

SCRUTINY AND GOVERNANCE MANAGEMENT PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 27th September 2011 at 11.15 a.m.

- Present: Councillors Ian Douglas (Chair), Stan Fisher, Hugh Hunter, Elaine Little and Helen Moonie.
- Apology: Provost Winifred Sloan.
- Attending: V. Andrews, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; and E. Wyllie, Committee Administrative Officer.

1. Minutes of previous meetings.

Decided: to note the Minutes of the previous meeting of 28th June 2011 (issued).

2. Scrutiny Panel Observing Arrangements/Review of Scrutiny Processes.

The Head of Legal and Administration gave an update on the recent visits which had been undertaken by Officers to North Lanarkshire Council's Scrutiny Panel and Glasgow City Council's Finance and Audit Scrutiny Committee.

The Head of Legal and Administration and the Head of Policy, Performance and Communication gave an outline of their findings to date from these recent visits and from the previous visits to East and North Ayrshire Councils and both commented on the operation of the scrutiny processes in place as well as being afforded with the opportunity to have informal discussions, on each occasion, with Chairs/Vice-Chairs and senior officials.

A full discussion took place and various questions and comments were made in relation to:- the political make-up of the authorities and were any of these Councils contemplating a review of their processes; improving service delivery as a result of scrutiny and how such outcomes could be effectively measured; ensuring a consistent approach to performance information regardless of any Elected Member or management structure changes; the level of support for Elected Members and the capacity of Officers to deliver this due to reduced staffing levels; and the elements of risk associated with having no clear definition of review processes and timescales. The Head of Legal and Administration suggested that the process of compiling the annual programme of scrutiny reviews could be further refined based on this Council's Guidance for Undertaking Scrutiny Reviews.

Thereon, both Officers responded to the various issues raised and the progress being made within certain areas of performance management and the Head of Legal and Administration also indicated that she would compile a report based on the findings from the visits to other authorities, as well as the discussions which had arisen from this and previous meetings of this Panel.

Decided: to note the current position with the observing arrangements and the review of scrutiny processes and that the Head of Legal and Administration would undertake further work to compile a detailed report in this regard covering all the issues raised to be submitted to a future meeting of this Panel.

3. **Scrutiny and Governance Management Panel - Annual Report.**

There was submitted a report (issued) of 20th September 2011 by the Head of Legal and Administration

- (1) reporting that the Council's Standing Orders required this Panel to keep under review the performance and operation of Scrutiny within the Council and to submit to Council an Annual Report;
- (2) presenting the draft Annual Report for 2010/11, attached as Appendix 1 of the report, based on the Panel's Work Programme for the year which had focussed on the following three main areas:-
 - Decision-making and Scrutiny;
 - the Delivering Good Governance Framework; and
 - Member Training; and
- (3) concluding
 - (a) with regard to the Council's decision-making structures and scrutiny arrangements, that Members of this Panel felt that these were working well and effectively at this time;
 - (b) that, at the meeting on 28th June 2011, areas of good practice on Scrutiny were acknowledged, however, scrutiny remained a primary area of interest for the Panel and once the series of officer visits to other authorities had been concluded, the Panel should seek to finalise its review of the scrutiny process as currently provided for in Standing Orders and make recommendations to Council for its consideration;
 - (c) that Member Training and Development were progressing well and that this was an area that the Panel would continue to monitor; and
 - (d) that the Panel would continue to review the Delivering Good Governance Framework.

Following discussion, various points were made by Members of the Panel in relation to:- whether the Report should reflect the ongoing development of scrutiny processes as discussed at the previous item of business; and whether reference should be made for the need for a corporate approach to the review process in accordance with the Council's strategic direction to avoid duplication within a given set of timescales and the Head of Legal and Administration advised that she would revise the Report accordingly to take account of both these comments.

Decided: to approve, subject to the inclusion of reference being made to evolving scrutiny processes and a refinement of the programme of scrutiny review processes, the Annual Report for 2010/11 for submission to the Council at its meeting on 6th October 2011.

4. **Any other business**

(1) **Planning Guidance.**

A discussion took place in relation to forthcoming plans being submitted to Council for consideration and the role of the Regulatory Panel Members within this regard and the Chair sought clarification on this matter.

Decided: that the Head of Legal and Administration would explore this matter further, as well as taking cognisance of the role of the Council and the Regulatory Panel in this regard and, thereafter, she would circulate guidance notes to Members.

(2) **Call-ins – written responses.**

A discussion took place in relation to the newly introduced practice of preparing written responses to call-ins which had been tabled at the recent meetings of the relevant Standing Scrutiny Panels and, whilst commenting that this was a very good idea to aid the call-in process, it would have been preferable if Members of this Panel had had the opportunity to comment on the introduction of such a process in the first instance.

The Head of Legal and Administration provided some background information on the reasons, mainly being the added value of such a process and commented on the timescales which had led to the responses being tabled on the morning of the meetings with the future intention being, if Members were agreeable with this process, to circulate such responses to all Members prior to the relevant Panel meeting. She also commented on timescales and timetable issues between the Leadership Panel and the Standing Scrutiny Panels which might need to be reviewed.

Further discussion took place in relation to the call-in process when Members of the Panel generally commented that the provision of a written response was a positive contribution to this arrangement and that it would be helpful to gain feedback from the other Members of the Council on this matter. The purpose of scrutiny in terms of call-ins was also discussed and the training of Members in this regard.

Decided: to note the introduction of the response mechanism as part of the scrutiny call-in process as an additional aid to support Members and that the Head of Legal and Administration would review this process further based on the discussion at this meeting.

The meeting ended at 12.20 p.m.