

**SCRUTINY – IDENTIFICATION AND ASSESSMENT OF TOPICS 2022-23**

---

**1. INTRODUCTION**

- 1.1 The objective of the report is to provide the Audit and Scrutiny Committee (the Committee) with a summary of potential areas/topics identified by Members over the summer and consider these in the context of the Scrutiny Manual and Framework in order to take forward as part of the Committee's scrutiny role for 2022-23.

**2. RECOMMENDATIONS**

- 2.1 The Audit and Scrutiny Committee is asked to:
- 2.1.2 Consider the suggested topics identified in accordance with the agreed process of assessment which is detailed in the Scrutiny Framework and Manual.
- 2.1.3 Approve the one topic(s)/area(s) identified which would provide maximum benefit across the authority by adding value and supporting continuous improvement, specifically, Public Consultations. Consider as the financial year progresses whether another area be identified for scrutiny. In addition, obtain a further update in 2023/24 in relation to Waste Management to ascertain how discussions and planned responses to risk have been taken forward by the Council as discussions progress at a national level.
- 2.1.4 Note that the (CIA) will assist in finalising a 'scope' for the one topics/areas with the Members leading the review once further discussion with relevant Senior Managers takes place in order that resources are being focused efficiently and effectively.

**3 DETAIL**

- 3.1 The development of the scrutiny function has progressed successfully and in 2022/23 two scrutiny reviews were undertaken and reported, specifically 'fly tipping' and 'community asset transfer'. Scrutiny reviews are beneficial where there is a clear and identifiable need to consider areas where the primary focus is either continuous improvement or where concerns have been identified and the review would be in the context of ongoing improvement. It is also important to note that any recent, ongoing or planned reviews by other areas of the Council, for example Internal Audit, together with any ongoing processes, for example, which may include legal action would require to be concluded in the first instance. This similarly applies where any external bodies may be involved dependant on the circumstances. This is to prevent resources being inefficiently utilised, formal processes that may be ongoing being compromised and statutory roles/duties to be fulfilled in the first instance.

- 3.2 There are no minimum or maximum number of scrutiny reviews that require to be undertaken but such reviews should flow from identifiable 'issues' and where there is a remit taking cognisance of the limitations outlined in paragraph 3.1 of the report. During the initial stages of identifying potential areas where scrutiny resources could be focused on, two areas were suggested by Committee members, specifically 'public consultations' and 'waste management'.
- 3.3 In relation to waste management and also to provide newer members of the Committee context, a presentation was made to the previous Audit and Scrutiny Committee in April 2021 by the Head of Roads and Infrastructure and it was felt, at that time, appropriate progress was being made in relation to the Council's waste strategy and that the inclusion of a specific scrutiny topic focusing on the strategy would not add value at that time. Notwithstanding, the Committee, given the materiality of the potential future impact of the issues relating to waste on the Council's future revenue position agreed to keep abreast of progress. Furthermore, at the last meeting of the Audit and Scrutiny Committee in June 2022 an update was requested by the Committee. It is important to note that the effects of the bio-degradable waste being diverted from landfill affects all local authorities in Scotland and discussions continue at a national level which could affect the approach taken by a number of Council's, particularly those who may be disproportionately affected. It is critical that these discussions continue to take place and until a more defined picture is obtained in relation to any derogation, if provided, could change the approach taken to this specific issue. This matter may well be further considered as a potential scrutiny item in 2023/24 once additional and clearer information becomes available to the Council.
- 3.4 The second item of potential scrutiny identified was 'public consultations' which is both an important but in some cases a statutory requirement in terms of any significant planned change in approach by a local authority. In terms of a potential scrutiny review, this can be justified both in terms of added value and potential for identifying any, if applicable, areas for continuous improvement and links with 'good community engagement'. It would be important to have a very clear and focused scope given the potential risk of becoming unwieldy. A process of looking at the existing arrangements within the Council in terms of the approach to public consultations in a generic manner would likely be the most beneficial method and any areas of improvement, if identified, could be applied in a constructive way across the Council. Furthermore, the Scrutiny Framework adopted by the Council states "In particular, when assessing potential topics for scrutiny, the Committee should ensure the topic is not already being considered by an existing committee (area or strategic). The Audit and Scrutiny Committee should not generally be seen as the first committee to contact in relation to a topic meriting potential review nor should it be seen as a committee to deal with complaints". It is therefore important that the scrutiny review focuses on generic improvements rather than any existing or ongoing matters which are the remit of other Committee(s) of the Council.

***Approach to Scrutiny agreed by the Committee in June 2021 – Context and Background***

- 3.5 In order to provide newer Members of the Committee more context to the development of 'scrutiny reviews'; in April 2021 a Development Session was

held to establish the process to be adopted by the Committee 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 As a result of this feedback the CIA updated the Scrutiny Framework and Manual to reflect the Committee responses detailed in the table above.

#### 4. CONCLUSION

4.1 The scrutiny process continues to evolve as each review is progressed. Members and officers continue to identify areas for improvement and these will be addressed as they are raised. It is planned that up to two scrutiny topics will be taken forward for inclusion in the scrutiny work plan for 2022-23.

#### 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

**Paul Macaskill**  
**Chief Internal Auditor**  
**15 September 2022**

**For further information contact:**  
Paul Macaskill, Chief Internal Auditor (01546 604108)