

EAST RENFREWSHIRE COUNCIL
AUDIT AND SCRUTINY COMMITTEE

15 August 2019

Report by Chief Executive

POTENTIAL AREAS FOR SCRUTINY AND REVIEW INVESTIGATIONS

1. To provide an update to the Audit and Scrutiny Committee on potential areas for scrutiny and review investigations.

RECOMMENDATIONS

2. It is recommended that the committee:-
- (a) considers the list of potential areas for a scrutiny and evaluation review as identified by the committee at their meeting on 20 June, using the selection/rejection criteria agreed as part of the new Guide to Scrutiny and Review, and discusses related issues; and
 - (b) approves the proposed status of the potential areas for a scrutiny and evaluation review, as outlined in Appendix 1.

BACKGROUND

3. The Audit and Scrutiny Committee on 20 June agreed to undertake an investigation on income generation and commercialisation, which is now underway. Looking forward, it was noted in June that work on the scope of the other potential reviews suggested would be undertaken between then and this meeting, using the selection and rejection criteria contained in the newly approved East Renfrewshire Council Guide to Scrutiny and Review. The intention is to have other areas for review agreed and prioritised by the committee, with the next one ready to commence once the current review of income generation and commercialisation is approaching completion.

OTHER PROPOSALS FOR DETAILED SCRUTINY AND EVALUATION WORK

4. Initial scoping work has now been concluded on the potential review areas proposed to date. Appendix 1 provides a summary of the outcome of discussions on these areas between departments and the Scrutiny and Evaluation Officer, and contains proposals on how the committee could decide to move forward.

5. As a further aid to elected members, and where a review area meets the selection criteria, a priority rating is proposed to allow for scheduling of review work, using the following scale:

Priority 1: High (A review is required: work to be scheduled to commence following completion of latest review on list)

Priority 2: Medium (A review is required: timing of commencement of work to be considered to achieve optimum outcomes)

Priority 3: Low (Area suitable for a review, although not in the immediate future: however, area to remain under observation)

CONCLUSION

6. The proposals contained in this report provide the opportunity for the committee to schedule when they would wish to undertake scrutiny and review investigations, using the new guide to scrutiny and review, and the suggested priority ratings, while keeping other areas under observation. It will be valuable for the committee to consider further potential areas for scrutiny and review evaluations, on a periodic basis. Updates on each of the reviews that it is agreed to progress will be provided to the committee, and reported through the annual work plan which will be refreshed at different stages throughout the course of each year. An update on the 2019/20 work plan will be submitted to the next meeting.

RECOMMENDATION

7. It is recommended that the committee:-
- (a) considers the list of potential areas for a scrutiny and evaluation review as identified by the committee at their meeting on 20 June, using the selection/rejection criteria agreed as part of the new Guide to Scrutiny and Review, and discusses related issues; and
 - (b) approves the proposed status of the potential areas for a scrutiny and evaluation review, as outlined in Appendix 1.

Chief Executive
7 August 2019

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Background Papers

Report by Chief Executive to Audit and Scrutiny Committee, 20 June 2019: Proposed Guide to Scrutiny and Review

Audit and Scrutiny Committee
Potential Areas for Scrutiny and Review

Potential Review Area	Comments	Recommendation
Income Generation and Commercialisation	The Audit and Scrutiny Committee agreed on 20 June 2019 to undertake a scrutiny and review investigation on income generation and commercialisation opportunities within East Renfrewshire Council.	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accepted. Priority 1 – High</p> <p><i>Work on this review has already commenced, with the committee to start taking evidence and the gathering of information during August and September, with a final report including recommendations scheduled to be considered at the committee meeting on 21 November 2019. Meantime, an update on current progress will be considered by the committee at the meeting to be held on 15 August 2019.</i></p>
Operation of Trust (East Renfrewshire Culture and Leisure)	A progress report on internal audit work has been prepared by the Chief Auditor for the Audit and Scrutiny Committee on 15 August. It proposes that the internal audit titled 'Operation of Trust' is deleted from the annual audit plan. Due to Internal Audit currently operating with one vacant post, senior management have suggested that it could be appropriate for this review to instead be carried out by the Scrutiny and Evaluation Officer, who could undertake a Best Value type review. The findings of this review would then be reported to the Audit and Scrutiny Committee. It is understood that this work would be scheduled to be carried out towards the end of 2019/20.	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accept. Priority 1 – High</p> <p><i>Subject to approval of the changes proposed by Internal Audit to the Internal Audit Plan (to be considered by the committee on 15 August), it is proposed that a Best Value-type review be carried out on the Operation of the Trust by the Scrutiny and Evaluation Officer towards the end of 2019/20, with the findings to be reported to the Audit and Scrutiny Committee.</i></p>

