

# OVERVIEW & SCRUTINY 2014/15 ANNUAL REPORT





## **FOREWORD**



This is my eleventh scrutiny annual report and it will also be my last as I am standing down as Chairman of the Overview and Scrutiny Committee. It has been my privilege to Chair this Committee over the years and I therefore make no apologies for reflecting on the achievements made by scrutiny during this time, not by myself I hasten to add but by all the scrutiny chairs and Members involved over the years. Below are just some examples of the positive impact which Scrutiny in Rhondda Cynon Taf has had:

- The removal of sunbeds from our leisure centres;
- Forming the policy for the licensing of Houses in Multiple Occupation;
- Developing improved services for those experiencing domestic abuse;
- We had UK recognition for our scrutiny review of child poverty – just one element of this major piece of work resulted in examples of positive change for those accessing our Council Tax and Housing Benefits service;
- Protection of our vulnerable residents in financial difficulty. Now any user of the Council's Public Access Computers (and those used internally within the Council) trying to access a payday loan website is automatically re-directed to the Council's webpage for "Money Matters" which provides advice and links to reputable organisations such as CAB and credit unions;
- Our recommendations have led to an improvement in School Attendance and Estyn recently recognised our scrutiny work as a factor in driving improved school attendance and attainment.
- We have also forged a successful Scrutiny Working Group with our partner organisations to scrutinise the Local Service Board.

These are the more tangible achievements brought about by scrutiny – but scrutiny is much more than that. Officers and indeed executive members know that if they don't do their job properly - if they don't take action to rectify inefficiencies and poor performance then scrutiny will draw attention to it.

It is an uncertain time for local government and the challenges facing the Council are immense. During this difficult time Scrutiny must not take a back seat – but must strive to improve and make our voice heard.

In my role as Chairman of the Overview & Scrutiny Committee during the year I have continued to attend regional and national events. Last June I attended the launch of a new scrutiny Guidance developed by the CfPS and Grant Thornton. In January, along with Councillor Leyshon I attended the last of the CfPS's Welsh Regional Seminars, the theme being Evidenced Based Accountability for Better Decision Making. In particular, I would like to mention the Gwent Scrutiny Challenge which took place almost a year ago now and which was intended to build on the 'Scrutiny in the Spotlight' event which was held in November 2013 and the message it was trying to convey which was that scrutiny is everyone's responsibility. More than ever before, the regulators and inspectors are asking the question 'What is scrutiny doing?', and we have to be able to demonstrate that we are taking action.

I would like to take this opportunity to thank all Elected Members who have played their part over the years in driving Scrutiny forward and would also like to thank officers for their support in enabling us to carry out our work.



**County Borough Councillor R K Turner**  
**Chairman of the Overview & Scrutiny Committee**

## WHAT IS SCRUTINY?

As we look forward toward a new scrutiny framework, it is perhaps opportune to reflect on the principles of good scrutiny.

In 1998 the Government produced a White Paper “Modernising Local Government – In touch with local people”, the aim was to make the democratic process more transparent and connected to local people. Local authorities had been working to the same Committee format for many years and it was felt that this process was dated and did not allow for local authorities to realise their true potential.

To bring this modernisation about, provisions were introduced in the Local Government Act 2000 requiring local authorities to set up new political arrangements broadly similar to Westminster with its Cabinet and the Parliamentary Select Committees. The old committee system was removed and replaced by an ‘executive’ and an independent ‘scrutiny’. As a result the majority of local authorities in England and Wales adopted a system whereby a small number of elected Members (no more than 10) form an executive (cabinet) to provide leadership and at least one Overview and Scrutiny Committee made up of non-executive members to act as a check and balance.

The Centre for Public Scrutiny has identified four principles of good scrutiny<sup>1</sup> :-

- Provides ‘critical friend’ challenge to executive policy makers and decision makers;
- Enables the voice and concerns of the public to be heard;
- Is carried out by ‘independent minded governors’ who lead and own the scrutiny role;
- Driving improvement in public services.

