

**POLICY REVIEW & PERFORMANCE SCRUTINY COMMITTEE**

**15 September 2020**

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**DEVELOPING A WORK PROGRAMME 2020-2021**

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**Purpose of Report**

1. To consider options and seek Members' approval for the Committee's Work Programme for the remainder of 2020/21.

**Background**

2. Good scrutiny practice and the Council's Constitution empowers each Scrutiny Committee to set its own work programme for the forthcoming year (Scrutiny Procedure Rule 7). The Committee is therefore tasked with constructing a work programme that ensures the time available to the Committee is used most effectively by considering items in a timely fashion that maximise the impact of scrutiny.
3. Members are reminded that the Committee's Terms of Reference confer upon it two distinct scrutiny roles. Firstly, an overarching responsibility to scrutinise, monitor and review the overall corporate performance and improvement of the Council. Secondly, to scrutinise, monitor and review the effectiveness of specific functions, such as the Corporate Planning and Improvement framework, the Capital Ambition Delivery Programme, Finance, Digital Strategy/ICT, Human Resources, Governance, Legal Services, Property, Procurement, Customer Services and Cardiff's Public Services Board.
4. The current organisational structure means the Committee's responsibilities fall within four of the Council's Directorates. The list below is a good indication

of the Council business within each Directorate that falls within the Committee's Terms of Reference;

- The Corporate **Resources Directorate** falls within the Committee's remit in its entirety and comprises: the Capital Ambition Delivery Programme; Commissioning and Procurement; Finance and Revenue Services; Human Resources People Services; Health & Safety; Digitalisation/ICT and Customer Services (including 24/7 services and C2C); and Information Governance.
- The **People and Communities Directorate** includes Partnerships and Community Engagement; Communications; Corporate Performance and Improvement; Bi-lingual Cardiff.
- The **Economic Development Directorate** includes Corporate Landlord, Strategic Estates (including both the operational and non-operational portfolios), Facilities and Operational Management.
- The **Governance and Legal Services Directorate** falls within the Committee's remit in its entirety and comprises; Committee & Members' Services; Electoral Services; Equalities, Glamorgan Archives; Legal Services; and Scrutiny Services.

5. During the Covid-19 lockdown, standing scrutiny committees were suspended, with Council agreeing to enable measured and proportionate scrutiny via a Covid-19 Scrutiny Panel, consisting of the Scrutiny Chairs. To ensure all previous scrutiny informed the internal challenge of the Panel, all scrutiny committee members were offered the opportunity to pass their comments and enquiries on to Panel Members on reports relevant to their scrutiny committee.
6. In July 2020, Full Council agreed to restart standing scrutiny committees, with a specific remit, within their area of responsibility, to:
  - i. Undertake pre-decision scrutiny of all Cabinet decisions, where appropriate and proportionate to do so;
  - ii. Scrutinise any issues which are time critical and/ or may have a significant adverse reputational impact on the Council; and

- iii. Develop priorities for potential scrutiny consideration during 2020/21, in consultation with the relevant Cabinet Member/s and Director/s.
7. The report to Council also specified that, in the event of a second peak in Covid-19 cases and further lockdown measures, the Covid-19 Scrutiny Panel would again take on the scrutiny function, until the standing scrutiny committees were able to be supported to resume their functions.
8. Scrutiny plays an essential role in promoting accountability, efficiency and effectiveness in the Council's decision-making process and the way in which it delivers services. The main roles of the Scrutiny Committees are:
- i. Holding to account the Cabinet and officers, as decision-makers.
  - ii. Being a '*critical friend*', questioning how decisions have been made, providing a '*check and balance*' to decision makers and undertaking reviews of services and policy.
  - iii. Providing a voice for citizens.

### **Developing a work programme**

9. The remit for the restart of Scrutiny Committees provides direction and boundaries to the committee's work programme. The work programme needs to focus on: pre-decision scrutiny; issues that are time critical; items that may have a significant adverse reputational impact on the Council; and priorities identified following consultation with relevant Cabinet Members and Directors.
10. Attached at **Appendix A** is a draft list of possibilities for the Committee's work programme, to be discussed and agreed by Members, based on previously requested items and known scheduled items. In addition, the Chair will liaise with relevant Cabinet Members and Directors to enable their input and ensure they are offered the opportunity to identify priority areas. Information arising from these discussions will be shared with Committee Members with a proposed work programme brought to Committee for amendment and formal approval.

## **Length of committee meetings**

11. In setting their work programme, Members are advised to be mindful of Wales Audit Office advice for scrutiny committees to aim to achieve committee meetings that last no longer than three hours, whilst maintaining robust and appropriate levels of scrutiny across the terms of reference, by ensuring agendas are of a manageable size and that work occurs outside committee meetings. On average, this equates to agendas consisting of no more than two substantial items.
12. This timeframe takes on added significance with meetings held remotely, given advice to keep remote meetings as short as possible. Scrutiny Chairs have discussed the length of meetings and decided to aim to keep meetings to 2.5 hours, where possible.

## **Proposed Dates of Committee Meetings**

13. A report is being taken to Full Council on 24 September to enable Members to consider the calendar of committee meetings, including remote monthly committee meetings for this Committee.
14. To inform the development of the calendar, Members views are sought on the following:
  - i. Time of day to hold remote meeting
  - ii. Whether meetings should be compressed into the week that Cabinet meets or whether meetings should be spread out across the fortnight prior to Cabinet meeting.

## **Way Forward**

15. During their meeting, Members are invited to discuss the work programme for the remainder of 2020/21 and to give their views on factors affecting the timing of future scrutiny committee meetings.

## **Legal Implications**

16. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

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

## **RECOMMENDATIONS**

The Committee is recommended to:

- I. Discuss and agree the approach to developing the Committee's work programme for the remainder of 2020-21, so that a final version of the programme can be brought back to the Committee for formal approval;
- II. Provide their views on factors affecting the timing of future scrutiny committee meetings.

**Davina Fiore**

**Director of Governance & Legal Services**

**9 September 2020**