

SCRUTINY AND GOVERNANCE MANAGEMENT PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 28th June 2011 at 10.00 a.m.

Present: Councillors Ian Douglas (Chair), Stan Fisher, Hugh Hunter, Elaine Little, Helen Moonie and Winifred Sloan.

Attending: V. Andrews, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; J. Bradley, Organisational Development Manager; C. Gardner, Senior Strategic Planning and Performance Management Officer; and E. Wyllie, Committee Administrative Officer.

Also attending: Councillors John Allan, Brian Connolly and John McDowall (Chairs of the Standing Scrutiny Panels).

1. Minutes of previous meetings.

Decided: to note the Minutes of the previous meeting of 3rd May 2011 (issued).

2. Elected Members Training and Development.

The Organisational Development Manager provided an update in relation to Elected Members training and development and particularly commented on:-

- the CPD Programme and Members' profiles;
- the briefing sessions (including 'lunch and learn' and 'breakfast' sessions) which had grown in numbers and frequency with positive feedback received from Members on the usefulness of such sessions;
- the training analysis resulting in blended learning and the use of COAST;
- the preparations for the 2012 local Elections for prospective new Elected Members; and
- the Improvement Service, nationally, and the development of induction programmes.

Various questions were raised by Members of the Panel in relation to:- a particular outstanding training request relating to a psychometric tool; the costs involved for this training request and the delay in provision; devising training programmes; and whether another company could provide this programme and the Organisational Development Manager responded that the cost of the training was £30.00 per person, with this company being the sole provider licensed to provide such training and confirmed that this matter would be resolved as soon as possible. The Head of Legal and Administration commented on the Council's financial regulations and of the requirement to follow the public pound.

A further discussion took place and various points were made by Members of the Panel in respect of:- issues relating to 360 degrees training and a lack of follow-up; IT training; and the requirement to support Members through training and development to enable them to undertake their duties.

Decided: to note the current position in respect of Members' training and development.

At this point, the Chair welcomed the Chairs of the Standing Scrutiny Panels to the meeting and invited them to participate in the discussion of the following item.

3. Scrutiny Panels Observing Arrangements – Feedback.

There was submitted a report (issued) of 21st June 2011 by the Head of Legal and Administration providing a summary of the feedback received from those Members of this Panel who attended the Standing Scrutiny Panels during May 2011 as observers, as outlined in Appendix 1 of the report and highlighting that these comments were generally very positive and raised no real issues.

The Chair invited each of the Panel Chairs to respectively comment on the operation of the Standing Scrutiny Panels, particularly for those meetings that had taken place during the observation exercise, to ascertain if any improvements could be made to scrutiny processes.

Councillors Allan, Connolly and McDowall provided feedback within this regard and commented that, although there was always scope for improvement, generally the scrutiny processes in place were working effectively. They also suggested that individual Panel feedback would be preferable, rather than an overview, for future exercises.

The Head of Legal and Administration advised that the overview feedback positively reflected the position across the three Panels with little difference between them, however if Scrutiny and Governance Management Panel Members were like minded, there would be no problem in Scrutiny Panel Chairs receiving the feedback pertinent to their particular Panel in future exercises.

Thereon, a full discussion took place with the Chairs of the Standing Scrutiny Panels in relation to the findings and various points were made in respect of:-

- whether the observing exercise should take place as part of an ongoing programme throughout the year, rather than at a pre-arranged session prior to the recess period;
- the Call-in process and whether there was sufficient opportunity to fully challenge the information being presented at Scrutiny Panels;
- the varied input from both Officers and Members across the Panels;
- the difficult task of being a Scrutiny Chair in terms of maintaining a balance during debate whilst assuming a neutral position;
- those areas of business that crossed with another Panel's and how such issues could be better managed;
- how the Leadership Panel subsequently dealt with items referred back and whether there was an opportunity for Call-in Members to participate in this process;
- whether there was scope for the Call-in form to provide a section for requesting specific Officer attendance at Scrutiny Panels;
- the number of Call-ins and the process followed prior to Call-in;
- the use of briefing meetings; and
- how would success in this area be measured.

Decided: to note the feedback from the observing exercise and that further consideration of the issues raised would be taken into account as part of the next Agenda Item relating to Scrutiny processes.

The Chair suggested that, as the previous item was closely linked to the next item, Standing Scrutiny Panel Chairs were welcome to participate in the following item also.

