

Report

Democratic Services Committee

Part 1

Date: 17 December 2015

Item No: 4

Subject **Scrutiny Committees**

Purpose To consider further information on potential changes to the Scrutiny Committee Structures.

Author Senior Overview and Scrutiny Officers

Ward All Wards

Summary At its meeting on 17 September 2015, the Democratic Services Committee considered a discussion paper on a potential review of the portfolios of the Committees. This paper included initial thoughts on potential changes to allow the Democratic Services Committee to consider which options deserved more detailed scrutiny. The Committee agreed that further work be carried out and brought back on the following options:

- Align committees to Corporate Director portfolios
- Aligning with Cabinet portfolios

This report contains additional information on these options, for the Committees consideration.

Proposals The Committee is asked to consider if it wishes to recommend any changes to the Scrutiny Committees portfolio, to be forwarded to the Council for approval.

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:

- Chief Executive
- Monitoring Officer
- Head of Finance
- Head of People and Business Change
- Chief Democratic Services Officer
- Overview and Scrutiny Team

1. Background

General issues to guide the review

- 1.1 Members may consider that changing the structures is not enough to respond to the points raised by the Corporate Assessment. A problem facing scrutiny is that work programmes are not always focussed upon impact and outcomes, and contain too many information reports. The Scrutiny Committees have undertaken a review of their work programmes in September 2015, which has resulted in a number of new ways of working being implemented that have had a positive impact on their work programmes. This includes:
- **Information Reporting** – the Committees now have a mechanism to receive reports that are for information only via email. These are then listed as information reports within the next Committees agenda, which ensures that the documents are made publically available and that the Committee members are aware of what has been sent to them for information during the previous month.
 - **Exception reporting** – the Committees have agreed to receive certain reports on an exception bases. This is particularly relevant to action plans, where in many instances the Committees are only receiving the Amber and Red and high risk items on their agendas for discussion, with the full report being sent as an information report.
 - **Workshop list** – the Scrutiny Team are now running a list of Scrutiny Committee workshops, which has removed items on the Committees agenda that were better suited to a briefing / workshop environment.
- 1.2 Any reorganisation needs to be coupled with a continued 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. It also relies on the Committees continuing to embrace new ways of working to ensure that the work programmes are manageable and focused on helping to improve services provided to the people of Newport through ensuring effective and robust decision making.

2. Align committees to Corporate Director portfolios

2.1 This proposal 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.

2.2 The portfolios would therefore be:

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

2.3 The terms of reference would mirror the portfolios of the Corporate Directors for these three:

Corporate Overview and Scrutiny Committee:	Service Area: Chief Executive <ul style="list-style-type: none"> • Law and Regulation; • Finance; • People and Business Change.
	Corporate Policies, Strategies and Plans or those affecting more than one Committee.
	Partnerships and partner organisations.

People Overview and Scrutiny Committee:	Service Area: Corporate Director – People <ul style="list-style-type: none"> • Children and Young People Services; • Adult and Community Services; • Education.
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Place Overview and Scrutiny Committee	Service Area: Corporate Director – Place <ul style="list-style-type: none"> • Regeneration, Housing and Investment; • Streetscene and City Services.
	Designated Crime and Disorder Scrutiny Panel

2.4 The agenda items that would be considered by the Committee would be as follows:

Corporate	People	Place
All Service Plans – Mid year and year end performance analysis. This would include the service plans for <u>all directorates</u> .	Performance monitoring of service area (outside of the Service Plan or referred to by the Corporate Committee).	Performance monitoring of service area (outside of the Service Plan or referred to by the Corporate Committee).
Draft budget proposals - the Chief Executive Directorate.	Draft budget proposals – Corporate Director – People.	Draft budget proposals – Corporate Director – Place.
Policy review and development (Chief Executive Directorate); or those affecting the whole Council or more than one other Scrutiny Committee.	Policy Review and Development (Corporate Director – People)	Policy Review and Development (Corporate Director – Place)

<p>Examples of current Issues that would be relevant to this Committee include:</p> <ul style="list-style-type: none"> • WAO Regulatory Reports; • Annual Information Risk Report; • Whilst blowing Annual Report. 	<p>Examples of current issues that would be relevant to this Committee include:</p> <ul style="list-style-type: none"> • Safeguarding; • Youth Offending Services; • CSSIW Inspection Reports; • Estyn Inspections; • Gwent Frailty; • Fostering and Education/ Social Care inspections and actions plans; • Key Stages 1-5 Reports • Corporate Parenting • Education Services Target setting; • Director of Social Services Annual Report; • Performance of Adult Social Care Providers. 	<p>Examples of current issues that would be relevant to this Committee include:</p> <ul style="list-style-type: none"> • City Centre; • Regeneration and Investment, Housing; • Streetscene; • Transport; • Network Rail; • Electrification; • Sports and Leisure; • Community Centres; • NORSE.
<p>Coordination of the budget process.</p>		<p>Issues relating to Crime and Disorder, including safety and policing.</p>
<p>Corporate Improvement Plan</p> <ul style="list-style-type: none"> • Consultation on the initial development; • On-going monitoring of its implementation 		
<p>Single Integrated Plan</p> <ul style="list-style-type: none"> • Consultation on the initial development; • On-going monitoring of its implementation. 		
<p>Local Service Boards and scrutiny of other partnership agencies.</p>		