Whilst Scrutiny has no direct control over service delivery, it can play an important role in influencing the Executive through making recommendations as a result of in depth investigations, policy review and the monitoring of budgets and performance.

---

<sup>1</sup> ‘Good Scrutiny Guide’ – CfPS May 2006

## THE WORK OF THE COMMITTEES

The basis of the current scrutiny structure has been in place since 2002. There were a number of minor adjustments in the early years, the last being the addition of the role of performance co-ordinator in 2005, but these aside, the scrutiny structure has always reflected the group directorates of the Council and for 2014/15 consisted of:

- An overarching Overview & Scrutiny Committee (which is also the designated Crime & Disorder Committee)
- Community & Children's Services Scrutiny Committee
- Corporate Services Scrutiny Committee
- Education & Lifelong Learning Scrutiny Committee
- Environmental Services Scrutiny Committee.

In total, the Council's Scrutiny Committees met on 44 occasions during the 2014/15 municipal year which does not include informal visits. This signifies a great deal of time and effort for both Members and Officers and underlines the importance of scrutiny being able to evidence its impact. In his report "Good Scrutiny? Good Question!"<sup>2</sup> the Auditor General for Wales sets out the findings of the Wales Audit Office's Improvement Study into Scrutiny in Local Government and reports "scrutiny practice is improving, but the impact that scrutiny is having is not always clearly evident." The report acknowledges that development of measures which can demonstrate the impact of scrutiny will be challenging and welcomes the development of a set of outcomes and characteristics to identify what 'good scrutiny' looks like. These key outcomes and characteristics for effective Overview and Scrutiny have been developed by the Wales Scrutiny Officer Network supported by the CfPS and are reproduced at Appendix 1.

There is a requirement to devise and publish a work programme for each of the Council's scrutiny committees as set out in Part 4 of the Council's Constitution, (Overview and Scrutiny Procedure Rules). Each committee is responsible for setting and agreeing its own work programme although the Overview and Scrutiny Committee, acting in its co-ordinating role, will ensure that there is no duplication of work and deliberate if necessary on any cross cutting issues. In order to evidence our work in the future there will be a need for scrutiny committees to determine the outcomes they want to achieve when setting their work programmes and ensure that the work is properly planned and supports the Council's improvement objectives.

The following is a list (not exhaustive) of topics/issues discussed by the Scrutiny Committees during the year:

### Community & Children's Services

- Support for Carers;
- The Fostering Service;
- Integration of Health & Social Care;
- Safeguarding – both Adult and Children & Young People;

---

<sup>2</sup> "Good Scrutiny? Good Question! Auditor General for Wales improvement study: Scrutiny in Local Government, 2014", Wales Audit Office

- The Implementation of the Social Services & Wellbeing (Wales) Act;
- The new model for Children's Social Services;
- The Together for Mental Health Strategy;
- The Cwm Taf Youth Offending Services;
- Delayed Transfers of Care.

#### Corporate Services

- The Council's Housing Advice Service
- Procurement
- The Council Tax Reduction Scheme
- Corporate Estates
- Electoral Administration
- Treasury Management
- Complaints of Maladministration

#### Education & Lifelong Learning

- Fixed Penalty Notices for Non Attendance at School
- Additional Needs Funding for Schools
- Supporting the More Able and Talented Pupils
- Governor Support
- The Council's Literacy Strategy
- Key Stage Performance
- Welsh in Education Strategic Plan
- School Attendance
- The FAST Programme for Schools

#### Environmental Services

- Flood Risk Management
- Land Reclamation
- Energy Efficiency Measures
- Civil Parking Enforcement
- Working With the Creative Industries
- Community Recycling Centres
- Protecting and Improving Air Quality in Rhondda Cynon Taf
- Community Recycling Centres

## **SCRUTINY REVIEWS**

When it comes to making an impact, some of the more successful scrutiny work arises from Scrutiny Reviews.