4. Review of Scrutiny Processes – Update.

There was submitted a report (issued) of 17th June 2011 by the Head of Legal and Administration

- (1) updating on the outcome of Officers' visits to other local authorities to view their Scrutiny Panels;
- (2) informing that Appendix 1 of the report contained a note of the feedback from the Officers' visit to East Ayrshire Council and highlighting particular areas where that Council's scrutiny processes differed from this Council's processes;
- (3) advising that a visit was planned for North Ayrshire Council on 20th June 2011 with other visits possibly to Glasgow City Council and North Lanarkshire Council planned for after the summer recess; and
- (4) proposing that all feedback would be considered in the context of the Annual Review of Standing Orders later this year.

The Head of Legal and Administration provided an update from the recent meeting to North Ayrshire Council on 20th June 2011 (tabled) and highlighted similarities and differences between the three Authorities on their approach to Scrutiny and also commented how helpful Members and Officers from both Authorities had been in assisting with this exercise to date.

Thereon, a full discussion took place with the Chairs of the Standing Scrutiny Panels, in relation to the initial findings and various points were made in respect of this Council's current processes and those practices undertaken by neighbouring Authorities, particularly as follows:- the co-ordinating role of an Officer within the Call-in process; the role of Members and Officers relating to questions and answers; this Council's call-in timeframes; the information required for the Call-in form; the protocol for items referred back to the Leadership Panel and the respective role of Members in this regard; the current number of Scrutiny Panels and membership of such; whether non-Panel Members should be able to ask questions at the Leadership Panel; the decision-making process and the role of Portfolio-holders in this regard as opposed to the role of Officers; and whether there was potential to build upon Members' expertise by way of rotation within the decision-making structure.

The Head of Legal and Administration commented on her role as Monitoring Officer in respect of Call-in requests in terms of clarity to enable a level of understanding and outlined the protocol involving Portfolio-holders and Scrutiny Chairs throughout the Call-in process. She specifically referred to Scrutiny Reviews and commented that, although there was guidance in place and outlined the way in which some of the Panels were approaching this task, this was an area that could be further pursued and developed. On this specific issue, a Member of the Panel commented on a timetabled approach to reviews with the opportunity to slot new matters into the process and highlighted the requirement for a follow-up of reviews and the Head of Legal and Administration advised of East Ayrshire Council's use of a 'matters arising report' that could meet such a requirement.

The Chair suggested that Scrutiny Reviews should be placed on the Agenda for the next meeting of this Panel.

Decided:

- (a) to note, meantime, the Officers' feedback from the visits to East and North Ayrshire Councils in relation to their respective Scrutiny processes and that, on completion of the visits to other Councils, the Head of Legal and Administration would report these overall findings, as well as taking into account the discussion from the previous Agenda item and this item, to the next meeting of this Panel; and
- (b) that, based on this discussion, Scrutiny Reviews would be further considered at the next meeting of this Panel taking place on 27th September 2011 at 11.15 a.m. on this occasion.

Adjournment.

The Chair thanked the three Scrutiny Panel Chairs for their input and, the time being 11.45 a.m., the Panel adjourned for ten minutes.

Recommencement of Meeting.

The meeting recommenced at 11.55 a.m.

5. Delivering Good Governance – 2010/11 Assessment.

There was submitted a report (issued) of 17th June 2011 by the Head of Policy, Performance and Communication

- (1) advising that the 2010/11 year end assessment was outlined in Appendix 1 of the report and indicating that this reflected the consolidated position in respect of the reports made to the Panel during the course of the year and where there had been further progress since the individual reports were made, this had been taken into account to reflect the year end position;
- (2) reporting that one of the benefits of working through each of the principles over the year had been to give visibility to developments in relation to the Framework as they had been put in place and to ascertain the views over the effectiveness of the Framework in practice;
- (3) outlining that, additionally, work had continued on the on-going review, revision and follow-up training and awareness sessions with further development work over 2011/12 reflected within the Council's Improvement Programme, whose commitments would be acted upon as part of the work outlined within the recently approved Directorate Plans for 2011-14;
- (4) highlighting that over the course of 2011/12, the Panel would continue to review progress against each of the principles with the programme of work varied to mesh with other work, such as future governance related reports from Audit Scotland; and
- (5) informing that one practical development embedded within the Framework, as outlined in Appendix 1 of the report, had been the incorporation of hyperlinks to emphasise that it was designed as a signpost both to Officers and Members to the most critical and significant arrangements that the Council had in relation to governance.

A discussion took place and various points were made in relation to:- the requirement for a clear set of plans and whether scrutiny around this should be further developed; and on the progress that had been made over the past four years. The Head of Policy, Performance and Communication commented on the rolling programme which continued to evolve and grow as well as being kept under constant review with this Panel taking an active role in this regard.

Decided: to approve the 2010/11 year-end assessment for Delivering Good Governance as outlined in Appendix 1 of the report.

The meeting ended at 12.05 p.m.