
IMPROVING SCRUTINY PROJECT

Purpose of Report

1. To advise Scrutiny Members of the progress made to date in delivering the Council's Improving Scrutiny Project, and to seek views on the timing and next steps to bring the Project to conclusion.

Background

2. In May 2014 the Cabinet agreed a Programme of Organisational Change which was designed to meet the challenges set out in the Welsh Local Government Association's 23 September 2013 Peer Review report on this Council. One of the five programmes of change within the overall Programme is "Improved Governance", and within this Programme is a Project described as "*Strengthen the Scrutiny Function*".
3. The Peer Review report was complimentary of Cardiff's Scrutiny Function, noting:

*"The Team saw Scrutiny in action, and were impressed. There is indeed much other authorities can learn from the way Scrutiny is undertaken in Cardiff Council."*¹

The Council's five Scrutiny Committee Chairs, however, were mindful of significant plans in place to transform the Council, the pace of development of alternative delivery models, the growth of collaborative service delivery and governance, the potential for local government reform in Wales, and the changes in Welsh Government and public expectations of public scrutiny evidenced

¹ <http://www.wlga.gov.uk/wlga-peer-reviews-reports/cardiff-c-wlga-peer-review-report>

through the 2011 Local Government Measure and subsequent Simpson Review. They therefore felt it appropriate to consider ways that scrutiny could adapt to stay ahead of the curve, in delivering effective non-Executive challenge to the Cabinet and the complex range of emerging executive delivery arrangements likely to stem from these changes.

4. The Chairs consequently agreed in August 2014 to spearhead a bid for Cardiff to be included in a UK-wide research programme then being developed by the Centre for Public Scrutiny (CfPS), which was designed to assess the role of scrutiny in supporting transformational change within local authorities at a time of change and austerity. The bid document was signed by the Council Leader and Chief Executive, and the Council was advised in September that it had been agreed for Cardiff to be one of nine case studies included in the research programme. This would see the CfPS providing support to the '*Strengthen the Scrutiny Function*' Project.
5. The three key aims of the Project were identified as:
 - a. To equip Cardiff's Scrutiny function to meet the current needs and anticipated future challenges facing the Council's Executive and non-Executive Members.
 - b. To ensure that the Council's scrutiny structure enables Members to provide robust and effective overview and scrutiny that is relevant to the priorities of the organisation's Corporate Plan and operational challenges.
 - c. To seek evidence to support recommendations for Members to agree any potential changes to current governance arrangements, as part of a wider major transformation of the City of Cardiff Council's services and structures.
6. The three key objectives of the Project were identified as:
 - a. To take forward the learning from Cardiff's participation in the 2013 Wales Audit Office *Improving Scrutiny* Study, especially by using the 15 characteristics in the newly developed "Framework for Effective

Scrutiny in Wales” as a mechanism for self-evaluation of the quality of scrutiny in Cardiff, and the planning of future Scrutiny Work Programmes.

- b. To assess and make recommendations on the structures and arrangements that will be most appropriate to manage the scrutiny of the Council’s transformation in coming years. To consult upon politically and organisationally, and take proposals forward for inclusion in the Council’s 2016/17 Budget proposals.
- c. To address recommendations in the Local Government Measure (Wales) 2011, and subsequent recommendations in the Williams Review, to consider opportunities for improvement to current collaborative scrutiny arrangements with partners.

Progress to Date

7. Between November and January 2015, CfPS advised on the scope of the project and met the Scrutiny Chairs, Council Leader, Opposition Leaders, the Chief Executive and selected Directors, plus a small number of key external stakeholders to gather evidence.
8. Key elements of the Project Plan attached at **Appendix A** include:
 - a. Desk research undertaken by the Scrutiny Research Team to benchmark Cardiff’s current approach to scrutiny with that of other leading scrutiny authorities, and an analysis of leading practice in scrutiny practice in England and Wales;
 - b. A workshop for Scrutiny Members to provide their views on a number of themes and issues connected with the Project;
 - c. A Conference for Scrutiny Chairs and Members to engage with the Cabinet and political groups to gain consensus around a number of early key findings.

Issues for Member Consideration

9. The period leading up to the General Election may not be conducive to seeking to engage Members extensively in a Project of this importance and scale. The

Council is now moving towards its Annual Meeting in May. It is suggested that some of the outputs set out in the Project Plan might be more easily and effectively achieved if moved to the period following Annual Council. It will, however, be important to maintain focus on the Project delivery.

10. While officers will continue to work towards delivering these outputs within the original planned timescales, it will be helpful if Members could provide their views on the following potential revisions to the Project Plan. It is considered that the revised timescale set out below would still enable the Project to meet the aims and objectives set out in paragraphs five and six above:

- a. Joint Scrutiny Task and Finish Inquiry initiated in May 2015
- b. Desk Research completed in April.
- c. Project Workshop for Scrutiny Members to be arranged in early June
- d. Scrutiny Conference (engagement with Cabinet and political groups) to be undertaken in late June 2015.
- e. Draft key findings circulated late July 2015
- f. Task and Finish Inquiry report agreed and commended to Cabinet in September 2015,.

Way Forward

11. At the meeting, Councillor De'Ath, Cabinet Member Safety, Engagement and Democracy and Marie Rosenthal (County Clerk and Monitoring Officer) will be available to answer any questions Members may have on this report and Project.

12. Members may also wish to provide their views on the Project, and the proposed timescale changes.

Legal Implications

13. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal

implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

14. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is requested to:

- I. Consider the contents of the report,
- II. Provide feedback on the proposed methodology set out in the Project Plan set out at page four of **Appendix A**, and
- III. Provide views on the suggested timescale set out in paragraph 13 above.

MARIE ROSENTHAL

County Clerk and Monitoring Officer

27 March 2015