PERTH AND KINROSS COUNCIL

Scrutiny Committee

17 June 2015

UPDATE ON FOURTH SCRUTINY REVIEW – MEMBER/OFFICER WORKING GROUPS

Report by Head of Democratic Services

PURPOSE OF REPORT This report updates the Committee on the progress made to date on the recommendations from the Fourth Scrutiny Review on Member Officer Group (MOG).

1. BACKGROUND / MAIN ISSUES

1.1 The Scrutiny Committee, at its meeting on 17 September 2008, agreed to develop the role of the Committee in relation to the scrutiny element of the Council's performance management framework and outlined proposed measures for improvement. This included agreement to routinely undertake reviews.

1.2 On 30 November 2012, the Scrutiny Committee agreed that their fourth review would focus on Member Officer Groups (MOGs). The purpose of the review was to consider the effectiveness of these groups and to identify improvements to support better outcomes for our communities.

1.3 The final report from the Fourth Scrutiny review of Member Officer Groups (14/87) was submitted to Council on 26 February 2014, attached as Appendix 1. The Council agreed that a full progress report on the implementation of the recommendations of the review be submitted to a future meeting of the Scrutiny Committee. An interim report was provided to the Scrutiny Committee on 1 October 2014.

2. RECOMMENDATIONS AND PROGRESS MADE TO DATE

2.1 The Scrutiny Committee report made 13 recommendations and progress made against each of the recommendations is detailed below.

i. All MOG's are required to refresh their remit now and on an ongoing basis.

Update – This action is complete, each of the existing MOGs has reviewed its remit. It has been programmed that the remits will be reviewed on an annual basis after the summer recess.

ii. The Planning etc (Scotland) Act 2006 MOG re-defines its remit and membership.

Update – This action is complete, the Enterprise and Infrastructure Committee has agreed the remit for the Planning Policy and Practice MOG which met for the first time on 19 August 2014. The remit includes land use planning policies and practice

iii. The title, scope and remit of the Corporate Parenting MOG is reviewed.

Update – This action is complete. At the Community Planning – Children's and Young People's Group meeting on 20 February 2015, the terms of reference and membership for a sub-group of the Children and Young People's Strategic Group to lead on Corporate Parenting was agreed. The group requested a further update in six months' time detailing the work plan for the Corporate Parenting Sub-Group. The first meeting of this group has not yet been held.

iv. A MOG is established to support the Council's approach to implementation of welfare reform.

Update – This action is complete. The Executive Director (Housing and Community Care) considered this, and instead of establishing a MOG he has given an undertaking to continue to provide regular briefings on welfare reform implementation to all elected members.

v. An annual process is established to test the relevance and membership of existing MOGs and convene new MOGs or other appropriate engagement mechanism.

Update – This action is still in progress. After the review of the roles and remits of existing MOGs a mapping exercise will take place which will take into account areas for improvement identified in the annual performance report and also any new risks identified through the corporate risk management process.

vi. A mapping exercise is carried out to identify the spectrum of potential options for member/officer working.

Update – This action is still in progress. Work is ongoing to complete the mapping exercise.

vii. Elected members and officers are reminded of the scope of the decision-making powers of MOGs.

Update – This action is complete. The agenda for each MOG meeting now clearly states the decision-making powers of the MOG.

viii. As our journey towards partnership continues and the new CPP structures develop, it is recommended that we maintain a watching brief on the connection between MOGs and Outcome Delivery Groups.

Update – This action will be taken forward as part of our mapping exercise.

ix. Training is made available and is compulsory for elected members who have the responsibility for chairing MOGs.

Update – This action is still to be completed. Dates for future training sessions will be put in the Council diary shortly. Training will take place after the summer recess and will be open to all elected members who chair meetings.

x.   MOGs should consider developing an annual forward planner to support a project management approach to meetings.

Update – This action is ongoing, the Committee team continues to work with Services to develop committee forward planners which will assist with the development of further planners in relation to MOGs.

xi.   Elected members are advised of the protocol for non-members seeking to contribute to MOG meetings.

Update – This action is complete. Elected members were advised of the protocol and a note is included on all MOG agendas.

xii.   A system is developed by Committee Services to alert all elected members to upcoming MOG meetings, with the option to access further information and meeting papers.

Update – The action is complete. All MOG agendas, papers and timetables are available on CHIP. When papers are received, Members' Support staff will ensure that an email is issued to all elected members with a link to the papers.

xiii.   Leaders introduce mechanisms to encourage greater communication between MOG members and non-MOG members within their group.

Update – Leaders have been made aware of this recommendation and have recently been asked to confirm if they have a mechanism in place.

3.   CONCLUSION AND RECOMMENDATION

3.1   It is recommended that the Committee considers and comments on this update report.

Author(s)

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Approved

Name	Designation	Date
Gillian Taylor	Head of Democratic Services	**22 May 2015**

1. **IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION**

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	**Yes**
Corporate Plan	**Yes**
Resource Implications	
Financial	**None**
Workforce	**None**
Asset Management (land, property, IST)	**None**
Assessments	
Equality Impact Assessment	**None**
Strategic Environmental Assessment	**None**
Sustainability (community, economic, environmental)	**None**
Legal and Governance	**None**
Risk	**None**
Consultation	
Internal	**None**
External	**None**
Communication	
Communications Plan	**None**

1. **Strategic Implications**

Community Plan / Single Outcome Agreement

1.1 Whilst the Chief Executive's Service supports all of the Community Plan/Single Outcome Agreement strategic objectives this report does not directly support a particular objective.

Corporate Plan

1.2 Whilst the Chief Executive's Service supports all of the Corporate Plan objectives this report does not directly support a particular objective.

2. **Resource Implications**

2.1 Financial

2.1.1 There are no direct financial implications arising from this report.

2.2 Workforce

2.2.1 There are no direct workforce implications arising from this report.

2.3   Asset Management (land, property, IT)

2.3.1   There are no direct asset management implications arising from this report.

3.   Assessments

Equality Impact Assessment

3.1   Under the Equality Act 2010, the Council is required to eliminate
        discrimination, advance equality of opportunity, and foster good relations
        between equality groups. Carrying out Equality Impact Assessments for plans
        and policies allows the Council to demonstrate that it is meeting these duties.

        This section should reflect that the proposals have been considered under the
        Corporate Equalities Impact Assessment process (EqIA) with the following
        outcome:

        Assessed as **not relevant** for the purposes of EqIA.