If a scrutiny committee considers that an issue warrants in-depth investigation it may decide to undertake a 'task and finish' review. A successful scrutiny review can result in positive outcomes for both service users and the Council and participation in such a review can be one of the most rewarding aspects of a scrutiny Member's role. Scrutiny reviews are usually undertaken by a small group of interested Members as this provides less formality and more flexibility. These task and finish groups can

undertake any investigation within the remit of the parent scrutiny committee, collecting evidence from a range of sources.

When selecting a topic for review a number of points should be considered:

- Is it a poor performing service?
- Is it important to the public?
- Is there sufficient Member interest to take it forward?
- Will a scrutiny review make a difference?
- Are others already doing the work?
- Are there the resources to undertake the review?

During 2014/15 there have been a number of scrutiny reviews in progress:

- (i) The Community & Children's Services Scrutiny Committee has been undertaking a review into Looked After Children focusing on placement costs, in particular, the costs associated with 'out of county placements'.
- (ii) The Education & Lifelong Learning Scrutiny Committee has also been undertaking a review in relation to Looked After Children, in this case looking at Educational Attainment.

Both the above reviews are expected to conclude early in the new municipal year.

- (iii) The Corporate Services Scrutiny Committee recently reconvened its Planning Scrutiny Working Group to continue its monitoring of the progress of the new Planning (Wales) Bill and to review the first year of operation of the new style Development Control Committee and its latest report has been passed to the Executive Member.
- (iv) The Corporate Services Scrutiny Committee also has an ongoing review in respect of the Community Infrastructure Levy following a request from the Cabinet for scrutiny to consider two specific aspects, namely, engagement with Community/Town Council's and the Regulation 123 List. The Working Group has endorsed a draft CIL Community Engagement Strategy which has been passed to the Cabinet for consideration and will continue to meet until all its tasks have been completed.
- (v) The Environmental Services Scrutiny Committee is currently undertaking a review into Empty Properties in the Private Sector.
- (vi) The Overview & Scrutiny Committee has an established Local Service Board Scrutiny Working Group which includes co-opted members from the Cwm Taf University Health Board and the voluntary sector. This working group aims to support the Local Service Board in seeking better outcomes for the citizens of Rhondda Cynon Taf through the provision of robust and constructive scrutiny and has responsibility to review and scrutinise actions taken by Rhondda Cynon Taf's Local Services Board in relation to the delivery of the Single Integrated Plan.

- (vii) The Overview and Scrutiny Committee also set up a working group to consider the findings and recommendations set out in the report of the Wales Audit Office "Good Scrutiny? Good Question!" with the aim of considering how we can improve our scrutiny practices.
- (viii) More recently, as a result of Notices of Motion to Council, two scrutiny working groups have been established, one from the Overview & Scrutiny Committee who are considering the issue of Fuel Poverty and the other, with Members from the Corporate Services Scrutiny Committee who will consider the issue of 'Zero Hours' contracts.
- (ix) A working group of the Overview & Scrutiny Committee recently met to consider the consultation in relation to the Welsh Government's Consultation in respect of the White Paper – Reforming Local Government: Power to Local People and the findings reported to Council alongside that of the Cabinet to form the Council's response to the Welsh Government.

A further area of work which has been identified as a result of a Notice of Motion is in response to a campaign by the British Legion in relation to care costs for war veterans. This matter will be discussed by the appropriate Scrutiny Committee early in the new Municipal Year.

It is hoped that these reviews will result in positive outcomes in 2015/16 which will be testament to the work carried out during this year.

