

SCRUTINY OVERVIEW AND SCRUTINY COMMITTEE

6 JULY, 2015 AT 6.00 P.M. AT THE COUNCIL HOUSE

Panel Members Present

Councillor J. Murray (Chair)
Councillor R. Burley
Councillor S. Coughlan
Councillor B. Douglas -Maul
Councillor E. Hazell
Councillor M. Longhi
Councillor I. Robertson
Councillor I. Shires
Councillor P. Smith
Councillor P. Washbrook

Portfolio Holders:

Councillor E. Hughes (Care and Safeguarding)
Councillor C. Towe (Learning, Skills and
Apprenticeships)
Councillor R. Martin (Public Health and Wellbeing)

Also in attendance:

Councillor D. Hazell
Councillor A. Hicken

Councillor J. Rochelle

Officers Present:

Rory Borealis -	Executive Director (Resources)
Neil Picken –	Senior Committee Business and Governance Manager

1/15 APOLOGIES

There were no apologies for absence.

2/15 SUBSTITUTIONS

None.

3/15 DECLARATIONS OF INTEREST AND PARTY WHIP

There were no declarations of interest or party whip identified at this meeting.

The Committee considered a report [annexed] drafted by Professor Steve Leach of De Montfort University which reviewed the Scrutiny function. During the review, Professor Leach had interviewed key stakeholders, reviewed data and observed each of the Council's Scrutiny Committees.

The Committee considered the report and recommendations noting that Council had approved a new structure for Scrutiny arrangements in Walsall in June, 2015. There were now 3 Scrutiny Committees and a Scrutiny Overview Committee.

The Chairman invited Members to consider recommendations 1 – 7 within the report and contribute to debate.

A Member stated that Professor Leach had recognised that good work had been carried out in Walsall prior to his review. The work of the Children's Services Panel and Social Care and Health Panel were recognised as being particularly effective whilst the work of the Welfare Reform Working Group, established by the Corporate Panel had also been noted as positive scrutiny. That said, there was room for improvement and the review provided useful recommendations to develop Scrutiny further. The Chair supported this view and acknowledged the good work previously carried out.

A Member stated that it should be recognised that the Council was different now to when Scrutiny first began. At that time, a strong Executive was required in order to improve the Council during intervention. Times had changed. It was accepted that scrutiny needed strengthening to robustly challenge the Executive. There was also a need for a Corporate Plan, following the change in Administration. In closing, it was stated that changes were required to the 'Call –In' process to make it easier to 'Call – In' decisions of the Executive. The Executive Director (Resources) provided clarity on the 'Call –In' process, specifically in relation to the ability to 'Call – In' matters that were decisions of the Executive and the different ways in which Members could 'Call – In' matters.

A Member suggested that the relationship between the Executive and Scrutiny should be considered in more detail at the next meeting.

A brief discussion took place regarding the inclusion of 'Party Whip' on each agenda. It was agreed that this should remain.

A Member commented that he was an advocate of strong scrutiny. He explained that there was a need to ensure that Scrutiny Committees had access to all Executive reports. It was also important that the support provided by Democratic Services was retained, if not strengthened, to support members and the new approach to Scrutiny as recommended within the Leach report.

A further Member commented that Scrutiny should be more 'outward focussed', particularly in relation to partners.

This was addressed by a Committee Member who advised that Working Groups, such as the one that considered Welfare Reform, involved a number of Partners and was a good example of including partners to enrich the work of Scrutiny. It was suggested that having an open and transparent Executive was important to enable effective Scrutiny and challenge to take place.

The Chair thanked Members for their contributions and moved discussion forward to discuss recommendation 8 which considered the role of Portfolio Holders at Scrutiny committees.

The Committee agreed that Portfolio Holders should take a more pro-active lead at Scrutiny meetings and respond to questions directly, rather than relying on a Director. Portfolio Holders should, however, be able to defer to a Director for support as and when required. The Senior Committee Business and Governance Manager advised that staff within Democratic Services would invite required Portfolio Holders to meetings, once each agenda had been agreed with the Chair.

In terms of recommendation 9 – agenda structure - it was agreed that agendas should be structured to place more emphasis on those items which added value and provided opportunity for scrutiny with less on those items received for information.

