most important to the community and are delivering quality services.
- 9.3 The Constitution⁴ allows for members of the public to attend and speak at scrutiny meetings. With this in mind a simple guide⁵ how this can work in practice. The guide provides details on how to for example to submit a written representation on an agenda item and the time limit for the member of public to put their case. This hopefully will allow members of the public the opportunity to tell Councillors directly about the things that concern them.
- 9.4 If members of the public feel that there is a topic that scrutiny should look at, they can let us know by completing a <u>Scrutiny Request Form</u> or by contacting the Scrutiny section on 01685 725464; or email <u>scrutiny@merthyr.gov.uk</u>

10.0 FUTURE CHALLENGES

10.1 The Scrutiny function will become increasingly important considering the nature of the financial challenge that the Council faces. It is imperative that the Council delivers its services in smarter and more efficient ways, and Scrutiny has a role in ensuring that decisions are well informed, that alternate options are considered, and that Cabinet is held to account to ensure decisions are robust, evidence based and transparent.

The following are two areas where scrutiny will need to incorporate into its working practices and role in the future

⁴ MTCBC Constitution - Citizens Rights 2.03.01 (c). **Participation.** Citizens have the right to participate in the Council's question time, speak at meetings of the Cabinet (when agended), and other Committees with the permission of the Chairperson and contribute to investigations by the Scrutiny Committees.

⁵ "Scrutiny at MTCBC – Public Speaking Arrangements"

The Wellbeing of Future Generations (Wales) Act 2015

- 10.2 The Act achieved Royal Assent in April 2015 and the legislation came into force in April 2016. The Act requires public bodies to improve social, economic, environmental and cultural wellbeing, by taking action in accordance with the sustainable development principle, aimed at achieving the 'Wellbeing Goals'.
- 10.3 The Act also established Public Services Boards (PSBs) for each local authority area in Wales. These replaced existing Local Service Boards (LSBs) and are statutory. The PSB is responsible for publishing an assessment of local wellbeing and a Local Wellbeing Plan.
- 10.4 There are two distinct roles for scrutiny:
 - All Scrutiny Committees will need to ensure that the Council applies the duties of the Act to its own decisions and policies – this will require scrutiny members to challenge whether the Council is implementing the Act across all the services that it delivers.
 - Purposeful scrutiny of the Public Services Board this should be strategic and focussed on the work of the Public Service Board as a whole.
- 10.5 The creation of the joint Cwm Taf Public Services Board, rather than separate a Merthyr Tydfil Public Services Board and a Rhondda Cynon Taf Public Services Board, was agreed on 12th May 2016.
 - This local authority in conjunction with RCTCBC is currently looking to establish a joint scrutiny committee to scrutinise the Cwm Taf Public Services Board, rather than each authority having a separate designated scrutiny committee.
- 10.6 Local authorities must designate a scrutiny committee to undertake the scrutiny of a Public Service Board. Until such time as a joint scrutiny committee is established the Authority will need to designate the role to one of its scrutiny committees as per the Act⁶, whereafter the joint scrutiny committee will take on that role.
 - It is a recommendation of this report that until such time a joint scrutiny committee is agreed and established; that the Governance, Performance, Business Change and Corporate Services Scrutiny Committee be this Authority's designated scrutiny committee for the Cwm Taf Public Service Board.
- 10.7 In order to progress the establishment of a joint scrutiny committee it is t important that the two participating local authorities (RCTCBC and MTCBC) are clear from the outset about the roles, responsibilities and terms of reference. With this in mind discussions will be taken forward by Councillors and Officers to further discuss the joint scrutiny committee arrangements.
 - It is a recommendation of this report that the Chair and Vice Chair of the Governance, Performance, Business Change and Corporate Services Scrutiny

⁶ Section 35(4) of the Well-being and Future Generations Act (Wales) 2015 – "Where a local authority has more than one overview and scrutiny committee, the references in this Part to its overview and scrutiny committee are to the committee that the local authority designates for the purposes of this section."

Committee together with Officers further discuss any joint scrutiny arrangements with colleagues in Rhondda Cynon Taf Council and report to Council in due course with proposals.

