

SCRUTINY – DEVELOPMENT SESSION

1. INTRODUCTION

- 1.1 The objective of the report is to provide the Audit and Scrutiny Committee (the Committee) with a summary of the Scrutiny development session held on 27 April 2021 which considered an update on the Council's Waste Strategy, future scrutiny topics and amendments to the scrutiny process going forward.

2. RECOMMENDATIONS

- 2.1 The Audit and Scrutiny Committee is asked to:
- 2.1.2 Approve the decision taken at the Scrutiny Development Session that a scrutiny topic focused on the Council's Waste Strategy would not add value at the current time.
- 2.1.3 Approve the decision to adopt a more flexible approach to scrutiny with scrutiny topics to be identified by members of the Audit and Scrutiny Committee.
- 2.1.4 Approve two new scrutiny topics with those being the Community Asset Transfer Process and fly tipping.
- 2.1.5 Note that the Chief Internal Auditor (CIA) will amend the Scrutiny Framework and Scrutiny Manual to reflect the changes set out in this report and bring it back to a future meeting of the Committee for approval.

3 DETAIL

- 3.1 On 27 April 2021 a Committee Development Session was held with the following objectives:
1. Consider a possible scrutiny focus on the Waste Strategy
 2. Agreeing how we further develop our approach to scrutiny
 3. Identifying other potential scrutiny topics

Waste Strategy

- 3.2 On the 16 March 2021 the Committee gave consideration to a report providing an update in terms of the Council's position in relation to waste management and it was agreed that the Head of Roads and Infrastructure Services would provide a further briefing at a scrutiny development session on 27 April 2021.
- 3.3 At the Scrutiny Development Session, the Head of Roads and Infrastructure Services and key officers provided a presentation regarding the Council's Waste Strategy followed by a question and answer session.

3.4 Following the presentation the Committee members agreed they were assured that appropriate progress was being made in relation to the Council's waste strategy and that inclusion of a specific scrutiny topic focusing on the Strategy would not add value at this time. However given the materiality of the potential future impact of the issues relating to waste on the Council's future revenue position the Committee asked to be kept abreast of progress. The Head of Roads and Infrastructure Services confirmed that further progress reports on the Waste Strategy will be presented to the Environment, Development and Infrastructure Committee at appropriate times and the Committee Members agreed this was the appropriate forum for those reports.

Approach to Scrutiny Going Forward

3.5 At the Development Session the CIA provided a brief summary of the current process adopted to identify and prioritise potential scrutiny topics and of the overall approach adopted to scrutiny topics which has been a combination of panel reviews and 'scrutiny lite' where relevant officers have been asked to present at Committee or at Development Sessions on topics of interest to the Committee.

3.6 In particular the CIA asked the Committee to consider some key questions. These, and the Committee responses, are summarised in the table below.

3.7

Question	Committee Response
Should Scrutiny topics originate from all members and senior officers or from Committee members?	There needs to be a degree of flexibility to change topics and to be able to react quickly to an ever changing environment. It is for the Committee to determine scrutiny topics.
If topics originate from the committee should this be via discussions at Committee or development sessions?	We may need to meet as a Committee more often however these could be less formal meetings and held virtually. Further thought can be given to this as to some extent it will depend on the number of emerging topics to be considered for scrutiny.
Do we still need an annual scrutiny plan or should topics for scrutiny 'emerge' as the year goes by?	We don't need a plan we should allow items to emerge.
Do we still need the detailed prioritisation process?	The prioritisation process is there as a tool if we need it but we don't need to use to assess every scrutiny topic.
Do we have the right balance between 'full blown' panel approach vs Scrutiny Lite?	There has been value in having the full panels but these are resource intensive and we should look to make use of a scrutiny lite approach where appropriate. Once a topic is decided then the Committee can decide what the best Scrutiny approach to adopt is.

- 3.8 The CIA agreed to update the Scrutiny Framework and Manual to reflect the Committee responses detailed in the table above.

Future Scrutiny Topics

- 3.9 The Committee then discussed potential scrutiny topics. Two topics which were agreed are as follow

3.10 **Topic 1 – Community Asset Transfer Process.**

The Council's Best Value (BV) report stated that community focus groups highlighted a perception that the Council's current asset transfer processes is complex and does not fully support community empowerment to allow community groups to progress transfer requests without significant support

One of the actions in the Council's BV action plan is to 'Review and simplify the community asset transfer process'.

Scrutiny could assist this action by:

- comparing and contrasting asset transfer processes adopted by other councils
- engaging with community groups to get feedback
- engaging with Audit Scotland to access the feedback provided to them during the BV review .

3.11 **Topic 2 - Fly Tipping**

The Council charge for larger item uplifts and there is a possible correlation between the amount of the charge and the amount of fly tipping that is occurring. The cost to the Council of clearing up fly tipping can be considerable. The CIA is aware of another Council who took the decision to reduce their charges and it resulted in a reduction in the levels of fly tipping

Allocation of Services Across Heads of Service

- 3.12 A third potential topic was discussed regarding the allocation of services across Heads of Service and a query raised about whether the Committee can scrutinise how the Council has structured its service for efficiencies and performance. After the Development Session the CIA sought clarification from the Council's Monitoring Officer on this query.
- 3.13 The Council's Constitution states that the role of Councillors can be described as relating to constituency matters, corporate and strategic decisions and policy making, and a political role. It further sets out a job description for Councillors which, among other things, states that Councillors will participate as a policy maker, executive decision taker as part of the Council or a Committee of the Council and a scrutiniser of the effectiveness of the Council in achieving its desired outcomes and delivering services.
- 3.14 The Audit and Scrutiny Committee has the remit given to it within the Scheme of Administration and Delegations, in particular to monitor, and provide

guidance and advice in relation to financial audit, governance and risk management.

- 3.15 The Chief Executive is the head of paid service and is principal advisor to the Council on all matters of policy and strategic direction and is responsible for the implementation of Council aims and priorities, including leading the delivery of Best Value and Community Planning. The Chief Executive provides leadership, direction and motivation for staff and is responsible for the management of other resources to ensure that the Council's policies and priorities are delivered in an efficient and effective manner.
- 3.16 Therefore, the allocation of services across Heads of Service is one that relates more specifically to the remit of the Chief Executive as head of paid service and does not directly fall within the terms of reference or remit of members in their role as a Councillor or as a member of the Audit and Scrutiny Committee.
- 3.17 Based on the information set out in paragraphs 3.12 – 3.16 a review of the allocation of Services Across Heads of Service will not be included as a scrutiny topic.

4. CONCLUSION

- 4.1 The scrutiny process is new and evolving as each review is progressed. Members and officers continue to identify areas for improvement and these will be addressed as they are raised. Two scrutiny topics have been proposed for inclusion in the scrutiny work plan.

5 IMPLICATIONS

- 5.1 **Policy - None**
- 5.2 Financial -None
- 5.3 Legal -None
- 5.4 HR - None
- 5.5 Fairer Scotland Duty - None
- 5.5.1 Equalities – None
- 5.5.2 Socio-Economic Duty – None
- 5.5.3 Islands Duty - None
- 5.6 Risk – None
- 5.7 Customer Service - None

Laurence Slavin
Chief Internal Auditor
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For further information contact:

Laurence Slavin, Chief Internal Auditor (01436 657694)