

Argyll and Bute Council
Comhairle Earra-Ghàidheal Agus Bhòid

Customer Services
Executive Director: Douglas Hendry



Kilmory, Lochgilphead, PA31 8RT
Tel: 01546 602127 Fax: 01546 604435
DX 599700 LOCHGILPHEAD
12 September 2016

NOTICE OF MEETING

A meeting of the **SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS** will be held in the **COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD** on **THURSDAY, 22 SEPTEMBER 2016** at **2:00 PM**, which you are requested to attend.

Douglas Hendry
Executive Director of Customer Services

BUSINESS

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST (IF ANY)**
3. **POLITICAL MANAGEMENT ARRANGEMENTS** (Pages 1 - 36)
Report by Executive Director of Customer Services

SHORT LIFE WORKING GROUP ON POLITICAL MANAGEMENT ARRANGEMENTS

Councillor Rory Colville
Councillor Anne Horn
Councillor Aileen Morton
Councillor James Robb
Councillor Len Scoullar
Councillor Richard Trail

Councillor Robin Currie
Councillor Roderick McCuish
Councillor Ellen Morton
Councillor Elaine Robertson
Councillor Sandy Taylor
Councillor Dick Walsh

Contact: Sandra McGlynn: 01546 604401

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ARGYLL AND BUTE COUNCIL**Short Life Working Group on Political
Management Arrangements****CUSTOMER SERVICES****SEPTEMBER 2016**

SLWG – POLITICAL MANAGEMENT ARRANGEMENTS

1.0 EXECUTIVE SUMMARY

1.1 At its meeting on 21 April 2016, the Council established a Short Life Working Group (SLWG) for the purpose of considering the future local democratic and governance arrangements of the Council, to consider also the detail in the proposed Performance and Scrutiny Review Handbook and how all of this will relate to future governance arrangements, and to bring forward a report to a future meeting of the Council in readiness for the new Council. The membership of the SLWG consists of 12 members on an 8 to 4 split between the Administration and Opposition members. The Chair of the SLWG to be the Council Leader and Vice-Chair to be the Depute Council Leader.

1.2 Members are asked to:-

- a) determine the basic principles for the review of the Political Management Arrangements;
- b) agree the attached timetable for the review and associated reporting arrangements, with a final report being submitted to the meeting of Council in January 2017, and
- c) agree that officers engage with all 36 Elected Members seeking their views on how the current Political Management Arrangements are working, asking for suggestions in terms of any future arrangements and asking for comments on the Scrutiny Handbook which was agreed by the PRS Committee.

ARGYLL AND BUTE COUNCIL

**Short Life Working Group on Political
Management Arrangements**

CUSTOMER SERVICES

SEPTEMBER 2016

SLWG – POLITICAL MANAGEMENT ARRANGEMENTS

2.0 INTRODUCTION

2.1 This report seeks to outline the proposed timetable and process for the review of Political Management Arrangements

3.0 RECOMMENDATIONS

3.1 Members are asked to:-

- a) determine the basic principles for the review of the Political Management Arrangements;
- b) agree the attached timetable for the review and associated reporting arrangements, with a final report being submitted to the meeting of Council in January 2017, and
- c) agree that officers engage with all 36 Elected Members seeking their views on how the current Political Management Arrangements are working, asking for suggestions in terms of any future arrangements and asking for comments on the Scrutiny Handbook which was agreed by the PRS Committee.

4.0 DETAIL

4.1 The Council last undertook a review of its Political Management Arrangements in 2013/14. The recommendations from the SLWG established for that purpose were agreed by the Council on 23 January 2014.

4.2 Before the SLWG proceeds with the review it may be useful for Members to consider the fundamental principles they would wish to see achieved by any new arrangements. As part of the last review, the following principles were agreed by the previous SLWG:-

- (a) Stability in political management arrangements
- (b) Clear strategic direction to deliver on Single Outcome Agreement
- (c) The development of clear and sustainable policies

- (d) An inclusive Council
- (e) Positive Culture
- (f) Constructive working relationships across all Elected Members
- (g) Members focus on addressing challenges and identifying opportunities
- (h) Good reputation
- (i) Leadership
- (j) Effective political scrutiny
- (k) Effective decision making
- (l) Focus on all our customers

Members are asked to consider the above principles as a relevant starting point to the current review. In addition when considering these principles, Members may wish to consider including reference to the current financial climate and legislative factors, such as the Community Empowerment Act.

4.3 Statutory basis for delegating powers to Committees

4.3.1 In terms of the Local Government (Scotland) Act 1973, section 56, a Council can make arrangements (scheme of delegations) for a Committee, Sub Committee or officer to carry out some of its functions. This power is extended by section 43(a) of the Planning etc. Scotland Act 2006 to a scheme of local delegation planning matters to a committee and for local developments to an officer which requires approval of Scottish ministers to allow any amendment and which must be reviewed every 5 years or sooner.

4.3.2 There is a need also to recognise that Elected Members can only exercise an executive role when they sit as the Council or a Committee thereof. This is provided for in the Local Government (Scotland) Act 1973, section 56 which sets out how a local authority may discharge its functions. In addition there is a National Code of Conduct for Councillors which sets out the differing role of Members and officers in respect of the authority and which prohibits members from engaging in the direct operational management of council services.

4.4 Current Political Management Arrangements

4.4.1 The Council's current Political Management Arrangements comprise the following bodies:-

Council
Policy and Resources Committee
Environment, Development and Infrastructure Committee
Community Services Committee (the Council's statutory Education Committee)
Performance Review and Scrutiny Committee
Audit Committee
Planning, Protective Services and Licensing Committee
4 Area Committees
Harbour Board (Sub-Committee of ED&I Committee)
Appeals Committees

The agreed Political Management Arrangements have been supplemented by

the addition of the Harbour Board as a sub-Committee of the Environment, Development and Infrastructure Committee in December 2014. Also since the last review, the Integration Joint Board (IJB) has taken on responsibility for all Health and Social Care within Argyll and Bute. The IJB is the governance Board of the Argyll and Bute Health and Social Care Partnership and has responsibility for the planning, resourcing and overseeing of the operational delivery of integrated services. The membership of the IJB comprises elected councillors from Argyll and Bute Council, NHS Highland Board members and a number of other members from a range of sectors and stakeholder groups including the Third Sector, Independent Sector, patients/service users, staff and carers.