Potential Review Area	Comments	Recommendation
Fly-tipping	<p>East Renfrewshire Council moved to a 3 - weekly household refuse collection service in 2016, without any increase in fly-tipping incidents, due in part to greater focus on household recycling (the Council now has the highest percentage of household recycling in Scotland: SEPA). For 2019/20, the cost of household bulk waste collection uplifts was increased by 10% to £33.55, again without any rise in incidents of fly-tipping. Income generated from bulk uplifts for 2019/20 is predicted to be £137,500. Incidents of fly-tipping on Council-owned land are dealt with (as a statutory duty) by area-based teams, as part of routine activities, except for special waste which is contracted out to a specialist waste operator. At weekends, citizens undertaking community service orders augment the fly-tipping clean-up service on land in disputed-ownership.</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accept. Priority 2 - Medium</p> <p><i>Data on incidences of fly-tipping suggests that this issue is being managed well. The Council's drive to increase recycling rates has been very effective. It is proposed that fly-tipping continues to be monitored, and that should incidences increase, then consideration be given to raising the priority rating. Further analysis of data will also take place by the Scrutiny and Evaluation Officer on incidences of fly-tipping which occur on land not in the Council's ownership, and consideration of options for cost-recovery.</i></p> <p><i>The Audit and Scrutiny Committee could however undertake site visit(s) in the latter half of 2019/20, to gather information on the latest procedures and equipment being used by the Environment Department for addressing this issue.</i></p>
Graffiti Removal	<p>Incidents of graffiti have decreased by almost 90% in recent years. Formerly, the Council deployed two dedicated squads to undertake this work, and now it is carried out by area-based squads as part of their routine duties. There is negligible income generated by the Council from the private sector to pay for graffiti removal work.</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accept. Priority 2 - Medium</p> <p><i>Data on incidences of graffiti reveal that these have decreased considerably over the past ten years. It is proposed that graffiti removal continues to be monitored, and that should incidences increase, then consideration be given to raising the priority rating. The Audit and Scrutiny Committee could however undertake site visit(s) in the latter half of 2019/20, to gather information on the latest procedures and equipment being used by the Environment Department for addressing this issue.</i></p>

Potential Review Area	Comments	Recommendation
Early Years Provision	<p>The Education Committee on 10 May 2018 (1) approved the department's plan to phase (from August 2018) the introduction of 1140 hours of early learning and childcare, and (2) agreed to communicate to residents the proposed changes to the procedures associated with applying for and allocating 1140 hours of free early learning and childcare places.</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accept. Priority 3 - Low</p> <p><i>The new policy on Early Years Provision is being implemented on a phased basis between 2018/19 – 2020/21. It is proposed that the policy, including the financial implications, be considered for review in the financial year 2022/23, following completion of the current roll-out.</i></p>
Education Appeals System	<p>The Education Committee on 20 December 2016 (1) approved changes to arrangements for admissions and transfer of pupils from primary to secondary in respect of all non-denominational and denominational (Roman Catholic) schools, and (2) adopted associated guidance information on "Making a Placement Request to Remain to a Roman Catholic or Non-Denominational Primary or Secondary School in East Renfrewshire". Implementation of the new admission policy has been phased from 1 Jan 2017, with the final stage introduced in April 2019, which includes adopting revised priorities for admissions in the new academic year, commencing August 2019. The appeals procedures are governed by statute. In line with legislation the appeals panel now only allows one appeal per annum for each child.</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accept. Priority 3 - Low</p> <p><i>The admission and transfer policy, and guidance on making a placing request, are being implemented on a phased basis up until 2019/20, following a formal consultation process.</i></p> <p><i>It is proposed that the appeals process continues to be monitored over the next two academic years to ascertain the impact of implementing the changes, and that the Audit and Scrutiny Committee considers in 2021/22, any modifications to the appeals process which may be required to improve the focus on customers, including if there is considered to be a need for any representations to be made at a national level. Additionally, it is proposed that a presentation be organised later in 2019/20 on the admission policy and the appeals system for the information of the committee.</i></p> <p><i>N.B. Members should be aware that regulations have been prepared by the Scottish Government, which would see the administration of education appeals being transferred from local authority control to the Scottish Tribunals System. The expected date for such transfer is understood to be April 2021 although this timeframe may be subject to slippage.</i></p>

