



THE VALE OF  
GLAMORGAN  
COUNCIL

OVERVIEW  
AND  
SCRUTINY  
HANDBOOK



**AUGUST 2005**



# THE VALE OF GLAMORGAN COUNCIL OVERVIEW AND SCRUTINY HANDBOOK

## INDEX

Section No.	Contents	Page No.
<b>1</b>	<b>Introduction</b>	<b>3</b>
	1.1 Purpose and Context of the Handbook	3
	1.2 Who Should Use the handbook ?	3
	1.3 How to Use the Handbook	3
	1.4 Protocols	3
	1.5 Guidance and Templates	3
<b>2</b>	<b>Overview and Scrutiny in the Vale of Glamorgan</b>	<b>4</b>
	2.1 What is Overview and Scrutiny ?	4
	2.2 Where Does Overview and Scrutiny Fit In ?	4
	2.3 Vision and Purpose of Overview and Scrutiny	5
<b>3</b>	<b>Structure and Support</b>	<b>6</b>
	3.1 The Structure of Overview and Scrutiny	6
	3.2 Staffing and Support	6
	3.3 Scrutiny Committees' Responsibilities	7
	3.4 Roles and Responsibilities	8
<b>4</b>	<b>Overview &amp; Scrutiny in Action</b>	<b>14</b>
	4.1 How is the Work of Overview and Scrutiny Determined ? (Incorporating Pre / Post -Decision Scrutiny Protocol)	14
	4.2 Undertaking Reviews – The Overview and Scrutiny Process	16
	4.3 Final Reports for Scrutiny Reviews	20
	4.4 Scrutiny Reports - Where Do Review Reports Go ?	21
	4.5 What if Members Can't Agree on the Recommendations ?	21
	4.6 Follow Up	21
	4.7 Evaluation	22
	4.8 Training	22
	4.9 Media Relations	22
<b>5</b>	<b>Protocols</b>	<b>23</b>
	5.1 Introduction	23
	5.2 Witness Evidence	23
	5.3 Questioning Techniques	24
	5.4 Using the Media	27
<b>Guidelines</b>		
<ul style="list-style-type: none"> <li>• External Experts Attending Scrutiny Committees as “Witnesses” (p.30)</li> <li>• Officers Called by Scrutiny Committees as “Witnesses” (p.33)</li> </ul>		
<b>Templates</b>		
<ul style="list-style-type: none"> <li>• Checklist for Scoping a Review (p.37)</li> <li>• Scrutiny Review Responses (p.39)</li> <li>• Checklist for Learning from Scrutiny Review Process (p.41)</li> </ul>		
<b>Overview and Scrutiny Handbook – User Feedback Form</b>		
<ul style="list-style-type: none"> <li>• User Feedback Form (and procedures) (p.43)</li> </ul>		

# **1. INTRODUCTION**

## **1.1 Purpose and Context of the Handbook**

This handbook has several purposes :

- To serve as a comprehensive guide to the overview and scrutiny function in the Vale of Glamorgan for all interested parties.
- To inform those with a responsibility for, or involvement in, scrutiny in the Vale of Glamorgan of the processes used by the Council.
- To inform and assist people, internal and external to the Council, of the process and expectations if invited to contribute to an overview and scrutiny review.

## **1.2 Who Should Use the Handbook ?**

Anyone who has an involvement with or interest in the overview and scrutiny function as undertaken by the Vale of Glamorgan Council will hopefully find this handbook helpful. This will include elected Members, officers, observers and others invited to participate in the overview and scrutiny process.

## **1.3 How to Use the Handbook**

The following is intended to help you find your way around the handbook. Although all sections are relevant to anyone involved in the overview and scrutiny function you may want to focus on certain elements depending on your role.

<b>Section</b>	<b>Contents</b>
<b>2</b>	An overall description of the overview and scrutiny function, where it fits with the governance and management of the Council and a statement of the vision and purpose.
<b>3</b>	The arrangements for the function giving details of the Scrutiny Committees and their terms of reference. Details of role and responsibilities of staff support and of individuals involved in scrutiny reviews, including witnesses.
<b>4</b>	Explains how issues for scrutiny review are selected, gives details of the key steps in undertaking a review and an explanation of what happens to scrutiny reports.
<b>5</b>	Offers a range of advice and guidance to anyone involved in a review and gives guidance for witnesses and those interviewing witnesses. There are also checklists and pro-forma for scoping, and evaluation and guidance on final review reports. Guidance on media relations is also included in this section.

## **1.4 Protocols**

Protocols have been developed for :-

- Witness Evidence.
- Questioning techniques.
- Using the media.

These are outlined in Section 5.

## **1.5 Guidance and Templates**

Guidance and templates have been developed for anyone involved in the overview and scrutiny process. These are available at the rear of the handbook.

## **2. OVERVIEW & SCRUTINY IN THE VALE OF GLAMORGAN**

### **2.1 What is Overview and Scrutiny ?**

The Local Government Act 2000 requires local authorities like the Vale of Glamorgan Council to adopt executive arrangements, which effectively results in decisions being taken on behalf of the Council on most major issues by a small number of elected members (the Executive or Cabinet). The Executive, acting collectively or individually, makes decisions in line with Council approved policy.

Members who are not in the Executive are charged with keeping an overview of Council business and scrutinising areas of particular interest or concern. Their role is to hold the Executive to account, when deemed necessary, in the business they undertake and to assist in the development and review of Council policy. The latter task involves looking in detail at areas of service delivery or issues of general concern and making recommendations to the Executive or to the whole Council - this could include suggestions for improvements or different ways of doing things.

Overview and Scrutiny Committees are an essential and integral part of Council decision - making arrangements and have been given wide-ranging powers of review and scrutiny and the ability to make reports and recommendations on any matters relevant to the area and its inhabitants.

The Centre for Public Scrutiny suggest that there are four principles to good public scrutiny, namely :

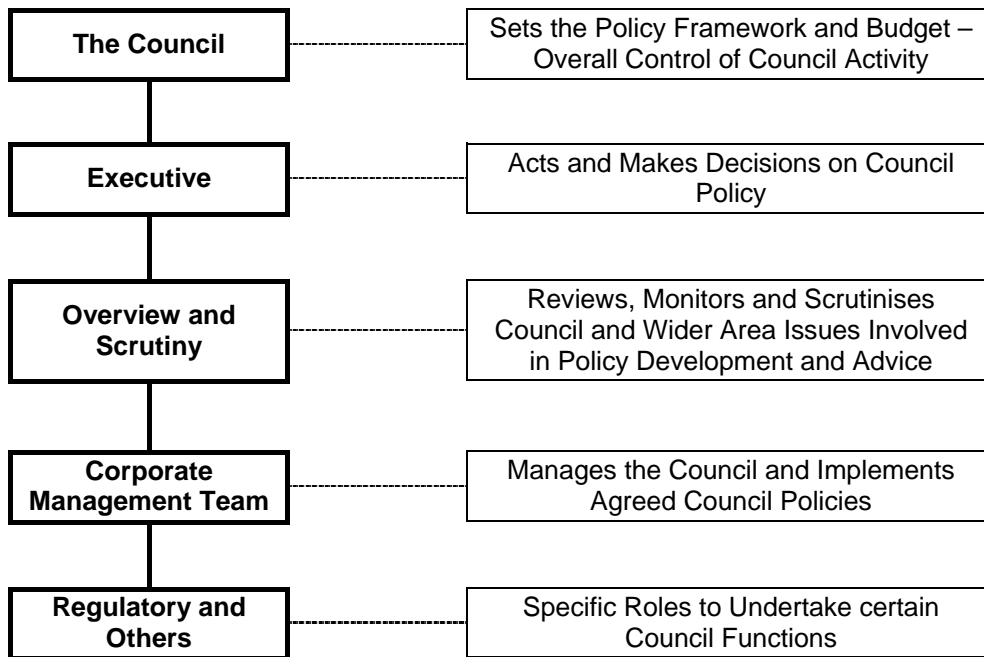
- provide a “critical friend” challenge to executives as well as external authorities and agencies;
- reflect the voice and concerns of the public and its communities;
- take the lead and own the scrutiny process on behalf of the public;
- make an impact on the delivery of public services.

### **2.2 Where Does Overview and Scrutiny Fit In ?**

There are four elements to the governance and management of the Vale of Glamorgan Council :-

- **The Executive** which is made up of the Leader and 9 other executive portfolio holder members who have collective responsibility for the executive decisions of the Council and who together form the Council’s Cabinet
- **Overview and Scrutiny** which is undertaken by non-executive Members of the Council and is managed through Scrutiny Committees
- **Regulatory Committees** which include Planning, Licensing, Appeals and Appointment Committees
- **The Management** of the Council, which is the responsibility of the Chief Executive, and Corporate Directors who collectively form the Council’s Corporate Management Team.

This can be summarised by the following diagram :-



The role of Overview and Scrutiny is to :-

- Contribute to policy development and review.
- Publicly hold the Executive to account.
- Examine matters of wide public interest.

Overview and scrutiny members do not take decisions on the responsibilities of the Council but are empowered, through Scrutiny Committees, to make recommendations to the Cabinet and/or the Council.

