



**CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL**

GWŶS I GYFARFOD O'R CYNGOR

C.Hanagan
Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu
Cyngor Bwrdeistref Sirol Rhondda Cynon Taf
Y Pafiliynau
Parc Hen Lofa'r Cambrian
Cwm Clydach CF40 2XX

Dolen gyswllt: Emma Wilkins (01443 424110)

**DYMA WŶS I CHI i gyfarfod o PWYLLGOR LLYWODRAETHU
CORFFORAETHOL A MATERION CYFANSODDIADOL yn cael ei gynnal yn
Siambr y Cyngor, Y Pafiliynau, Parc Hen Lofa'r Cambrian, Cwm Clydach,
Tonypanyd CF40 2XX ar DYDD IAU, 2AIL MAI, 2019 am 5.00 PM.**

Caiff Aelodau nad ydyn nhw'n aelodau o'r pwyllgor ac aelodau o'r cyhoedd gyfrannu yn y cyfarfod ar faterion y cyfarfod er bydd y cais yn ôl doethineb y Cadeirydd. Gofynnwn i chi roi gwybod i Wasanaethau Democrataidd erbyn Dydd Mawrth, 30 Ebrill 2019 trwy ddefnyddio'r manylion cyswllt uchod, gan gynnwys rhoi gwybod a fyddwch chi'n siarad Cymraeg neu Saesneg.

AGENDA

Tudalennau

1. DATGAN BUDDIANT

Derbyn datganiadau o fuddiannau personol gan Aelodau yn unol â'r Côd Ymddygiad

1. Mae gofyn i Aelodau ddatgan rhif a phwnc yr agendwm mae eu buddiant yn ymwneud ag ef a mynegi natur y buddiant personol hwnnw; a
2. Lle bo Aelodau'n ymneilltuo o'r cyfarfod o ganlyniad i ddatgelu buddiant personol sy'n rhagfarnu, rhaid iddyn nhw roi gwybod i'r Cadeirydd pan fyddan nhw'n gadael.

2. COFNODION

Cadarnhau cofnodion o gyfarfod y Pwyllgor Llywodraethu Corfforaethol a Materion Cyfansoddiadol ar 14.05.18.

3. PENODI LLYWYDD

Derbyn adroddiad y Cyfarwyddwr Gwasanaeth – Gwasanaethau Democrataidd a Chyfathrebu.

7 - 12

4. CYFANSODDIAD Y CYNGOR – NEWIDIADAU ARFAETHEDIG A MATERION ATEGOL

Trafod adroddiad ar y cyd Cyfarwyddwr y Gwasanaethau Cyfreithiol a'r Cyfarwyddwr Gwasanaeth, Gwasanaethau Democrataidd a Materion Cyfathrebu.

13 - 26

5. ADOLYGIAD - TROSOLWG A CHRAFFU 'ADDAS AR GYFER Y DYFODOL'

Derbyn adroddiad y Cyfarwyddwr Gwasanaeth – Gwasanaethau Democrataidd a Chyfathrebu.

27 - 72

Cyfarwyddwr Gwasanaeth y Gwasanaethau Democrataidd a Chyfathrebu

Cylchreliad:-

(Y Cynghorwyr Bwrdeistref Sirol Y Cynghorydd S Powderhill a Y Cynghorydd L De Vet – Cadeirydd ac Is-gadeirydd, yn y drefn honno)

Y Cynghorwyr Bwrdeistref Sirol:

Y Cynghorydd M Webber, Y Cynghorydd D Grehan, Y Cynghorydd M Griffiths, Y Cynghorydd G Stacey, Y Cynghorydd G Williams and Y Cynghorydd H Fychan

Mae'r cofnodion hyn yn amodol ar gymeradwyaeth yng nghyfarfod priodol nesaf y Pwyllgor.
These Minutes are subject to approval at the next appropriate meeting of the Committee.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE GOVERNANCE AND CONSTITUTION COMMITTEE

Minutes of the meeting of the Corporate Governance and Constitution Committee held at The Pavilions, Clydach Vale on Monday, 14 May 2018 at 10.30a.m.

PRESENT

County Borough Councillor M. Tegg– in the Chair

County Borough Councillors

M. Griffiths, G. Stacey and M. Webber

Officers in Attendance

Mr. A. Wilkins –Head of Legal – Corporate & Democratic Service

Mr. C. Hanagan –Director, Cabinet & Public Relations

4 APOLOGY FOR ABSENCE

An apology for absence was received from County Borough Councillor H. Fychan, D. Grehan and M. J. Powell.

5 MINUTES

RESOLVED – to approve the Minutes of the Corporate Governance and Constitution Committee held on the 16th November 2017.

JOINT REPORT OF THE DIRECTOR, CABINET AND PUBLIC RELATIONS AND DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

6 THE COUNCIL'S CONSTITUTION- PROPOSED AMENDMENTS AND ANCILLARY MATTERS

The Committee considered the Joint Report of the Director, Cabinet and Public Relations and the Director, Legal & Democratic Services which sought Committee's approval to commend to Council the adoption of the proposed amendments and ancillary matters relating to the Council's Constitution.

The Director, Cabinet and Public Relations provided Committee with a detailed overview of the proposed amendments to the Council Procedure Rules under the following headings:-

- Notices of Motion
- State of the County Debate
- Rules of Debate

- Proposed Amendments to the Overview and Scrutiny Procedure Rules
- Public Engagement in Scrutiny
- Reporting to Members
- Forward Work Programmes
- Members' Attendance at Meetings

Following consideration of the report, there followed a series of questions and comments in respect of the proposed amendments and ancillary matters relating to the Council's Constitution. The Cabinet Member for Council Business acknowledged the proposal which would serve to enhance the process of reporting to Members and sought assurance that in relation to Key Officer Delegated Decisions, the delegated decisions would be relayed all Elected Members.

It was determined that an element of flexibility would be applied to the forward work programmes for full Council, the Cabinet and Scrutiny Committees in order to take account of changing priorities and urgent issues.

The Cabinet Member for Council Business stressed the importance of promoting and clarifying the arrangements for public participation in Rhondda Cynon Taf's overview and scrutiny process following concerns raised by the Wales Audit Office in the wake of the review of the Council's scrutiny arrangements in 2016. Committee acknowledged that the introduction of the protocol in respect of enabling members of the public to speak at scrutiny committees would encourage and promote public engagement.

In conclusion, and with regard to the publication of information relating to Members' attendance, Committee agreed that Members' attendance on Outside Bodies, to which they have been appointed, should also be taken into account and documented as part of their overall recorded attendance.

Following a detailed discussion and consideration of the report it was **RESOLVED** to commend the following amendments to full Council for consideration at the Council's Annual General Meeting 2018:-

1. Council Procedure Rule 9.4 with the addition of a new Procedure Rule 9.4(e) as follows:
 - (e) If a Member is not in attendance at a meeting where they have a question submitted by them included on the relevant Council meeting agenda the question will not be put and no written response will be required to be made by the Member to whom the question was to be addressed.

2. Council Procedure Rule 10.1(d) with the addition of new paragraph 10.1(d)(iii) as follows (and if in agreement recommend its adoption to full Council):
 - (iii) Any notice of motion withdrawn or deferred once it has been delivered and published on the agenda will count against the Proposer's Group

allocation, or if unallocated his/hers allocation, of notices of motion agreed in accordance with Rule 10.2(a).

3. Renumber current Council Procedure Rule 10.3.3 to 10.3.4.

- Amend Rule 10.3.3 to read:

10.3.3 Any notice of motion which requires a change in the proposed or existing policy framework of the Council may only call for a report on the matter to be prepared for consideration by the Executive, Council or Overview and Scrutiny Committee/relevant thematic Scrutiny Committee as appropriate.

4. Council Procedure Rule 13.1 as follows:-

The Council Leader will call a state of County Borough debate annually on a date and in a form to be agreed with the Mayor.

5. Council Procedure Rule 13.2 as follows:-

The Leader will decide the form of the debate, with the aim of enabling the widest possible public involvement, direct participation and publicity. This may include prior engagement with residents, Scrutiny and other relevant stakeholders.

6. Council Procedure Rule 12 with the addition of new Procedure Rule 12.14 as follows:

12.14 Members may speak in English or Welsh and for the avoidance of doubt may exercise any right they have under these Council Procedure Rules through either medium.

7. Paragraph 17 of the Overview and Scrutiny Procedure Rules;

8. That delegated authority be given to the Overview and Scrutiny Committee to agree and adopt the final version for a protocol enabling members of the public to speak at meetings;

9. That the existing Cabinet report template be utilised as the template for all Council and other Committee reports, as well as reports which accompany Key Officer Delegated Decisions, going forward;

10. That Forward Work Programmes for full Council, the Cabinet and Scrutiny Committees be accessed via a single dedicated page on the Council's website; and,

11. That Members' attendance (to incorporate both Council meetings and Outside Bodies, to which Members have been appointed) be published using the Council's website via the dedicated 'Councillors' webpage and that this

information be updated on a monthly basis until such time as full roll out of Modern.Gov is completed.

**M.TEGG
CHAIRMAN**

The meeting terminated at 10.50a.m.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE GOVERNANCE & CONSTITUTION COMMITTEE

2nd MAY 2019

APPOINTMENT OF A PRESIDING MEMBER

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION.

1. PURPOSE OF REPORT

- 1.1 To consider the proposal to appoint a Presiding Member (and Deputy Presiding Member) into the Council structure to undertake the administrative functions of the Chair of the Council as set out in Article 5 of the Council's Constitution (reproduced at Appendix 1 to the report).
- 1.2 To provide a recommendation in respect of the proposal to the Council Annual General Meeting on the 15th May 2019.

2. RECOMMENDATIONS

It is recommended that the Corporate Governance & Constitution Committee:

- 2.1 Considers the proposal to appoint a Presiding Member (and Deputy Presiding Member) into the Council structure whom would undertake the administrative functions of the Chair of the Council for which are currently carried out by the Mayor; and
- 2.2 Makes a recommendation to Council as to the appointment, or not, of a Presiding Member (and Deputy Presiding Member) for consideration by Council at its Annual General Meeting on the 15th May 2019.

3. APPOINTING A PRESIDING MEMBER

- 3.1 The ability to appoint a Presiding Member was introduced via amendments to the Local Government Act 1972 by the Local Government (Democracy) Wales Act 2013.
- 3.2 The purpose of appointing a Presiding Member is to enable a structure by which:

- a. The recognised governance and administrative functions of the position of the Chair of the Council are undertaken by the Presiding Member (or in his/her absence the Deputy Presiding Member); and
 - b. The ceremonial and civic functions could become a stand-alone role to be undertaken by the Mayor (or in his/her absence the Deputy Mayor).
- 3.3 Full Council must determine whether to have a Presiding Member and may determine the functions of the Presiding Member and the term of office of that member.
- 3.4 The functions of the Presiding Member may in particular include any function of the Chair of the Council in relation to its meetings and proceedings. A member of the Executive may not be elected as the Presiding Officer. If remunerated, a Presiding Member is entitled to a Band 3 Senior Salary (for 19/20 £22,568) and the post would towards the Senior Salary cap for this Council of 19 posts.
- 3.5 A Presiding Member continues in office until the occurrence of:
 - a) the Presiding Member's resignation or disqualification;
 - b) a successor becoming entitled to act as a Presiding Member;
 - c) the Council determining not to have an office of Presiding Member; or
 - d) an Ordinary Council election.
- 3.6 Where a Presiding Member is appointed the Council must appoint a Deputy Presiding Member. A Deputy Presiding Member is not entitled to be remunerated for the functions attributed to that post. A Deputy Presiding Member cannot be a member of the Executive and may do anything authorised or required to be done by the Presiding Member.
- 3.7 Members are asked to consider whether to adopt such a structure noting that only the administrative functions of the Chair of the Council as set out in Article 5 of the Council's Constitution (reproduced at Appendix 1 to the report) involved with chairing Council meetings and upholding and promoting the purposes of the Constitution would be transferred to the Presiding Member.
- 3.8 The Presiding Member's function would be to preside over meetings of the full Council and ensure Council meetings were conducted in line with the Council's Constitution. Further it is proposed the Presiding Member chair meetings of the Corporate Governance and Constitution Committee. It is proposed the Presiding Member undertake all other administrative functions relating to the application of the Council's Constitution previously aligned to the Mayor. The Presiding Member would also carry out those duties as required under The Family Absence for Members of Local Authorities (Wales) Regulations 2013.