2.5 The current Policy Review Groups that would be considered by the Committee would be as follows:

Policy Review Groups		
People	Place	Corporate
Recruitment and Retention of Social Workers	School Crossing Patrols	Marketing and Engagement
Adult Residential Care	Private Sector Housing	IT Service Review
	Empty Homes	Workforce Plan

Workloads of the Committees

- 2.6 To give the Committee an idea of the workloads for the three Committees within this option, the following has been collated as an estimate of the number of items that are likely to appear on the agenda for the Committees over a year period:

	Agenda Items	Number of Agenda items per meeting	Information Reports	Workshop Items	Policy Review Groups
Corporate	34	4-5	0	1	3
People	38	4-5	3	5	2
Place	22	2-3	2	0	3
Total:	94				

Notes:

- Service Plans at Corporate Committees accounts for 18 agenda items (4 meetings out of 8 dedicated to Service Plans).
- Education within People accounts for 11 agenda items with Social Services the remaining 27.

- 2.7 Factors for consideration with this proposed structure:

- **The Committees will need to work together to share out the workload sensibly, share information and make referrals between them.**

For example, within this proposal, the Corporate Scrutiny Committee would take responsibility for considering the mid-year and year end review of Service Plans for *all directorates*.

This would allow the Members on the Corporate Scrutiny Committee to consider the performance data for the Council as a whole through the mid and year end service plans, and refer any issues of concern within a service areas performance to the relevant scrutiny Committee for more in-depth consideration of the performance issue as necessary.

- **Large work programmes would continue to be an issue for the Committees**

The benefits of this proposal are that there is a home for Corporate Issues and Social Services would be housed within one Committee.

It is best practise that the Committees generally have three agenda items per meeting. The Committees would still need to rationalise their work programmes and build on the progress made during this year's Annual Forward Work Programme Review to reduce the number of items, whilst increasing the effectiveness of the evaluation and monitoring of the performance of the key service areas.

- **The amount of Member time required outside meetings would continue to be an issue.**

As part of the rationalisation of the work programme this year, the Committees agreed to remove any items from the work programme that were better suited to a workshops/seminar setting and undertake a separate list of seminars.

This reduced the number of items at Committee meeting, but it still requires substantial member time outside of the scheduled meetings to attend the meetings and complete reading of information reports. This would continue under the new proposal and demands on member time outside formal meetings would increase, particularly for the People Committee.

- **The Committees would meet at a frequency to reflect the workload within the work programme.**

This may not be the same for each of the Committees. For example, Corporate Scrutiny Committee would need to meet at key points when relevant plans are published and would need to consider how best to manage the Service Planning process.

- **The Committees will need to take different approaches to their work, depending upon the priorities within that portfolio.**

For example, the nature of the work being undertaken by the Committee dealing with Social Services will need to be more focused on assessing risk through regulatory and monitoring information. However, the Place Scrutiny Committee would consider more policy review and development items and look at efficiencies within the service provision.

- **It would be helpful if representatives of the other Committees sat on the Corporate Committee.**

To feed in service knowledge to the corporate issues, and ensure that there is a mechanism for the People and Place Committee to be kept informed of the service related issues considered by the Corporate Committee. As part of the working arrangements of the Committee, we would look to implement measures to keep People and Place informed of the work of the Corporate Committee, such as briefings from Scrutiny Officers and the Chairperson to relay information.

3. **Align with Cabinet Portfolios**

3.1 This 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

Corporate Overview and Scrutiny Committee

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

Education and Social Services Overview and Scrutiny Committee

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

Regeneration, Growth and Customers Overview and Scrutiny Committee

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

3.2 Upon further analysis of this option, the terms of reference for this option would be very similar and would result in very little difference in practical terms for the Committees workloads.

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.

Any amendments to the Scrutiny Structures would need to be met within existing budgets.

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?
N/A	N/A	N/A	N/A	N/A

Options Available

The options are:

- Make recommendations to the Council on potential changes to the Scrutiny Committee Structure based on the options within this report:
 - Align with the Corporate Directors Portfolios
 - Align with the Cabinet Member Portfolios
- Determine that no changes be made to the Scrutiny Committee Structure.
- Determine that further work needs to be carried out prior to any changes to the Scrutiny Committee Structures is recommended, and set up a working group, to include Scrutiny Members, to look in depth at the options available for the configuration of the Committees.

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 this report as the Committee just being asked to consider if it wishes to recommend any changes to the Scrutiny Committees portfolio, to be forwarded to the Council for approval. Any changes to the Committee Structure would need to be met within existing budgets.

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

The report proposes that a member-led approach is applied to the review of the scrutiny committee structures' with the final approval of full Council. The structures will need to ensure a working balance of

responsibilities across the committees and will need to ensure that the officer support required can be met within existing budgets. There are no direct human resources implications within the report.

Scrutiny Committees

The Scrutiny Improvement 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

Report to the Democratic Services Committee – Scrutiny Structures – 17 September 2015.
Corporate Assessment
Statement in Response to Corporate Assessment
Follow up to Corporate Assessment

Dated: 10 December 2015