Guidance for Scrutiny from the Older People's Commissioner for Wales

10.8 The Commissioner has prepared guidance⁷ which is designed to ensure that robust scrutiny is undertaken when changes to community services are proposed, essential to ensure that there is not a disproportionate impact upon older people and that alternative approaches are considered.

Part 2 of the statutory guidance examines the crucial role of scrutiny around changes to community services and is targeted towards elected members and officers in local government. The aim is to improve the quality of scrutiny and ensure that the impact of closing down or reducing the provision of a community service on older people is thoroughly and rigorously analysed and considered.

11.0 FINANCIAL IMPLICATIONS

11.1 There are no financial implications as a result of this report.

12.0 SINGLE INTEGRATED PLAN AND SUSTAINABILITY IMPACT SUMMARY

12.1 The Single Integrated Plan and Sustainability Impact Assessment has been completed. No recommendations other than that the report is for noting has been put forward. However Scrutiny does undertake investigations and reviews of Council Services and any reports submitted in those circumstances may impact upon the Corporate Plan and Single Integrated Plan and as such would require more assessment. No negative impacts have been identified.

13.0 EQUALITY IMPACT ASSESSMENT

13.1 No additional Equality Impact Assessment (EqIA) is required.

GARETH CHAPMAN CHIEF EXECUTIVE

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⁷ Older Peoples Commissioner for Wales – "Scrutinising Changes to Community Services. Guidance for Local Authorities" issued under Section 12 of the Commissioner for Older People (Wales) Act 2006

BACKGROUND PAPERS			
Title of Document(s)	Document(s) Date	Documen	t Location
As per document references			
Does the report contain any issue that may impact the Council's Constitution?			Yes

Consultation has been undertaken with the Corporate Management Team in respect of each proposal(s) and recommendation(s) set out in this report.

Cllr Richard Thomas (Chair) (Independent)



Cllr Howard Barrett (VC) (Independent)



Cllr Tony Chaplin (Labour)



Cllr Margaret Davies (Labour)



Cllr Clive Jones (Labour)



(Labour)

Cllr Gareth Lewis Cllr Tom Lewis

(Labour)



Cllr Brian Mansbridge (Labour)

Cllr Lisa

Mytton

Cllr Bill

Smith

(Labour)



Cllr Kate Moran (Labour)



Cllr Ray Thomas (Labour)

(Lay Person with voting rights on Audit Committee)

Mr David Gibby

N.B. Mr David Gibby is not a member of the **Democratic Services Committee**

CABINET

SCRUTINY COMMITTEES (x5)

There is also a "Joint Scrutiny Committee" to be chaired by the Chair of the Governance Scrutiny Committee, and membership will comprise all members (Councillors and Coopted Members) of the 5 Scrutiny committees as shown below. Quorum for the Joint Scrutiny Committee will be at least half the Councillor membership of the Committee eligible to be present; to include at least one Councillor Member from each of the five scrutiny committees as per below. The quorum for the Governance Scrutiny committee is five Councillors present, and the remaining four scrutiny committees, the quorum is three Councillors present.

Leader of the Council



(Chair)





Cllr Phil Williams (Labour) (D.Leader)

Protection

Cllr David

Jones

(Labour)

Regeneration

Planning and

Countryside

Barry

(Labour)

Cllr Chris

Learning

Cllr

Harvey

Jones

(Labour)

Neighbourhood

Services and Public



Neighbourhood Services, and Public

Protection (also Crime & Disorder

Committee) (2.30pm start)



(2.30pm start)

Learning and

LAESCYP

Social Services

(3.00pm start)

(Independent)



Cllr Darren

Roberts

(Chair) (Labour)

Cllr Tom

Lewis

(Chair) (Labour)

Cllr Gareth Jones (Chair) (Independent)



Isaac



Cllr Leighton Smart VC (Independent)

Cllr Brent

Carter

VC (Labour)

CIIr Simon

Williams



Cllr Howard

Barrett

(Independent

Cllr Brent

Carter

Cllr John McCarthy (Labour)



Brown

Cllr David

Davies

Cllr Paul (Merthyr Indep)



Cllr Gareth

Jones

(Independent)

Cllr Sian

Slater

(Labour)





O'Neill (Labour)



Cllr Darren

Roberts

Cllr Ray

Thomas

(Labour)



