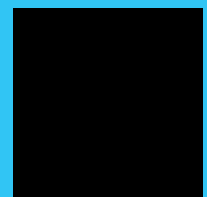




# ■ An introduction to...



# Decision-making and Scrutiny



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# Introduction

This is an introductory guide to decision-making and scrutiny within Caerphilly County Borough Council. It hopes to give newly elected councillors, recently appointed officers or those with an interest in local government, an insight into the Council's internal decision-making and accountability functions and processes.

## It outlines:

- The different bodies responsible for making decisions on behalf of the Council.
- How decisions are made and communicated.
- The scrutiny function.
- Scrutiny committees' main roles and responsibilities, including the links between decision-makers and scrutiny committees.
- Key questioning and performance management skills for scrutineers.

Councillors and officers make hundreds of decisions on behalf of the Council everyday. The various decision-making bodies within the Council are prescribed by law and are explained in this guidance note.

As well as having robust and transparent mechanisms for decision-making there are also effective accountability arrangements in place. The Council has 5 scrutiny committees which oversee the work of the Cabinet and officers by holding them to account as well as having a wider role in reviewing council policies, monitoring budget expenditure and challenging progress made in, improving our services.

# The Council's Decision Makers

The Council has a number of different decision-making bodies which are explained below:

**Full Council** – Is the term used for the meeting of the Council's 73 elected councillors and has responsibility for setting the Council's budget, council tax and policy framework. Full Council meets at 5.00pm every 6 weeks in the Council Chamber, Penallta House.

**Cabinet** – Again this is made up of elected councillors; the Council Leader and 8 Cabinet Members appointed by the Leader. Within the policies and budget set by full Council, the Cabinet make most of the Council's important decisions. The Cabinet meets at 2.00pm every other Tuesday in the Sirhowy Room, Penallta House.

**Officers** – Are the Council's employees who make most of the day to day decisions within an agreed scheme of delegations.

**Planning & Licensing and Appeals Committees** – are quasi-judicial committees made up of councillors that determine individual planning and licensing applications. The committees work within a highly regulated environment and must make decisions within complex statutory frameworks. The Planning Committee is made up from one member from each of the Council's 33 electoral wards and meets every 3 weeks in the Council Chamber, Penallta House. The Licensing and Appeals Committee also has a 3 weekly meeting cycle but additional sub committee meetings are often arranged as and when required. The Licensing and Appeals Committee meets in Pontllanfraith House.

**Openness and Transparency** – Meetings of Full Council, Cabinet and the Planning & Licensing and Appeals Committees are open to the public to observe, except where exempt (such as personal or commercially sensitive) information is being discussed. In addition, copies of agendas, minutes and reports being considered are sent to all councillors and are available on the Council's website and internal intranet at least 3 working days prior to meetings.

**Publication of Decisions** – Certain decisions taken by the above groups are published to ensure proper audit control and transparency. Decisions taken by Full Council and committees are recorded in the minutes of the meeting which are included as part of the papers for the next meeting. Decisions taken by the Cabinet are sent to all councillors and published on the Council's website and intranet. Certain delegated 'executive' decisions taken by the Council's most senior staff, including Heads of Service, Directors and the Chief Executive, must be published on the 'Register of Decisions and Information Items' application available on the intranet.

**Challenging Decisions** – The Council's decision-making processes are transparent and include various mechanisms for challenging decisions made. Decisions that have been taken but not yet implemented can be, subject to certain limitations, challenged by members of a scrutiny committee under a process known as 'call-in'. Unless members of a scrutiny committee object and successfully invoke the call-in procedure, a cabinet decision will come into force at 5.00pm on the Monday following the date of the decision being made. Likewise an officer decision published on the 'Register of Decisions and Information Items' found on the intranet will come into force after 3 working days. The call-in procedure is described later in this guidance note. Decisions made by the Planning & Licensing and Appeals Committees are subject to external appeals processes.

# The Council's Decision Makers

## The Decision Making Process for Cabinet and Full Council

The following flow chart gives a summary the Council's internal process for making cabinet and Full Council Decisions.

**Draft Report** A draft report should be completed using the standard report format (available on the W drive) and approved by the appropriate Head of Service and/or Director. Time must be allowed for the report to follow the process set out below.

**Consultation** Consultees must be given sufficient information and a reasonable deadline to respond. All internal and external stakeholders should be consulted. Scrutiny Committees must be consulted on all 'key decisions' contained in the Cabinet forward work programme. Key decisions include those of:

- A strategic or controversial nature.
- Are likely to have a significant effect on the delivery of council services across the county borough.
- Have a significant element of risk or financial implications.

**Corporate Management Team** Corporate Management Team and the monitoring Officer must approve all draft reports for Cabinet, full Council, and those being sent to a scrutiny committee for pre-decision consultation.

**Cabinet Decisions and Recommendations to Council** Following approval of final reports, the Committee Services Manager will schedule Cabinet reports to the next available Cabinet agenda. Cabinet meetings are held on alternative Tuesday's at 2.00pm in Sirhowy Room, Penallta House.

**Call-in Procedure** All Cabinet decisions, other than those determined by the Mayor as 'urgent' are subject to the call-in procedure. The call-in procedure is outlined in the Council's constitution which can be found on the intranet by following the Policy Document Framework link on the front page of the intranet.

**Full Council Decisions** Full Council is responsible for determining the Council budget, council tax and policy framework. Full Council meets on a 6 weekly cycle in the Council chamber, Penallta House.

**Implementation** Cabinet decisions may not be implemented until after the deadline for the call-in period which ends at 5.00pm on the Monday of the week following the cabinet meeting (end of the third working day after publications in the case of delegated decisions). Council decisions are not subject to the call-in procedure and may be implemented immediately.

