

SCRUTINY AND GOVERNANCE MANAGEMENT PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 18th September 2012 at 10.00 a.m.

Present: Councillors Brian McGinley (Chair), Alec. Clark, Allan Dorans, John Hampton and Hugh Hunter and Provost Helen Moonie.

Attending: V. Andrews, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; K. O'Hagan, Head of HR and Organisational Development; A. MacLeod, Business and Performance Manager; C. Gardner, Senior Strategic Planning and Performance Management Officer; M. Wallace, Human Resources Adviser; and E. Wyllie, Committee Services Officer.

Opening remarks.

The Chair introduced and welcomed everyone to the first meeting of this Panel following the Local Government Elections and outlined the important function of this Panel.

1. Minutes of previous meetings.

Decided: to note the Minutes of the previous meeting of 24th April 2012 (issued).

Matters Arising.

Induction Training – Post Election.

The Chair referred to Page 1, paragraph 2(1) and asked how Members had found the induction training.

Decided: to note that a Member had found this training to be interesting and informative.

Observing Exercise.

The Chair referred to Page 2, paragraph 3 in relation to the position of ad hoc visits as part of the observing exercise of this Panel at the Standing Scrutiny Panels and suggested that peer/self assessments of Chairs of the Standing Scrutiny Panels could also be introduced.

Decided: following discussion, to note that this suggestion would be further explored.

Annual Report.

The Chair referred to the production of this Panel's Annual Report and the Head of Legal and Administration commented that such a report should reflect on the performance and operation of scrutiny within the Council, as outlined within the Panel's Terms of Reference, in a meaningful way and of value.

A discussion took place in relation to:- the production of the Annual Report and on the ways in which scrutiny was a critical challenge; the importance of reporting in a clear and concise manner; and the style of minuting, particularly relating to discussion, Officers' responses to questions and subsequent action. The Head of Legal and Administration commented on the various issues raised and advised of the difficulties of minuting discussion, however, a review of minuting was currently being undertaken with the possible use of an action recording log being explored.

Decided: to note the direction intended for the Panel's Annual Report for 2012/13 which would take on board the various issues raised and that the Head of Legal and Administration would report back to a future meeting regarding the format of Minutes.

Bribery Act 2010 Training Session.

Decided: having heard the Chair refer to Page 3, paragraph 4 and enquire into the Bribery Act 2010 Training Session, to note that developments in relation to the Act were contained with the Delivering Good Governance Framework report being considered later in the Agenda.

The Audit Function.

The Chair referred to Page 3, paragraph 4 and enquired into the role of this Panel with regards to the Audit function responsibility and a discussion took place in relation to the remit of the Corporate and Community Planning Standing Scrutiny Panel and its current Audit Committee function and on the development of an Audit Committee Handbook undertaken by that Panel. A Member referred to CIPFA guidance which detailed the possible membership of a local authority's Audit Committee and suggested that the Handbook might require to be revisited in light of this CIPFA guidance and the Head of Legal and Administration intimated that she would explore the content of the CIPFA guidance with this in mind.

Decided: to note the current position.

Membership of the Panel.

A Member of the Panel raised concerns over the political composition of the membership and chairing roles of this Panel and the other Standing Scrutiny Panels as these were disproportionate to the electoral voting outcome and the Chair confirmed that this Panel would operate on an open and transparent basis and that the membership of the Panel had been decided by the Council.

Decided: to note the current position.

2. Remit of Panel – Extracts from the Council's Standing Orders and Scheme of Delegation.

Decided: having considered the extracts (issued) from the Council's Standing Orders and Scheme of Delegation outlining the role and remit of the Scrutiny and Governance Management Panel and having heard the Chair also comment on the opportunity for ad hoc scrutiny and that this was an area for the Panel to consider going forward, to note the terms of these extracts.

3. Work Programme – Schedule for 2012.

The Head of Legal and Administration referred to the work programme schedule for 2012 (issued) and commented that since this programme was due to end in the near future, the Panel should commence consideration of its work plan for the forthcoming year.

Various questions and comments were made by Members of the Panel in relation to:- the production of the scrutiny annual statistics; scrutiny processes and outcomes; and ways in which to involve the Chairs of Standing Scrutiny Panels as well as Portfolio-holders.

The Head of Policy, Performance and Communication commented on the value obtained from sharing feedback with Scrutiny Panel Chairs following the previous observing exercise of scrutiny and suggested that work currently underway in shaping clear strategic priorities, underpinned by key performance indicators to measure and assess progress, should aid the Standing Scrutiny Panels in their role of scrutinising the outcomes that were being achieved and the effectiveness of their delivery.