4.4.2 A diagram of the current Council decision making structure is attached at Appendix 1. The remit for the current Committees of the Council is detailed in the Council Constitution. In addition the Council may appoint Short Life Working Groups for the purpose of advising the Council.

4.5 Best Value Audit

4.5.1 The most recent Best Value Audit of Argyll and Bute Council was published in December 2015 and noted that the implementation of revised political management arrangements which strengthened scrutiny and provided clearer roles and responsibilities for committees and members. The Accounts Commission acknowledged and welcomed the progress by the council since 2013 in relation to improved governance, decision-making and scrutiny arrangements and the improving relationships between political groups and between members and officers. It also stated that Members and senior officers need to consolidate this progress by continuing to improve the council's openness, transparency and how it involves its communities in decision-making and scrutiny, in order to build the trust and confidence of service users and the public. It believed more could be done to ensure a more effective contribution from area committees.

The Best Value report noted that the council still has some areas where it needs to improve and for the purpose of this SLWG these included:

- Establishing a more open and transparent culture and style of working.
- Strengthening local empowerment and embracing the enthusiasm of local communities to be more involved in the work of the council.

4.6 Principles of Good Governance

4.6.1 Audit Scotland also published a report in 2016, Principles of Good Governance – Audit Scotland (An overview of Local Government in Scotland 2016). In this report the principles of good governance are outlined as:-

- creating and implementing a vision and focusing on outcomes
- councillors and officers working together to achieve a common purpose, with clearly defined functions and roles
- promoting the council's values and upholding high standards of conduct and

behaviour

- taking informed and transparent decisions which are subject to effective scrutiny and managing risk
- developing the capacity and capabilities of councillors and officers
- engaging with local people and other stakeholders to ensure robust public accountability.

4.7 Other considerations/challenges

4.7.1 **Community Planning**

The Council has a commitment to Community Planning in Argyll and Bute. The Single Outcome Agreement covering the period from 2013 – 2023 has an overall objective of “Argyll and Bute’s economic success is built on a growing population” which is underpinned by 6 long term outcomes.

The Council has a critical role in supporting the Community Planning Partnership to achieve each of the 6 long term outcomes. Community Planning is also delivered locally by 4 Local Area Community Planning Groups covering the administrative areas of the Council working with local partners in the Areas.

4.7.2 **CHORD governance arrangements**

The Council has agreed an ambitious set of regeneration projects covering Campbeltown, Helensburgh, Oban, Rothesay and Dunoon (CHORD). Governance arrangements for these projects is by means of a project board, which in terms of the current arrangements is undertaken by the 4 Area Committees with decisions being made at Area Committee level and referred to Policy and Resources Committee where there are implications which are outwith the business case or will have a financial/resource implication.

5.0 **Scrutiny Handbook – recommendation from PRS Committee**

- 5.1 The PRS Committee over the past year has been looking at how it can improve and enhance the scrutiny element of the Committee’s remit. Members and officer attended a Scrutiny workshop in August 2015 which was facilitated by John Cade of Birmingham University. Following on from this the Committee agreed that officers should look at what models are used in other Local Authorities and use this good practice to formulate a scrutiny handbook which could assist the Committee to carry out more effective scrutiny. This handbook was approved by the Committee at its meeting in February 2016 and was referred to Council for consideration. Since the handbook was agreed, the PRS Committee has undertaken one formal scrutiny review of the Employability Service Contract and this was referred to Council in June 2016 where the recommendations arising from the review were agreed.
- 5.2 At the April meeting Council acknowledged that the draft handbook provides for the PRS Committee a framework to undertaking effective scrutiny and is proposed as a starting point for the Committee. In setting up this SLWG it also

agreed that it should consider the detail in the proposed Performance and Scrutiny Review Handbook and how all of this will relate to future governance arrangements, and to bring forward a report to a future meeting of the Council in readiness for the new Council. Therefore consideration requires to be given to the detail in the Scrutiny Handbook (Appendix 2) and the possible implications for the terms of reference for the PRS Committee and any potential requirement for this to be incorporated within the overall review of the Political Management Arrangements.

6.0 Process

6.1 Following agreement of the basic principles, it is suggested that Members are asked to consider:-

- The effectiveness of the current Political Management Arrangements
- The main issues which need to be addressed to ensure the Political Management Arrangements facilitate good governance
- Decision making – how can process be streamlined taking into account scrutiny and risk requirements
- How to ensure the transparency of decision making, in light of the comments made by Audit Scotland
- The future role of Area Committees, particularly in light of the Community Empowerment Act and taking cognisance of the comments made by Audit Scotland in relation to engagement with local communities

6.2 It is also suggested that Members may wish to engage with all 36 Elected Members to seek their views on the current arrangements and to ask for thoughts on possible future arrangements. As part of this consultation, Members should be asked to give comment on the Scrutiny Handbook as agreed by the PRS Committee.

6.3 Officers have liaised with Members of the SLWG and have compiled a detailed timetable for meetings and this is attached at Appendix 3. The SLWG will be supported by officers from Governance and Law who will provide administrative and governance support. The intention will be for the final recommendations of the SLWG to be presented to Council in January 2017 with interim updates to be submitted to the September and November meetings of Council.

7.0 CONCLUSION

7.1 The Council has agreed that this is an appropriate time to conduct a review of the current Political Management Arrangements in advance of the Local Government Elections in May 2017. This report proposes the way forward in terms of this review.