## Scrutiny Defined

Scrutiny can be explained as *the democratic balance with the responsibility of holding decision-makers to account and assisting in reviewing and improving local public services.*

## Principles of Effective Scrutiny

The Centre for Public Scrutiny (CfPS) is a national organisation created to promote the value of scrutiny across all tiers of government. The CfPS has defined four principles of effective public scrutiny:

- Provides a critical friend challenge to executive policy makers and decision makers.
- Enables the voice and concerns of the public and its communities.
- Is carried out by independent minded governors who lead and own the scrutiny process.
- Drives improvement in public services.

## Shared Ideals

Successful scrutiny requires commitment and support from officers and members including Cabinet members and non-executive members. The WLGA has identified the 12 shared ideals which support a culture of successful scrutiny. The shared ideals and a summary explanation for each is outlined below:

**1. The role and status of scrutiny is understood and recognised** – Officers and members have a clear understanding of the role and powers of scrutiny committees including performance management, service improvement, accountability and policy development. Scrutiny committees have the right to determine the information it requires and which officers and other witnesses should attend each meeting.

**2. Independence** – Scrutiny committees operate with independence from the executive and arrive at their own conclusions and recommendations. When required, scrutiny committees can commission their own research.

**3. Scrutiny members are confident, skilled and challenge decision-makers** – Scrutiny members work as a team and are equipped with the skills, knowledge and confidence to provide constructive challenge to the appropriateness of decisions, policies and performance. The Cabinet and senior officers welcome scrutiny's role.

**4. Scrutiny committees regularly undertake pre-decision scrutiny and policy development** – Scrutiny committees' play an active role in the development of council policies and their role in pre-decision scrutiny is recognised and encouraged by the Executive. Key decisions and policies are considered by scrutiny committees, prior to them being finalised by the executive to allow scrutiny committees a meaningful role in the process.

# Scrutiny Committees Role and Responsibilities

**5. Work programmes are determined by scrutiny committees in consultation with scrutiny support officers, executive members and senior officers** – Scrutiny Committees determine their own work programmes in consultation with scrutiny support officers, executive members and senior officers. Work programmes help to contribute to the broader corporate and community objectives, whilst also reflecting the concerns of the local community.

**6. Information is provided to scrutiny committees in a timely and consistent fashion** – Wherever possible scrutiny work programmes are managed so that information requirements can be met from within the Council's existing reporting mechanisms. However, where this is not possible the specific information needs of scrutiny committees are recognised.

**7. Scrutiny has an appropriate role in the authority's performance management framework** – Scrutiny committees play a visible role in the Authority's performance management framework and are integral to the Authority's improvement programme. The committees receive regular, meaningful and comparable performance information and monitor the performance of individual service areas and the Authority as a whole.

**8. Regular, relevant and varied training and development opportunities are provided** – The Council invests in the provision of ongoing and varied training and development opportunities for Chairs, committee members, the executive, senior officers and scrutiny officers. Training and development opportunities are regularly reviewed and Elected Members take advantage of the opportunities provided.

**9. Scrutiny is able to engage with members, officers, the public and other external stakeholders and its work is publicised** – Executive Members, Senior Officers, the public, service users and partner organisations are all engaged in the development of the forward work programme and regularly participate in individual scrutiny reviews.

**10. Overview and scrutiny committees have dedicated support from officers who can research independently of the management structure** – Senior scrutiny officers are provided access to all parts of the Council and are free to request information without having to seek permission from line management.

**11. Scrutiny evaluates itself and adds value to the organisation** – The scrutiny process regularly evaluates its operation and the extent to which its work adds value to the Council and the local community.

**12. It is accepted that scrutiny has a role in examining the work of external public sector organisations and is not just an internal local authority function** – The Council recognises the role of scrutiny in examining any issue of concern.



## The Statutory Framework

The Local Government Act 2000 introduced the concept of scrutiny. Section 21 provides the following statutory functions for scrutiny committees:

- (a) To review or scrutinise decisions made, or other actions taken, by the cabinet or officers, including making reports or recommendations to full Council or Cabinet.
- (b) To review or scrutinise decisions made, or other action taken, by full Council or policies relating to quasi-judicial functions, including making reports or recommendations to full Council or Cabinet.
- (c) To make reports or recommendations to full Council or Cabinet on any matter which affects the county borough or its residents.
- (d) To call-in an 'executive' decision made by the Cabinet or certain officers. The call-in procedure is described in more detail later in this document but provides for a procedure whereby a scrutiny committee can suspend the implementation of a decision and ask the decision maker to reconsider their action.

## Scrutiny Committee Responsibilities

Scrutiny is an important and influential councillor led role within the Council responsible for:

- Ensuring service delivery is in line with expected performance standards.
- Helping shape new council policies and services.
- Monitoring the Council's budgets.
- Holding decision makers to account.
- Undertaking reviews of council policies and services.
- Representing the views of local communities.

At the heart of all scrutiny work is finding out how well council services and policies are working, how they could be improved and, what impact new proposals will have on our communities.

It is vital that there is a clear separation of responsibilities between decision makers and those responsible for holding them to account, therefore, scrutiny committees can not make decisions on behalf of the council.

# Scrutiny Committees Role and Responsibilities

## Actions of Successful Scrutineers

It is important that members and officers have a clear and shared commitment to making scrutiny discharge its accountability and improvement roles successfully: The following checklist outlines the actions of successful scrutineers:

Successful Scrutineers	
Do	Do Not
<ul style="list-style-type: none"> <li>✓ Understand their role.</li> <li>✓ Regard scrutiny as a constructive 'critical friend' process.</li> <li>✓ Respect the Committee Chair and Officers.</li> <li>✓ Prepare for meetings by reading reports and making notes.</li> <li>✓ Concentrate on agenda items.</li> <li>✓ Are not political in their approach to subjects.</li> <li>✓ Regard scrutiny committees as a team.</li> <li>✓ Ask positive and challenging questions.</li> <li>✓ Contribute to forward work programmes and request reports.</li> <li>✓ Assist in Task and Finish Groups.</li> </ul>	<ul style="list-style-type: none"> <li>✗ Use scrutiny for airing personal agendas.</li> <li>✗ Be parochial and try to resolve ward issues.</li> <li>✗ Raise subjects that are not included on the agenda.</li> <li>✗ Make statements rather than ask questions.</li> <li>✗ Score political points.</li> <li>✗ Argue.</li> <li>✗ Unnecessarily criticise officers or cabinet members.</li> <li>✗ Miss meetings.</li> </ul>

# Operation of Scrutiny Committees

## Scrutiny Committee Structure

To ensure propriety in the decision making process, the Council has established five scrutiny committees who have a statutory 'watchdog' role in ensuring that decision-makers discharge their responsibilities properly and, where necessary, are held to account for their actions.

