

SCRUTINY AND GOVERNANCE MANAGEMENT PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 2nd April 2014 at 12.00 noon.

- Present: Councillors Brian McGinley (Chair), Allan Dorans, John Hampton, and Provost Helen Moonie.
- Apologies: Councillors Alec. Clark and Hugh Hunter.
- Attending: V. Andrews, Executive Director – Resources, Governance and Organisation; 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 Corporate and Community Planning Standing Scrutiny Panel).

The Chair of the Development and Environment Standing Scrutiny Panel was unable to attend this meeting.

Opening Remarks.

The Chair thanked Members for agreeing to the change of date and time of the meeting.

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.

Reference was made to the Minutes of 4th February 2014 (Page 1, paragraph 3) and clarification was sought in relation to the Panel Work Programme and Action Plan 2013/14 and, in particular, the discussion minuted within the first paragraph on Page 2 with an amendment to this wording suggested.

Decided: subject to the following amendment, to approve the Minutes of the previous meeting of 4th February 2014 (issued) ([link attached](#)):-

'A discussion took place about the role of Standing Scrutiny Panel Chairs in relation to this Panel and it was noted that a closer working relationship was being actively encouraged by inviting the Chairs to attend meetings of this Panel, in an informal capacity, to exchange views on scrutiny processes, since two of the Chairs were not Members of the Panel.'

3. **Panel Work Programme and Action Plan 2013/14**

Reference was made to the Minutes of 4th February 2014 (Page 1, paragraph 3) and there was submitted a progress update (issued) ([link attached](#)) of the Panel Work Programme and Action Plan for 2013/14 which provided the current position with the various themes and actions being undertaken by Members of the Panel and Officers.

Thereon, a discussion took place in relation to the various themes and current status of actions.

In terms of the Scrutiny Review Guidance, it was noted that in light of the targeted Best Value Audit Work / Accounts Commission findings and the Council's consideration of an improvement action plan to address these matters at its forthcoming meeting on 22nd April 2014, this event had overtaken this Panel's work of revising the guidance document at this point in time. It was suggested that the review of the guidance document could be revisited following Council deliberation of the action plan and subsequent outcomes for scrutiny panels. A discussion took place in relation to obtaining best practice from other Councils and comments were made as to how best practice could be identified given the different set of circumstances pertaining to each local authority. In this regard, a self-assessment process on scrutiny might be helpful. In terms of the work programme, it was noted that the review of best practice under the Scrutiny Review Guidance theme related more to the process for the selection of reviews with the role of performance reporting being recognised as a driver for the review selection process.

A point was raised in relation to the membership and political composition of Scrutiny Panels and it was noted that the Administration had approved the current decision-making structures although all Members had a role to play in scrutiny processes and holding the Administration to account. It was also acknowledged that a holistic approach to scrutiny and identifying processes for scrutiny reviews was needed as was the requirement to build up the experience and knowledge of Members.

With regards to the Best Practice in Scrutiny theme, an update was provided in relation to an Officers meeting with Officers from Dumfries and Galloway Council and it was noted that there was an opportunity for a forthcoming visit to that Council and that arrangements would be made for those Members who were able to participate in such a visit.

A discussion took place in relation to the current position with the Informal Working Group to discuss the Scheme of Delegation (also the Scrutiny Review Guidance). It was felt that future meetings of this Group should not take place meantime pending the Council's consideration of the action plan on the targeted best value findings as mentioned above. It was noted that the purpose of the Informal Working Group would be reviewed at the next meeting of this Panel taking place on 10th June 2014. In terms of the Scheme of Delegation as it related to delegation to Officers, the Executive Director – Resources, Governance and Organisation provided an update and also commented on the need to address issues relating to the forthcoming integration of Adult Health and Social Care.

Similarly, the theme relating to the remit for Standing Scrutiny Panels had now been overtaken by the targeted best value findings and the imminent report on these matters.

In terms of a follow-up of decision-making – tracking mechanisms, it was noted that this was still operating as a pilot and there would be merit in considering future reporting of tracking as part of the review of Panel remits.

The Executive Director – Resources, Governance and Organisation provided an update on the Councillors' Code of Conduct – Review and indicated that a protocol in relation to Councillors' dealings with the Council in their capacity as a member of the public was currently being developed and would be submitted to a future meeting for consideration.

The Panel

Decided: to note the current status of the work programme and action plan which would be updated and presented to the next meeting of this Panel as a standing item of business on the Agenda.

4. Call-in Arrangements – Annual Review and Statistics.

There was submitted a report (issued) ([link attached](#)) on 26th March 2014 by the Executive Director – Resources, Governance and Organisation considering statistics relating to Call-ins during the period from April 2013 to March 2014 as outlined in the appendices of the report.

As discussed in previous years, comments were made in relation to the value and purpose of the information although it was noted that further detail had been included within the format. It was also noted that this data would be included within the Panel's Annual Report. The Executive Director – Resources, Governance and Organisation indicated that she would look at different ways of providing information relating to call-ins and scrutiny processes in general for future reporting, perhaps via a self-assessment of scrutiny as mentioned in the previous item.

A point was raised in relation to the utilisation of the call-in process which did not appear to be used by Members of the Administration. However, it was recognised that Scrutiny Panels considered call-ins in an open, transparent and apolitical fashion and that call-ins were only one part of scrutiny processes.

The Panel

Decided:

- (1) to note the statistics contained within the Appendices to the report which would form part of the Annual Report to be presented to the next meeting on 10th June 2014; and
- (2) to note that the Executive Director – Resources, Governance and Organisation would review the information pertaining to call-ins and scrutiny processes in general for future reporting.

5. Minutes – Review of Current Practices.

There was submitted a report (issued) ([link attached](#)) on 26th March 2014 by the Executive Director – Resources, Governance and Organisation advising of the current position in relation to the six months trial period approved by the Council relating to the format of minutes which had been adapted to incorporate a description or summary of discussion and questions dealt with, to record the 'flavour' of the debate where possible.

The Panel, having thanked members of staff for the time and effort that they had taken in providing a 'flavour' of the debate

Decided: that the current practice in terms of the format of Minutes would continue at the present time.

6. **Delivering Good Governance – Member Survey.**

There was submitted a report (issued) ([link attached](#)) on 26th March 2014 by the Head of Policy, Community Planning and Public Affairs inviting the Panel to review the arrangements for a further Member Survey as part of the year end assessment for the Council's Delivering Good Governance Framework.

A discussion took place in relation to the format of the questionnaire and how this information was utilised, monitored and evaluated and if other processes could be incorporated such as one to one discussions with Members as a method of gaining insight. It was noted that the questionnaire sat alongside other sets of tools and that these mechanisms informed the Delivering Good Governance action plan and framework. Also, it was noted that some Members might not feel comfortable with a one to one approach although it was recognised that a system of engaging and informing Members would assist with their understanding and aid capacity building.

It was suggested that a comment box could be inserted under each question to encourage further input from Members although cognisance would require to be given as to how any expectations from this feedback would be managed. It was also noted that the narrative to the questionnaire would be revised to encourage participation by making clearer the links to the wider scrutiny and governance agenda and how any feedback could potentially inform action.

The Panel, having provided comments and a suggested approach to this year's survey

Decided:

- (1) that the questionnaire should include a comment box under each question to encourage feedback and that the accompanying narrative would be revised to reflect how the survey outcomes linked with scrutiny and governance concerns which informed the Delivering Good Governance action plan and framework; and
- (2) that, on this basis, the Member Survey for Delivering Good Governance would be circulated to all Members for their feedback.

The meeting ended at 1.25 p.m.