### **The Wales Programme for Improvement and Scrutiny's Role**

The Local Government (Wales) Measure (2009) sets out that Local Authorities have a general duty to make arrangements to secure continuous improvement in the exercise of their functions. Improvement, in this context, "*...means more than just quantifiable gains in service output or efficiency, or the internal effectiveness of an organisation. Rather it should mean anything that enhances the sustainable quality of life and environment for local citizens and communities.*"

Authorities must publish their Improvement Objectives annually. In RCT, this is discharged through publication of our improvement priorities in an Annual Improvement Plan (known in RCT Council as the 'Corporate Plan'), which is published in June of each year and (The Council's backward-looking Annual Delivery Report, assessing progress against improvement objectives, is published in October of each year).

The Council's Improvement Priorities for 2014/15 were:

- Public health and protection* – protecting people from harm and tackling anti social behaviour
- Streetcare services and the natural environment* – keeping RCT clean and green
- Maintaining people's independence* - supporting adults and older people to live independently

*Children and family centred services* - keeping all children and young people safe and improving the life chances of vulnerable children  
*Education* – a top quality education for all: "Every School a Great School".  
*Regeneration of our communities* - improving our communities  
*Medium term service planning* – making the best use of our budget

Each of the priorities has its own action plan which is designated to a specific scrutiny committee and forms part of the quarterly budget and performance monitoring process undertaken by the committees.

In previous years, the process for the development of the WPI action plans has mainly involved officers up until the point that the plans were presented to Cabinet as part of the Corporate Plan. However, toward the end of the last municipal year, and in response to feedback from the Wales Audit Office with regards to our scrutiny arrangements it was proposed to amend this approach for 2014/15. As a result, working groups were formed and met in April 2014 to provide a challenge to the draft action plans for 2014/15. They then met again in September 2014 to challenge the draft assessments of delivery of the 2013/14 plans prior to their inclusion in the Council's Annual Delivery Report for 2013/14.

Building on feedback from Members to this process, further improvements have been put in place for the development of 2015/16 plans. The main area of concern highlighted was the fact that the performance evaluations and priority plans were not considered together. To address this, for 2015/16, Lead Officers have completed their evaluations for 2014/15 performance at the same time as drafting the priority plans for 2015/16 therefore providing a more complete picture for scrutiny members when considering the content of the new draft plans. In addition, following our pilot work last September with the Older People's Advisory Group, two members of this Group have now been co-opted onto the Adult Services Scrutiny Working Group and formed part of the group which met recently on 21<sup>st</sup> April 2015 in relation to the 'supporting vulnerable adults and older people to live independently' priority plan.

### **Call ins**

At the last Council AGM, the Call-in arrangements were amended to allow 3 non-executive Members as opposed to 3 scrutiny members to sign a call in request. As a result of this and in reflection of the difficult decisions which are having to be made by all local authorities in the current financial climate, this year has seen a rise in the number of decisions called in.

During 2014/15 the scrutiny committees dealt with 7 valid call in requests. One request was rejected by the Monitoring Officer.

The decisions called-in related to:

- MTSP – Heritage Services – the proposal to close Cynon Valley Museum
- Coedpenmaen School – appointment of 4 extra LEA Governors
- Grant of a Lease, Municipal Hall, Pontypridd (Operating Replacement Services – Opportunities for Community Groups and Individuals)
- Improving Primary Education in Wattstown (two call-in requests received)

- MTSP – School Admission Arrangements – funding for Nursery Provision
- MTSP – Service Change Proposal – the Music Service

Both call-in requests in relation to ‘Improving Primary Education in Wattstown were successful and the decision was referred back to the Cabinet for re-consideration.

## **FUTURE CHALLENGES**

The future challenge for Scrutiny must be ‘Making an Impact’. How can scrutiny make a difference and how can we evidence this.

Given the proposals put forward in the report of the Director of Legal and Democratic Services ‘Proposed New Scrutiny Structure’, it might be pre-emptive here to set out areas of work for 2015/16. However, there must be a focus on the delivery of the 2015/16 priority plans which will be agreed by Council in June 2015.