Strategic Environmental Assessment

3.2   The Environmental Assessment (Scotland) Act 2005 places a duty on the
        Council to identify and assess the environmental consequences of its
        proposals.

        However, no action is required as the Act does not apply to the matters
        presented in this report. This is because the Committee are requested to note
        the contents of the report only and the Committee are not being requested to
        approve, adopt or agree to an action or to set the framework for future
        decisions.

Sustainability

3.3   N/A

Legal and Governance

3.4   N/A

Risk

3.5   N/A

4.   Consultation

Internal

4.1   N/A

4.2 N/A

5. Communication

N/A

2. BACKGROUND PAPERS

None

3. APPENDICES

Fourth Scrutiny Review – Member Officer Working Groups 2012/13

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PERTH AND KINROSS COUNCIL SCRUTINY COMMITTEE

FEBRUARY 2014

SCRUTINY REVIEW

MEMBER OFFICER GROUPS

2012/13

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Membership of the Scrutiny Committee during the period of the review:

- Councillor A Stewart (Convener)
- Councillor B Vaughan (Vice Convener)
- Councillor M Barnacle
- Councillor D Cuthbert
- Councillor D Doogan
- Councillor A MacLellan (From 23 May 12 to 1 May 13)
- Councillor A Munro (From 1 May date to present)
- Councillor A Younger

FOREWORD BY THE CONVENER

As convener of the Scrutiny Committee I would like to introduce this report on the fourth Scrutiny Committee Review of Member Officer Groups and acknowledge the time given by the Scrutiny Committee members in carrying out the review. I wish to thank all the elected members and officers who participated in the review and acknowledge the support provided by officers from the Chief Executive's Service, Education and Children's Services, Housing and Community Care and The Environment Service in supplying information.

Scrutiny reviews are an important element of the overall approach to governance and improvement at Perth and Kinross Council. The Scrutiny Committee carries out these reviews to support improvement, stimulate change and improve performance across the Council. We select topics based on the potential for the review to result in recommendations for change that will deliver measurable improvements.

Topics for review may be identified by considering: audit reports; performance management reports; information gathered via surveys and feedback mechanisms; issues raised by representative groups e.g. community councils, resident groups and community groups; issues raised by partner organisations; complaints; and issues raised directly by the public.

This year we have welcomed the opportunity to conduct a review of Member Officer Groups which are an important part of the Council's governance and accountability arrangements. In doing so we have made a number of recommendations which we believe would improve the effectiveness of the Member Officer Groups to support better outcomes for our communities.

Councillor Alexander Stewart
Convener, Scrutiny Committee

1   BACKGROUND

1.1   The Scrutiny Committee, at its meeting on 17 September 2008, agreed to develop the role of the Committee in relation to the scrutiny element of the Council's performance management framework and outlined proposed measures for improvement. This included agreement to routinely undertake reviews.

1.2   To date the Committee has undertaken three reviews:

- Implementation of grounds maintenance policy in 2009 (findings reported to the Scrutiny Committee on 16 September 2009);
- Integration of policy in respect of the More Choices, More Chances policy area in 2010 (findings reported to the Scrutiny Committee on 23 February 2011); and
- Learning from Complaints and Customer Feedback in 2011 (findings reported to the Scrutiny Committee on 28 March 2012)

1.3   The Scrutiny Committee wrote to elected members and the Council's Executive Officer Team inviting expressions of interest for the fourth Scrutiny Review in October 2012. In selecting the topic of the fourth scrutiny review, the Scrutiny Committee considered a number of suggestions received against a set of review selection criteria. As a result of this process it was agreed on 30 November 2012 that the Scrutiny Committee would focus its fourth review on Member Officer Groups (MOGs).

1.4   Member Officer Groups provide an opportunity for elected members and officers to consider particular areas of strategy in more detail than at Committee and in a more informal setting. Member Officer Groups consider proposals in detail prior to consideration at full committee and are an important part of the Council's governance and accountability arrangements. The purpose of the review will be to consider the effectiveness of these groups and how they can be improved to support better outcomes for our communities.

2 TERMS OF REFERENCE

2.1 OBJECTIVES

2.1.1 To consider the effectiveness of Member Officer Groups and how they might be improved to support the delivery of better outcomes for our communities. Key areas of interest are:

- Examine the remits of the MOGs to identify whether they are relevant and appropriate to effectively support Committees in delivering the strategic objectives of Perth and Kinross.
- Investigate how the MOGs operate and whether they adhere to the parameters set out within the Scheme of Administration.
- Consider the operation of the MOGs to identify opportunities for good practice and demonstrate how they add value to the Council's decision making process.

2.2 SCOPE

2.2.1 The review will include the Member Officer Groups (MOGs) which have been re-established since May 2012:

- Modernising Governance
- Affordable Housing
- Corporate Parenting
- Equality and Diversity
- Planning Etc. (Scotland) Act 2006

2.3 METHODOLOGY

2.3.1 The Scrutiny Committee followed the scrutiny review methodology as set out in the Guide to Scrutiny at Perth and Kinross Council. As part of our investigation we gathered evidence in a number of ways: we conducted a desk top analysis of available information; we observed at least one meeting of each MOG; we held focus groups with elected members who were members of MOGs, elected members who were not members of MOGs and Council officers who attend MOGs. We also researched what is happening in other local authorities, both north and south of the border, to identify any learning points and good practice.

2.3.2 Our research has helped build a picture of the present position in terms of how the MOGs currently operate. This report considers what issues exist and examines any barriers to more effective working. We have also highlighted areas of good practice which provide important learning points that are transferable across all MOGs.
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2.3.3 Towards the end of the review, we brought together some of those we had interviewed to discuss our findings and what MOGs need to do to maximise their effectiveness. Our draft findings have also been discussed with the Head of Legal Services and Head of Democratic Services.

2.3.4 The complete Terms of Reference are contained in Appendix 1 to this report.

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3   REVIEW FINDINGS

3.1   MEMBER OFFICER GROUPS AT PERTH AND KINROSS COUNCIL

3.1.1   Member Officer Groups (MOGs) are attended by both elected members and officers to consider particular areas of strategy in more detail than at Committee and in a less formal setting. They do not replace more formal Council and Committee meetings but provide an additional opportunity for debate and informal discussions. MOGs consider proposals in detail prior to consideration at full Committee and are an important part of the Council's governance and accountability structure.

