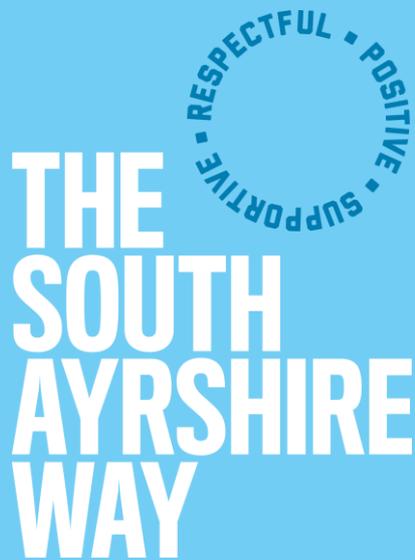


# Scrutiny Handbook

December 2024



RESPECTFUL  
POSITIVE  
SUPPORTIVE

# Foreword

This Handbook is a guide for Elected Members and officers. It provides information and guidance on the operating principles and techniques of the Council's scrutiny arrangements.

Different sections of the Handbook will have more or less relevance for each of the Council's two Scrutiny Panels, however the Handbook also has a general overview of scrutiny which will be useful for all Members in their scrutiny role.

The two Scrutiny Panels are made up of Administration, Opposition and Independent Members. The ethos of scrutiny is to provide constructive challenge to the Council's decision-making and performance regardless of the Council's political composition. In doing so, this approach supports all services and Panels to improve performance and outcomes for the benefit of the people who live in the South Ayrshire local authority area.

Councillor Martin Dowey  
Council Leader

Councillor Julie Dettbarn  
Chair of Audit and Governance Panel

Councillor Chris Cullen  
Chair of Service and Partnerships Performance Panel

**December 2024**



# Contents

		<b>Page</b>
<b>Section 1</b>	<b>An Overview of Scrutiny in South Ayrshire Council</b>	
1	What is Scrutiny?	<u>1</u>
2	An Overview of Scrutiny in South Ayrshire Council	<u>3</u>
3	Political Decision-Making Structure	<u>5</u>
4	The Council Plan in the Context of Scrutiny	<u>6</u>
5	Corporate Approach to Scrutiny	<u>7</u>
6	Supporting Members in their Scrutiny Role	<u>9</u>
<b>Section 2</b>	<b>The Work of the Audit and Governance Panel</b>	
1	Audit and Governance Panel Work Programme	<u>10</u>
2	The Call-In Process	<u>14</u>
<b>Section 3</b>	<b>The Work of the Service and Partnerships Performance Panel</b>	
1	Service and Partnerships Performance Panel Work Programme	<u>16</u>
2	Scrutiny Review Process	<u>19</u>
<b>Appendices</b>	<b>Forms and Protocols</b>	
1	Questioning Techniques – Guidance for all Members of the Council	<u>23</u>
2	Audit and Governance Panel - Call-In Requisition	<u>27</u>
3	Service and Partnerships Performance Panel - Petitions Protocol	<u>30</u>
4	Selecting a Scrutiny Review – Service and Partnerships Performance Panel – Scrutiny Review – Evaluation Criteria	<u>35</u>
5	Determining the Proposed Scope of a Scrutiny Review – Service and Partnerships Performance Panel – Scrutiny Review – Scoping Template	<u>36</u>



# **Section 1**

## **An Overview of Scrutiny in South Ayrshire Council**



# 1. What is Scrutiny?

A typical dictionary definition of scrutiny is:

1. ***careful inspection – a close, careful and thorough examination or inspection;***
2. ***observation – a careful study or surveillance; and***
3. ***gaze – a searching look.***

As outlined above, the role of scrutiny has various meanings although it is generally recognised as a mechanism to challenge the policy and decision-making processes implemented within any given organisational structure.

The CIPFA/ SOLACE Guidance Note for Scottish Authorities on Delivering Good Governance in Local Government states:

*'There is no legislative definition of scrutiny for Scottish local government. The four principles of good scrutiny (as defined by the Centre for Public Scrutiny) can be used in the absence of any legislative definition:*

- ***Provides critical friend challenge to executive policy makers and decision takers***
  - *Constructive, robust and purposeful challenge; and*
  - *Non-aggressive to create optimum conditions for investigative evidence-based process*
- ***Enables the voice and concerns of the public***
  - *Meetings conducted in public which invite and enable public participation; and*
  - *Innovative public communication, consultation and feedback*
- ***Carried out by independent-minded Councillors who lead and own the process***
  - *Councillors actively engage in the scrutiny function to drive improvement; and*
  - *Areas are reviewed in an apolitical atmosphere*
- ***Drives improvement in public services***
  - *Promotes community well-being and improves the quality of life; and*
  - *Strategic review of corporate policies, plans, performance and budgets'*

In a Council operating under an executive decision-making model, there is an additional role for scrutiny, namely, the holding to account of the executive. In South Ayrshire Council, the executive body is the Cabinet.

The CIPFA Guidance Note goes on to say:

*'Inherently, the role of an Elected Member is about undertaking scrutiny within the local authority. Active scrutiny and challenge should pervade all aspects of Elected Member involvement within the authority.....It is a fundamental element of good governance that robust, open, objective challenge and review is embedded in the decision-making process, and authorities should periodically review their decision-making arrangements to ensure that these provide for adequate challenge, scrutiny and review.'*

In general, scrutiny is not a 'decision-making role' although clearly it supports effective decision-making and operates to challenge and hold to account the decision-making structure. The Council's Scheme of Delegation is clear that the responsibility of each Scrutiny Panel includes making recommendations to the Cabinet (or Council if appropriate) on matters where actions may require to be taken as a result of issues identified through scrutiny processes.

## 2. An Overview of Scrutiny in South Ayrshire Council

Within the context of South Ayrshire Council, the role of scrutiny has always been considered a vital part of the Council's democratic structure and recognised from the perspective of a 'critical friend' challenge.

In summer 2014, the Council implemented a series of recommendations relating to the structures and remits of four of its Panels, partly in cognisance of a review of scrutiny but also due to a number of key issues as follows:

- consideration of best practice in scrutiny;
- move to a corporate model for reporting against the Council Plan and Service and Improvement Plans (SIPs) based on service remits rather than portfolio remits; and
- links to follow up of Best Value Audit Action Plan in relation to the effectiveness of current scrutiny arrangements and Panel remits.

These considerations led to the establishment of four new Panels which were assigned different aspects of scrutiny activity designed to reflect:

- a commitment to strong governance and assurance;
- new and current ways of working, including shared services and alternative service delivery mechanisms;
- the corporate approach to performance management and continuous improvement in services;
- corporate improvement themes, including the Best Value Action Plan resulting from the Best Value Audit Follow Up report;
- a greater emphasis on partnership working and providing better links with our communities; and
- continuing 'critical friend' challenge.

