



FULL COUNCIL REPORT

Date Written	20 th June 2018
Report Author	Scrutiny Section
Service Area	Scrutiny
Exempt/Non Exempt	Non-Exempt
Committee Date	26 th September 2018

To: Mayor, Ladies and Gentlemen

Annual Scrutiny Report - 2017/2018

1.0 SUMMARY OF THE REPORT

- 1.1 Following the local elections in May 2017 (Cyfarthfa Ward June 2017) the membership of the Scrutiny Committees changed with the appointment of new members on each of the themed Scrutiny Committees. It is inevitable that the first year following an election will be about building on the skills of new Members and returning Members and providing training and support needed to undertake the scrutiny role.
- 1.2 Scrutiny is a function of local authorities in England and Wales. It was introduced by the Local Government Act 2000 which created separate Executive and Scrutiny functions within local authorities. The Local Government (Wales) Measure 2011 strengthened the role of Scrutiny in Wales.
- 1.3 Scrutiny's role includes monitoring performance, challenging the Council's spending proposals, reviewing services, contributing to policy development, examining the work of other local public service providers, and promoting public engagement in the democratic process.
- 1.4 The scrutiny function at Merthyr Tydfil County Borough Council is performed by six scrutiny committees. These scrutiny committees are made up of elected Members (Councillors) who are not part of the Council's executive (Cabinet), along with Co-opted representatives.
- 1.5 The purpose of the report is to apprise Council and other interest parties of the role of the Scrutiny Committees, and their work during the 2017/18 municipal year.

2.0 RECOMMENDATION(S) that

- 2.1 Council notes the contents of this report.
- 2.2 Council's instructions are requested with regard to a pilot scheme for the webcasting of scrutiny committee meetings.

3.0 INTRODUCTION AND BACKGROUND

- 3.1 Each year the Council's Scrutiny Committees produce an Annual Report. This report includes a retrospective insight into the work undertaken by each of the Council's Scrutiny Committees during the municipal year.
- 3.2 Overview and Scrutiny (*or just "scrutiny" as it is more commonly referred to*) is a function of local authorities in England and Wales and was introduced by the Local Government Act 2000 which created separate Executive (Cabinet) and Scrutiny functions within councils. In Wales the scrutiny function was extended in the Local Government (Wales) Measure 2011.
- 3.3 All local authorities operating a Cabinet and Scrutiny model have a Cabinet (Executive) made up of the Leader of the Council and up to nine other members. At MTCBC it is the Leader plus five other members. All executive decisions (i.e. those needed to implement the Policy Framework and Budget approved by the Council) are taken by the Cabinet.
- 3.4 Scrutiny committees are not decision-making bodies nor do they have the power to instruct decision-makers; their role is rather as an influencing body and 'critical friend' – checking and challenging decisions in a robust, constructive and purposeful way.
- 3.5 Broadly speaking, local government scrutiny committees operate in a manner similar to the select committees supporting the UK Parliament. They are composed of non-executive councillors of all political groups (in proportion to the Council's overall political balance), and meet both in public and in private to:
 - Help the Administration develop and review policies;
 - Test the Council's performance and offer advice for improvement;
 - Provide pre-decision scrutiny of decisions that the administration is about to make;
 - Periodically call in for examination decisions that the administration has recently made;
 - Offer a platform for citizens and citizen groups to represent their concerns or ideas for improvement.
- 3.6 As noted above Scrutiny was introduced in local government across the UK through the Local Government Act 2000, as the traditional "Committee System" of local government administration was replaced with a more streamlined "Cabinet and Scrutiny System". Scrutiny was seen by the Centre for Public Scrutiny as having four 'cornerstones', namely:

- Led by 'independent minded governors who own the scrutiny role;
- Acts as a 'critical friend' of the executive, holding decision makers to account;
- Represents the views and concerns of the citizen; and
- Leads to the improvement of public services.

4.0 SCRUTINY COMMITTEES AND MEMBERSHIP

4.1 As already mentioned all non-executive (non-Cabinet) Councillors are eligible for membership of the scrutiny committees.

4.2 During 2017/18 the Council operated six Scrutiny Committees.

	Committee name	Membership¹
1	Governance, Performance, Business Change, and Corporate Services	11 Councillors plus co-opted members (One of the Councillors is the Chair of the Audit Committee)
2	Neighbourhood Services, Planning and Countryside	7 Councillors plus co-opted members
3	Regeneration and Public Protection ²	7 Councillors plus co-opted members
4	Learning and LAESCYP	7 Councillors plus co-opted members
5	Social Services	7 Councillors plus co-opted members
6	Joint Scrutiny Committee	All Members of committees 1) to 5) above

Each of these committees can establish time-limited Task and Finish Group reviews that focus on a particular issue and consider it in greater detail than is possible at scheduled committee meetings.

