

CONSTITUTION COMMITTEE OF COUNCIL:

22 January 2014

REPORT OF COUNT CLERK AND MONITORING OFFICER

AGENDA ITEM: 5

**PUBLIC ENGAGEMENT WITH SCRUTINY AND WIDER
DEMOCRACY IN CARDIFF**

Reason for this Report

1. To inform Members of progress in implementing the recommendations of the Policy Review and Performance (PRAP) Committee's April 2013 Inquiry report titled "Public Engagement With Scrutiny", and advise of PRAP's next related Inquiry topic, "Public Engagement Across The Council".
2. To seek support from Constitution Committee in implementing two specific recommendations from the April 2013 Inquiry, which would require approval to amend the Council's Constitution to enable developments in public involvement in Scrutiny meetings, and in co-option of non-elected Members onto Scrutiny Committees.
3. To provide brief observations on opportunities for taking a more holistic approach to public engagement with democracy in Cardiff (including Council, Cabinet and Committee activities), so that Members can make observations and recommendations for future work in this area.

Background

4. The consistent and effective engagement of citizens in democracy is recognised as a key challenge for local authorities across the UK. This was illustrated in Cardiff when Scrutiny Services undertook a "Scrutiny Listening Exercise" in March 2012, interviewing a range of elected Members, senior managers and key external stakeholders to identify perceptions of the current strengths and development opportunities for Scrutiny in Cardiff. Two of the three key findings of this Exercise revolved around improving communication with internal (Cardiff Council) stakeholders, and increasing the level of engagement with external stakeholders on scrutiny issues.

5. Cardiff Council's Policy Review and Performance Scrutiny Committee (PRAP) is empowered through the Constitution to scrutinise matters relating to Citizen Engagement, Corporate Communications and Voluntary Sector relations. In October 2012 PRAP commissioned a task and finish Inquiry into "Public Engagement With Scrutiny" as part of its 2012/13 work programme, chaired by Councillor Elizabeth Clark and including Councillors Mitchell, Knight and Robson on the Inquiry Team. The Committee's report was published in April 2013, and is attached for Members' information at **Appendix 1**.
6. The report contains 15 recommendations, 11 of which are directed towards Scrutiny Services with a view to securing improvements across a range of areas of public engagement within current resources, by improving current processes and tools. Two recommendations are targeted towards the Cabinet, with a view to securing appropriate resources and support to sustainably engage the public in Scrutiny's work, and two recommendations are targeted towards Constitution Committee, with a view to amending the Council's Constitution to support developments in two areas – public questioning at Scrutiny Committee meetings, and potential co-option of non-elected Members onto scrutiny Committees and / or task and finish inquiries.
7. Good progress has been made on implementing some of the recommendations that were targeted towards Scrutiny Services, for instance the introduction of a monthly "Scrutiny Forward Plan" detailing the range of scrutiny activities and meetings taking place for the month ahead, which is e-mailed to a wide range of voluntary, community and professional groups. It is, however, recognised that there is plenty more work to do, with pressure of workload resources remaining a key challenge to further progress.

Issues

8. The Local Government (Wales) Measure 2011¹ created a range of new powers and duties for local authorities to strengthen local democracy and increase public awareness of, and involvement in, the local democratic process. The two sections most pertinent to this report are:
 - a. Section 62, which places a requirement on local authorities to make arrangements that enable all persons who live or work in the area to bring to the attention of the relevant overview and scrutiny committees their views on any matter under consideration by the committee. The same Section provides that an overview and scrutiny committee must take into account any views brought to its attention in accordance with arrangements under this section.
 - b. Section 76, which relates to co-option of non-Councillors onto scrutiny committees.

¹ <http://www.legislation.gov.uk/mwa/2011/4/contents/enacted>

9. Chapter Five of Welsh Government's June 2012 Statutory Guidance on the Local Government (Wales) Measure 2011² extensively covers Raising Public Awareness About Scrutiny; Scrutiny Websites; Publication of Scrutiny Work Programmes; Public Engagement and Call-in; and Engaging with the Voluntary Sector. The introduction to the Chapter states:

“The local government scrutiny role is integral to helping people feel they are able to influence what goes on in their locality. Scrutiny has an important role in stimulating connections between different individuals and groups, and channelling community intelligence into the improvement processes of the council and its partners. In this respect, the scrutiny function can be regarded as helping to both build and represent democratic capacity. Engaging the public more deeply in scrutiny activity may be regarded as a hall-mark of healthy democracy. Better communication about local decision making processes and greater representative participation will help ensure more direct experiences of community life inform strategic thinking and operational practice”.

10. Chapter Eight of the WG Statutory Guidance covers co-option onto Scrutiny Committees. The Guidance recognises that the topic is complex and occasionally contentious, and rather than specifying arrangements Welsh Government sets its own positive view of the potential benefits of co-option:

“The contribution of co-opted members on committees can significantly strengthen their effectiveness. As greater emphasis is placed by Welsh Government upon integrated working and shared service delivery, so scrutiny committees can play an important part in assisting transformational change by enabling co-opted members to more fully participate in their work. Whilst co-option is only one method by which the views of stakeholders can help shape the work of scrutiny committees, it is considered by the Welsh Government to be an important tool in achieving ‘buy-in’ from representative groups and individuals that may otherwise be disengaged from local decision making processes. Co-option can serve to strengthen Members’ community leadership role through the provision of alternative perspectives and the facilitation of stronger area-based networks and contacts. The Welsh Government considers that including a broader range of specialists, community representatives and service-users in scrutiny exercises is advantageous, and that proactively engaging co-optees in scrutiny activity, enables elected members to send powerful messages about citizen-centred services and partnership working through their own structures and practice.”

11. The first of the two recommendations targeted towards Constitution Committee revolves around the facility for members of the public to ask questions and speak at Scrutiny Committee meetings. The wording of the recommendation is:

² <http://wales.gov.uk/docs/dsjlg/publications/localgov/120625statguideen.pdf>

- a. **“Recommendation 13:** *Members recommend that the Council’s Constitution Committee arrange to amend the Council’s Constitution to allow the public to speak, ask questions and make statements at Scrutiny Committee meetings in line with the Local Government Measure 2011. A detailed protocol should be agreed with Scrutiny Services within six months of the publication of this report to cover a number of issues around the timing, suitability and format for enabling public participation, with the current ‘public questions to full Council meetings’ providing a useful starting point.”*

It is anticipated that some additional work will be undertaken prior to fully introducing public questions at Committee meetings. This work could include benchmarking with authorities who are deemed to have successful arrangements in place. A protocol currently used by another local authority is attached at **Appendix 2** to illustrate a protocol that is deemed to be effective. Voluntary, professional and community groups will be approached to test the sustainability of their appetite for their representatives to attend Scrutiny meetings to ask questions, and to assess the potential level of demand. It may be worth inviting other Committees of the Council (such as Cabinet) to consider introducing regular “question times”, as they have been in other authorities such as Bristol Council. Pilot arrangements should be introduced, and - subject to their satisfactory review – more sustainable plans could be put in place.

12. The second of the two recommendations targeted towards Constitution Committee revolves around the potential co-option of people other than Cardiff Councillors onto scrutiny committees and / or task and finish groups, beyond current arrangements (which see the co-option of four co-optees onto scrutiny committees considering schools matters as part of a statutory approach across Wales). The wording of the recommendation is:

- a. **“Recommendation 14:** *Members recommend that the Council’s Constitution Committee arrange to amend the Council’s Constitution to provide for the potential co-option of further non-Councillor Scrutiny Committee members. The possibility of co-opted members and their length of appointment should be considered by each Committee at the first meeting of the Committee following the Council elections. Chairs should be able to draft in members relevant to the agenda item when desired. Apart from existing statutory co-optees, they should not be given a vote. A Person Specification and Job description should be drawn up for each co-optee, and co-optees should sign up to an appropriate code of conduct, based on the existing Code followed by Councillors.”*

It is recognised that Members of Cardiff Council may have differing views on the merits of co-option, and further discussion will need to be held with Chairs and Committee Members before making any blanket decisions on increasing co-option. There are also differing models of co-option, ranging from unlimited co-option for the foreseeable future onto all aspects of all of the Council committees’ work, to time limited involvement in one

Committee's task and finish inquiry or type of Committee item (eg performance reporting or procurement), or part of that Committee's terms of reference. Discussions will need to be held about procedures for identifying and recruiting potential co-optees, their potential voting rights, and whether co-optees will be remunerated (as the current co-optees onto Children and Young People Scrutiny Committee are).

Equally, the sustainability of the appetite of suitably qualified, knowledgeable and skilled stakeholders to sit on scrutiny committees will need to be assessed, and it is suggested that a range of professional, voluntary and community stakeholders would be canvassed to gain comfort that there is a sustainable market of willing co-optees to be approached.

13. Paul Keeping (Operational Manager of Scrutiny Services) will attend Committee to answer any questions on these topics that Members wish to ask.
14. As well as noting the PRAP report and considering the two recommendations targeted towards Constitution Committee, Members may wish to discuss what resources might be required, what benefits could be gained, and what risks would need to be managed in taking a holistic approach towards increasing the level of citizen involvement in local democracy, in which all of the Council's Committees could consider taking a consistent approach to public engagement, and enjoy similar protocols and levels of public interest and attendance.

Reasons for Recommendations

15. To enable this Committee to support the implementation of two of the recommendations from PRAP's "Public Engagement With Scrutiny" report.
16. To enable Members to consider additional improvements that they would like to see in the area of citizen involvement with local democracy in Cardiff.

Legal Implications

17. There are no legal implications arising from the content of this report other than those set out in the body of the report.

Financial Implications

18. There are no direct financial implications at this stage in relation to this report. 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 recommended to:

- 1 Note the PRAP Scrutiny Committee's report "Public Engagement With Scrutiny";
- 2 Support in principle the two recommendations of the PRAP report outlined in paragraphs 11 and 12 above, subject to officers satisfactorily carrying out the research and due diligence set out in those two paragraphs;
- 3 Invite officers to return to a future Committee meeting with the results of the research and due diligence, so that Committee can consider making specific amendments to the Council's Constitution to enable pilots to be carried out in one or both of the areas in question; and
- 4 Consider any additional ideas for improving citizen involvement with democracy in Cardiff.