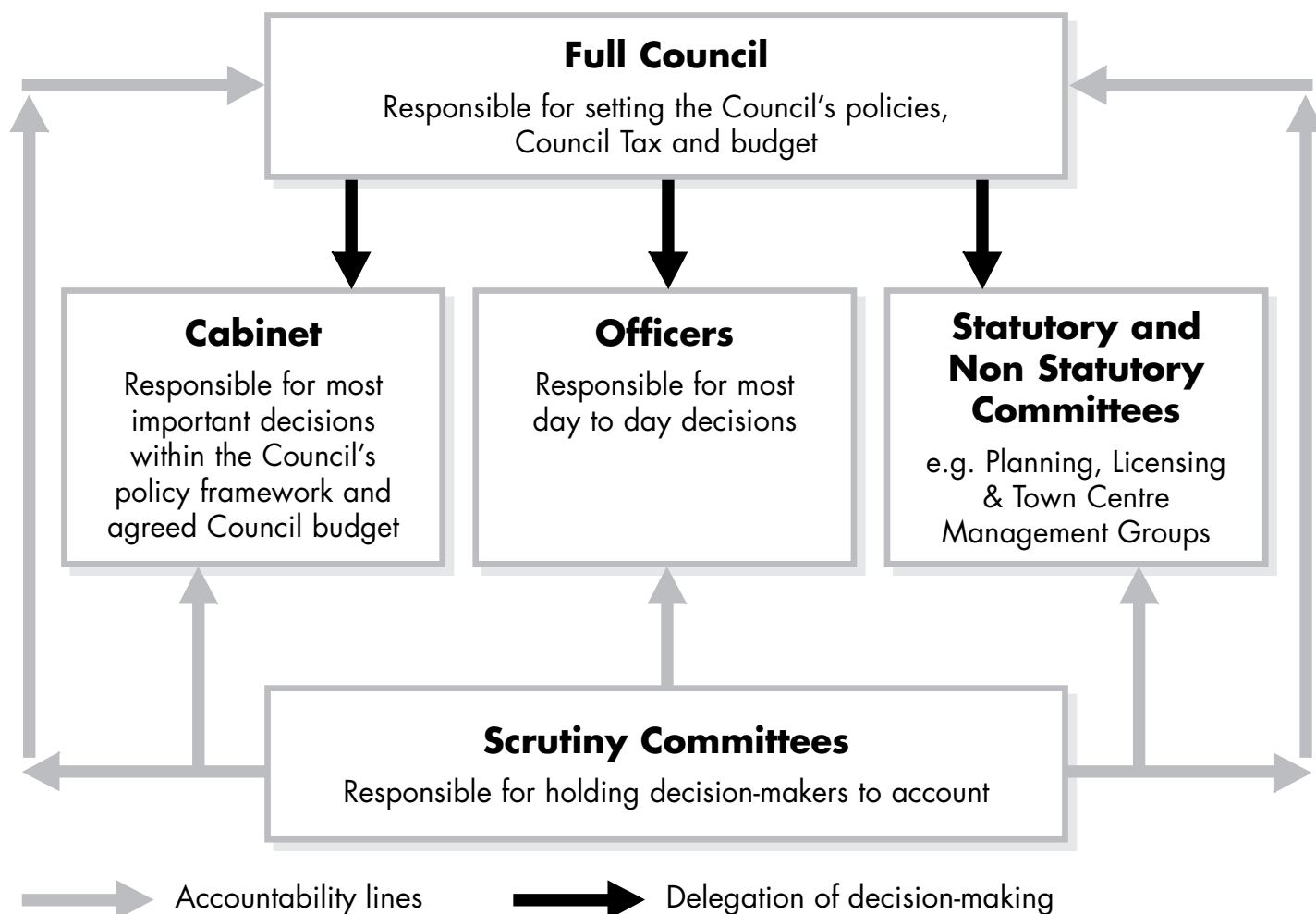
The Council has established 5 scrutiny committees which collectively oversee the 9 cabinet portfolios. The scrutiny committees are structured as follows:-

- Policy and Resources
- The Living Environment
- Education for Life
- Health Social Care and Well Being
- Regeneration

Each scrutiny committee meets every 6 weeks at 5.00pm in the Rhymney Room, Penallta House. In addition, special meetings are arranged as and when required.

A list of each scrutiny committee and their terms of reference is attached at Appendix 1.

## Relationship between Scrutiny Committees and Decision Makers



# Operation of Scrutiny Committees

## Size and Membership of Scrutiny Committees

Each scrutiny committee is made up of 20 councillors. All members of the Council except members of the Cabinet are able to be members of a scrutiny committee. That said, even though cabinet members cannot be members of a scrutiny committee, they may attend meetings but only speak to answer questions about their actions.

Seats are allocated in accordance with the rules for political balance (i.e. membership is proportionate to the political groups represented on the Council) and membership nominations received at the Council's Annual General Meeting.

## Co-opted Members

Scrutiny committees can decide to co-opt members of the public or representatives from external organisations. Co-opted members are an important asset for scrutiny committees as they can feedback first hand experience about the way the Council delivers its services and contribute as a valuable source of advice when new policies or changes to service provision are being considered.

Co-opted members may contribute to the work of the committee by requesting reports for future consideration by the committee, taking part in discussions and becoming members of task and finish groups. However, with the exception of Parent Governor Representatives and Church Representatives (which serve on the Education for Life Scrutiny Committee), co-opted members may not vote and cannot take part in discussions when 'exempt' information is being considered. In addition, co-opted members are not eligible to serve as Chair or Vice Chair of a scrutiny committee.