Cllr Clive



Cllr John McCarthy

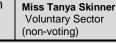
Cllr Leighton Smart

Cllr Bill Cllr Richard Smith

Thomas

Co-opted Members Mrs Anne Morgan Public (non-voting) Mrs Alison Harris Public (non-voting)

Cllr Simon Williams



Co-opted Members Vacant Public Appointed (non-voting) Mr Robert Holdaway Public Appointed (non-voting) **Mrs Nicola Mahoney** Voluntary Sector (non-voting)

Co-opted Members

Mrs Merryl Jones Public Appointed (non-voting) **Vacant** Public Appointed (non-voting) Mr Howard Jackson Voluntary Sector (non-voting)

Co-opted Members

MT Assoc. of School Governors (non-voting) Public Appointed (non-voting) Public Appointed (non-voting) Voluntary Sector (non-voting) Diocesan Rep – Catholic Diocesan (voting) Parent Governor - Secondary/Special (voting)

Mrs Rosa Lazell Ms Claire Brown Parent Governor - Primary (voting)

Social Services



Cllr Linda Matthews (Labour



Mvtton (Chair) (Independent)



Cllr Bill Smith (Chair)



Cllr David **Davies**



Braithwaite

Cllr Margaret

Davies

Labour)

Cllr Allan Jones

(Independent)

Cllr Gareth

Lewis



Cllr Tom Lewis

Cllr Kate

Moran

(Labour)

Cllr Brian Mansbridge

Cllr Sian

Slater

(Labour)

Co-opted Members

Vacant Vacant Mr Brian Lewis

Vacant

Vacant

Mr Alan Rees

Mrs Anne Roberts

Mrs Maureen Harris

Public Appointed (non-voting) Public Appointed (non-voting) Voluntary Sector (non-voting)

PLANNING, REGULATORY & LICENSING COMMITTEE STATUTORY LICENSING COMMITTEE

See Constitution for membership rules of "Licensing Sub Committee"; "Statutory Licensing Sub Committee"; and "Rights of Way Committee"









(Labour)







(Labour)



(Labour)





(Independent)



(Bedlinog Ward) Cllr Leighton Smart (Independent)







APPENDIX

Cllr Simon Williams (Labour)

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Recommendation	Progress	Evaluation
Performance and Outcome Focus		
R1 (met)	Progress	Evaluation
There is a need for a more sharply focused performance and outcome approach to be adopted by scrutiny and audit. This will help define key issues for committee members and increase the likelihood of effective meetings and impact of scrutiny and audit.	A new format for reports to scrutiny has been introduced at all scrutiny committee meetings. Officers are asked to ensure their reports follow the format of "where were we? (previous position a few years ago); where do we want to be? (our ambition); where are we now? (progress and improvements made); and what do we need to do next to reach our ambition?" Within the four headings above scrutiny requires the reports to outline each key aspect e.g. a short description; a clear analysis; an indication of what needs to occur to improve the aspect; how this improvement will be achieved; the barriers that may need to be overcome; the outcomes and when these will be achieved; what success will look like if and how progress will be reported to scrutiny show how your area(s) creates or provides value for money to the Council's work. provide evidence of progress made ref Action Plans during a monitoring & evaluation programme.	Scrutiny has also taken a new approach to performance monitoring. After the respective Performance Board meetings an update report is presented to Scrutiny on progress against the activities identified at the respective Performance Board meeting. The performance team provide recommendations on which action points need to be prioritised, provided details of the how the action points will be delivered, and identify the service area or officer that has the lead responsibility. This approach is still in its infancy but appears to be progressing well. The WAO have commented: - "The arrangement to challenge and track progress against the action points through the scrutiny process are new. This process has the potential to strengthen the Council's approach to service improvement by providing greater oversight. However, the Council will need to ensure that the scrutiny function is provided with the necessary support to fulfil this role effectively. The new approach has not yet embedded sufficiently to be able to assess the impact or effectiveness of the arrangement."
Scrutiny of Cabinet Members And Officers		
R2 (met)	Progress	Evaluation
Scrutiny Committees should continue to require attendance by Cabinet Members at specific scrutiny meetings as defined through the work programmes.	The Local Government Act 2000 allows scrutiny to compel both members and officers of the local authority to appear before them. A scrutiny 'invitation' is not really an invitation, but a statutory requirement. All the work programmes were defined to invite the attendance of appropriate Cabinet Members for specific meetings/items and Cabinet Members were notified and are reminded in advance.	With few exceptions Cabinet Members have attended meetings to which they have been invited during 2015/16. Two different types of approach have been used which could be described from 'proactive' to 'reactive'. Proactive entails the Cabinet Member briefly delivering a report and then responding to specific questions as well as making comments at appropriate stages alongside officer responses.
		Reactive entailed officer delivery of the report followed by the Cabinet member responding to questions when specifically asked.