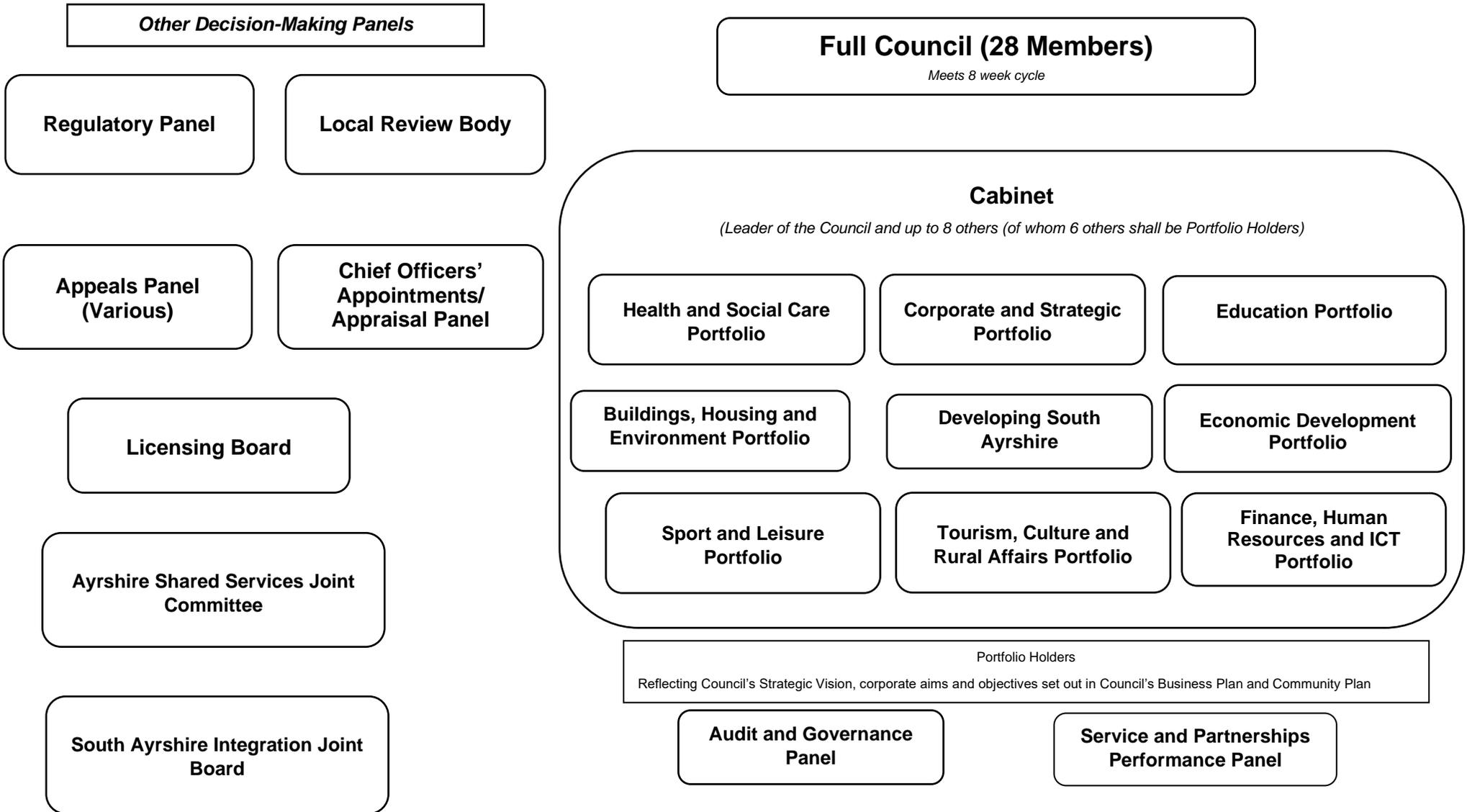
This approach recognised the desire for the Council to better reflect the concerns and interests of our partners, communities and our service users in ensuring successful delivery of agreed outcomes and to offer full opportunity for all Members to participate in challenge and review from a 'critical friend' perspective.

In early 2017, prior to the local government election in May 2017, a working group comprising Elected Members and officers considered, amongst other things, the Council's scrutiny arrangements, and recommended that the number of Scrutiny Panels be reduced from 4 to 3. This proposal was adopted by the Council in October 2017 and the Scheme of Delegation was updated accordingly. The number of Scrutiny Panels was further reduced from 3 to 2 by Council decision in March 2023. The Scheme of Delegation and this document have been updated to reflect the changes arising.

In order to support this approach to scrutiny, the development of a Scrutiny Handbook is considered a useful tool to consolidate various elements of the scrutiny journey. In conjunction with the development of this Handbook, a review of the Audit Committee Handbook has been undertaken to reflect the formation of the Audit and Governance Panel and its critical assurance role. This overview approach places a greater emphasis on scrutiny as an opportunity for 'critical friend' challenge, to meet the demand for a more effective and outcomes-focused approach, and to support effective decision-making.

The following diagram outlines the political decision-making structure and an overview of the corporate approach to scrutiny.

### 3. Political Decision-Making Structure



## 4. The Council Plan in the Context of Scrutiny

The [Council Plan for 2023-2028](#) sets out the Council's purpose, vision and values.

The Council Plan identifies the following priorities and outcomes:

Priority	Outcomes
Spaces and Places	<b>Moving around and the environment</b> – Everyone can access streets, places and spaces that are well-connected, well designed and maintained.
	<b>Play, Sport and Recreation</b> – Everyone can access a range of high quality, safe, well maintained, accessible places with opportunities for play, sport and recreation.
Live, Work, Learn	<b>Education and lifelong learning</b> – Everyone benefits from high quality education and lifelong learning and is supported to learn and fulfil their potential.
	<b>Work and economy</b> – Everyone benefits from a local economy that provides opportunities for people and helps our businesses flourish
	<b>Housing</b> – Everyone can find a good quality home that they can afford, that meets their needs and is in an area where they feel safe and connected.
Civic and Community Pride	<b>Pride in South Ayrshire</b> – Everyone (residents, visitors and tourists) can enjoy attractive destinations and people are proud to live in our towns and villages and celebrate our culture and heritage.
	<b>Community Engagement</b> – Everyone has the opportunity to influence and contribute to what happens in their local area.

Through keeping these priorities at the forefront, scrutiny can be considered the mechanism to challenge the effectiveness of the Council in achieving the associated outcomes, driving continuous improvement and achieving best value for the people and places of South Ayrshire.

However, progress is not achieved by the Council in isolation, the latest Council Plan reflecting the agreed direction for partnership working as set out within the [Local Outcomes Improvement Plan](#), the [Children's Services Plan](#), together with many of the priorities of the [South Ayrshire Health and Social Care Partnership Strategic Plan](#).

A broad range of scrutiny is required to effectively monitor and evaluate progress across these plans. Members need to ensure they maintain a clear focus and proportionality in their associated scrutiny, to help drive improvement for our people and places, without unduly burdening the range of organisations and stakeholders involved.

The Council's 'Performance Management Framework' (currently being reviewed and updated) sets out how the various elements of the Council's plans are taken forward, reviewed and evaluated, to support the delivery of the Council's overarching Vision. The Council's Scrutiny Panels play a key role in monitoring and evaluating them.

## 5. Corporate Approach to Scrutiny

The previous section provides an overview of the Council's political decision-making structure and, as previously mentioned, the following Panels play a key role in scrutiny:

- the Audit and Governance Panel; and
- the Service and Partnerships Performance Panel.

In essence, these two Panels scrutinise different aspects of the Council's business, and these can be summarised as follows.

### ***Audit and Governance Panel***

Although the Audit and Governance Panel is guided by the Audit Committee Handbook, this Panel also has scrutiny activity embedded within its remit, in particular in relation to corporate improvement themes and in following up internal and external audit points. Therefore, this Handbook provides some general as well as specific guidance in terms of the scrutiny function.

Consideration of any decisions made by the Cabinet that are called-in falls under the remit of the Audit and Governance Panel (see Section 2 of this Handbook for further information).

*Lead officers:* Chief Financial Officer or Chief Governance Officer (for call-ins).

### ***Service and Partnerships Performance Panel***

The Service and Partnerships Performance Panel reviews the SIPs and, from this, the requirement for a Scrutiny Review may emerge, the process for which is outlined within Section 3Part 2 of this Handbook. The Panel will also provide a scrutiny overview of service delivery through or in partnership with external bodies having regard to 'Following the Public Pound'.

