

FALKIRK COUNCIL

Subject: SCRUTINY COMMITTEE ESTABLISHMENT
Meeting: SCRUTINY COMMITTEE
Date: 17 MAY 2013
Author: CHIEF EXECUTIVE

1. INTRODUCTION

- 1.1 At its meeting on 19 March 2013, Council agreed to establish a new model of governance. This model incorporated an Executive with a counterbalance by way of this scrutiny committee. On 24 April, Council agreed a new Scheme of Delegation to Committees which confirmed the role of this committee. Following the appointment of convener and depute convener, the first tasks of the committee will be the development of the scrutiny plan and the guidance under which scrutiny panels will operate.
- 1.2 This report sets out the background to scrutiny and proposes a way forward with regard to establishing the plan for scrutiny for this committee for the coming year.

2. BACKGROUND

- 2.1 The new governance model for the Council encompasses a framework by which the wider Council can scrutinise the work, achievements and performance of the Council and its services. This new framework includes the creation of this scrutiny committee and the development of the framework for detailed scrutiny of the outcomes of the decisions made by the Executive through the establishment of an annual scrutiny plan and scrutiny panels.
- 2.2 The principal role of this scrutiny committee is to establish, implement and oversee the annual scrutiny plan of the Council. This committee will identify a number of areas that would benefit each year from detailed and in depth scrutiny and then recommend a plan for scrutiny to Council for approval. Once agreed, it will be the role of the committee to establish scrutiny panels that will consider the subject areas within the plan. The committee would exercise oversight of the work of the panels and would receive the panels' reports before these were passed to the Executive for consideration.

3. SCRUTINY PLAN AND PANELS

- 3.1 The main functions of scrutiny are:
- monitoring service delivery;
 - scrutinising policy outcomes; and
 - scrutinising and reviewing policy and practices.

- 3.2 It is necessary to detail the actual process of scrutiny itself. This committee will develop for each issue it reviews, a timetable and “Terms of Reference” to guide proceedings.
- 3.3 In recognising the need to have a more robust scrutiny of achievement of outcomes, the new structure promotes the establishment of scrutiny panels that would look in depth at key areas of policy or service delivery to review if they are achieving intended outcomes. It is anticipated that a small number, e.g. 2 or 3 panels, would meet at any one time with clearly scoped terms of reference, timescales and work plans.
- 3.4 Council agreed that membership of the panels can be drawn from the wider membership of the Council or the committee, with the only restriction being that it would not be appropriate for a member from the Executive to sit either on the scrutiny committee or any of its panels. As the panels are not constituted as sub committees there should be greater flexibility as to how they are run in order to ensure the fullest debate on issues under consideration. This effectively means the panels can meet in public or in private depending on the subject and issue under debate.
- 3.5 The timetable for each topic will reflect the breadth of the issue to be scrutinised and should consider internal and external factors that might impact on a successful review e.g. while it may be helpful to undertake some scrutiny of an area of service that is subject to pressures and challenges, the very process of scrutiny will inevitably involve the same officers who are trying to manage that service through those very challenges. The timetable must give sufficient space for the issue to be scrutinised fully, but must also be short enough for the review to be completed and recommendations made timeously.

Scrutiny Process

- 3.6 It is important that the issue under scrutiny has clearly defined parameters. The Terms of Reference will develop these. The Terms of Reference will set out clearly the remit of the scrutiny panel, its membership (not more than 5 members), convenership and its timescale for reporting.
- 3.7 Scrutiny processes will differ depending on the issue under review, but a general framework to guide proceedings is appropriate and will take the form of guidance agreed by this Committee
- 3.8 In order to establish a plan for scrutiny it is proposed that a workshop is organised for members of this committee to consider areas for scrutiny. It is also important that this workshop considers how it will want the scrutiny panels to conduct their business and report back. This aspect of the discussion should assist in informing the guidance for scrutiny panels.
- 3.9 In addition to time limited scrutiny panels, the governance scheme considered by Council asked that consideration be given to the role of Best Value Forum and if this should be replaced by a standing scrutiny panel. The main purpose of such standing panel would be to scrutinise service performance.

4. OTHER ISSUES

- 4.1 In addition, to overseeing the annual scrutiny plan, this committee will have the role of considering Following the Public Pound reports. These are reports that are prepared in line with the Council's Following the Public Pound guidance and cover resources allocated by the Council to external organisations for a variety of purposes that are not covered by more formal tendering or procurement arrangements. It is suggested that a programme and schedule of such reports is put together for consideration.
- 4.2 The committee will also perform the Council's scrutiny function in relation to the work of the Community Trust and the scrutiny role in respect of the policing plan and the fire and safety plan, albeit that decision making (for example, approving the annual police and fire plans) would remain with the Council. Again it is proposed that officers prepare a reporting schedule for this committee to consider at its next meeting. It is hoped that by preparing this schedule members of the committee can see the full breadth of scrutiny work they will be undertaking over the coming months.

5. RECOMMENDATION

It is recommended that the committee agrees that a workshop is arranged to consider potential areas for scrutiny.

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CHIEF EXECUTIVE

Date: 9 May 2013

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LIST OF BACKGROUND PAPERS

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