## The Party Whip

The National Assembly's statutory guidance on 'Executive Arrangements' considers the party whip (meaning any instruction given by or on behalf of a political group to a councillor) incompatible with the role of scrutiny in holding decision makers to account. However, the guidance also recognises that a party whip may be used and where it is, members should declare the use of whipping.

## Public Access to Meetings

All meetings of scrutiny committees are held in public. Exceptionally, members of the public and press may be excluded when a committee is considering information considered as 'exempt' in accordance with Part 4, Schedule 12A of the Local Government Act 1972. In such cases it will be a matter for the committee to decide whether to consider a report 'exempt' and exclude the public and press. Reports that officers consider should be treated as 'exempt' will be printed on pink paper and clearly marked as 'Not for Publication.'

## Quorum

At least a quarter of a scrutiny committee's membership must be present before a meeting can begin. Likewise, a meeting will be adjourned should the Chairman declare that the total number of members present during the meeting falls below the quorum threshold.

# Operation of Scrutiny Committees

## Format of Agendas

The Council uses a standard format for scrutiny committee agendas. The different agenda headings and an explanation of their meaning is given below:

- **Declarations of Interest** – At the start of the meeting, members are invited to declare any personal interests in items contained on the committee’s agenda. The Council’s ‘Code of Conduct for Members and Co-opted Members’ lists those circumstances that should be declared as a personal interest. Members must declare an interest in an issue even if they leave the meeting before the committee considers that specific item. Examples of a personal interest include members, their friend(s), family member(s), or a person or organisation that they are associated, which might reasonably be regarded as likely to benefit or be disadvantaged to a greater extent than others from a matter under consideration by the committee. In addition, any use of a party whip should also be declared.
- **To sign and approve the committee’s previous minutes** – The Chair will sign the minutes of the last meeting after giving members of the committee the opportunity to discuss their accuracy. A wider discussion on the issues contained in the minutes may be allowed at the Chair’s discretion.
- **Consideration of any matter referred to the committee in accordance with the call-in procedure** – Members of a scrutiny committee may, under certain circumstances, call-in an executive decision taken by the Cabinet or senior officers. The call-in procedure is described later on in this guidance. Should a cabinet decision be subject to a successful call-in, it is considered at this point in the committee’s agenda.
- **To receive and consider the following cabinet report(s)** – Any cabinet decision taken since the last meeting which fall within the scrutiny committee’s terms of reference are listed here. This is an opportunity for scrutiny members to review or seek clarification for the reason a decision was taken. Any member of a committee can require any of the reports listed under this heading to be discussed by contacting the Committee Services Officer named on the agenda no later than 10.00am on the day before meeting.
- **To receive a verbal report by the Cabinet Member** – An appropriate cabinet member will make a short statement updating the committee on important issues and events which have happened since the last meeting and are planned for the near future. Scrutiny members may ask the cabinet member questions on any subjects included in the statement.
- **To receive and consider the following scrutiny reports** – This agenda item presents members of the scrutiny committee with reports for discussion. The reports are placed on the agenda following requests from a number of sources including committee members, and directors. The reports allow members to debate and challenge actions of the cabinet or officers; monitor the performance of a directorate in terms of service delivery or financial management, or act as a consultee on important changes to council services or policies.

## Operation of Scrutiny Committees

- **To record any requests for an item to be included on the next available agenda** – Section 21(8)(a) of the Local Government Act 2000 provides that a member of a scrutiny committee can require any issue within the committee's terms of reference to be considered at a future meeting. This agenda item gives members the opportunity during the meeting to exercise that right.
- **To receive and note the following information items** – Reports for information or minutes from other council or partnership committees/forums that relate to the scrutiny committee are reported at each meeting. Any member of a committee can require any of the reports or set of minutes listed under this heading to be discussed by contacting the Committee Services Officer named on the agenda no later than 10.00am on the day before meeting.
- **Forward Work Programme** – The scrutiny committee's forward work programme is reported to each scrutiny committee.

### The Call-in Procedure

Section 21(3) of the Local Government Act 2000 introduced the power for scrutiny committees to 'call-in' cabinet decisions taken but not implemented. The power to call-in cabinet decisions can be regarded as a 'democratic back stop' to the cabinet's decision-making powers.

The cabinet meets on a fortnightly basis to make decisions. Following a cabinet meeting on a Tuesday, a decision notice is prepared and distributed to members within 2 days. A cabinet decision will come into force at 5.00pm on the following Monday unless members of a scrutiny committee object and successfully invoke the call-in procedure.

A cabinet decision can be called-in by the chair of the appropriate scrutiny committee or, at least 4 members from that scrutiny committee (from more than 1 political group). In addition, any group leader (other than the Leader of Council) can act a signatory to a call-in request. Call-in requests should be sent to the Monitoring Officer who, in consultation with the chair of the relevant scrutiny committee, will decide its validity.

For a call-in request to be successful, it must satisfy one of the following criteria:-

- The decision was outside the Council's policy framework.
- The decision was outside the Council's budget.
- That the decision was taken without regard to a material fact or information or, without proper consultation which, in the opinion of the members making the call-in request, would lead to a decision being made.

# Operation of Scrutiny Committees

A valid call-in request will be referred back to the relevant scrutiny committee. The committee may make one of three decisions:-

- Not support the call-in request in which case the decision is implemented and shall take effect on the date of the scrutiny committee meeting.
- Support the call-in request and refer the decision back to the Cabinet for reconsideration.
- Refer the call-in request to full council for consideration.

Should a scrutiny committee refer a decision back to the Cabinet for reconsideration, the cabinet can either reaffirm their decision or decide to make a different decision in light of the issues raised by the scrutiny committee. If the Cabinet choose the former option, then their decision takes immediate effect.