**MARIE ROSENTHAL
COUNTY CLERK AND MONITORING OFFICER
3 JANUARY 2014**

The following Appendices are attached:

Appendix 1: Public Engagement With Scrutiny (a report of Cardiff Council Policy Review and Performance Scrutiny Committee, April 2013)

Appendix 2: Sample local authority Protocol for Public Questions at Scrutiny.

The following Background Documents have been taken into account:

- Local Government (Wales) Measure 2011
- Welsh Government Statutory Guidance on the Local Government (Wales) Measure 2011, June 2012

scrutiny



A Report of the: Policy Review and Performance Scrutiny Committee

Public Engagement with Scrutiny April 2013



County Council of The City and County of Cardiff

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CHAIR'S FOREWORD

The role of scrutiny is very important in ensuring that the residents of Cardiff get the best possible services and support from their local Council. Due to its cross party non-political nature the scrutiny process is a great way to pool ideas and undertake in depth analysis of the issues.

However, a recent research report found that only about 2% of the public knew and understood the purpose of scrutiny. This report aims to address that dis-engagement and actively and easily engage with the local residents. It was heartening to hear the value of scrutiny meetings provided by one of the witnesses to the Inquiry. They said:

"I enjoy the meetings despite their length. Scrutiny committees portray a better image of the council than the full council meeting. Discussions are more in depth, politics are left at the door and the level of debate is more informed. If more public could watch these meetings it would put political government in a good light."

The Council is now under a statutory obligation through the Local Government (Wales) Measure 2011 to ensure the public engage with scrutiny. This will allow the public to feedback directly to their local Councillors about how their services should be delivered and ensure that their views are progressed. One key message that emerged during the enquiry was that effective public engagement needed to be organised and planned well in advance.

We now need to make rapid progress and I commend this report to the Cabinet, the Constitution Committee and Scrutiny Services.

My thanks go to the hard working task and finish group, Principal Scrutiny Officer, Robina Samuddin, and the Scrutiny Research Team.

Elizabeth Clark, Chair Policy Review and Performance Scrutiny Committee

INQUIRY TERMS OF REFERENCE

The Inquiry Team devised and agreed the following terms of reference:

To enable Public Engagement through the different functions and processes of Scrutiny to identify:

- the requirements of Public Engagement under statutory requirements such as The Local Government Measure (Wales) 2011
- best practice across the UK
- what can be adopted and adapted in Cardiff and how it can be resourced.

Members of the task and finish group were:

- Councillor Elizabeth Clark
- Councillor Sam Knight
- Councillor Adrian Robson
- Councillor Paul Mitchell

CONTEXT

1. The concept of Scrutiny was introduced to local government in Cardiff through the Local Government Act of 2000. It dispensed with the traditional “Committee” system in favour of a more streamlined “Cabinet” style executive City Government, and introduced five “Scrutiny Committees” to hold the Executive to account.
2. Scrutiny has been cited as an important means of ensuring robust governance to local government administration and of allowing local residents to feel that they could influence the direction of local policy and service provision.
3. The Welsh Government published the Local Government Measure (Wales) in 2011. In June 2012 the Statutory Guidance from the Local Government Measure was published to assist local authorities to implement the recommendations. Foremost amongst these was a series of requirements and recommendations for local authorities to ensure the public could be as actively involved in local democracy as possible.
4. It is hoped that the outcome of the Inquiry will have an impact beyond the area of Scrutiny Services. The work related to public engagement is not one service area’s responsibility. How one area is doing in engaging the public can impact on other areas of business and through this Inquiry it has become apparent that engagement in Scrutiny Services should not sit in isolation from the rest of the local authority. Nevertheless public engagement has been practiced by certain Council service areas. The lack of a wider engagement strategy is balanced by the many tools and good practice research and ad hoc engagement practised by some service areas from which Scrutiny can benefit.

KEY FINDINGS

The Key Findings have been arrived at after six meetings with a variety of expert witnesses. The Inquiry was provided with desk based research of best practice around England and Wales' local authorities as well as the many documents and the Local Government (Wales) Measure 2011. Following a review of the evidence Members identified the following Key Findings:

RAISING PUBLIC AWARENESS OF SCRUTINY

- KF1. There is no one model of best practice in relation to public engagement within local authorities. There are, however, examples of good practice relating to specific scrutiny exercises.
- KF2. Members responding to Cardiff Council's Scrutiny Listening Exercise in 2012 were in agreement that there is a need to raise public awareness of Scrutiny its role and function, its relevance to citizen issues and concerns. They also stated the need to effectively and widely disseminate the outcomes of Scrutiny Inquiries both internally and externally to enable stakeholders to gain awareness and an appreciation of the impact and benefits of these Inquiries.
- KF3. The Ask Cardiff Survey from the Council's Customer and Business Knowledge Department established in 2011 that only 2% of their sample knew about Scrutiny Services in Cardiff Council. The survey found that there was a strong public appetite to get more involved in helping to shape Council policies and decisions.
- KF4. Some witnesses for the Inquiry were of the opinion that members of the public do not need to be familiar with Scrutiny processes. It is more important, for example, for public views to be fed into Scrutiny Work Programmes, without necessarily being familiar with the actual Scrutiny as a 'function'. However, it is a requirement of the Local Government Measure that Committees publicise their role and function.

- KF5. While Cardiff Scrutiny Committees currently use a variety of methods to engage with the public and to take public views into account, Scrutiny should become transparent and more appealing to the public.
- KF6. Scrutiny Services has started to develop a 'brand identity', but this is not currently well-known.
- KF7. The Council's centralised Communication and Media team currently work with Service Areas to identify media priorities, developing an annual forward plan in order to prioritise publicity campaigns council-wide. They are able to assist Scrutiny Committees depending on the availability of resources.
- KF8. There can be a perceived conflict in using the Council's Communication and Media Department to publicise Scrutiny activity, given its council wide support function.
- KF9. Currently there is limited direct engagement between Scrutiny Committees and local media, and Scrutiny work is only covered in the media to a limited extent and frequently with no mention of 'Scrutiny' as part of the democratic process.

SCRUTINY WEBSITE

- KF10. While Cardiff Scrutiny has dedicated pages on the Council's website, there are currently aspects of the website which do not contain appropriate content or accessible language. The Scrutiny pages are also not easy to find.
- KF11. Witnesses to the Inquiry were not of the view that webcasting of Scrutiny meetings was likely to increase public interest. Current viewing figures of National Assembly for Wales Committees and Cardiff Full Council meetings are not very high.

PUBLIC ENGAGEMENT WITH SCRUTINY

- KF12. Additional surveys to gauge public opinion may not always be necessary because a variety of information is available via existing avenues, such as the Council's Ask Cardiff survey.
- KF13. It is important to ensure balance on issues where pressure groups are likely to be involved. There need to be clear protocols and tools to assist Committee Chairs in handling public engagement in Scrutiny meetings.
- KF14. Those who know about or who have been involved in Scrutiny previously are more likely to want to get involved again.
- KF15. Public interest in Scrutiny tends to stem from direct interest in a specific agenda item. A blanket approach, and an expectation that the public will be interested in all scrutiny items, will not work. Simply holding meetings held in community venues if an item is not of interest to the public will not improve public engagement. There is value in "piggy backing" on other public events/meetings that are being held".
- KF16. Witnesses to the Inquiry were not of the view that co-optees should be standing Committee members, but acknowledged that they can make a valuable contribution to specific Scrutiny items, in terms of rich professional experience or stakeholder views which they can bring.
- KF17. Feedback is vital in terms of on going engagement with the public. Witnesses advocated a two-stage approach - basic feedback immediately after the meeting, and more structured feedback over time.
- KF18. Where effective public engagement is carried out it tends to be due to good planning, proper evaluation, and sufficient staff and resources being available.
- KF19. A variety of methods is crucial, appropriate to both the subject under consideration and the sector of the public to be engaged. A blanket approach is not effective.

- KF20. Sometimes, despite all the planning and preparation public engagement simply doesn't work. Managing expectations on all sides is very important. It is crucial to accept that public engagement may not be applicable to all topics.
- KF21. A Scrutiny public engagement strategy should link to the wider Council public engagement strategy in order to be most effective. Public Engagement needs to be established consistently across the Council for either to be effective.
- KF22. Task and Finish Inquiries are not currently held in public, but provide opportunities to engage stakeholders and highlight areas of public interest.
- KF23. Each public engagement should be seen and treated as a unique opportunity and evaluation is crucial. This assists with developing understanding and progression on engaging the public more and more.
- KF24. Public engagement is successful when it is not "assumed" what the public are interested in. The public needs to be given a voice to relate what matters to them.
- KF25. The National Assembly for Wales issues a Call for Evidence when commencing consideration of a given subject. This is often publicised widely and can garner from a handful to five hundred responses.

PRODUCTION OF FORWARD WORK PROGRAMME

- KF26. Cardiff Scrutiny Services currently use a variety of sources of citizen intelligence in developing Work Programmes, such as information from the Citizen Panel, the Ask Cardiff survey and complaints data.
- KF27. Scrutiny should demonstrate the worth of a topic being scrutinised for the citizens or a ward in Cardiff. In order to further ensure that the work programme reflects focus on citizens' views, time is required to plan it.

KF28. The Work Programme must balance items which are of interest to the public and items which Committees have a duty to monitor.

KF29. Due to the in-depth nature of Task and Finish Inquiries, it is important to carry out consultation and or research to incorporate the views of citizens. It is also important to consult the public on the topics for carrying out the inquiries within the Work Programme. Currently the process for work programming development by scrutiny is not that clear to the public. The work programmes are not that easy for the public to find.

PUBLIC ENGAGEMENT AND CALL-IN

KF30. If public speaking is to be permitted at Call In meetings, specific guidelines and protocols are vital to support Committee Chairs.

ENGAGING WITH THE THIRD SECTOR

KF31. The Third Sector has an important role to play in terms of reflecting the views of their stakeholders as witnesses at Committee meetings and during Inquiries.