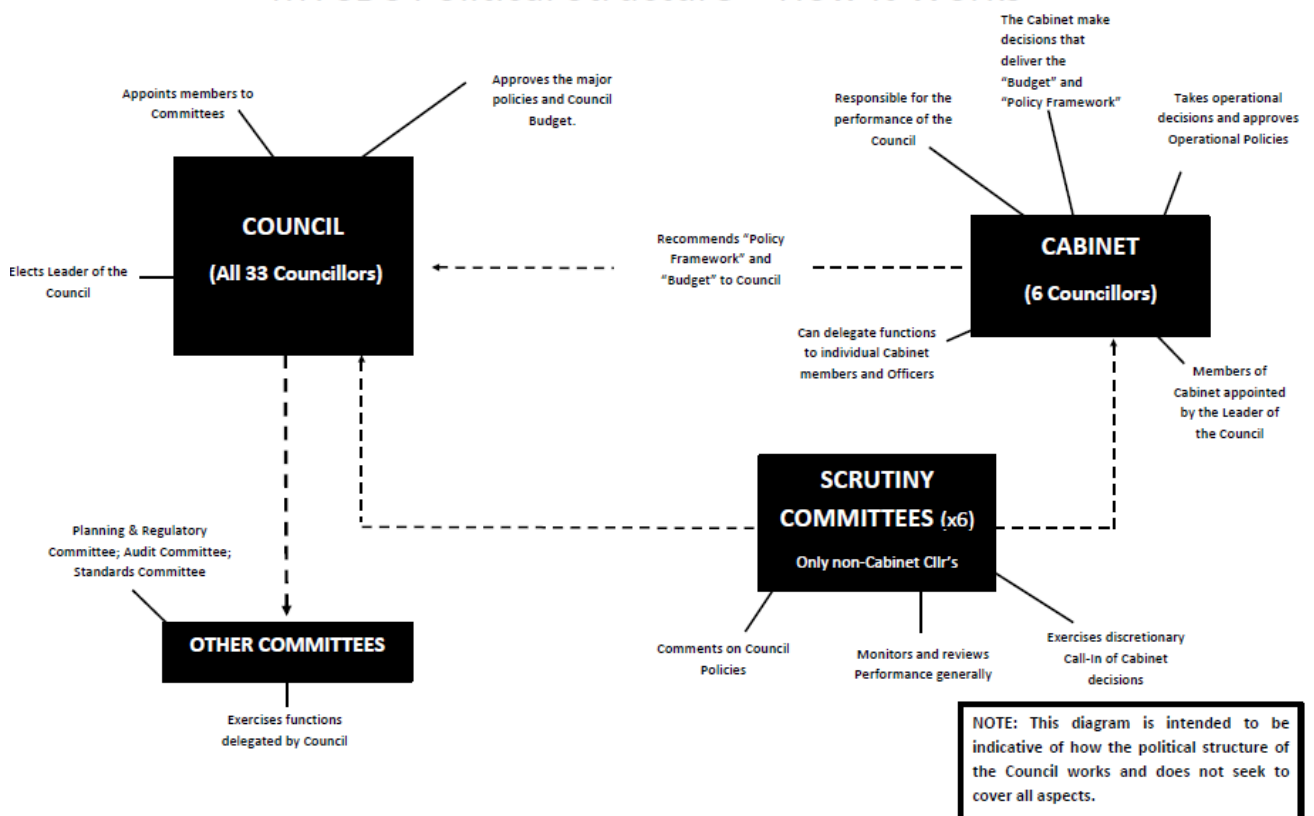
Whilst the scrutiny committees meet approximately eight times per annum, the Joint Scrutiny Committee only meets when there are subjects or issues that are common to or relate to all the scrutiny committees e.g. Budget Proposals / Medium Term Financial Plan, and MTCBC Change Programme proposals. This committee meets approximately twice a year.

¹ From AGM May 2018 the Councillor membership on the Governance Scrutiny Committee reduced to 7 Councillors, with the scrutiny committees 2) to 5) reducing from 7 Councillors to 6 Councillors per committee.

² The Regeneration and Public Protection Scrutiny committee also undertakes the role of the Authority's "Crime and Disorder Committee".