*Lead officer(s):* Director of Communities and Transformation and Chief Governance Officer.

Although the remits of the two Scrutiny Panels capture different scrutiny activity, there is consistency in the approach being undertaken. Each Scrutiny Panel, with support from a designated lead officer(s), will develop an annual work programme mapping out the Panel's direction on a flexible and ongoing basis within the terms of its remit. This approach will also take cognisance of statutory deadlines, reporting frameworks and requirements including those of external partners, which are factored into the programme at appropriate intervals to ensure ongoing regular reporting of agenda items pertinent to each Scrutiny Panel. This approach is designed to ensure that the work programme is relevant, structured and deliverable for Panel Members and officers alike.

The Council's Standing Orders Relating to Meetings (SO 35.1(6)) recognise the need for a flexible approach to the conduct of Scrutiny Panel meetings and to encourage interest and participation in the scrutiny process and allow for open debate. Therefore, the strict procedural rules which apply to other Council meetings can be relaxed on direction from the Chair where appropriate.

The Council's Scheme of Delegation also recognises that the two Scrutiny Panels must work together to deliver effective scrutiny of the Council's business and performance. As such each Scrutiny Panel has the power to remit matters to other Panels where appropriate for further detailed scrutiny and to make recommendations to Cabinet (or Council where appropriate) where further actions may require to be taken as a result of issues identified through scrutiny processes.

In terms of business generally, Scrutiny Panels should also operate in public in an open and transparent manner. However, on occasion some issues may be required to be considered in private in accordance with the Council's Standing Orders.

## 6. Supporting Members in their Scrutiny Role

As highlighted in the CIPFA Guidance Note, all Elected Members have individual responsibility to undertake scrutiny within the local authority area.

CIPFA training was provided for Members in February 2018 including consideration of effective questioning techniques. An extract from those training materials is attached as [Appendix 1](#) to this Handbook. Members may find it useful to revisit these techniques from time to time to refresh their understanding and approach to their role in scrutiny. Further options for scrutiny training will be explored and delivered to Members as and when required to enhance the scrutiny role as part of a continuous improvement journey. This could take the form of a training needs analysis, how to obtain further training and a list of resources available from various sources.

Lead officers have been appointed to provide support to each of the Panels. Each lead officer will liaise with the respective Panel Chair to discuss agenda planning and work programme co-ordination. Additionally, the introduction of an action log is considered a useful mechanism for formally recording progress with the work programme for each Scrutiny Panel. The action log is subsequently presented to meetings as a standing item on the agenda. In this way, Members can monitor and review the progress that is being made with regards to the Work programme and adopt a flexible but controlled approach to developing areas for further scrutiny. This joined up approach is a mechanism to aid Members undertake their scrutiny role in an open and transparent way.

Also, it is recognised that Portfolio Holders, as the Cabinet decision-makers, are accountable to Scrutiny Panels, therefore it is expected that Portfolio Holders attend Scrutiny Panel meetings depending on the nature of the agenda and its relevance to the Portfolio Holder in that instance. There may be opportunity for Portfolio Holders to contribute to the debate if the Scrutiny Panel appear minded to make recommendations to Cabinet. Likewise, there is opportunity for Scrutiny Panel Chairs to attend and observe Cabinet meetings where possible.

Overall, these various measures provide a mechanism for peer support and self-development for Members without comprising the role of scrutiny.

The following sections of this Handbook take a detailed look at each of the individual Scrutiny Panels and their respective remits as well as highlighting the key functions for each Panel. The remits are extracted from the Council's Scheme of Delegation. Just as the Council's Scheme of Delegation and Standing Orders Relating to Meetings are subject to regular review, so too will this Handbook be, to ensure that Scrutiny processes in South Ayrshire remain fit for purpose.



## **Section 2**

# **The Work of the Audit and Governance Panel**



# 1. Audit and Governance Panel Work Programme

## *Four weekly meetings :Eight members*

A snapshot of the key functions:

- Audit Committee of the Council;
- External and Internal Audit reports and following up on actions arising;
- Risk Management;
- Annual External Audit process and Best Value Review;
- Good Governance;
- Call-ins from Cabinet (4 weekly); and
- Review process for Community Asset Transfers.

The [Audit Committee Handbook](#) sets out in detail the remit and role of this Panel and the way in which it undertakes its role, including its critical relationships with both Internal and External auditors and key Council officers. The timeframe for regular audit and governance reporting, reflecting statutory reporting frameworks, is mapped out within the Audit Committee Handbook, supported by the Panel's annual work programme.

This Panel undertakes the key scrutiny role of holding to account the Cabinet through the calling in of decisions taken by that Panel. All called in decisions are remitted to this Panel for consideration in accordance with the agreed procedures under Standing Orders.

This Panel plays a key role in receiving and approving the audited annual accounts and the Report to Members of the Council and the Controller of Audit on the annual audit. The panel continuously monitors management action taken in response to the issues raised by the external auditors, including but not limited to issues arising from the Strategic Audit Priorities as set out by the Accounts Commission, which the Accounts Commission sets out in the following terms:

- **Council priorities and long term planning** – The clarity of Council priorities and quality of long-term planning to achieve these.
- **Service delivery** – How effectively Councils are evaluating and implementing options for significant changes in delivering services.
- **Resource** – How effectively Councils are ensuring Members and officers have the right knowledge, skills and time to lead and manage delivery of the Council priorities.
- **Citizen involvement** – How effectively Councils are involving citizens in decisions about services.
- **Quality of public performance reporting** – The quality of Council public performance reporting to help citizens gauge improvement.

This remit closely links with the Panel's role to monitor follow-up to Best Value Audit reports.

This Panel also has responsibility for the Council's Local Code of Corporate Governance, delivered through the 'Delivering Good Governance Framework', and as such has a role to consider the effectiveness of scrutiny within the Council. The Panel is also tasked with promoting high standards of conduct by all Elected Members of the Council.

The full Panel remit is as undernoted:

- 1.1 To act as the Audit Committee of the Council within the remit and powers as set out in detail in the Audit Committee Handbook approved by Council, and including:
  - (1) considering the overall adequacy and effectiveness of the Council's framework of governance, risk management and control arrangements, including the associated anti-fraud and anti-corruption arrangements;
  - (2) undertaking regular scrutiny of the Council's risk register and challenging the effectiveness of the risk mitigations put in place by risk owners to reduce the risks in line with the Council's risk tolerance;
  - (3) receiving and considering the Council's unaudited Annual Accounts (including the statements which form part of the Annual Accounts) as submitted to the auditor by the proper officer (unless received and considered by full Council);
  - (4) receiving and considering the Annual Report on the Audit (Report to Those Charged with Governance), prior to its submission to full Council for information;
  - (5) receiving, considering and approving the audited Annual Accounts (including the statements which form part of the Annual Accounts) by no later than 30 September immediately following the financial year to which the accounts relate (unless received, considered and approved by full Council), and in so doing to have regard to any report made or advice provided on the Annual Accounts by the proper officer or appointed auditor;
  - (6) ensuring that any issues arising from the process of drawing up, auditing and certifying the Annual Accounts are properly dealt with;
  - (7) undertaking the same role and remit as set out in paragraphs (3), (4), (5) and (6) above in relation to the Annual Accounts of charitable trusts administered by the Council and of which Councillors are Trustees;
  - (8) receiving and reviewing summary Internal Audit reports and the main issues arising, and seek assurance that action has been taken where necessary;
  - (9) receiving the annual report of the Chief Internal Auditor and monitoring the performance of the Internal Audit service;
  - (10) receiving and considering all reports of the external auditors, Audit Scotland, Accounts Commission (and other inspection agencies, where

not within the remit of the Cabinet), including reports relating to charitable trusts administered by the Council and of which Councillors are Trustees, and, where appropriate, remit to another Scrutiny Panel for further detailed scrutiny; and