TAKING THE PUBLIC'S VIEWS INTO ACCOUNT

KF32. Members are a vital source of local intelligence in terms of identifying topics of interest to the public and public views on items under consideration.

KF33. Witness feedback is vital in improving public engagement as this can prove where Scrutiny has had an impact. Witnesses to the Inquiry advocated immediate feedback, directly following a meeting or Inquiry, as well as feedback in the longer-term, to demonstrate Scrutiny's impact. If a topic is being re-visited in Scrutiny, then past witnesses should be informed and possibly asked to contribute again to the scrutiny.

KF34. If public questions are to be allowed at Scrutiny meetings, clear guidelines and protocols are vital and would necessitate a change to the

Constitution. The Council's Constitution Committee is currently undertaking an Inquiry into aspects of engaging the public across Council meetings and committees. (Some suggestions regarding guidelines and protocols have been given which can be seen on page39)

- KF35. Where there are concerns of vexatious behaviour from the public a clear procedure and protocols assists to keep this to a minimum.
- KF36. Inviting live questions from the public via social media during meetings is difficult to manage. Other options exist, such as making a website comment facility available regarding reports or work programme items.
- KF37. Difficult terminology should not be used in scrutiny documents. Instead use Plain English. The language needs to be inclusive and accessible.
- KF38. A significant amount of information about the public's concerns, complaints and views is held by various Council service areas. Provided that the information gained has been done so in a robust and transparent manner, then it should be shared with Scrutiny.
- KF39. It is important to carry out primary research where citizens' views and opinions are further required. However it is essential that the voices of the vulnerable are sought and not the vocal majority. It is important not just to rely on organisations to gain the public view but also to find views of individuals who are directly affected by an issue.
- KF40. Scrutiny Committees should continue to involve citizens as witnesses which could be both interest groups and individuals as this has proven valuable. However, Committees must ensure they include the vulnerable and not only the vocal majority.
- KF41. The Council's Communication and Media team has recently been focusing on developing the Council's use of social media and currently the Council's Twitter account has over 15,000 followers. Responses and

Twitter trends are monitored regularly and could be made available to Scrutiny Committees.

KF42. Public views can be gained via Twitter and Facebook and other social networking sites, but should be used in conjunction with other information sources, such as survey data and wider consultation.

RECOMMENDATIONS

This inquiry was commissioned to advise Members on the key requirements of the Local Government (Wales) Measure 2011, and the opportunities it presents for placing citizens more firmly at the heart of scrutiny.

Some of the recommendations that Members identified have been commended for the Scrutiny Team to implement as quickly as possible, and are identified as such below. Some however have implications for the Constitution of Cardiff Council, and are commended to the Council's Constitution Committee for further consideration. A third group of findings have been addressed to the Cabinet, to engage and work with them in ensuring that Scrutiny is able to fulfil its potential as a valuable and independent voice in ensuring that citizens' interests and concerns are addressed. Members recommended that

GENERAL ISSUES AND CO-ORDINATION

Scrutiny Services

R.1. Members recommend that Public Engagement is central to effective scrutiny and good customer service and also a mandatory requirement of the Local Government Measure (Wales) 2011, therefore Scrutiny Services should ensure that arrangements in Cardiff meet the requirements of the Local Government (Wales) Measure 2011 that relate to Public Engagement. As there is no single accepted model of best practice, Cardiff should develop its own method of public engagement, but should have regard to best practice across the UK, and regularly review to keep up to date with best practice.

(Supported by Key Findings 1 – 3, 21)

Scrutiny Services

R.2. Whilst every effort should be taken to maximise public engagement and efforts should increase over time, Members recommend that it is important that activity is appropriately resourced to enable engagement to be sustained and incrementally developed. Scrutiny Services should

therefore be honest and transparent in working with Members and the public in agreeing realistic levels of engagement so that public expectations can be managed and met.

(Supported by Key Findings 5, 7, 18, 20, 21, 24)

Scrutiny Services

R3. Members recommend that Scrutiny Services should take advantage of the full range of methods available to ensure effective and accessible public engagement with different audiences. These include issuing formal calls for evidence from relevant organisations, utilising public meetings that are already taking place, pro-actively reaching out, asking the views of Council users and analysing customer feedback that is already available (for example, adult education evaluation surveys). While making sure that those who do not use social media can easily access information on their own terms, Cardiff Scrutiny Services should develop a FaceBook page, and make good use of Cardiff Council's Twitter account, with aspirations to have its own Twitter feed.

(Supported by Key Findings 2 - 7, 10, 11, 14, 15, 18, 19, 23, 24, 29, 37, 39-42)

Scrutiny Services

R.4. Members recommend that Scrutiny Services should develop a Communications Toolkit to give Scrutiny Committees a range of options for public engagement before, during and after the scrutiny activity. The toolkit will also help Scrutiny refresh its brand identity 10 years after the service was introduced, and have a standard one sentence "strap line" description of scrutiny to use consistently when promoting anything related to scrutiny.

(Supported by Key Findings 6, 7, 13, 19)

Scrutiny Services

R.5. Members recommend that Scrutiny Services should address any barriers facing different groups in accessing information, and ensure that all scrutiny communications are written in plain English and avoid jargon.

(Supported by Key Findings 5, 10, 19, 23, 24, 37)

Recommendation for Cabinet

R.6. Members recommend that the Cabinet should provide Scrutiny Services with dedicated resources to increase the current level of public engagement the Service undertakes.

(Supported by Key Findings 7, 8, 18)

ENGAGEMENT THROUGH THE MEDIA

Recommendation for Cabinet

R.7. Members recommend that the Cabinet should engage with Scrutiny Chairs to agree a level of support from the Council's Communication and Media Team to work more closely with Scrutiny Chairs and Members to highlight their work to local and professional media outlets. For example, more media releases should be issued before and after scrutiny meetings. The Scrutiny Chairs also have an important role in highlighting to local media current Scrutiny committees work. Scope for scrutiny engagement should be discussed with the Communications and Media team at the beginning of the municipal year.

(Supported by Key Findings 7- 9, 15, 18, 25, 32, 41, 42)

SCRUTINY WEBSITE

Recommendation for Cabinet

R.8. Recognising that the Council's website is due to be reviewed in 2013, Members recommend that Cabinet should enable Scrutiny to access citizen's views, more easily, by developing a citizen focussed new website. This will provide ample opportunities for people to find out about, comment upon and participate in the work undertaken by the Council's Scrutiny Committees.

(Supported by Key Findings 3, 5, 10, 14, 18, 19, 24, 36, 41, 42)

Scrutiny Services

R.9. Members recommend that Scrutiny Services should work towards developing its current presence on the Council's website by including:

- a) Diagrams to explain how Scrutiny fits into policy making processes

- b) Images and video clips to show how Scrutiny meetings work
- c) Scrutiny Committee work programmes in an accessible format
- d) Links to Committee reports
- e) Future scrutiny agenda items with guidance on how the public can engage
- f) Examples of effective Scrutiny work
- g) Easy linkage to the Scrutiny webpage within 2 clicks of the Council's homepage

(Supported by Key Findings 1, 10, 11, 24, 25, 28, 29, 36, 37, 39)

Scrutiny Services

R.10. Members recommend that the evidence at the current time does not support the webcasting of Scrutiny meetings. Therefore Scrutiny Services, should review annually the decision on webcasting scrutiny meetings, and this should remain an aspiration.

(Supported by Key Findings 11)

INVOLVING CITIZENS IN WORK PROGRAMMING

Recommendation for Cabinet

R.11. Members recommend that Cabinet should ensure that their Work Programme items and timings are published well in advance of meetings, to allow public engagement with pre-decision scrutiny.

(Supported by Key Findings 28, 34)

Scrutiny Services

R.12. Members recommend that complementing the existing citizen knowledge that they currently facilitate, Scrutiny Services should feed the following information clearly into the work programming process:

- a). An analysis of Petitions presented to Full Council within the past year.
- b). Results of Ask Cardiff and the Citizen's Panel surveys and other relevant findings from the Council's Customer and Business Knowledge team.
- c). Breakdown of formal complaints made under the Council's Complaints Process, and "service improvement request" calls to Connect to Cardiff.

- d). Items suggested by the public and staff
- e). All views of Council Members following consultation with them
- f). Issues which are trending on the Council's Twitter feed from the Council's Communication and Media team. This information should be passed on to Scrutiny on a regular and consistent basis.
- g). Items suggested by the third sector, professional and community networks following consultation with them.

(Supported by Key Findings 26 – 29, 31, 32, 34, 36, 38, 41, 42)

PUBLIC INVOLVEMENT IN SCRUTINY COMMITTEE MEETINGS

Recommendation for Constitution Committee

R.13. Members recommend that the Council's Constitution Committee arrange to amend the Council's Constitution to allow the public to speak, ask questions and make statements at Scrutiny Committee meetings in line with the Local Government Measure 2011. A detailed protocol should be agreed with Scrutiny Services within six months of the publication of this report to cover a number of issues around the timing, suitability and format for enabling public participation, with the current 'public questions to full Council meetings' providing a useful starting point.

(Supported by Key Findings 13, 30, 34, 35)

CO-OPTION ONTO SCRUTINY COMMITTEES AND PANELS

Recommendation for Constitution Committee

R.14. Members recommend that the Council's Constitution Committee arrange to amend the Council's Constitution to provide for the potential co-option of further non-Councillor Scrutiny Committee members. The possibility of co-opted members and their length of appointment should be considered by each Committee at the first meeting of the Committee following the Council elections. Chairs should be able to draft in members relevant to the agenda item when desired. Apart from existing statutory co-optees, they should not be given a vote. A Person Specification and Job description should be drawn up for each co-optee, and co-optees should

sign up to an appropriate code of conduct, based on the existing Code followed by Councillors.