3.1.2   Since 1999 Perth and Kinross Council has used MOGs on both an ad-hoc and standing basis to address cross-cutting strategic areas and to influence change within the organisation. Following the Council elections in 2012, a review of the Council's political decision making structures was undertaken. The final report approved on 19 December 2012 included a proposal to retain the existing model for MOGs.

3.1.3   Since the elections in May 2012, the following MOGs have been re-established: Modernising Governance; Affordable Housing; Corporate Parenting; Equality and Diversity; and Planning (See Appendix 2). The findings of this review consider the effectiveness of these MOGs and how they might be improved to support the delivery of better outcomes for our communities.

3.2   IMPACT AND ADDED VALUE

3.2.1   Having completed our investigation, the Scrutiny Committee is in no doubt that MOGs are one of the essential mechanisms used by the Council for strengthening working relationships between elected members and officers. MOGs are recognised across the Council as an important member/ officer forum and key component of the Council's governance and accountability arrangements. Councillors and officers we spoke to throughout the review were unanimously agreed that MOGs provide an invaluable opportunity for them to come together to build a shared understanding of policy direction and discuss key issues.

Good Practice

The Equality and Diversity MOG was involved in the development of the Council's Equality Outcomes prior to formal approval at the Strategic Policy and Resources Committee. This ensured ownership across both the Council and the communities that were also involved in the development of the outcomes.

3.2.2   We heard from Councillors and officers that the MOGs have matured significantly since they were first established. Elected members have developed an in depth knowledge and understanding of their MOG subject area that it would not have been possible to gain from attending a one off meeting, presentation or awareness raising session. This has helped build a residency of expertise within the MOGs that is critical to ensure quality dialogue takes place that can support policy development and decision making.

3.2.3 We learned that MOGs are more interactive than other existing member/ officer forums. Discussion goes beyond merely informing elected members about progress with the legislation, policy or strategy that the MOG was set up to oversee. MOGs are used to test new ideas and policies at an early stage, before developing them into full proposals ahead of formal committee meetings. Councillors who are MOG members reported that being involved in these early discussions has led to a feeling of inclusiveness.

> **Good Practice**
>
> *The Planning MOG allowed regular reports to councillors on the progress in implementing the reforms of the Planning Scotland Act 2006 and for appropriate direction to be given by councillors. This could not have been achieved through the normal committee cycle given the extensive nature of the reforms and the short timescale for implementation.*

3.2.4 MOGs operate as a springboard for ideas, policy and concepts coming forward that can be discussed, shaped and adapted before becoming formal proposals. This has encouraged real understanding of the issues and ownership of action amongst elected members. It also ensures that when proposals reach the committee stage, elected members have the background knowledge and confidence to make decisions with authority. MOGs therefore have an essential role to play in supporting the smooth transition of policy development to decision making and scrutiny.

3.3   STRATEGIC RELEVANCE OF CURRENT MOGS

3.3.1 As part of our investigation, the Scrutiny Committee examined the remits of the MOGs to identify whether they are relevant and appropriate to effectively support Committees in delivering Council priorities.   A new Corporate Plan was approved by the Council in June 2013 setting out the following five new strategic objectives:

- Giving every child the best start in life;
- Developing educated, responsible and informed citizens;
- Promoting a prosperous, inclusive and sustainable economy;
- Supporting people to lead independent, healthy and active lives; and
- Creating a safe and sustainable place for future generations.

3.3.2 To determine the strategic relevance of the current MOGs, they were mapped against the Council's strategic objectives and the related corporate risks (Exhibit 1). This allowed the Committee to assess whether the MOGs are contributing to Council priorities and supporting the mitigation of key corporate risks.

Exhibit 1:	
Perth and Kinross Council Corporate Risks 2013/14	**Opportunities for dialogue outwith formal Committee structure**
1. Support the most vulnerable in our society during welfare reform	No current arrangements outwith formal Committee Structure
2. Protect adults at risk	Adult Protection Committee
3. Protect vulnerable children and families	Children and Young People's Strategic Forum and Corporate Parenting MOG
4. Plan for demographic change including planning for housing growth	Affordable Housing MOG and Planning Etc. (Scotland) 2006 MOG
5. Deliver on the Curriculum for Excellence	Economy and Lifelong Learning Outcome Delivery Groups
6. Effectively manage changing financial circumstances	Budget Review Groups
7. Implementation of Perth City Plan	Perth City Development Board
8. Deliver the Council's capital programme	Strategic Investment Group
9. Prevention of public sector fraud and corruption	This is a new Corporate Risk. Controls are currently being identified
*Source: **Draft** Corporate Risk Management Strategy 2013/14*	

3.3.4 In reaching our conclusions, we also attended at least one meeting of each MOG to observe how in practice they carry out the duties outlined within their existing remits. We accept that our observations are based on a limited experience, but discussion with Councillors and officers has also helped us in making our recommendations.

3.3.5 **Affordable Housing** - The Committee felt that this MOG demonstrated genuine collaboration between elected members and officers. Officers brought to the table issues for debate, discussion and input from elected members prior to submitting firm proposals to Committee. The strength of the MOG is that it brings together officers and elected members from the Enterprise and Infrastructure Committee and Housing and Health Committee which helps engender a broader understanding of complex issues. It is recommended that this MOG continues to operate but that the remit of the MOG is refreshed to reflect the wider housing issues that are integral to the MOG's deliberations.

3.3.6 **Planning Etc. (Scotland) Act 2006** – The Committee learned that the original aim for convening this MOG has since been achieved. The MOG still meets as it is considered a valuable engagement forum by both elected members and officers. It is clear that the MOG continues to fulfil a purpose, although this is not the original purpose. The Committee observed the MOG engage in an eclectic set of conversations and we believe this is due to the undefined remit of the MOG. It is our view that the MOG requires more structure and a clear scope going forward. It is recommended that this MOG continues to operate but that the title, remit and membership of the MOG is reviewed in light of planning reform. This would be based on recommendations from the current lead officer, the Head of Planning and Regeneration.

3.3.7 **Corporate Parenting** – The Committee noted the narrow, albeit important, focus of this MOG compared to the other MOGs currently operating. The MOG was originally established to monitor the outcomes of the then new corporate parenting programme and provide a 'Corporate Grandparent' role to Corporate Parents. The MOG is due to be reviewed next year and through discussions with the Convener it was felt that the timing may be apt to take cognisance of the emerging Children and Young People's Bill. It is recommended that the title, scope and remit of the MOG should be reviewed to reflect the broader issues relating to Looked After Children and to support local implementation of the new legislation.