8.0 IMPLICATIONS

8.1 Policy – none at this stage.

- 8.2 Financial - none at present, but may be financial implications dependent on the outcome of the review.
- 8.3 Legal – none at this stage.
- 8.4 HR – none at present, but may have HR implications dependent on the outcome of the review.
- 8.5 Equalities - none
- 8.6 Risk -
- 8.7 Customer Service - none

Executive Director of Customer Services

9 August 2016

For further information contact: Charles Reppke, Head of Governance and Law

APPENDICES

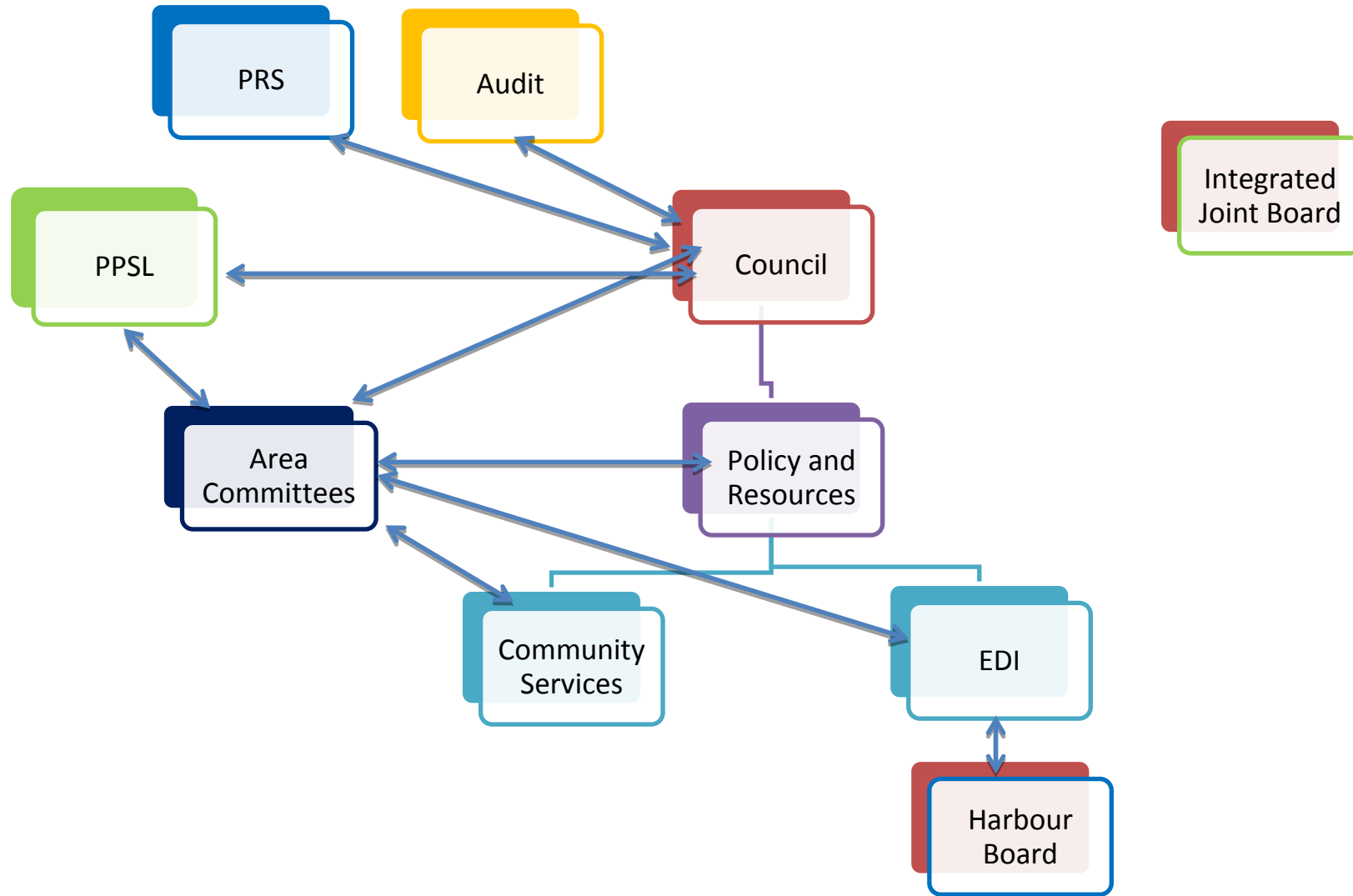
Appendix 1 – Current Committee Structure diagram

Appendix 2 – Scrutiny Handbook

Appendix 3 – Timetable of meetings and reporting for SLWG

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Committee Structure



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INTRODUCTION

Since its establishment in 2012, Argyll and Bute's Performance Review and Scrutiny Committee has been in a continual process of development. Its greatest strengths lie in its members who devote time and commitment to the work of the committee.

As the individuals who serve on the Committee change, bringing their own skills and abilities to the process, the operational practise will continue to evolve, but the key principles should remain constant. In carrying out its work, the Committee will seek to be Deliberative, Outward looking, Investigative, Inclusive, Open, Influencing, Evidence based, Proactive, Transparent, Flexible, Accountable, Non-partisan and Responsive.

This handbook seeks to pull together, in a single document, the various processes and protocols which will underpin the Committee's activity. It also provides a narrative of the processes which the Committee follow in order to undertake its work, and, in particular, focuses on how the formal reviews are undertaken.

This handbook will be kept under review and will be updated on a regular basis to reflect any amendments to practice or procedure. This is the first issue and will focus on the Scrutiny element of the PRS Committee.

Argyll and Bute Council is committed to Openness and Transparency and the work of the PRS Committee should support this aim with a focus on continuous improvement and development.

Ian M M Ross
Chair,

Cllr Sandy Taylor
Vice-Chair,

Sally Loudon,
Chief Executive,

WHAT IS THE PERFORMANCE REVIEW AND SCRUTINY COMMITTEE?

The Performance Review and Scrutiny Committee is a central Committee of Argyll and Bute Council. It is made up of 7 councillors, 4 from the opposition and 3 from the administration, reflecting the political spread across the authority. The Committee also has an Independent Chairperson together with 3 representatives from Community Planning partners who are full and equal members. The Committee's terms of reference include:

Performance Review

- (1) Reviewing performance when viewed against policy objectives arising from:
 - a) The Planning and Performance Management Framework and the quarterly performance reports to committee.
 - b) External inspection reports e.g. School Inspections.
 - c) The Community Planning Partnership and other major partnership projects.
 - d) Specific performance reports requested by the committee.
 - e) Ad hoc performance reports presented to the Committee by Chief Officers.
 - f) Any other reports of a performance-related nature.
- (2) Making recommendations to the Council on performance matters in relation to (1) above.

Scrutiny

- (1) Monitoring the delivery of corporate improvement programmes and ensuring that they are progressing in line with corporate aims and objectives. Reporting the findings and recommendations to the Council.
- (2) Commenting on decisions and policies agreed by the Council and other committees and the impact they have on Argyll and Bute as an area, and making recommendations as appropriate to the Council.
- (3) Inviting Policy Lead Councillors to attend and elaborate on Council decisions or proposals.