- 4.3 This Authority has also set up a joint Scrutiny Committee with Rhondda Cynon Taf County Borough Council, the “Cwm Taf Public Services Board Joint Overview and Scrutiny Committee”
- 4.4 At the time of writing this report an additional Joint Scrutiny Committee is being established i.e. the “Cardiff Capital Region City Deal Joint Overview and Scrutiny Committee”. See paragraph 7.0 for further details.
- 4.5 In addition each scrutiny committee at 4.2 has co-opted members who provide invaluable assistance to the work of the scrutiny committees and the Council as a whole. The membership of each committee as per 30th April 2018 is shown at APPENDIX I.
- 4.6 Co-opted membership. Each committee has:-
- 1 Voluntary Sector Co-opted member as nominated by Voluntary Action Merthyr Tydfil (VAMT).
 - 1 Merthyr Tydfil Borough-Wide Youth Forum member as nominated by the Forum
 - There are also two publicly appointed co-opted members per scrutiny committee.
 - The Learning & LAESCYP Scrutiny Committee also appoints a Merthyr Tydfil Governors Association representative, Parent Governor Representatives and Church Representatives.
- 4.7 The diagram below shows how scrutiny “fits” into the political structure at Merthyr Tydfil County Borough Council.

MTCBC Political Structure – How it Works



5.0 WORK UNDERTAKEN BY THE SCRUTINY COMMITTEES FOR THE PERIOD 1st MAY 2017 TO 30th APRIL 2018

Work programming is the process for determining which topics scrutiny will look at over a 12 month period. This involves evaluating a number of factors to decide which topics are to be investigated and when. The process will typically involve long-listing and then short-listing topics before making a final decision. Below you will find a list of topics that the scrutiny committees have been involved with over the past 12 months.

5.1 The Governance, Performance, Business Change, and Corporate Services Scrutiny Committee.

The Committee considered the following:-

- Draft Annual Governance Statement 2016/17
- Governance Scrutiny Report: Transformation & Efficiency Programme
Human Resources Report
- Local Authority Support to the Third Sector
- Wellbeing objective - Making Skills Work for Merthyr Tydfil: Developing the Workforce of the Future (Working Life 1)
- Overview and Scrutiny Project - Fit for the Future?
- MTCBC Transformation & Efficiency Programme
- Wellbeing Objective - Developing the Environment & Infrastructure for Business to Flourish (Working Life 2)
- Transformation & Efficiency Programme; Customer Work Stream
- Scrutiny of Wellbeing Objectives: Lessons Learned
- Local Authority Support to the Third Sector Services
- Merthyr Tydfil Leisure Trust

5.2 Neighbourhood Services, Planning and Countryside Scrutiny Committee

The Committee considered the following:-

- Grounds maintenance, Parks and Open Spaces
- Sports pitches / facilities in the County Borough
- Vacancies for Co-opted Members
- Wellbeing objective - Communities protect, develop and promote our heritage and cultural (Environmental Wellbeing 2)
- The 5th quality framework for Welsh public libraries - Welsh Public Library Standards Return 2016-17
- Department responses to Scrutiny Committee questions - Grounds Maintenance, Parks and Open Spaces; and Sports Pitches/Facilities in the County Borough
- Overview and Scrutiny Project - Fit For the Future? Merthyr Tydfil County Borough Council
- Wellbeing objective - Communities protect, enhance and promote our natural environment and countryside. (Environmental Wellbeing 1)
- Fly Tipping Update including Prosecutions and Penalties
- Referral from Cabinet Member; Capital Project Scrutiny Referral (Brandy Bridge scheme / Road Slip - South of Pontygwaith)
- Update on Carbon & Energy Management Activities
- Highways & Street Lighting – Performance Update
- Recycling / Landfill Performance Data

- End of year report on the performance of the two wellbeing objectives : Environmental Wellbeing 1 and 2

5.3 **Regeneration and Public Protection Scrutiny Committee.**

The Committee considered the following:-

- Economic Growth Report
- Destination Management Plan Update
- Wales Audit Office Review – “Overview and Scrutiny Fit for the Future? Project”
- Continued Development of the Town Centre
- Enterprise and Business Support
- Cwm Taf Community Safety Needs Assessment
- Wellbeing objective - Making skills work for Merthyr Tydfil: Developing the workforce of the future (Working Life 1)
- Wellbeing objective - Developing the environment and infrastructure for business to flourish (Working Life 2)
- Wellbeing objective- Communities protect, develop and promote our heritage and cultural assets (Environmental Wellbeing 2)
- Homelessness in the County Borough
- Economic Growth Strategy and Partnership
- End of year report on the performance of the two wellbeing objectives : Working Life 1 and 2