- (11) monitoring management action in response to the issues raised by the external auditors, including but not limited to follow-up to Best Value Audit reports.
- 1.2 To deal with called-in decisions of the Cabinet for further discussion, consideration and investigation, all in accordance with the provisions of the Scrutiny Handbook, and to:
- (1) agree the Cabinet decision(s); or
  - (2) continue the matter to the next meeting of the Panel (which may include an additional meeting held in terms of Standing Order 35.3 (2) for further discussion, consideration, investigation or agreement; and/ or
  - (3) refer the matter back to the Cabinet, with recommendations, for alternative action proposed.
- 1.3 To deal with applications for review of decisions in relation to Community Asset Transfer requests for further discussion, consideration and investigation, and to:
- (1) agree the Cabinet decision(s) ; or
  - (2) continue the matter to the next meeting of the Panel for further discussion, consideration, investigation or agreement, and/ or
  - (3) refer the matter back to Cabinet, with recommendations for final deliberation.
- 1.3 To keep under review the Council's local Code of Corporate Governance (in terms of the Delivering Good Governance Framework) and to ensure arrangements for its review and continuing relevance leading to the publication of an annual statement as part of the Council's Annual Accounts confirming how well the Council is complying with the framework.
- 1.4 To monitor and review the effectiveness of the Council's Scrutiny Panel arrangements having regard to the Council's powers and duties under Best Value, continuous improvement and effective resource management in the provision of services, performance management frameworks, value for money, and business improvement/ re-design.
- 1.5 To promote and maintain high standards of conduct by all Elected Members of the Council, including consideration of the management and operation of ethical standards as set out in the Councillors' Code of Conduct within the Council, and recommending to Council, if appropriate, the adoption of any protocols relating to Members' conduct supplementary to the Councillors' Code of Conduct, and to consider and advise the Council on any requirements for

supplementary training or additional support for Members in relation to ethical standards or any other matters.

- 1.6 To consider any issues which are referred to it by the Council or Cabinet for detailed scrutiny.
- 1.7 To ensure that areas of concern arising from the Audit Committee function are reported to Council, including those that may require further scrutiny either by the Panel or Council.
- 1.8 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel including recommendations for areas for Service Review in accordance with the Council's approved Framework.

There is provision for this Panel to meet during the week following Cabinet to consider any decision that may be called in by Members.

## 2. The Call-In Process

The Council's call-in process is considered a robust mechanism which allows all Members to challenge decisions made by the Cabinet within prescribed timeframes. As already indicated, consideration of any called-in items is the responsibility of the Audit and Governance Panel. The call-in process is referred to within the Council's Scheme of Delegation and is outlined at paragraph 35.4 of the Council's Standing Orders Relating to Meetings (set out below). The call-in requisition is available on Re-Wired as a 'stand alone' form, but is also attached as Appendix 2.

Extract from Standing Orders Relating to Meetings:

### 35.4 *The 'Call-In' Process*

As the Council operates an 'executive model' of decision making, provision is required for decisions of the Cabinet to be 'called in' for further scrutiny except for decisions relating to the Community Asset Transfer process that follow a separate process to comply with Part 5 of the Community Empowerment (Scotland) Act 2015 as detailed in Standing Order 35.10. Call-ins shall be considered and dealt with by the Audit and Governance Panel in accordance with the following provisions:

- (1) Requisitions calling-in decisions of the Cabinet must be signed either (a) by four Councillors or (b) by a majority of the membership of the Audit and Governance Panel and be delivered to the Chief Executive by no later than 4.00 pm on the day two days following the day on which the Cabinet has met.
- (2) A requisition calling in a decision must be in the form contained in Appendix 2. Any alterations must either be initialled by all Councillors who signed the requisition or must be otherwise evidenced in writing. The 'reasons' section should be completed with sufficient detail as to allow members of the Audit and Governance Panel and officers to appreciate the cause for concern prompting the call-in. (This may be by reference to a part or parts of the report or decision, or by describing an issue which may not have been adequately addressed, or by requesting the provision of additional information which should be specified).
- (3) Where a call-in requisition contains any questions, or requests for further or additional information, officers, in consultation with the relevant Portfolio holder, shall, where possible, provide written responses to be intimated to all Councillors in advance of the Panel meeting. Receipt of responses to questions shall not itself preclude further scrutiny of the item called-in for the reason set out in this form.
- (4) Decisions that are called-in will be placed on the agenda for the next meeting of the Audit and Governance Panel (which will generally be in the week following the Cabinet).
- (5) The relevant Portfolio Holder may attend or be requested to attend Audit and Governance Panel meetings to answer questions on matters called-in.

- (6) Decisions called-in will be dealt with as follows:
- where the Audit and Governance Panel agrees on a majority vote with the decision of the Cabinet, it can be implemented without further delay;
  - where the Audit and Governance Panel does not agree on a majority vote with the decision of the Cabinet, it will be referred back to the Cabinet with recommendations from the Audit and Governance Panel for alternative action proposed;
  - the scrutiny meeting can continue discussion to the next meeting of the Audit and Governance Panel if additional information would assist in the decision-making process. If no decision is taken at that next meeting, the matter will be referred back to the Cabinet; and
  - where there continues to be a failure to agree after a referral back to the Cabinet, the matter will be referred to the Council for determination.
- (7) For the avoidance of doubt, where any item was considered by the Cabinet with the public excluded (in accordance with Standing Order 10.1 (1) or (2)), then the public shall also be excluded during consideration of the item at the Audit and Governance Panel, and Standing Order 32.5 shall apply.
- (8) Following a meeting of the Audit and Governance Panel at which a call-in has been considered, the Chief Executive will issue a decision notice within two clear days.



## **Section 3**

# **The Work of the Service and Partnerships Performance Panel**



# 1. Service and Partnerships Performance Panel Work Programme

## *Four weekly meetings :Eight members*

A snapshot of key functions:

- Review and monitor the Council Plan/ SIPs; service performance and improvement (including performance indicators) and performance reports in relation to the Health and Social Care Partnership ('HSCP');
- Scrutiny Reviews;
- Reporting of public complaints handling and information governance arrangements;
- Services delivered through or in partnership with external bodies;
- Following the Public Pound;
- Police/ Fire/ Community Planning;
- Shared Services;
- Council-funded projects; and
- Other external service delivery models; and
- Petitions from the public.

This Panel undertakes the critical role to receive and consider performance reports through the Council's Performance Management Framework and to monitor performance against the Council Plan through reporting against the SIPs for all Council services.

In support of this, as specified within its remit, the Service and Partnerships Performance Panel will be able to undertake in-depth reviews of particular issues of concern in areas of service provision where performance issues have been identified from the six monthly reporting on the SIPs presented to the Panel. The Panel then prepares an annual programme of up to three potential Scrutiny Reviews to be considered by the Cabinet and subject to approval by Council. The method and processes for undertaking Scrutiny Reviews is further outlined within this section of the Handbook.

The remit for this Panel will also bring a fresh focus to delivery of services through external organisations and critical partnerships, such as Police Scotland and the Scottish Fire and Rescue Service. Delivery of the Single Outcome Agreement is a key cornerstone of the Council's corporate planning and with a review of Community Planning in South Ayrshire underway at present, this Panel will be well placed to consider and scrutinise partnership delivery going forward.

Delivery of services through alternative delivery models, any future trust model for leisure and other services and shared services within Ayrshire or elsewhere is increasing and recognised as an area requiring specific scrutiny of performance. This Panel will be uniquely positioned to consider effective delivery of 'Following the Public Pound' in South Ayrshire.

