SCRUTINY AND GOVERNANCE MANAGEMENT PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 11th June 2013 at 10.00 a.m.

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

Attending: V. Andrews, Head of Legal and Democratic Services; C. Monaghan, Head of
              Policy, Community Planning and Public Affairs; C. Gardner, Senior Strategic
              Planning and Performance Management Officer; and E. Wyllie, Committee
              Services Officer.

Also attending: Councillor Brian Connolly (Chair of Standing Scrutiny Panel).

1.   **Declaration of Interest.**

      There were no declarations of interest by Members of the Panel in terms of Council Standing
      Order No. 17 and the Councillors' Code of Conduct.

2.   **Minutes of previous meeting.**

      Decided: to note the Minutes of the previous meeting of 16th April 2013 (issued) (link
                     attached).

      **At this point, the Chair welcomed the Chairs of the Standing Scrutiny Panels to the
      meeting and invited them to participate in the discussion of the following item**.

3.   **Scrutiny – Discussion Involving the Chairs of the Standing Scrutiny Panels.**

      Reference was made to the Minutes of 16th April 2013 (Page 279, paragraph 4) when it had
      been decided that further consideration be given to the role of scrutiny in conjunction with the
      Standing Scrutiny Panel Chairs based on discussions at previous meetings as well as taking
      cognisance of the outcome of the CIPFA Scrutiny Training session for Members on 21st May
      2013 and the Members' Scrutiny Briefing on 5th June 2013.

      The Head of Policy, Community Planning and Public Affairs referred to a briefing note which
      summarised the output from both the Scrutiny Training and the Scrutiny Workshop (tabled)
      as follows:-

      •   the aspects of scrutiny which had been identified at the training event as working well
           and having scope to work better; and
      •   the points which had been identified at the workshop as to what happens next to
           improve scrutiny as well as the individual actions Members could take to progress and
           improve scrutiny.

      It was noted that the outcome of the above process had identified four main themes for
      further development.

Thereon, a full discussion took place in relation to these themes and it was noted that although scrutiny mechanisms worked reasonably well, it was felt that adaptive and cultural changes were required to improve the effectiveness of scrutiny and, from the training and workshop feedback, there was a sense across Members of the Council that the time was right to consider such changes. Ways in which this could be done were discussed. It was suggested that Members and Officers needed to work closer together to understand the context around aspects which might warrant scrutiny and to then identify where and how scrutiny by Members might best be delivered to help drive improvement. The scrutiny of policies and the outcomes that were actually delivered was raised as another important part of the scrutiny function. The role of Portfolio-holders was also recognised as being important in helping the Scrutiny Panels to identify and scope areas for scrutiny as was the potential for input, where appropriate, from the public and external experts, during the reviews themselves. It was also recognised that the use of sub-groups to undertake reviews on behalf of Standing Scrutiny Panels was a helpful step subject to the need to maintain clarity between operational and governance matters.

In terms of the definition of scrutiny, it was noted that within the confines of the Scheme of Delegation this consisted of call-ins, Council approved scrutiny reviews and regular remits which involved the consideration of performance information. It was suggested that the Scheme of Delegation could be reviewed in relation to the remits of Scrutiny Panels to broaden the scope of scrutiny as well as provide clarity around review processes and allow for a degree of flexibility.

It was noted that the Council's recently revised customer feedback system 'Listening to You' could provide a useful insight into service performance. It was noted that Members would start to receive this feedback on a regular basis. Discussion took place as to how this might help inform scrutiny as well as whether there was opportunity for citizen participation and scope for problem solving approaches to be introduced.

It was suggested that the Annual Report, being discussed next on the Agenda, could be the trigger to implement change with regards to scrutiny and its processes.

Having heard the Chair thank all those present for their input, the Panel, having fully discussed the outputs from the Scrutiny Training on Tuesday, 21st May and the Scrutiny Workshop on Wednesday, 5th June 2013

Decided: to note that the discussion on scrutiny would be captured within the Annual Report being considered next on this Agenda.