- 3.9 This would leave the Mayor, free to act as the ceremonial head of the Council and to represent the Council at all civic and ceremonial functions and adopt the Mayor title.
- 3.10 In light of the above Members are asked to consider the future arrangements of the Mayor and Chair of Council and the appointment of Presiding Member and Mayoral model as outlined above.
- 3.11 Should Council wish to make changes to the existing arrangements it would require consequential changes to the Constitution and it is recommended the Director of Legal Services (as Monitoring Officer) be given delegated authority to make such changes.

4. EQUALITY AND DIVERSITY IMPLICATIONS

- 4.1 None.

5. CONSULTATION

- 5.1 The Committee is being consulted prior to consideration of any proposals presented at the Council's Annual General Meeting.

6. FINANCIAL IMPLICATIONS

- 6.1 As outlined within Section 3.4 of the report, a Presiding Member is entitled to a Band 3 Senior Salary (for 19/20 £22,568).

7. LEGAL IMPLICATIONS

- 7.1 The legal implications and relevant legislation is outlined in the main body of the report.

8. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 8.1 The work of all Councillors is fundamental to the work of the Council and subsequently the delivery of the Corporate Plan, hence ensuring Members are fully supported in undertaking their roles during Council meetings is important to the work of the Council overall.

- 8.2 Ensuring appropriate governance arrangements are in place is also essential to the smooth operating and sustainability of the Council when undertaking Council Business.

- 8.3 The proposal is also linked to the Future Generations well being goals of a more equal Wales and a Wales of cohesive communities.

ARTICLE 5 – CHAIRING THE COUNCIL

5.01 Title of the Person Chairing Council Meetings

The Councillor elected annually by the Council to Chair its meetings will be called the 'Mayor'.

5.02 Role and function of the Mayor

The Mayor of the Council and in his/her absence, the Deputy Mayor will have the following roles and functions;

(a) Ceremonial Role

The Mayor of the Council:

- (i) is the civic leader of Rhondda Cynon Taff;
- (ii) promotes the interests and reputation of the Council and Rhondda Cynon Taff as a whole and acts as an ambassador for both; and
- (iii) undertakes civic, community and ceremonial activities and fosters community identity and pride.

(b) Responsibilities of the Mayor

- (i) to uphold and promote the purpose of the Constitution, and to interpret the Constitution when necessary;
- (ii) to preside over meetings of the Council so that its business can be carried out fairly and efficiently and with regard to the rights of Councillors and the interests of the community;
- (iii) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Executive are able to hold the Cabinet and Committee Chair to account;
- (iv) to promote public involvement in the Council's activities;
- (v) to be the conscience of the Council;
- (vi) to attend such civic and ceremonial functions as the Council and he/she determines appropriate;
- (vii) to carry out duties as required under The Family Absence for Members of Local Authorities (Wales) Regulations 2013; and
- (viii) to Chair the Council's Corporate Governance and Constitution Committee.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE GOVERNANCE AND CONSTITUTION COMMITTEE

2nd MAY 2019

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATION.**

Background Papers

Local Government Act 1972 (as amended)

Local Government (Democracy) Wales Act 2013

Tudalen wag



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2018 - 2019

CORPORATE GOVERNANCE AND CONSTITUTION COMMITTEE

2ND MAY 2019

THE COUNCIL'S CONSTITUTION – PROPOSED AMENDMENTS AND ANCILLARY MATTERS

**JOINT REPORT OF THE SERVICE DIRECTOR – DEMOCRATIC
SERVICES & COMMUNICATION AND THE DIRECTOR OF LEGAL
SERVICES**

1. PURPOSE OF REPORT

To receive Members' comments on proposed amendments to the Council's Constitution and ancillary matters as outlined in the report and, if in agreement, commend the adoption of the proposed amendments to full Council for consideration at the Annual General Meeting of the Council being held on 15th May 2019.

2. RECOMMENDATIONS

It is recommended that the Committee considers the following proposed amendments and ancillary matters relating to the Council's Constitution (and if in agreement recommend their adoption to full Council):

Proposed amendments to the Council Procedure Rules

Members' Questions

- 2.1 For the reasons outlined in paragraphs 4.1-4.10 of the report amends Council Procedure Rule 9.2 as follows:

A maximum of 20 minutes shall be allowed for Questions on Notice at Full Council. Any questions that are not dealt with in this time limit shall fall. The order of questions to be asked at each meeting shall be determined by a ballot conducted by the Proper Officer. Any questions on notice not answered will need to be resubmitted to the Proper Officer for the next full Council meeting in accordance with these rules. This rule does not prevent a Member asking an urgent question to which the Mayor has agreed can be put in accordance with Rule 9.4(b). Any such urgent questions shall be put prior to the commencement of the 20 minutes allocated for questions received on notice.

- 2.2 For the reasons outlined in paragraph 4.12 of the report amends Procedure Rule 9.5(c) as follows:

(c) where the reply cannot conveniently be given orally, a written answer provided subsequently to the questioner, within 10 working days and a copy of the answer circulated to all Members.

Motions on Notice

- 2.3 For the reasons outlined in paragraphs 4.14-4.15 of the report amends Council Procedure Rule 10.1(b), second bullet point as follows:

- in writing, by fax or e-mail (with the names of the Proposer and Secunder clearly stated) signed by the Proposer; and

Content and length of speeches

- 2.4 For the reasons outlined in paragraphs 4.17-4.18 of the report amends Council Procedure Rule 12.4 as follows:

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Mayor acknowledging that flexibility shall be given where a speech is being delivered through the medium of Welsh to allow for simultaneous translation.

Substitution

- 2.5 For the reasons outlined in paragraph 4.20 of the report amends Council Procedure Rule 22.4(iii) as follows:

(iii) after notifying the Proper Officer via e-mail or telephone by 8.30a.m. on the day of the meeting of the intended substitution.

Proposed amendments to the Open Government Council Meeting Procedure Rules

Public Questions

- 2.6 For the reasons outlined at paragraphs 5.1-5.2 of the report to amend Rule 3.2 to stipulate that the Proper Officer will conduct the ballot noting, as is current practice, that all Leaders of Political Groups (or their nominated substitute) and any unallocated Members would be entitled to attend the ballot should they wish to do.
- 2.7 For the reasons outlined in paragraphs 5.3-5.4 of the report Rule 3.3 be amended as follows:

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Proper Officer not later than 5.00pm at least eight clear working days (not including the date of the meeting) before the date of the meeting. Each question must give the name and address of the questioner and must specify the Member to whom it is to be put.

- 2.8 For the reasons outlined in paragraphs 5.5-5.6 of the report Rule 3.10(c) be amended as follows:

(c) a written answer (with a copy of that answer being circulated to all Members).

Public Presentations

- 2.9 For the reasons outlined in paragraphs 5.8-5.9 of the report Rule 4.1 be amended as follows:

Any resident of or Council taxpayer or non domestic ratepayer in the County Borough may make a presentation to Council on a matter for which the Council has responsibility. Presentations will be selected by a draw to be undertaken by the Mayor or Deputy Mayor which shall take place as soon as possible after the period for submission of presentations has expired. A maximum of two, 5 minute presentations will be permitted per meeting provided that a written submission summarising the presentation(s) is received by the Proper Officer not later than 5.00pm at least eight clear working days (not including the date of the meeting) before the date of the meeting.

Proposed amendments to the Budget and Policy Framework Procedure Rules

- 2.10 For the reasons outlined in paragraphs 6.1-6.2 of the report to amend the second paragraph of Rule 2(b) as follows:

Any amendments to the proposals of the Cabinet to be proposed by Members at Council may not be considered by Council unless notice of the proposed amendment has been given in writing, by fax or via e-mail (with the names of the Proposer and Seconder clearly stated) to the Proper Officer and signed by the Proposer not later than 5:00pm at least 8 clear working days (not including the date of the meeting) before the date of the Council meeting.

Proposed amendments to the Pension Fund Committee terms of reference

- 2.11 For the reasons outlined in section 7 of the report to amend the terms of reference, specifically Paragraph 14.1(a) by adding a new bullet point 'a (vi)' as follows and renumbering existing bullet points a (vi) and a (vii) accordingly:

vi) Stewardship Code – approving the Fund's Stewardship code to promote best practice in stewardship that is consistent with seeking long – term investment returns;

- 2.12 For the reasons outlined in section 7 of the report to amend Paragraph 14.1(c) to as follows:

(c) Considering the Fund's financial statements as part of the approval process and to receive the Fund's Annual Report. Receive internal and external audit reports on the same.

'Proper Officer' references

- 2.13 For the reasons outlined in section 8 of the report to amend relevant 'Proper Officer' references in the Council's Constitution from the Monitoring Officer to the Service Director – Democratic Services and Communications.

Petitions

- 2.14 For the reasons outlined in section 9 of the report considers the proposal to adopt an agreed set of procedures for the receipt and processing of petitions.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Council's Constitution was adopted in May 2002 and sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that they are efficient, transparent and available to local people. The Constitution is a 'living document' in that it is constantly being updated and revised to reflect new Government legislation, guidance and improvements in procedures gained in light of experience.

- 3.2 In accordance with its terms of reference this Committee is being asked to consider a number of proposed changes to the Council's Constitution and determine whether or not to recommend to Council the adoption of the proposed changes prior to consideration by full Council at the Annual General Meeting.
- 3.3 It is considered implementation of the proposed amendments within this report would provide for increased certainty in the interpretation of the Council's Constitution and allow for greater transparency in respect of decision making. The proposed amendments seek to ensure a consistent and robust approach to governance across the Authority.
- 3.4 Any changes to the Council's Constitution need to be agreed by full Council. Article 15.03 of Part 2 of the Constitution stipulates that changes to the Constitution will only be approved by full Council after consideration by a proposal by the Corporate Governance and Constitution Committee, the Monitoring Officer or a recommendation from Cabinet.

4. PROPOSED AMENDMENTS TO THE COUNCIL PROCEDURE RULES

Members' Questions

- 4.1 In accordance with Council Procedure Rule 9.2 a Member of the Council may ask:
- The Mayor of the Council
 - A Member of the Executive
 - The Chair of any Committee or Sub Committee

A question on any matter in relation to which the Council has powers or duties or which affects the County Borough of Rhondda Cynon Taf.

- 4.2 If more than five questions on notice are received then the five questions to be asked at that meeting are to be determined by a ballot.
- 4.3 At the Council meeting on the 10th April 2019, when considering a Notice of Motion (Minute 144 refers) Members discussed increasing the number of questions permitted to be asked from 5 to 8. Members also discussed the proposal of replacing the rule which specifies a specific number of questions can be asked with a rule specifying an allotted amount of time within which questions can be asked.
- 4.4 From looking at other local authority practices, a number of local authorities and the National Assembly for Wales provide a specified period of time within which questions may be asked rather than deal with a specified allocated number of questions.