### 2.3 Vision and Purpose of Overview and Scrutiny

The Council's overview and scrutiny arrangements are designed to complement and add value to the work of the Executive and other parts of the Council. In doing so the aim is to see that overview and scrutiny activities comply with the principles of effective scrutiny suggested by the Centre for Public Scrutiny :-

- Is Member led and owned.
- Has a proactive influence on the development of policies.
- Aid in the dissemination of best practice.
- Champion the whole community, engaging with its representatives, partnerships and other organisations.
- Is undertaken with probity and transparency.
- Apply the processes of overview and scrutiny to external as well as internal matters wherever they impact on the social, economic or environmental well-being of the citizens of the Vale of Glamorgan.

### **3. STRUCTURE AND SUPPORT**

#### **3.1 The Structure of Overview and Scrutiny**

Four committees undertake the overview and scrutiny function in the Vale of Glamorgan :-

- Community Wellbeing and Safety.
- Corporate Resources.
- Economy and Environment.
- Lifelong Learning.

The terms of reference for each Scrutiny Committee outline the areas each covers for scrutinising, monitoring or review as follows :-

<b>Scrutiny Committee</b>	<b>Scope</b>
Community Wellbeing & Safety	<ul style="list-style-type: none"><li>• Housing.</li><li>• Community Safety.</li><li>• Social Services.</li></ul>
Corporate Resources	<ul style="list-style-type: none"><li>• Corporate Policy and Communications.</li><li>• Finance, ICT and Property.</li><li>• Legal and Regulatory.</li><li>• Human Resources.</li><li>• Key Projects, including Surplus Land and Property, Capital Schemes and Revenue Proposals over £50,000.</li></ul>
Economy & Environment	<ul style="list-style-type: none"><li>• Economic Development, Leisure and Tourism Services, Countryside and Environmental Projects.</li><li>• Visible Services (Waste Management and Cleansing, Highway Maintenance, Engineering Design and Procurement, Parks and Ground Maintenance).</li><li>• Public Works and Highways.</li><li>• Planning and Transportation.</li><li>• Building and Visible Services.</li></ul>
Lifelong Learning	<ul style="list-style-type: none"><li>• Schools (Pupil Support, School Improvement and School Support.</li><li>• Post 16 Education and Training.</li><li>• Libraries.</li><li>• Community Education and Youth Service.</li></ul>

#### **3.2 Staffing and Support**

Support officers are provided by the Democratic Services Team in the Legal and Regulatory Directorate and the Improvement and Development Team in the Chief Executive's Department.

The role of the Democratic Services Team is to :-

- Provide independent support.
- Support the Chairman, Vice-Chairman and Scrutiny Committee members in developing the scrutiny process.
- Provide advice, assistance and research provision in relation to matters other than those relating to service improvement and performance management.
- Provide advice on constitutional matters, scrutiny procedures and protocols.
- Produce Annual Reports for each Scrutiny Committee.
- Co-ordinate the call-in procedure.

- Keep a record of debate and decisions.
- Provide question plans on those matters outside the remit of the IDT Team where required by Chairmen/Vice-Chairmen (copy for Members and relevant Heads of Service/Operational Managers prior to the Scrutiny meeting).

The role of the Improvement and Development Team is to :-

- Provide independent support.
- Support the Chairman, Vice-Chairman and Scrutiny Committee members in developing the scrutiny process in relation to service improvement and performance management
- Provide advice, assistance and research provision in relation to service improvement and performance management
- In conjunction with Chairmen and Vice-Chairmen and Democratic Services Officers, to draw up, and monitor, Scrutiny Committee work programmes
- Provide question plans where required by Chairmen /Vice-Chairmen (copy for Members and relevant Heads of Service/Operational Managers prior to Scrutiny meeting).

A more detailed description of the roles of the above officers is set out below.

### **3.3 Scrutiny Committees' Responsibilities**

This section outlines some of the responsibilities of the various people involved in overview and scrutiny - it is not an exhaustive description, nor is it prescriptive. Committees as a whole have broad responsibilities as follows :-

#### **3.3.1 Holding the Executive to Account**

This role enables the Committee to act as a "critical friend", challenging the efficient exercise of executive functions. The role also enables the Committee to require Cabinet Members and Officers to provide reasons for their actions and decisions. In this way the Committee can take the lead and make an impact on service delivery by owning the scrutiny process and voicing its concerns on behalf of the public and the communities.

#### **3.3.2 Policy Review and Development**

Scrutiny Committees perform this role by establishing whether the policies, plans and strategies that the executive has in place and the way they are being implemented reflect the needs and priorities of local communities, the area as a whole and the Council's statutory duties. Scrutiny Committees act as a forum for partnership working, bringing together key players and giving them a voice in the decision - making process whilst promoting accountability. Scrutiny Committees are made up of elected representatives of the users of the Council's services. Therefore, the Committee's dialogue with users of services provides the mechanism for them to make their voice heard. Scrutiny provides for the review and oversight of service provision and direction in a challenging but sensitive way.

### 3.3.3 Performance Monitoring and Review

The Committee performs this role by :-

- Examining whether the systems the Executive has in place to deliver its functions are robust and are being properly observed.
- Monitoring performance measures and action plans and evaluating whether performance could be improved or targets and objectives are being achieved and whether they lead to the benefits forecast.
- Analysing why performance is better elsewhere and drawing on the experience of other authorities and agencies.
- Identifying, assessing and reporting on risks facing the Council.
- Focussing attention on Council priorities e.g. monitoring the Improvement Plan and other statutory plans.
- Reporting and making recommendations to the Executive and the Council.

### 3.3.4 External Scrutiny

This role enables the Committee to investigate and report on matters of more general concern which affect the Council's area or its inhabitants. It includes :-

- Ad-hoc reviews and investigations on local issues or problems affecting the community and provides the opportunity for cross-cutting exploration of issues making connections that may otherwise be missed.
- Investigating issues concerning external agencies such as Local Health Boards. Although in this case the Committee's recommendations are not binding on those bodies it does provide a platform for partnership working and influencing the way in which those agencies operate.
- Making reports and recommendations to the Executive and/or the Council for future actions.

All parties involved in the scrutiny process have important responsibilities.

## 3.4 Roles and Responsibilities

### 3.4.1 Chairmen and Vice-Chairmen of Scrutiny Committees

Chairmen and Vice-Chairmen work together as a leadership team to promote the overall development of overview and scrutiny as well as having responsibility for their own Committee. These responsibilities include :-

- Chairing and managing meetings.
- Prioritising Committee work.
- Working with appropriate officers to decide on the business to be undertaken at each meeting and the methods to be employed and, together with the Democratic Services Officer, agreeing the agenda.
- Co-ordinating work with other Scrutiny Committees and Chairmen.
- Ensuring the remit and timescales for each review topic is clear - taking into account resources and workload.
- Ensuring all members are engaged in the work and have the opportunity to contribute and be heard.
- Keeping Members focussed on the topic.
- Developing the skills and knowledge of Committee Members.

- Making sure witnesses and officers are introduced to the Committee / Sub Committee and are treated with courtesy and consideration.
- Keeping Executive Members briefed at appropriate times on significant issues.
- Making sure recommendations are clear and link to the evidence gathered during the review.
- Working with officers of the Improvement and Development Team and Democratic Services on the final report.
- Take part in training and development activities as provided.

### 3.4.2 Members of Scrutiny Committees

The role of Members is to :-

- Contribute to discussion on possible topics for overview and scrutiny.
- Discuss and collectively decide the clear remit for each review and how each will be undertaken.
- Not prejudge the outcome of a review until all the evidence has been heard.
- Prepare for meetings and visits (read briefing papers, prepare questions for witnesses etc).
- Ask probing questions rather than make statements when hearing evidence.
- Participate as fully in overview and scrutiny activities as time commitments allow (attending site visits, taking part in activities outside formal meetings such as focus groups or working parties).
- Maintain continuity during a review by attending meetings.
- Make recommendations based on their deliberations and information received.
- Respect the privacy and confidence of individuals and organisations invited to attend.
- Treat witnesses, officers and other Members with courtesy and consideration.
- Take part in training and development activities as provided.

### 3.4.3 Executive Members

Their role includes :-

- supporting the work of overview and scrutiny by ensuring that information is readily available, that they attend meetings as required or requested where matters within their portfolio are under discussion, that they consider recommendations made to them and respond to the Scrutiny Committee regarding such recommendations.
- Members of Cabinet are also entitled to attend meetings of Scrutiny Committees in an observer capacity. In this situation a Cabinet member may only speak with the consent of the Scrutiny Committee.
- In accordance with the Constitution, if asked by a Scrutiny Committee or Scrutiny Committee Chairman, a Cabinet member must attend a Scrutiny Committee and must be prepared to answer questions about and discuss the discharge of Executive functions relating to his / her portfolio and relevant to the work of the Scrutiny Committee. It is for the Executive Cabinet Members to answer questions about the Executive's policies and decisions.
- Agreement may be reached between the relevant Cabinet Member(s) and the Scrutiny Committee for the regular attendance of the Cabinet member to update the Scrutiny Committee on general performance issues or, for example, on emerging issues that the Cabinet intend to examine or on which they intend to put forward proposals in the coming months.

- It will be for the Cabinet Member and the relevant Scrutiny Committee to agree the parameters of any such arrangement.
- It has been agreed that a minimum of three times a year (or at the discretion of the Scrutiny Committee Chairman), the relevant Cabinet Member(s) will attend the Scrutiny Committee for a question and answer session which could be linked to the Quarterly Performance Monitoring Reports presented by the Heads of Service or Operational Managers.

