

WORK PROGRAMME 2020-2021

Purpose of the Report

1. To enable Members of the Committee to agree an approved Work Programme 2020/2021.

Background

2. The Council's Constitution (*Scrutiny Procedure Rule 7*) states that each Scrutiny Committee will set its own work programme. Members construct a work programme that most effectively uses the Committee's time, by considering items within the Committee's terms of reference where scrutiny can make a difference.
3. This Committee's terms of reference include:
 - Cardiff City Region City Deal
 - Inward Investment & the Marketing of Cardiff
 - Economic Strategy & Employment
 - European Funding & Investment
 - Small to Medium Enterprises
 - Cardiff Harbour Authority
 - Lifelong Learning
 - Leisure Centres
 - Sports Development
 - Parks & Green Spaces
 - Libraries, Arts & Culture
 - Civic Buildings
 - Events & Tourism
 - Strategic Projects
 - Innovation & Technology Centres
 - Local Training & Enterprise.
4. This Committee's terms of reference also include the ability to '*assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services,*

Welsh Government Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery'.

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 such time as 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.

Identification of potential items

9. At their Committee Meeting on 14 September 2020, Members decided to hold a work-programming forum to consider and prioritise potential items. Members tasked the scrutiny officer to prepare a schedule of potential items in advance of this meeting based on the remit for the restart of Scrutiny Committees set out in the report to Council in July, which provides direction and boundaries to the committee's work programme.

10. Therefore, the schedule of items included the following:

- i) pre-decision scrutiny;
- ii) issues that are time critical, items that may have a significant adverse reputational impact on the Council; and
- iii) priorities identified following consultation with relevant Cabinet Members and Directors
- iv) items previously identified by Members as priority areas for scrutiny.

11. Ahead of the forum meeting, the Chair and Principal Scrutiny Officer liaised with relevant Cabinet Members and Directors to offer them the opportunity to identify priority areas. Information arising from these discussions was shared with Committee Members prior to the forum meeting. The Chair, Councillor Nigel Howells, met with Councillor Peter Bradbury, Cabinet Member – Culture & Leisure to discuss his priorities for scrutiny, within the Committee terms of reference.

Initial prioritisation of items

12. Members considered the schedule of potential items at their work programming forum meeting on 29 September 2020. Committee Members discussed which of these suggestions to prioritise for inclusion in the draft work programme, considering factors such as:

- i) The fit with the parameters set out in the report to July Council for the restart of scrutiny;
- ii) The potential impact of scrutiny;
- iii) Importance to the citizens of Cardiff;
- iv) Importance for Cardiff Council;

- v) Whether the possible item would be dealt with in other arenas; and
- vi) The resources available from Scrutiny Services and the capacity of Members to undertake the scrutiny.

13. Committee Members considered the most appropriate type of scrutiny tool to use for each of the prioritised items, bearing in mind the WAO advice¹ to aim to achieve committee meetings that last no longer than three hours, whilst maintaining robust, appropriate scrutiny across the terms of reference by undertaking scrutiny outside of committee meetings. Members also bore in mind the Governance report to Council in September 2020, advising that remote committee meetings aim to last 2.5 hours, with comfort breaks at an appropriate time.

14. A schedule listing the items considered by the work-programming forum and summarising the decisions taken is attached at **Appendix A**.

15. Members tasked the Principal Scrutiny Officer to prepare a draft work programme calendar, illustrating likely availability and timing of items. The draft work programme calendar is attached at **Appendix B**, with items split into the following work areas:

Committee Meeting Items:

- **Policy Development / Policy Review/ Pre-decision Scrutiny** - Where the Committee contributes to the Council's policy development processes by considering green papers or draft policy documents, reviews the progress made in implementing agreed Council policies, or evaluates and comments on policy proposals before they go to the Cabinet, giving the Cabinet the opportunity to receive and consider Scrutiny Members views prior to making their decision.
- **Committee Business Items** – enabling Members to consider items of Committee business, such as work programming, task group reports, correspondence reports and the Committee's Annual Report as well as update

¹ Advice received following WAO Corporate Assessment (September 2014)

reports on the work of the Cardiff Capital Region City Deal Joint Overview & Scrutiny Committee.

Items dealt with outside Committee Meetings:

- **Committee Improvement Inquiries** - Where the Committee establishes a Task Group to examine a topic, resulting in a formal report to the Cabinet. These can be short inquiries, such as deep dives, or longer inquiries, as required.
- **Briefings/ Information Reports** – Where the Committee receives reports for information in order to guide future scrutiny and/ or determine if further scrutiny is required. This includes corporate and directorate performance and budget monitoring reports.

16. There are two items prioritised for scrutiny that do not yet appear on the calendar, which are: WAO Review of Leisure Services; and City Deal scrutiny. It is not yet clear when the WAO report will be complete and it is proposed that this be scheduled when it is available for scrutiny. With regard to City Deal scrutiny, this Committee needs to wait for the work programme of the Joint Overview and Scrutiny Committee to be agreed, in order to avoid duplication or overlap. It is proposed that a further report be brought to Committee on possible scope for City Deal scrutiny for discussion, amendment and approval.

Final prioritisation and rationalisation

17. Members are invited to consider whether any further amendments are required to the draft work programme calendar attached at **Appendix B**. Members are reminded of the need to retain some flexibility in the work programme to enable new items to be added to the work programme during the year as necessary.

Way Forward

18. Members will have the opportunity to discuss the information provided in **Appendices A and B** and agree whether any amendments to the work programme are required.

Legal Implications

19. 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

20. 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.

Recommendation

The Committee is recommended to:

1. Agree to schedule the WAO Review of Leisure Services report when it is published;
2. Agree to receive a further scoping report on possible City Deal scrutiny, for discussion, amendment and approval; and
3. Consider the contents of **Appendix A and Appendix B** and agree any amendments required to these and to the draft work programme and thus approve a final work programme.

DAVINA FIORE

Director of Governance & Legal Services

07 October 2020