

Cabinet Response to the Committee's Report – Scrutiny Impact Assessment.

Purpose of report

1. To advise Members of the Cabinet's response to the recommendations made by the Committee's task & finish inquiry report, Scrutiny Impact Assessment Model, published in May 2020.

Background

2. The Policy Review and Performance (PRAP) Scrutiny Committee, as part of its 2019 work programme, committed to a task and finish Inquiry that would review the impact of Cardiff Council's Scrutiny function to date, and develop a model to capture the benefits of scrutiny activity as an established function of the Council's decision making process.
3. The terms of reference for the inquiry were agreed by Committee as *'to evaluate the impact of the scrutiny function on the delivery of Council services to date and propose a mechanism for capturing the future impact of scrutiny'*.
4. Members of the Task & Finish group were Councillor David Walker (Chair), Councillor Norma Mackie and Councillor Joe Boyle, who agreed that the key output from this review should be a practical model for recording and capturing scrutiny impact, appropriate for use in Cardiff. The model should also be applicable for use by other Authorities and public sector bodies who share an interest in using a mechanism for capturing the benefits and outputs of scrutiny.

5. The nature of the topic under review required a research heavy approach, therefore the task & finish group commissioned two primary research projects, undertaken by the scrutiny research function, seeking evidence, both in person and from published findings from the following organisations:
 - House of Commons, Communities and Local Government Committee - Effectiveness of local authority overview and scrutiny committees.
 - National Assembly for Wales. Assembly Commission. Face to face interview with National Assembly for Wales Committee and Research staff.
 - The Constitution Unit. University College London.
 - APSE (Association for Public Service Excellence)
 - CFPS (The Centre for Public Scrutiny).
 - Welsh Local Government Scrutiny Officer network

6. The report for this task and finish inquiry, attached at **Appendix 2**, was agreed by the Committee in March 2020, shortly prior to the Council entering an essential services model to deal with the Covid-19 pandemic. The report was subsequently issued to the Cabinet in summer 2020, respecting the non-essential nature of the topic.

Cabinet Response to Recommendations

7. The Cabinet agreed its response to the Scrutiny Impact Assessment Inquiry on 17 December 2020. Attached at **Appendix 1** is the report to Cabinet, which includes a full copy of the Cabinet Response at **Appendix A** to the report. The report outlines the recommendations made and the Cabinet response to each recommendation.

8. The Committee made seven recommendations to the Cabinet. The Cabinet response accepts six of the recommendations and partially accepts one recommendation. The full response can be seen at **Appendix A**.

Way Forward

9. Councillor Chris Weaver, Cabinet Member, Finance, Modernisation & Governance, Gary Jones, Head of Democratic Services and Dylan Owen, Head of Cabinet Office have been invited to present the response to the inquiry and outline progress made in addressing the recommendations approved.

Legal Implications

10. 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

11. 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 note the Cabinet response.

DAVINA FIORE

Director of Governance & Legal Services

14 January 2021