The Committee also has Scrutiny duties arising from the Police and Fire Reform (Scotland) Act 2012

The Scottish Police Authority (SPA) and the Scottish Fire and Rescue Service (SFRS) will be under a statutory duty to ensure adequate arrangements for policing and fire and rescue services in all local authority areas.

The local authority will have statutory powers to monitor the delivery of police and fire and rescue functions in the area.

The local authority will have statutory powers to provide feedback to the Local Commander and Local Senior Officer and to make recommendations for improvements.

Sections 45-47 of the Act outline scrutiny of police service requirements.
Sections 114-116 of the Act outline scrutiny of fire service requirements.

<http://www.legislation.gov.uk/asp/2012/8/contents/enacted>

The Committee has adopted the following principles of operation:

Open	Transparent	Investigative
Deliberative	Evidence-based	Accountable
Responsive	Inclusive	Influencing
Flexible	Proactive	Non-partisan
	Outward Looking	

What does it do?

The Committee has Argyll and Bute-wide responsibilities in relation to Scrutiny and has 3 main tasks:

- 1 Monitoring the delivery of corporate improvement programmes and ensuring that they are progressing in line with corporate aims and objectives.
Reporting the findings and recommendations to the Council.
- 2 Commenting on decisions and policies agreed by the Council and other committees and the impact they have on Argyll and Bute as an area, and making recommendations as appropriate to the Council.
- 3 Inviting Policy Lead Councillors to attend and elaborate on Council decisions or proposals.

To ensure scrutiny works effectively, the Centre for Public Scrutiny (www.cfps.org.uk) has put forward four key principles. In their view, Scrutiny should:

1. Provide 'critical friend' challenge to executive policy makers and decision makers
2. Enable the voice and concerns of the public and its communities to be heard
3. Be carried out by 'independent minded members' who lead and own the scrutiny process
4. Drive improvement in public services

These principles underpin the work of Performance Review and Scrutiny Committee.

It will not work effectively if it is conducted on a purely party-political basis. For Scrutiny to be effective, the process must be open, fair, constructive and positive. Scrutiny should be challenging, as its aim is to identify areas for improvement, but the process should not be confrontational or simply a means through which to apportion blame when things go wrong.

Scrutiny bodies are all party and because they are politically balanced, the party or parties which form the political administration will usually, but not always have a majority on each committee. The arrangements agreed for the Performance Review and Scrutiny Committee provide for a majority of the Councillor members to be drawn from the opposition groups. The Scrutiny function should always rely on evidence rather than opinion and work together to ensure that decisions taken and policies referred to the committee for consideration are properly tested and reviewed and work in the interest of the people of Argyll and Bute.

The Scrutiny process should be inclusive and a forum through which all those who wish to contribute, whether as Members, officers, co-optees, partners or members of the public, are able to give evidence and feel that their views are valued and that they are able to speak.

What does it not do?

The Committee does not make policy and does not take decisions about the operation of Council services. It may make recommendations to Council on how a policy may operate and/ or specific service delivery matters that are within its terms of reference.

The Committee is not there to re-determine decisions made by Council but rather to reflect on the process followed and to make recommendations where appropriate on the impact of the decisions.

How does it operate?

The Performance Review and Scrutiny Committee has a programmed workload. Formal meetings of the Committee are held quarterly as part of the standard schedule of council committees. However as part of the Committee's work involves carrying out an annual programme of reviews or reviews into aspects of the Council's policy implementation and service delivery, it is anticipated there will be a number of additional informal meetings. Some of these will be in the form of evidence gathering sessions; some are workshops, round table discussions with officers on particular issues; others are occasions when the Committee draws its conclusions from the evidence provided by review

In order to carry out its research work successfully, the Committee needs to seek information from a range of sources including, Members, Management, Council employees, etc and will be supported in this respect by an officer who will have had no prior involvement with the matter or policy under consideration .

Requirements of Members of the Committee

For all members and partners sitting on the Performance Review and Scrutiny Committee, including the Chair and Vice-chair, the workload, and the nature of the work, can be particularly onerous – both in terms of time commitment and also in the skills which are necessary to undertake the particular areas of work. The commitment will in some respects mirror the additional training requirements for members who serve on the Planning Protective Services and Licensing committee

To be able to undertake the scrutiny process, a greater provision for induction and training may be necessary for those Councillors and partners who sit on the Committee. This will allow members to develop the skills required for effective scrutiny, including subjects such as good and bad practice, the assessment of evidence in its various forms and useful questioning techniques.

The Committee has traditionally used Away /Development Days on an annual basis in order to focus on more specific training requirements on particular issues relating to the Committee's operation. In February, 2015, John Cade from the University of Birmingham, led members in a session looking at successful scrutiny and the importance of a non-political approach.

Officer Support

The Committee is also supported in its work by a team of officers, located in several services. The Chief Internal Auditor and Scrutiny officer also work closely with the Committee and shall have responsibility for drafting reports for the Committee to assist them with the formal reporting of scrutiny matters. The Business Improvement Manager and the Head of Improvement and HR work closely with the Committee on the formal reporting of Performance. The Committee's formal processes are undertaken by a committee officer, based in Governance and Law within Customer Services. Officers ensure that all possible steps are taken to make the Committee's operation effective.

The operation of the Committee also depends on the work of the officers throughout the Council who may be called to report to the Committee on a variety of matters.

Choice of topic for Scrutiny Review

Choosing a topic to be scrutinised is one of the most important parts of the Scrutiny process. The subject chosen does not need to be ground breaking or innovative but it does need to be significant and focus on issues that will have a positive impact on improving the Council's performance and the services it provides for its residents.

Suggested Approach

On an annual basis, usually in January or February of each year, all Councillors and senior Council officers are contacted to ask if there are any matters which they would wish to have considered for review by the Performance Review and Scrutiny Committee. In thinking about possible topics to suggest, they are encouraged to consider:

- Internal and external audit reports;
- Issues raised by residents, local community groups and external organisations;
- Government policies and priorities;
- Complaints;
- Previous Scrutiny and Audit reports;
- Repeated budget over and underspend; and
- Performance Management information.

In suggesting a potential topic, the proposer is asked to explain why they are putting the topic forward and identify some key questions which they would like the review to consider.

