

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

30 NOVEMBER 2016

REPORT OF THE CORPORATE DIRECTOR – OPERATIONAL AND PARTNERSHIP SERVICES

OVERVIEW AND SCRUTINY ANNUAL REPORT 2015-16

1. Purpose of Report.

- 1.1 The purpose of the report is to present Council with a review of work undertaken by Overview & Scrutiny during the period September 2015 - September 2016.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 This report assists in the achievement of all the Corporate Priorities by:

1. **Supporting a successful economy** – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.
2. **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
3. **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

3. Background.

3.1 The Scrutiny Function

- 3.1.1 The Overview and Scrutiny Committees oversee the decision making of the Cabinet Members and support the work of the Cabinet and the Council. They allow citizens to have a greater say in Council matters by holding public meetings into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery.

- 3.1.2 Within their terms of reference, Overview and Scrutiny Committees will:

- (a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- (b) make reports and/or recommendations to the Council and/or the Cabinet and/or any joint committee in connection with the discharge of any functions;
- (c) consider any matter affecting the County Borough or its inhabitants; and

- (d) exercise the right to call-in, for reconsideration, decisions made by or on behalf of the Cabinet but not yet implemented.

3.1.3 Overview and Scrutiny Committees can ‘call-in’ a decision which has been made by the Cabinet or an Officer but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Cabinet reconsider the decision. They may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

3.2 In 2012/13, Bridgend County Borough Council (BCBC) took an active role in the WAO Improvement Study, “**Good Scrutiny? Good Question**”. A Learning Exchange Team, comprising of the Scrutiny Chairpersons, a Scrutiny Officer and a Cabinet Member participated in a number of activities, including regional events hosted by Bridgend, discussions regarding best practice and peer evaluation of Scrutiny committee meetings in Neath Port Talbot CBC. In turn, Overview and Scrutiny meetings in Bridgend were observed by Cardiff Council.

3.2.1 The outcome of this study was the publication of the “Characteristics of Good Scrutiny”. These characteristics have been used to undertake an assessment of the scrutiny function in Bridgend:

Outcome What does good scrutiny seek to achieve?	Characteristics What would it look like? How could we recognise it?
1. “Better Outcomes” Democratic accountability drives improvement in public services.	a. Environment <ul style="list-style-type: none"> i. Overview & scrutiny has a clearly defined and valued role in the council's improvement and governance arrangements. ii. Overview & scrutiny has the dedicated officer support it needs from officers who are able to undertake independent research effectively, and provides councillors with high-quality analysis, advice and training. b. Practice <ul style="list-style-type: none"> i. Overview & scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives. c. Impact <ul style="list-style-type: none"> i. Overview & scrutiny regularly engages in evidence based challenge of decision makers and service providers. ii. Overview & scrutiny provides viable and well evidenced solutions to recognised problems.
2. “Better decisions” Democratic decision making is accountable, inclusive and robust.	a. Environment <ul style="list-style-type: none"> i. Overview & scrutiny councillors have the training and development opportunities they need to undertake their role effectively. ii. The process receives effective support from the council’s corporate management team who ensures that information provided to overview & scrutiny is of high quality and is provided in a timely and consistent manner. b. Practice <ul style="list-style-type: none"> i. Overview & scrutiny is councillor-led, takes into account the views of the public, partners and regulators, and balances the prioritisation of community concerns against issues of strategic risk and importance. ii. Overview & scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it. c. Impact <ul style="list-style-type: none"> i. Decision makers give public account for themselves at overview & scrutiny committees for their portfolio responsibilities.

Outcome What does good scrutiny seek to achieve?	Characteristics What would it look like? How could we recognise it?
<p>3. "Better engagement"</p> <p>The public is engaged in democratic debate about the current and future delivery of public services.</p>	<p>a. Environment</p> <p>i. Overview & scrutiny is recognised by the executive and corporate management team as an important council mechanism for community engagement, and facilitates greater citizen involvement in governance.</p> <p>b. Practice</p> <p>i. Overview & scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.</p> <p>ii. Overview & scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict.</p> <p>iii. Overview & scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders.</p> <p>c. Impact</p> <p>i. Overview and scrutiny enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.</p>

3.2.2 In the Overview and Scrutiny Annual Report 2014-2015, it was identified that the following developments would require further work:

- a. a process to better track and monitor recommendations once they have been made to Cabinet or officers, paying particular attention to evidencing the outcomes following the formulated recommendations.
- b. a process to ensure that responses by Cabinet to recommendations from Scrutiny are received in a consistent and timely manner.
- c. to develop the ability of Scrutiny to communicate effectively with the public and to better facilitate engagement and participation in democratic accountability.