3.3.8 **Modernising Governance** – The Committee recognised the important role of this MOG as a sounding board for strategic issues going to Council and Committees where cross group discussion beforehand is imperative. The Committee felt that the MOG, which is chaired by the Leader of the Council and attended by the Chief Executive, allows for a good exchange of broader corporate discussion. It is recommended that this MOG continues to operate in its current form.

3.3.9 **Equality and Diversity** – The Committee was impressed with the people centred focus of this MOG. The MOG makes a very personal connection with people and communities. There was evidence that the MOG has a big impact in terms of raising awareness of equalities issues and influencing behaviours across all Council Services. It is recommended that this MOG continues to operate in its current form.

3.3.10 In conducting our assessment we identified welfare reform as an area where the Council would benefit from having a MOG to inform local implementation (See Exhibit 1). The Welfare Reform Act received Royal Assent on 8 March 2012. It introduces a wide range of reforms which aim to make the benefits and tax credits system fairer and simpler. The Council needs to ensure that it implements the changes from reform including helping people to move into and progress in work, while supporting the most vulnerable. Supporting the most vulnerable people in our society during this time is recognised as a corporate risk. Control of this area is imperative to the successful delivery of the Council's strategic objectives, in particular *Giving every child the best start in life* and *Promoting a prosperous, inclusive and sustainable economy*. Councillors have acknowledged that whilst they have received information and awareness raising sessions on welfare reform, at the moment their involvement and understanding of the real issues comes mainly from their constituents. It was suggested that a MOG would provide a suitable forum for Councillors to work with officers to improve their understanding and knowledge of welfare reform; not only of the process and national developments in this area, but to consider the impact locally.
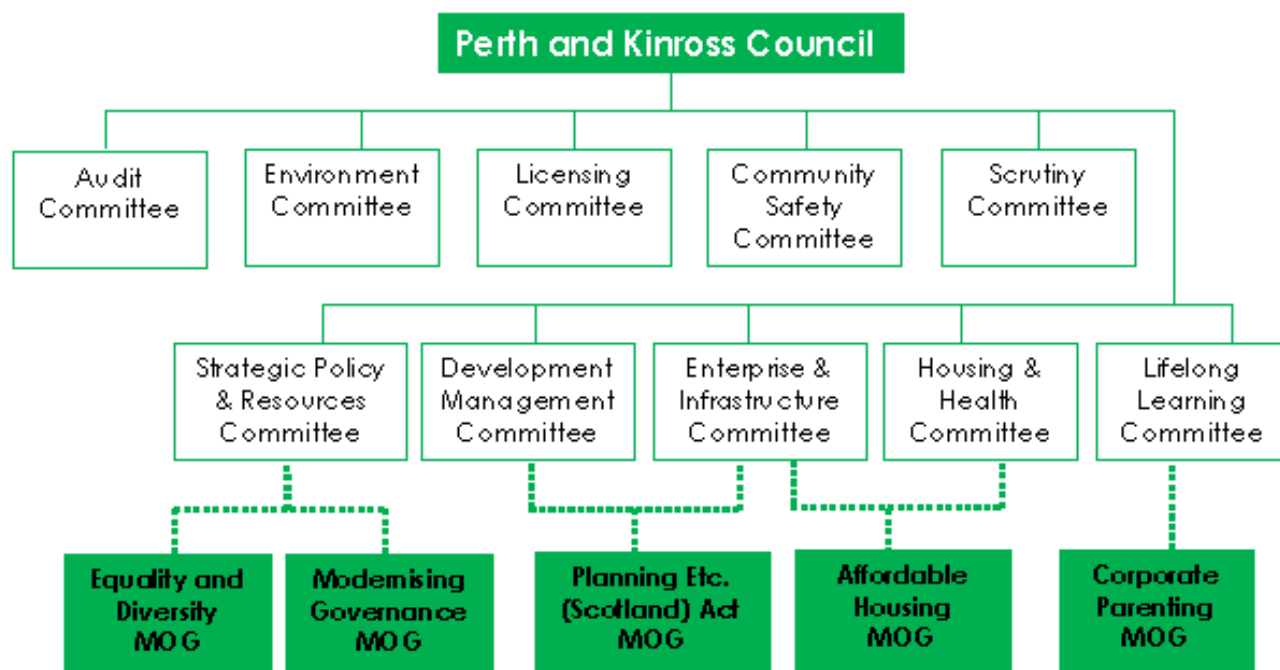
> **Good Practice**
>
> *Benchmarking with other Council's has helped us understand what happens elsewhere. Other Councils also use member officer groups, albeit under a different name, to improve shared knowledge and understanding of priorities, much in the same way as Perth and Kinross Council. The benchmarking helped us conclude that MOGs serve to fulfil the same purpose and are an essential mechanism for the Council.*

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3.3.11 In the short time since the MOGs were re-established in 2012 there have been significant external influences and changes. The Scottish Government's reform of public services is set to ensure that this pace of change will continue. These major reforms will have a significant impact on the operating context for Council services in Perth and Kinross. The Committee is of the view that it is essential to review the remits of the MOGs not only now, but on an ongoing and systematic basis. This will ensure they continue to be relevant and support the delivery of high-quality public services in the present and in the future.

3.3.12 We understand and acknowledge that MOGs are not the only mechanism for creating improved working relationships between Councillors and officers. The Council utilises other methods outwith formal Committee meetings that provide an opportunity for open dialogue and discussion. For example, elected member briefings, presentations, focus groups, workshops and training sessions (See Appendix 3). These different approaches all have a place, but there is a recognised need for something else to bridge the gap between long standing MOGs and single briefing sessions and workshops. There may be occasions when it is appropriate to convene a short life reference group for a finite period of time to carry out a specific piece of work or to cover hot topics. There may also be a place for a 'special' MOG which has a very specific audience but meets only when necessary. For example, it was suggested that it would be useful to establish a Strategic Waste MOG. It is recommended that a mapping exercise is carried out to identify the spectrum of potential options for member/ officer working.