5.4 **Learning and LAESCYP Scrutiny Committee**

The Committee considered the following:-

- Overview of the Learning Department
- Performance Report - Corporate Plan standards of attainment
- Wellbeing objective - Children get the best start to life (Best Start to Life 1)
- The effectiveness of the Central South Consortium (CSC)
- Impact of work in the Central South Consortium's business plan on the region and Merthyr Tydfil County Borough Council and the outcome on the Estyn monitoring visit
- Self-evaluation of support for school improvement
- Wellbeing Objective - Children and young people are equipped with the skills they need to be successful learners and confident individuals (Best Start to Life 2)
- Wales Audit Office Review – “Overview and Scrutiny Fit for the Future? Project”
- The effect of poor attendance on outcomes within our schools
- Self-evaluation Key Question 3.2 Self-evaluation and Improvement Planning
- Self-evaluation Key Question 3.1 Quality and Effectiveness of Leaders and Managers
- Welsh in Education Strategic Plan 2017-2020
- New Estyn Inspection Areas
- National Categorisation of Schools
- Merthyr Secondary School Key Stage 4 Performance
- Governor Training and Development
- School Review Group Meetings

- Estyn Thematic Reviews
- Local Government Education Services -Estyn Inspection Areas: 2.3 (Other Education Services) and 3.4 (Use Of Resources)
- Merthyr Secondary School Key Stage 4 Performance
- End of year report on the performance of the two wellbeing objectives : Best Start to Life 1 and 2
- Additional Learning Needs (ALN) - Review of learning resources bases across the Authority

5.5 **Social Services Scrutiny Committee**

The Committee considered the following:-

- CSSIW Performance Review of Merthyr Tydfil County Borough Council Social Services
- Children's Services Strategy for Improving Wellbeing
- Welsh Community Care Information System
- Cwm Taf Youth Offending Service Inspection
- Annual Report on Social Services 2016 /2017
- Social Services and Well-being (Wales) Act 2014
- Vale, Valleys and Cardiff Adoption Service Annual Report
- Wellbeing Objective - People Live Independently (Living Well 3)
- Caseloads - Children's Services
- NEETS Strategy 2018 -2021
- Communities First Update report
- Wellbeing objective - Developing Safer Communities (Living Well 1)
- Cwm Taf Integrated Family Support Team's annual report 2016-2017
- Adult Social Care Strategies
- Cwm Taf Violence against Women Domestic Abuse and Sexual Violence Strategy
- Budget update
- Social Services and Well-being (Wales) Act 2014
- CTSB Annual Plan 2018-19
- Wellbeing Objective: People Have Good Physical and Mental Health (Living Well 2)
- End of year report on the performance of the three wellbeing objectives : Living Well 1, 2 and 3

5.6 **Joint Scrutiny Committee**

The Committee considered the following:-

- Revised Medium Term Financial Plan 2018/19 to 2021/22 – Update
- Revised Medium Term Financial Plan 2018/19 to 2021/22 - Service Budget Reduction Business Cases

6.0 **SCRUTINY WORK PROGRAMMES 2018/19**

- 6.1 At the time of this report the scrutiny work programmes are nearing completion. The work programmes will be aimed at ensuring scrutiny maintains a strategic and co-ordinated approach based on major areas of Council and partner organisations' activity.

- 6.2 The selection of review topics for the work programmes takes account of what is of direct and significant interest to residents, and what would be timely, relevant, and likely to add value. Please note however that the work programmes will necessarily be subject to continual refinement and updating.
- 6.3 It is imperative that the Council delivers its services in smarter and more efficient ways, and Scrutiny has a role in ensuring that decisions are well informed, that alternate options are considered, and that Cabinet is held to account to ensure decisions are robust, evidence based and transparent. This too will need to be considered when developing the work programmes for all the scrutiny committees.

