

CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE
17 OCTOBER 2018

Minutes of the meeting of the Constitution and Democratic Services Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold on Thursday, 17 October 2018.

PRESENT: Councillor Rita Johnson (Chair)

Councillors: Marion Bateman, Glyn Banks, Chris Bithell, Clive Carver, Bob Connah, Jean Davies, Rob Davies, Ian Dunbar, David Healey, Joe Johnson, Mike Peers, Paul Shotton, David Williams, David Wisinger and Arnold Woolley.

SUBSTITUTES:

APOLOGIES: Councillor: Dave Wisinger

ALSO PRESENT: Councillors: Patrick Heesom (as an observer)
Alison Thomas and Kate Glover- Jones from the Youth Service

IN ATTENDANCE: Democratic Services Manager and Democratic Services Support Officer

9. DECLARATIONS OF INTEREST

None were received.

10. MINUTES

The minutes of the meeting held on 21 June 2018 were submitted.

RESOLVED:

The minutes be approved as a correct record and signed by the Chair.

11. WALES AUDIT OFFICE STUDY – OVERVIEW & SCRUTINY – FIT FOR THE FUTURE.

The Democratic Services Manager explained that the Wales audit office (WAO) had conducted their study by conducting interviews of both individuals and groups and by observing at a number of committee meetings between October and December last year. He identified a number of the councillors who had been involved. This had included a group of Members who were newly elected, as well as 'established' Members whose service went back to the previous council.

In addition, the Chief Executive, Chief Office (Governance), the Corporate Business and Communications Executive Officer and the Democratic Services Manager had all been interviewed individually.

The Wales Audit Office had made four recommendations which were:-

- P1 The Council should undertake regular self-assessment of its overview and scrutiny function, to consider its impact, and identify areas for improvement.
- P2 Further develop scrutiny forward work programming to:
- ensure that the method of scrutiny is best suited to the topic area and the outcome desired, and consider more innovative methods for undertaking scrutiny activity.
- P3 Overview and scrutiny committees should further improve their arrangements for promoting the engagement of the public and other stakeholders in scrutiny activity.
- P4 The Council should review the support arrangements for overview and scrutiny in light of current and future challenges.

The Democratic Services Manager invited Members of the Committee to consider and comment on these recommendations.

Councillor Dave Healey said that he was unable to agree with the recommendations, as he believed that they did not provide a true picture of how Overview & Scrutiny was now working. He referred to his role as Chair of the Education & Youth Overview & Scrutiny Committee and commented this committee was not 'officer led' and referred to examples where Members had challenged officers on the following:-

- Impact of the internet on young people – what was Flintshire doing to highlight the dangers?
- Initiating a report on the Youth Service and how it operated – this issue was a Member request ;
- GwE – when they attended the committee, Members requested updates on diverse issues such as period poverty and school transport;

- Questions had also been asked about the impact of the cash flat budgets on schools. Head Teachers had attended and their representatives had spoken to Members and officers outlining their concerns.

Councillor Healey concluded by saying that these were just a few examples of how proactive scrutiny had been over the last year.

In response the Democratic Services Manager clarified the study had been carried out last autumn. He said that he, and other heads of democratic services had made the point to WAO that conducting such a study in local authorities which had recently undergone elections was not likely to provide an accurate reflection of scrutiny practice. As the new councils had 'bedded in' it was likely that there would have been a number of changes. In addition, observations from a small number of meetings should not be extrapolated to provide a picture of the whole.

Councillor Paul Shotton referred to the meetings held outside County Hall such as at Greenfield Valley, Wepre Park, and 21st Century Schools (Holywell, Connah's Quay High and the Hub). He said that these meetings in the community needed to be publicised more effectively to encourage public attendance.

Councillor Ian Dunbar agreed with the comments made by Councillor Healey. With regard to the Forward Work Programmes, that of the Community & Enterprise Overview & Scrutiny Committee, which he chaired was full, with topics put forward by members. He added Scrutiny was working very well but acknowledged that there was a need to engage more with the public.

Councillor Chris Bithell was concerned when he had met with the Wales Audit Office that they had already made up their minds prior to conducting the meetings and wondered to what extent the comments were general or specific to Flintshire. He reminded colleagues that the Overview & Scrutiny Annual Report highlighted what the Overview & Scrutiny Committees had discussed throughout the year. He added that as Cabinet Members, he and the others were constantly questioned by Members.

Councillor Bithell went on to refer to the Public Engagement Events which were held in previous years and which had been poorly attended by the public, which was regretful. He recognised that unless the meetings were discussing something perceived to be critical or that the public had a particular interest in they did not engage. He agreed if more members of the public attended the Overview & Scrutiny Committee meetings that would provide excellent public engagement.

The Democratic Services Manager commented he had seen some of the reports for other authorities and there was a commonality to them. However, he stressed that each council had its own specific recommendations. He also agreed with Councillor Bithell's comments on public engagement.

Councillor Mike Peers agreed with Councillor Healey's comments which should be noted as best practice and that the best practice from the other scrutiny committees should be put forward. He was disappointed that comments

which had made to the WAO on member experience, list of questions and topics reported back and the use of call in were not include in the final report.

Councillor Peers went on to refer to page 7 of the WAO "Overview and Scrutiny committee Members spoke highly of the support they received from the Democratic Services secretariat. However, they had mixed views about the information provided to committees. Several committee Members were concerned about the excessive length of some of the reports they received"; this would need addressing. On the basis of those comments, he felt that there should have been a fifth recommendation to say that "The Council should ensure Members have adequate information and that the reports were not too large". With regard to paragraph 23, and the presentation to committees of reports "for information" Councillor Peers said this would require a response.