D2 (mot)	Drograce	Evaluation
R3 (met)	Progress	Evaluation
Cabinet members should attend some meetings as observers.	Cabinet members regularly contribute to scrutiny meetings and there have been examples of Cabinet members in attendance at a meeting as an observer, ending up contributing to the meeting. This has been a very positive approach that has been adopted by the Scrutiny Committees and the Cabinet members.	Cabinet members cannot be expected to attend every scrutiny meeting relating to their portfolio. Also a balance must be made on Cabinet member attendance, even as an observer, as there will be time when scrutiny members may not want the Cabinet member to be present. However as no concerns have been raised by Cabinet members or Scrutiny committee members, Cabinet member attendance as an observer should be left entirely up to the individual Cabinet member.
R4 (met)	Progress	Evaluation
The Scrutiny and Audit Committees need to build upon the progress made during 2014/15 and use the 'key features of most successful meetings' as a basis for meetings involving Cabinet Members and/or officers during 2015/16 as defined below: a. Brief presentation of the report by the Cabinet Member (or officer when no cabinet member) lasting no more than fifteen minutes and identifying the key issues, progress on performance, impact on outcomes and future challenges to be addressed. b. Appropriately robust questions prepared in advance by scrutiny and audit members and appropriate follow-up questions to initial responses within the meetings c. A balance between Cabinet Member and officer responses to questions and targeting of specific questions by the chair to either officers and/or to the Cabinet Member or both	 a. As mentioned above two different types of approach have been used i.e. 'proactive' and 'reactive'. Proactive - the Cabinet Member briefly delivering a report and then responding to specific questions as well as making comments at appropriate stages alongside officer responses. Reactive - officer delivery of the report followed by responding to questions when specifically asked. b. All Committees prepare a list of questions in advance of the meeting. These are discussed at their premeetings. Appropriate supplementary questions are asked at the meetings. c. This takes place. 	The Proactive approach by Cabinet members is more prevalent than the Reactive approach, although both ways are very positive. There is no right or wrong way as long as the Cabinet member is challenged appropriately on his/her portfolio responsibilities. All reports to scrutiny committees tend to follow a similar format i.e. where we were, where we are, where we want to be, and how are we going to get there. To date this has been very effective. Scrutiny members are finding this approach easier when preparing questions for the meeting, as opposed to presentations for example. With the reports most information is provided in the report itself, whilst with the presentations, scrutiny members will only get the information behind the bullet points in the presentation at the meeting itself.
Work Programmes	Drogross	Evaluation
R5 (met)	Progress	Evaluation
The good progress made on developing the work programme for 2014/15 should be built upon for 2015/16 ensuring that: a) the descriptive template is continued so that there is clarity about the purpose of the item and	All the scrutiny committees have developed robust and challenging work programmes and have introduced the descripting template. Each committee liaises with the portfolio members, and senior officers in developing the work programmes.	The work programmes for 2015/16 were sound and addressed the necessary issues in a timely way. A degree of flexibility was applied during the year as new issues emerged and this has helped ensure the programme was focusing on immediate key issues.
the expected outcomes	All the work programmes for 2015/16 were designed to	Members have found the descriptive template useful during 2015/16 and wish it to continue with this format

b) both scrutiny members and officers influence the agendas through a formal process to enable this to happen during the period March to May in each year ensure (i) key issues are addressed (ii) Cabinet Members attend specific meetings (iii) and key corporate issues (ie budget, performance, transformation programme) are common to all committees.

As well as the standard template showing items for each meeting by date, there is a second template completed which records each item description and defines what is expected, who should attend and whether it is a scrutiny or overview item.