This Panel also considers petitions submitted to the Council by members of the public as part of its four weekly cycle. Further information on the Petitions Protocol are outlined within the following pages of this section of the Handbook.

The full Panel remit is as undernoted:

- 1.1 To monitor, review and challenge the performance of the Council's/ HSCP's services and service delivery having regard to the Council Plan, the Council's strategic objectives and outcomes, corporate improvement programme, the approved Service and Improvement Plans and performance targets, across all service areas in accordance with the Scrutiny Handbook and including:
  - (1) receiving and considering regular reports in relation to performance in terms of the approved Service and Improvement Plans and corporate improvement programme;
  - (2) receiving and considering service benchmarking information; and
  - (3) reviewing the effectiveness of performance reporting arrangements.
- 1.2 To consider external inspection agency reports relating to services which have been referred to this Panel by the Cabinet or the Audit and Governance Panel.
- 1.3 To undertake in-depth reviews of particular issues of concern in areas of service provision where performance issues have been identified through the Panel's consideration of the Service and Improvement Plans or other performance reports, all as detailed in, and in accordance with, the Scrutiny Handbook, and as set out in the Panel's annual work programme, and to refer any recommendations arising from such review to the Cabinet for consideration.
- 1.4 To receive and consider regular reports on public complaints handling and information governance arrangements within the Council.
- 1.5 To consider any issues which are referred to it by the Council, Cabinet or the Audit and Governance Panel for detailed scrutiny.
- 1.6 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel, including recommendations for areas for Service Review in accordance with the Council's approved Framework.
- 1.7 To monitor, review and challenge the performance of services in South Ayrshire which are delivered through or in partnership with external bodies, including improvement actions and performance targets, where applicable, having regard to the Council Plan and the Council's strategic objectives and outcomes, and its duties of Best Value, Following the Public Pound, continuous improvement and effective resource management, in accordance with the Scrutiny Handbook, and including (but not limited to) performance of and in relation to:
  - (1) Arm's length external organisations (ALEOs) in which the Council participates;
  - (2) Police Scotland;

- (3) the Scottish Fire and Rescue Service;
  - (4) the use of Common Good funds and assets;
  - (5) Community Planning (including funded projects);
  - (6) Ayrshire Shared Services Joint Committee; and
  - (7) Any other South Ayrshire Council funded projects and organisations.
- 1.8 To receive and hear Petitions addressed to the Council from members of the public, in accordance with the Council's Petitions Protocol (see, Appendix 3) and to determine the appropriate action to be taken within the terms of that Protocol, including, where considered appropriate by the Panel, to report to Cabinet with recommendations.
- 1.9 To consider any issues which are referred to it by the Council, Cabinet or the Audit and Governance Panel for detailed scrutiny; and
- 1.10 To make recommendations to the Cabinet or Council (as appropriate) on matters arising from the outcome of the scrutiny processes carried out by the Panel including recommendations for areas for Service Review in accordance with the Council's approved Framework.

## 2. Scrutiny Review Process

The Service and Partnerships Performance Panel has a significant role to play in driving improvement through its detailed scrutiny of the Council's Performance.

In scrutinising the six monthly reports against the SIPs, the Panel's Members have the opportunity to question officers concerning delivery against agreed targets and outcomes. This scrutiny is then reported back to the Council and in instances where there are particular concerns regarding under performance or the assurances provided, these are referred to the Cabinet for their attention and action.

Where the Service and Partnerships Performance Panel feels that more searching questions need to be asked over current performance, particularly where they feel there may be significant opportunities to make improvements that do not appear to be being addressed through the existing plans and review processes, then they can recommend to the Council that a Scrutiny Review be undertaken.

Scrutiny Reviews are Member led, with the support of officers, and follow an agreed process that commences with justifying the requirement for such a review and the approach that will be taken, to satisfy the Council that such a review is appropriate and commensurate with the issue identified.

In recognition of the resources that can be involved in undertaking such reviews, there is a limit of three Scrutiny Reviews per year, with potential reviews being prioritised to try and ensure that the maximum benefit is obtained from the input of Members, experts, witnesses and officers.

A four phased approach to the review is being adopted to guide Members and supporting officers through the Scrutiny Review process.

The Service and Partnerships Performance Panel will:

- (1) select a Scrutiny Review(s) (up to three each year);
- (2) determine the proposed scope of the review(s) for consideration by the Cabinet and approval by Council;
- (3) undertake the Scrutiny Review; and
- (4) consider the findings and recommendations.

The above approach is in accordance with Section 35.5 of the Council's Standing Orders Relating to Meetings in respect of Scrutiny Reviews. An outline of each step in the process is undernoted. Also, a set of review criteria as well as a scoping template to aid the process for undertaking a Scrutiny Review is contained in [Appendix 4](#) and [Appendix 5](#) respectively – see pages 41 to 44.

### (1) **Selecting a Scrutiny Review**

As already specified, up to three Scrutiny Reviews in any one year can be identified by the Service and Partnerships Performance Panel following a detailed examination of the SIPs presented to the Panel based on performance information.

There are a number of key questions that are relevant to evaluate the level of importance of topics for a possible Scrutiny Review. The undernoted selection evaluation criteria can be used by the Panel to help identify topics for potential review with those identified (ticked) as being of a great concern being the options most closely meeting the criteria. Rejection criteria are also undernoted so that the reasons for rejection are also captured. This evaluation checklist is also attached as Appendix 4 within the Forms and Protocol section of this Handbook.

<b>Selection Evaluation Criteria</b>	<b>Great Concern</b>	<b>Potential Concern</b>	<b>No concern</b>
Evidence of poor performance			
High level of risk identified and not addressed			
Likely to have significant impact on Council's strategic objectives			
Lack of progress in delivering identified improvements as addressed by SIPs			
Evidence of systems failure			

In considering the selection of reviews, the Panel should also take cognisance of whether any of the following criteria apply which would lead the Council to potentially reject the review.

<b>Rejection Criteria</b>
The issue is subject to new or impending legislation
The issue is already contained within the Council's Improvement Plan or being addressed by the Cabinet
The issue is already identified in the forward agenda of the Service and Partnerships Performance Panel
A Scrutiny Review is unlikely to result in service improvements and therefore not cost effective
The issue is sub judice

(2) ***Determining the Proposed Scope of the Review(s) and Seeking Council Approval***

Having selected up to three Scrutiny Reviews, the Service and Partnerships Performance Panel then prepare the scope for each possible Scrutiny Review. A scoping template for this purpose is contained within the Forms and Protocols section of this Handbook as Appendix 5. This template contains a number of key steps to help define the scope and timeframe for undertaking this work.

It is suggested that, at an early stage, it would be advantageous for the proposed reviews and scopes to be informally discussed with relevant Portfolio Holders to ensure that there is no duplication or conflict of scoping topics with the forward planning of the Cabinet agenda.

At this point, the scope of the Scrutiny Review is presented to a meeting of the Cabinet for consideration and to a meeting of the Council for approval.

### (3) ***Undertaking the Scrutiny Review***

The Council's Standing Orders Relating to Meetings, at paragraph 35.5, state that the Panel may appoint a Sub-Group of their members to undertake a Scrutiny Review and may also specify a minimum and a maximum membership of the Sub-Group. This may also include co-opted Members of the Cabinet, depending on the nature of the topic to be scrutinised. A Lead Member should be selected for each Review who will act as Chair of the Sub- Group.

The Panel will have the power to call expert witnesses and/ or call other professionals or representatives of interest groups for advice in respect of any Scrutiny Reviews being undertaken. Appropriate officers will also be identified and engaged with. Members will be provided with appropriate officer support for the reviews.