- 4.5 It is therefore proposed that an allocated time of 20 minutes be provided on each Council agenda for the provision of 'Questions on Notice at Full Council'.
- 4.6 This proposal would mean that Members will still need to submit questions in accordance with the Council Procedure Rules and a ballot would be conducted ahead of every relevant full Council meeting to determine the order of questions to be asked at each meeting, regardless of the number which may be received.
- 4.7 During the Council meeting, the Mayor will set the clock and each question will be asked in turn (plus any supplementary question) in accordance with the results of the ballot. Once the clock reaches the allocated 20 minutes the Mayor will confirm that following receipt of the question being asked or response to the question being answered at the time (together with any supplementary question and answer) Council will then proceed to the next agenda item.
- 4.8 Providing for a time allocation to this agenda item provides the potential for more questions to be asked than the current limit of 5 per meeting. The provision of 20 minutes would ensure that the item provides sufficient time for a number of questions to be put and responses to be received, whilst not impacting on the remainder of Council business at the relevant meeting.
- 4.9 Council Procedure Rule 9.2 currently states that if more than five questions on notice which may be asked at any meeting of the full Council are received by the Proper Officer then the five questions to be asked at that meeting are to be determined by a ballot conducted by the Mayor (and in their absence the Deputy Mayor).
- 4.10 In the interests of efficiency and to avoid having to ask the Mayor (or in their absence the Deputy Mayor) to attend the Council offices to conduct the ballot it is proposed that the Proper Officer conduct the ballot and the final paragraph of Council Procedure Rule 9.2 be amended to reflect this change. As is current practice all Leaders of Political Groups (or their nominated substitute) and any unallocated Members would be entitled to attend the ballot should they wish to do.
- 4.11 To reflect both of the above changes it is proposed to amend Council Procedure Rule 9.2 as follows:

A maximum of 20 minutes shall be allowed for Questions on Notice at Full Council. Any questions that are not dealt with in this time limit shall fall. The order of questions to be asked at each meeting shall be determined by a ballot conducted by the Proper Officer. Any questions on notice not answered will need to be resubmitted to the Proper Officer for the next full Council meeting in accordance with these rules. This rule does not prevent a Member asking an urgent question to which the Mayor has agreed can be put in accordance with Rule 9.4(b).

Any such urgent questions shall be put prior to the commencement of the 20 minutes allocated for questions received on notice.

4.12 A further amendment is proposed to Rule 9.5 concerning the provision of a written answer to a question where the reply cannot be given orally. It is proposed for transparency that where a written answer is provided to a questioner the reply also be circulated to all Members.

4.13 Procedure Rule 9.5(c) would therefore be amended as follows:

(c) where the reply cannot conveniently be given orally, a written answer provided subsequently to the questioner, within 10 working days and a copy of the answer circulated to all Members.

Motions On Notice

4.14 Council Procedure Rule 10.1 outlines the procedures for dealing with Notices of Motion. At 10.1(b), second bullet point, it stipulates

(b) Except for motions which can be moved under Rule 10.5 (urgent motions) or without notice under Rule 11, notice of every motion shall only be properly given if it is:

- in writing, by fax or e-mail (with the names of the Proposer and Secunder clearly stated) signed by the Proposer, and seconded; and

4.15 In the interests of clarity it is proposed ‘,and seconded’ be removed from the current rule to avoid any possible confusion about how the notice should be submitted. This would not remove the requirement for a motion to be seconded but means a notice of motion can be submitted in accordance with that rule providing it is signed by the Proposer with the name of the Secunder clearly stated within the notice itself.

4.16 The amended Council Procedure Rule 10.1(b), second bullet point, would therefore read as follows:

- in writing, by fax or e-mail (with the names of the Proposer and Secunder clearly stated) signed by the Proposer; and

Content and Length of Speeches

4.17 Council Procedure Rule 12.4 states the following:

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Mayor.

4.18 It is recommended this Council Procedure Rule be amended as set out below given the increase in use of the Welsh Language during Council and relevant Committee meetings.

4.19 Council Procedure Rule 12.4 as amended would therefore read as follows:

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Mayor acknowledging that flexibility shall be given where a speech is being delivered through the medium of Welsh to allow for simultaneous translation.

Substitution

4.20 Council Procedure Rule 22 deals with the appointment of Substitute Members for certain committees. Rule 22.4 states that Substitute Members may attend meetings in that capacity only after notifying the Proper Officer by 11.00a.m on the day of the meeting of the intended substitution. As meetings are now scheduled to take place prior to 11.00a.m. it is proposed that the timing be amended to 8.30a.m. and that notification of the intended substitution can be given to the Proper Officer via e-mail or by telephone.

4.21 The amended Council Procedure Rule 22.4(iii) would therefore read as follows:

(iii) after notifying the Proper Officer via e-mail or telephone by 8.30a.m. on the day of the meeting of the intended substitution.

5. PROPOSED AMENDMENTS TO THE OPEN GOVERNMENT COUNCIL MEETING PROCEDURE RULES

Public Question Time

5.1 Rule 3.2 of the Open Government Council Meeting Procedure Rules states the following:

The 6 Questions to be asked will be selected by a draw to be undertaken by the Mayor or Deputy Mayor which shall take place as soon as possible after the period for submission of questions has expired. Similarly themed questions will be grouped together

5.2 In the interests of efficiency and to avoid having to ask the Mayor (or in their absence the Deputy Mayor) to attend the Council offices to conduct the ballot it is proposed that the Proper Officer conduct the ballot and Rule 3.2 of these rules be amended to reflect this change. As is current practice all Leaders of Political Groups (or their nominated substitute) and any unallocated Members would be entitled to attend the ballot should they wish to do so.

- 5.3 Rule 3.3 of the Open Government Council Meeting Procedure Rules states the following:

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Director of Legal Services no later than 14 days before the date of the meeting. Each question must give the name and address of the questioner and must specify the member to whom it is to be put.

- 5.4 In order to regularise the above position with the deadlines for submitting Questions on Notice by Members and Motions on Notice it is proposed Rule 3.3 be amended as follows:

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Proper Officer not later than 5.00pm at least eight clear working days (not including the date of the meeting) before the date of the meeting. Each question must give the name and address of the questioner and must specify the Member to whom it is to be put.

- 5.5 Rule 3.10 states the following:

(i) Questions and supplementary questions will be answered without discussion and an answer may take the form of:-

- (a) An oral answer given by the Councillor to whom the question is addressed or another Councillor nominated by him or her;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) a written answer.

- 5.6 It is proposed to amend Rule 3.10(i)(c) so that where a written answer is given a copy of that answer is circulated to all Members of the Council.

- 5.7 Rule 3.10(c) would therefore be amended to read as follows:

(c) a written answer (with a copy of that answer being circulated to all Members).

Public Presentations

- 5.8 Rule 4.1 of the Open Government Council Meeting Procedure Rules states the following:

Any resident of or Council taxpayer or non domestic ratepayer in the County Borough may make a presentation to Council on a matter for which the Council has responsibility. Presentations will be selected by a draw to be undertaken by the Mayor or Deputy Mayor which shall take place as soon as possible after the period for submission of presentations has expired. A maximum of two, 5 minute presentations

will be permitted per meeting provided that a written submission summarising the presentation(s) is received by the Director of Legal Services at least 14 days prior to the date of the meeting.

- 5.9 Similar to paragraph 5.4 above in order to regularise the above position with the deadlines for submitting Questions on Notice by Members and Motions on Notice it is proposed Rule 4.1 be amended as follows:

Any resident of or Council taxpayer or non domestic ratepayer in the County Borough may make a presentation to Council on a matter for which the Council has responsibility. Presentations will be selected by a draw to be undertaken by the Mayor or Deputy Mayor which shall take place as soon as possible after the period for submission of presentations has expired. A maximum of two, 5 minute presentations will be permitted per meeting provided that a written submission summarising the presentation(s) is received by the Proper Officer not later than 5.00pm at least eight clear working days (not including the date of the meeting) before the date of the meeting.

6. PROPOSED AMENDMENT TO BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

- 6.1 The second paragraph to Rule 2(b) of the Budget and Policy Framework Procedure Rules state the following:

Any amendments to the proposals of the Cabinet to be proposed by Members at Council may not be considered by Council unless notice of the proposed amendment has been given to the Proper Officer in writing and signed by the proposer and seconder not later than 5:00pm at least 8 calendar days (not including the date of the meeting) before the date of the Council meeting.

- 6.2 In order to regularise the above deadline with other deadlines within the Constitution and clarify the requirements of how the amendment should be submitted it is proposed to amend the second paragraph of Rule 2(b) as follows:

Any amendments to the proposals of the Cabinet to be proposed by Members at Council may not be considered by Council unless notice of the proposed amendment has been given in writing, by fax or via e-mail (with the names of the Proposer and Seconder clearly stated) to the Proper Officer and signed by the Proposer not later than 5:00pm at least 8 clear working days (not including the date of the meeting) before the date of the Council meeting.

7. PROPOSED AMENDMENTS TO THE TERMS OF REFERENCE OF THE PENSION FUND COMMITTEE

- 7.1 The Pension Fund Committee has the specific roles and functions with regards to the Rhondda Cynon Taff Pension Fund (the 'Fund') as set

out in its terms of reference contained in Part 3 of the Council's Constitution.

- 7.2 The Committee now has responsibility for approving and acting as a signatory to the Fund's Stewardship Code and promote best practice in stewardship consistent with seeking long-term investment returns. It is therefore proposed to amend its terms of reference, specifically Paragraph 14.1 (a) by adding a new bullet point 'a (vi)' as follows and renumbering existing bullet points a (vi) and a (vii) accordingly:

vi) Stewardship Code – approving the Fund's Stewardship code to promote best practice in stewardship that is consistent with seeking long – term investment returns;

- 7.3 Paragraph 14.1(c) of the Committee's terms of reference states the following:

(c) Considering the Fund's financial statements as part of the approval process and agreeing the Fund's Annual Report. Receive internal and external audit reports on the same

- 7.4 There is no requirement and it is not current practice for the Committee to agree the Fund's Annual Report. It is therefore proposed the following amendment to 14.1(c) be made to reflect the appropriate approval processes as follows:

(c) Considering the Fund's financial statements as part of the approval process and to receive the Fund's Annual Report. Receive internal and external audit reports on the same.

8. PROPOSED AMENDMENTS TO 'PROPER OFFICER' REFERENCES IN THE COUNCIL'S CONSTITUTION

- 8.1 Following the changes to the Senior Management structure of the Council from 1st April 2019 and transfer of the Democratic Services functions from Legal Services to the Service Director – Democratic Services and Communications it is proposed that the relevant 'Proper Officer' references in the Council's Constitution relating to Democratic Services functions be realigned from the Monitoring Officer to the above post.

9. PETITIONS

- 9.1 At the Council meeting on the 10th April, a Notice of Motion relating to the establishment of a Petitions Committee and changing the current provision in respect of Members questions at Council was considered.
- 9.2 Although the Notice of Motion was not adopted Members suggested that the content be brought before the Corporate Governance &

Constitution Committee in respect of developing proposals that could be taken forward.

CURRENT PRACTICE

- 9.3 Petitions to the Council are submitted via a number of different methods, i.e. through formal consultation responses and by Local Members presenting petitions to the Mayor at Council meetings.
- 9.4 In respect of the latter, following formal receipt at a Council meeting, notification is sent to the first person on the petition to advise them that the petition has been received. Formal notification is also sent to the relevant Senior Officer(s) together with a copy of the petition. The Local Member who submitted the petition is also copied into the notifications.
- 9.5 The relevant Senior Officer(s) will then deal with the concerns/requests of the petitions as appropriate, providing feedback as and when necessary.

