

# Report

## Democratic Services Committee

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### Part 1

Date: 17 September 2015

Item No: 2

**Subject** **Scrutiny Committees**

**Purpose** To consider some potential changes to Structures

**Author** Head of Democratic Services

**Ward** All Wards

**Summary** The existing Scrutiny Committees were established after the 2012 Local Authority Elections.

This discussion paper raises the possibility of a potential review of the portfolios of the Committees and puts forward some initial thoughts to allow the Democratic Services Committee to consider which options deserve more detailed scrutiny.

The report suggests three potential options for discussion

- No change
- Align committees to Corporate Director portfolios
- Look at options around aligning with Cabinet portfolios

And asks the committee if they have other options by which the three existing committees can be reconfigured.

The purpose of this report is to ask the Committee

- Which options should be pursued no further
- What options deserve more detailed work
- Are there parameters within which the work should be carried out

Members may consider that changing the structures is not what is needed to respond to the points raised by the Corporate Assessment.

A major issue for scrutiny is the work towards rationalisation of the work programmes, focussing on key risks and priorities of the council, and ensuring there is sufficient challenge and accountability within the decision making process

## Proposals

- I. To consider whether the existing structure is in need of review
- II. If so, to consider which options should be developed further for consideration by the Democratic Services Committee
- III. If not to recommend that no action be taken on structures but to continue with the review of work programmes

**Action by** Head of Democratic Services/Senior Overview and Scrutiny Officers

**Timetable** To meet a programme of work to be agreed by the Committee

This report was prepared after consultation with:

- Scrutiny Improvement Group
- Political Groups
- Chief Executive
- Monitoring Officer
- Head of Finance
- Head of People & Business Change
- Overview and Scrutiny Team

## Background

The existing Scrutiny Committees were established after the 2012 Local Authority Elections. This paper proposes a review of the portfolios of the Committees to find out if the existing arrangements can be improved to provide greater clarity and a more understandable organisational arrangement.

The report will now look at three potential options and asks the Committee which of these options are worthy of further review. The options include some initial thoughts by the Head of Democratic Services but these are included to help discussion and not to provide any view as to the officers preferred route – as there is not one.

### **General issues to guide the review**

As mentioned in the summary, Members may consider that changing the structures is not enough to respond to the points raised by the Corporate Assessment. Any reorganisation or indeed any decision as to 'no change' needs to be coupled with a rationalisation of the work programmes, focussing on key risks and priorities of the council, and ensuring there is sufficient challenge and accountability within the decision making process

Whatever structure is agreed

- The whole purpose of Scrutiny should be to help improve services provided to the people of Newport, those who work here and those who visit the City.
- A problem facing scrutiny is that work programmes are not always focussed upon impact and outcomes, and contain too many information reports. A re-focus of work programmes within three committees would achieve more efficient and effective scrutiny.
- Redrafting of work programmes is an important piece of work for the committees. A review is currently under way to help refocus the work programmes on key priorities.
- Member led work programmes are essential to ensure that the Committees are carrying out work to improve services that are important to the citizens of Newport.
- Different committees will need to take different approaches to their work, depending upon the priorities within that portfolio – for example, committees dealing with social services issues will need to focus more on regulation and safeguarding as the key risk areas, therefore more monitoring activity will be required
- No structure will work effectively unless members also embrace different ways of working, and a rationalisation/refocusing of the work programmes
- If a 'Corporate Committee' emerges as a recommendation, it would help if representatives of the other committees sat on Corporate, to feed in service knowledge to corporate issues.
- When necessary, committees need to work together to share out the workload sensibly, share information and make referrals between them
- Scrutiny arrangements need to be supported by development activities and improved information to Members to ensure they are well informed and highly skilled, properly enabling them to effectively challenge and hold the Executive to account.
- We have no additional funding available to support Scrutiny or any other part of Democratic Services at this time. Any increased activity could lead to a budget pressure to pay for more staff. Work programming is the key to managing workloads within the three committee structure, backed up by working groups where necessary.

## **The options:**

### **1. No Change**

The existing arrangements comprise:

Scrutiny Committee for Planning & Development  
Scrutiny Committee for Learning, Caring & Leisure  
Scrutiny Committee for Street Scene, Regeneration and Safety

### **Strengths**

- The Committees are 'cross cutting' and provide fewer opportunities for thinking in terms of 'silos'
- Work programmes are agreed, although better focus should be achieved through greater alignment with the Cabinet Work programme.
- Members of the Committees are building expertise in the areas of work within the committees
- Some issues cut across council structure lines but can be found a place within the existing structure

### **Possible weaknesses**

- Heavy work programmes that are not always focussed upon impact and outcomes, and contain too many information reports. This does not necessarily mean a change in 'portfolios' is needed but more a change in focus. Work programmes need to be improved to ensure they are timely, meaningful, informative, transparent, balanced, monitored and joined up.
- Some confusion over "what goes where"
- Unclear reporting lines – officers and Cabinet Members required to report to multiple committees,
- No home for corporate issues meaning joint committees have to be established
- Social Services is split over two Committees, meaning duplication of work in some instances, and so joint meetings having to be established.

