

SCRUTINY AND GOVERNANCE MANAGEMENT PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 28th September 2010 at 10.00 a.m.

- Present: Councillors Ian Douglas (Chair), Stan Fisher, Hugh Hunter, Helen Moonie and Winifred Sloan.
- Apology: Councillor Elaine Little.
- Attending: V. Andrews, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; C. Gardner, Senior Strategic Planning and Performance Management Officer; and E. Wyllie, Committee Administrative Officer.

1. Minutes of previous meetings.

Decided: to note the Minutes of the previous meeting of 22nd June 2010 (issued).

2. Delivering Good Governance – Review of Principles.

There was submitted a report (issued) of 16th September 2010 by the Head of Policy, Performance and Communication aiming to assist Members with their review of the Council's Delivering Good Governance Framework, commencing with the outcome of the recent Members' survey and the current arrangements in relation to the first principle of 'Direction' as outlined within the appendices to the report.

The Head of Policy, Performance and Communication gave a presentation on the key aspects of the report and, thereafter, various points were made by Members of the Panel in relation to:-

(1) the Members' survey and:-

- the response rate of 67%;
- other ways in which to conduct a future survey to increase the participation level of Members;
- should it be conducted anonymously;
- whether a follow-up survey of set questions could be undertaken by targeting specific groups of Members for feedback; and
- whether the results showed that Members now had a better understanding of matters than at the time of the original survey in 2008; and

(2) the principles and the 'Direction' principle and:-

- how to move forward and progress with specifics;
- the relationship between the various Council plans and strategy documents;
- defining the Council's priorities and aligning these to resources;
- collaborative working skills;
- ways in which to give in-depth consideration to the principles at future meetings; and
- action that officers were taking in the meantime to address issues in relation to these principles.

The Head of Policy, Performance and Communication responded on the various issues raised and suggested that, due to timeframes, two principles could be considered at a time at future meetings of this Panel. The Head of Legal and Administration commented that the Panel's Work Programme for the forthcoming year would be submitted to the next meeting with an opportunity for Members to feed into this Programme prior to then, which would allow such programming to be incorporated. The Head of Policy, Performance and Communication suggested that the recent Audit Scotland report 'Roles and working relationships: are you getting it right?' should be discussed at the next meeting.

A discussion took place in relation to the conflict between the Councillors' Code of Conduct by the Standards Commission and the Council's Standing Orders relating to the procedures for 'Declaration of Interests' and the Head of Legal and Administration

- (a) reminded Members of the Scottish Government's Consultation Document relating to the Councillors' Code of Conduct and that the revised Code document was currently still awaited;
- (b) advised that once the revised Code had been received, she would then be in a position to suggest amendments to the Council's Standing Orders to bring these into alignment, if required, and that the Standing Orders would then be presented to a future meeting for consideration by Members; and
- (c) highlighted that a forthcoming Members' Briefing would cover issues relating to Standing Orders and Financial Regulations.

Decided:-

- (i) following a review of the Members' survey results, that the Head of Policy, Performance and Communication would take on board the various suggestions made at this meeting when conducting a future Members' survey;
- (ii) to note the current position, including the comments made at this meeting, in respect of the first principle of its Good Governance Framework and that other principles would be programmed into this Panel's timetable of meetings to allow for in-depth discussion;
- (iii) that the Audit Scotland report 'Roles and working relationships: are you getting it right?' be discussed at the next meeting of this Panel;
- (iv) to note that the Head of Legal and Administration would circulate a draft Work Programme to Members of the Panel for their input and that, thereafter, the Programme would be considered at the next meeting of this Panel; and
- (v) to note that the Head of Legal and Administration would be in a position to review the Council's Standing Orders in line with the revised Councillors' Code of Conduct once they had been published by the Standards Commission and that any suggested revision to the Council's Standing Orders would require to be considered at a future meeting.

3. **Scrutiny and Governance Management Panel – Annual Report.**

There was submitted a report (issued) of 15th September 2010 by the Head of Legal and Administration

- (1) reporting that the Council's Standing Orders required this Panel to keep under review the performance and operation of Scrutiny within the Council and to submit to Council an Annual Report;
- (2) presenting the draft Annual Report for 2009/10, attached as Appendix 1 of the report, based on the Panel's Work Programme for the year which had focussed on the following three main areas:-
 - Decision-making and Scrutiny;
 - The Delivering Good Governance Framework; and
 - Member Training; and
- (3) concluding
 - (a) with regard to the Council's decision-making structures and scrutiny arrangements, that Members of this Panel felt that these were working well and effectively at this time;
 - (b) that, at the informal meeting on 28th June 2010 with Members of this Panel and the Scrutiny Panel Chairs, areas of good practice on Scrutiny were acknowledged, however, Scrutiny remained a primary area of interest for the Panel with the results of the survey of all Elected Members being analysed, taking into account the outcomes from the Scrutiny workshop, the Panel should further consider possible improvements to the Scrutiny function;
 - (c) that Member Training and Development were progressing well and that this was an area that the Panel would continue to monitor; and
 - (d) that the Panel would continue to review the Delivering Good Governance Framework.

Various points were made by Members of the Panel in relation to:- whether a reference to governance should be included within the Annual Report; the effectiveness of Scrutiny and outcomes rather than observing the management of the Scrutiny process; and performance management and training issues and the Head of Legal and Administration and the Head of Policy, Performance and Communication responded accordingly.

Decided: subject to the inclusion of a reference to the Council's Delivering Good Governance Framework, to approve the Annual Report for 2009/10 for submission to the Council at its meeting on 7th October 2009.

The meeting ended at 11.05 a.m.