GOING FORWARD

- 9.6 It is proposed that to ensure Local Members and the public receive appropriate information in respect of their concerns/requests as highlighted within a petition the following procedures be adopted via a Petitions Protocol:
- a) Upon receipt a copy of the petition is provided to both the appropriate Cabinet Member and the relevant Senior Officer for information and consideration.
 - b) A list of petitions which have met set criteria (i.e. Number of signatories to the petition, affects more than ward) would be listed on the Council Website for the public to view.
 - c) The relevant Cabinet Member will respond to the petition, either to the lead petitioner or local member (depending on how the petition has been received).
 - d) Any action taken forward in respect of the petition would also be published on the Council website.
- 9.7 It is anticipated that this process would formalise the current procedures in respect of petitions and provide an opportunity for the Council to publically demonstrate any actions taken forward once petitions are received. This procedure would also allow for the relevant Cabinet Member(s) to be involved.

9.8 If the proposal is to be taken forward set criteria that would lead to publication of petitions would be developed, such as a minimum number of signatories or if a petition affects more than one ward.

10. EQUALITY AND DIVERSITY IMPLICATIONS

10.1 If taken forward the proposed amendments should allow Members greater accessibility in respect of transparency of decision making.

11. CONSULTATION

11.1 In accordance with its terms of reference this Committee is meeting to consider a number of proposed changes to the Council's Constitution and determine whether or not to recommend to Council the adoption of the proposed changes as outlined in this report.

12. FINANCIAL IMPLICATIONS

12.1 There are no financial implications aligned to this report. The proposed improvements seek to streamline decision making and strengthen the current decision making process using existing resources.

13. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED

- Local Government Act 2000
- Parts 2, 3 and 4 of the Council's Constitution

14. LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

14.1 The proposals within the report are fundamental to all of the Councils Corporate Plan priorities. As an organisation the Council needs to ensure a consistent and efficient process in respect of decision making to ensure functionality of the Council as well as strengthening the Council's Governance arrangements.

14.2 The proposals also link to the five ways of working within the Well-being of Future Generations Act, as these proposals are looking at the long term sustainability of the Council.

15. CONCLUSION

15.1 Adoption of the processes highlighted within the report will help to illustrate the Council's robust approach to decision making and will strengthen the Council's Governance arrangements.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE GOVERNANCE AND CONSTITUTION COMMITTEE

2ND MAY 2019

JOINT REPORT OF THE SERVICE DIRECTOR – DEMOCRATIC SERVICES & COMMUNICATIONS AND DIRECTOR OF LEGAL

PROPOSED AMENDMENTS TO THE COUNCIL'S CONSTITUTION AND ANCILLARY MATTERS

Background Papers

Freestanding Matter

Report Authors: -

Andy Wilkins – Director of Legal Services

Christian Hanagan – Service Director – Democratic Services and Communications

Emma Wilkins – Democratic Services

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE GOVERNANCE & CONSTITUTION COMMITTEE

2nd MAY 2019

REVIEW – OVERVIEW & SCRUTINY ‘FIT FOR THE FUTURE’

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION.

1. PURPOSE OF REPORT

- 1.1 To provide Members with details of the proposals in response to the WAO ‘Fit for the Future’ review in respect of the Council’s Scrutiny arrangements and to seek approval to amend the constitution to reflect the proposals contained within the report, as attached as Appendix A.

2. RECOMMENDATIONS

It is recommended that the Corporate Governance & Constitution Committee:

- 2.1 Note the observations and responses to the proposals of the WAO fit for the future review as outlined within Appendix A of the report.
- 2.2 To note the verbal feedback of the Overview & Scrutiny Committee following consideration of the report and the recommended proposals following their meeting on the 1st May, 2019.
- 2.3 Agree that the Terms of Reference of each of the scrutiny Committees be reviewed, refined and agreed by the Overview and Scrutiny Committee at its first meeting, following the Council Annual General Meeting.
- 2.4 Subject to the agreement to the above, recommend to the Council Annual General Meeting that authority is provided to the proper officer to update the Council Constitution accordingly to reflect the changes to the Committees Terms of Reference.

3. BACKGROUND

- 3.1 In October, 2018 the WAO published its report into the Council’s scrutiny arrangements ‘Fit for the Future. The report followed a review conducted

from December 2017 and January 2018. This report and a subsequent implementation plan was presented to Overview and Scrutiny. Following which Members instructed that a review of the council's Scrutiny arrangements be undertaken.

- 3.2 The findings of the review can be found in appendix A to this report.
- 3.3 If the proposals are taken forward then amendments to the Constitution will need to be taken forward in respect of the Terms of Reference for each of the Council's Scrutiny Committees.

4 EQUALITY AND DIVERSITY IMPLICATIONS

- 4.1 There are no equality and diversity implications arising from this report and no equality impact assessment is deemed necessary.

5 CONSULTATION

- 5.1 A meeting with the Council's Scrutiny Chairs & Vice Chairs has been scheduled to discuss the report and in addition to this, the matter is to be discussed at a special meeting of the Overview & Scrutiny Committee on the 1st May, 2019, with verbal feedback from the meeting being reported to the Corporate Governance and Constitution Committee.

6 FINANCIAL IMPLICATIONS

- 6.1 None

7 LEGAL IMPLICATIONS

- 7.1 If taken forward the Council Constitution will need to be amended to reflect the new way of working.

8 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 8.1 The proposals outlined within Appendix A will work to ensure a sustainable and robust scrutiny structure is in place which will effectively challenge policy decisions taken forward.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CORPORATE GOVERNANCE AND CONSTITUTION COMMITTEE

2nd MAY 2019

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATION.**

Background Papers

[Overview & Scrutiny](#) – October 2018.

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APPENDIX A

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2018/19

**OVERVIEW AND SCRUTINY
COMMITTEE**

Item No. 2

Review – Overview and Scrutiny 'Fit for the Future'
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REPORT OF:-

THE DIRECTOR OF DEMOCRATIC SERVICES & COMMUNICATIONS

Author: Christian Hanagan

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to provide Members with observations and proposals in response to the request from committee members to review the Council Scrutiny arrangements, and to update Members on the progress arising from the WAO report in respect of the Council's Scrutiny arrangements 'Fit for the Future'.

2. RECOMMENDATIONS

It is recommended that Members of the Overview and Scrutiny Committee:

- 2.1 Consider the progress to date in delivering upon the actions agreed in response to the Wales Audit Office Report 'Fit for the future'.
- 2.2 Endorse the proposed amendments to scrutiny structures, namely to:
- A) Agree to the observations outlined within the report, in respect of the recent review of current scrutiny arrangements
 - B) Endorse the recommended proposals numbered 1-4 outlined in section 7 of the report.
 - C) Recommend to the Corporate Governance & Constitution Committee that the Terms of reference of each of the scrutiny Committees be reviewed and refined and agreed by the Overview & Scrutiny Committee at its first meeting, following the Council AGM.

D) That subject to agreement to the above, authority is provided to the Proper Officer to update the Council Constitution accordingly to reflect the changes to the Committees Terms of Reference.

2.3 Note the progress to date in respect of the proposals for improvement identified by the Wales Audit Office – Fit for the Future.

2.4 Note the responses set out in section 10 of the report i.e. the national discussion paper '[six themes to help make scrutiny fit for future](#)', issued by the Wales Audit Office in February 2019.

3 BACKGROUND INFORMATION

3.1 Members will be aware that the Council's Scrutiny arrangements have been subject to a number of reports by the WAO since 2014:

- In July 2015 the Council implemented new arrangements for Overview and Scrutiny which took account of the national report issued in May 2014, '[Good Scrutiny? Good Question!](#)'
- In November 2015, the Overview and Scrutiny Committee agreed an Action Plan and a detailed update arising from the publication of '[Good Scrutiny? Good Question!](#)'
- On the 9th March 2017 Cabinet and subsequently Audit Committee on 20th March, received a report in respect of 'Good Governance when determining significant service change'.

3.2 Since these reports have been issued, there have been significant changes in the Scrutiny function which are strengthening the Council's overall governance arrangements. Changes include:

- Increasing use of pre scrutiny,
- More focused work that leads to tangible outcomes for the residents of Rhondda Cynon Taf through Scrutiny Working Groups
- Changes to the management arrangements
- Strengthening resourcing of the Scrutiny function.

We are also continuing to implement a number of other planned changes.

3.3 In October 2018 the WAO published its report into the Council's scrutiny arrangements '[Fit for the Future](#)'. The report followed a review conducted between December 2017 and January 2018. Although the report did not reflect the changes already put in place to strengthen the scrutiny arrangements, it was generally positive, reflecting the progress that has been made in the Council's scrutiny arrangements since the previous WAO reports in 2015. However, it also set out the need for strengthened support for scrutiny, including scrutiny capacity and Member training. This report and a subsequent implementation plan was presented to the Overview & Scrutiny Committee on the 22nd October, 2018. Following Members consideration of the report the then Director of Communications & interim Head of Democratic Services was tasked with undertaking a review of the Councils scrutiny structure.

- 3.4 The WAO subsequently published a national 'Discussion paper 'Six themes to help make scrutiny 'Fit for the Future'. The six themes identified within this report were:
- i. Clarifying roles and responsibilities is still necessary in some councils and is a pre-requisite to successful scrutiny
 - ii. Many councils continue to recognise a need to improve public engagement in scrutiny but in many councils this will require a step change in scrutiny practice
 - iii. Councils should reflect on the rigour with which they must prioritise and then plan scrutiny activity to improve impact
 - iv. Responding to current and future challenges may need a different approach to supporting scrutiny committee members
 - v. Evaluating the effectiveness of scrutiny
 - vi. Welsh government and councils should consider the implications of the above themes for councils' and partnership governance arrangements.

These themes have also been utilised when undertaking the review.

4 REVIEW OF SCRUTINY WORKING ARRANGEMENTS

- 4.1 Positive changes continue to be progressed in respect of the Council's scrutiny arrangements. Work has already taken place to strengthen scrutiny's ownership of their work programmes. New ways of considering how to best focus committees time will be utilised from the start of the next Municipal Year, looking at a more outcome based approach.
- 4.2 An important change has seen the implementation of more formal arrangements for Chairs and Vice-Chairs of scrutiny committees to consider work programme matters and the development of business in a more formal and co-ordinated way.
- 4.3 The now established engagement between Cabinet and Scrutiny Members is providing more opportunities than ever before for Scrutiny to play an influential role in the significant policy decisions of the Council at an early stage. It would be fair to say that when scrutiny first began performing a pre-scrutiny role, there was limited opportunity for scrutiny to change the direction already set by the Council's Cabinet. With recent improvements in associated processes and communications for pre-scrutiny, the arrangements have matured and developed. This has resulted in the opportunity for early and more regular involvement of scrutiny in key Council decisions, a notable example of this being the involvement of scrutiny at regular stages in the potential plans to modernise the delivery of residential care in the County Borough. Another notable example, has been, the engagement of scrutiny in the Council's 21st Century Schools proposals for the first time. Both these examples have been achieved through the 121 dialogue established as a result of the regular formal meetings between Scrutiny Chairs and the respective Cabinet Members & Director.
- 4.4 The visibility of scrutiny has increased in the last year, both in terms of public profile and the impact its work is having upon decisions. The establishment of

a dedicated web site, alongside specific resource within the Council Communication Team and the introduction of scrutiny blogs are making a positive difference to the public profile of scrutiny. Consideration needs to be given however to further opportunities to increase the profile of scrutiny, particularly in line of the potential offered by digital media, and whether facilitating meetings at non-council venues is adding the value it was intended to deliver. Further work will need to be undertaken to assess the impact this increased media profile is having on the residents of the County Borough, to ensure we are using the correct platforms for communication.