(Supported by Key Findings 13, 16)

FEEDING BACK OUTCOMES FOLLOWING SCRUTINY

Scrutiny Services

R.15. Members recommend that Scrutiny Services should ensure that the outcomes from scrutiny are highlighted and easily accessible. For example:

- If a publication (e.g.: Capital Times) or organisation highlights forthcoming scrutiny items the outcomes of the meeting/Task and finish reports should be advertised
- The Chair's letter, any task and finish report and Cabinet response should be listed together on the website (in the same way as meeting minutes).
- Witnesses should receive copies of the appropriate Chair's letter, any task and finish reports and Cabinet responses following the submission of their evidence. If a topic is later re-visited by Scrutiny the past Witnesses should be informed.

(Supported by Key Findings 10, 11, 14, 17, 19, 22, 29, 33, 37, 40)

EVALUATION OF PUBLIC ENGAGEMENT

Scrutiny Services

R.16. Members recommend that Scrutiny Services evaluate each public engagement activity undertaken so that future lessons can be learnt and improvements made in Cardiff. Where appropriate, Witness Satisfaction Forms to be offered to seek the views of external witnesses on their involvement in the scrutiny process, and a digest of these forms presented periodically to Scrutiny Chairs.

(Supported by Key Findings 1, 15, 17, 20, 21, 23, 24, 32, 33, 38, 39)

Introduction

1. The impetus for this Inquiry came from the Local Government (Wales) Measure 2011 which was designed “strengthen the role of Councillors”¹.
2. The focus of the Inquiry was guided by Chapter Five which explains Section 62 of the Measure, *Taking into Account the Views of the Public*. The Chapter was divided into further sections looking at various aspects of Scrutiny and how to comply with the legislation.
3. The focus of public engagement has come from the *Making the Connections*² strategy. In October 2004 the Welsh Assembly Government first published *Making the Connections* for public consultation. The strategy published in 2006 was further reviewed by Sir Jeremy Beecham³. He was the Chair of a team whose focus was the delivery of local services. Both *Making the Connections* and *Beyond Boundaries* are advocating the involvement of the citizen in services that either directly or indirectly affects the citizen.
4. The Welsh Government has been examining and advising local authority service areas how to connect with citizens through the reviews and subsequent guidance documents. *The Local Government (Wales) Measure 2011* stems from this.

The Citizen Model

5. In the Beecham Review⁴ the Citizen Model is discussed in some detail. It emphasises that local authorities keep this model at the forefront of service design and delivery. It is important to note the citizen model is one that is

¹ Statutory Guidance from the Local Government Measure 2011. Welsh Government. June 2012. Foreword

² Making the Connections-Delivering Beyond Boundaries: Transforming Public Services in Wales. Welsh Assembly Government. November 2006

³ Beyond Boundaries Citizen-Centred Local Services for Wales. Review of Local Service Delivery: Report to the Welsh Assembly Government.

⁴ Ibid, Chapter 2: The citizen model. pgs 3 – 8

advocated for Wales. Each region has its culture and demographics and through devolution Wales is standing up for what is right for Wales. This is also reflected in the approach taken by local authorities.

6. In England the public is viewed as customers through a “consumer model”⁵ where services are said to be shaped by the choices they make. The customer in this model drives changes in the services through their needs and preferences. This is on the assumption that the customer is well informed and empowered therefore impacting services. The reaction that the services are aiming to avoid is the customer exiting the service and selecting alternatives as this indicates customer dissatisfaction in the consumer model.

7. Wales, on the other hand has its own model and a different approach, one that suits the demographics, the geography, and the culture of this country. The citizen model advocates for the citizen to have a voice. The difference between the two approaches is that in England the satisfaction of the ‘customer’ is displayed whether they remain in the service or exit for an alternative one. In Wales the public are viewed as citizens and they are not able to exit a service, and therefore drive the improvements and changes through their voice.

“The model relies on voice to drive improvement, together with system design, effective management and regulation, all operating in the interests of the citizens”⁶

8. The Citizen Model has challenges and advantages for both the individual and organisation. The responsibilities lie with both. One impacts the other. The following outlines this:

“Disjointed changes in practice will not suffice, and changes in practice will be disjointed if they are not set within a rigorous framework of guiding concepts and precepts. Putting the public services on a new footing is no more an event than was devolution...”⁷

⁵ Ibid, pgs 4 - 6

⁶ Ibid. pg 5

⁷ Ibid. pg 8

The Citizen's Perspective

9. The following is what the Citizen Model should mean to a citizen. A citizen will:

- Trust public services
- Receive high quality, updated, joined up and personalised services across organisational boundaries
- Receive speedy and appropriate redress
- Be well informed and have meaningful and diverse ways of expressing their expectations, experience and needs through out all levels of government
- Have their voices heard regardless of ability
- Know how well the services are performing in their area and see organisations held to rigorous accountability by their representatives
- Understand that individual and collective needs have to be balanced and improvement may warrant a change in the delivery of service
- Understand that they have both rights and responsibilities
- Know how much money is coming into their locality, how it is being spent, what the outcomes are and whether they are getting value for money.

10. The following on the other hand is what the Citizen Model would mean to an organisation. It will:

- Have an outward facing culture and be focused on achieving outcomes for the citizens
- Have effective processes for informing and engaging the citizens
- Have strong engagement with organisations that clearly express the voice and experience of the citizen
- Be able to provide objective information on both the perception and satisfaction of the citizen
- Have a pro-active, non-party political, cross cutting, respected scrutiny
- Have joined up and personalised services
- Pool sovereignty and resources to improve delivery for citizens
- Simplified systems of complaint and redress

- Seek excellence and innovation in order to attract, retain and motivate talent
- Meet future challenges and present needs by skills integrated in the workforce
- Diverse provision is adopted as a means of challenge and innovation
- Objectively report, challenge support and develop performance
- Have strong culture of efficiency and effectiveness
- Respond rapidly to changes in demographics and technology

11. The Citizen Model should be understood and applied according to the report.

The understanding needs to be shared between the government and the public bodies but in the final analysis it should be accepted that the citizen comes first.

12. A response to the Beecham's report was published in November 2006 entitled: *Making the Connections – Delivering Boundaries: Transforming Public Services in Wales*. It offered a two stage timeline to indicate its expectation of achieving the following goals in 2006 – 2008 and 2009 – 2011. The goals and the timeline are summarised below in the attached **Appendix B**.

13. Pertinent to this Inquiry, Scrutiny was mentioned in "*Delivering Services with Citizens*" as a partner to delivering "strong engagement" and changing the services by 2011⁸.

14. In his conclusion for achieving citizen-centred delivery Beecham cites "Strong Scrutiny" and states that:

"Scrutiny should be a strong lever for improving delivery and it should work across organisational boundaries. This means designing an inclusive scrutiny process that is non-party political, involving elected members, citizens, advocacy groups, non-executive- directors, non-office members and professional

⁸ Making the Connections-Delivering Beyond Boundaries: Transforming Public Services in Wales. Report by the Welsh Assembly Government. November 2006; pgs 11 - 19

experts...the whip should not apply and all public bodies, the non-devolved services and third sector bodies should be required to participate.”⁹

15. More recently, the Centre for Public Scrutiny together with Welsh Local Government Association published *Citizen-Centred Scrutiny: Engaging the Public in Overview and Scrutiny* in July 2010. It directs the reader to examples of good practice and answers the pertinent questions of “how” to engage, “why” engage, “who” to engage and “when” to engage. It offers tips on public engagement and the importance of feedback at the end of the Scrutiny process. It is important to state that a lot of work is carried out which qualifies as public engagement but is not always acknowledged as such. However, there is a need for robust and consistent framework to guide the process through services.

16. The document discusses various pieces of research and other scrutiny activities carried out by four Welsh local authorities: Wrexham County Borough Council; Newport City Council; Merthyr Tydfil County Borough Council; and Monmouthshire County Council.

17. It discusses the various aspects of engagement and its benefits. Amongst the many points it states:

“Rather than diminishing the right of the elected representatives, public engagement can provide greater insight that will help such representatives to take the best possible decisions when making policy.”¹⁰

18. It goes on to discuss the points of scrutiny being an advocate for local communities and further how the evidence base for recommendations can be improved by gaining the views of the public. The document further

⁹ Beyond Boundaries, Beecham. pg 60

¹⁰ ‘Citizen-Centred Scrutiny’ Engaging the Public in Overview and Scrutiny. WLGA & CFPS. July 2010. See Footnote 7 citing: Effective Public Engagement: A Guide for Policy-Makers and Communications Professionals. Prepared for the Cabinet Office by the Central Office of Information. 2009.

outlines the importance of communicating the findings back to the public after the scrutiny process.

19. In the Beecham report *Beyond Boundaries* a reference is made to Albert O Hirschman's book *Exit, Voice and Loyalty: Responses to Decline in Firms, Organisations and States* (1970). He argued that individuals have two responses when they feel they are failed. They can end the relationship with the organisation and therefore exit or they can attempt to improve or repair that relationship by communicating their grievance, complaint or even a proposal by using their voice.

Guidance

20. *The Local Government Measure (Wales) 2011* is an instructive detailed document for Welsh local authorities. The detail is steeped in legal language, and in order to make the document more accessible the Welsh Government published *Statutory Guidance from the Local Government Measure 2011* in June 2012. It is divided into nine chapters, each chapter relating to relevant sections of the actual Measure published in 2011. All sections in this particular guidance are related to strengthening the roles of Councillors.

21. Section 62 relates to "*Taking into Account the Views of the Public*"¹¹ The chapter makes a direct link to "*Making the Connections*" strategy and stipulates its two principles:

- "i) Citizens at the Centre: services more responsive to users with people and communities involved in designing the way services are delivered.*
- ii) Public Engagement: every person to have the opportunity to contribute, and connect with the hardest to reach"*¹²

22. Point 5.5 in the chapter strongly advocates the need for public engagement. It places a requirement on local authorities to enable all

¹¹ Statutory Guidance from the Local Government Measure 2011. June 2012. Welsh Government. Pgs17 – 24.

¹² Ibid. Pg 17

people, whether they live or work in the city, to be able to contribute to any subject being addressed by scrutiny.