3.3.13 The key message here is that one size does not fit all and that the mechanism selected should be appropriate to achieve the desired outcome. Throughout the review Councillors and officers emphasised the importance of ensuring arrangements are simple and manageable and to avoid creating an industry around elected member and officer engagement.
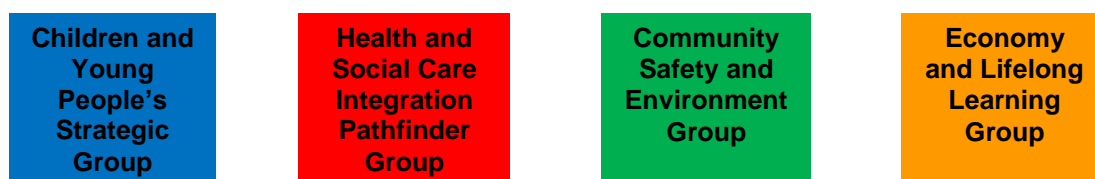
3.4 GOVERNANCE AND DECISION MAKING

3.4.1 As part of our research we examined the structures, processes and supporting documents in place to support the MOGs. The Council's Scheme of Administration, Standing Orders, Codes of Conduct and MOG Remits provide an essential framework for elected members and officers. A new Councillor/ Officer protocol was also approved in September 2013 which sets out expected conduct. The Committee found the documentation in place to be clear and easy to understand and yet our investigation uncovered some confusion surrounding how MOGs fit in with the Council's Committee structure and their decision making powers.

3.4.2 Although there are no formal reports between MOGs and Committees, the MOG remits clearly set out the links to the most relevant Committees. See structure diagram below:

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Perth and Kinross Council

Audit Committee | Environment Committee | Licensing Committee | Community Safety Committee | Scrutiny Committee

Strategic Policy & Resources Committee | Development Management Committee | Enterprise & Infrastructure Committee | Housing & Health Committee | Lifelong Learning Committee

Equality and Diversity MOG | Modernising Governance MOG | Planning Etc. (Scotland) Act MOG | Affordable Housing MOG | Corporate Parenting MOG

3.4.3   The MOGs are used as a sounding board for formal proposals which will eventually be submitted to these Committees for approval. The Council's Scheme of Administration states that *'Any matter may be referred to a Working Group, but no Working Group may take a decision on behalf of the Council, Committee or Sub-Committee. If a Working Group identifies or considers a matter which requires a decision, a report shall be submitted to the Council, Committee or Sub-Committee by the lead officer'*. But there was evidence that not all elected members and officers are familiar with these guidelines and that there is uncertainty amongst elected members and officers about the authority of MOGs to make decisions. Committee Services propose that the above extract from the Scheme of Administration is included on future MOG agendas to serve as a reminder to members of the scope of the MOG's decision making powers. The Committee recommends that all elected members and officers across the Council are reminded of the scope of decision making powers of MOGs.

3.4.4   The MOGs are clearly linked to the Council's decision making structure. But the Committee is curious to understand the links between MOGs and the new Community Planning Partnership (CCP) Outcome Delivery Groups (ODGs). The ODGs will support the CPP in delivering the Community Plan/ Single Outcome Agreement 2013-23 and the strategic objectives and local outcomes shared by the Council. As our journey towards partnership continues and the new CPP structures develop, it is recommended that we maintain a watching brief on the connection between MOGs and ODGs. See below Outcome Delivery Groups:

Children and Young People's Strategic Group | Health and Social Care Integration Pathfinder Group | Community Safety and Environment Group | Economy and Lifelong Learning Group

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3.5 MEETINGS AND COMMUNICATION

3.5.1 In conducting our research, members of the Scrutiny Committee attended at least one meeting of each MOG as observers. The process was enlightening and the Committee experienced first-hand the workings of the MOGs and the differences between them in terms of style, format and atmosphere. The Committee felt that the most notable difference was in leadership style which had a significant impact on the control of the meetings in terms of timing, covering the agenda and agreeing discussion outcomes. Difficulties occur where the Convener may lack the experience, skills and/or confidence to carry out the full responsibilities associated with their role.

3.5.2 Training on chairing meetings is available to Committee Conveners as part of the elected member induction process. However, this tends to focus on the legalities of chairing public meetings rather than the skills required to chair them effectively. Committee Services have plans to offer further training for Committee Conveners in the coming months which will cover not only the legal aspects of chairing meetings but the skills base required; differentiating between those necessary for formal Committee meetings and informal MOG meetings. The Scrutiny Committee recommends that this training is made compulsory for elected members who have the responsibility of chairing Committees and MOGs. This will improve Councillors' understanding and awareness about their roles and responsibilities, and help develop their confidence and skills.

3.5.3 The Committee also identified variation in the frequency of MOG meetings, length of agendas and member attendance. To support regular, structured and well attended meetings MOGs should adopt a programme management approach to planning future meetings. The Scrutiny Committee has in place a forward planner (See Exhibit 2) which ensures the Committee is aware of the scheduled reports and areas of business it will be required to consider over the forthcoming year. Committee Services are in the process of rolling out this model across all Council Committees and it is recommended that MOGs would also benefit from taking this approach, when possible. It is noted that the Equality and Diversity MOG already has a forward planner in place.

Exhibit 2
Extract of Scrutiny Committee Forward Planner

REPORT TITLE (LEAD SERVICE)	COMMITTEE	DATE
NOVEMBER 2013		
Attainment in Perth and Kinross Schools (Education & Children's Services)	Scrutiny Lifelong Learning	27 Nov 13 6 Nov 13
Re-Inspection of the Homeless Service by the Scottish Housing Regulator – Update on Improvement Plan (Housing & Community Care)	Scrutiny Housing & Health	27 Nov 13 6 Nov 13
Shared Procurement Service Annual Performance Report (Housing & Community Care)	Scrutiny	21 Nov 13
Fourth Scrutiny Review Findings Report – Member Officer Groups	Scrutiny	27 Nov 13
Perth and Kinross Child Protection Committee – Standards and Quality Report (Education and Children's Services)	Scrutiny Council	27 Nov 13 2 Oct 13

Source: Scrutiny Committee Forward Planner 2013-14

3.5.4 We explored the membership of MOGs and the member selection process. Although we observed during our MOG visits that the nature of discussion was largely non-political, there was concern from some elected members that not all political parties are represented on each of the MOGs. It is recommended that there should be an annual opportunity to review membership of MOGs. Membership from external and partner organisations should also be considered, where appropriate, on a standing or ad-hoc basis.

3.5.5 Throughout the review we heard from elected members that they receive very little information about MOGs they are not members of. This includes information about the existence of MOGs, roles and remits, minutes of previous meetings, and agendas for future meetings. Elected members felt that this unfairly prevented them from contributing to discussion on items of interest. Some elected members were unaware that non-members should approach the Convener to ask for permission to attend a MOG meeting and, where relevant, ask questions at the meeting. It is recommended that elected members are advised of the protocol for non-members seeking to contribute to MOG meetings and that a system is developed to alert all elected members to upcoming meetings. Such a system would give elected members the option to access further details and meeting papers. Consideration should be given to extending any devised system to the full Council diary.