The work programmes were developed mainly by scrutiny committees with some officer input.

Whilst it is important that scrutiny members and officers influence the work programmes, it also important that work programmes are influenced by public suggestions. Using Twitter and Facebook, and placing articles in the Contact magazine have proved fruitless in getting public participation in scrutiny.

However in the latter stages of 2015/16 there were two issues brought to scrutiny as a reslt of public concers, these being the litter/fly-tipping issues the County Borough is facing; and the Councils use of debt recovery companies

Specific Issues

R6 (met)

In terms of the current Chief Executive's Scrutiny Committee, the following should be considered:

- a) renaming the Committee as the "Corporate, Performance & Business Change Committee" (or something similar that defines the nature of the key corporate dimensions)
- b) carefully crafting the work plan to ensure it appropriately reflects the key corporate challenges facing the organisation to include the following:
- (i) Defining Success for 2017;
 Performance management and monitoring: Corporate, service and staff
- (iii) Change to include:
 - Organisational
 - Transformational
 - Business
 - Cultural
- (iv) Corporate planning including selfevaluation
- (v) Budget management and monitoring
- c) To avoid duplication of effort and time across committees by Members and officers, use this committee to initially deal with corporate issues and then refer specific issues to individual committees as required

Progress

- a) A report to Council on 17th June 2015 introduced the scrutiny committees as currently operated. i.e.
 - Governance, Performance, Business Change and Corporate Services Scrutiny Committee; (previously the Chief Executives Scrutiny Committee)
 - 2. Learning and LAESCYP Scrutiny Committee;
 - 3. Social Services Scrutiny Committee;
 - Neighbourhood Services and Public Protection (Incorporating Crime and Disorder) Scrutiny Committee:
 - Regeneration, Planning and Countryside Scrutiny Committee; and a
 - 6. Joint Scrutiny Committee.
- b) The key corporate challenges facing the organisation have been incorporated into the work programme.
- c) This has been done.
- d) The new learning and LAESCYP Scrutiny Committee has been set up taking on the LAESCYP responsibilities of the previous Social Services and Social Regeneration Scrutiny Committee.
- e) No joint task and finish groups have been set up in the last Council year, but comments noted.

Evaluation

The Governance, Performance, Business Change and Corporate Services Scrutiny Committee has been in operation for 12 months and its work programme has included the key corporate challenges. The Deputy leader / Portfolio Member for Governance and Corporate Services attends all committee meetings where he is appropriately challenged. He also keeps the committee updated on corporate matters.

This committee is seen as the overarching scrutiny committee and is able to refer items to the individual scrutiny committees as and when applicable.

The Chair and Vice Chair of each of the other 4 scrutiny committees sits on this committee and as such individually they are able to take any concerns back to their individual committees for further consideration.

- d) Common LAESCYP issues should be addressed by one committee.
- e) Where joint task and finish groups are established, as with Learning for Life in 2014/15, this needs to be well defined in advance, require the involvement of key officers, Cabinet Members and other agencies and follow a process which should be better defined and understood as this is currently unclear.

Training

R7 (met)

The good progress in improving the quality of questioning across the scrutiny committees needs to be further built upon. The Chair's Group and Scrutiny Support will consider the development of a training pack which uses some of the webcast recorded practice.

Progress

Scrutiny members have received training on questioning techniques and skills. Further training on questioning skills with the WLGA was provided in June 2016.

The Scrutiny and Audit Chairs Liaison Group is no longer in operation.

In respect of Webcasting, meetings are recorded but are not webcast at this stage. This is an area for development.

Evaluation

Questioning has improved across all committees and additional training has recently been provided. It is essential that this continues across all the scrutiny committees

ESTYN has acknowledged that in respect of the Learning and LAESCYP Scrutiny Committee the culture of challenge and accountability is developing well.

Conversely the WAO comment in the Corporate Assessment that "Scrutiny and challenge is developing but is variable in its rigour and focus, and its impact is unclear. Scrutiny challenge is developing but remains variable with strong and weak committees."