The Chair asked the Head of Legal and Administration to take cognisance of the various comments made when developing a draft work programme for the next meeting of the Panel.

Decided:- that the Head of Legal and Administration be requested to prepare a draft work programme for the forthcoming year based on the discussion at this meeting and that such a programme would be considered at the next meeting of this Panel.

4. Training for Elected Members.

The Human Resources Adviser gave a presentation in relation to the National Continuous Professional Development Framework for Elected Members in Scottish Local Government and outlined the key principles delivered via the Improvement Service (IS) and highlighted the development programme and learning materials as well as giving an online demonstration. She also indicated that passwords would be issued to Members to allow them to access the IS portal in the next few weeks.

The Head of HR and Organisational Development commented on the personal development framework and indicated that although provided as a National Training Framework it was tailored to suit local work.

Various questions and comments were made by Members of the Panel in relation to:- previous difficulties experienced with follow-up training and there was a need for training to be accessible and for members to be supported; the monitoring of training and the role of this Panel; a level of commitment required from Elected Members to participate in training; whether the training programme could be accessed via the Elected Members' portal; a level of flexibility needed within the learning process; self development as well as identifying Group learning needs and how was this captured; and succession training for future roles and the role of Groups in this regard and the Head of HR and Organisational Development and the Human Resources Advisor commented on the training needs analysis and that the Groups could play a part in identifying further development training.

Decided:- having thanked the Human Resources Adviser for her presentation, to note the next steps within the National Continuous Professional Development Framework.

5. Delivering Good Governance.

Reference was made to the Minutes of 24th April 2012 (Page 277, paragraph 4) when the Panel had agreed the Council's 2011/12 year end assessment of its Delivering Good Governance Framework and noted that this assessment would be presented as baseline information to the first meeting of the Panel following the Local Government Elections and there was submitted a report (issued) of 3rd September 2012 by the Head of Policy, Performance and Communication presenting this Framework.

Then the Senior Strategic Planning and Performance Management Officer gave a presentation on this Framework and outlined the six principles and the eighteen elements as well as commenting on the integration of the framework and how this would be used and reviewed. He also referred to the report and outlined the updated survey form for completion by Members, attached as Appendix 2 of the report, as well as commenting on the proposed Governance Work Programme which would provide the opportunity for Members to consider the individual principles over the next three meetings of this Panel.

Various questions and general comments were made by Members of the Panel in relation to:- the plans for undertaking the Members' survey, why was it conducted bi-annually and whether a comments section should be included; what measures were used in the interim period to track progress with each of the principles and whether timescales should be included within the format; and organising a seminar for Members, particularly to allow new Members to familiarise themselves on the Framework. The Head of Policy, Performance and Communication responded on the various issues raised and commented that the survey outcomes would be fed into the principles and progress reported and intimated that timescales could be added into the format bearing in mind that it was difficult to put a timescale on cultural changes.

Thereon, the Members of the Panel focussed on each of the principles and a discussion took place as follows:-

- on the assessment of performance management arrangements, how performance for 2011/12 was being reported directly to the Council and the role of the Standing Scrutiny Panels in relation to scrutiny of future performance reports;
- on the arrangements to bring forward a new Community Plan, Single Outcome Agreement and associated supporting Council plans, such that these would all be in place by April 2013;
- on the need to further develop the Council's arrangements for consultation and engagement with the public;
- on the introduction of the Council's new comments and complaints procedures, how this would accommodate complaints made to Members and a request to report to the Panel on the number and nature of complaints made to the Ombudsman;
- on the arrangements for obtaining feedback from service users across the range of Council services and a request to report to the Panel on what these currently were;
- on the balance of the use of internal and external expertise in supporting decision making;
- on the extent to which the Minutes on the Council website were informative to the public; and
- on the inappropriateness of the references to the recruitment of Members, with a commitment to amend the next iteration of the Framework accordingly.

Decided:- having thanked the Senior Strategic Planning and Performance Management Officer for his presentation, the Panel agreed

- (1) to request that awareness of the framework should also be rolled out to all Members by way of a seminar, particularly to allow new Members to familiarise themselves with its content;
- (2) to note the planned survey of Members to determine baseline information on their perceptions of the Council's current governance arrangements and that the survey format would be revised to include a section allowing comments and views;

- (3) to agree that the improvement actions within the Framework document should have an additional column to identify timescales for delivery and that progress against them would be reported to future meetings of this Panel;
- (4) to consider the Council's arrangements to support each of the six principles within the Delivering Good Governance Framework over the next three meetings of the Panel; and
- (5) to, otherwise, note that the required actions arising from the discussion at this meeting would be undertaken by Officers.

The meeting ended at 12.30 p.m.