The review will be undertaken within the terms of its approved scope and should include:

- devising and setting key questions to be asked;
- identifying contributors such as Chief Officers, Elected Members, partners, stakeholders and staff;
- researching/ identifying background information and sharing it as appropriate;
- arranging site visits, as required, to supplement the evidence gathering process; and
- involving subject specialists, possibly from other Councils, to share good practice.

### (4) ***Considerations of Findings and Recommendations***

The Service and Partnerships Performance Panel will agree the outcomes and recommendations of Scrutiny Reviews which are then reported to the Cabinet for consideration and Council for approval of any recommendations and decision if required (Council's Standing Orders Relating to Meetings at paragraph 35.5).

As part of this final step, external parties involved in the review should be informed of the review outcomes. The review outcomes should also be made widely available on the Council's website.

## 2. The Protocol for Petitions from the Public

The Council's Standing Orders Relating to Meetings, at paragraph 31, provide:

- 31.1 Petitions from members of the public addressed to the Council shall be considered by the Service and Partnerships Performance Panel in accordance with the Council's Petitions Protocol.
- 31.2 Every application for the reception of a petition must be in writing, and delivered or emailed to the Chief Executive, or submitted online in accordance with the specified procedure, by no later than 12.00 noon on the day twenty clear days before the meeting of the Panel at which it may be considered.
- 31.3 The Chief Executive, in consultation with the Chair of the Service and Partnerships Performance Panel, may allow the late submission of a petition in cases of urgency.

The Council's Scheme of Delegation provides that the Service and Partnerships Performance Panel will receive and hear petitions addressed to the Council from members of the public, in accordance with the Council's Petitions Protocol and shall determine the appropriate action to be taken within the terms of that procedure, including, where considered appropriate by the Panel, to report to Cabinet with recommendations.

The Council's Petitions Protocol has been designed to be user friendly and to facilitate easy access to Elected Members for community groups and local residents who wish to raise matters of concern relating to delivery of Council services and decisions taken or about to be taken by the Council.

The Petitions Protocol is set out in [Appendix 3](#) of this Handbook.

The Council's website contains useful information to increase the accessibility of the Petitions Protocol for members of the public who wish to petition the Council.



# **Appendices**

## **Forms and Protocols**



## **Questioning Techniques**

*(from CIPFA presentation delivered to Members in February 2018)*

### **Guidance for all Members of the Council**

#### **Preparing:**

- What are you being asked to do?
- What do you need to find out in order to do this?
- Address matters of detail in advance.
- What questions would you like to ask?
- What questions do you need to ask?
- Decide the order of questions
- Discuss who will ask the questions

#### **Questioning – types of question:**

- Open questions – more than a yes or no answer
- Closed question – a brief factual answer
- Probing – more specific information
- Opinion finding – aim to understand, likely to be subjective

#### **Questioning - approach:**

- Constructive challenge
- Pitched at the right level – policy, strategy, service, spotlight
- Focus on issues not personalities
- Anecdotes v facts and evidence

#### **Practical Application – examples of questions across potential areas of scrutiny:**

##### **1. Focus on policy and strategy:**

- Does this align with our manifesto commitments/stated policy objectives/corporate strategy?
- Are the implications fully set out – are you aware of any others?
- Have the impact assessments been completed to a high standard?
- Why do we need this policy?
- How will it improve the lives of our stakeholders?

- Do we have sufficient capacity and capability to deliver this?
- What arrangements are in place to review progress?

## **2. Focus on service delivery:**

- Does this service contribute to our strategic objectives?
- Are there any legislative requirements?
- How do we know we will meet service user needs?
- What feedback mechanisms are in place and are they working effectively?
- How can we be assured that the quality of service is being maintained or improved?
- Is this level of service fully resourced?
- How do we demonstrate value for money?
- What risks are we exposed to?
- To what extent have we engaged with employees to obtain their commitment to what is being proposed?

## **3. Focus on organisational performance:**

- Are we measuring the right things?
- Are targets agreed for performance, are they ambitious and realistic?
- What is the trend – are things getting better or worse?
- What is causing the trend and how can this be addressed? – Will it have a consequential impact on other service measures?
- Has previously agreed corrective action been effective?
- How do we compare to benchmarks – are they the best benchmarks?
- Is good practice being shared?
- Are there inconsistencies – using your wider knowledge does it appear true?

## **4. Focus on financial planning:**

- What are the short, medium and long term financial consequences?
- What are the key financial assumptions and risks and has the sensitivity been modelled singular and cumulative?
- What is the basis for the recommended contingencies, provisions and reserves?
- How long will it take to recover our investment?
- Are financial benefits of capital investment/transformation factored into future revenue budgets?
- What steps have been taken to avoid double counting?
- Is this the most effective financing option – what others have been considered?

## **5. Focus on treasury management:**

- Can you demonstrate that our borrowing is affordable in the short, medium and long term?
- Does the borrowing maturity profile highlight timing risks?
- What is the balance between fixed and variable interest rate borrowing?
- Are funds invested prudentially – value, spread, interest, access.
- Is there suitable segregation of duties?
- How is the resilience of the service assured?
- How does the service compare against relevant benchmarks?

## **6. Focus on financial monitoring:**

- What are the trends – are projections going up or down?
- Are projections stable or are there too many surprises?
- Have savings plans been RAG rated in relation to risk and value?
- Are there contingency plans if savings do not deliver the required level of savings?
- Is it clear who is responsible for delivering savings?
- What impact is growth funding having on the service?
- Is the capital cashflow projection realistic – does it align with progress ‘on the ground’?
- Are there breaches of the budget virement policy?

## **7. Focus on investment programme and projects:**

- Is the business case robust - independent verification?
- Have all options been considered?
- Do we have the capacity and capability to deliver within timescale and budget?
- How are relationships with key contractors/advisors managed?
- What are the key decision points and what is the financial commitment at each point?
- What are the recommendations of the Gateway Reviews and how are these being progressed?
- What sources of information are used to complete the progress report?
- What are the programme wide risks and dependencies?

**8. Focus on partnerships:**

- Are the respective roles and responsibilities clear?
- What are the cost/benefit sharing arrangements?
- How will disputes be resolved?
- What arrangements are in place to 'Follow the Public Pound'?
- What is the financial stability of the partner - how often is this reviewed?
- What evidence is gathered to ensure compliance with Council policies?
- What assurances are in place to avoid scope creep and potential breach of procurement regulations?

**9. Focus on audit and risk:**

- Assurance sought from Chief Financial Officer, Internal and External Audit
- Focus on management commentary; governance statement; I&E; balance sheet; contingent liabilities; post balance sheet events; reserves
- External auditor's report and management response
- Progress in discharging audit recommendations
- Is risk management integrated across the organisation?
- Is risk appetite understood?
- Are risks escalated appropriately?

## Audit and Governance Panel Call-In Requisition

We, the undersigned, require that the following decision of the Cabinet be called-in to the next meeting of the Audit and Governance Panel.

<b>Date of Cabinet</b>	
<b>Item No.</b>	
<b>Report Title</b>	

	Signature	Print Name
<b>Councillors responsible for call-in</b>		
<b>Councillors supporting call-in (three required)</b>		
1.		
2.		
3.		

**Date:** \_\_\_\_\_

## Reasons and Desired Outcome

In order to improve information for Councillors, to assist officers in briefing the Panel and to improve the quality of Scrutiny, we confirm that the item is being called-in for the following reason(s).

Councillors are reminded that the 'reasons' section should be completed with sufficient detail as to allow members of the Audit and Governance Panel and officers to appreciate the cause for concern prompting the call-in. (This may be by reference to a part or parts of the Report or Decision or by describing an issue which may not have been adequately addressed or by requesting the provision of additional information which should be specified).