R8 (Partly met)

There is a need for all committee members to have generic training for at least:

- a) performance and outcome focused scrutiny
- b) analysing local and national data and information
- c) effective self-evaluation
- d) effective questioning

Progress

Scrutiny members have been offered the following training:-

- Questioning Skills
- Scrutiny Induction
- Education Training x2 (Schools Scrutiny Committee only)
- Scrutiny Chairing Skills
- Effective Questioning Skills
- Understanding and using performance data
- Roles and Responsibilities for Outcome Based Scrutiny
- Effective Scrutiny for Better Outcomes
- Well-being of Future Generations (Wales) Act 2015
- Data Unit Wales Interpretation of data
- Effective Questioning
- How to Chair Meetings
- Social Media

Evaluation

Democratic Services has recently undertaken a training needs analysis – training on "Chairing Meetings" and "questioning skills" has been identified as areas training are required. This is being addressed.

Not all the areas identified by the evaluation report last year have been identified by Members as areas they wish to receive training on.

As part of the Member development process Party/Group Leaders worked with each Councillor on their Personal Development Plans which began with the completion of their TNA's. As such whilst this recommendation has not been met in full, it has been overtaken by other processes.

In readiness for the local elections in May 2017, a new programme of training will be developed

	Media Skills Public Speaking and Assertiveness	
R9 (met)	Progress	Evaluation
To assist in the delivery of effective scrutiny in individual committees focused on specific aspects (ie Waste, LAESCYP, Social Care, Highways etc) there is a need for training in the areas in relation to knowledge of performance and key specific service issues	After this recommendation in May 2015, the newly formed Regeneration Scrutiny Committee had an agenda item "Awareness Raising – Committee's Areas of Responsibility" with Senior Officers and the Cabinet member were in attendance. The Learning and LAESCYP Scrutiny Committee had an awareness raising session with the Portfolio Member and the Chief Education Officer. Similarly the Neighbourhood Services and Public Protection Scrutiny Committee had an awareness raising session, specifically on its new responsibilities as the Authority's crime and Disorder Committee. These were the three committees mainly affected by the scrutiny committee restructure.	All the Committees are aware of their areas of responsibility and the work programmes that were drawn up for 2015/16 reflect this. As is normal after the local elections, a programme of training and awareness of roles will be drawn up in readiness for the May 2017 elections.
Evidence		
R10 (not fully met)	Progress	Evaluation
The webcast recordings should be used to provide an evidence base of practice for the local authority in terms of Member Scrutiny and this should be more formally used for external regulators such as Estyn and Wales Audit Office.	All scrutiny committee meetings are recorded but as yet they are not webcast.	It is recommended that consideration be given to webcasting all or a selection of scrutiny committee meetings as soon as practicable after the May 2017 local government elections This has been carried forward to the recommendations in this Annual report.
R11 (partly met) The Schools Scrutiny Committee is seen as a good example by external regulators and so the practice should be shared with other committees.	Progress The various scrutiny committees operate similarly (same format reports, pre and post meetings, attendance of Cabinet members etc), although attendance and effective challenge & participation is variable. The Schools Scrutiny Committee (now the Learning and LAESCYP) had seen more focus and input since the 2012 ESTYN inspection. With the forming of the Governance Scrutiny Committee (Chairs and Vice Chairs of the scrutiny committees) this has and will in the future help with ensuring that best practice is shared across all the Committees.	Evaluation This is evidenced by the WAO in the Corporate Assessment "Scrutiny and challenge is developing but is variable in its rigour and focus, and its impact is unclear. Scrutiny challenge is developing but remains variable with strong and weak committees." The Governance Scrutiny Committee is expected to assist in ensuring that best practice is shared across all the Committees.

Structure

R12 (met)

The existing committee and audit structure is becoming more effective but needs review before Annual Council in May 2015. The following issues need to be addressed

- a) The Chief Executive's new organisational structure with specific responsibilities for each of the Corporate Directors should influence the nature of future scrutiny committees, the Cabinet Member accountabilities and accountable officers.
- b) At this stage it is probably best to consolidate the work of the existing structure and build upon the strengths from the last 2 years but for 2015/16, to consider the following:
 - (i) requiring corporate issues to be more explicitly addressed in the Chief Executive's Committee and consider renaming this as Corporate, Performance & Business Change Scrutiny Committee (or something similar)
 - (ii) requiring all LAESCYP related issues to be the responsibility of one committee;
 - (iii) programming some joint meetings for common items where required;
 - (iv) securing a better framework for reporting on self-evaluation, performance management and performance appraisal related items as this is currently very weak.