Key points:

- Objectives will need to be set for each scrutiny committee aligned to the Council’s priority areas and support the delivery of the priorities within the Single integrated Plan
- Work toward the implementation of the recommendations set out in the report of the Auditor General for Wales ‘Good Scrutiny? Good Question!’
- Each Committee must be able to demonstrate the impact it has had over the year.
- To ensure that the Council’s new scrutiny arrangements succeed there will need to be a programme of Member Development in place to ensure that all Members are supported to meet the challenges of their new scrutiny role.

Scrutiny will also need to work toward the aims set out in the Welsh Government’s White Paper, Reforming Local Government: Power to Local People, which sets out a number of areas where local authorities need to improve with regard to internal review:

- Improving the information available for internal review;
- Improving the planning process for internal review;
- Ensuring that the impact of internal review is appropriately evidenced;
- Recognising the importance, status and value of internal review;
- Resourcing internal review appropriately;
- Ensuring the process of internal review effectively engages with communities;
- Recognising that internal review is an essential part of the system for securing service improvement.

The White Paper also sets out its aims for strengthening the voice of local people and proposes that scrutiny committees be required to set out in their forward plans how they will engage with service users and the public.

As public services are becoming more reliant on partnerships to deliver outcomes, a key focus for the future will be scrutinising the effectiveness of these delivery arrangements.

There will be much for scrutiny to do in the forthcoming year as both Members and Officers get to grips with the new arrangements but it is hoped that there will be a renewed enthusiasm for making scrutiny an effective corporate governance tool.

Outcome <i>What does good scrutiny seek to achieve?</i>	Characteristics <i>What would it look like? How could we recognise it?</i>
<p><b>1. Democratic accountability drives improvement in public services.</b></p> <p><i>“Better Services”</i></p>	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>i) Scrutiny has a clearly defined and valued role in the council's improvement arrangements.</li> <li>ii) Scrutiny has the dedicated officer support it needs from officers who are able to undertake independent research effectively and provide scrutiny members with high-quality analysis, advice and training.</li> </ul> <p><b>Practice</b></p> <ul style="list-style-type: none"> <li>iii) Overview and scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives.</li> </ul> <p><b>Impact</b></p> <ul style="list-style-type: none"> <li>iv) Overview and scrutiny regularly engages in evidence based challenge of decision makers and service providers.</li> <li>v) Scrutiny provides viable and well evidenced solutions to recognised problems.</li> </ul>
<p><b>2. Democratic decision making is accountable, inclusive and robust.</b></p> <p><i>“Better decisions”</i></p>	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>i) Scrutiny members have the training and development opportunities they need to undertake their role effectively.</li> <li>ii) The process receives effective support from the Council’s Corporate Management team who ensures that information provided to scrutiny is of high quality and is provided in a timely and consistent manner.</li> </ul> <p><b>Practice</b></p> <ul style="list-style-type: none"> <li>iii) Scrutiny is member-led and has `ownership` of its work programme taking into account the views of the public, partners and regulators, whilst balancing between prioritising community concerns against issues of strategic risk and importance.</li> <li>iv) Stakeholders have the ability to contribute to the development and delivery of scrutiny forward work programmes.</li> <li>v) Overview and scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it.</li> </ul>

	<p><b>Impact</b></p> <ul style="list-style-type: none"> <li>vi) Non-executive members provide an evidence based check and balance to Executive decision making.</li> <li>vii) Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities.</li> </ul>
<p><b>3. The public is engaged in democratic debate about the current and future delivery of public services.</b></p> <p><i>“Better engagement”</i></p>	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>i) Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement.</li> </ul> <p><b>Practice</b></p> <ul style="list-style-type: none"> <li>ii) Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.</li> <li>iii) Scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict.</li> <li>iv) Scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders.</li> </ul> <p><b>Impact</b></p> <ul style="list-style-type: none"> <li>v) Overview and scrutiny enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.</li> </ul>