

**SCRUTINY AND GOVERNANCE MANAGEMENT PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr  
on 6th February 2013 at 11.00 a.m.

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

Apology: Councillor John Hampton.

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: Councillors Brian Connolly and Kirsty Darwent (Chairs of Standing Scrutiny Panels).

**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 meetings.**

**Decided:** to note the Minutes of the previous meeting of 20th November 2012 (issued).

**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 20th November 2012 (Page 2, paragraph 2) and the Chair advised that a copy of the CfPS Good Scrutiny Guide had been circulated to Panel Members as well as Standing Scrutiny Panel Chairs and that this document could be used as the basis for a discussion around Scrutiny.

The Chair commented that the Guide raised issues as to whether the role of scrutiny was being effectively utilised and he invited comments and questions. Thereon, a full discussion took place in terms of the Guide and scrutiny and particular issues were raised and discussed as follows.

In relation to scrutiny, there needed to be a clear role for this Panel in terms of the corporate impact of scrutiny and whether the impact of the three Standing Scrutiny Panels could be comprehensively evaluated, additionally, the Panel required to be conducted in a transparent and non-political manner in which the public felt represented. A clearer system of performance reporting of statistical data could provide clarity of scrutiny.

In discussion, a series of issues were identified in relation to:-

- the current operation of the Scrutiny Panels and whether this required to be revisited;
- the overarching role of scrutiny and the need to demonstrate how this helped the organisation;
- the four principles of good public scrutiny as outlined within the Guide and whether these principles were effectively being met;
- the different elements of scrutiny, such as call-ins and reviews, and how these were being addressed and whilst recognising areas of good practice, there was a general feeling that the role of scrutiny could be more effective with one suggestion being whether a system similar to a Select Committee could be gradually introduced;
- the distinct role of the Audit Committee;
- how reviews were actively undertaken, although via different approaches, by Standing Scrutiny Panels bearing in mind the capacity for undertaking reviews; and
- the lack of public participation in scrutiny processes and whether this should be captured via the community engagement strategy

There was some discussion on the cross Directorate approach to portfolios and the Head of Legal and Democratic Services and the Head of Policy, Community Planning and Public Affairs commented on the flexibility of this approach rather than being Directorate led with portfolios being themed rather than Directorate based. It was noted that performance reporting was mapped to Standing Scrutiny Panels (not to Directorates) and that consideration of the new Business Plan would provide an overview of the Council's direction as well as an opportunity for re-alignment with Standing Scrutiny Panels, if required.

It was also queried and discussed as a suggestion whether scrutiny could take place prior to Leadership Panel decision-making and it was noted that options in this regard could be further explored by this Panel in conjunction with the Chairs of Standing Scrutiny Panels with a workshop possibly required thereafter. In this regard, the role and responsibilities of Portfolio-holders was also acknowledged. The Head of Policy, Community Planning and Public Affairs suggested that the outcome of a scrutiny workshop previously submitted to a meeting of this Panel could aid discussion and that a scrutiny workshop could be accommodated within the Members' workshop programme.

The Chair asked the Standing Scrutiny Panel Chairs of their expectations of the role of this Panel and both Chairs expressed the view that this Panel should hold the meta-position and guide any improvements to the operation of scrutiny. It was noted that this was a two way process which would greatly enhance the operation of scrutiny on both levels.

Having heard the Chair thank all those present for their input, the Panel

**Decided:** based on the discussion at this meeting (to be presented as a detailed briefing note to the next meeting in conjunction with the circulation of the report on the outcome of a previously organised scrutiny workshop) to note

- (1) that further consideration be given to the role of scrutiny at the next meeting of 16th April 2013 with an invitation to Standing Scrutiny Panel Chairs to attend again; and
- (2) that, meantime, the Head of Policy, Community Planning and Public Affairs would allocate a potential date for a workshop session on scrutiny.

**The Chair thanked the Standing Scrutiny Panel Chairs for their attendance and, the time being 11.50 a.m., both Councillors Connolly and Darwent left the meeting. Provost Moonie also left the meeting at this point.**

#### 4. **Delivering Good Governance.**

Reference was made to the Minutes of 20th November 2012 (Page 1, paragraph 2) and there was submitted a report (issued) of 29th January 2013 by the Head of Policy, Community Planning and Public Affairs inviting Members to scrutinise the Council's Delivering Good Governance arrangements in relation to two principles – values and decision-making – together with the feedback from the Members' survey in relation to these principles as well as an updated progress report on the improvements actions against these two principles as outlined within Appendix1 of the report.

In relation to Principle 3 on Values, a discussion took place in relation to the low percentage rate of new members who agreed or strongly agreed '*that the Council had clearly articulated values that directed the way in which it operated and delivered its services*' and it was noted that a refresh with Members would be undertaken in the near future with regard to values. The public's perception was also discussed and it was noted that the Single Outcome Agreement would take cognisance of such concerns and that the new customer feedback form had also been launched. In terms of the monitoring role of this Panel in relation to the operation of scrutiny panels, the monitoring arrangements of the corporate organisation was raised and confirmation was given that this responsibility lay with the Council and the Leadership Panel.

In terms of Principle 4 on Decision-making, concerns were raised in respect of the extent of delegated powers to Officers and the Head of Legal and Democratic Services commented that the current scope of delegations would be reviewed via a Members' seminar although the level of delegation might not be the key issue rather how decisions made by Officers under delegated powers were communicated to Members.

It was noted that the Members of the Panel were satisfied with the format of reporting on the principles of the delivering Good Governance Framework.

**Decided:-** following review, to note the third and fourth principles of the framework, namely values and decision-making.

**Councillor Hunter left the meeting during consideration of the foregoing item, the time being 12 noon.**

The meeting ended at 12.05 p.m.