

NOTES OF A MEETING OF THE JOINT CHAIRS AND VICE-CHAIRS STEERING GROUP – SCRUTINY, AUDIT AND DEMOCRATIC SERVICES COMMITTEES.

11TH OCTOBER, 2012 – COUNTY HALL, LLANDRINDOD WELLS.

PRESENT: County Councillors W.T. Jones, Mrs K.S. Silk, A.W. Davies, Mrs M. Mackenzie, Mrs D. Bailey, E. Michael Jones, J.G. Morris and Mrs S. Davies.

Officers:

Wyn Richards (Scrutiny Manager), Lisa Richards and Liz Patterson (Scrutiny Officers), Jeremy Patterson (Chief Executive), Geoff Petty (Strategic Director – Finance and Infrastructure), Janet Kealey (Head of Legal, Scrutiny and Democratic Services).

1. Election of Chair / Rota for Chairing Meetings.

As the Steering Group had recently been fully constituted with the appointment of the Chair and Vice-Chair of the Audit Committee the future arrangements for chairing the Steering Group was considered, including a rota for chairing meetings.

Outcomes:

- It was agreed that County Councillor W.T. Jones be elected Chair for the remainder of the year.
- It was agreed that County Councillor Mrs K.S. Silk be elected Vice-Chair for the remainder of the year (and who would chair the Steering Group from May 2013 – May 2014)
- That the chairmanship be rotated amongst all chairs including the Scrutiny Committees, Audit and the Democratic Services Committee.

2. Apologies.

Clarence Meredith (Strategic Director – Law and Governance).

3. Notes of Last Meeting.

Documents Considered:

- 14th September, 2012.

Outcomes:

- Received.

4. Assessment of Work Programme Items.

5. Discussion with Chief Executive regarding Potential Scrutiny Items.

Documents Considered:

- Overview and 15 Individual Assessment Forms.

Issues Discussed:

- Need for a highlight report for the Joint Chairs to consider to include information regarding:
 - WAO Improvement Report.
 - CSSIW Reports.
 - Estyn Report.
 - Quarterly Financial Information.
 - Quarterly Performance Information.

- Powys Change Plan information.
- How services are addressing demographic and budgetary pressures which the Council is facing – are what services proposing appropriate and address the issues being faced.
- Joint Chairs Steering Group and scrutiny generally needs to be involved earlier as part of the Council's process of self evaluation undertaken both in relation to setting priorities and also in preparation of action plans following adverse inspection reports..
- Is what the Council undertaking going to reduce the pressure on the Council from regulators, and will it provide good services.
- Other pressures facing the Council:
 - Welfare Reforms
 - Reduction in Supporting People Grant (which will affect Learning Disability Grants)
- Scrutiny should be involved in reviewing budgets and Cabinet proposals for budgets.
- Scrutiny needs to follow 80 / 20 rule – local Members raising local issues (20%); 80% involves more strategic issues – scrutiny role in considering if the Council is moving in the right way, are policies appropriate, is Council doing the right things.
- Steering Group role is to take an overview role and deciding what goes on in each committee. Are the priorities which services are setting the correct ones – are the outcomes being achieved – is it having an impact on finances.
- Steering Group should receive an update on reviews in progress – what reviews are being undertaken, what questions are being asked, does the review need refocus / redirection.
- Need for working groups to be undertaken over a shorter period and restricted even if this means some evidence is ignored.
- Examples – LE Health and Safety – how do we stop problems in future. Regeneration – how do we persuade the Wales Office that issues raised by them are being addressed over 12 / 24 months and how things are changing.
- If regulators advise the Council that there is a problem with a service area, then this is a problem for the Council. The Wales Audit Office argument is how can it be demonstrated to the public that the Council is making a difference over a short timescale i.e. 12 to 18 months.
- What Wales Audit Office require is evidence – should scrutiny speak to the WAO about the type of evidence that's required to be demonstrated by the Council? The Council needs to be able to demonstrate an ability for self-evaluation.
- Scrutiny needs to undertake greater self promotion – article in Red Kite in the next 6 months was suggested.
- Feedback from Estyn inspectors to the Council following the recent re-inspection discussed. It was suggested that where other authorities had been subject to intervention, were there lessons which Powys could learn from those experiences in other Councils.
- Scrutiny needs to be involved at an earlier stage with services when action plans are being developed rather than wait for the formal view of the action plan takes place.
- Central support services – review of these services would be included within the efficiency agenda. Regulators also comment on the role of central support services in their reports to the Council.
- Complaints statistics – need for scrutiny to consider the numbers and types of complaints about services and also queries.