23. The chapter is divided into various sections that are linked to complying with the provisions of Section 62. It assists the reader to use tools in everyday work for engaging the public. For example, it is suggested that scrutiny departments could utilise this council's central communication department which has its protocols and tools of communication well established, utilising the authority's website and various methods of engaging the public.
24. The guidance states scrutiny's engagement with the public is crucial for the citizen's perspective to be gained for the design and delivery of services. This in turn assists scrutiny to gain a more nuanced understanding of social issues.
25. The Forward Work Programme (FWP) is also an aspect of scrutiny mentioned in some detail and the need for the public to have sight of it and be able to suggest topics for scrutiny. It is recommended that the FWP is published at the beginning of the Municipal year to give public the opportunity to contribute to it. It is also recommended that flexibility be built into this process allowing changing and revising of topics in accordance with the public's contribution.
26. The FWP is recommended to have its own section on the website. So much so the Guidance gives a stark reminder to the power of Welsh Ministers to make regulations under Section 77 of the Measure should they so wish, to make the scrutiny's processes available to the public - including the FWP. Furthermore the Guidance encourages more involvement with the FWP by sending it to networks, representatives and other partners such as Police, Fire and Rescue, Health, local voluntary councils, youth councils and community networks.
27. The last three sections relate to public engagement, Call-In, the Third Sector and Taking the Public's Views into Account. Engaging is one of the

steps and utilising the views of the public is another. The Guidance acknowledges issues of management of public behaviour and to that end outlines different methods of allowing the public to communicate. For example some may prefer to put their view across in writing. It is also important to prevent citizens utilising the meetings for unrelated grievances. Therefore Scrutiny Committees are to be clear and consistent in their approach.

Research Undertaken for this Inquiry

28. Research into public engagement is vast. In the last decade the Welsh Government's focus turned to it, commissioning many pieces of work culminating in many documents and guidance. One of these is the *Local Government Measure (Wales) 2011*.
29. The focus of local authorities also turned to the issue of engagement with service provision and consultations. Welsh local authorities, including Cardiff Council carry out numerous consultations, focus groups and surveys.
30. This Inquiry had access to research from the Scrutiny Research Team, Cardiff Council's Customer and Business Intelligence Department, and the published documents of several other external organisations. Additionally the Scrutiny Research Team was commissioned to carry out a desk based review on good practice in public engagement in scrutiny across England and Wales.
31. The Inquiry Team had access to the following Cardiff Council documents:
 - Scrutiny Services: Citizen Focused Scrutiny Primary Research – February 2010*
 - Customer and Business Intelligence Team: Ask Cardiff Report – Scrutiny – July 2011*
 - Scrutiny Services: Scrutiny Listening Exercise – May 2012*

32. The following documents are from external organisations that were referred to during the course of the Inquiry.

Evaluating the Effectiveness of Scrutiny in Cardiff County Council (Cardiff University – May 2003)

Cannot Find Server – Reconnecting Public Accountability (The Centre for Public Scrutiny – 2009)

Citizen-Centred Scrutiny (Welsh Local Government Association & Centre for Public Scrutiny – July 2010)

National Principles of Public Engagement in Wales (Participation Cymru – March 2011)

Practitioners' Manual for Public Engagement (Participation Cymru on behalf of Welsh Government – March 2012)

33. Policy Review and Performance Scrutiny Committee commissioned their report *Citizen Focussed Scrutiny* from Cardiff Council's Scrutiny Research Team in February 2010. This research could be seen as laying down the foundations for this current Inquiry because the findings revealed the focus for scrutiny should be to ensure service- delivery focuses on the needs of the citizens. It also revealed that citizens should be directly involved in scrutiny so that scrutiny can be responsive to the needs of the citizens.

34. Another significant piece of research contributing to this subject was Cardiff Council's *Scrutiny Listening Exercise*, published in May 2012. It engaged the views of three groups of stakeholders: Senior Leadership Team Members, Operational Managers, and external stakeholders on various topics. One of these - "Areas for Improvement" - looked into citizen engagement or reflecting the voice and concerns of the public, service users and stakeholders.

35. Whilst Members and Council Officers were keen to utilise existing forums and various data from Ask Cardiff and the Customer and Business Knowledge, the external stakeholders wanted Scrutiny to improve its engagement and wanted to have more involvement in the Work Programme. They also wanted to have

the opportunity to challenge evidence given by service areas in order to present a balanced view.

36. *Desk Base Review of Good Practice* carried out by the Scrutiny Research Team in January 2013 provided substantial examples of the way other local authorities are engaging the public in scrutiny. The main aspect coming through this research was the abundance of methods adopted by each authority engaging in the way that is appropriate to them.
37. England and Wales' cities, towns and villages have their own demographics and issues. Though one area is not alien in respect to another nevertheless each one should be looked at with its own unique social, economic, demographic and environmental factors.
38. One element was consistent in all the authorities surveyed; none of them appeared to have incorporated all of the Measure. They were all engaging the public in different aspects of the Measure. The reasons for this were not explored as it was not within the scope of the research.
39. The research was reported under four different headings and then sub-headings exploring the issue further. The headings were:-
 - Work Programming
 - Citizen Involvement in Committee Work
 - Communication
 - Engagement at Corporate Level
40. Under each of these headings there was further detailed exploration of the topic. The research found a plethora of options to administer the advice from the Measure. However, the content was too detailed to be either placed here in the report or to discuss at length in the restricted period of the Inquiry. In order to assist the Members a summary of the options in the research was provided for them (attached at Appendix D).

Evidence provided by Witnesses

41. The evidence provided by witnesses to the Inquiry will be grouped for ease of reference under the same headings as those used in the “Key Findings” section above.
42. The witnesses were called on the basis that they had a background in either working in the area of Scrutiny, Research, Public Engagement or Communications and Media.
43. There was consistency in the message coming from all the witnesses. This was that public engagement is not only important but necessary to drive improvement to services as well as scrutiny. Inevitably with such a range of expertise differences of opinion would be expected. Surprisingly though only on one issue was seen to have a clear difference of opinion and that was whether the public needed to understand scrutiny and its processes in order to engage with scrutiny.

Raising Public Awareness of Scrutiny

44. The Members of the Inquiry heard that the public should be made more aware of scrutiny, and that scrutiny meetings should be publicised more. Both the process and the meetings should be made more appealing. Although Task and Finish Inquiries are not specifically mentioned in the Measure, the Members heard from one witness that these meetings should also be made public and held in bigger rooms as they can be of great interest. However, it was acknowledged by the witness that if the topic is sensitive or if a witness may be inhibited then the priority should be given to the witness to be heard without the public in attendance.
45. The Inquiry Members heard that it has been an on-going challenge to have the word “scrutiny” mentioned in the Press. Some media organisations do not mention scrutiny, and some that do often refer to it as a “Cross Party Groups”. It was said that this could be due to the concern that papers will lose the reader’s interest by using words such as “scrutiny” and “process”.

46. However, since this Inquiry has taken place and due to the sharing of information of this Inquiry with the witnesses a difference has already been noted in the reporting of scrutiny committees in the media. They have been identified by their names as well as mention of the Members of the Committees.
47. The Members heard how the National Assembly of Wales raises awareness of their Committee meetings. Their Communication department utilises many options, from news releases and recorded film clips to utilising the government website and much more. The Members were told of the changes the National Assembly made in order to raise awareness. The National Assembly had realised that they required a change of image and be more attractive to the public. The local press has also been an option to publicise rather than just the daily national newspaper due to higher numbers of readership. The press are said to be particularly interested if a witness for a Committee is generating public interest and if there is a lot of public interest in an issue then the press are invited to attend.
48. One witness informed the Members that although Cardiff was doing better than many other local authorities, there appears to be more engagement with external partners rather than internal ones within the council. There appears to be a need to raise awareness of scrutiny both within as well as outside the authority.
49. Another aspect that was felt important not to overlook was the Members themselves. They are voted in as community representatives and therefore a source for publicising scrutiny through the various communication tools at their disposal - for example their surgeries, publicity material, and social media and so on. However, the suggestion did not stop there, they were also seen as the ones to feed back information and issues they are coming across in their Wards to the local authority. The elected Members are also viewed as having expertise for their Ward and scrutiny should benefit from this.

50. In July 2011 *Ask Cardiff*, the Council's bi-annual survey published a report relating to questions about Scrutiny Services. The results were discussed by the Members of the Inquiry. The results showed that of the sample that took part in the survey only 2% both knew and understood the purpose of scrutiny, whilst 70% had "no awareness" of it.

51. The Council's Communications and Media Service advised the Members that they were in a position to assist scrutiny to publicise itself. Part of the solution was said to be as a continuous campaign rather than just one big event, but crucially it was deemed very important to monitor and evaluate each campaign. The following was an example heard by the Members:

- Consistently raise the profile of scrutiny by drawing up a programme of campaigns and activities and publicising these
- Raise awareness of what scrutiny is for
- How the public benefits from scrutiny
- What difference scrutiny has made to people's lives as well as the benefits and differences made in order to tackle public apathy
- It is also important to be aware of the stakeholders/partners.

Scrutiny Websites

52. The Members of the Inquiry heard the Council's website should be updated with Scrutiny featuring more prominently. Witnesses said the minutes and agendas of the scrutiny committees were not easily accessible on the Website. It took time to locate them and instead they should be available within 'two clicks'. The website is used extensively by the National Assembly's Communications department. The Members discussed the Council's website also being used for publicising scrutiny but requiring to be updated before this could take place.

53. Webcasting of Full Council meetings on the Council website and Assembly meetings on the Senedd TV, showed a usual retention level of no more than five minutes. Nevertheless, in the case of the Senedd it was said to be a source for the Press to engage with the meetings and this resulted in less

contact with Assembly staff. However, a witness attending from the press stated that they regularly printed the committee papers from the Council website; and felt that rather than webcasting a reporter tweeting from the committee meeting is likely to attract more interest than webcasting alone.

54. In the view of the witness from the Council's Communication and Media Department, Twitter follows the Council's distinct style and yet manages to be "chatty" in order to be engaging.

55. The Members were advised that if social media was to be used extensively then they will have to be prepared for a big response at times. When this has happened in the Communication and Media department they pass the responses to the relevant departments. It takes time for anything new to be embedded and a maturing period must be expected but the results could be effective. The Department monitors the trends in the media and plans certain areas of their work accordingly. The Members were advised to follow suit.