Where a call-in requisition contains any questions, or requests for further or additional information, officers, in consultation with the relevant Portfolio holder, shall, where possible, provide written responses to be intimated to all Councillors in advance of the Panel. Receipt of responses to questions shall not itself preclude further scrutiny of the item called-in for the reason set out in this form.

The 'outcomes' section should also be completed with sufficient detail which allows the Audit and Governance Panel and officers to appreciate the alternative recommendation(s) that is (are) sought.

<b>Reasons for Call-In</b>
<b>Desired Outcome</b>



## Service and Partnerships Performance Panel

### Petitions Protocol

#### 1. Introduction

- 1.1 This procedure note sets out the process to be followed by persons wishing to submit a petition to the Council.
- 1.2 A petition is a request by members of the public for a hearing by the Service and Partnerships Performance Panel in relation to a competent matter.

Petitions allow for meaningful dialogue between petitioners and a formal scrutiny panel of the Council. They are not complaints, or requests for information that can be dealt with under legislation such as the Freedom of Information (Scotland) Act 2002 or the Environment Information (Scotland) Regulations 2004.

It is an essential aspect of the petitions process that at least one of the petitioners attends to speak to the petition, and thereby allow meaningful dialogue and scrutiny.

- 1.3 Petitions shall be considered by the Service and Partnerships Performance Panel in accordance with this Petitions Protocol.
- 1.4 Following the hearing of the petition, the Service and Partnerships Performance Panel shall, in accordance with this protocol, determine the appropriate action to be taken including, where considered appropriate by the Panel, reporting to Cabinet with recommendations.

#### 2. Procedure for Submission of a Petition

- 2.1 For every petition submitted, a single person or organisation must be identified and named as the lead petitioner and single point of contact for progressing the petition. There must also be provided a valid address, (which may be an email address) and, preferably, a telephone number, to allow the petition to be dealt with efficiently and timeously under this procedure.
- 2.2 Every application for the reception of a petition must be in writing, and delivered or e-mailed to the Chief Executive by no later than 12.00 noon on the day twenty clear days before the meeting of the Panel at which it may be considered. *The term 'Clear days' means weekday, excluding weekends, bank holidays, local or national holidays and public holidays of the Council, and also excludes the day the petition arrives at the Council and the day on which the meeting is held.*
- 2.3 The Chief Executive, in consultation with the Chair of the Service and Partnerships Performance Panel, may allow the late submission of a petition in cases of urgency.
- 2.4 Petitions will **only** be heard:
- 2.4.1 if they relate to the delivery of Council services or to services which are provided by the Council in conjunction with other partner organisations; or

2.4.2 if they relate to decisions that the Council has taken or is about to take.

At least one petitioner (being either the lead petitioner or a specified substitute – referred to below as the ‘lead petitioner’) must attend the meeting of the Service and Partnerships Performance Panel to speak to the petition, otherwise it will not be heard. In that case, the petition will lapse and will not be considered further, unless the Service and Partnerships Performance Panel decides to carry it forward to provide a further opportunity for the lead petitioner to attend where this appears to be merited in the circumstances.

2.5 The petition must contain a minimum of twenty signatures from different households within South Ayrshire, with a valid address provided for each. E-petitions may be lodged in support, but not in substitution for the twenty written signatures. The petition must provide details of the matter to be considered. The petitioner should be able to demonstrate that steps have been taken to attempt to resolve the issue of concern prior to submitting the petition. Details of the services or officers of the Council previously approached, together with copies or summaries of the responses received, should be submitted together with the petition.

2.6 There are cases where it will be inappropriate for the Panel to consider a petition, for example:

2.6.1 if the petition relates to matters that are or have been subject to legal or court proceedings, ombudsman complaints, employment tribunals, or any other appeals procedures;

2.6.2 if the petition requests the Council to do something outwith its powers or to consider a matter outwith the remit of the Council;

2.6.3 if the petition discloses information which is protected by an interdict or other court order;

2.6.4 if the petition reveals commercially sensitive or confidential information;

2.6.5 if the petition is considered to have potential to cause personal distress or loss;

2.6.6 if the petition relates to an individual’s circumstances or an individual’s grievance, including but not limited to any matter concerning the employment or terms of employment of any individual or group of staff, or contains information by which individuals can be identified;

2.6.7 planning, licensing and other matters with their own procedures;

2.6.8 a decision taken by the Council in the last 6 months;

2.6.9 a matter which is very similar to, or the same as, a petition which the Panel has heard in the 12 months prior to the date of submission of the petition;

2.6.10 matters designed to gain or reduce support for one or more political parties;

2.6.11 matters that could damage a person’s or an organisation’s reputation;

- 2.6.12 an allegation or matter which could contain information that is not true or is defamatory, discriminate against someone or contain offensive language, or be of a humorous or frivolous nature;
  - 2.6.13 if the petition does not call on the Council to take any action – including, for example, petitions that call on the Council to ‘recognise’ or ‘acknowledge’ something; and
  - 2.6.14 if the petition is a complaint or a request for information that can be dealt with under legislation such as the Freedom of Information (Scotland) Act 2002 or the Environment Information (Scotland) Regulations 2004.
- 2.7 If twenty or more letters are received on one specific issue, these will be treated in the same way as petitions. If the individual leading the letter writing campaign can be identified, that person will be treated as the principal petitioner and the same procedures will apply as for petitions generally.
- 2.8 The Service and Partnerships Performance Panel will not normally hear more than two petitions at each meeting. Priority will be given to petitions by date of receipt by the Council.
- 2.9 All Elected Members will be notified upon receipt of an application for a petition, irrespective of whether or not the petition is deemed appropriate for consideration by the Service and Partnerships Performance Panel.

### **3. Procedure for Determination of Acceptance of Petition**

- 3.1 When an application for a petition is received, the Chief Governance Officer will consider the issues raised in light of the preceding provisions and, through discussion with the Chair of the Service and Partnerships Performance Panel, determine whether it is appropriate for the Panel to consider the petition. The Chief Governance Officer will reach a decision and notify the lead petitioner, or contact the lead petitioner to seek clarification on the terms of the petition, within 20 working days of receipt of the petition. Within 20 working days following receipt of clarification, the Chief Governance Officer will reach a decision and notify the lead petitioner. When the Chief Governance Officer determines that it is so appropriate, the petition will normally be placed on the agenda for the *next or appropriate* meeting of the Panel. The petitioner will be advised of this.
- 3.2 If an application for a petition to be considered is refused, the reasons for this will be notified to the lead petitioner and reported to the next meeting of the Service and Partnerships Performance Panel.
- 3.3 If the application for a petition is approved, the lead petitioner will be invited in writing to attend the appropriate meeting of the Service and Partnerships Performance Panel. Reasonable efforts will be made by officers of the Council to ensure this invitation is received by the lead petitioner. This invitation must be accepted in writing, or by email, by the lead petitioner within a reasonable stated timescale normally not exceeding 10 days. If there is no response to the invitation or it is declined, the petition will not be heard and will lapse. Up to ten (or more on prior request and provided the Chief Executive determines that space permits) members of the petitioner’s group may attend the meeting, but the number of

persons allowed to address the Panel meeting as representatives of the petitioner group will be limited to a maximum of three. The petitioner will also be asked to identify the principal spokesperson beforehand.