3.5.6 Some elected members were frustrated that communication and information sharing around MOG business is not better within their own political parties. MOG members have a responsibility to consult group members on MOG issues to ensure their views are represented. It was felt that the minutes of MOGs were no substitute for dialogue between group members as they are lacking in detail and provide only a retrospective perspective. It is recommended that Leaders introduce mechanisms to encourage greater communication between MOG members and non MOG members within their group. For example, it was suggested that simply adding MOGs as a standing agenda item to group meetings would help facilitate better discussion and information sharing.

Good Practice

Perth and Kinross Council has MOGs in place to help discuss and test policy options with Councillors before developing formal proposals. They make officers more aware of the motivation and expectations of Councillors and provide Councillors with a greater insight into the challenges of service delivery. MOGs work well when there is a clear purpose and remit for the group.

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4 SUMMARY OF RECOMMENDATIONS

4.1 Our recommendations are that:

I. All MOGs are required to refresh their remit now and on an ongoing basis (Para 3.3.5 – 3.3.9);

II. The Planning Etc. (Scotland) Act 2006 re-defines its remit and membership (Para 3.3.6);

III. The title, scope and remit of the Corporate Parenting MOG is reviewed (Para 3.3.7);

IV. A MOG is established to support the Council's approach to implementation of welfare reform (Para 3.3.10);

V. An annual process is established to test the relevance and membership of existing MOGs and convene new MOGs or other appropriate engagement mechanism (Para 3.3.11);

VI. A mapping exercise is carried out to identify the spectrum of potential options for member/ officer working (Para 3.3.13);

VII. Elected members and officers are reminded of the scope of the decision making powers of MOGs (Para 3.4.3);

VIII. As our journey towards partnership continues and the new CPP structures develop, it is recommended that we maintain a watching brief on the connection between MOGs and Outcome Delivery Groups (Para 3.4.4);

IX. Training is made available and is compulsory for elected members who have the responsibility for chairing MOGs (Para 3.5.2);

X. MOGs should consider developing an annual forward planner to support a project management approach to meetings (Para 3.5.3);

XI. Elected members are advised of the protocol for non-members seeking to contribute to MOG meetings (Para 3.5.5);

XII. A system is developed by Committee Services to alert all elected members to upcoming MOG meetings, with the option to access further information and meeting papers (Para 3.5.5); and

XIII. Leaders introduce mechanisms to encourage greater communication between MOG members and non MOG members within their group (Para 3.5.6).

4.2 We request that a presentation on how these recommendations are being, or are planned to be, delivered is made to the Scrutiny Committee in six months.

4.3 We request that a full progress report on the implementation of these recommendations is made to the Scrutiny Committee in twelve months.

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5   CONCLUSION

5.1   The Committee has welcomed the opportunity to investigate and learn more about MOGs as the topic of the Fourth Scrutiny Review. We have carried out an in depth examination of documentation including: the Council's Scheme of Administration; MOG Remits; and MOG agendas, minutes and reports. An essential element of our research was to attend a meeting of each MOG and hold focus groups with elected members and officers. This gave us an invaluable insight into how the MOGs operate and a chance to hear directly from elected members and officers on their views. We also benchmarked with other Councils to understand what arrangements are in place elsewhere. Our principal conclusion is that MOGs are an essential mechanism for strengthening working relationships between elected members and officers and help build a shared understanding of policy direction and key issues. We have highlighted specific examples of good practice throughout the report and also key areas for improvement. Our recommendations are intended to be helpful suggestions that, if implemented, will lead to the improved effectiveness of MOGs and member/ officer working relationships.

COUNCILLOR ALEXANDER STEWART
CONVENER, SCRUTINY COMMITTEE

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Date of report: 4 October 2013

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SCRUTINY COMMITTEE

REVIEW OF MEMBER OFFICER GROUPS

SCOPE AND TERMS OF REFERENCE (FEBRUARY – JUNE 2013)

Background and Rationale

Member Officer Groups provide an opportunity for elected members and officers to consider particular areas of strategy in more detail than at Committee and in a more informal setting. Member Officer Groups consider proposals in detail prior to consideration at full committee and are an important part of the Council's governance and accountability arrangements.

The Council has successfully used Member Officer Groups on both an ad-hoc and standing basis to address 'cross-cutting' strategic areas and to direct change within the organisation.

Following the Council elections in 2012, a review of the Council's political decision making structures was undertaken. The final report approved on 19 December 2012 included a proposal to retain the existing model for Member Officer Groups.

Since the elections in May 2012, the following Member Officer Groups (MOGs) have been re-established: Modernising Governance; Affordable Housing; Corporate Parenting; Equality and Diversity; and Planning.

The Scrutiny Committee has selected Member Officer Groups as the topic of its fourth Scrutiny Review to consider the effectiveness of these groups and how they might be improved to support the delivery of better outcomes for our communities.

Objectives of the Review

- Examine the remits of the MOGs to identify whether they are relevant and appropriate to effectively support Committees in delivering the strategic objectives of Perth and Kinross.

- Investigate how the MOGs operate and whether they adhere to the parameters set out within the Scheme of Administration.

- Consider the operation of the MOGs to identify opportunities for good practice and demonstrate how they add value to the Council's decision making process.

Scope of the Review:

What will be included?

The review will include the Member Officer Groups (MOGs) which have been re-established since May 2012:

- Modernising Governance
- Affordable Housing
- Corporate Parenting
- Equality and Diversity
- Planning Etc. (Scotland) Act 2006

What will not be included?

The review will not include MOGs which were not re-instated post May 2012 or any other informal member officer working relationships.

Who will be involved?

- Scrutiny Committee
- Elected members across Council Committees and MOGs
- Officers across Council Services
- Democratic Services
- Colleagues from best practice Councils
- Colleagues from external organisations where relevant

Methods that will be used to undertake the review?

The research methodology agreed is:

- Desk top analysis of existing information – Scheme of Administration, MOG remits, review of political decision making, findings from earlier reviews of MOGs, agendas and minutes.
- Benchmarking visits – if required
- Focus groups with elected members
- Focus groups with officers
- Discussions/ interviews with external representatives e.g. colleagues from other Councils and external organisations where relevant
- Presentations of information as required

Evidence Required

- MOG papers – reports, agendas and minutes
- Inspection reports
- Evaluation of member and officer experiences
- Evaluation of impact and evidence of good practice

Resources Required

- Member time out with Committee to attend review meetings and participate in research and consultation.