There is an exception to the call-in procedure for issues considered as urgent. A decision is considered as urgent if *'any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests'*. For a decision to be considered urgent the Mayor must agree that the decision is reasonable and use of the urgency procedure is justified. All decisions considered as urgent must be reported to the next available meeting of full council with the reasons for using the urgency procedure.

Officer decisions may also be considered urgent in which case the Chief Executive or, in certain circumstances, the relevant Director must certify the decision as urgent.

Scrutiny's principle role is to provide a 'critical friend' challenge to ensure that decisions will result in the delivery of the best possible services within available resources. Questioning skills are fundamental building blocks for successful scrutiny. If scrutiny is undertaken well it can be a positive experience with decision-makers and scrutineers gaining a better understanding of the others priorities and challenges.

Providing a 'critical friend' challenge requires members to ask constructive and robust questions to officers or others giving evidence to a scrutiny committee. This is done best by asking objective questions in a calm and measured way; whether members are seeking clarification about actions already completed, or acting in a policy development role.

That said, there is fine line between a constructive 'critical friend' challenge and negative questioning that results in unnecessary and unproductive conflict between decision makers and scrutineers.

Effective scrutiny begins with scrutineers approaching subjects with an open mind and asking questions to find out the facts rather than jumping to conclusions. The following provides advice for scrutineers on best practice questioning techniques.

# Questioning Skills for Scrutineers

## Positive Questioning Strategies

**Open questions** – Are the best place to start a discussion as they encourage the person being questioned to say as much as possible and raise whatever they want without being constrained, prompted or influenced by others.

*“What do you think about the Council’s recycling strategy?”*

*“How does the Council’s recycling performance compare against other authorities?”*

Probing questions can be used following an open question to gain further detailed information about a specific point raised by the respondent or highlight an issue considered by the scrutineers to be of particular importance. Probing questions can be used in number of different ways:

**Challenging questions** – to gain further information behind some of the facts or figures previously mentioned:

*“Thank you for your answer, when you say providing weekly recycling will cost more, what are the financial consequences for not introducing weekly recycling collections?”*

*“What is being done to encourage households to use the recycling service?”*

**Encouraging questions** – Are those that use compliments as a means of gaining more information.

*“You really have done well in meeting your recycling target. What challenges are still in front of you to be the best in Wales?”*

*“I know you have made great progress in improving recycling levels over recently months. What have you done differently?”*

**Repeating questions** – Repeating information shows that the scrutineer is paying attention to proceedings and can be used to highlight issues, trigger further explanation or clarify facts.

Officer: *“The weekly recycling service covers most of the county borough”*

Scrutineer: *“You said the weekly recycling service covers **most** of the county borough...”*

**Reviewing questions** – These can be used to check statements and information given.

Officer: *“The weekly recycling service covers most of the county borough”*

Scrutineer: *“Can you put the recycling coverage in percentage terms?”*



# Questioning Skills for Scrutineers

**Directing questions** – Using direct open questions is an effective way of finding out more about a specific issue raised by the respondent. This type of questioning also allows respondents to raise anything they feel is important to the discussion. Simple questions starting with what, when, where or how are typical.

*“When will the whole county borough receive weekly recycling collections?”*

## Negative Questioning Strategies

Negative questioning should be avoided as it has a detrimental affect on the legitimate ‘critical friend’ challenge. Far from being a positive exchange of views, negative questioning leads to respondents feeling suspicious about the scrutiny process and will result in a loss of trust between scrutineers and respondents making working relationships difficult to maintain.

Negative questions can be identified as ones that could lead respondents to believe:

- They are being trapped.
- They are being pressed to say something they do not believe to be true.
- Scrutineers have already made up their mind.

Examples of types of negative questions are given below.

**Double Blind questions** – Are closed questions (which only require a yes or no answer) constructed in such a way that they are impossible to answer without respondents incriminating themselves. They demonstrate all three identifiers of negative questions mentioned above.

*“Will the Council’s recycling performance decline unless you carry on cooking the books?”*

**Biased questions** – Are questions that have an inherent bias towards a particular belief and demonstrate the scrutineer already has a fixed mindset.

*“What are your views on the useless contractor employed to collect the recycling?”*

**Leading questions** – Invites the respondent to think in a certain way and agree with the scrutineer’s question.

*“Do you agree that the Council’s recycling service is the best in country?”*

*“How much will the cost of operating the recycling service increase above the rate of inflation next year?”*

# Questioning Skills for Scrutineers

**Statements** – Of course aren't questions but merely announcements of something related to the issues under discussion. Statements should only be made when they are short and used to put a following question in context.

*"I accept recycling rates have improved significantly over the last 3 years, however, they are still well behind the national average. When will our recycling rates match the national average?"*

## Identifying Questions

It is important to prepare for scrutiny meetings by reading reports and preparing potential questions. If this is done a few days before the meeting it will give scrutineers time to contact officers and seek clarification on any difficult issues.

The following grid is a simple tool to help scrutineers identify issues, prepare questions and prioritise their importance. During the meeting, a number of questions may be answered by officers responding to other questions and will not be needed. However, making a prioritised list will act as an 'aide memoir' and help ensure that scrutineers provide a critical friend challenge by asking constructive and robust questions.

<b>Issue</b>	<b>Positive Question</b>	<b>Priority</b> H - high M - medium L - low
<b>Recycling report - agenda item 6.2</b>		
Para 4.3 - Low recycling rate within the county borough compared to national average.	What do you think needs to be done to bring the Council's recycling rate up to the national average?  How long to you think it will take to bring the county borough up to the national average?	H  M
Para 4.9 - Cost of land fill.	Does the price quoted in para 4.9 include landfill tax?  How much landfill capacity does the Council have available?	M  H

## What is Performance Management?

There are many different definitions, some of which are quite long and complex but the one below is favoured for its simplicity:

***“Performance management is taking action to make outcomes better than they would otherwise be”***

It means taking action in response to actual performance which maybe at an individual, team, service, corporate or community level.

There is a difference between performance **measurement** and performance **management** and people often mistake the two.