Councillor Clive Carver agreed with comments which had been made by colleagues. He referred to Corporate Resources minutes which were well written but which revealed a disappointing lack of questions scrutiny from Members of the administration group. He pointed out that a Member's role on these committees was as a critical friend and that all Members regardless of party should be prepared to speak.

Councillor Marion Bateman commented the forward work programmes were an easy target for the Wales Audit Office and wondered if this report should be moved further up the agenda. The Democratic Services Manager responded to say this report was generally at the end to enable more reflective work which came up during the meeting to be included in the Forward Work Programme. However, the corporate Resources Overview & Scrutiny committee had been considering their forward work programme at the start of the meeting for several meetings.

Councillor Chris Bithell countered Councillor Carver's comments saying that Members of his group frequently asked challenging questions.

Councillor Glyn Banks agreed this seemed like a generic document and suggested that Members could each look at one authority's report to ascertain what their responses were to this study.

Councillor Arnold Wooley agreed with Members on all sides. He suggested that introducing a system with independent members who would not shy away from controversial discussions.

The Democratic Services Manager responded that political balance was a requirement of the Local Authority and Housing Act 1989 and that only Welsh Government could change those rules

Councillor Dave Healey referred to Councillor Woolley's comment on political balance saying the present system was the only way to obtain a balanced budget

The Democratic Services Manager referred to the Education & Youth Overview & Scrutiny Committee which had 25% of its members as co-optees

who were independent, representing parent governors and both diocesan authorities.

The democratic services manager sought agreement for circulation of the Centre for Public Scrutiny (CfPS) “effective scrutiny questionnaire” self-evaluation template to members. This was agreed.

RESOLVED:

- 1 That four recommendations made by the Wales Audit Office in their *Overview & Scrutiny – Fit for the Future?* Study report be received.
- 2 That the officers be tasked with examining how the proposals could inform future Overview & Scrutiny work, including the circulation of the centre for Public scrutiny self-assessment template.

12. REQUEST FOR CO-OPTION TO THE EDUCATION & YOUTH OVERVIEW & SCRUTINY COMMITTEE

The Democratic Services Manager introduced the report which was presented to gain agreement in principle for a member of the Flintshire Youth Council to attend and take part in the Education & Youth Overview & Scrutiny Committee meetings.

Councillor Mike Peers asked when was the request being made and what expectations were envisaged for the representative attending Committee meetings.

The Democratic Services Manager responded to say the representative would have a non-statutory role with no right to vote, but would be able to speak. The Committee would also benefit from hearing a young person’s perspective. He envisaged a reciprocal arrangement with both the scrutiny committee and the Youth Council benefitting from the experience.

Councillor Chris Bithell welcomed the idea for the Education & Youth Committee and inquired whether the Youth Council nominee or deputy would be able to raise issues to go on the agenda.

The Democratic Services Manager said that they would be able so to do. He went on to explain the public engagement protocols which enabled any member of the public to attend, observe and speak at committees.

Councillor Dave Healey welcomed the suggestion, as did other Members.

The Democratic Services Manager suggested that Alison Thomas and Kate Glover- Jones from the Youth Service who were present could explain how the co-option arrangements would work. Ms Thomas said the representative would be probably be studying politics at school and would be given the time from school as part of the course. The Youth Council would be looking at the work covered by Local Authorities. Ms Thomas explained that the Youth Council was not yet ready to nominate a co-optee, but appreciated the support being given by the agreement in principle.

Councillor Marion Bateman made a suggestion that the Committee observe one of the Youth Council meetings.

The Democratic Services Manager confirmed the new co-optee would be given the same induction session as other co-opted members, to explain the processes of committee and would be fully briefed. He went on suggest a caveat that if the Youth Council ceased to function, the co-option should also cease.

Councillor Jean Davies fully supported the co- option and suggested a mentor from the Committee be appointed to assist the Youth Council Representative

RESOLVED:

That the co-option of a Youth Council representative to the Education & Youth Overview & scrutiny committee be agreed in principle, with the caveat that if the Youth Council ceased to function, so would the co-option.

13. MEMBER DEVELOPMENT AND ENGAGEMENT UPDATE

The Democratic Services Manager introduced the report saying it was the practice for this committee to receive a progress reports on the Member Development and Engagement events which had been organised. This report provided details of events which had been held since the last report on this topic, on 21st June 2018

The Democratic Services Manager provided an overview of attendance at the recent committee specific budget workshops. Councillor Paul Shotton commented it was in the interests of all Members to attend meetings to gain an understanding of the overall picture. Group Leaders should speak to their Members who do not attend

Councillor Neville Phillips was concerned at the cancellation and changes of timings of meetings which happened frequently. The Democratic Services Manager responded that meetings were often arranged months in advance and sometimes may be cancelled because of information not being available or that reports were not ready. As a matter of courtesy, either the Chair or Vice Chair of a committee was consulted before a decision not to proceed with a meeting.

Members thanked the Democratic Services Manager and his team for providing the member development and engagement events.

The Democratic Services Manager referred to the Welsh Language Survey and reported he had received email responses from 54 Councillors with 16 yet to respond. This report would be brought back to this committee and to Corporate Resources. Members asked for details of the Welsh Conversation Group which had been refereed to.

RESOLVED:

1. The Member Development & Engagement progress report be received

and noted.

2. That the details of the Welsh Conversation Group be circulated to Members.

14. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were no members of the public and press present.

(The meeting started at 2pm and ended at 3.25 pm)

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Chair