

SUBJECT: SCRUTINY FORWARD WORK PROGRAMME

MEETING: Performance and Overview Scrutiny Committee

DATE: 7th July 2022

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 Scrutiny Committees are required to agree an annual work programme to outline their work commitments for the year (Local Government (Wales) Measure 2010). The work programme should as far as possible be agreed at the beginning of each year, however, it can be updated during the year to accommodate urgent items if agreed by the Committee. This report recommends a 'planned approach' to developing the work programme to maximise the effectiveness of the scrutiny activity within the timescale.

2. RECOMMENDATIONS:

- 2.1 That Scrutiny Committees utilise the process outlined in Appendix 1 of this report to assist them in developing focussed work programmes, taking into account:
- (i) The respective remits of the four Scrutiny Committees and the need to avoid duplication.
 - (ii) The Committees' capacity/resources when prioritising topics for scrutiny and agreeing their inclusion into the work programme.
 - (iii) The need to demonstrate added value and to contribute to the Council's strategic direction.

3. KEY ISSUES:

3.1 The Roles of Monmouthshire's Scrutiny Committees

- 3.2 Monmouthshire's scrutiny arrangements have recently been reviewed to ensure they are fit for purpose and enable members to effectively perform the statutory scrutiny roles expected of them. The new structure provides:
- Strengthened decision-making and informed policy development through engaging the public on major issues that affect them ~ People and Place Scrutiny Committees.
 - An involved and evidenced role in ensuring the Well-being of Future Generations, by identifying potential effects of decisions on the public before decisions are made ~ People and Place Scrutiny Committees.

- Clear accountability for the Cabinet/Executive and robust challenge ~ Performance and Overview Scrutiny Committee.
 - Democratic accountability of partnership activity and collaborative service delivery to local people ~ Public Services Scrutiny Committee.
- 3.3 The new Local Government and Elections (Wales) Act 2021 (sections 39-41) places strong emphasis on public participation in decision-making and creates a duty to engage the public in the design of policy and the debate of major decisions that will affect them. Developments in live-streaming and the ability for people to send videos and contribute to meetings from their home or workplace serve as a reminder that the conventional public open forum, with residents sitting in the gallery of the council chamber, is no longer the most effective way to involve people in the democratic process.
- 3.4 Two 'Policy' Scrutiny Committees (People and Place) conduct pre-decision scrutiny on key topics affecting residents, seeking public participation as part of the decision-making process. These committees will typically scrutinise two topics per meeting to enable them to dedicate the necessary time to reflect on the views of the public and stakeholders. Whilst the public are welcome to attend scrutiny meetings and to submit audio, video and written contributions on subjects being debated at the committees, Members can also hold informal meetings in communities and hold conversations with service users, stakeholders and expert witnesses to gather their views.
- 3.5 The Performance and Overview Scrutiny Committee is responsible for challenging the Executive/the Cabinet and holding them to account for the performance of all services, risk management and robust financial monitoring.
- 3.6 The Public Services Scrutiny Committee is responsible for scrutinising the effectiveness of strategic partnerships (including the Public Service Board) and other public service providers to ensure that services delivered in partnership with other bodies are accountable and deliver improved outcomes for residents. Given its partnership focus, this scrutiny committee also has responsibility for Crime and Disorder Scrutiny in line with the Police and Justice Act (2006) and Welsh Government Guidance published in 2010.
- 3.7 The Scrutiny Chairs hold regular meetings with the Chair of the Governance and Audit Committee to discuss workstreams and to avoid duplication.