Taking action to make outcomes better than they would otherwise be requires many things to happen such as good leadership, communications, planning, budget management and using information to make informed decisions. It also requires accountability and challenge and this is where members come in.

Performance measurement (targets and performance indicators) is only a small, albeit important, part of the overall performance management arrangements of the Council and is the part that is shared at an all Wales level.

## Why Performance Management is Important

The first reason is we have a legal obligation. The Local Government Act 1999 puts a statutory responsibility on all local authorities, fire and police services to demonstrate they are continuously trying to improve.

The 2006 Wales Programme for Improvement (WPI) statutory guidance adds the detail about how improvement should be achieved and some of the methods for demonstrating this include:

- That staff are involved in the planning improvements for their services and that services assess themselves at least once a year
- The authority has robust systems of business planning
- Having regard to equalities & sustainability by assessing ourselves in these areas and identifying what we could do to improve.
- Identifying the Council’s most significant risks and agreeing those risks with the Wales Audit Office. This is called a Joint Risk Assessment (JRA).
- Publishing our Improvement Plan, clearly showing how we have improved and if not what we intend to do about this.
- Measuring our performance against a set of national performance indicators and providing an annual return to the Welsh Assembly Government.

# Performance Management Skills for Scrutineers

But the second and perhaps much more important reason is that we use these methods is to tell a story of where we are so we improve the service we give to our customers – the public.

We want to reach standards of excellence (not just be a quite good sometimes) and in order to do this we need accurate performance information to tell us what has worked, why it worked so we can do more of it, what hasn't and, why it hasn't so we can do less of that and that we prioritise what to do first. This is especially important in a time of limited resource and budgets.

## The Council's Performance Management Framework

The main components of the performance management framework are:

Plans or Activities	Purpose	How they link
Community Strategy (CS)	States our communities long term aims	The Council's shared main overarching document
Improvement Plan	States the Councils main priorities	CCBC contribution to the community strategy
Service Improvement Plan (SIP)	Identifies Risks, Action Plan, Performance & Targets for each Council Service	Forms part of the Joint Risk Assessment.
Sustainability & equalities assessment using a tool called the 'integration tool'	Identifies the gaps in sustainability and equalities and helps services to action plan	Feeds into the SIP
C-driver or yearly self assessment	Method of asking staff their opinion	Outcomes & actions should be built into the SIP
Performance information measurement system (PIMS).	Individual electronic score cards for all Council services	To monitor the progress of service improvement



# Performance Management Skills for Scrutineers

**Performance Information Measurement System (PIMS)** – Underpins the Council's performance measurement system. Each service has an electronic score card which shows the performance against a set of indicators. Red shows that a measure is below target, amber is just about on target and green means exceeding target. Members can access the system via the intranet following a simple training session. We would welcome the opportunity to train more members, please contact the Performance Management Unit on 01443 864238.

**The Improvement Plan** – is important to members as this tells the public what the Council's performance for the year is against its objectives, what are the targets for the following year and if we haven't improved what we are doing about this. Members have a say in formulating this and monitoring the progress of the plan.

**Service Improvement Plans** – are very important to members attending performance management scrutiny meetings as this document has an action plan and this is used by officers to explain the performance of their service. Members' primary role at these meetings is to challenge services about their targets and performance. Service Improvement Plans are also used as the basis for identifying the main risks to the Authority. Each service identifies risks that may stop them reaching their objectives and this is shared with the Wales Audit Office who may have their own ideas about what risks affect Caerphilly and neighbouring authorities. Together a list of risks are agreed and from this the Wales Audit Office will decide what service to review or inspect. Members should be involved and informed of how services are trying to mitigate their risks.

SIPs are completed every April and are put on the intranet and placed in the member's library.

**C-driver** – This is an opportunity for staff to have a say in planning improvements. Each year a service should take the opportunity to assess itself and often the c-driver is the method of choice to do this. Trained facilitators run sessions and the top 6 identified priorities are built into the Service Improvement Plan. Services can use other methods but it is mandatory for all services to carry out some form of staff involvement in improvement planning.

## Members Performance Management Role

Members right to challenge and question is absolutely fundamental to ensuring the council provides the right services, in the right way and to the right standard for the people that they serve. In challenging officers, members also play a key role in helping the Council understand the changing needs and aspirations of their community.

## Performance Management Scrutiny Committee Meetings

Each scrutiny committee holds 2 specific performance management meetings per annum. That said, the performance of a service, or specific aspects of it, will be part of mainstream discussions of all scrutiny meetings. The specific performance management scrutiny meetings allow members to have a complete and thorough view of a single service area and its future prospects.

In a departure from the standard agenda format, the committee meeting centres around the following 3 key areas taken from the Service Improvement Plan:

1. How they are performing on their key performance indicators (PIs). A PI is a measure of how something is performing against an objective. The service will report on their performance indicators, the targets they have set, dips in performance, successes and why.
2. Progress against their action plan, what has been achieved and where there is any slippage.
3. The threats and constraints that the service faces. This is an opportunity to give members a context and better understanding around the issues the service faces in achieving its objectives.

For each of the 3 stages members have the opportunity to be a critical friend and to challenge, support and call for further information on areas of concern or interest.

## Challenging Performance Management Data

The following list provides examples of issues that members should consider when undertaking their critical friend challenge of performance management issues.

### Performance Indicators (PI's)

- Ask yourself what does an indicator really tell you? If in doubt you should seek clarification to ensure that you understand what is being measured, why it is being measured and if a high or a low score indicates best performance.
- Targets – who sets them and why? Who was involved in setting the target and should be involved?
- Question whether PIs are too difficult or easy to achieve. You should challenge if a target is not increasing or is being increased significantly over a few years and the reasons are not clear.
- Question performance outcomes. If performance outcomes exceed the set target figure, especially over a number of years, challenge why the targets are set so low.
- Is it wrong not to achieve targets? The answer will depend on the reasons responsible for missing the target. Circumstances that may be acceptable include staff availability and unforeseen additional work taking priority etc. However, each case will be different and members should satisfy themselves that there are good reasons for performance levels. Sometimes the best measure of improvement is taking a view of performance over a number of years and looking for a clear trend of improvement or otherwise.