Potential Review Area	Comments	Recommendation
	<p>Considerable time is committed to processing/undertaking the statutory appeals process for placing requests. There is a low percentage of appeals which are successful, and elected members questioned whether or not the current policies should be reviewed.</p>	
<p>Roles and Responsibilities of Councillors and Convenerships</p>	<p>The current remits of conveners were approved by East Renfrewshire Council on 24 May 2017 following the latest local council elections. Responsibilities of Councillors' contained in the Code of Conduct emphasises the importance of them not becoming involved in operational matters: the separation between organisational structures and Conveners' responsibilities needs to be recognised. Whilst responsibility for the organisational structure rests with the Chief Executive, it is for the politicians to determine how to allocate responsibilities across the various convenerships.</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Reject.</p> <p><i>'The area of review selected may be regarded as overtly political.'</i></p>
<p>Application of Planning Policies (Planning Representations)</p>	<p>Perceived inconsistencies can emerge in the application of the Council's planning policies in determining planning applications.</p> <p>Consideration by elected members of planning representations submitted by interested parties to the Planning</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Reject.</p> <p><i>'The topic is already under review.'</i></p> <p><i>To enable a wider discussion to take place on these matters, an informal meeting will be held on 22 August, involving the Planning Committee and Planning officers, to discuss the supplementary planning guidance which supports the Local Development Plan.</i></p>

Potential Review Area	Comments	Recommendation
	<p>Applications Committee and the Planning Local Review Body can, at times, be a complex process to navigate when reaching decisions.</p> <p>Representations which have been submitted need to be considered within the framework of local planning policies and guidelines, material considerations, the Scheme of Delegation, structure plan policies, and national guidelines too.</p>	
<p>Council Website/Communications with the Public</p>	<p>East Renfrewshire Council is currently at an advanced stage of developing a new website, which will put users at the heart of the contact experience. A one-stop shop will be created for users allowing them to interact digitally with the Council, giving them the opportunity to create their own personal account. A new design, improved functionality, and updated content will be key features of the new website, which is being created following user research, involving feedback from panels of residents.</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accept. Priority 3 - Low</p> <p><i>As the topic is already under development, it is proposed that a review be considered no earlier than twelve months after the new website has been fully implemented.</i></p> <p><i>In the interim a demonstration of the new website will be organised for elected members to allow the opportunity to ask questions about the new website and its capabilities.</i></p>
<p>Brexit and Associated Financial Implications</p>	<p>The Audit and Scrutiny Committee at their meeting on 21 February 2019, considered a report by the Clerk in response to a National External Audit Report on 'Withdrawal from the European Union - Key Audit Issues for the Public Sector'. The committee also considered a report by the Head of Accountancy on the Treasury</p>	<p>The Audit and Scrutiny Committee is invited to discuss the following recommendation: Accept. Priority 2 Medium</p> <p><i>It is proposed that a review be carried out on this area, subject to further consideration of the timing of its commencement, having regard to the future outcome of UK Government discussions with the EU. Following the guidelines contained in the new guide to scrutiny and review, it is suggested that the focus of the review should not be on anything which could be regarded as being political.</i></p>

Potential Review Area	Comments	Recommendation
	<p>Management Strategy for 2019/20, and the implications which Brexit might have for interest rates, Council borrowing, return on investments etc.</p> <p>The Environment Department is currently advertising for the post of Brexit Coordinator, which will help to co-ordinate and monitor progress on all aspects of Brexit, including internal preparedness and external liaison with appropriate bodies including Scottish Government and Police Scotland. The post, which has been funded for one year by the Scottish Government, involves reporting to elected members, the Corporate Management Team, and Council officials.</p>	<p><i>Following the appointment of the Council's Brexit Coordinator, it is proposed that the postholder meets with the Audit and Scrutiny Committee to allow for members to take evidence/gather information.</i></p>