4.0 Determining Topics for Scrutiny

- 4.1 The Scrutiny Forward Work Programme should be planned and reflect the Council's key priorities in the corporate plan and its strategic risks. This will ensure that scrutiny adds value to the Council's strategic direction and may mean that Scrutiny Committees choose not to scrutinise some things, in order to focus on topics where they can add value.
- 4.2 Topics for the work programme can derive from a wide range of sources, including:

- The Cabinet and Council Forward Plan (attached as Appendix 2) – topics on the Cabinet Forward Plan can be considered by a Scrutiny Committee in advance to enable the committee to inform the Cabinet's decision by reflecting public opinion and making evidence-based recommendations. The People and Place Scrutiny Committees would play a key role in considering the effects of decisions on the public in advance of decisions being made, taking into account the Well-being of Future Generations and equality impact assessments (Monmouthshire has an Integrated Impact Assessment which accompanies all decisions).
 - Suggestions made by: Committee Members, other members, officers, the public, partners and stakeholders – a topic may be identified for scrutiny because of changes to legislation/government guidance. A policy may be recognised as being in need of review, or a new policy or service is needing to be introduced.
 - The Corporate Plan and the Corporate Assessment which provide the Council's strategic direction and outline its key priorities.
 - The Risk Register – the Performance and Overview Scrutiny Committee has responsibility for considering key risks and, where appropriate, challenging the performance of the Cabinet/Executive and the actions being taken to mitigate the risks.
 - Performance monitoring and budget monitoring reports – the Performance and Overview Scrutiny Committee will undertake regular monitoring of the Council's performance and progress in implementing previously agreed actions.
 - Issues highlighted in audit and inspection reports.
 - Outcomes of public consultation.
 - Petitions by the public.
- 4.3 Members and Officers may suggest topics which they feel warrant scrutiny, however, it remains the committees' prerogative to set and agree the work programmes. Once a committee has assembled its work programme, it will be important for them to identify and agree the highest priority topics, which are those that will add most value through their work and deliver outcomes.
- 4.4 Topics requiring long and detailed examination can be looked at in detail via Scrutiny Workshops ~ these are scheduled for major topics that are complex and multi-faceted, requiring significant policy development over several months, complementing the formal scrutiny that takes place in Scrutiny Committees. The workshops enable officers to discuss the context with members, and members to suggest the strategic direction whilst officers lead on the delivery. They also enable members who do not sit on the hosting Scrutiny Committee to lend their expertise as a witness or to participate in scrutiny activity. Whilst the workshops are for members to engage in policy at a formative stage, external witnesses and stakeholders can be invited as necessary, and community engagement can be scheduled alongside the process.

5.0 PRIORITISING TOPICS FOR SCRUTINY

5.1 Some key principles for Members to consider when setting the work programme are:

- Topics should add value and support corporate priorities.
- The timing of scrutiny activity should achieve maximum impact.
- Where appropriate and possible, partners, stakeholders and the public should be involved.
- Allowing some flexibility in the work programme will enable urgent topics to be included if they arise.
- The aim should always be to seek improvement in service provision.
- The work programme should be achievable within available resources.

5.2 The criteria to determine topics for scrutiny (Appendix 1) is designed to assist the Committee in selecting appropriate topics for scrutiny by encouraging Members to consider the anticipated outcomes and impact of any scrutiny activity. Members are advised to ensure that there are clear outcomes for any scrutiny activity. Any topics chosen for an in-depth review via Scrutiny Workshops will be scoped by the Scrutiny Officers to assess their feasibility, the likely objectives, and potential lines of enquiry and Terms of Reference prior to their commencement.

5.3 The June / July scrutiny committee cycle will primarily focus on familiarising new Members with the scope and remit of their committees and discussing topics for inclusion into the forward work programme. Members are encouraged to think carefully about what the scrutiny role would be and to identify the intended outcomes of the scrutiny. The meetings will also include some reports which are timely and require scrutiny.

6.0 EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

6.1 This report offers guidance to committees to assist members in setting their work programme and as such, does not require an assessment of Equality, Well-being of Future Generations, Social Justice, Safeguarding and Corporate Parenting considerations.

7.0 EVALUATION CRITERIA

Not applicable.

8.0 REASONS:

8.1 The requirement to produce and publish a Scrutiny Forward Work Programme is a legislative requirement, however, it is also good practice.

9.0 RESOURCE IMPLICATIONS:

There are no direct resource implications associated with this report.

10.0 CONSULTEES:

None.

11.0 BACKGROUND PAPERS:

Appendix 1 ~ Determining Topics for Scrutiny Criteria
Appendix 2 ~ Cabinet and Council Forward Plan

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