#### 3.4.4 **Co-opted Members**

Co-opted members will either be statutory (in relation to education matters) or non-statutory, to provide community or specialist representation. Their role is to contribute to overview and scrutiny activities by :-

- Providing advice and information based on specific skills, knowledge and expertise.
- Participating in questioning and discussion.
- Participating fully in reviews (but not voting if a non-statutory member).
- Treating witnesses, officers and other Members with courtesy and consideration.

#### 3.4.5 **Witnesses – Outside the Council**

Witnesses may be invited to attend meetings as experts in the topic under review, users of services, stakeholders, other organisations involved in providing services. They may be asked to give presentations, answer questions or discuss issues. Their role is to provide reports, evidence, information, opinion or advice to the committee.

#### 3.4.6 **Witnesses – Inside the Council**

Internal witnesses will be officers or executive members. Their role is to :-

- Provide information, opinion or advice to the Committee.
- Explain decisions they have been involved in.
- Provide explanations regarding the implementation of Council policy.
- Provide information on performance in their areas of responsibility in relation to Council services and policies.

#### 3.4.7 **Democratic Services Officer**

##### i) **Specialist Role**

Support the Chairman, Vice-Chairman and Scrutiny Members in developing the scrutiny process and in their task of scrutinising decisions and monitoring the provision of services and implementation, including :-

- Further develop and keep under review the Scrutiny Handbook.
- Provide advice and assistance on Constitutional matters, scrutiny procedures and protocols.
- Recommend any changes considered appropriate to scrutiny protocols/ procedures and any Constitution-related amendments, which these may necessitate.
- Monitor the Cabinet Forward Work Programme to ensure Scrutiny Committees are consulted where proposed by the Cabinet.

- Co-ordinate the “call-in” procedure on behalf of Scrutiny Committees and ensure appropriate reports are prepared and relevant officers are in attendance where identified in accordance with the Overview and Scrutiny Procedure Rules.
- Provide, in an independent support capacity, a research service on matters other than those relating to service or performance management issues.
- Propose potential research and/or investigative projects or reviews arising out of Cabinet and/or Scrutiny reports or new initiatives/legislation on matters other than those relating to service or performance management issues.
- Produce analysis and research findings, improvement options, reports and presentations for Scrutiny Committees on matters other than those relating to service or performance management issues.
- Oversee, facilitate and undertake specified projects on behalf of Scrutiny Committees.
- Provide advice on the appropriate use of external witnesses and other relevant parties within the scrutiny process to support or enhance investigative review projects/analysis and to facilitate the attendance of such parties at Scrutiny Committees.
- Recommend investigation of good practice/procedures to support the scrutiny process.

## ii) **General Role**

To include :-

- Preparation, in consultation with the relevant Chairman and Vice-Chairman, of annual Work Programmes for Scrutiny Committees, taking into account the contents of the Cabinet’s Forward Work Programme, such Work Programmes to be prepared prior to the Annual Meeting of Council each year.
- To meet monthly (minimum frequency) with Chairmen and Vice-Chairmen to support their task of scrutinising decisions and implementing their respective Work Programme.
- To arrange agenda conferences and to ensure the attendance of relevant officers at such and to raise issues on timetabling of Work Programmes and specific reports where appropriate.
- To oversee the preparation/development and actioning of Scrutiny Committee Work Programmes, in conjunction with the relevant Chairman, Vice-Chairman and IDT Policy Officers, the latter to be involved where performance management or improvement work is required and which needs scheduling into both the Scrutiny and IDT Work Programmes.

## iii) **Scrutiny Meetings**

Democratic Services Officers’ role at meetings :-

- Attend and provide independent support.
- Provide advice on Constitutional matters.
- Keep a record of all such meetings.
- Provide question plans on those matters outside the remit of the IDT Team where required by Chairmen/Vice-Chairmen (copy for Members and

relevant Heads of Service / Operational Managers prior to the Scrutiny meeting).

iv) **Developing Scrutiny**

- Establish a monitoring process for examining the effectiveness of the scrutiny process - in association with IDT Policy Officers.
- Prepare and publish annual Scrutiny Committee Work Programmes, in liaison with the Chairmen/Vice-Chairmen and IDT Policy Officers.
- Prepare and publish annual Scrutiny reports in liaison with the Chairmen/Vice-Chairmen and IDT Policy Officers.

3.4.8 **Policy Officers (Improvement and Development)**

i) **Specialist Role**

Support the Chairman, Vice Chairman and Scrutiny Members in developing the scrutiny process from an independent perspective in relation to service improvement and performance management including :-

- Provide advice, assistance or research relating to service or performance management issues in an independent support capacity.
- Propose potential research and/or investigative projects or reviews arising out of Cabinet, scrutiny reports or new initiatives/legislation.
- Produce analysis and research findings, improvement options, reports and presentations for Scrutiny Committees to consider.
- Provide analytical and investigative information i.e. comparative performance information (analysis and interpretation).
- Undertake a project manager role in quantitative and qualitative investigative review projects.
- Consider appropriate use of external witnesses into scrutiny process to support or enhance investigative review projects/analysis.
- Recommend investigation of good practice examples to support reports, reviews or analysis.

ii) **General Role**

To include :-

- Attendance at Agenda Conferences, raising issues on timetabling of work programmes and specific issues on reports.
- Meet monthly with Chairman and Vice Chairman on performance and improvement issues.
- Develop Members in analysis and questioning techniques.
- Produce question plans where required (Chairman to decide whether a Question Plan is required on any particular report - IDT to produce with a copy to the relevant Head of Service / Operational Manager). A Question Plan will include suggested questions and supplementary questions that could be asked by elected members where appropriate.
- Where a Chairman/Vice Chairman requires a "one to one" briefing with an IDT Policy Officer, the service area concerned should be made aware of the areas that were discussed.
- IDT Policy Officers to act as auditor and adviser where performance and improvement issues are concerned.

- IDT Policy Officers to be involved in developing scrutiny work programmes in conjunction with Chairman, Vice Chairman and Democratic Services Officer (where performance management or improvement work is required and which needs scheduling into both scrutiny and IDT work programmes).

iii) **Scrutiny Meetings**

IDT role at meetings :-

- Attend and provide independent support.
- Provide clarification on performance and improvement issues.
- Provide question plans where required by Chairman/Vice Chairman (copy for Members and relevant Head of Service / Operational Manager prior to the Scrutiny meeting).

(iv) **Developing Scrutiny**

- Establish a monitoring process for examining the effectiveness of the scrutiny process – in association with Democratic Services Officers.
- Contribute to a published Annual Scrutiny Report.

3.4.9 **Monitoring Officer**

Advises on matters of probity in relation to overview and scrutiny and is responsible for ongoing review and revision of the Constitution.

## **4. OVERVIEW & SCRUTINY IN ACTION**

### **4.1 How is the Work of Overview and Scrutiny Determined ?**

#### **4.1.1 Pre / Post Decision Scrutiny**

With the exception of matters referred to Cabinet by a Scrutiny Committee or a report by Statutory Officers the decision on what Executive reports are placed on Cabinet agendas is a matter for the Leader and Cabinet generally. Consequently, the decision on whether a report which relates to an executive function should be made to Cabinet or Scrutiny Committee in the first instance similarly rests with the Leader and the Cabinet.

There may be certain emerging issues which could be reported to Scrutiny Committees in the first instance and also officer generated reports, for example on a category, function, circumstance or cost basis which could trigger a report being made to a Scrutiny Committee prior to the issue being considered by the Cabinet.

Due to the diverse business activities of the Council and to the difficulties in specifying clearly how such a system would work, a combination of circumstances needs to be provided for.

A system based upon the Green Paper / White paper system used in the Parliamentary model will be used to initiate consultation with Scrutiny Committees and other relevant stakeholders where significant policy proposals may be involved. Under such a system a report would be prepared in the form of a consultation paper, stating the desired outcome and the issues and options that need to be considered, including financial and human resource issues and legal implications and seeking views on how best the outcome can be achieved. There would not necessarily be any recommendations at this stage. This will enable Cabinet to draw upon the research and policy development expertise and potential of the Scrutiny Committee as well as give an indication of the way the Scrutiny Committee was thinking. Scrutiny Committees will need to take this into account when developing work programmes.

As far as other officer generated reports to Cabinet are concerned, the Leader, or the Leader after consultation with the Cabinet Member, will determine whether it would be advantageous to obtain the views of the relevant Scrutiny Committees before a formal Cabinet decision is made.

A Scrutiny Committee may, of course, call for a report on its own initiative. However, apart from that situation, most reports relate to executive functions which requires a resolution to be made by the Cabinet. The remainder of reports may require a decision by the Council but even in these circumstances it is a matter for the Cabinet to make the proposal, although the views of the Scrutiny Committee prior to the Cabinet considering such matters may be useful as they would provide an indication of how members outside the Cabinet view the situation.

Reports will, therefore, be presented to Scrutiny Committees in the first instance (ie before being reported to Cabinet) where:

- (i) the Cabinet commissions a report under a system similar to the Parliamentary system (i.e. Green Paper / White Paper).

- (ii) the Leader or Leader and Cabinet member agree where an executive function requires a Cabinet resolution and, possibly
- (iii) A report requires a decision by the Council.