- Attendance of scrutiny members at Programme Boards – Members have been invited by the Portfolio Holder to the Adult Social Care Programme Board.
- Scrutiny should focus its work around the work and concerns of regulators – also Powys Change Plan priorities.

Outcomes:

- Customer Services to be asked what complaints / query information available which scrutiny could use.
- Highlight report to be prepared including regulators recommendations, budgets, performance etc.

6. Roles and Responsibilities of the Scrutiny Committees – Discussion on Allocation of Responsibilities.

Documents Considered:

- Revised allocation of responsibilities prepared by the chairs of the scrutiny committees.

Issues Discussed:

- There needs to be flexibility between scrutiny committees as to who deals with which issues.
- Some areas might have to be the subject of joint working between the 2 scrutiny committees.
- Need to include welfare reform and changes to supporting people grant in the document as these will have a major impact on funding in the future.
- The current assessment template should be used as a broad format but issues should be considered on a case by case basis.

Outcomes:

- That the revised allocation of responsibilities be agreed in principle subject to the Steering Group having the flexibility to adjust responsibilities as the scrutiny process develops.

7. Staffing Resources for Scrutiny.

Documents Considered:

- Discussion paper prepared by the Scrutiny Manager.
- Discussion document prepared by the Strategic Director – Law and Governance.

Issues Discussed:

- Current scrutiny process is protracted.
- Issue regarding the engagement of Members in scrutiny.
- Need to amend role and focus of scrutiny.
- There needs to be a greater focus in calendaring of meetings especially for Members who work. Acknowledged that there are difficulties in availability of Members, officers and Portfolio Holders.
- New resources will not be possible, therefore there is a need to use other resources from within the organisation. Council funding at the end of the decade will be less than available at the beginning of the decade and the financial position is therefore unsustainable.
- There is a need for scrutiny to be able to react quicker to issues as they arise, and also be more forward rather than backwards looking.
- There is also a need for a change of attitude amongst senior staff to scrutiny and in addition staff need to focus on undertaking less things than previously.

Outcomes:

- Chief Executive and Management team together with the Joint Chairs to develop a paper on how scrutiny to be resourced for discussion with Cabinet Members.
- Scrutiny Manager to speak to Torfaen Council regarding how it holds schools and the LEA to account as it is cited as a Council which has improved its practice.

8. Good Scrutiny? Good Question! – Wales Audit Office Scrutiny Improvement Study.**Documents Considered:**

- Developing Effective Scrutiny: Environment, Practice and Impact – Project Brief.

Issues Discussed:

- Peer Learning Exchange Team for Powys. Suggested that it should comprise a new Member, Chair of the Democratic Services Committee (also Chair of the Member Development Working Group), Cabinet Member, Officer and a Vice-Chair.
- Suggested that Chairs of Scrutiny Committees should be excluded from the Peer Group.

Outcomes:

- Group to comprise - 1 Cabinet Member, County Councillors Sandra Davies, E. Michael Jones, Head of Legal, Scrutiny and Democratic Services and a new Member to be nominated by either the Conservative or Liberal Democrat Group) (*N.B. Post meeting - Cllr Tom Turner nominated*).

9. Public Service Scrutiny Reference Group.**Documents Considered:**

- Letter from Welsh Government (21/09/12).

Issues Discussed:

- Representation on the Public Service Scrutiny Reference Group.
- Steering Group advised of lack of clarity in letter as to whether it was a Council nomination or to be facilitated by the WLGA.