The Scrutiny Committee then meets, in March or April, to consider all the suggestions put forward. It seeks background information from officers about the proposed topics and, in particular, will ask if there are any other reviews, current or planned, relevant to the proposed topics. This, it is hoped, would avoid unnecessary duplication of review. The proposed topics are then ranked against a set of criteria, and, on the basis of this ranking, the Committee will agree on 3 or 4 topics for review in the coming year. The Committee may also request reports on some potential topics not selected for full review, or determine that the most effective way to consider the topic would be through a workshop style detailed discussion with the relevant officers. This process is beneficial in clarifying the specific focus of any review which might arise.

Criteria for consideration

The criteria for assessing proposed review topics include the following:

- Issue identified by members as a key issue for the public (via members' surgeries and contact with constituents);
- Issue raised by staff as key matter for review;
- Poor performing service (evidence from performance indicators/ bench marking);
- Service ranked as important by Council's community (e.g. through market surveys/citizens' panels);
- High level of user/general public dissatisfaction with the service (market surveys/ citizens' panel/complaints);
- Public interest issue covered in local media;
- High level of budgetary commitment to the service/policy area (as percentage of total Council expenditure);
- Pattern of budgetary overspends/underspends;
- Council corporate priority area;
- Central government priority area;
- Issues raised by External Audit management letters/ Internal Audit reports;
- New government guidance or legislation; and
- Key reports or new evidence provided by external organisations on key issues.
- Review of the effectiveness of a new policy after it has been introduced and has been operating for a reasonable period of time

Topics proposed for review should be rejected if:

- The issue is already being examined by an officer group, with changes imminent;
- The issue is being examined by another internal body;
- The issue will be addressed as part of a Best Value Review within the next year or so; or
- New legislation or guidance is expected within the next year.
- This issue has been formally reported via another assurance provider.

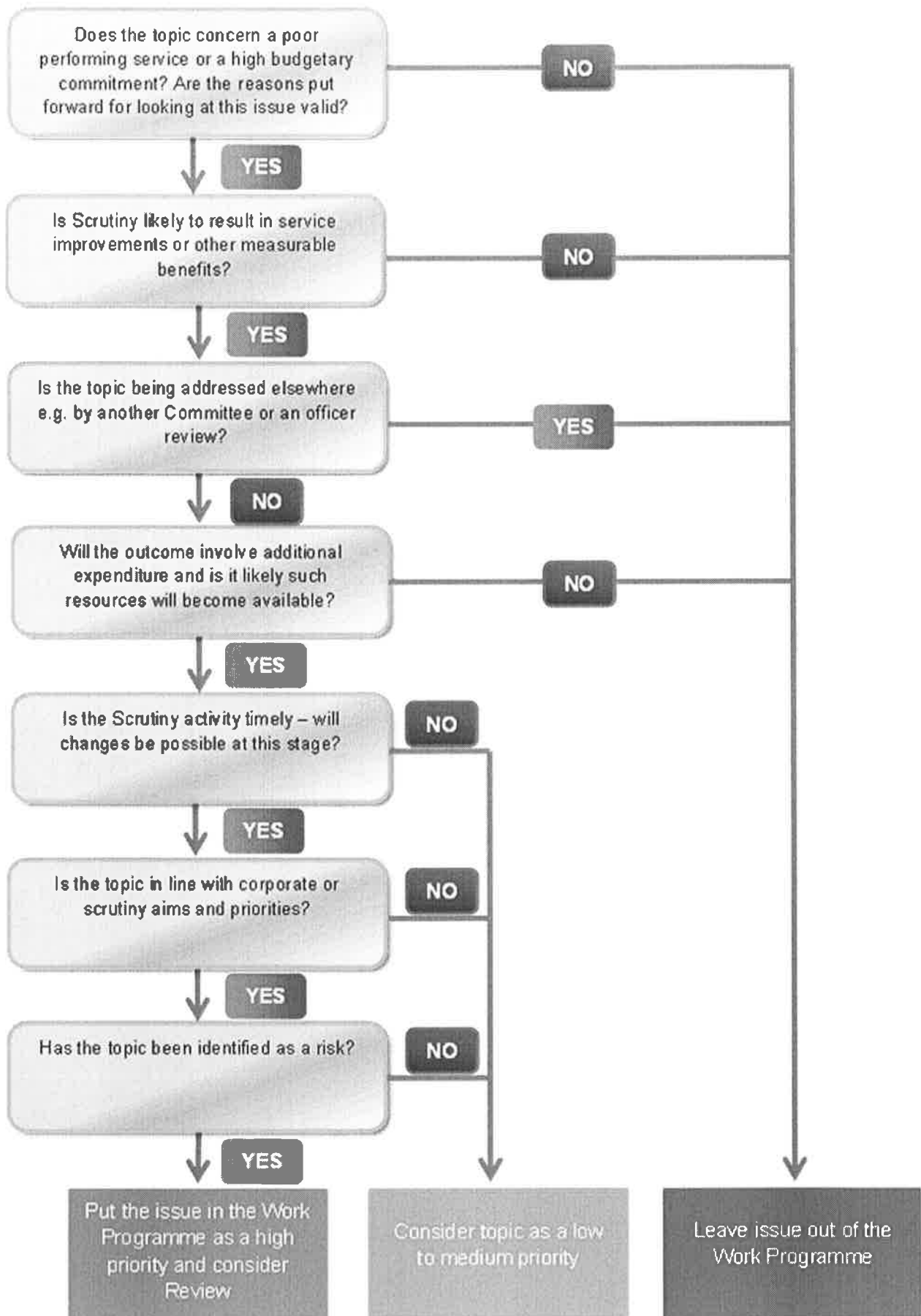
Topics which feature highly on the first list of criteria are then further examined on a graded assessment to evaluate their:

- (a) Efficiency potential,
- (b) Effectiveness potential and
- (c) Evidence, or perception, of current problems.

The topics which come top on this second assessment are those chosen for further review. In this process, there is an element of judgement applied by the members of the Committee.

It is not possible for Performance Review and Scrutiny Committees to do everything that might be suggested by members and the community. Members involved in Scrutiny must therefore be selective and ask particular questions to identify only the very best topics for more in-depth consideration. It is increasingly important for Scrutiny Committees to show why it has been decided to conduct a Review into a particular topic and Members will need to consider the arguments both for and against conducting a review before making a decision.

The diagram on the following page may be helpful in making a decision.