Once the Executive have made their decision on an item the issue is concluded subject to the call-in procedure. Even if the Cabinet makes a decision and refers the matter to a Scrutiny Committee for information, it is important to note that the decision of Cabinet will be implemented in accordance with the Constitution unless the item is called in.

Once the call-in period has expired the matter can be placed on a Scrutiny Committee agenda for consideration at the request of a member of the Scrutiny Committee but the Cabinet decision stands unless the Cabinet agree to revisit the matter.

#### 4.1.2 Policy Development and Advice

Policy development represents a significant opportunity for adding value to work within the authority. In order to be able to contribute to developing policy, overview and Scrutiny Members need to be involved at an early stage to maximise its potential contribution. To be influential, overview and scrutiny needs to generate timely and credible contributions. It is also essential that information is provided to overview and scrutiny bodies in a systematic and appropriate way.

Scrutiny Committees must actively plan for the medium and longer term, drawing on key plans such as the Council's Corporate Plan and other strategic plans, the Medium Term Financial Plan and the Annual Budget. Scrutiny Committees also have a clear opportunity to play an important role in the development of the Council's policy and strategic responses to central Government policies and initiatives, and also to forthcoming legislation.

#### 4.1.3 Ensuring the Relevance of Issues for Overview and Scrutiny

There is potential for any issue which affects the social, economic or environmental wellbeing of the Vale of Glamorgan's citizens to be a suitable subject for review. However, in order to prioritise work a checklist has been drawn up against which potential items for review can be tested. This is intended as guidance and not as a constraint on the selection of items. However, it is essential that items to be reviewed or scrutinised should have a clear purpose and that the desired outcomes are identified at the discussion and selection stage.

**GUIDANCE FOR CHOOSING SIGNIFICANT TOPICS FOR SCRUTINY REVIEW (items would normally be expected to relate to more than one of the following guiding principles) :-**

- Corporate priority area.
- Issue consistently identified by Members as key through constituency activity.
- Service assessed as high impact/concern through consultation processes.
- Services identified by internal or external review as having poor or unsatisfactory performance

- Services which record high levels of dissatisfaction from customers.
- High budgetary commitment/overspend.
- Pattern of not reaching budget performance/action plan targets.
- Issue raised by external audit, management letter and inspection report.
- New government guidance or legislation being introduced.
- Not meeting statutory duties.
- Local concern, not necessarily the responsibility, or sole responsibility, of the Council.

As well as looking at the relevance of an issue selected against the guidelines above Scrutiny Committees should also ask the following :-

- Is it likely that we will make a difference if we undertake this review ?
- Is it likely to make a difference to the Council's policy framework ?
- Is it likely to help the Council perform better ?
- Is it likely that our recommendations will improve the lives of the citizens of the Vale of Glamorgan ?

#### **4.1.4 Identifying Issues for Scrutiny Review**

On an annual basis the overview and scrutiny work programme will be reviewed and developed for the next year. This will take place during February/March of each year. The programme will remain under review throughout the year and issues may be added or removed due to changes in priorities, urgent or important issues arising, or other factors requiring a change in the programme.

#### **4.1.5 Sources of Information for Developing the Annual Scrutiny Work Programme**

All Members will need to have access to a range of information to help them to identify key issues for inclusion in the annual work programme. The following outlines some of the sources of information that will be used on an annual basis to help members keep up to date on current issues for the Vale and the Council and to identify potential issues to be included in the work programme:

- Corporate Plan.
- Community Strategy.
- Cabinet Forward Work Programme.
- Medium Term Financial Plan.
- Annual Budget.
- Service Plans.
- Performance Monitoring Reports.

### **4.2 Undertaking Reviews - The Overview and Scrutiny Process**

#### **4.2.1 Identifying Items for Review**

These will usually be identified as part of the preparation of the annual work programme and through the continuous updating and monitoring of the programme. Items will normally be allocated well in advance of any review taking place. Identification could be through a number of routes as set out in this Section and could also arise through the following :-

- Items in the Executive Forward Plan.
- Decisions made by the Executive.
- National, regional or local issues of concern or interest to the area.
- Any member of a Scrutiny Committee may request that a matter relevant to the Committee be put on the agenda and discussed.

Reviews will be assessed against the agreed guiding principles for reviews. However, these are guidelines only and not a constraint on the range of items which could be considered.

#### 4.2.2 Briefings, Presentations or Reports

The initial stages of a review will depend on the nature of the issue being considered for review. In general, a presentation is a helpful way of giving members an overview of the topic and the key issues. These could be given by an officer or executive member, or, when appropriate, a representative of an external organisation. Some matters may be best set out in the form of a factual report: this could be the case for budgetary/financial issues. Consideration will normally take place at a formal/open meeting of the relevant Scrutiny Committee. If the review is to be undertaken by a Task and Finish Group, then the relevant Committee will, as part of its business, set the terms of reference and membership of the group and a date by which the Group should submit its report to the Committee.

#### 4.2.3 Scoping a Review

The next stage of any review would be to agree the scope of the review. This is carried out by the body to oversee the review and could be the main Scrutiny Committee or a Task and Finish Group (or, if agreed by the Committee, at the Agenda Conference with the Chairman and Vice Chairman of the Scrutiny Committee). The scoping may be carried out at an informal meeting of the body involved to allow for a free-ranging and exploratory discussion to take place. The Committee or Task and Finish Group would decide what officer attendance it required, if any. The scope would include :-

- The purpose and objectives of carrying out the review i.e. what is being done and the desired outcome, based on the terms of reference established.
- The specific work/topic areas to be covered.
- The evidence required, and if appropriate, the people who are to be interviewed.
- Questions for those to be interviewed in the earlier stages of the review in order that they can be informed in good time.
- Visits to be undertaken.
- Research to be undertaken.
- Areas of work allocated to individual or groups of members of the body undertaking the review.

See template for “Scoping a Review”.

Officers from Democratic Services and the Improvement and Development Team will work with the Scrutiny Committee or Task and Finish Group to ensure that appropriate and adequate resources (e.g. funding/staffing) are available for the review, including the commissioning of external support should that be necessary. The officers will also draw up a project plan based on the scoping session.

#### 4.2.4 Proceeding with a Review

Each review will proceed having due regard to the Council's agreed review methodology :-

- Reviews will usually have a target date established for completion.
- interviewing of witnesses may take place at the full Committee, Sub Committee (which are open to the general public). An exception would be if there is to be exempt or confidential information to be disclosed or discussed. Interviewing of witnesses may also take place at any Task and Finish Group established. The nature of the meeting at which questioning will take place should be made clear to those being questioned.
- Executive Members may be required to attend to provide information and answer Members' questions.
- As the review proceeds other areas of investigation may become apparent and can be timetabled into the process, taking into account agreed timescales.
- Most reviews will result in the compilation of a report with recommendations that will be forwarded to the appropriate body, which in most cases is likely to be the Cabinet or Council.
- Some limited reviews may be concluded by the forwarding of a minute of the reviewing Scrutiny Committee to the appropriate body.

#### 4.2.5. Process for Undertaking a Scrutiny Review

The methodology for completing a Scrutiny Review will be more flexible than for full or desk-top reviews that have been undertaken in previous years. The scope of such a review will be limited in size and scope, and the approach should be tailored to the topic under investigation.

However, all scrutiny reviews should include:

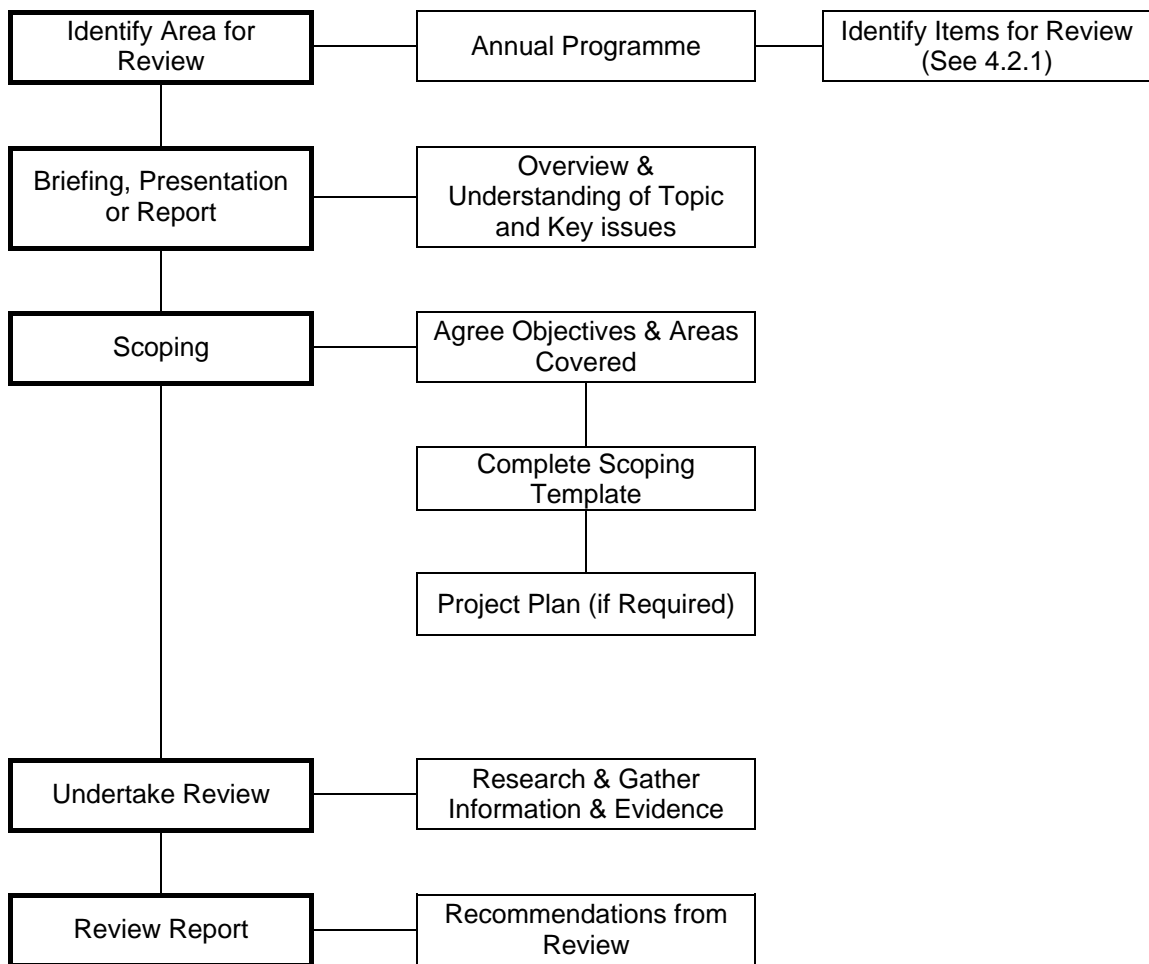
- an equalities assessment;
- a sustainability assessment;
- final recommendations and action plan based on the outcomes of the review.