5 WHAT IS WORKING?

- 5.1 The Council's scrutiny arrangements have continued to mature following the establishment of revised arrangements in 2015.
- 5.2 Opportunities for non-executive members to engage in pre scrutiny have progressed further, since the review undertaken by the Wales Audit Office. Pre-scrutiny has been facilitated as part of a number of significant decisions taken forward. In addition to this, there is now the ability for scrutiny to contribute as part of any statutory or non-statutory consultation processes and scrutiny engagement is now embedded into the proposed approach for individual decisions. The ability for all members to add-value through this approach is recognised by both the Senior Leadership Team and Cabinet.
- 5.3 Much of the positive progress has stemmed from better engagement and information sharing. This has been fostered through regular meetings, which are now well established, between Scrutiny Chairs & Vice-Chairs and their respective Cabinet Member and Senior Leadership Team Officer. This dialogue is creating more opportunity for scrutiny to have a wider field of vision in terms of future business and priorities to be considered in the short, medium and longer term. The strengthened voice of Democratic Services within the Senior Leadership Team, as a result of recent management structural changes, has also supported this approach.
- 5.4 Ensuring meetings between Committee Chairs and Vice-chairs is placed on a more formal footing, has achieved another important improvement step. However, the schedule of the committee calendar has impacted on the opportunity for this to happen more frequently. The formal reporting and updates in respect of work programme delivery have ensured Scrutiny Chairs are better informed about the wider decision-making work programme and has supported better co-ordination of work flows.

6 WHAT AREAS NEED CONSIDERATION?

- 6.1 While important improvements are supporting a better governance model within the Council, there are still opportunities to support improvement. The Fit for the Future review identified a number of areas of improvements, which the Council has already considered and agreed actions to respond (see appendix 2). In addition the wider national review of scrutiny arrangements undertaken

by the Wales Audit Office, has already identified a number of key areas for improvements, in respect of scrutiny as a whole, proposing a number of key themes and examples of good practice. Having considered these recommendations, good practice which is supported in other local authorities and the feedback received from Scrutiny Chairs & Vice-Chairs, there are a number of improvements which could further strengthen the impact and outcomes of scrutiny.

- 6.2 When the new model '[thematic scrutiny](#)' was introduced in 2015, it supported a cross cutting approach to scrutiny outside of the traditional group structures. Since this time however, a number of senior management reviews have taken place, which has reduced the number of service groups. From a scrutiny perspective this has complicated the understanding of the remit of specific committees and the management of Officer and Cabinet Member representation when necessary. It is therefore felt appropriate and timely to give consideration to remit and terms of reference of the current scrutiny structure.
- 6.3 Consistent with the national findings of the Wales Audit Office, it is evident that there is an over reliance on standard information reports. In some circumstances the number of agenda items being considered at each meeting is hindering the ability of Members to undertake meaningful scrutiny and effective challenge. Also the positive impact of scrutiny often relates to specific work on policy development, relating to one specific service matter, considered often on a task and finish basis. This is also evident when scrutiny this year has worked through this mechanism to consider the Well-being of Future Generations Act.
- 6.4 A heavy scrutiny workload can sometimes hinder the ability for scrutiny to operate as a 'critical friend' to the executive, in the way our current overview and scrutiny arrangements were intended to when introduced back in 2002.
- 6.5 It should be noted in respect of policy development that scrutiny is now playing a lead role in progressing decisions of council agreed through notices of motions from all 75 members. Important policy proposals have resulted from this newly introduced decision- making work flow and therefore further consideration should be given to a framework to progress these decisions.
- 6.6 The positive work recently undertaken on-line, through the development of web and social media content has achieved positive reach and engagement. Compared to the low level of public engagement received by taking scrutiny into the community, further consideration should be given to this approach, as an effective one to enhance public participation.

7 POTENTIAL OPPORTUNITIES FOR IMPROVEMENT

- 7.1 Based on these areas it is proposed to consider amendments to the following aspects of scrutiny arrangements:

7.2 PROPOSAL 1 -TERMS OF REFERENCE OF EACH COMMITTEE

- 7.2.1 Review the Terms of Reference of each of the scrutiny Committees to ensure they are 'Fit for Purpose'. The current Terms of Reference for the Committee are outlined in Appendix 1 to the report.
- 7.2.2 The Corporate Plan theme 'Economy' to sit under the committee currently called 'Finance & Performance Scrutiny Committee' and for corporate governance issues to be taken forward by Overview & Scrutiny.
- 7.2.3 Before developing its work programme for the forth coming Municipal Year, it is proposed that the **Overview & Scrutiny Committee** agree the terms of reference for each of the other scrutiny Committees going forward.
- 7.2.4 Allocated specific themes from the Corporate Plan to the respective scrutiny committee, to better relate the work of scrutiny to these ambitions and strengthen accountability for its delivery. Again these themes will be allocated by the Overview & Scrutiny Committee at the start of each Municipal Year.

7.3 PROPOSAL 2 - STREAMLINE WORK PROGRAMMES AND AGENDAS

- 7.3.1 It is also proposed that based on its strategic role in directing scrutiny, the Overview & Scrutiny Committee, be given the ability to direct work flow across the Municipal Year, based not just upon terms of reference, but linkage to the corporate priorities, and the demands of business and work programmes. This model would provide the benefits of models utilised in other local authorities, recognised as adopting good practice, while also continuing to provide a connection for those committees within an associated service area.
- 7.3.2 To develop streamlined and focused Committee Work Programmes to ensure a more outcome based approach is taken forward.
- 7.3.3 Following the scrutiny pilot currently being undertaken to use the 'Good Practice' scrutiny toolkit as appropriate.
- 7.3.4 Develop of a work programme template incorporating an outcome based approach and acknowledging the Well-being of Future Generations goals.
- 7.3.5 Work towards a more 'select committee approach' in terms of accountability operating style.

7.4 PROPOSAL 3 - A FORMAL PROCESS FOR SCRUTINY TO FACILITATE COUNCIL MOTIONS

- 7.4.1 Development of a formal process when taking forward Notices of Motion when referred from Council.
- 7.4.2 To summons the Mover and Seconder of a Notice of Motion to a scrutiny meeting when a referred Notice of Motion is to be discussed and scrutinised.

7.4.3 This should include the Proposer and Secunder participating in the work for the matter to progress.

7.5 PROPOSAL 4 - PUBLIC ENGAGEMENT AND INVOLVEMENT

7.5.1 To enhance the public engagement section of the website further with up to date / relevant information on the work and to actively encourage residents to get involved.

7.5.2 Keeping Scrutiny meetings within Council facilities, but utilising social media wherever possible to better highlight the work of the committee and to engage with the public.

7.5.3 Formally instruct Officers to implement arrangements for web-casting of meetings (alongside wider chamber and facility enhancements already identified by the Democratic Services Committee.)

8 SCRUTINY GOING FORWARD.

8.1 The proposed proposals to be taken forward are intended as interim improvements. Building upon approaches taken by other local authorities, recognised as good practice, it is proposed further detailed evaluation is undertaken, with Member engagement in this process. Such an evaluation will facilitate in the development of the Council's future Scrutiny Structures going forward, between now and the next Local Government elections, with the aim of further supporting the priorities of the corporate plan and the wellbeing of future generation's goals.

8.2 In the interim the proposals outlined above are proposed to be taken forward, the reasons identified below:

Why consider Terms of Reference?

8.3 It is acknowledged that since the implementation of the current thematic scrutiny structure there have been incidences where some matters do not fit neatly under the current structure. In addition to this, the work load of some of the committees can seem unbalanced.

8.9 To address these anomalies, it is proposed that a review of the Terms of Reference be taken forward to ensure that the matters relating to each Committee are best placed. It is anticipated that this may require some minor changes to be taken forward, although the main themes of the Committees going unchanged.

8.10 To balance the workload of the Finance & Performance Scrutiny Committee it is proposed that the Corporate plan theme 'economy' be taken forward by this Committee, instead of the Public Service Delivery Committee. This theme is

continually developing and would therefore benefit from such scrutiny arrangements.

- 8.11 It has been brought to Officers attention that a number of corporate governance issues are not always scrutinised during the Municipal year. It is therefore suggested that any such issues be considered through the Overview & Scrutiny Committee through its overarching theme.
- 8.12 Agreement of the revised terms of reference for each of the Committees, (as advised above) would be undertaken by the Overview & Scrutiny Committee and instructions will need to be given to the proper officer to update the Council constitution to reflect these changes accordingly.

Why consider Work Programmes amendments?

- 8.13 Work programmes are an important tool which help to manage a committee's work and assists in making it more effective. As each committee is allocated responsibility for scrutinising a selected number of services in line with their terms of reference, it is necessary for members of the committees to prioritise which areas of a service they wish to scrutinise. Formularisation of a scrutiny work programme also assists with the undertaking of pre-scrutiny and promotes the work of the committee to the public.
- 8.14 The Council should strengthen ownership of forward work programmes and committee agendas. Steps include:
- Overview and Scrutiny Committee's (O&S) consideration of the quarterly Cabinet work programme. This enables O&S to refer matters to other Scrutiny Committees to help them plan their work programmes
 - Regular meetings between Scrutiny Chairs with associated Cabinet Members and Group Directors. These meetings address the cabinet work programme, policy developments and scrutiny priorities and have strengthened Members' overall understanding of the Council's business.
- 8.15 A further proposal to strengthen the Committees work programme is through the utilisation of a new Scrutiny work programme template which would allow the Committee to develop a more outcome and focused based approach to their programme. Often Committee members are asked to consider four of five reports at a Committee meeting, therefore not allowing Members to undertake any worthwhile scrutiny exercise on the information provided. This either results in Members 'noting' reports or taking forward a working group to better scrutinise the subject area. While notwithstanding the important and proven good work of the Committees scrutiny working groups, it is evident that with ever increasing workloads and demands on Members time, sometimes Members are not able to commit to undertaking such additional work. Therefore allowing the Committee itself to undertake the same work of a working group during a Committee meeting setting would allow the Committee itself to bring forward focused outcomes. Achieving such a way of working would be through Member ownership and a focussed work

programme, with Members acknowledging that key themes only to be scrutinised and the reality that some areas under a Committees Terms of Reference not being scrutinised within the Municipal Year.

- 8.16 Creation of a template using other Authorities examples of best practice and also incorporating aspects of the Future Generations 5 ways of working would assist in the development of focussed work programmes going forward.

Why progress the Scrutiny Toolkit?

- 8.17 In July 2019, the Overview & Scrutiny Committee considered the proposal to pilot the Future Generations Scrutiny Toolkit. Since that time the toolkit has been published and is available for all Authorities to utilise. In respect of RCT it was agreed that a working group be formed to consider the Notice of Motion in respect of Low Carbon vehicle and to utilise the framework when conducting this work. It was proposed that the Members of the group act as 'Champions' in their respective Committees in taking forward the new approach to scrutiny through the lens of the well-being and future generations Act.
- 8.18 It is proposed that following the working group review an evaluation of the work and of the scrutiny toolkit be undertaken to see if the toolkit could be applied through all the scrutiny committees.

Why consider amending the process for Notice of Motion (NOM)?

- 8.19 Under the Council Procedure Rules each group of the Council have an allocated number of NOMs that they can take forward to Council over a Municipal Year. Often the outcome of the NOMs is a referral to the relevant scrutiny committee for further consideration.
- 8.20 An excellent example of this can be seen through the work of the Children & young People Scrutiny Committee and the NOM in relation to period poverty. (Through the work of the working group, the Council have taken forward an approach in respect of the provision of sanitary products at schools, which has now been emanated across many Authorities in Wales and England). Also in recent months the NOM in respect of voluntary Snow Wardens was taken forward by a scrutiny working group resulting in the Know your neighbour campaign.
- 8.21 There have been however occasions where items have been referred to scrutiny and the true intentions of the NOM have been lost or are unclear to Members. In such circumstances it would assist scrutiny committees if the Proposer and Seconder of the NOM be summoned to attend a meeting on the subject to provide clarity on its intentions and proposed outcomes.