- Officer time (The Environment Service, Education and Children's Services, Housing and Community Care and the Chief Executive's Service).

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APPENDIX 2 – PERTH AND KINROSS COUNCIL MEMBER OFFICER GROUPS 2013

Name of Group	Remit	Formal Attendance/ Political Balance	Frequency of meetings	Related Committees
Affordable Housing Date of next meeting: 28.10.13	• To provide strategic leadership and direction on all aspects of the provision of affordable housing. • To respond to proposals, guidance and consultation papers on Housing and Planning regarding the provision of affordable housing. • To monitor the delivery of affordable housing targets as detailed in the Single Outcome Agreement. • To consider the financial issues arising from the provision of affordable housing. • To consider best practice in the provision of affordable housing, focusing on experience in other parts of the UK and in the European community.	Elected Members: 5 Officers: 5 Lib Dems: 1 Conservative: 1 SNP: 2 Labour: 1	4 per annum 24.02.2012 06.08.2012 22.10.2012 20.05.2013	Housing and Health Committee / Enterprise and Infrastructure Committee
Corporate Parenting Date of next meeting: 19.11.2013	• To provide scrutiny mechanisms to monitor outcomes of Corporate Parenting • keeping current and newly elected members fully briefed on their role as corporate parent. • establishing a robust scrutiny mechanism to ensure clear set of outcomes for Looked After Children are developed and that these scrutiny mechanisms monitor progress across the Council in achieving those outcomes. • developing corporate responsibility across all Council senior managers. • removing barriers which prevent Looked After Children achieving the best outcomes. • ensuring that education, training and employment needs for all Looked After Children are central to care pathway planning. • developing policies and protocols together with local NHS Tayside to ensure a strategy that all Looked After young people's physical and mental health needs are met.	Elected Members: 5 Officers: 5 Lib Dems: 1 Conservative: 2 SNP: 2	4 per annum and as required 17.01.2012 16.11.2012 18.04.2013 13.08.2013	Lifelong Learning Committee

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Name of Group	Remit	Formal Attendance/ Political Balance	Frequency of meetings	Related Committees
	• considering individual cases, where there is an identified problem and trend arising from the consideration of individual cases.			
Equality and Diversity Date of next meeting: 22.11.2013	• To provide strategic leadership and direction on all aspects of equalities and diversity. • To monitor the implementation of the Equalities Strategy and Action Plan. • To examine and promote best practice within the Council in terms of equalities. • To act as a forum for both Members and Officers to share their knowledge and raise awareness of the issues relating to equalities. • To act as a forum for discussion on how the Council meets its statutory obligations and commitments relating to equalities. • To act as advocates for increased awareness and activities in terms of positive equalities.	Elected Members: 5 Officers: 8 Lib Dems: 1 SNP: 2 Conservative: 1 Labour: 1	4 per annum or as required 09.03.2012 31.08.2012 23.11.2012 22.02.2013 21.06.2013 30.08.2013	Strategic Policy and Resources
Modernising Governance Date of next meeting: 25.09.2013 - special 30.10.2013	• To provide strategic leadership and direction on modernisation and improvement and all aspects of governance and democratic renewal. • To respond to Government proposals regarding the development of Continuous Improvement, Modernisation, Efficiency and Best Value. • To ensure that Elected Members lead the process of modernisation and improvement within the Council. • To monitor the implementation of modernisation and improvement initiatives and encourage services to meet required standards and deadlines. • To consider resource implications of modernisation and improvement initiatives and if appropriate make recommendations to the SP&R Committee. • To develop and monitor the Customer First Review. • To support the adoption of best practice (from both public and private sector) within Perth and Kinross Council.	Elected Members: 5 Officers: 5 Lib Dems: 1 SNP: 2 Labour: 1 Conservative: 1	As and when required 07.03.2012 03.09.2012 05.12.2012 09.01.2013 06.03.2013 15.05.2013 17.07.2013 - special 04.09.2013	Strategic Policy and Resources

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Name of Group	Remit	Formal Attendance/ Political Balance	Frequency of meetings	Related Committees
	• To monitor and review the Council's decision making structure. • To ensure that the Council is engaged effectively with, and participates fully in, the democratic renewal process.			
Planning Etc. (Scotland) Act 2006 Date of next meeting: TBC	Original remit of the Group is to: • Act as a forum for discussion on the various consultation documents relating to the implementation of the Act and those ancillary consultations emanating from the White Paper • Act as a forum for discussion on the procedural changes associated with the implementation of the Act including those emanating from the White Paper but which do not require secondary legislation • Respond to any consultation on behalf of the Council • Monitor and review the implementation of the Act for a period of two years following the issuing of all Commencement Orders • Monitor improvements to the Planning System and the introduction of the Culture Change agenda. Re-established by Council on 27 June 2012 with the specific remit of reviewing the Council's ongoing arrangements regarding the development management process.	Elected Members: 7 Officers: 8 Independent: 1 Conservative: 2 Lib Dems: 1 SNP: 3	8 week cycle 03.04.2012 17.09.2012 20.11.2012 25.04.2013	Environment and Infrastructure Committee Development Management Committee

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APPENDIX 3 – MEMBER BRIEFINGS 2012-2013