3.3 Assessing the impact of Scrutiny

3.3.1 Members will recognise that capturing and assessing the impact of Scrutiny is not an easy task as the outcomes of Scrutiny activity are not always tangible and able to be measured in a systematic way.

3.3.2 Whilst 'outputs' like the number of recommendations approved by Cabinet may shed light regarding relations between the Executive and the Scrutiny function, this does not reveal the extent to which the substance of the recommendations were actually implemented and whether or not intended outcomes were achieved. Care should be taken in focussing too carefully upon the number of recommendations approved and adopted by Cabinet as this gives no indication of the quality of the recommendation made in the first instance and the extent to which it may have been later implemented.

3.3.3 It is important to reflect some of the intangible effects of Scrutiny and its ability to influence decision makers through discussion and debate. Sometimes there are no measureable outputs from Committee discussion yet the opportunity for Cabinet Members and Officers to reflect on proposed courses of action has undoubtedly influenced the way in which the proposal was implemented.

3.3.4 Scrutiny activities can be wide ranging and diverse and are not necessarily

experienced by stakeholders within the process in a consistent and easily describable way. Research and Evaluation Panels provide a less formal form of interaction between Committee Members and invitees than a traditional Committee meeting setting allows for. However, 'Call-Ins' are a very different experience for invitees and the impact of Scrutiny in these two instances will be specific to each case.

- 3.3.5 Striking an effective balance between the 'challenge' and 'support' elements of the Scrutiny function is reliant on Committees building strong working relationships and demonstrating other key skills such as negotiation and influencing, team-working, policy analysis and questioning techniques.

4. Current situation / proposal.

4.1 Impact Monitoring

- 4.1.1 The impact of Scrutiny is not clearly evident in that there may not be a precise recommendation or action that can be measured for outcome, however, this does not say that there are not outcomes that are being achieved behind the scenes. In Bridgend, Scrutiny Officers have developed and maintained a process for keeping a record of this impact in order to try and measure the outcomes of Scrutiny.
- 4.1.2 This process considers the issue, the risk, the action taken and the outcomes, takes note of everything from a Scrutiny Committee review to a simple change in a scrutiny process. Examples of this include:
- the report request process was revised to enable Scrutiny Officers to work more closely with the Authors. Impact Monitoring has identified an overall reduction in the number of requests for further information which is partly attributable to this closer working relationship with Authors. Indirectly this has facilitated more detailed and informed recommendations being made by the Committee.
 - the change in process for receiving responses from officers to the conclusions of the Committee. Previously only responses to requests for information from officers as well as recommendations to Cabinet. Often there are proposals or recommendations to Officers that form part of the conclusions. Scrutiny Members have now requested that proposals or recommendations to officers receive detailed responses which enables further monitoring and evidencing the outcomes and impact of Scrutiny.
- 4.1.3 This process was highlighted by Scrutiny Officers at a national training event where it was praised as a very effective tool for monitoring the impact of Scrutiny, following which requests have now been made for the methodology used by Bridgend to be shared with other authorities as best practice.

4.2 Outcomes and Achievements

- 4.2.1 The following progress has been made on the planned developments identified in paragraph 3.2.2:
- a. Scrutiny Officers have developed an internal process for tracking and monitoring recommendations for Cabinet and Officers. This has enabled

officers to identify Scrutiny recommendations which have been actioned and a change to the service has occurred. These have included:

- Elected Members made comments regarding the delivery of ICT in Bridgend County Borough Council and stated the Authority were too risk averse, which was inhibiting the organisation's ability to move forward and recommended that Council re-examine the possibility of allowing Members and Officer to use their own devices. Following this, there has been a significant culture change within the ICT service which has supported the Authority to significantly improve its performance and costs through the digitisation of services. All Members and Officers now have the facility to access e-mail and calendar from digital devices including telephones.
- Highlighted within recommendations made from the Children and Young People Overview and Scrutiny Committee to Cabinet were concerns regarding potential cuts to Post-16 transport. These included a request that Cabinet postpone any decision on post-16 transport until the full implications of the proposed Welsh Government Transport Discount Scheme are known. In September 2015 Cabinet made decisions to change the Learner Transport Policy, however it was determined that no decision regarding post-16 would be made at that time.