Why consider amendments to Public Engagement and involvement processes?

- 8.22 The Scrutiny public engagement protocol was agreed at the Overview & Scrutiny Committee in December and is available on the Council website. The protocol has been utilised at the recent Call In meeting of the Overview and Scrutiny Committee when 3 members of the public addressed the committee on the C21st School proposal in relation to Pontypridd.
- 8.23 We are conscious that further needs to be done to promote the work of scrutiny and the previous process of taking scrutiny out into the Community has seen no beneficial impact in respect of public engagement. It is therefore proposed that the Committees continue to hold meeting in appropriate Council based location, depending on their subject matter. It may be beneficial for some committees to undertake meetings at Leisure Centres or the Lido if there is a relevant agenda item to be discussed on the location.
- 8.24 Going forward to promote further public engagement, further use is made of social media to promote the work of the Committee. It is proposed that the development of web-casting in advance of any statutory obligations pending should be progressed.

The future role of non-allocated members

- 8.25 Since the local elections the number of non-allocated members have increased. When allocated committee membership, non-allocated members are not recognised for the purposes of political balance.
- 8.26 It is proposed that greater opportunity should be given for non-allocated members to formally participate in scrutiny, and engaged in the wider democratic arrangements
- 8.27 Chairs and Vice-Chairs together with the Director of Democratic Services should seek, on a more formal footing, to consider how non-allocated Independent members may be engaged in the work of scrutiny. This could be achieved through an expressions of interest from non-allocated members to participate in specific matters of business identified within work programmes.

9 WALES AUDIT OFFICE REPORT - 'FIT FOR THE FUTURE' PROGRESS UPDATE

- 9.1 In October 2018, the Overview and Scrutiny Committee received the report of the WAO – 'Fit for the Future'. The report concluded that the Council:
- i. has increased the role of overview and scrutiny in its improvement and governance arrangements, but could strengthen support for the scrutiny function;
 - ii. has improved overview and scrutiny practice, but activity is not always well-planned; and
 - iii. is beginning to evaluate the effectiveness of its overview and scrutiny function, but needs to do further work to demonstrate the impact of scrutiny.

- 9.2 The report also set out five Proposals for Improvement and for the benefit of Members a proposed action plan to address these proposals was provided to Members at the October Overview & Scrutiny Committee meeting.
- 9.3 To illustrate the actions taken forward in respect of the proposals, the action plan presented has been further updated to illustrate the work undertaken and areas where further work needs to be addressed. The Action Plan is attached as Appendix 2 to the report.
- 9.4 It is anticipated that the opportunities outlined within this report in respect of the proposed amendments will further strengthen the Council's response to the WAO proposals.

10 WAO 'DISCUSSION PAPER: SIX THEMES TO HELP MAKE SCRUTINY 'FIT FOR THE FUTURE'.

- 10.1 Since the production of the WAO Fit For the Future report, a further discussion paper has been published by the WAO 'Discussion Paper: Six themes to help make scrutiny 'Fit for the Future'.
- 10.2 This discussion paper looked at the key themes arising from the WAO work and has presented a checklist that councils can use to consider the efficiency and effectiveness of their arrangements.
- 10.3 Below details of the six themes with a corresponding response in respect of the Councils position is provided:

1. Clarifying roles and responsibilities is still necessary on some council and is a pre-requisite to successful scrutiny

Since the decision taken by Overview & Scrutiny Committee on the 22nd January, 2018. Cabinet Members have attended Scrutiny Committee meetings to provide a report and update on their portfolios. In addition to this Cabinet Members are also invited to scrutiny Committees as and when appropriate to provide an update on specific agenda items to assist in the scrutiny challenge. This approach is to be further built upon over the Municipal Year with specific guidance relating to Cabinet Member attendance at scrutiny being addressed within the Council constitution.

At the Members induction following the Local Government Elections, Members were provided with comprehensive training in respect of the various roles of the Council including Cabinet and Scrutiny Members roles.

2. Many Councils continue to recognise a need to improve public engagement in scrutiny but in many councils this will require a step change in scrutiny practice

The development of the 'Public Speaking at a scrutiny committee' meeting protocol has already been successful, with the guidance note being available on the scrutiny pages of the Council website for the public to utilise. This protocol has been utilised at a recent Call In meeting, with 3 public speakers addressing the Committee on the agenda item. The scrutiny pages on the Council website have also been further promoted with a banner on the Council front page, to allow further easier access to the Scrutiny web content for the benefit of Members and the general public. The scrutiny pages contain detailed information about the role of Scrutiny, projects that have been introduced as a result of Scrutiny intervention and a 'Scrutiny Chairs' Blog' which currently contains contributions from three Scrutiny Chairs. Implementation of additional pages '**Engage with the Council**' which provide options by which residents can engage in the Council's decision making processes, are imminent. Although the Committees have trialled undertaking meetings out in the community this has not provided any further engagement with the public. It is therefore proposed that further is done to engage with residents through social media and the Council website in addition to the provision of webcasting facilities being made available.

3. Councils should reflect on the rigour with which they prioritise and then plan scrutiny activity to improve its impact

The proposals identified within this report will look to address this theme, by reviewing the Terms of Reference of each of the Committees and ensuring a fit for purpose Work Programme template is taking forward. Following other local authorities, who have been identified as 'good practice' templates, taking forward a more streamlined and outcome based approach to the Committees work programme will satisfy the requirements of this theme.

4. Responding to current and future challenges may need a different approach to supporting scrutiny committee members

Members of the Democratic Services Committee endorsed the opinion of the Interim Head of Democratic Services in respect of the provision of support in the newly formed Council Business Unit, which supports all members in undertaking their roles. The successful appointment of the Graduate Scrutiny research officer to the unit also provides further support to Members, to undertake independent research on behalf of Members. Members and officers are proactive with training requirements and as and when necessary training has been provided – i.e financial training for members of the F&P Committee and training on the Well-being of future generations Act to the Scrutiny Toolkit

Members. The provision of e-learning is being developed by the Democratic Services Committee through a Members portal as outlined in Appendix 2.

5. Evaluating the effectiveness of scrutiny

The Scrutiny Annual Report has taken forward an outcomes appraisal of the work covered in the Municipal Year, demonstrating the impact that scrutiny has had on the residents of the County Borough. This approach will further be strengthened upon going forward in future Annual Reports.

Further work on the evaluation of the impact of scrutiny still needs to be strengthened by the Council and the proposals identified in this report to address Committee work programmes and scrutiny reviews during Committee meetings will assist in taking this forward.

11 EQUALITY AND DIVERSITY IMPLICATIONS

- 11.1 There are no Equality and Diversity implications arising from this report and no Equality Impact Assessment is deemed necessary for the purposes of this report.

12 CONSULTATION

- 12.1 The considerations and comments of Scrutiny Chairs and Vice-Chairs have been sought in respect of the report and will be orally reported at the Overview & Scrutiny meeting. It is proposed that following consideration by the Overview & Scrutiny Committee the report be presented to the Corporate Governance & Constitution committee to support any necessary amendments before being presented to the Council's AGM.

13 FINANCIAL IMPLICATIONS

- 13.1 There are no financial implications as a result of the recommendations set out in the report.

14 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 14.1 There are no legal implications as a result of the recommendations set out in the report, although amendments to the Councils constitution will need to be taken forward as appropriate.

15 LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 15.1 The proposals to address the WAO report proposals includes arrangements to strengthen the Council's consideration and scrutiny of its work, through 'the lens of the requirements of the Well-being of Future Generations Act'. These arrangements will be embedded into the business of the Council as set out in the Policy Statement agreed by Cabinet on 2 November 2016.
- 15.2 The proposals outlined within the report will work to ensure a sustainable and robust scrutiny structure is in place which will effectively challenge policy decisions taken forward.

16 CONCLUSION

- 16.1 The Council is continuing its work to strengthen its scrutiny arrangements and these enhancement support the council in responding to the findings arising from the recent WAO report and will further strengthen governance and accountability arrangements.

TERMS OF REFERENCE OF THE COUNCIL'S SCRUTINY COMMITTEES

OVERVIEW & SCRUTINY COMMITTEE

To co-ordinate the work of the four thematic scrutiny committees and ensure that the work of each of these committees is effective. The Committee is responsible for approving the work programmes developed by the four themed scrutiny committees to ensure deliverable, co-ordinated and outcome focused programmes of work. To fulfil the overview and scrutiny role in relation to "all Council" cross cutting themes which cut across the terms of reference of the four thematic scrutiny committees. The Committee is also responsible for dealing with all 'Call-ins' (under the Council's Overview and Scrutiny Procedure Rules).

CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

The overview & scrutiny role in connection with scrutinising all education provision from 3 - 19 years and Children's Services.

HEALTH & WELLBEING SCRUTINY COMMITTEE

The overview & scrutiny role in connection with scrutinising services which support the Health & Wellbeing of our communities. The Committee considers adult social services as well as other factors which contribute to the health & wellbeing of the County Borough such as Leisure Services, Housing and Public Health & Wellbeing.

PUBLIC SERVICE DELIVERY, COMMUNITIES & PROSPERITY SCRUTINY COMMITTEE

'The overview and scrutiny role in connection with scrutinising public service delivery across a range of Council services. The Committee considers areas which contribute to prosperity and also community safety issues. It is the Council's designated Crime and Disorder Committee (pursuant to Section 19 and 20 of the Police and Justice Act 2006).'

FINANCE & PERFORMANCE SCRUTINY COMMITTEE

'This Committee is responsible for scrutinising financial and operational performance; treasury management arrangements; the annual revenue budget consultation process; statutory performance reporting requirements and monitoring the implementation of medium term financial planning decisions.'

What are we trying to achieve, the outcome	Strengthened governance through improved Scrutiny work planning, project delivery, evaluation and involvement of residents.
Why we need to do it:	A follow up review of the Council’s scrutiny arrangements has identified further opportunities to enhance the impact of scrutiny on the Council’s Services for the people and communities in Rhondda Cynon Taf.