The Chair thanked the Standing Scrutiny Panel Chairs for their input and, the time being 11.00 a.m., Councillor Connolly left the meeting.

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

There was submitted a report (issued) ([link attached](#)) of 31st May 2013 by the Head of Legal and Democratic Services presenting the draft Annual Report for 2012/13 for consideration.

Following on from the scrutiny discussion of the previous item, the Chair highlighted section 4 of the Report which outlined the role of this Panel and its proposed future direction as set out in paragraph 4.4. It was suggested that an additional bullet point be incorporated within that section of the Report as follows:- *'including the views of the community, service users and service providers to help inform and contribute to scrutiny'*.

Discussion took place over the reference to the current Scheme of Delegation and it was noted that a report would be submitted to the meeting of the Council on 27th June 2013 seeking a review of the Scheme. It was suggested that this report could include a recommendation that this Panel assisted with undertaking such a review. The Head of Legal and Democratic Services commented that any review of the Scheme would be time consuming, therefore, if approved by Council, a work programme could be developed which would allow the review to be undertaken in stages with appropriate timescales attached.

The Chair, on behalf of the Panel, thanked the Head of Legal and Democratic Services for her part in collating information for the Annual Report and the Panel, having considered the draft Report

Decided:

(1)   that the Report be amended at paragraph 4.4 to add a bullet point *'including the views of the community, service users and service providers to help inform and contribute to scrutiny'*; and

(2)   thereafter, that the finalised Annual Report be approved and submitted to the Council meeting taking place on 27th June 2013 for its consideration of the findings and the recommendations contained therein.

5.   Delivering Good Governance – 2012/13 Assessment.

There was submitted a report (issued) ([link attached](#)) of 31st May 2013 by the Head of Policy, Community Planning and Public Affairs inviting Members to review the 2012/13 year end assessment against the Council's Delivering Good Governance framework.

In terms of the 'direction' principle and planned developments contained within Appendix 1, clarification was sought in relation to:- the relevance of the Singe Outcome Agreement in the face of local government changes; the alignment of Community Planning with the Council's Business Plan; and the remoteness of Community Planning to those twenty-seven Members not part of the process. The Head of Policy, Community Planning and Public Affairs commented that two recent workshops to discuss the Single Outcome Agreement were the start of a new process which would bring various elements together. The Scottish Government's role was outlined in terms of their current work to quality assure the thirty-two Single Outcome Agreements across Scotland. It was noted that it would be relatively straightforward to align the Business Plan to the Single Outcome Agreement to outline the Council's own contribution and its own improvement agenda. It was recognised that the 'remoteness' of community planning was a consequence of its structure which involved joint working with various external partners not all of which were accountable to the Board or the responsibility of the Board, the implementing Health and Social Care integration being one such example. Once the new Single Outcome Agreement was approved by Scottish Government, the next phase of the work with the Board would be to review its accountability and governance arrangements.

In terms of the improvement actions contained within Appendix 2 of the report, it was noted that the development of robust anti-corruption procedures in line with the Bribery Act 2010 was 60% complete and that further work was being undertaken by the Head of Employee and Customer Services to incorporate the Policy within an updated Code of Conduct for staff.

In respect of Public Performance Reporting which was 66% complete, it was recognised that this was a consequence of a delay to the Council's Business Plan being aligned with the Single Outcome Agreement as discussed above.

With regards to the Consultation and Engagement Framework roll-out which was 66% complete, it was noted that the timeframe of 31st December 2014 was correct since full implementation of this Framework would involve the need for cultural changes which take considerable time. As part of this process, a report was being prepared for Council in October 2013, turning the current framework into a Strategy for Engagement, for Members' consideration.

The Panel

Decided:- agreed the 2012/13 year end assessment as outlined in Appendix 1 of the report.

Councillor Hunter left the meeting during consideration of the foregoing item, the time being 11.35 a.m.

The meeting ended at 11.40 a.m.