Approach to Scrutiny

This may not be appropriate for all topics and the following might be considered as alternatives to an officer written report or presentation:

- Organisation of a themed workshop
- Dedicating a meeting to consideration of a single “big” issue
- Undertaking site visits
- Whether to consider an issue over several meetings or to recommend that a Scrutiny Review be carried out

For most of the proposed topics, a written report will be requested initially from the relevant service, as opposed to a full review. Where required, topics dealt with in this way may be subsequently been considered for full review. Alternatively, workshop sessions can be held to explore, with officer support, other topics which may then progress to further scrutiny.

Defining the remit

Initially a topic may be quite loosely defined. If chosen for review, the definition of the issue is clarified to allow a precise focus. Comments from the various services are considered in this process and guide the Committee as to the validity of the proposed topic. As mentioned above, workshop sessions or business days may also be used to focus and define the area of interest.

Additional information will be sought which will further define the remit of any subsequent review. This work is carried out by the lead officer in consultation with the proposer of the issue, with advice provided by the appropriate service. When the lead service is contacted initially, the service is provided with briefing information (as in Appendix 1). This does not replace continuous dialogue between the lead officer and the chief officers of the service, but is intended to give services an awareness of the processes and procedures which will be followed.

A terms of reference schedule should be completed, and submitted for formal committee approval. This will define the specific target of the review, identify potential experts and witnesses who it is thought may advance the review and indicate potential costs and time implications which may be incurred in completing the review (see Appendix 2). The terms of reference statement defines the intent, as it is perceived at the start of the process, of how the review will proceed, but may need to be amended to allow the Committee to pursue additional evidence sources or lines of questioning which arise during the review timetable.

Background papers

When review remit has been agreed, the lead officer, in discussion with the appropriate service(s) and any external partners, if applicable, will identify information on the topic to be made available to the Committee in advance of its deliberations. This may take the form of internal spreadsheets, policy documents or committee reports, published research, or other external information. The purpose in providing these background papers is to allow the Committee to have a general

awareness of, and access to information on the matter to be considered. This process is also intended to ensure that all members have access to the same information to assist their deliberations.

Process

- Topic selection
- Terms of reference
- Background papers have been made available to the Committee
- Workshop
- Hearings
- Questionnaires

Hearings begin with a session lead by the service(s) concerned, which identifies the current situation relating to the topic under discussion. This session is intended to allow members of the Committee to increase their awareness of the current status of the issue under review in addition to providing a service perspective.

Hearing potential witnesses

Once a general grounding has been provided by the relevant lead and background information has been made available to the Committee, evidence gathering sessions hear from witnesses, either individually or in groups. The witnesses will have been identified, albeit not exclusively listed, in the terms of reference adopted for the review. Witnesses may be either external to the authority, or may be drawn from its staff resources. This may include the undernoted:-

- Councillors and council employees, at any level, asked to attend because they have particular knowledge or expertise relevant to the review topic.
- Representatives of the Council's partner organisations invited to give an external viewpoint on the area being reviewed. This is an important opportunity to develop relationships with partner and external organisations and to increase the Council's understanding of their work.
- Representatives of service users, invited to attend to give their views on how services are meeting their needs and possible improvements.

Reviews may involve fact-finding visits to council offices or facilities to meet service users and employees on the front line. On occasion, visits to other local authorities or providers of similar services may be undertaken.

Potential witnesses are contacted, initially by telephone, by the lead officer for an informal discussion prior to a formal letter of invitation being issued. This allows for a more immediate relationship to begin, and helps the identification of the lead officer as a support and provider of information on the work of the Committee. It also allows some prior discussion of witness availability for evidence gathering sessions, and may suggest replacement witnesses if the one originally contacted is unable to attend. Discussions in advance may be very helpful to both the lead officer and the witnesses. Witnesses are also informed that the meeting will provide them an opportunity to express their views on any strengths, weaknesses and possible areas for improvement of the topic being reviewed.

Preparing relevant questions

When a list of witnesses to be heard has been established, discussions take place, coordinated by the lead officer, which seek to identify the most appropriate questions to draw out the particular experience of witnesses on the issue at hand. These are generally provided to witnesses as areas of interest to be covered, allowing the discussion on the day to flow more as a conversation. All areas of interest are approved by the Committee before being issued to the witnesses.

The questions to be asked are aimed to allow the Committee to explore the issues which prompted the review in the first place. The list of questions to be addressed is issued to the witnesses in advance of the evidence gathering session. Ideally this happens at least a week before the meeting. This is intended to allow the witnesses to come prepared and seek out any information that they may need in advance. Witnesses are encouraged to send an initial written response to these questions before the meeting takes place.

The list of key questions is not fixed. Supplementary issues may be raised depending on the information provided. If a witness is unable to answer a question at the meeting, they are invited to provide it in writing or, if necessary, attend another meeting of the Committee. In addition, it may be that the discussions at the evidence gathering session identify supplementary documentation to be accessed for the Committee. Some of this information may be provided by the witnesses; some may be sourced by the lead officer.

The list of key questions may also be seen as providing a framework for the dialogue which it is hoped will take place between those giving evidence and the members of the Committee.

The lead officer should ensure that all witnesses, including members of staff, are given good advance notice of any invitation to meet members, are properly briefed about the arrangements for the meeting and receive adequate notice of the questions to be discussed at the meeting. Officers are also responsible for taking notes of evidence and ensuring that these are agreed with witnesses and members before they become matters of public record.

What happens at the meeting?

The meetings are informal and are conducted in an open and friendly manner and usually last no more than a couple of hours. Officers, who support the Committee and any independent external expert, if being used for the review, will be present. The Chair or nominated lead will open the meeting by welcoming and introducing those present and outlining the process. The key questions will be discussed, with supplementary questions being asked where appropriate. Witnesses are encouraged to be open and honest in their responses and to feel free to raise additional issues related to the topic.

Notes will be taken of the discussion at the meeting however these will not be released until the witnesses have agreed to them.

In most cases, the evidence gathering sessions are not held in public. This is

intended to allow the witnesses greater comfort to give an honest and frank response. A summary of the meeting may be published alongside any report, action plan or lessons learned document arising from the review.

What happens after the meeting?

After the meeting, witnesses are sent a summary note of the discussion, so that they can check that what they said was properly understood. Witnesses are entitled to make any additions, deletions or amendments to this note and these should be highlighted and the document returned to the support officer. Those councillors attending the sessions are also afforded the opportunity to comment on the accuracy of the record. The summary note is confidential until it has been agreed by all witnesses.