Public Engagement with Scrutiny

56. Most of the evidence the Members heard in the Inquiry was related to the particular issue of engaging the public. The Members heard that engagement in scrutiny is critical as this will help them to understand how the public thinks. Communication needs to be carried out on a regular basis. However, the public particularly like to give their view when they are not in agreement with an issue. They are likely to get involved when the issue directly affects them. It is felt that it is perhaps easier to engage with partners than the public and yet the ones that are affected by some issues are the already disadvantaged people and they are people that are said to be difficult to reach.

57. One witness outlined the current deficit in citizen engagement. In various studies carried out it has been found there is a lack of understanding of scrutiny's objectives and outcomes. The public gets involved when an issue directly affects them. The Centre for Local Government Research has just

completed a major project for the Welsh Government entitled *Learning to Improve*. Dr Rachel Ashworth shared some provisional findings from the study on citizen engagement which involved large-scale surveys and interviews with local government officers. The evidence revealed that whilst there has been some progress in engaging the public as consumers, there has been much less progress in engaging public as citizens who might design and shape public services. Further, it seems that authorities do not feel they possess sufficient resources to fully engage citizens whilst a question has been raised about the level of appetite for engagement amongst citizens. Furthermore some officers and Members felt that public engagement could be “painfully difficult”. The Centre for Public Scrutiny’s 2011 user survey identified that authorities will need to provide most assistance in the area of public engagement to Scrutiny,. This experience may be explained by statements from more than one witness that Scrutiny Service’s engagement practice should be informed by the authority’s wider engagement strategy. They also clarified that if a strategy does not currently exist then it is crucial this happens as Scrutiny Services should not be expected to deliver in a practice that is not taken up by the rest of the authority. There should be one engagement strategy for the local authority which each service area benefits from and contributes to. Further evidence was identified relating to the challenges Scrutiny faces as the function of the Council’s Communication and Media department is to support the Administration, therefore creating a potential conflict of interest. This has meant limited access to the respective Communication Department, or a dedicated Scrutiny Communication Officer. Again there can also be a culture of not delving into issues with the public as it may have a negative impact on the Administration.

58. One witness wanted to see the Scrutiny Committee Chairs have direct contact with the media whereas another also wanted the Committees to have direct communication with the media and not only through press releases.

59. The Members were told of the challenges faced by the media to report on Committees due to their evening timings coinciding with print deadlines and because the task and finish groups were normally held in closed meetings. When the task and finish reports were presented to the Scrutiny Committee in public the debate was usually very short and it was difficult for the media to gain the full essence of the report. It was felt that more going contact and updates should be available in the public domain as the work of the task and finish group progressed.
60. Similarly, the Members of the Inquiry heard about a detailed process of communication and engagement established in a Communication Toolkit put together by the National Assembly. It was established that a thorough process was crucial. This involves engaging with internal stakeholders and partners as well as external ones. This has enabled all involved to be clear about what they are doing, why they are doing it and how they are going to do it. This is important because an organisation may think the public should know something but they may simply not be interested. Finally after each public engagement event the process is only complete after monitoring and evaluation has been carried out. Evaluation also involves everyone who has taken part in the event including Scrutiny Officers, Committee Clerks, Chairs and Members. It was said learning and improvement takes place every time and this is also recorded. These steps are for learning as engagement is a dynamic process.
61. Members were advised to also have realistic expectations, as the outcomes of engagement could either exceed or fail to meet up with expectations.
62. Engagement is also not appropriate for all items in Scrutiny Committees. The questions of what, when and how should be asked and focus should be retained throughout. A way of minimising costs, time and money is to plan and carry out engagement at other pre-existing events and meetings referred to as “piggy backing”.

63. Utilising and partnering with other stakeholders and groups' events can be good practice. It also allows for better attendance as well as assisting when different sections of communities are required, providing a more inclusive and less defensive atmosphere. For example the Members heard how the Centre for Public Scrutiny has published a new guide entitled *Tomorrow's People*, and that the Youth Parliament also assisted in carrying out surveys with young people.
64. Evidence was given which allowed the Members of the Inquiry to understand the National Assembly's processes and methods of communication and engagement. There was a clear message of the value of taking time to plan any engagement because it was said to be crucial to good engagement.
65. Resources are the other crucial element required, as it was stated that engagement cannot be done on a 'shoestring'. Engagement cannot be carried out on an ad hoc basis because it is imperative to have the right option for engagement to be successful. This view was also endorsed by other witnesses. Engagement was clearly outlined by another witness as being a priority for the Welsh Government and that the focus of engagement is not only required from scrutiny but throughout the functions of local authorities across Wales. One witness went as far as to say that if a local authority does not have engagement well established, then scrutiny cannot be expected to succeed in this area. Engagement has to permeate throughout the authorities within which scrutiny is one of the services taking part, and an overall strategy is required. Witnesses from the National Assembly stated that their area of work in establishing engagement was given prominence when their department was placed in a section where everyone had to take engagement seriously and become partners in engagement. If political and organisational backing is not given to engagement it will not succeed, a witness emphasised.
66. There was extensive discussion on the two way process of engagement. The main issue raised by several witnesses was that of feedback. The evidence from witnesses, research and other documents pointed to the

importance of engaging back with the public in order to either keep them involved in the process or updated on the outcomes.

67. This includes keeping them the public updated on related issues or meetings where they have been involved as well as sending them any changes, outcomes and especially reports. For example, the Capital Times published the details for a Scrutiny Call-In, but the outcomes were not printed.

68. The Members were advised that the Council's Constitution would need to change in order to allow public questions in scrutiny and currently the Constitution Committee is making changes to the Constitution to make it more inclusive in its approach. The changes have been divided into three stages:

- There would be a review of the Council's Procedure Rules, including Scrutiny Procedures, such as how questions are asked in Scrutiny Committees
- The Scheme of Delegations would be reviewed
- There would be a Task and Finish Inquiry into Public Questions and Petitions.

69. The Members heard other witnesses make suggestions for Scrutiny Committees to establish a protocol to inform how to take public questions into account. Many scenarios would need to be catered for and so the following points have been listed with the view to the Constitution Committee taking them into consideration when changing and updating the rules and protocols for public engagement with Scrutiny Committees:

- Public questions/statement relating to an agenda item should be submitted at least three days in advance of the meeting. The question/statement can be asked by the questioner or the Chair of the committee. They should be made after any presentations on the agenda item have been given. Members' questions will then follow.
- The questioner can ask supplementary questions of the Witnesses.

- If the questions cannot be answered at the meeting then the questioner must receive a written reply to their questions within 10 days.
- The Chair has the discretion to stop the public questioner at any time if they are behaving inappropriately. The Chair is to give the reasons why they have stopped the person talking.
- Where members of the public make their views known to Scrutiny Services on an issue coming to a Scrutiny Committee meeting, those views should be relayed to Members of the Committee to inform their deliberation on that issue.

70. The Members of the Inquiry were advised by several witnesses that evidence can be given by the public in a variety of ways. The Scrutiny Research Team was commissioned to carry out a desk based research into the good practice of public engagement in Scrutiny Services across England and Wales. There were many examples of engaging the public which can be viewed in **Appendix C**. The findings revealed there to be no one consistent approach or method to successfully engaging the public. In fact each context and topic created its own set of protocols for engaging. Amongst other reasons clear rules and protocols would be needed to control and manage bad or vexatious behaviour. Currently questions from the public are at the Chair's discretion, while a witness suggested that both tabled and informal questions should be allowed in Committee meetings - not at the Chair's discretion, but with protocols in place to ensure consistent standards.

71. It was essential to manage and deliver realistic expectations, rather than to promise too high and fail to deliver.

72. One witness told the Members that not only should the public be involved in aspects such as the Forward Work Programme, but they should also be considered as co-optees for Scrutiny Committees. Another witness further suggested the use of co-optees as and when expertise in a particular field was required and not to have them as standing members in Committees. In the experience of one witness co-optees were found to bring "rich professional experience" to the Committees. There was a warning from one

witness about being careful in choosing un-elected members for committees as they may have a vested interest and should not be given voting rights. However, it was acknowledged that Children and Young People Scrutiny Committee has a requirement for the co-optees to have a vote on education issues.

73. Finally there is a “major asset” that is often “under used and under sold” and that is the elected Members themselves. They are democratically elected to represent the people of their Ward. They should reflect from the numbers of people they see and the events they attend as they are a resource of knowledge and connect to the public they represent and have the ear of the public. They also have the capacity to feed in what the issues are that are affecting people and their lives, therefore enhancing their profile will pay dividends in the opinion of a witness.

Production of Forward Work Programme

74. Witnesses gave evidence relating to the Forward Work Programme as part of the discussion on engaging with the public. A few witnesses suggested that the option of consulting what should go into the work programme should be an exercise with stakeholders and not necessarily the general public. Further clarification was given by Ed Hammond from the Centre for Public Scrutiny who suggested involving the public that have already taken part in Scrutiny such as witnesses or even members of the Citizen’s Panel in the Business and Customer Knowledge Department of the Council. This could be done as part of an event and where possible to choose topics that will be in the public interest, but ultimately it should be remembered that not all topics are suitable for scrutiny.

75. Another witness stated that asking the public was not effective, and resources should be prioritised on those people who have engaged with scrutiny in the past, or with the Customer and Business Knowledge’s Citizen Panel (which currently has 4,000 people signed up and majority of these are on the E Panel which allows communication via email.

76. The Members heard there are various sources for guidance on topics for the work programme. Public views can be gleaned through the voluntary sector and through stakeholder reference groups, as well as anonymous surveys. Another suggestion was to carry out anonymous surveys with frontline staff but it was advised that there will need to be a buy in from frontline staff for this to work. Amongst the suggestions included issuing formal calls for evidence from relevant organisations, utilising public meetings that are already taking place, pro-actively reaching out, asking the views of Council users and analysing customer feedback that is already available (for example, adult education evaluation surveys).

77. Another tool that was said to be effective in gaining ideas for the work programme was that of the social media which would allow for public opinions to be taken into consideration.