Progress

The scrutiny structure at MTCBC was changed following a report to Council on 17th June 2015.

- (i) The new Committee is the Governance, Performance, Business Change and Corporate Services Scrutiny Committee; (previously the Chief Executives Scrutiny Committee. Corporate issues are addressed at the committee's meetings.
- (ii) The Learning and LAESCYP Scrutiny committee now considers all LAESCYP issues and has done since May 2015.
- (iii) There is now a Joint Scrutiny Committee. All scrutiny members are members of this committee. A meeting of this committee is called when items relevant to all the scrutiny committees is considered e.g. the consultations on the draft budgets February each year.
- (iv)Scrutiny has also taken a new approach to performance monitoring. After the respective Performance Board meetings an update report is presented to Scrutiny on progress against the activities identified at the respective Performance Board meeting. The WAO have commented: "The arrangement to challenge and track progress against the action points through the scrutiny process are new. This process has the potential to strengthen the Council's approach to service improvement by providing greater oversight"

Evaluation

This recommendation has been met in full:-

New scrutiny committee structure, including a Joint Scrutiny Committee (of all scrutiny members) that meets approx. 3 times a year to discuss common issues such as budget proposals.

For 2016/17 a schedule of Performance Board outcomes for each scrutiny committee has been added to the work programmes.

Other Issues to Address

R13 (met)

For many committee meetings (but not all), officers are present throughout a lot of the meeting until their item is dealt with. This can entail some very senior officers sitting for over an hour and sometimes having one of the items not addressed or rushed. This is not an effective use of officer time although it has been argued by a few officers that it is a good way to find out what is going on in the organisation. This issue needs to be addressed as a matter of urgency.

Progress

This has never been a requirement of the scrutiny committees but more of a choice by officers, or indeed they may have felt obliged to stay for the majority of the meeting.

Evaluation

Officers now generally only attend for their particular item. Chairs now suggest Officers/other attendees leave after their item as a matter of course.

R14 (met)	Progress	Evaluation
Some reports are still far too long and the tendency by a small number of officers to include everything that seems relevant is counter-productive. Committee members end up being unsure about what is relevant and the key messages will often be lost. This needs to be reinforced by the chairs group.	All reports to scrutiny committees tend to follow a similar format i.e. where we were, where we are, where we want to be, and how are we going to get there. To date this has been effective. Scrutiny members are finding this approach easier when preparing questions for the meeting, as opposed to presentations for example, which don't always provide all the required information, only the main points. With the reports most information is provided in the report itself, whilst with the presentations, scrutiny members will only get the information behind the bullet points in the presentation at the meeting itself.	The new format appears to be working well. There have been no issues raised by Officers, Cabinet members, or members of the Committee.
R15 (met)	Progress	Evaluation
The most effective way to engage with the committee members and to enable time for questioning is to assume that each has read the report and so to make a brief presentation verbally of the key points limiting the presentation to 15 to 20 minutes at the most. Too many initial presentations are too long and subsequently this squeezes later agenda items. The 'key features' identified in recommendation 4 provide a good framework for further development. The chairs group should reinforce and apply this message	There is general acceptance that the following is the format at scrutiny meetings. Brief presentation of the report by the Cabinet Member (or officer when no cabinet member) lasting no more than fifteen minutes and identifying the key issues, progress on performance, impact on outcomes and future challenges to be addressed. Appropriately robust questions prepared in advance by scrutiny and audit members and appropriate follow-up questions to initial responses within the meetings A balance between Cabinet Member and officer responses to questions and targeting of specific questions by the chair to either officers and/or to the Cabinet Member or both	PowerPoint presentations are the exception rather that the rule and scrutiny reports are in an agreed format. This together with the "key features" has helped scrutiny become more effective / efficient. Where there have been cases where the agreed format is not adhered to, it will have been with the encouragement or agreement of the committee. If the officer has deviated from the agreed format, it is the role of the Chair to bring the meeting back in line with the accepted format.

The above currently occurs, however if the above varies it will have been at the agreement of the Committee/Chair.