- 3.4 At the point of acceptance of a petition for consideration by the Panel, the relevant Council officer or officers will normally be asked to prepare a report for the Panel relating to the issues raised in the petition, including details of what steps (if any) have been taken prior to submission of the petition to resolve or respond to the issues raised. This report will be issued as part of the formal agenda for the meeting (subject always to any restrictions on publication in terms of the Local Government (Scotland) Act 1973 – see Standing Orders paras 8 and 10) and copied to the petitioner.
- 3.5 If during a pandemic or public health emergency, the public are to be excluded from a meeting of a local authority where it is likely that, if members of the public were present, there would be a real and substantial risk to public health due to infection or contamination, and in these circumstances, the lead petitioner is unable to proceed via a remote meeting platform, then paragraphs 4.1, 4.2, 4.3, 4.4 and 4.5 will not apply and the lead petitioner will not be invited to attend the appropriate Service and Partnerships Performance Panel in person, but will be invited to submit written submissions for consideration of the Panel. The Panel will consider the written submissions of the lead petitioner and officers of the Council, including the report referred to at paragraph 3.4. Thereafter the Panel will decide what further action it considers appropriate in terms of paragraph 4.6.
- 3.6 Where an application for a petition is deemed appropriate for consideration by the Service and Partnerships Performance Panel, the petition shall fall if it has not been heard by the Panel within a period of six months from the date of receipt of the application, provided there has not been unreasonable delay on the part of the Council.

#### **4. Procedure at the Panel Meeting**

- 4.1 The representatives of the petitioner group should remain seated at all times during the meeting, until the nominated spokesperson(s) is/ are invited to speak by the Chair.
- 4.2 The representatives (up to three as stated above) who address the meeting will be limited to **ten minutes in total** to present their case to the meeting (including any Summing Up as referred to below but subject to paragraph 4.5). Once the representatives have addressed the meeting, the Councillors sitting on the Panel will be invited to put questions to the petitioner representatives.
- 4.3 Appropriate Councillors (who will include the relevant Portfolio Holder and/ or relevant local Members) and/ or officers of the Council (including the officer presenting the report) will then have the opportunity to address the Panel and may be asked questions by members of the Panel. Each officer or Member so addressing the Panel will be limited to five minutes, (subject to paragraph 4.5).
- 4.4 Finally, the lead representative for the petitioners will be invited to sum up but may only speak for the balance remaining (if any) of the ten minutes allocated as per paragraph 4.2 above. Following conclusion of their presentation, the petitioners will

be asked to return to the public seating area of the meeting room and may not take any further part in the meeting and the Panel's considerations.

4.5 The Panel may exercise discretion to agree to extend the time available to any person or persons addressing the Panel if it considers it appropriate to do so.

4.6 Following consideration of the matter before it, the Panel shall decide what further action it considers appropriate. This may be:

4.6.1 to request officers to undertake further investigations and report back to a future meeting of the Panel; or

4.6.2 to make recommendations to the Cabinet based on the consideration of the matters before it at the meeting; or

4.6.3 to decide that no further action is appropriate in relation to the matters raised in the petition.

**March 2023**

## Selecting a Scrutiny Review

### Service and Partnerships Performance Panel

#### Scrutiny Review - Evaluation Criteria

**Possible topic for a Scrutiny Review emerging from scrutiny of the Service and Improvement Plans - .....**

<b>Selection Evaluation Criteria</b>	<b>Great Concern</b>	<b>Potential Concern</b>	<b>No concern</b>
Evidence of poor performance			
High level of risk identified and not addressed			
Likely to have significant impact on Council's strategic objectives			
Lack of progress in delivering identified improvements as addressed by Service and Improvement Plans			
Evidence of systems failure			

#### Criteria identified as being of a great concern

In considering the selection of reviews, the Panel should also take cognisance of whether any of the following criteria apply which would lead the Council to potentially reject the review.

<b>Rejection Criteria</b>
The issue is subject to new or impending legislation
The issue is already contained within the Council's Improvement Plan or being addressed by the Cabinet
The issue is already identified in the forward agenda of the Service and Partnerships Performance Panel
A Scrutiny Review is unlikely to result in service improvements and therefore not cost effective
The issue is sub judice

**Determining the Proposed Scope of a Scrutiny Review**



**Service and Partnerships Performance Panel**

**Scrutiny Review - Scoping Template**

<b>Scrutiny Review:</b>	
<b>Scrutiny Review Lead:</b>	
<b>Date:</b>	
<b>1. Background</b>	
<p>Use this section to explain the background and trigger for the review.</p> <p>This is likely to have arisen through the scrutiny of the Service and Improvement Plans and performance information presented to Panel on a six monthly basis, where areas of concern have been identified that the Panel feels would benefit from more detailed investigation.</p> <p>It should be clear from this section how the review meets one or more of the selection criteria that are required to be met in order for the Council to agree to such a review being undertaken.</p>	
<b>2. Objectives</b>	
<p>Explain what is intended to be achieved by the review i.e. the main areas that are to be examined and the outcomes that are anticipated.</p> <p>Proposed objectives for the review should cover the various aspects that are to be examined, and will provide a useful checklist during the review to ensure all aspects of concern and interest are covered and conclusions reached.</p> <p>These will help to justify to the Council why such a review is worthwhile; should help the Panel itself to prioritise between potential reviews; and should help the Panel to establish a clear focus and boundaries around what it can realistically consider and evaluate.</p>	

### 3. Scope and Exclusions

Define in more detail the areas that will be covered e.g. is it the service in total, operation within a geographic area, operation over particular periods of the year etc.

Highlight any aspects that will not be covered, perhaps because of constraints of time, expertise or because elements are already working well or are under review by others.

The outcome of informal discussions with Portfolio Holders can be useful in firming up this section to ensure that there is no duplication or conflict of scoping topics with the forward planning of the Cabinet agenda.

### 4. Approach to the Review

Outline how it is proposed to carry out the review.

Depending on what is being reviewed there may be a range of approaches examining the issue, and it should be clear at the outset what particular lines of enquiry will be used, as these will influence timescales, resources, public and expert involvement etc.

Approaches may include:

- detailed research of existing performance data;
- discussion with managers and front line staff;
- site visits to see the service in operation;
- surveys of users;
- visits to other service providers;
- invitation to expert witnesses; and/ or
- public meetings.

In developing the approach, you should consider:

- **Constraints** – officers' time to support the review, Members' time to undertake the work, resources and timescales that the review is to be delivered within.
- **Security/ Confidentiality constraints** – identify any such implications.
- **Relationship to other reviews** – identify and list any other reviews/ audits that may impact on or be affected by this review and its outcome.
- **Availability of performance information** – identify existing sources of performance information and benchmarking data that will inform the review.
- **Identify contributors/ expert witnesses** – this could be: Chief Officers, Elected Members, partners, stakeholders and staff. Also subject specialists, possibly from other local authorities, to share good practice.
- **Support** – The Lead Officer for the Panel will arrange support for Members to undertake the review. This could also relate to arrangements for site visits, if necessary, to supplement the evidence gathering process.

## 5. Anticipated Outputs

List what you expect the review to actually deliver, reflecting on the objectives that have been set and the approach that has been taken – for example:

- a set of recommendations as to how a more customer focused service could be delivered;
- an improved understanding of the challenges faced by the service and the impact that additional resourcing could achieve; and/ or
- a suggested alternative approach to delivering a particular service in partnership with the community

## 6. Roles and Responsibilities

This section should identify who will take forward the Scrutiny Review, including:

- the Scrutiny Review Lead Member;
- the composition of the review team – including if a Sub-Group from the Panel members is being tasked to carry out the review, a minimum and maximum membership of the Sub-Group and the names of those to be involved; and
- the officers who will be involved, including the officers who will provide support.

## 7. Scrutiny Review Plan with Timescales:

Provide details of the timeframe for the various steps and activities, including:

- Council agrees review - (insert date);
- review commences - (insert date);
- regular updates to Service and Partnerships Performance Panel - (insert date);
- final report to Panel - (insert date); and
- report to Cabinet with recommendations - (insert date)