Proposals for improvement The Council should	Council’s Response	Next Steps	Timescale	Responsible Officer	Action to Date
WAO FFF 1 review whether specific training could better prepare overview and scrutiny members to respond to current and future challenges. This could include training on Cardiff Capital Region City Deal and Well-being of Future Generations (Wales) Act 2015.	<p>AGREED</p> <p>The training needs of Members have been reviewed through a Personal Development Review process as part of the Council’s ongoing commitment to Member development.</p> <p>Training needs in respect of Well-being of Future Generations Act and the Cardiff Regional City Deal, among other things have already been identified as part of this process.</p> <p>Well-being of Future Generations Act- Following initial training in respect of Well-being of Future Generations Act at Member induction, a Scrutiny Working Group has been established to develop RCT scrutiny arrangements that can be</p>	<p>A new approach to providing training that will strengthen arrangements for Member development will be presented to Democratic Services Committee for consideration on 25 October.</p> <p>Working Group meetings have scheduled between October and January.</p>	<p>Arrangements to be put in place by the start of the new municipal year</p> <p>October 2018 and January 2019</p>	<p>Christian Hanagan</p> <p>Christian Hanagan</p>	<p>The Democratic Services Committee have endorsed the approach to develop a ‘Members Portal’ which will allow provision for E-Learning to be taken forward. As this approach will take time to develop and embed training sessions will continue to be run in the Council Chamber for the benefit of all Members and bespoke training will be provided as identified through the</p>

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
	<p>incorporated into existing processes. This will include consideration of a draft Scrutiny Framework which is being developed by the office of the Future Generations Commissioner.</p> <p>It is anticipated that Members of the Working Group will act as WFG 'Champions' within their respective Committees to support any changes to the scrutiny arrangements arising from the findings of the working group.</p> <p>Cardiff City Region City Deal- scrutiny arrangements have been established, with Bridgend Council taking forward the lead. We are working closely with colleagues in Bridgend to ensure that Members of the Board representing the council are provided with sufficient training and support to allow them to undertake their scrutiny role in this area.</p> <p>The Council is responsive to Members requests for training and changing legislation, with forthcoming training to be provided in respect of GDPR, which we will share with our Community and Town</p>	<p>CCRCDC Training is being discussed at the first meeting of the City Deal Joint Scrutiny which is taking place on the 15.10.18</p>	<p>Following the Joint Scrutiny Committees first meeting in October</p> <p>November 2018.</p>	<p>Christian Hanagan</p> <p>Christian Hanagan</p>	<p>continuation of Members PDRs. Any training needs identified by Scrutiny Committees will also be supported – During January 2019, all Members were invited to the Financial training session that was provided prior to F&P Committee. Sessions have also been undertaken in respect of GDPR, Equality and Diversity in addition to planning related training.</p> <p>Well-being of Future Generations Act – meetings of the scrutiny working group are continuing to take place in respect of the scrutiny of the LCV NOM. Prior to the</p>

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
	Council colleagues to ensure all elected representatives for RCT are supported.	Subject to the agreement of Democratic Services Committee GDPR Training to take place prior to full Council on the 28.11.18			<p>formal commencement of the scrutiny review</p> <p>Members of the working group were provided with training on the Act and undertaking scrutiny through the lens of the Act. It is proposed that this training will be provided to all Members during the Municipal Year</p> <p>The CCRD working group have received training before meetings as well as undertaking related site visits to assist Members in their review and challenge.</p>
WAO FFF 2 review the level and type of scrutiny support required to enable the scrutiny function to	AGREED The Council is constantly reviewing capacity and support arrangements. Most recently at the Democratic Services Committee in July, 2018 it was	Further detail that will <ul style="list-style-type: none"> enhance officer support available to 	Democratic Services Committee	Christian Hanagan	Members of the Democratic Services Committee endorsed the opinion of the Interim Head of Democratic Services in respect of the

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
respond to current and future challenges	<p>agreed that Christian Hanagan be designated the interim Head of Democratic Services (HODS) following the retirement of Karyl May. The Committee further agreed to</p> <ul style="list-style-type: none"> • create a Council Business Unit that will support the Executive and Non-Executive Members; • make the Member support functions more resilient; and • reinvest any efficiency savings arising to increase the capacity of the Business Unit to support the Scrutiny Committees in undertaking their duties. 	<p>non-executive members</p> <ul style="list-style-type: none"> • provide assistance for members to better prepare for scrutiny and • improved support for the Council's scrutiny functions, <p>will be included in the statutory 'Sufficiency of Resources' report which will be presented to the Democratic Services Committee on 25 October 2018.</p>	25 October 2018.		<p>provision of support in the newly formed Council Business Unit. Through the use of the Members Survey which was conducted in accordance with s6(2) of the Local Government (Wales) Measure provision was made in the survey to ask Members if they were happy with the level of support provided to them by the Council Business Unit, as well as additional information about the provision of facilities and training to assist Members in undertaking their roles. This feedback will be made available to the Democratic Services Committee at their next meeting for discussion and action if necessary, although early indications show a 97% approval rate for the support provided</p>

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
					from the responses received.
<p>WAO FFF 3 ensure that members have the opportunity to adequately prepare for scrutiny activity by having access to information in advance of scrutiny committee meetings.</p>	<p>AGREED - Through the new Council Business Unit, the Council will ensure that Members have sufficient access to information and Officer reports in the specified time-lines as set out in the Council's constitution. Also, that that any presentations from Officers supplement Officer reports and recommendations and are not stand alone items.</p> <p>The recent development of the Cabinet/Scrutiny Engagement sessions with Scrutiny Chairs and Cabinet portfolio holders will continue to enhance this approach, with timely discussions of forward work programmes and opportunities for Scrutiny committees. Greater transparency of the detailed Cabinet work programme will also assist Scrutiny Members to establish items for pre-scrutiny and associated timelines.</p>	See above	Following the Democratic Services Committee October 2018	Christian Hanagan	As the Interim Head of Democratic Services plays an active part in the Senior Leadership Team meetings, officers are now aware of the importance of producing Members with sufficient access to information and officer reports as set out in the Council Constitution. Scrutiny Officers ensure that any power point presentations supplement the reports going forward. It is important that this practice continues, especially if Members agree to the proposal outlined with the report that Members are to carry out 'Working Group' type reviews in Committee meeting settings, therefore ensuring Members have

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
					<p>sufficient information to undertake such scrutiny will be essential.</p> <p>The Cabinet/Scrutiny Engagement sessions with Scrutiny Chairs and Cabinet portfolio holders has proved to be successful, providing more opportunities than ever before for Scrutiny to play an influential role in the key policy decisions of the Council at an early stage and this approach will continue to be built upon.</p> <p>A notable example of this way of working has been the involvement of scrutiny at regular stages in the potential plans to modernise the delivery of residential care in the County Borough. Another notable example, has been, the engagement of scrutiny in the Council's 21st Century</p>

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
					<p>Schools proposals for the first time. Both these examples have been achieved through the 121 dialogue established as a result of the regular formal meetings between scrutiny chairs and the respective Cabinet Members & Director.</p>
<p>WAO FFF 4 a) strengthen committee ownership of forward work programmes and committee agendas; and</p>	<p>AGREED - The Council continues to strengthen ownership of forward work programmes and committee agendas. Steps include</p> <ul style="list-style-type: none"> • Overview and Scrutiny Committee's (O&S) consideration of the quarterly Cabinet work programme. This enables O&S to refer matters to other Scrutiny Committees to help them plan their work programmes • Regular meetings between Scrutiny Chairs with associated Cabinet Members and Group Directors. These meetings address the cabinet work programme, policy developments and scrutiny priorities and have strengthened Members' 				<p>Cabinet published its work programme on 21st June 2018 for the 2018/19 municipal year and refreshed this on three occasions: 20th September 2018, 18th December 2018, 19th March 2019; with the document being reviewed and considered by Overview & Scrutiny.</p> <p>A link to the Council Work Programme is also provided at every Council meeting to allow for any appropriate</p>

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
<p>b) clarify and promote arrangements for adding items to forward work programmes for members and the public.</p>	<p>overall understanding of the Council's business.</p> <p>At its meeting on 27 June the Council agreed a Council Work Programme which will help to make the business of the Council more transparent and although we know have more to do we've have started to make changes. This includes:</p> <ul style="list-style-type: none"> meetings of Scrutiny Committees being held in locations within communities across RCT. The aim of this is to encourage greater public engagement in the development of work programmes and attendance and involvement at Committee meetings. However, it is too early to evaluate the extent to which this has been achieved. dedicated pages for Scrutiny have been included on the Council's Website. These pages contain detailed information about the role of Scrutiny, projects that have been introduced as a result of Scrutiny intervention and a 'Scrutiny Chairs' 	<p>Review the effectiveness and impact of holding Scrutiny Committee meeting in locations across RCT.</p> <p>Continue to develop dedicated Scrutiny pages.</p>	<p>May 2019</p> <p>Ongoing</p> <p>October 2018</p>	<p>Christian Hanagan</p> <p>Christian Hanagan</p> <p>Christian Hanagan</p>	<p>updates to Members to ensure transparency.</p> <p>Committee Work Programmes are an important tool for Members to assist them in viewing items that are coming forward to Committees and for other Committees to utilise to prevent duplication of work and assist with pre-scrutiny. Work Programmes also assist members of the public to engage in the democratic process of the Council and all work programmes are available on a standalone page on the Council website as well as the scrutiny work programmes being available through the scrutiny pages of the website. It is noted that some work programmes have been more weighted in terms of</p>

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	<p>Blog' which currently contains contributions from two Scrutiny Chairs. Implementation of additional pages 'Engage with the Council' which provide options by which residents can engage in the Council's decision making processes, are imminent.</p> <ul style="list-style-type: none"> • work to ensure the format of work programmes is fit for purpose and user friendly for both Members and residents. • arrangements to ensure that meetings of Chairs and Vice-chairs of Scrutiny receive regular updates on Council business being developed by the Senior Leadership Team and the Executive for consideration so that they can better reflect the priorities being discussed. 	<p>Ensure the implementation of the 'Engage with the Council' Web pages.</p> <p>Continue work to introduce user friendly Scrutiny work programmes.</p> <p>Put in place arrangements to provide Chair and Vice meetings with more detailed information to inform their discussions about Council priorities.</p>	<p>Ongoing</p> <p>By the Council AGM 2019.</p>	<p>Christian Hanagan</p> <p>Christian Hanagan</p>	<p>the number of reports being presented at individual committees and whilst aiming to deliver more qualitative information, in some cases this has resulted in work programmes covering too broad a range of topics. As outlined in the report, the proposal to review each of the Committees Terms of Reference and utilising a new Work Programme Template which will incorporate other forms of good practice identified by other Authorities and incorporating elements of the Well-being and Future Generations Act will assist the Council in taking forward this proposal.</p> <p>The scrutiny pages on the Council website have been further promoted with a</p>

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					<p>banner on the Council front page, to allow further easier access to the Scrutiny web content for the benefit of Members and the general public. The 'Public Speaking at a scrutiny committee' meeting protocol has now been established and the guidance note is available on scrutiny pages for the public to utilise. This has been utilised at a recent Call In meeting, with 3 public speakers addressing the Committee on the agenda item.</p> <p>The Scrutiny chair and Vice Chair meetings are convened as and when appropriate following discussion with the Chair of the Overview & Scrutiny Committee. The Interim Head of Democratic Services ensures that an</p>

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
					<p>agenda for each meeting is available for Members consideration with the appropriate reports to accompany each agenda item.</p> <p>Evaluation of the venues for scrutiny committees meetings has suggested that there has been no added benefit to taking the committees out into the community in respect of the interest of the public. It is therefore proposed within the report that the Committee meetings continue within the Council Committee meetings settings and further is taken forward in respect of the social media presence and the options for webcasting.</p>
WAO FFF 5 improve the arrangements in place to	AGREED – Steps have already been taken to better evaluate the impact of Scrutiny,				The Scrutiny Annual Report has taken forward an outcomes appraisal of the

Proposals for improvement The Council should	Council's Response	Next Steps	Timescale	Responsible Officer	Action to Date
<p>evaluate the impact of scrutiny.</p>	<p>which has been reflected in the Annual Scrutiny Report 2017/18.</p> <p>A number of policies have been developed by Scrutiny Work groups and subsequently supported and taken forward and endorsed by Cabinet. An example of this is the work to improve the provision of sanitary products to female learners in schools arising from recommendations from Children and Young People Scrutiny Working Group which received cross party support by Council in February 2018 with a implementation plan being agreed by Cabinet in April 2018.</p> <p>The Council is continuing to develop its performance arrangements for Scrutiny so that they can better facilitate improved evaluation of scrutiny. This will include robust action planning to support the delivery of agreed recommendations with appropriate monitoring arrangements in place.</p>	<p>Develop and introduce strengthened performance arrangement to enable Scrutiny committees to better evaluate their impact</p>	<p>By the Council AGM 2019.</p>	<p>Christian Hanagan</p>	<p>work covered in the Municipal Year, demonstrating the impact that scrutiny has had on the residents of the County Borough. This approach which will further be strengthened upon going forward in future Annual Reports.</p> <p>Further work on the evaluation of the impact of scrutiny still needs to be strengthened by the Council and the proposals identified in the report to address Committee work programmes and scrutiny reviews during Committee meetings will assist in taking this forward.</p>