### **Costs of this course of action**

No change in arrangements so no changes in costs

## **2. Align committees to Corporate Director portfolios**

This proposal has been seen by the Scrutiny Improvement Group and the political Groups. It looks at the possibility of realigning the committees with the current officer structure, so that any items coming under the jurisdiction each Strategic Director/the Chief Executive would automatically be assigned to the corresponding Scrutiny Committee. The portfolios would therefore be:

- Scrutiny Committee for Corporate Services
- Scrutiny Committee for People
- Scrutiny Committee for Place

### **Strengths**

- Clearer lines of accountability between the committees and the council's areas of business
- Clear alignment with corporate directors - an expectation that they would attend and support
- A simple structure, easily understood across the organisation
- No duplication of reporting/need for joint meetings
- Less confusion over "what goes where"
- A home for corporate issues
- There is a logic to combining Social Services under one roof, but also a logic to combining Children and Family Services with Education
- Potential for better coordination of budget scrutiny through the corporate committee

### **Possible weaknesses**

- Some issues cut across council structure lines, so there may still be a need for decisions as to what goes where
- One committee will look at issues that could affect wider portfolios, such as the budget, service plans etc.
- Potential heavy workload for the people committee.
- Potential for some scrutiny members to be less involved in budget scrutiny as it would be dealt with via the corporate committee

### **Costs of this course of action**

This would reorganise workloads and would involve no costs or savings

### 3. **Align with Cabinet Portfolios**

This may need work but would concentrate on what fits together within the Cabinet portfolios. These are thoughts on what the portfolios could look like:

- Scrutiny Committee for Corporate Services
- Scrutiny Committee for Education & Social Services
- Scrutiny Committee for Regeneration, Growth and Customers

These could align directly with cabinet portfolios. This is a suggestion and other options may emerge from discussions

#### **“Corporate”**

- Full Cabinet issues
- Leader
- Deputy Leader/CM Customer Services and Digital Innovation
- CM People and Business Change
- CM Regulatory Functions

#### **“Education and Social Services”**

- CM Education and Young People
- CM Adult and Community Services

#### **“Regeneration, Growth and Customers”**

- CM Regeneration, Investment and Housing
- CM Streetscene and City Services
- CM Skills and Work and Newport LIVE

#### **Strengths**

- Clear lines of accountability
- Clear alignment with Cabinet portfolios
- A simple structure
- Little or no need for joint meetings
- No confusion over "what goes where" as the view would be if it's in the CM portfolio , it goes to that committee
- A home for corporate issues

#### **Possible weaknesses**

- The links between Social Services and Education seem hard to resist so again this may lead to a heavy workload for one of the committees

#### **Costs of this course of action**

This would reorganise workloads and would involve no costs or savings

#### 4. Other Options

This report also asks the committee if they have other options by which the three existing committees can be reconfigured.

#### **Financial Summary**

There is no cost to carrying out a review other than staff time. Recommendations that emerge from the review may have financial implications and these considerations would need to be included in any report

#### **Risks**

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
A review will involve staff time that cannot be allocated elsewhere	M	L	The report asks the Committee to decide on which options are to be developed further	Head of Democratic Services

#### **Options Available**

The options are:

- To consider whether the existing structure is in need of review
- If so, to consider the basis of any further work on options.
- If not to recommend that no action be taken on structures but to continue with the review of work programmes

#### **Preferred Option and Why**

The Committee is asked to provide a member-led approach to these issues and the report proposes no 'preferred' option

#### **Comments of Chief Financial Officer**

There is no cost to carrying out a review other than staff time. Recommendations that emerge from the review may have financial implications and these considerations would need to be included in any report

#### **Comments of Monitoring Officer**

The Council has a statutory duty to appoint one or more Overview and Scrutiny Committees in accordance with Section 21 of the Local Government Act 2000, but the number and terms of reference of each Committee is a matter for the Council to determine. The current structure has not been reviewed since 2012, despite changes to service area responsibilities and Cabinet portfolios. In addition, there is a need to address issues regarding clearer reporting lines and more manageable work programmes, as identified in the Wales Audit Office Corporate Assessment. Any changes that are recommended by Democratic Services Committee would need to be approved by full Council and the relevant parts of the Constitution would need to be amended accordingly

## **Staffing Implications: Comments of Head of People and Business Change**

There is no cost to carrying out a review other than staff time. Recommendations that emerge from the review may have staffing implications and I would need the opportunity to comment on any staffing implications of any options that are developed.

## **Scrutiny Committees**

The Scrutiny Group has considered this matter and its view was that the alignment with Corporate Directors was worthy of further investigation, although the Group considered the workload of the 'People' Group may be significant

Both political groups have considered the issue and each has asked the Democratic Services Committee to consider further the need for any review and the options available.

## **Equalities Impact Assessment**

An Equalities Impact Assessment is not required for this report.

## **Children and Families (Wales) Measure**

The proposals do not relate to children and young people.

## **Consultation**

Statutory Officers have been consulted.

## **Background Papers**

There are no relevant background papers for this report.

Dated: September 2015