Scrutiny reviews may also include, depending on their subject matter and scope:

- a baseline profile
- an outline of areas of concern
- literature search and strategy analysis
- SWOT and/or PESTLE analysis
- site visits
- use of quality standards
- an investigation of good/notable practice
- visits to agencies which are known to evidence good/notable practice
- performance data, including trends and comparisons
- financial data, including trends and comparisons
- qualitative and/or quantitative consultation data
- process mapping and benchmarking
- investigation of potential collaborations
- investigation of alternative suppliers
- expert witnesses and/or testimony

Scrutiny reviews should include the involvement of partners from other agencies and sectors (including business, community and voluntary) where this is appropriate and would add value to the outcome of the review.

This process can be summarised by the diagram overleaf.



\* Some reviews may not necessitate the completion of a baseline profile.

### 4.3 Final Reports For Scrutiny Reviews

The following is intended as a guide to Chairmen, Committees and relevant officers in preparing final reports at the conclusion of a scrutiny review. The body of the report should include the following :-

- An Executive Summary.
- Introduction (include background to review and methodology).
- Findings.
- Recommendations (complete Scrutiny Review Response Template).
- Appendices (where required).

#### 4.4 Scrutiny Reports - Where do Review Reports Go ?

Scrutiny Committees can make recommendations to the Cabinet and/or Council. Although these are the formal reporting routes there will be other recipients of overview and scrutiny recommendations that the Committee will wish to influence. The following table shows the possible routes for overview and scrutiny reports and some issues for consideration.

Recipient of Scrutiny Report	Issues to Consider
<b>Council</b>	<ul style="list-style-type: none"> <li>• Is this a policy change or development that needs to be approved by the whole Council ?</li> <li>• When is the appropriate time for this issue to be debated by Council ?</li> <li>• Does there need to be any briefing of Members before the Council meeting to help them understand the details of the report ?</li> </ul>
<b>Cabinet</b>	<ul style="list-style-type: none"> <li>• Is this an issue that will influence a decision of the Executive ?</li> <li>• When should it be timetabled to best assist the Executive ?</li> <li>• Who will present the findings and report to the Executive ?</li> </ul>
<b>Executive Member (portfolio member)</b>	<ul style="list-style-type: none"> <li>• Is this an issue that will affect a decision of an individual Executive Member ?</li> <li>• Executive Members should be given early information on the details of a proposed review and, when relevant, be consulted about the timetabling.</li> </ul>
<b>Corporate Management Team</b>	<ul style="list-style-type: none"> <li>• Will the recommendations affect the responsibilities of the Corporate Management Team - individually or collectively ?</li> <li>• The relevant Corporate Director should be aware of the overview and scrutiny exercise. On most occasions, it will be appropriate to seek the initial views of the relevant Director or Corporate Management Team as a whole before formal submission of the recommendations to Council / the Executive.</li> </ul>
<b>Outside body</b>	<ul style="list-style-type: none"> <li>• Do the recommendations affect an outside body (particularly health in view of statutory responsibilities of the Council) ?</li> <li>• Will these bodies need time to respond to the recommendations?</li> <li>• Are there key timetabling issues affecting the timing of the report - for example statutory consultation requirements ?</li> <li>• Will it affect how the Council operates ?</li> </ul>

#### 4.5 What if Members Can't Agree on the Recommendations ?

Wherever possible, Scrutiny Committees will seek to reach a consensus on their recommendations and submit their report as a whole Committee or Task and Finish Group. However, there may be occasions where not all Members agree. In these instances, Members having a different view may choose to submit a minority report which would then follow the same reporting routes as the formal scrutiny report.

#### 4.6 Follow Up

All recommendations and requests for responses made in final reports of overview and scrutiny reviews will be followed up. The Cabinet will consider any report within six weeks of its completion. It may also update the Committee or Task and Finish Group as the matter under consideration is taken forward. Members may make specific requests for issues to be brought back to the relevant Committee and officers will keep a record of recommendations and their outcomes.

This information will help to check the progress of overview and scrutiny in making a difference to the Council's policy framework, helping the Council perform better and in improving the lives of the citizens of the Vale of Glamorgan. This will be reported in the annual overview and scrutiny report.

#### **4.7 Evaluation**

At the conclusion of each review an evaluation will take place between the Members of the review panel, internal Council officers and external witnesses (see "Checklist for Learning from Scrutiny Review Process"). Views expressed in the evaluation will help to identify areas for improvement and potential development needs.

#### **4.8 Training**

A continuing programme of training for Members and for officers, covering skills needed to conduct reviews, will ensure the continuing development of the overview and scrutiny function.

#### **4.9 Media Relations**

The overview and scrutiny function will raise the profile of, and promote interest in, issues being considered. Scrutiny Chairmen and Vice-Chairmen may be the focus of media interest about current reviews. Contact with the press will be through the Communications Team and should focus on the interests of the Council and the local area and remain non – political. All press reporting will be in accordance with the Council's media protocols and the Public Relations Code of Practice.

## **5. PROTOCOLS**

### **5.1 Introduction**

Protocols have been developed to assist in the overview and scrutiny process in the Council, these being :-

- Witness evidence.
- Questioning techniques.
- Using the media.

These are outlined below.

### **5.2 Witness Evidence**

#### **5.2.1 Questioning Officers and Members**

Questions should not be asked in a way which could be interpreted as harassment nor be asked about matters of a disciplinary nature. Scrutiny proceedings must not be used to question the capability or competence of officers. Members need to make a distinction between reviewing the policies and performance of the Council and its services and appraising the personal performance of staff. The latter is not a Scrutiny function. Chairmen and the Committee should also consider the seniority of the Officers it would be appropriate to call to appear before the Committee. In all cases, the most appropriate officer to answer the questions should be requested to attend. This will be assisted by the development of question plans and timed agendas.

#### **5.2.2 Listening and Representing**

Members have an important role both in listening to and representing the views of local people and representative organisations. Dialogue needs to be established with all sections of the community to be aware of the diverse needs and views of different groups. For example a review could be conducted on how certain decisions have affected a particular community or a particular area, taking advice from individuals and community groups.

#### **5.2.3 External Witnesses**

External witnesses can be an essential part of undertaking an overview and scrutiny review and their evidence will be an invaluable source of information. Attending a Scrutiny Committee or Task and Finish Group may be a new experience to some and it should be remembered that external witnesses are attending on a voluntary basis. The following guidance is intended to help make sure the experience is positive and stress free for witnesses. The Committee / Task and Finish Group will :-

- Give the witness as much notice as possible of the time, date and place of the meeting at which their evidence is to be taken.
- Inform the witness of the purpose of the review and the areas on which the overview and scrutiny body will want to question them.
- Where possible give the witness a list of questions, or the line of questioning, in advance, explaining that this will not be a restrictive list.
- Provide the witness with copies of reports, papers and background information where appropriate.

- Request any written documents in support of the witness’s evidence and indicate if any presentation is requested for the meeting.
- Invite the witness to submit written evidence and, where this is provided, it should, wherever possible, be circulated to the Committee in advance of the witness’s attendance.
- Explain to the witness that the meeting will be open to the public and press and that all reports are public documents unless they contain exempt or confidential information.
- Respect the right of the witness to decline to attend, or to submit written evidence rather than appearing in person.
- Arrange for the witness to be introduced to the Chairman of the meeting prior to the proceedings.
- Introduce the witness to the Committee.
- Ensure that all witnesses are treated with courtesy and respect.
- Ensure that all questions to the witnesses are made in an orderly manner under the direction of the Chairman and that members do not make statements.
- Provide information on claiming expenses where appropriate.