78. Finally one witness suggested publicising scrutiny more through the Capital Times in order for the public to submit ideas for the work programme, and another suggested that the Capital Times should be used for more than just publicising the dates of the Scrutiny Committees.

Public Engagement and Call-In

79. Although public engagement and call in was a sub heading in the *Local Government Measure 2011* the witnesses did not speak on this issue. The only point that the Members heard was on the issue of feedback. Several suggestions were made on how and why feedback is important. Amongst them Call In was mentioned. Recently a Call In was publicised in the Capital Times but nothing has been printed after the event and this is important in order to keep the public informed and hopefully engaged.

Engaging with the Third Sector

80. Engaging the Third Sector was another area which the witnesses mentioned through the evidence for public engagement. The witnesses for the National Assembly said that they also worked with the Third Sector,

whilst others spoke of the Third Sector in relation to gauging the ideas of the public.

Taking the Public's Views into Account

81. According to the witnesses to this Inquiry, the public's view can be taken into account in a variety of ways. One witness told the Inquiry the role of the public can be viewed in different contexts. For example, one approach is to view the public as "consumer/service user" which allows for other perspectives which is in line with scrutiny's function of service improvement. Another one was to view the public as "citizens" to engage in the democratic process holding decision makers to account which is in line with Scrutiny's role in upholding accountability.

82. Together with scrutiny there are tools within the Business and Customer Knowledge department such as Ask Cardiff and the Citizen Panel as mentioned in the sections above it currently has 4,000 members that can be used towards such approaches. Forming partnerships with the Third Sector was another, especially in gaining wider access and understanding the varying and diverse context of the public. Social media was also mentioned considerably throughout the Inquiry. This area is currently being developed within the research and communication areas of the authority. Often the information gathered from the public can be anecdotal but as one witness suggested this can be balanced by statistically reliable data.

83. The National Assembly has set up Reference Groups to ensure questions to the Committees are not just being asked by the Members. The Inquiry was told National Assembly Members have gone out to the public to encourage interaction with the Committees. In addition 'rapporteurs' have been established to attend events such as the Young People's Homeless Group.

84. Community news was seen as another valuable resource for gauging current events in the communities. An online tool is being developed to act as a vehicle to have a dialogue with communities. Holding meetings

outside of the civic buildings was mentioned but it must be remembered that the public only attend if they are interested in the topic.

85. This argument may lend weight to a statement made by two other witnesses who believed it was not necessary for the public to understand the processes and structure of scrutiny. It was more important that the public who attend meetings, offer their views and input, and for this to be passed to relevant departments and areas to be dealt with.
86. Staying on the same track, other witnesses said feedback and information coming from the public was not always relevant for Scrutiny Committees. In these instances the information should be fed back to the relevant department to be dealt with; again lending to the idea that gaining the public's view and engagement was more important than ensuring public's understanding of scrutiny processes. One witness gave the good practice example of the Night Time Economy Scrutiny Inquiry which is a topic that was said to be in the public domain and attracted a lot of people. Therefore scrutiny is also a service within the Council and as well awareness of issues the work of scrutiny should also be highlighted by the use of Capital Times.
87. The Council's Communications and Media Service has established a following of over 16,500 followers on Twitter and this number is increasing continuously. However, this is just one tool for gaining the public's view. In the *Ask Cardiff Scrutiny 2011* report the sample surveyed still opted for the traditional methods of communication. When asked, three quarters of the sample preferred to receive emails and letters for communication with scrutiny, and a large sample wanted to have temporary and / or time specific membership on Scrutiny Committees.
88. Discussion amongst the Members of the Inquiry also came to a position that there is a significant amount of data and information already held within Council service areas that - if shared - might lead to a reduction in the need to commission additional surveys and consultations in gaining the public views.. One witness told the Inquiry that there may be a lot of

consultations taking place, but not many people are reached and often it can be the same people. This would also assist in the phenomenon of “consultation fatigue”.

89. This Inquiry also agreed to share its findings and the associated report with the Council’s Constitution Committee, which is currently revising the Constitution, and which has also expressed its interest in seeing the findings. There seems to be little value in analysing public involvement in just one part of the democratic process and not another. The Constitution Committee is therefore planning to consult on public interaction in democracy through the Citizen’s Panel.

90. Many witnesses made comments about feedback. Different ways of feeding back to the public were mentioned. The consistent message, however, was that once the public has been engaged and/or their views have been taken into account then feedback is essential. This reflects the value of the public’s input, especially where views have been taken to make changes. For example in the case of reports and recommendations they should receive a copy of the Inquiry’s report. After a period of time there should be feedback on outcomes following scrutiny. Further suggestions from another witness included asking the public to leave comments after reading reports or even contributing through on line discussion forums.

91. Finally, taking the public’s view into account seriously will require legal monitoring. The Constitution Committee are looking to test any changes they want to make for three months. Witness from the Democratic Services advised that part of the process is for the Monitoring Officer to see and be satisfied with the changes being suggested. This can be seen as an indication that this is a serious matter and to carry out this stipulation of the Measure means more than asking people for their views because other steps will have to be taken prior to taking those views on board.

INQUIRY METHODOLOGY

The Council's Policy Review and Performance Scrutiny Committee set up a Task and Finish Inquiry to investigate Public Engagement in Scrutiny as part of their Work Programme in 2012 - 13. The Inquiry focused on Chapter 5 of the Statutory Guidance, which clarifies Section 62 of the Measure relating to Public Engagement within the various aspects of Overview and Scrutiny.

The Inquiry was assisted by a briefing report which outlined the need for Public Engagement. The briefing report informed the Inquiry of the rationale behind this approach and importantly that Scrutiny Services were not being singled out rather Public Engagement should be threaded throughout the public sector in all its functions serving the needs of the public.

The scope of the Inquiry focused on:

- Enabling Public Engagement through the different functions and processes of Scrutiny.
- Identifying the requirements of Public Engagement under statutory requirements such as The Local Government (Wales) Measure 2011.
- Identifying best practice across the UK.
- Identifying what can be adopted and adapted in Cardiff and how it can be resourced.

Public engagement in Scrutiny is not a recent phenomenon, and many local authorities across the UK are engaged with their communities at various levels. In order to gain a broad perspective of what the other local authorities are doing the Scrutiny Research Team were asked to carry out research to look at what methods were adopted across the UK. The report identified some interesting findings in the way that some local authorities were engaging with the public and facilitating their involvement in Scrutiny committee meetings. There was, however, no consistent approach and none of them had managed to implement public engagement in all aspects of scrutiny and its functions.

It is perhaps safe to say that more is written on public engagement than actually practised. In researching and addressing the topic of public engagement it is important to work within a particular scope, otherwise there is a risk of being overwhelmed and swamped with the vast array of papers, documents, journals, research and books written on the subject. The Inquiry Team decided to look at public engagement from the perspective of the citizen. Involving citizens and allowing them to have a voice in the formation and changes to services that affect them through scrutiny and this informed the scope of reading that was undertaken.

Once the scope of the Inquiry and the research had been agreed, the Team discussed which witnesses they would invite to give evidence. The witnesses came from different professional backgrounds and experience. They included people who had not only studied public engagement but had also focused on the impact of the public sector engaging with citizens, examining scrutiny and its purpose, as well as a number of very experienced scrutineers.

Witnesses were invited from within Cardiff Council as well as external organisations and institutions like the Welsh Local Government Association, The Centre for Public Scrutiny and Cardiff University. Some of them offered presentations which followed with questions and answers, whereas most offered their knowledge and experience through discussion. There were 13 witnesses in total.

The following were the witnesses to the Inquiry:

Internal Witnesses

- Councillor Ralph Cook – Deputy Leader of Cardiff Council
- Councillor Bill Kelloway – Member and former Chair of Children and Young People Scrutiny Committee
- Mike Davies – Head of Service, Scrutiny, Performance and Improvement
- Paul Keeping – Operational Manager, Scrutiny Services
- Nichola Poole – Operational Manager, Democratic Services

- Catherine Smith – Operational Manager, Communication and Media Department
- Steve Jarman – Operational Manager, Customer and Business Knowledge.

External Witnesses

- Virginia Hawkins – Head of Assembly Committees, National Assembly for Wales
- Kevin Davies –South Wales Outreach & Liaison Manager, National Assembly for Wales
- Tim Buckle – Performance & Improvement Advisor, Welsh Local Government Association
- Dr Rachel Ashworth – Reader in Public Services Management, Cardiff Business School, Cardiff University
- Peter Law – Municipal Reporter, South Wales Echo
- Ed Hammond – Research and Information Manager, Centre for Public Scrutiny.

While this Inquiry was held by the Council's Policy Review and Performance Committee, it will clearly have an impact on each of the Council's Scrutiny Committees. The Inquiry is advocating change which, if adopted, will make a difference to the way Scrutiny Services operates throughout Cardiff Council. It was therefore felt important that Chairs and Members of other Scrutiny Committees were offered the opportunity to comment upon the draft recommendations. They were given an opportunity to feedback their thoughts and opinions to the Inquiry prior to the report's final submission which have also been taken into consideration.

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Citizen-Centred Scrutiny Welsh Local Government Association & Centre for Public Scrutiny – July 2010

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Evaluating the Effectiveness of Scrutiny in Cardiff County Council, Cardiff University – May 2003

National Principles of Public Engagement in Wales. Participation Cymru, March 2011

Practitioners’ Manual for Public Engagement. Participation Cymru on behalf of Welsh Government, March 2012

Scrutiny Services: Citizen Focused Scrutiny Primary Research. Cardiff Council Scrutiny Research Team, February 2010

Scrutiny Services: Scrutiny Listening Exercise. Cardiff Council Scrutiny Research Team, May 2012.

FINANCIAL IMPLICATIONS

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.

LEGAL IMPLICATIONS

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 modification. 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 power 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. standing orders and financial regulations; (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.