b. Agreement has been reached which will facilitate Cabinet responding to Scrutiny recommendations within one cycle of Cabinet meetings.

c. Scrutiny Officers have undertaken a range of activities which are intended to enhance the ability of Scrutiny to communicate effectively with the public and to better facilitate engagement and participation in democratic accountability. These activities include:

- Updating the Scrutiny webpages to make them more user friendly and provide easy access for the public to gain a better understanding of Scrutiny
- Revising the Scrutiny request forms to enable them to be completed and submitted online
- Engaging with Town and Community Councils and other partners to raise the awareness of the role of scrutiny and its activities
- Simplifying the Scrutiny Forward Work Programme for regular publication

4.3 Scrutiny Officers have undertaken an assessment of the function using the "Characteristics of Good Scrutiny" to determine its performance during 2015-16. The assessment is at **Appendix A** to this report.

4.4 Webcasting

4.4.1 Democratic Services has developed the use of webcasting to increase the openness and transparency of the decision making process. A total of 5 Scrutiny meetings were webcast in 2016 and as at 13 September 2016 were viewed as follows:

	Total	Unique
P&G	505	329
CYP	427	330
CEL	351	238
CRI	374	197
ASC	259	195
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Totals	1916	1289

The average number of views per meeting is 383 (total) or 257 (unique).

Note: The total views relates to the number of times the webcast has been viewed.
The unique views total does not include repeat views from the same device.

4.4.2 The engagement opportunities that have been provided by webcasting of meetings cannot be underestimated. A plan to webcast future meetings of Scrutiny has been developed and is hoped the engagement opportunities which are facilitated by webcasting will continue to improve.

4.5 Scrutiny Review

4.5.1 At the Scrutiny Chair's meeting on 24 February 2016 it was agreed that the Scrutiny team would facilitate workshops to enable Overview and Scrutiny Committees to carry out a review and forward planning exercise.

4.5.2 The aim of these meetings was to:

- Review outcomes and impacts that their committee had made during the previous year.
- Assess information they have received over the previous year.
- Identify suggestions for future items.
- Identify potential invitees to attend for specific items/subject areas.

4.5.3 Five workshops were held in April covering each of the Overview and Scrutiny Committees. From these, Members determined a draft list of items along with details of information to be requested for their individual Annual Forward Work Programmes. These draft forward work programmes were presented to the individual Scrutiny Committees at their first meeting following the Annual Meeting of Council for final amendment and approval.

4.5.4 In addition to this, Members attending the workshops were provided the opportunity to look back over the past twelve months and consider what worked in Scrutiny and what could be improved. Some of the main key points raised and suggestions for change are presented in **Appendix B**.

4.6 Scrutiny Development

4.6.1 The Scrutiny function is subject to the same reductions in resources as much of the Authority. The developments and improvements achieved during this year have been carried out within this context. Every effort is being made to ensure that the scrutiny function in Bridgend is carried out to the high standards that have become expected of the service.

4.6.2 It is evident from the self-assessment that scrutiny is delivering a good service but

the expectations from partner Authorities, Estyn, the Wales Audit Office and the Welsh Government continue to increase. Regional and partnership scrutiny arrangements have still not been fully developed and are expected to require a significant resource from this Authority.

4.6.3 The intention to provide a Collaborative Scrutiny Committee was unable to be implemented during this period but progress is being made and it is intended to provide a Collaborative Scrutiny Committee to consider issues surrounding Dementia before the Local Government Election in May 2017.

4.6.4 To reflect the outcomes of the review and assessments the following issues were identified for future development during the 2016-17 period. These include:

- Enhancing the evidence base for challenge and ensuring the inclusion of outcomes in reports presented to Scrutiny Committees
- Review the pre-agenda meeting process
- Continue to develop the ability of Scrutiny to communicate effectively with the public and to better facilitate engagement and participation in democratic accountability.
- Developing a process to follow up on information requests
- Enhancing the functionality of Modern.gov to benefit scrutiny particularly with the tracking and monitoring of responses and conclusions.

4.7 For the future however it is more important than ever for the committees to concentrate their efforts on issues that impact the most on the operation of the Authority. This requires continual review and assessment to meet the change and demands of the Scrutiny Service.

5. Effect upon Policy Framework and Procedure Rules.

5.1 This report accords with the relevant Procedure Rules.

6. Equality Impact Assessment.

6.1 There are no equality implications arising from this report.

7. Financial Implications.

7.1 There are no financial implications regarding this report.

8. Recommendation.

8.1 Council is recommended to note the contents of this report.

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