The Council’s Guidelines for “External Experts Attending Scrutiny Committees as Witnesses” should be utilised by Members and Officers of the Council. A copy is provided at the back of the Handbook and the Guidelines should always be provided to external witnesses prior to the Scrutiny Committee they are attending (see Guidelines).

#### 5.2.4 Officers Called to Scrutiny as “Witnesses”

There will be occasions where internal officers will be required to provide evidence on any aspect of their service. The Council’s Guidelines for “Officers Called by Scrutiny Committees as Witnesses” should be utilised by Members and Officers of the Council. A copy is provided at the back of the Handbook (see Guidelines).

### 5.3 Questioning Techniques

#### 5.3.1 Questioning to Gain the Most from External Witnesses & Officers

The evidence of external witnesses and officers will potentially be a valuable source of information for Members. However, if the questions are not the right ones they may not be effective in soliciting the best information from the witness and therefore the most effective contribution to the review.

#### 5.3.2 Question Types

Most people will be familiar with the two basic question types “open” and “closed”. These can be described as follows :-

<b>Open</b>	Requires more than a ‘yes’ or ‘no’ answer and stimulates further discussion on the issue, for example :- <ul style="list-style-type: none"> <li>• How do you think your proposals will contribute to improving this service ?</li> </ul>
<b>Closed</b>	Requires a brief factual answer and closes off discussion, for example :- <ul style="list-style-type: none"> <li>• What is your name ?</li> </ul>

However, there are also some questioning styles which can elicit different types of response and therefore different outcomes. In preparing to question witnesses it might be helpful to think about the way in which questions can be asked to get the outcomes that you are looking for.

<b>Fact Finding Questions</b>	<p>Seek verifiable data such as who, what, where, when, how much. Use to gather information about the situation i.e.</p> <ul style="list-style-type: none"> <li>• How much have we spent on this service this year ?</li> <li>• Who was consulted before the changes were implemented ?</li> </ul>
<b>Opinion Finding Questions</b>	<p>Ask for subjective information that gets at opinions, values or beliefs. They will help you understand views i.e.</p> <ul style="list-style-type: none"> <li>• Do you think people understand the services available ?</li> <li>• How do you feel the consultation went ?</li> </ul>
<b>Tell me More Questions</b>	<p>Can help find out more about what the witnesses are saying. They will encourage the speaker to provide more details i.e.</p> <ul style="list-style-type: none"> <li>• You mentioned costs a moment ago - can you be more specific ?</li> <li>• Explain that in more detail for us ?</li> </ul>
<b>Best/Least Questions</b>	<p>Help you understand potential opportunities in the present situation. They help to test the limits of participant's needs and wants i.e.</p> <ul style="list-style-type: none"> <li>• What is the best thing about the service we offer ?</li> <li>• What is the worst thing about the way we publicise our services ?</li> </ul>
<b>Third Party Questions</b>	<p>Can help people express sensitive information and help uncover thoughts in an indirect manner i.e.</p> <ul style="list-style-type: none"> <li>• Some people say it takes too long to get a response from our services. How does that sound to you ?</li> <li>• There is some concern that not enough has been done to address this problem. Can you relate to that concern ?</li> </ul>
<b>“Crystal Ball” Questions</b>	<p>Can help to remove obstacles from a person's mind and let you explore their true wishes i.e.</p> <ul style="list-style-type: none"> <li>• If time and money were no object, what sort of computer system would you design for the department ?</li> </ul>

### 5.3.3 Questioning “Do’s and Don’ts”

To make the best use of the time available for a witness it is important to think about not only the type of question but also the way in which it is asked. The following suggests some issues to think about.

<b>Do’s</b>	<b>Don’ts</b>
<ul style="list-style-type: none"> <li>• Ask clear concise questions covering a single issue</li> <li>• Ask challenging questions that will stimulate thought</li> <li>• Ask reasonable questions based on what witnesses will know about</li> <li>• Ask honest and relevant questions</li> <li>• Ask a question</li> </ul>	<ul style="list-style-type: none"> <li>• Ask rambling, ambiguous questions that cover a number of issues</li> <li>• Ask questions that don’t provide opportunity for thought</li> <li>• Ask questions about issues not in the witness’s knowledge</li> <li>• Ask “trick” questions designed to confuse them</li> <li>• Make a statement</li> </ul>

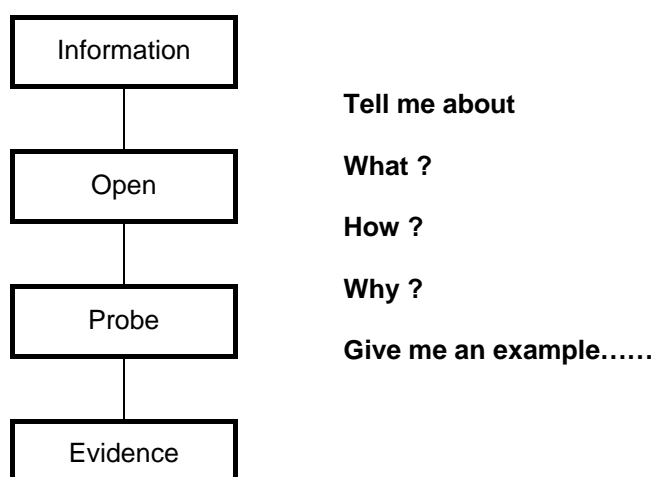
### 5.3.4 Guidelines for Questioning

There are a number of principles that should be adopted in all scrutiny questions :-

- Decide what type of question will get the information you want.
- Think about the specific question you need to ask (and follow up questions – see below).
- Ask specific, clear open or closed questions – preferably using the former more often.
- Avoid leading, multiple and judgemental questions.
- Give the other person time to hear and understand the question and think of the response.
- Live with the silence. A silence is often an indication that a thoughtful question has been asked.
- Concentrate on listening to answers rather than thinking of your next question. It is often very effective to summarise the response as a way of checking understanding.

### 5.3.5 Follow Up Questions

A framework or lines of questioning adopted for any Scrutiny review are suitably developed by active listening and the use of appropriate follow-up probes so that sufficient information is extracted to be helpful in the sifting of evidence and its subsequent analysis :-



### 5.3.6 Active Listening

A critical, and sometimes underdeveloped, technique for questioning witnesses is active listening which means ensuring that the talker feels s/he is being heard and understood. Messages are conveyed not only with words but also through non-verbal cues. Reading body language means you are much more likely to get the whole message. You need to hear not only what the speaker is saying but also to gain a sense of what is behind the words.

Active listening builds rapport and involves the following :-

<b>Looking Attentive</b>	Members review groups will need to show that they are listening through appropriate “body language”.
<b>Giving Encouragement</b>	Give appropriate verbal and non-verbal responses.
<b>Keeping and Open Mind</b>	Members should seek not to overreact to initial responses. Ultimately, that may lead to pre-judging the review conclusions or recommendations. Continue to pay attention as the witnesses develop their responses and probe as necessary.
<b>Controlling the Flow</b>	When sufficient information has been received (see 5.3.7 below).
<b>Thinking Ahead</b>	Everyone thinks more clearly than they can talk. Good listeners listen carefully to hear what witnesses say rather than allow themselves to run ahead to the making of assumptions.
<b>Checking It out</b>	Effective listening involves understanding by paraphrasing and reflecting what has been said by witnesses.
<b>Listening Between the Lines</b>	This involves not only listening to the words but also to the way that they are said and to the feelings behind them. This will lead to a clearer understanding of the responses.
<b>Summarising</b>	At the end of the main element of a response to a question, the Chairman may find it useful to summarise the main points which the witness has made.
<b>Structuring and Guiding</b>	The Chairman can make statements to help structure how the rest of the interview will progress. This helps the witness to remain aware of the issues and questions which the Scrutiny Committee is trying to resolve and the order in which it wants to do this.

### 5.3.7 Controlling the Flow

It is sometimes necessary to control the flow of a meeting so that it keeps to time and the most useful information is gleaned from witnesses. This may involve opening people up more, probing and encouraging them to speak, or it may mean shutting them down and preventing waffle. A useful technique for probing is to use the respondee’s exact words back to them. Reflecting in this way, helps you to explore a point further and enables you to probe points of interest in a less obtrusive way. Techniques for shutting people down vary from subtle body language to direct statements that you’ve hear enough and you need to move on. Body language is a very important aspect of non verbal communication and can be used effectively to help control the flow. It should be acknowledged that witnesses should be talking for 80 to 90% of the time and you should avoid getting drawn into a dialogue with them (you learn nothing about their views from the sound of your own voice !).

## 5.4 Using the Media

### 5.4.1 Background

The media has an important role to play in providing information to the public about the Vale of Glamorgan Council and its policies, decisions, services and activities. The overview and scrutiny process may well generate media interest as it is vital to the effective running of the Council, monitoring the decision-making process and making recommendations to the Executive and the authority as a whole. Media interest will also be sought to help encourage participation by the public, where appropriate, in scrutiny activity. This protocol governs how the work of Scrutiny Committees and related bodies is publicised through the media. It identifies key spokespeople; guides how press releases are issued and media enquiries responded to, and explains the role of the Communications Team in this process.