POLICY REVIEW & PERFORMANCE SCRUTINY COMMITTEE



Councillor Elizabeth Clark

(Chairperson)



Councillor Phil Bale



Councillor Garry Hunt



Councillor Keith Jones



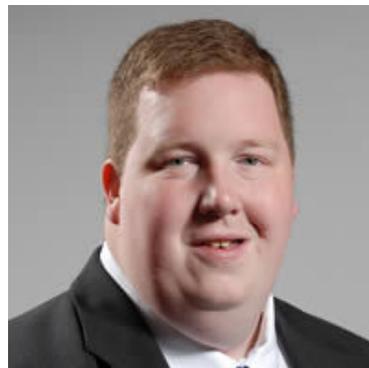
Councillor Sam Knight



Councillor Kathryn Lloyd



Councillor Paul Mitchell



Councillor Adrian Robson



Councillor David Walker

POLICY REVIEW & PERFORMANCE SCRUTINY COMMITTEE TERMS OF REFERENCE

To scrutinise, monitor and review the overall operation of the Cardiff Programme for Improvement and the effectiveness of the general implementation of the Council's policies, aims and objectives, including:

To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources. To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures, which may enhance Council performance in this area.

Appendices

Appendix A

Local Government Measure (Wales) 2011 Guidance

The Local Government Measure (Wales) 2011 is an instructive detailed document for Welsh local authorities. The detail is steeped in legal language, and in order to make the document more accessible the Welsh Government published *Statutory Guidance from the Local Government Measure 2011* in June 2012. It is divided into nine chapters, each chapter relating to relevant sections of the actual Measure published in 2011. All sections in this particular guidance are related to strengthening the roles of Councillors.

- Scrutiny committees are **expected** to make stronger efforts to raise public awareness about their role and function, including how they can shape and contribute to the delivery of scrutiny work programmes
- Councils **may** wish to adopt a multi-method communication strategy, using the most appropriate forms of media and communication for different sections of the public
- Councils **may** wish to establish an area devoted to scrutiny on their websites, including:
 - An accessible guide to the authority's decision making process
 - An accessible guide to scrutiny
 - Committee work programmes
 - Committee annual reports
 - Criteria for what makes a good scrutiny item
 - Forms by which the public can identify issues for scrutiny
 - Forms by which the public can put themselves forward to comment on items on work programmes
 - Forms by which the public may nominate themselves to attend to provide evidence or views
 - Forms by which the public can nominate themselves as a co-optee
 - Details of Chairs and officers and contact details.
- **Encouraged** to think creatively about the use of social media
- **Recommended** that internal mechanisms are developed to enable public engagement (e.g. to submit items for the work programme; submit written or oral evidence, participate as a co-opted member). This **may** take the form of public speaking arrangements or reports summarising written submissions
- Safeguards against vexatious lobbying **may** need to be built in. Committees may refuse public requests to include items on agendas, but must produce a clear rationale for this (possibly linked to criteria used to for formulating work programmes)
- It is **recommended** that arrangements are made to considering the credibility and applicability of public contributions to the scrutiny process
- It is **recommended** that authorities develop protocols to cover
 - public speaking arrangements
 - public involvement in task and finish inquiries

- dealing with requests for public co-option
- It is **expected** that work programmes are published on the Council's webpages. It's **recommended** that they are published towards the start of the municipal year and that they are regularly updated through the year. Committees should **consider** sending them to community networks and representative groups (see guidance 5.33 for list), and including information in the work programme about how the public can assist in developing and delivering work programmes
- In Call-Ins Councils should **consider** public speaking arrangements, allowing provision of information and response to information during the meeting, including multiple representations for different points of view. Chair could also have discretion to stop speaker at any time to they seems to be vexatious
- Councils may wish to **consider** developing engagement with County Voluntary Councils, including co-option, meetings between voluntary sector representatives and Chairs and use of voluntary sector networks as a way to inform and engage disenfranchised citizens
- Committees **must** take into account any views brought to its attention – e.g. methods by which public can engage, proactively managing oral and written submissions, methods to deal with vexatious complainants. Where an issue is raised for scrutiny, it's **recommended** that a report (possibly a summary report if there are several on same issue) detailing submission is considered at the next meeting. Good practice **suggests** they should be invited to present to Members in person (if they wish to). Full feedback is **recommended** whether it is decided to investigate or not.

Co-option

- Considered as serving to **strengthen the Member community leadership role** through the provision of alternative perspectives and facilitation of stronger area-based networks and contacts.
- WG considers use of specialists, community representatives and service users in **scrutiny exercises** as **advantageous**, as a means to **develop partner relations or public connections**. Should consider if co-option is the best way for individuals/groups to be involved in scrutiny work. May be more appropriate in some circumstances for stakeholders to act as 'expert advisors'. Should be decided on a case by case basis.

Councils may wish to **consider** advertising (see para 8.12 for places), and developing an application form. It is **suggested** that outline role descriptions are created and competencies developed (see App A for suggestions and 8.28 re voting rights).

Appendix B



PUBLIC SPEAKING

AT

SCRUTINY AND REVIEW

COMMITTEE MEETINGS

1. Introduction

Scrutiny is one of the most challenging aspects of the democratic process at the Forest of Dean District Council. Offering a new dimension to decision-making in local government, the Strategic Overview and Scrutiny Committee plays a vital role to service improvement, promoting the well being of local communities and to the championing of public concerns.

To achieve some of the key aims introduced by the Local Government Act 2000, it is hoped public scrutiny will be conducted in ways that are open and transparent to everyone, whilst focusing on the needs and concerns of the public.

As a general principle, members of the public are not invited to take part in discussions or debates during committee meetings of the Forest of Dean District Council. However, to reflect the work of the Strategic Overview and Scrutiny Committee in seeking information on issues specifically relating to the people who live and work within the Forest of Dean, the council supports public participation during Strategic Overview and Scrutiny Committee meetings.

The following information provides guidance to those members of the public who wish to speak at scrutiny committee meetings.

2. Guidance on asking questions

- a) Members of the public will be invited to raise questions at the beginning of each meeting. A maximum of 30 minutes will be allocated for this purpose.
- b) The question must be relevant to the business of the scrutiny committee to which it is put. If it is not possible to answer the question at the meeting, a response will be provided within ten working days of the meeting.
- c) Members of the public should submit their question **at least two working days before** the meeting to Democratic Services, Forest of Dean District Council, Council Offices, Coleford, telephone 01594 812625 or email democratic.services@fdean.gov.uk
- d) Assistance on how to present questions is available upon request from Democratic Services. Please telephone 01594 812625 or email democratic.services@fdean.gov.uk .
- e) The chairman of the Strategic Overview and Scrutiny Committee will decide whether the question is appropriate and whether the question will be taken at the meeting.
- f) To allow each member of the public wishing to participate at the meeting to speak, an allocated time limit of 5 minutes per speaker will be given.

2. Guidance for suggesting topics for scrutiny

Members of the public may suggest items for consideration in any of the following ways:

- a) Using the form provided on the Council's website
- b) Writing to the chairman of the Strategic Overview and Scrutiny Committee care of Democratic Services
- c) Through their ward district councillor.

3. Providing evidence to scrutiny

- a) The Strategic Overview and Scrutiny Committee may invite members of the public to provide evidence or to discuss issues of local concern as part of their investigation. It may, for example, wish to hear from residents, stakeholders or members and officers in other parts of the public sector.
- b) Where a person is invited to attend a scrutiny and review committee meeting, an initial telephone call will be made to enquire whether the person is able to attend the meeting, followed by a letter, giving the maximum possible notice in writing.
- c) The letter will state the nature of the item on which the person is invited to give evidence and whether any papers are required to be produced for the committee. The letter will inform the person of the subject being scrutinised, and where appropriate, a list of questions to be answered.
- d) Where the committee requires the person to provide a written report, sufficient time will be given to allow for the preparation of the document.
- e) At the meeting, the chairman of the committee will provide a brief introduction to the members of the committee and the persons invited to give evidence. The chairman will also provide an overview of the item under investigation, including the aims, objectives and timescale.
- f) The chairman will remind those people invited to give evidence why the committee has invited them to attend the meeting and request that they give a brief statement regarding the item under scrutiny.
- g) Once the statement has been made, the committee will be given an opportunity to ask questions in a concise, jargon free manner. The person providing the evidence will be allowed to summarise the information.
- h) The committee will then be given an opportunity to discuss and review the evidence that has been presented before providing feedback on how they viewed the information and any actions they feel might be appropriate.
- i) The person providing evidence will be formally thanked for their contribution and given the opportunity to provide written feedback on the scrutiny process they have been involved in. They will also be informed of the outcome of the investigation.

4. Conduct

- a) Members of the public must not abuse the privilege of participation by personal attacks on elected members, other participants or members of the public.
- b) Speakers will be required to respond politely to any question from the chairman and elected members of the committee.
- c) Where a number of speakers share the same viewpoint, a spokesperson may be required.
- d) Any speaker who makes a statement, which, in the opinion of the chairman, is defamatory, abusive, racially motivated or discriminatory, will be required to stop speaking and leave the meeting. The committee will be advised to disregard such comments.
- e) The chairman will have complete discretion on how public participation is conducted. If the above principles are not adhered to, the chairman may close that part of the meeting.

5. Media access to public meetings

- a) The media will be invited to attend all public meetings and offered interview, filming and reporting opportunities, whenever possible.
- b) The Forest of Dean District Council supports the Ofcom Code and Guidelines on broadcasting standards. All arrangements for filming will be expected to adhere to these provisions, in particular those relating to the 'obligations of fairness and respect for truth' and 'fairness and impartiality' in the editing and transmission of interviews.

6. Agenda, reports and minutes

Copies of committee agendas, reports and minutes will be available upon request from Democratic Services or by visiting the Forest of Dean District Council website at www.fdean.gov.uk.

7. Where to send scrutiny questions

Please submit to Democratic Services, Forest of Dean District Council, High Street, Coleford, Gloucestershire, GL16 8HG **at least two working days before** the meeting. In exceptional circumstances, the committee chairman, at his or her discretion, may accept questions submitted up to one hour before the meeting.

Please write the question out in full, stating the name, time and date of the committee you wish to speak at.

Please ensure that your full name and address, including a contact telephone number, are entered on the letter of submission.

8. Enquiries and assistance

For guidance on procedures at meetings, please contact Democratic Services on telephone: 01594 812625 or email democractic.services@fdean.gov.uk .