In addition, those who have given evidence to the Committee are asked to complete a questionnaire (see Appendix 3) to give feedback on their experience of the evidence gathering process.

REPORTING

Once the Committee has heard all the evidence, and drawn its conclusions and recommendations, a formal review report is prepared. This process may involve “wrap-up” day(s), where the Committee meet informally, with all the agreed and draft witness evidence available to them, and discuss what has been learnt in the review. The lead officer, who has assisted in the review process, will support the Committee in its deliberations. Key themes or issues are highlighted, and the Committee analyse the evidence which has been presented to it to identify the information which has led them to particular conclusions. When this has been completed, the lead officer, in consultation with the Committee, drafts the review report or briefing.

The draft review report or briefing is then considered by the Committee, again meeting informally or via electronic review, on as many occasions as required until all are satisfied that the report accurately reflects the conclusions of the review.

The report format may vary subject to the individual topic and/or findings. However as a general rule reports should, amongst other things, include the following:

- An Executive Summary stating the purpose of the report, highlighting recommendations and conclusions.
- An Introduction which covers the subject matter, selection process and approach to undertaking the review or review
- A Detail section which outlines any themes or issues arising together with associated recommendation or observation.
- A conclusion which provides the consensus opinion of the committee.
- An Acknowledgement section thanking those who have contributed to the review process.

Reports will be in the name of the lead officer.

There may be occasions when reports do not conform to the above, i.e. where a simple briefing paper will suffice which introduces analysis of evidence or feedback.

After the review report or briefing has been agreed. The Chair or Vice Chair will present the lead officers report to the formal meeting of the PRS Committee as it is expected that the process outlined above should ensure that the Report accurately reflects the views of the Committee .If the Head of Service/SMT with responsibility for the policy wishes to comment on the Report then that will appear as section b of the item before the Committee and the Committee shall hear from the relevant officer prior to concluding their deliberations.

The recommendations of the Performance Review and Scrutiny Committee review shall be submitted to full Council for formal consideration. The Council may delegate consideration and or determination to the appropriate Strategic committee for consideration.

What happens next?

The Committee's role shifts to monitoring the implementation of the recommendations that have been accepted by Council. Every review outcome is to be reported back to the Committee formally 12 months after the adoption of the recommendations, although interim update reports may be received before the anniversary. Action points which are unresolved will be further highlighted for consideration, in particular, the reasons for delay in implementation.

If the Committee consider that some matters are not being progressed as it had expected, it may request Council to consider what action to take in the light of circumstances which may have altered.

Appendix 1 – Service Briefing Information

The Role of the Committee

The Performance Review and Scrutiny is a Committee of Argyll and Bute Council and under the terms of the Council's Scheme of Delegation is empowered to:

In carrying out its reviews, the Committee is able to:

- Call upon any Policy Lead of the Council, or Chair/Vice-Chair of the Council's Committees, to give evidence or provide written reports, as appropriate; and
- Call upon the relevant Chief Officer to provide a report on any matter within the competence of the Committee

Selection of Topics for Review

Potential topics for review are identified by the Committee members using a variety of sources of information including:

- Residents' and Employees' Surveys;
- Internal and external audit reports;
- Previous Scrutiny and Audit Reports
- Issues raised with Councillors by constituents, local community groups and external organisations;
- Government policies/priorities; and
- Comments, compliments and complaints system.

The Current Review

The Scrutiny and Audit Committee are currently reviewing <topic>.

The purpose and objectives for the review are set out in the attached brief.

Details of the background documents and research, together with an indicative list of witnesses are also provided in the brief. The Committee may also want to consult with service users where appropriate and information on possible consultation activities is also included in the brief. An approximate timescale for the review is given. The names of the officers in the project team for the review are also included.

The Process

At the beginning of the review process, the officer supporting the review meets with the senior officer in the area being reviewed, usually the Service Director or a Head of Service, to brief the service about the scope of the review, the background information required and the arrangements for meeting with officers, external witnesses and members of the public. This briefing also provides the Service with an opportunity to comment on the proposed arrangements and make suggestions about evidence and witnesses.

The review officially begins with the relevant senior officer being asked to give a presentation to members of the Committee, setting out the current position relating to the review topic and providing some information about how Argyll and Bute Council fits into the national context.

Chief Officers and/or senior managers with relevant knowledge and/or expertise are invited to meet with Committee members to discuss areas of enquiry the Committee wishes to explore. The staff members should be fully briefed about how the Committee operates and what is expected of them (see attached briefing note). To enable staff to prepare for the meeting, approximately a week before the meeting, they are sent four or five key questions which will form the basis of the discussion at the meeting. Witnesses are encouraged to send an initial written response to these questions to the Committee Officer in advance of the meeting. It is expected that Officers will be familiar with the matter as they will have contributed to the initial service report to the committee

The Committee likes to conduct these meetings in an open and friendly manner. Staff members are normally invited in groups of two or three to provide a more relaxed atmosphere. The Chair or nominated lead will open the meeting by welcoming and introducing those present and outlining the process. The key questions are then discussed, with supplementary questions being asked where appropriate.

Once the Committee has considered the information gathered members of the Committee hold a workshop meeting to draw up their conclusions and recommendations. A report is drafted by the lead officer, in consultation with the Chair and Vice-Chair, on behalf of the Committee. The senior officer in the relevant service is sent a copy of the draft report so that he or she can make any comments on factual accuracy.

Once the Committee have reviewed and formally agreed the final report, it is submitted to full Council for consideration when there are recommendations that require further consideration.

Committee Responsibilities

The Performance Review and Scrutiny Committee undertake to conduct itself according to the following principles of operation:

Open, Transparent, Investigative, Deliberative, Evidence-based, Accountable, Responsive, Inclusive, Influencing, Flexible, Proactive, Non-partisan and Outward Looking.

Service Responsibilities

The Service(s) should assist the Committee in its review in every possible way. It is therefore necessary for all members of staff, who are involved in the area under review, to be made aware of:

- the issue under consideration, its remit, timescale;
- the possibility that they may be invited to attend a meeting with Committee members; and
- The possibility that they may be asked to provide relevant documentation and information.
-

Scrutiny [Lead Officer] Officer Responsibilities

Each review has a project team. The team includes the Scrutiny Support Officer who is responsible for overseeing the review and writing the review report. The support officer's responsibilities include briefing the senior officer(s) in the Service about the review, briefing and being the main point of contact with the independent external expert, (see information on next page), providing guidance and support to the Committee and carrying out research on the Committee's behalf.