# Performance Management Skills for Scrutineers

- Does the service or council know what level of service its customers want? With limited resources there is a need to prioritise and ensure that priorities reflect the views of members and the public otherwise we could be putting our efforts into the wrong things.
- Are services measuring the right things? Performance Indicators could measure the speed of an activity but not about quality or visa versa. Members need to satisfy themselves what is important; speed or quality or, whether a balance of measures needed.
- Do the indicators measure key service objectives? If a service has key objectives, are there sufficient performance indicators to measure improvement and qualitative and quantitative performance.

## Action Plans

- How does the service translate the performance measurement into making change/ improvement happen?
- Can they give examples of where they have used the information to make decisions or improve their service?
- Does the action plan have a responsible officer?
- Does the action plan have dates by when an action will be done?
- Do the words of the actions make sense (they may mean something only to those working in that field of expertise)? If in doubt ask for specifics or to explain in plain language.
- Do the actions address what they say they want to achieve?
- Do you want to know “why we are where we are?” or “how we are going to get to where we want to be?”

## Service Constraints and Threats

- What threatens a service from meeting their objectives?
- What has been put in place to try and mitigate the risk?
- New initiatives – What are the opportunities and threats?
- Do you agree with the priority order given to the service threats? Can you think of any others?

If you need any help, support or training on performance management please contact Ros Roberts, Performance Management Unit on **01443 864238**.

## Scrutiny Committees Terms of Reference

<b>Terms of Reference: Policy and Resources Scrutiny Committee</b>	
<b>Community Strategy Responsibilities</b>	<p>The community strategy is the shared 15 year strategic vision for the county borough developed by the Council and its partners. Policy and Resources Scrutiny Committee is responsible for:</p> <ul style="list-style-type: none"> <li>• Monitoring the action taken to implement the following overarching principles and objectives of the Community Strategy; namely, <ul style="list-style-type: none"> <li>• Equalities.</li> <li>• Sustainability.</li> <li>• Raise awareness and use of the Welsh language.</li> </ul> </li> <li>• The overall progress made by the Council in implementing the Community Strategy.</li> </ul>
<b>Overview Role</b>	Overview of all policy and finance issues considered by the Executive.
	Any other matter or topic which is not allocated specifically to any other Scrutiny Committee.
<b>Corporate Services</b>	To act as general overview and scrutiny committee for the Council.
	The proper financial planning budgeting and control of the Authority's resources.
	The development and implementation of the Council's corporate policies and themes and the development and co-ordination of community planning.
	Information Technology, Customer Services and Property Services.
	Personnel Services, including Health and Safety.
	Finance and Audit Services.
	Procurement Services.
	Legal Services.
	Catering and Cleaning Services.
<b>Chief Executive's Directorate</b>	Performance and Policy including the Community Strategy and Wales Programme for Improvement agenda including the production of the Improvement Plan and Annual Joint Risk Assessment.
	Democratic Services.
	Emergency Planning.
	Registrars of Births, Deaths & Marriages.
<b>Cabinet Members Reporting to Policy and Resources Scrutiny Committee:</b>	Deputy Leader of Council and Cabinet Member for Human Resources and Constitutional Affairs.
	Deputy Leader of Council and Cabinet Member for Finance, Resources and Sustainability.
	Cabinet Member for Performance Management.



## Terms of Reference: The Living Environment Scrutiny Committee

### Community Strategy Responsibilities

The community strategy is the shared 15 year strategic vision for the county borough developed by the Council and its partners.

The scrutiny committee is responsible for monitoring the action taken by the Council to implement the following beacon projects and other objectives contained within the 'Living Environment' theme:

### Beacon Projects

- Town and village centre improvements.
- Neighbourhood Wardens and Rangers
- Substance misuse abuse amongst young people

### Objectives

Increase awareness of opportunities for safe access to the countryside and open spaces.

- Encourage the development and maintenance of high quality, well designed and efficient, sustainable homes and environments which can meet all needs.
- Promote a culture of community self-help, cohesion and citizenship and involvement in decision making.
- Encourage the improvement of town and village centres as a focus for community pride, accessible facilities and activities.
- Improve community safety and quality of life by reducing crime, nuisance behaviour and the fear of crime.
- Ensure the protection and enhancement of the natural environment, including the quality of air and river/watercourses, flood protection, landscape and biodiversity, and our built heritage.
- Develop and promote local and accessible community based services and activities for all.

# Scrutiny Committees Terms of Reference

## Terms of Reference: The Living Environment Scrutiny Committee

<b>Directorate of the Environment Responsibilities</b>	Housing Strategy, Private and Public and Technical
	Building Maintenance DLO
	Public Services including refuse collection, disposal, street cleaning, public conveniences and parks and ground maintenance services.
	Pollution Control (including noise, litter and illicit tipping, air and water quality, contaminated land)
	Public Health (statutory nuisance and sewer/drains)
	Trading Standards Enforcement
	Health and Safety Enforcement of commercial premises
	Community Safety
	Pest Control, Dog Warden, Animal Trespassing Services
	Animal Health and Welfare Enforcement
	Licensing
	Burials, Cemeteries and Bereavement Services
	Planning - Countryside and Landscape Services
	Highways Maintenance, Engineering Services and Street Lighting
Land Drainage	
<b>Cabinet Member Reporting to The Living Environment Scrutiny Committee</b>	Cabinet Member for the Environment and Housing Services