#### **5.4.2 Key Spokespeople**

The key media spokesperson on any issue directly related to Overview and Scrutiny will be the Chairman of the relevant Scrutiny Committee. As key spokesperson, the Chairman will be consulted about any media interest in relation to issues within their specific areas of responsibility and reporters may be directed to them for a comment. They may also be quoted or featured in publicity such as press releases and photocalls. The key spokesperson will represent the views of the Committee and not their own personal or political party views. On issues which relate more generally to the work of the Council as a whole and its services and which are not specifically related to the Overview and Scrutiny function, the key spokespeople are generally the Leader, Deputy Leader or relevant Cabinet Member within a portfolio area.

#### **5.4.3 Press Releases & Statements - Publicising the Work of Overview & Scrutiny**

The Communications Team in the Chief Executive's Department will be responsible for issuing press releases and statements on issues relating to Overview and Scrutiny. Where a press release or statement is needed to publicise the work of a Scrutiny Committee, or a Task and Finish Group or to respond to media interest, the Communications Team will liaise with the relevant key spokesperson on content and a suitable quote and also with relevant officers for factual information. At the commencement of a review, consideration will be given by the Chairman and other members as appropriate, of the reviewing body, officers from Democratic Services, the Improvement and Development Team and a representative of the Communications Team issuing the press release. Further press releases will be considered as the review progresses, culminating with publicity when the final report is published and any follow up. All press releases are issued by the Communications Team using the clearly branded corporate press release format.

#### **5.4.4 Media Enquiries**

All enquiries from the media relating to overview and scrutiny issues will either be referred directly to the relevant key spokesperson or discussed with them and relevant officers prior to an appropriate response being given by the Communications Team.

#### **5.4.5 Individual Members**

It is the prerogative of individual members of Scrutiny Committees to make their own statements relating to their involvement. However, they are advised to liaise with appropriate spokespeople and officers on media issues to ensure a consistent and co-ordinated approach.

#### **5.4.6 "Party Politics"**

Nothing in this protocol precludes any political group from issuing its own media information. However, this should not be done through the Communications Team and it must be clear that the information has not come from the Council. The work of the Communications Team, including the issuing of press releases, is carried out on behalf of the Council and should not be party political as specified in the Government's Code of Practice on local authority publicity.

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# Guidelines

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The following Guidelines are available :-

1	External Experts Attending Scrutiny Committees as "Witnesses"
2	Officers Called by Scrutiny Committees as "Witnesses"

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# Guidelines for External Experts Attending Scrutiny Committees as “Witnesses”

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## Guidelines for External Experts Attending Scrutiny Committees as “Witnesses”

This guide refers to “witnesses” and the “giving of evidence” but this does not imply that Scrutiny Committees are bodies convened with any legal power over those who attend them. It should be emphasised that aside from employees of the Council, Scrutiny Committees have no powers to compel the giving of evidence or requiring the production of any documentation. Nevertheless, Scrutiny Committees do perform an essential function on behalf of the people of the Vale of Glamorgan in looking at policy and practice which will often have a vital part to play in services provided to the community. It is hoped that those invited to give evidence will agree to do so in the interests of the community which it is intended to benefit by the debate that ensues. Although at times the Scrutiny Committees will have difficult questions to ask they are always grateful for the help and co-operation they receive. “Witnesses” can include: -

- Voluntary Sector Representatives.
- Professional Experts.
- Service Users.
- Community Groups.
- Local Employers.
- Councillors and Officers.

The Committees will consider all the evidence they have collected before making recommendations to the Executive (known as the Cabinet) on how services could be improved or developed to best meet the needs of Vale’s residents and businesses. Some frequently asked questions on the scrutiny process are answered below.

### 1. What are Scrutiny Committees ?

- Scrutiny Committees consist of elected Members who are not members of the Vale’s decision-making Executive.
- The Committees can examine all functions and responsibilities of the Council.
- To fulfil the Council's community leadership role, Scrutiny Committees look at issues affecting the wider community.
- Scrutiny Committees assist the Executive in improving and developing services.

### 2. What are the Aims of Scrutiny Committees ?

- To hold the Executive to account and to examine specific areas with a view to influencing the development of policies (Scrutiny Committees don't make decisions).
- To ensure the continuous improvement of services in the Council with a particular focus on outcomes for the community.
- To ensure that the experience and knowledge of businesses, community groups, service providers and service users are used to develop the Council's services.

### 3. **How do Scrutiny Committees work ?**

Scrutiny Committees collect evidence from a wide variety of sources, including: -

- Questioning “witnesses” or experts.
- Literature research or reviews.
- Surveys.
- Taking written submissions from professionals, businesses & community groups.

### 4. **If I am Asked to Attend, What Will Members Ask Me ?**

You will receive a written invitation to the meeting and this will include details of the areas you will be asked questions on. Some Scrutiny Committees may prepare lists of questions in advance but witnesses should not expect the Scrutiny Committee to restrict itself to these. The Committee will have invited you along to provide them with information that will help it make evidence-based recommendations on the further development of services. You won't have to answer questions which you feel unhappy answering and it is fine to tell the Committee when you don't know the answer to a question. If for any reason you want to give some or all of your evidence in private please contact one of the Democratic Services Officers (details below).

### 5. **How Should I Prepare to be a Scrutiny Committee “Witness” ?**

Following these few easy steps will ensure that you use your time at the meeting to maximum effect :-

- Read all the papers for the Committee meeting you have been sent. This will ensure that you have knowledge of the key concerns or developments being explored by the Committee.
- Prepare a list of information you would like to provide to the Committee but do not prepare a presentation unless the Committee has specifically requested one.
- As time for oral evidence may be limited, all witnesses are invited to submit written evidence beforehand. This helps to make oral evidence more productive, as Members have the witnesses' statements in front of them. Written evidence should be restricted to any factual information they have to offer from which the Scrutiny Committee might be able to draw conclusions (or which could be put to other witnesses for their reactions).
- Recognise that Committee Members may not be experts in your area. Try to avoid jargon or professional speak when giving answers.
- Talk to officers supporting the Committee. These officers will be able to tell you the Committee's expectations of you.
- Attending a Scrutiny Committee offers a good opportunity to present your organisation's knowledge and experiences directly to Councillors.

### 6. **Further Information**

When we invite you to attend please let us know if there is anything we can do to make it easier for you to attend and participate. If you have any suggestions for improving the process or if you want any further information on Scrutiny Committees please contact one of the Democratic Services Officers below.

Scrutiny Committee	Democratic Services Officer	Contact Details
Community Wellbeing & Safety	Karen Bowen	01446 709856 <a href="mailto:kbowen@valeofglamorgan.gov.uk">kbowen@valeofglamorgan.gov.uk</a>
Economy & Environment	Lorraine Pugh	01446 709412 <a href="mailto:jlpuh@valeofglamorgan.gov.uk">jlpuh@valeofglamorgan.gov.uk</a>
Lifelong Learning	Chris Hope	01446 709855 <a href="mailto:chope@valeofglamorgan.gov.uk">chope@valeofglamorgan.gov.uk</a>
Corporate Resources	Jeff Rees	01446 709413 <a href="mailto:jerees@valeofglamorgan.gov.uk">jerees@valeofglamorgan.gov.uk</a>

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# Guidelines for Officers When Called by Scrutiny Committees as “Witnesses”

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## Guidelines for Officers When Called by Scrutiny Committees as “Witnesses”

Scrutiny Committees perform an essential function on behalf of the people of the Vale of Glamorgan in looking at policy and practice which will often have a vital part to play in services provided to the community. It is hoped that those called to give evidence will do so in a non-defensive manner in the interests of the community which it is intended to benefit by the debate that ensues. Directors and managers welcome the opportunity provided by a review to learn more about their service performance and will find it instructive to hear how it is perceived by others. Reviews are key to meeting the Council’s agenda for continuous improvement. Committees consider evidence they have collected before preparing a formal report making recommendations to the Executive on how services could be improved or developed to best meet the needs of Vale residents and businesses. Some frequently asked questions on the scrutiny process are answered below.

### 1. What are the Aims of Scrutiny Committees ?

- To hold the Executive to account and to examine specific areas with a view to influencing the development of policies (Scrutiny Committees don't make decisions).
- To ensure the continuous improvement of services in the Council with a particular focus on outcomes for the community.
- To ensure that the experience and knowledge of businesses, community groups, service providers and service users are used to develop the Council's services.

In other words, the purpose of scrutiny is to examine how well the Executive and the Council are performing. Wherever possible, it will concentrate on outcomes for the community, not on inputs. It is a mechanism for promoting the best interests and wellbeing of the community. Scrutiny reviews should therefore adopt the role of “critical friend” and focus on strategic issues and take a community perspective rather than re-running Executive debates.

### 2. How do Scrutiny Committees work ?

- Questioning “witnesses” or experts.
- Literature research or reviews.
- Surveys.
- Taking written submissions from professionals, businesses & community groups.

### 3. How Will I Know When a Scrutiny Committee is Looking at a Service I Manage ?

During the scoping process, the relevant service will be approached by the Democratic Services Officer supporting the review with a view to obtaining some input from service officers. This will provide an opportunity to clarify any misconceptions and ensure that the Members involved have heard some of the

views of the service at the outset. Moreover, Scrutiny Committees will periodically agree work programmes and copies of these work programmes will be forwarded to the relevant Heads of Service.