The Scrutiny Support Officer is XXXXX XXXXXX, based in Internal Audit within Chief Executives Unit and may be contacted on 01546 60.

The other member of the project team is the Committee Officer based in Governance and Law with Customer Services. That post supports, coordinates and undertakes an administrative role for all aspects of the Committee.

These officers are responsible for ensuring that witnesses, including members of staff, are given good advance notice of any invitation to meet committee members, are properly briefed about the arrangements for the meeting and receive adequate notice of the questions to be discussed at the meeting. The Assistant Committee Officer is also responsible for taking notes of evidence and ensuring that these are agreed with witnesses.

Monitoring Follow Up

The Committee monitors progress with the implementation of scrutiny review recommendations. This normally involves the relevant Service or, if it is a cross-service topic, a lead officer designated by Management Team, providing a progress report approximately one year after the submission of the report. If considered necessary, the Committee may require further progress reports.

Feedback Questionnaires

A questionnaire about the operation of the committee will be available at the end of the review. It should be completed by the main Service contact for the review.

A separate questionnaire will be sent to all witnesses taking part in the review to provide feedback on the format and administration of the meeting.

In order that we can effectively support scrutiny arrangements and make any necessary improvements, feedback forms should be completed and returned to Scrutiny Officer at: Scrutiny@argyll-bute.gov.uk as soon as possible after receipt.

Further Information

If you need any further information or advice please contact, Scrutiny Support Officer,) on 01546 60 . Alternately, xxx may be contacted at the undernoted email address: Scrutiny@argyll-bute.gov.uk

Appendix 2 – Terms of Reference Pro-forma

Performance Review and Scrutiny Committee – Scrutiny Brief	
1. Subject to be reviewed	SCRUTINY REVIEW NO.
Purpose and objectives of review	
1.1 Review methodology	
Background documents/evidence/research	
Witnesses to be invited to provide evidence	Chief Officers External Staff
Site Visits	
Consultation process	
Trade Unions Contribution	
Project Team (Officers)	SCRUTINY OFFICER COMMITTEE MANAGER SERVICE OFFICER
Other estimated costs	
Review Timetable	
Agreed by Committee	

**APPENDIX 3
SCRUTINY AND AUDIT REVIEW EVALUATION FORM – COMMITTEE
MEMBERS**

Review Title:
Review Number:

To evaluate how effective this review has been, please answer the following questions to assist in the continuous improvement of the Performance Review and Scrutiny Committee. Please circle the response which most closely matches your experience.

1. Planning the review

1(a) How well do you think the Committee planned this review in terms of setting clear terms of reference and timescales for completion?

Very effectively	Effectively	Not very effectively
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1(b) How could the planning be improved next time?

2. Conducting the review and gathering evidence

2(a) Did the Committee have the right background information to gain sufficient knowledge and understanding of the subject being investigated?

Yes	Could have been better	No
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How could it have been better?

2(b) Did the Committee see a sufficient number of, and the right balance of, witnesses in order to conduct a fair, transparent and objective inquiry?

Yes	Could have been better	No
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How could it have been better?

2(c) How satisfied were you with the questioning techniques used by the Committee when interviewing witnesses?

Very satisfied	Satisfied	Dissatisfied	Very dissatisfied
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How could they have been improved?

--

2(d) If the Committee conducted any site visits during the course of this review, what was learnt from them and how did they “add value” to the evidence gathering process?

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3. Performance

3(a) How well did the Committee perform in terms of working to the timescales set out for the review?

Very effectively	effectively	Not very effectively
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Could this have been improved, and if so, by what means?

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3(b) Did the Committee meet its objectives?

Yes	Partially	No
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Could this have been improved, and if so, by what means?

--

3(c) How well did the Committee communicate with and engage key partners in this review?

Very effectively	effectively	Not very effectively
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Could this have been improved, and if so, by what means?

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3(d) How well did the Committee communicate with and engage users of the service under review in its processes?

Very effectively	effectively	Not very effectively
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Could this have been improved, and if so, by what means?

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3(e) Do you think the Committee had the right skills to undertake this review?

Yes	Partially	No
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Could this have been improved, and if so, by what means?

--

3(f) Have any areas been highlighted as potential future topics for training and development?

Yes	No
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Please give details:

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4. The final report and recommendations

4(a) How satisfied were you with the quality of the Committee's final report in terms of content, structure and clarity of the Committee's findings and conclusions?

Very satisfied	Satisfied	Dissatisfied	Very dissatisfied
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How could it have been improved?

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4(b) How satisfied were you with the recommendations put forward by the Committee?

Very satisfied	Satisfied	Dissatisfied	Very dissatisfied
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How could they have been improved?

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5 Monitoring and follow-up work

5(a) How much impact do you think this review will have on improving the lives of the people of Argyll and Bute Council?

Significant positive impact	Little impact	No impact
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5(b) How will you monitor the implementation of the recommendations and their impact? How will you know if this review has made a difference?

6. What lessons can be learnt from this review? What could be done differently to make the next review more effective?

7. If you have other comments, please use the space below:

Name (Optional)

Date:

Thank you for taking the time to complete this evaluation form. Please return it to Committee Services Manager

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Short Life Working Group on Political Management Arrangements – Schedule

Item	Date
First meeting of SLWG – consideration of outline report, agreement of basic principles and next steps.	Thursday 22 nd September 2016 @ 14.00, Kilmory
Update Report submitted to Council	Thursday 29 September 2016
Meeting of SLWG	Thursday 13 October 2016 @ 14.00, Kilmory
Meeting of SLWG	Tuesday 15 November 2016 @ 10.00, Kilmory
Update Report submitted to Council	Thursday 24 November 2016
Meeting of SLWG	Monday 12 December 2016 @ 14.00, Kilmory
Meeting of SLWG	Thursday 12 January 2017 @ 14.00, Kilmory
Update Report submitted to Council	Thursday 26 January 2017
Meeting of SLWG	To be determined
Final report and recommendations submitted to Council for consideration	Thursday 20 April 2017

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