Outcomes:

- Scrutiny Manager to seek clarification from Welsh Government / WLGA regarding nominations. (*N.B. Post meeting – Welsh Government confirmed that one scrutiny chair nomination being sought via the WLGA*)

10. Welsh Government Consultation Document – Joint Scrutiny Committees.**Documents Considered:**

- Draft Guidance from Welsh Government – Joint Overview and Scrutiny Committees.
- Draft Statutory Instrument – The Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2012.

Issues Discussed:

- Joint scrutiny arrangements with other Councils in the SWAMWAC region.

Outcomes:

- Draft guidance received and noted without comment.

11. Annual Performance Report – feedback on discussion at Cabinet.

Issues Discussed:

- 60% to 70% of the comments made from the Steering Group were included as changes in the revised document considered by the Cabinet.
- Issues regarding layout – need for management team to consider this.
- Need for scrutiny to consider this document earlier so it can add value to the process.
- Issues for the management team was that actions were included and being undertaken but outcomes not included and these in some instances were difficult to quantify for inclusion in the document.

Outcomes:

- Feedback noted.

12. Estyn / CSSIW / WAO Reports.

Issues Discussed:

- Reports should be considered by the Audit Committee and relevant ones disseminated to the scrutiny committees.
- Steering Group should be made aware of inspection reports being presented to Audit.
- Need for an intelligent approach on how reports considered and where list of reports to Steering Group should indicate where they are being considered.
- Reports should be circulated when earlier to Members rather than being distributed with the agenda for a meeting.

Outcomes:

- Steering Group to receive list of inspection reports received and where they are being considered.

13. Possible Protocol between the Cabinet and Scrutiny Committees – questions from individual Scrutiny Committee Members to officers in relation to policy.

Issues Discussed:

- Should questions be raised with Scrutiny officers who would raise them with other officers.
- Management Team should advise officers as to how to deal with queries from Scrutiny members e.g. to Heads of Service, Directors or Portfolio Holders.
- Members should not be restricted in their ability to ask questions.
- Scrutiny Members should be careful not to compromise officers by asking policy related questions which should be referred to Portfolio Holders.

Outcomes:

- Management Team to issue guidance to officers regarding how policy related questions were dealt with by officers following questions from Scrutiny Committee Members.

14. Cabinet Minutes.

Issues Discussed:

- Conscious effort by the Council to produce minutes which recorded the decision and reason for that decision.
- Lack of detail can mean that points made at the Cabinet meeting or discussion is not recorded which makes it difficult to gain a sense of the discussion at the meeting.
- System will never be perfect – can be recording of too much detail.
- Should all meetings be recorded so that an electronic version is retained for those wishing to view a discussion.
- Minutes should relate to the report on the issue being considered.

Outcomes:

- Current format for Cabinet Minutes to be retained.

15. Blackberrys for Committee Chairs.

Issues Discussed:

- Delays in receipt of emails by chairs can impede the workflow of officers.
- Blackberrys for chairs could improve this situation and allow for quicker responses from Members.

Outcomes:

- Scrutiny Manager to investigate cost per phone for members initially and to report to next meeting.

16. Dates for next meetings.

- 8 November 2012 (to incl Q2 perf reports)
- 6th December 2012 *extra date*

Provisional:

- 11th January, 2013
- 22nd February, 2013
- 22nd March, 2013
- 26th April, 2013
- 24th May, 2013
- 14th June, 2013
- 2nd August, 2013
- 13th September, 2013
- 23rd October, 2013
- 29th November, 2013

17. LSB Meeting Dates.

- 7th November, 2012
- 14th March, 2013
- 15th May, 2013
- 10th July, 2013
- 8th October, 2013

Outcomes:

- Scrutiny Chairs attending LSB meetings as observers should feed back to the Steering group on discussions at LSB meetings.

18. Other Business.

Issues Discussed:

- Letter from Chair of Standards Committee regarding use of laptops by Members during training events.
- Need for paper copies of slides for members so that they did not have to use laptops to view slides.
- Members should be able to undertake some work e.g. responding to emails during training sessions.
- Need for general guidance for members – could be included in general briefing by Chair of the Council at training events.

Outcomes:

- Refer matter to the Member Development Working Group for consideration.

**County Councillor W.T. Jones
Chair**