7.0 ESTABLISHMENT OF THE CARDIFF CAPITAL REGION CITY DEAL JOINT OVERVIEW AND SCRUTINY COMMITTEE

- 7.1 At its meeting held on the 20 November 2017, the Cardiff Capital Region City Deal Joint Cabinet discussed proposals for the establishment of a Joint Overview and Scrutiny Committee (JOSC) comprising non-executive Members from each of the ten local authorities involved.
- 7.2 A report was considered by the Governance, Performance, Business Change and Corporate Services Scrutiny Committee on 7th July 2018 when details of the JOSC were detailed. Subsequent to that meeting a report will be presented to Council on 25th July 2018 seeking Full Councils agreement to participate on the Cardiff Capital Region City Deal Joint Overview and Scrutiny Committee.
- 7.3 This will be the second Joint Overview and Scrutiny Committee this Authority will be involved with, the other being the Cwym Taf Public Services Board Overview and Scrutiny Committee (with Rhondda Cynon Taf County Borough Council).
- 7.4 For the future - it is worth pointing out that the Welsh Government in its White Paper "Reforming Local Government: Resilient and Renewed" (January 2017) say that the establishment of joint overview and scrutiny committees will be required where services are being delivered collaboratively. The WG will in due course provide a range of options for the approach to scrutiny and ensure that those undertaking scrutiny have a duty to consider the regional as well as the local interest.

8.0 WALES AUDIT OFFICE REVIEW – "OVERVIEW AND SCRUTINY – FIT FOR THE FUTURE? MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

- 8.1 A 'light touch' review was to be undertaken by the Wales Audit Office in the Autumn of 2017 which focussed on how 'fit for the future' the scrutiny functions are and included how the Authority was responding to current challenges such as scrutiny of the Public Services Board.

8.2 At the time of writing this report we await the result of the review.

9.0 PUBLIC PARTICIPATION AT SCRUTINY

- 9.1 Whilst Scrutiny members, Cabinet members and Council officers contribute regularly to scrutiny activities, we also welcome public attendance and input at our meetings.
- 9.2 The involvement of local residents, community organisations and partners is an important part of the scrutiny process and scrutiny committees are committed to responding to the views and concerns of residents. We would like to encourage residents and organisations to attend and contribute to scrutiny work in securing the best possible public services. The intention is to make sure that we are dealing with the matters that are most important to the community and are delivering quality services.
- 9.3 The Constitution³ allows for members of the public to attend and speak at scrutiny meetings. With this in mind a guide⁴ as to how this can work in practice has been produced. The guide provides details on how to for example to submit a written representation on an agenda item and the time limit for the member of public to put their case. This hopefully will allow members of the public the opportunity to tell Councillors directly about the things that concern them.
- 9.4 If members of the public feel that there is a topic that scrutiny should look at, they can let us know by completing a [Scrutiny Request Form](#) or by contacting the Scrutiny section on 01685 725464; or email scrutiny@merthyr.gov.uk

10.0 WEBCASTING OF SCRUTINY COMMITTEE MEETINGS

- 10.1 As Councillors will be aware scrutiny meetings are currently recorded but not webcast, as are Full Council and Planning & Regulatory meetings.
- 10.2 It is becoming more commonplace across Wales for scrutiny committees to be webcast. Blaenau Gwent, Torfaen, Wrexham, Monmouthshire, Bridgend, Gwynedd, and Cardiff webcast either all or a selection of their scrutiny meetings.
- 10.3 In the Annual Scrutiny report 2015/16, which went to Full Council on 7th September 2016, there was a recommendation that “Webcasting of all / a selection of scrutiny committee meetings be introduced as soon as practicable after the May 2017 Local Government Elections”. As such it will be a

³ MTCBC Constitution - Citizens Rights 2.03.01 (c). **Participation.** Citizens have the right to participate in the Council’s question time, speak at meetings of the Cabinet (when agended), and other Committees with the permission of the Chairperson and contribute to investigations by the Scrutiny Committees.

⁴ [“Scrutiny at MTCBC – Public Speaking Arrangements”](#)

recommendation of this report that consideration be given to the piloting of webcasting of a selection of scrutiny meetings.

11.0 FINANCIAL IMPLICATIONS

11.1 There are no financial implications as a result of this report.

12.0 EQUALITY IMPACT ASSESSMENT

12.1 An Equality Impact Assessment (EqIA) form has been prepared for the purpose of this report. It has been found that a full assessment is not required at this time. The form can be accessed on the Council's website/intranet via the 'Equality Impact Assessment' link.

GARETH CHAPMAN
CHIEF EXECUTIVE

COUNCILLOR ANDREW BARRY
CABINET MEMBER FOR GOVERNANCE
AND CORPORATE SERVICES

BACKGROUND PAPERS		
Title of Document(s)	Document(s) Date	Document Location
As per document references		
Does the report contain any issue that may impact the Council's Constitution?		No