#### **4. What Information Must I Provide ?**

This guide refers to “witnesses” and the “giving of evidence” but this does not imply that Scrutiny Committees are bodies convened with any legal power over those who attend them. It should be emphasised that Scrutiny Committees do have powers to compel the giving of evidence or requiring the production of documentation from employees of the Council. Specifically the Constitution states that "any Scrutiny Committee... may require any Executive Member and/ or any senior officer to attend before it to explain... (i) any particular decision or series of decisions; (ii) the extent to which the actions taken implement Council policy; and/or (iii) their performance...". Employees attending Scrutiny Committees must abide by the Code of Conduct in the Constitution governing officers of the Council. Members should always conduct their relations with courtesy and respect for officers and are reminded to question the information not the officer. It is inappropriate for Members to criticise individual officers personally in public forums where officers have no opportunity to respond. All parties are expected to conduct themselves in a way that promotes objectivity, accountability and openness (with the exception of disclosure of confidential information). The constitution also states that "it shall be the duty of all officers to comply with requests for information and assistance to enable the Scrutiny Committees to discharge their responsibilities effectively."

#### **5. If I am Asked to Attend, What Will Members Ask Me?**

You will receive an invitation to the meeting and this will include details of the areas you will be asked questions on. Some Scrutiny Committees may prepare lists of questions in advance but witnesses should not expect the Scrutiny Committee to restrict itself to these. The committee will have invited you along to provide it with information that will help it make evidence-based recommendations on the further development of services. Employees must use their best endeavours to answer questions as fully as possible. Where information which would assist the Scrutiny Committee is not immediately available, the employee should draw the attention of the Chairman to the existence of information or another person which might or who may be able to answer the question posed if this is known to them. In keeping with the spirit of transparency and openness, Scrutiny Committees are required to meet in public save in exceptional circumstances specifically authorised by law. Likewise, evidence submitted may also be referred to or commented upon in public. If you want to give some or all of your evidence in private, because you feel confidential or exempt information is likely to be disclosed, please contact the Operational Manager of Democratic Services

#### **6. How Should I Prepare to be a Scrutiny Committee “Witness” ?**

Following these few easy steps will ensure that you use your time at the meeting to maximum effect :-

- Read all the papers for the Committee meeting you have been invited to. This will ensure that you have knowledge of the key concerns or developments being explored by the Committee.
- Check with other officers in your department working on similar areas to ensure that the views you are bringing to the Committee are representative of your department's work.

- Do not prepare a presentation unless the Committee has specifically requested one.
- As time for oral evidence may be limited, all witnesses are invited to submit written evidence beforehand. This helps to make oral evidence more productive, as Members have the witnesses' statements in front of them. Written evidence should be restricted to any factual information they have to offer from which the Scrutiny Committee might be able to draw conclusions (or which could be put to other witnesses for their reactions).
- Be prepared to give your views honestly and with integrity.
- Recognise that Committee Members may not be experts in your area. Try to avoid jargon or professional speak when giving answers.
- Attending a Scrutiny Committee offers a good opportunity to present your department's knowledge and experiences directly to Councillors.

## 7. **Scrutiny Committee is Looking at a Report I've Written. Do I Have the Right to Speak ?**

Committee Members will identify the people they wish to hear from at their meetings. Sometimes they may and sometimes they may not wish to hear from the report author. However, it is a useful exercise to write all reports as if a Scrutiny Committee will consider them. It is often confusion about the purpose or implications of a recommendation that results in Members questioning reports.

## 8. **Further Information**

When we invite you to attend please let us know if there is anything we can do to make it easier for you to attend and participate. If you have any suggestions for improving the process or if you want any further information on Scrutiny Committees please contact one of the Democratic Services Officers below.

<b>Scrutiny Committee</b>	<b>Democratic Services Officer</b>	<b>Contact Details</b>
Community Wellbeing & Safety	Karen Bowen	01446 709856 <a href="mailto:kbowen@valeofglamorgan.gov.uk">kbowen@valeofglamorgan.gov.uk</a>
Economy & Environment	Lorraine Pugh	01446 709412 <a href="mailto:lpugh@valeofglamorgan.gov.uk">lpugh@valeofglamorgan.gov.uk</a>
Lifelong Learning	Chris Hope	01446 709855 <a href="mailto:chope@valeofglamorgan.gov.uk">chope@valeofglamorgan.gov.uk</a>
Corporate Resources	Jeff Rees	01446 709413 <a href="mailto:jerees@valeofglamorgan.gov.uk">jerees@valeofglamorgan.gov.uk</a>

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# Templates

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Following templates to be used :-

1	Checklist for Scoping a Review
2	Scrutiny Review Responses
3	Checklist for Learning from Scrutiny Review Process
4	Overview and Scrutiny Handbook – User Feedback

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## Checklist for Scoping a Review

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<b>Scrutiny Committee</b>	
<b>Scrutiny Chairman</b>	
<b>Scrutiny Review</b>	
<b>1</b>	<b>Review Focus</b>
<b>2</b>	<b>Objectives and Purpose of the Review</b>
<b>3</b>	<b>Desired Outcomes of the Review</b>
<b>4</b>	<b>Information Required</b>
<b>5</b>	<b>Format of Evidence</b> <ul style="list-style-type: none"> <li>• Briefing/report</li> <li>• Presentation</li> <li>• Background information</li> <li>• Commissioned research</li> <li>• Responses to members' questions</li> <li>• Verbal/written evidence</li> <li>• Site visits</li> </ul>
<b>6</b>	<b>Methods to be Employed</b>

	<p>At regular meetings  At special / extraordinary meetings  Sub Committees / Working Groups  Visits</p>
<b>7</b>	<b>External Witnesses and Council officers</b>
<b>8</b>	<b>Co-options to Review Body (if any)</b>
<b>9</b>	<b>Timescales (including start and finish dates)</b>
<b>10</b>	<p><b>Responsible Officers (insert names)</b></p> <ul style="list-style-type: none"> <li>• Improvement and Development Team</li> <li>• Democratic Services Officers</li> </ul>
<b>11</b>	<p><b>Resources and Budget</b></p> <ul style="list-style-type: none"> <li>• Specialist Staff</li> <li>• External Support</li> <li>• Other</li> <li>• Budget Allocated</li> <li>• Staff Time Required</li> </ul>
<b>12</b>	<p><b>Final Report</b></p> <ul style="list-style-type: none"> <li>• Format (full report or minute)</li> <li>• To be submitted to</li> <li>• To be presented by</li> </ul>

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# Scrutiny Review Responses

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## References from Cabinet to Scrutiny

<b>Scrutiny Committee</b>	
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No. for Information	No. For Consultation	No. Noted/Endorsed by Scrutiny	No. of Recommendations to Other Committees/Council for Further Reports	No. of Recommendations Referred to Cabinet	Cabinet Decision		
					Noted	Accepted	Rejected

# Checklist for Learning from Scrutiny Review Process

<b>Scrutiny Committee</b>	
<b>Scrutiny Chairman</b>	
<b>Scrutiny Review</b>	
<b>1</b>	<b>Was the scoping of the scrutiny review adequate ?</b>
<b>2</b>	<b>Were the outcomes clear ?</b>
<b>3</b>	<b>Did we achieve our outcomes ?</b>
<b>4</b>	<b>What went well ?</b>
<b>5</b>	<b>What did not go so well ?</b>
<b>6</b>	<b>Did we have the right skills to conduct the review ?</b>
<b>8</b>	<b>Was the right evidence gained ? Did we have the right information ?</b>

<b>9</b>	<b>Was it clear where our recommendations would be considered ?</b>
<b>10</b>	<b>Will the recommendations or findings be acted upon ?</b>
<b>11</b>	<b>How will we know whether the scrutiny review has made a difference ?</b>
<b>12</b>	<b>Follow Up Actions - What follow up should there be and by whom ?</b>
<b>13</b>	<b>Lessons Learned - What would make our next scrutiny review more effective ?</b>

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# Overview and Scrutiny Handbook

## User Feedback Form

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### Procedure for User Feedback

1. If any Members or officers have any comments or suggested amendments to the contents of this Manual, then the User Feedback Form (see next page) should be completed and sent to the Operational Manager Democratic Services.
2. The OMDS will assign a Feedback Reference No. to the individual feedback form and complete the Document Update Procedure i.e. either :-
  - Agree to incorporate the feedback without referral, or
  - OMDS to approve feedback (after further discussion if required).

Feedback should be provided back to the originator of the feedback form i.e. accepted or rejected.

3. The Manual to be available on the Internet and Intranet for all staff and Members to access. The OMDS to amend the Manual in March of each year for re-publishing in April each year. However, if there is an urgent amendment required, then this can be co-ordinated immediately and the updated version replaced on the Internet/Intranet.

# Overview and Scrutiny Handbook – User Feedback

To	Operational Manager Democratic Services Legal and Regulatory Services Directorate Civic Offices Holton Road Barry CF63 4RU.
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From : \_\_\_\_\_ Date : \_\_\_\_\_

This is primarily a notification procedure and only **BRIEF DETAILS** need be included at this stage – full details will be discussed on a person to person basis where appropriate.

Page No.	Section	Comments (Alterations, Additions, General Suggestions)

This section to be complete by Democratic Services.

Document Update Procedure		Feedback Ref No.
Incorporate Feedback Without Referral		Signed :
Operational Manager Approved Feedback		Signed :  Date of Approval :
Update Incorporated into Master Copy (Intranet)		Signed :  Date :