# Scrutiny Committees Terms of Reference

## Terms of Reference: Health, Social Care & Well-Being Scrutiny Committee

<p><b>Community Strategy Responsibilities</b></p>	<p>The community strategy is the shared 15 year strategic vision for the county borough developed by the Council and its partners. The scrutiny committee is responsible for monitoring the action taken by the Council to implement the following beacon projects and other objectives contained within the 'Health, Social Care and Wellbeing' theme:</p> <p><b>Beacon Projects</b></p> <ul style="list-style-type: none"> <li>• Healthy Living/Hospital and Community Services Project.</li> <li>• Centre of Excellence/Empowerment (Based on 'Social Model').</li> </ul> <p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• Reduce health inequalities by tackling deprivation and the wider determinates of health.</li> <li>• Improve public health by promoting factors that contribute to healthy lifestyle and well-being.</li> <li>• Expand and develop community based health and social care services.</li> <li>• Enable independent living in local communities, through appropriate support mechanisms for individuals, families and carers.</li> <li>• Develop and strengthen preventative work and service provision for vulnerable children and adults.</li> </ul>
<p><b>Directorate of Social Services Responsibilities</b></p>	<p>The provision of children's and adult social services and mental health issues under statute</p> <p>Commissioning for Social Services</p> <p>All client care services in residential settings (including accommodation services)</p> <p>Meals on wheels</p> <p>All client care services in home settings</p> <p>All client care services under Boarding Out Schemes</p> <p>All client care providing in day care settings</p> <p>Hospital resettlement programme</p> <p>Promotion of the joint objectives shared with the Local Health Board</p>
<p><b>Directorate of the Environment Responsibilities</b></p>	<p>Public Health (including infectious diseases and health promotion/ education)</p> <p>Food Safety Enforcement</p>
<p><b>Cabinet Member Reporting to Health Social Care and Well Being Scrutiny Committee</b></p>	<p>Cabinet Member for Social Services.</p> <p>Cabinet Member for the Environment and Housing Services</p>

## Terms of Reference: Regeneration Scrutiny Committee

### Community Strategy

The community strategy is the shared 15 year strategic vision for the county borough developed by the Council and its partners.

The scrutiny committee is responsible for monitoring the action taken by the Council to implement the following beacon projects and other objectives contained within the 'Regeneration' theme:

### Beacon Projects

- Public and Community Transport.
- Physical Transport Infrastructure.
- Local Tourism.
- Local Procurement
- Tackling Economic Inactivity.

### Objectives

- Support town and village centre and other area based regeneration and develop sustainable tourism opportunities.
- Generate sustainable, accessible and varied, well paid employment opportunities locally, to encourage economic prosperity whilst reducing the need to travel.
- Encourage, promote and develop opportunities for volunteering.
- Ensure mechanisms that enable equal access to training and employment.
- Develop and promote business advice and support systems to encourage innovative, sustainable and legitimate business practice including local purchasing initiatives.
- Expand and develop the use of ICT across all sectors.
- Develop integrated, efficient local and regional transport systems, including public transport, cycling and walking.

# Scrutiny Committees Terms of Reference

<b>Terms of Reference: Regeneration Scrutiny Committee</b>	
<b>Chief Executive's Directorate Responsibilities</b>	Economic Development & Objective One
<b>Directorate of the Environment Responsibilities</b>	Planning – Strategic Planning and Urban Renewal
	Planning – the proper operation of Development Services and Building Control (excluding scrutiny of individual applications to the Authority)
	Transportation Planning and Improvements
	Public Transport
	Land Reclamation
<b>Cabinet Member Reporting to Regeneration Scrutiny Committee</b>	<p>Cabinet Member for Regeneration</p> <p>Cabinet Member for Transportation and Planning.</p>

## Terms of Reference: Education for Life Scrutiny Committee

### Community Strategy Responsibilities

The community strategy is the shared 15 year strategic vision for the county borough developed by the Council and its partners.

The scrutiny committee is responsible for monitoring the action taken by the Council to implement the following beacon projects and other objectives contained within the 'Education for Life' theme:

### Beacon Projects

- Education for sustainable development.
- Learning Network.
- Summer scheme for young people.
- Address pollution and encourage waste minimization, reuse and recycling of resources.

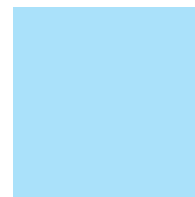
### Objectives

- Develop learning opportunities for all ages and abilities with an emphasis on community-based opportunities.
- Ensure children and young people have a foundation that enables them to take advantage of all life opportunities.
- Enhance education and training opportunities for 14-19 year olds and improve standards.
- Provide advice and information on all public and voluntary sector services.
- Increase appreciation of environmental assets and utilise their potential for enhanced quality of life and sustainable tourism.
- Increase opportunities for and participation in leisure, sport, cultural and arts activities.

# Scrutiny Committee Portfolios

## Terms of Reference: Education for Life Scrutiny Committee

<b>Directorate of Education and Leisure Responsibilities</b>	The discharge of the Council's obligations as Local Education Authority under statute and regulation.
	The preparation and scrutiny of statutory education, lifelong learning and leisure strategic plans and Wales Programme for Improvement performance plans.
	Raising standards in schools, monitoring of schools' performance, curriculum advice and support and other activities set out in the LEA-Schools Code of Conduct including intervention where appropriate.
	Local Management of Schools and Fair Funding.
	Forward planning re. school places, home-school transport, school admissions and student awards.
	Inclusion Services which involve Learning Support Services, educational psychology, education welfare, behavioural support and managing pupil exclusions.
	Governor support and training.
	Welsh Language Education.
	Agreed RE Syllabus.
	Joint Services including ESIS, the Learning Network (RISE) and the Gwent VI Service.
	Partnership working through the Education for Life Strategic Partnership and the Children & Young Person's Framework Partnership, incorporating Early Years & Childcare, Young Persons Partnership, Caerphilly CCET and Caerphilly Learning Area Network.
	National Grid for Learning.
	Lifelong learning, leisure and community education.
	Public libraries and Schools Library Service.
	Music and Arts development and support.
	Sports Development.
	Securing grants, including New Opportunities Fund, Better Schools Fund, Big Lottery, Class Size and others as appropriate.
School Meals.	
<b>Cabinet Members Reporting to Education for Life Scrutiny Committee:</b>	Cabinet Member for Education and Leisure.
	Cabinet Member for Social Services.



An introduction to... **Decision-Making and Scrutiny**



*(version 1) June 2008*