In relation to recommendations 10 and 11 – ‘layout of rooms’, a discussion ensued on the merits and risks of adopting a select committee style setting. Some Members argued that a confrontational setting would do little than put off individuals from attending. There was a view that scrutiny needed to be challenging but by working with internal departments and external witnesses and developing relationships based on trust and respect, allowing Members to get to the heart of the matter. In contrast, other Members argued that the setting should be more formal and have clear boundaries to prevent it appearing that relationships had been formed which would prevent effective challenge from taking place. In light of all comments, it was agreed that a ‘Select Committee’ layout should be trialled by each Scrutiny Committee during the next round of meetings. It was also recommended that Councillors refer to each other as such when in Committee meetings. Finally, it was recommended that the outcome of the trial be considered at the meeting of the Overview and Scrutiny Committee in September, 2015.

When considering recommendation 12 – working groups – it was agreed that working groups were effective in Walsall and each Scrutiny Committee could be trusted to establish reviews that were relevant and meaningful.

In respect of recommendation 13 – briefings before Committee - it was agreed that briefing sessions for Panel members should be introduced, subject to each Chair using their discretion as to whether it was required, for one cycle.

The Senior Committee Business and Governance Manager was asked to contribute to the debate on recommendation 14 which recommended that Scrutiny support officers should not act as minute takers. He advised that Democratic Services were no different to the rest of the Authority in terms of budget pressures. He explained that the team would be losing a member of staff in September that wouldn't be replaced. That said, he advised that every effort would be made, as it always had, to continue

to offer a high level of service to Members with the resources available. This included taking minutes.

A Member stated that the support received from Democratic Services was well regarded, however, the Council was not in a position to provide additional capacity to allow Scrutiny Officers to cease taking minutes. Other Members were of the view that additional capacity should be provided from elsewhere within the Council to enable Scrutiny Officers to dedicate more time to undertaking research and providing advice to the Chair. The Executive Director (Resources) suggested that Chairs of Scrutiny Committees should advise him of the support they required. He would then identify the best way of addressing this need. Discussion followed with a number of Members suggesting that a review of the support available was required.

Members moved on to consider recommendation 15 which suggested a system of Link Officers, however, this recommendation was not supported.

In terms of recommendation 16 – establishing an annual fund to use to commission external advice Members agreed that, due to the pressures on the budget, it would not be appropriate to establish a fund at this time. It was agreed that should a need arise to seek external advice, the Executive Director (Resources) should be notified to establish whether the need could be met from existing budgets.

Members considered recommendation 17 which suggested further work was required to encourage public attendance at meetings. Members advised that a great deal of effort had been made to encourage attendance, however, the public only attended when there was an item of sufficient gravitas such as the closure of a school or a particular issue of concern with Walsall Hospital. It was suggested that more could be done in terms of using social media.

The final recommendation, suggesting a training programme, was then considered. Members commented that the training programme had recently improved and a wide variety of training was available. This was in contrast to previous years when Members felt the support could have been improved. It was suggested that each Political Group should provide opportunities to develop new Councillors and that the current level of training should continue in future years.

Resolved:

1. That each committee adopt a 'select committee' layout at the next meeting.
2. That Democratic Services advise Portfolio holders if they are expected to attend and what items they will be expected to take part in;
3. That Portfolio Holders act as the primary respondents to questions, along with any external visitors;
4. That agendas for committees clearly separate out items where value is expected to be added by the scrutiny process from items for information;

5. That each Scrutiny Committee Chair use their discretion to decide whether to arrange a briefing session immediately prior to each Scrutiny Committee, with all members of the committee invited, to enable Members to prepare themselves for areas of questioning and the approach that they are going to take on significant items;
6. That the Scrutiny Overview Committee include an item on the agenda for the meeting on 15 September 2015 to reflect on the changes made as detailed in recommendations 1 to 5 above;
7. That Scrutiny Chairs identify and advise the Executive Director (Resources) if they need any dedicated support to assist them in their roles in addition to that already available.
8. That the process for call-in be reviewed at the next meeting of the Committee on 15 September 2015.
9. That the relationship between the Executive and Scrutiny be considered at the next meeting of the Committee on 15 September 2015.

6/15 AREAS OF FOCUS 2015/16

Members considered the areas of focus for each of the Scrutiny Committees. It was noted that the Corporate and Public Services Overview and Scrutiny Committee had deferred consideration of this item at the meeting held on 18th June, 2015. A special meeting has been arranged to consider the item on 27th July, 2015.

Resolved:

That the Areas of Focus of each Overview and Scrutiny Committee be considered at the meeting to be held on 15 September, 2015.

7/15 FORWARD PLAN

Members considered the forward plan (annexed).

Resolved:

That the forward plan be noted.

8/15 DATE OF NEXT MEETING

The date of the next meeting was noted as 15 September, 2015.

The meeting terminated at 9.10 p.m.

Chair:

Date:.....