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	<p>incorporated into existing processes. This will include consideration of a draft Scrutiny Framework which is being developed by the office of the Future Generations Commissioner.</p> <p>It is anticipated that Members of the Working Group will act as WFG 'Champions' within their respective Committees to support any changes to the scrutiny arrangements arising from the findings of the working group.</p> <p>Cardiff City Region City Deal- scrutiny arrangements have been established, with Bridgend Council taking forward the lead. We are working closely with colleagues in Bridgend to ensure that Members of the Board representing the council are provided with sufficient training and support to allow them to undertake their scrutiny role in this area.</p> <p>The Council is responsive to Members requests for training and changing legislation, with forthcoming training to be provided in respect of GDPR, which we will share with our Community and Town</p>	<p>CCRCDC Training is being discussed at the first meeting of the City Deal Joint Scrutiny which is taking place on the 15.10.18</p>	<p>Following the Joint Scrutiny Committees first meeting in October</p> <p>November 2018.</p>	<p>Christian Hanagan</p> <p>Christian Hanagan</p>	<p>continuation of Members PDRs. Any training needs identified by Scrutiny Committees will also be supported – During January 2019, all Members were invited to the Financial training session that was provided prior to F&P Committee. Sessions have also been undertaken in respect of GDPR, Equality and Diversity in addition to planning related training.</p> <p>Well-being of Future Generations Act – meetings of the scrutiny working group are continuing to take place in respect of the scrutiny of the LCV NOM. Prior to the</p>

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WAO FFF 2 review the level and type of scrutiny support required to enable the scrutiny function to	AGREED The Council is constantly reviewing capacity and support arrangements. Most recently at the Democratic Services Committee in July, 2018 it was	Further detail that will <ul style="list-style-type: none"> enhance officer support available to 	Democratic Services Committee	Christian Hanagan	Members of the Democratic Services Committee endorsed the opinion of the Interim Head of Democratic Services in respect of the

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respond to current and future challenges	<p>agreed that Christian Hanagan be designated the interim Head of Democratic Services (HODS) following the retirement of Karyl May. The Committee further agreed to</p> <ul style="list-style-type: none"> • create a Council Business Unit that will support the Executive and Non-Executive Members; • make the Member support functions more resilient; and • reinvest any efficiency savings arising to increase the capacity of the Business Unit to support the Scrutiny Committees in undertaking their duties. 	<p>non-executive members</p> <ul style="list-style-type: none"> • provide assistance for members to better prepare for scrutiny and • improved support for the Council's scrutiny functions, <p>will be included in the statutory 'Sufficiency of Resources' report which will be presented to the Democratic Services Committee on 25 October 2018.</p>	25 October 2018.		<p>provision of support in the newly formed Council Business Unit. Through the use of the Members Survey which was conducted in accordance with s6(2) of the Local Government (Wales) Measure provision was made in the survey to ask Members if they were happy with the level of support provided to them by the Council Business Unit, as well as additional information about the provision of facilities and training to assist Members in undertaking their roles. This feedback will be made available to the Democratic Services Committee at their next meeting for discussion and action if necessary, although early indications show a 97% approval rate for the support provided</p>

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					from the responses received.
WAO FFF 3 ensure that members have the opportunity to adequately prepare for scrutiny activity by having access to information in advance of scrutiny committee meetings.	<p>AGREED - Through the new Council Business Unit, the Council will ensure that Members have sufficient access to information and Officer reports in the specified time-lines as set out in the Council's constitution. Also, that that any presentations from Officers supplement Officer reports and recommendations and are not stand alone items.</p> <p>The recent development of the Cabinet/Scrutiny Engagement sessions with Scrutiny Chairs and Cabinet portfolio holders will continue to enhance this approach, with timely discussions of forward work programmes and opportunities for Scrutiny committees. Greater transparency of the detailed Cabinet work programme will also assist Scrutiny Members to establish items for pre-scrutiny and associated timelines.</p>	See above	Following the Democratic Services Committee October 2018	Christian Hanagan	As the Interim Head of Democratic Services plays an active part in the Senior Leadership Team meetings, officers are now aware of the importance of producing Members with sufficient access to information and officer reports as set out in the Council Constitution. Scrutiny Officers ensure that any power point presentations supplement the reports going forward. It is important that this practice continues, especially if Members agree to the proposal outlined with the report that Members are to carry out 'Working Group' type reviews in Committee meeting settings, therefore ensuring Members have

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					<p>sufficient information to undertake such scrutiny will be essential.</p> <p>The Cabinet/Scrutiny Engagement sessions with Scrutiny Chairs and Cabinet portfolio holders has proved to be successful, providing more opportunities than ever before for Scrutiny to play an influential role in the key policy decisions of the Council at an early stage and this approach will continue to be built upon.</p> <p>A notable example of this way of working has been the involvement of scrutiny at regular stages in the potential plans to modernise the delivery of residential care in the County Borough. Another notable example, has been, the engagement of scrutiny in the Council's 21st Century</p>

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					<p>Schools proposals for the first time. Both these examples have been achieved through the 121 dialogue established as a result of the regular formal meetings between scrutiny chairs and the respective Cabinet Members & Director.</p>
<p>WAO FFF 4 a) strengthen committee ownership of forward work programmes and committee agendas; and</p>	<p>AGREED - The Council continues to strengthen ownership of forward work programmes and committee agendas. Steps include</p> <ul style="list-style-type: none"> • Overview and Scrutiny Committee's (O&S) consideration of the quarterly Cabinet work programme. This enables O&S to refer matters to other Scrutiny Committees to help them plan their work programmes • Regular meetings between Scrutiny Chairs with associated Cabinet Members and Group Directors. These meetings address the cabinet work programme, policy developments and scrutiny priorities and have strengthened Members' 				<p>Cabinet published its work programme on 21st June 2018 for the 2018/19 municipal year and refreshed this on three occasions: 20th September 2018, 18th December 2018, 19th March 2019; with the document being reviewed and considered by Overview & Scrutiny.</p> <p>A link to the Council Work Programme is also provided at every Council meeting to allow for any appropriate</p>

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<p>b) clarify and promote arrangements for adding items to forward work programmes for members and the public.</p>	<p>overall understanding of the Council's business.</p> <p>At its meeting on 27 June the Council agreed a Council Work Programme which will help to make the business of the Council more transparent and although we know have more to do we've have started to make changes. This includes:</p> <ul style="list-style-type: none"> meetings of Scrutiny Committees being held in locations within communities across RCT. The aim of this is to encourage greater public engagement in the development of work programmes and attendance and involvement at Committee meetings. However, it is too early to evaluate the extent to which this has been achieved. dedicated pages for Scrutiny have been included on the Council's Website. These pages contain detailed information about the role of Scrutiny, projects that have been introduced as a result of Scrutiny intervention and a 'Scrutiny Chairs' 	<p>Review the effectiveness and impact of holding Scrutiny Committee meeting in locations across RCT.</p> <p>Continue to develop dedicated Scrutiny pages.</p>	<p>May 2019</p> <p>Ongoing</p> <p>October 2018</p>	<p>Christian Hanagan</p> <p>Christian Hanagan</p> <p>Christian Hanagan</p>	<p>updates to Members to ensure transparency.</p> <p>Committee Work Programmes are an important tool for Members to assist them in viewing items that are coming forward to Committees and for other Committees to utilise to prevent duplication of work and assist with pre-scrutiny. Work Programmes also assist members of the public to engage in the democratic process of the Council and all work programmes are available on a standalone page on the Council website as well as the scrutiny work programmes being available through the scrutiny pages of the website. It is noted that some work programmes have been more weighted in terms of</p>

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	<p>Blog' which currently contains contributions from two Scrutiny Chairs. Implementation of additional pages 'Engage with the Council' which provide options by which residents can engage in the Council's decision making processes, are imminent.</p> <ul style="list-style-type: none"> • work to ensure the format of work programmes is fit for purpose and user friendly for both Members and residents. • arrangements to ensure that meetings of Chairs and Vice-chairs of Scrutiny receive regular updates on Council business being developed by the Senior Leadership Team and the Executive for consideration so that they can better reflect the priorities being discussed. 	<p>Ensure the implementation of the 'Engage with the Council' Web pages.</p> <p>Continue work to introduce user friendly Scrutiny work programmes.</p> <p>Put in place arrangements to provide Chair and Vice meetings with more detailed information to inform their discussions about Council priorities.</p>	<p>Ongoing</p> <p>By the Council AGM 2019.</p>	<p>Christian Hanagan</p> <p>Christian Hanagan</p>	<p>the number of reports being presented at individual committees and whilst aiming to deliver more qualitative information, in some cases this has resulted in work programmes covering too broad a range of topics. As outlined in the report, the proposal to review each of the Committees Terms of Reference and utilising a new Work Programme Template which will incorporate other forms of good practice identified by other Authorities and incorporating elements of the Well-being and Future Generations Act will assist the Council in taking forward this proposal.</p> <p>The scrutiny pages on the Council website have been further promoted with a</p>

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					<p>banner on the Council front page, to allow further easier access to the Scrutiny web content for the benefit of Members and the general public. The 'Public Speaking at a scrutiny committee' meeting protocol has now been established and the guidance note is available on scrutiny pages for the public to utilise. This has been utilised at a recent Call In meeting, with 3 public speakers addressing the Committee on the agenda item.</p> <p>The Scrutiny chair and Vice Chair meetings are convened as and when appropriate following discussion with the Chair of the Overview & Scrutiny Committee. The Interim Head of Democratic Services ensures that an</p>

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					<p>agenda for each meeting is available for Members consideration with the appropriate reports to accompany each agenda item.</p> <p>Evaluation of the venues for scrutiny committees meetings has suggested that there has been no added benefit to taking the committees out into the community in respect of the interest of the public. It is therefore proposed within the report that the Committee meetings continue within the Council Committee meetings settings and further is taken forward in respect of the social media presence and the options for webcasting.</p>
WAO FFF 5 improve the arrangements in place to	AGREED – Steps have already been taken to better evaluate the impact of Scrutiny,				The Scrutiny Annual Report has taken forward an outcomes appraisal of the

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evaluate the impact of scrutiny.	<p>which has been reflected in the Annual Scrutiny Report 2017/18.</p> <p>A number of policies have been developed by Scrutiny Work groups and subsequently supported and taken forward and endorsed by Cabinet. An example of this is the work to improve the provision of sanitary products to female learners in schools arising from recommendations from Children and Young People Scrutiny Working Group which received cross party support by Council in February 2018 with a implementation plan being agreed by Cabinet in April 2018.</p> <p>The Council is continuing to develop its performance arrangements for Scrutiny so that they can better facilitate improved evaluation of scrutiny. This will include robust action planning to support the delivery of agreed recommendations with appropriate monitoring arrangements in place.</p>	<p>Develop and introduce strengthened performance arrangement to enable Scrutiny committees to better evaluate their impact</p>	<p>By the Council AGM 2019.</p>	<p>Christian Hanagan</p>	<p>work covered in the Municipal Year, demonstrating the impact that scrutiny has had on the residents of the County Borough. This approach which will further be strengthened upon going forward in future Annual Reports.</p> <p>Further work on the evaluation of the impact of scrutiny still needs to be strengthened by the Council and the proposals identified in the report to address Committee work programmes and scrutiny reviews during Committee meetings will assist in taking this forward.</p>