Title	Date
School Estate Review Presentation	10-Sep-12
Finance/Budget Process	18-Sep-12
Adult Protection Awareness	25-Sep-12
Maximising Attendance	25-Sep-12
Handling the Media	02-Oct-12
Tay Landscape Partnership	23-Oct-12
Local Government Pension Scheme	26-Oct-12
Tayside Contracts Briefing	30-Oct-12
Economic Budgetary Prospects	08-Nov-12
Police and Fire Reform	09-Nov-12
TACTRAN	13-Nov-12
Treasury Management	27-Nov-12
Contingency Planning	13-Dec-12
Welfare Reform	8 & 14 Jan 13
Corporate Plan/Community Plan	11-Jan-13
Registrars Awareness Sessions	16 & 30 Jan13
Health and Social Care Integration	22-Jan-13
Equality and Diversity	29-Jan-13
Tayside Police Road Safety Briefing	08-Feb-13
Councillors' Code of Conduct	12-Feb-13
Corporate Plan/Community Plan	15-Feb-13
New Council Complaints Procedure	22-Feb-13
Scrutiny Skills for All Councillors	26-Feb-13
Scotland's Charity Air Ambulance	27-Feb-13
Councillors' Code of Conduct follow-up	01-Mar-13
Show Racism the Red Card	05-Mar-13
Ease the Load' - Time Management	08-Mar-13
Community Justice System	14-Mar-13
Evidence2success	19-Mar-13
Domestic Violence	21-Mar-13
BMIPs The Environment Service	15-Apr-13
Social Media	16-Apr-13
BMIP - Education & Children's Services	19-Apr-13
BMIP - Chief Executive's Service	19-Apr-13
BMIP - Housing and Community Care	19-Apr-13
Failure, Demand and Place	23-Apr-13
Perth City Plan Presentation	24-Apr-13
Evidence2Success	21-May-13
Flood Risk Management	29-May-13
Presentation Trunk Road Police Unit	04-Jun-13
Community Plan/SOA	10-Jun-13
Economic Impact (Improvement Service)	20-Jun-13
Perth Transport Futures Project	24-Jun-13
Maintenance Partnership/Roads	25-Jun-13
Evidence2Success Survey Reports	13-Aug-13
Disposal of Properties	20-Aug-13
Community Safety Committee Event	21-Aug-13
Locality Planning/Community Empowerment	23-Aug-13
Perth Transport Futures Project Workshop	27-Aug-13
Gypsy Travellers	03-Sep-13
Audit Scotland Overview Report	04-Sep-13

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APPENDIX 4 – BENCHMARKING WITH OTHER COUNCILS

Extracts from Best Value 2 Reports and follow-up enquiry notes where relevant

Dundee City Council – March 2010

Relationships between members and officers are good, and the administration meets regularly with senior officers to discuss and resolve current issues. Relationships between political groups are, however, poor following the change of administration, and little discussion now takes place outwith formal meetings. Committee discussion is often confrontational. The previous style of politics was very consensual, with party groups working more closely and agreement between them often facilitated by the chief executive.

East Ayrshire Council – April 2010

The council benefits from strong and effective leadership from its chief executive, and there are good relationships between elected members and officers. Elected members have a sound understanding of their communities. They need, however, to continue to develop their skills to allow them to provide strong strategic leadership, and to challenge and hold officers to account. It is essential that they demand and scrutinise robust options appraisal in order to ensure that the council delivers the best possible service outcomes in the most efficient and effective ways, including considering the potential for co-operation with other public bodies beyond East Ayrshire.

Angus Council – May 2010

In addition to local area partnerships, there are 26 community councils. The council has good financial and officer support arrangements in place for community councils, but the strength of relationship between them, local area partnerships and the council varies between areas. The role of local area partnerships and community councils in Community Planning and wider partnership working is not clear to many stakeholders nor consistently understood. The 2009 citizen survey, carried out between the council and its partners, reflects this, with 67 per cent of people being aware of community councils but only 24 per cent being aware of local area partnerships.

The Highland Council – May 2010

There is strong political leadership in the council, with an administration that works consistently and effectively and an effective opposition. This contributes to a clear and consistent strategic direction. Elected members demonstrate good leadership and working relationships between party groups, among members and between members and officers are generally good. Members have a positive approach and work well together in the interest of the whole of the Highland area.

Scottish Borders Council – May 2010

Political and managerial leadership is strong and elected members and senior officers have a good working relationship. The council and its partners work well together and have a sound understanding of the local area and the needs of communities.

Political and managerial leadership is strong and elected members and senior officers have a good working relationship. The council leadership is committed and the senior management team and executive members provide a strong lead on organisational improvement. The council should continue to sustain the good working relationship between members and officers, particularly given the need to reach a consensus on priorities in the face of tightening resources.

Executive members hold corporate responsibilities, including corporate performance and human resources, and the leader chairs the board that oversees the BTP. Elected members have a strong and active role in managing business through committees and member-officer forums such as the Leaders Group, and the Administration Budget Working Group. Political working tends to be consensual and focused on council business, including council-wide issues such as improvement. The council's processes for governance and scrutiny are effective overall.

North Ayrshire Council – March 2011
The leader of the council and the chief executive have a good working relationship and complement each other in their respective leadership roles. He is well regarded by officers, other members and partners. The leader took up position in 1999 with a majority administration although this changed to a minority administration in 2006. He is working to develop cross-party relations.

Stirling Council – November 2011
Working across political groups is effective and there has been good cross-party input in setting the council's strategic priorities which were agreed by council in March 2011. Working relationships between members and officers also work well, including the strategic forums, and the Finance Review Group.

Political governance in the council is effective and its political leadership places a strong emphasis on collaborative working. The political management arrangements allow all parties to participate in decision-making, scrutiny, and policy forming forums. These include the leaders group, Finance Review Group, and strategic forums.

Strategic forums were instigated by the council leadership in 2010. They provide a non-decision-making forum to involve all political groupings in developing the council's approach to strategic issues. The strategic forums can make policy and strategy recommendations to the Executive or the council

Comhairle nan Eilean Siar Council – November 2011
The comhairle has managed its finances prudently over the short term and has retained uncommitted reserves over recent years at, or around, the planned £3 million mark. The comhairle recognised the financial challenges when agreeing its budget strategy for 2011–14. The strategy comprised five strands of work to identify savings, including the HR strategy. The comhairle considered various budget options and identified the budget reduction of £5.3 million required to break even in 2011/12. The process to identify savings demonstrated good working relationships between officers and members, including seminars to keep members informed of the process, costed options, and the importance of the decisions they were required to make. The public have and continue to be consulted on the various proposals to achieve the service reductions. This process was thorough and effective.

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The chairs of committees are experienced councillors and demonstrate effective leadership of meetings and of issues specific to their committees. Working relationships between members are good; members have a positive approach, are committed and work together in the interest of the whole Outer Hebrides. Relationships with comhairle staff and the CMT are good

Midlothian Council – June 2012

Effective political leadership for the council is provided by a strong, focused council leader who provides visible leadership of the improvement agenda and also robust challenge to officers. There is an effective opposition and evidence of constructive working relationships between party groups who are focused on taking forward plans to improve services and quality of life in Midlothian. There is also good cross-party working in the council on its major change programme through the Business Transformation Steering Group which includes members from all three political parties. Elected members are focused on delivering outcomes for the people of Midlothian rather than being restricted by political and managerial structures.

The City of Edinburgh Council – May 2013

Following the May 2012 elections the Labour and SNP groups agreed to work together in a coalition administration. The coalition councillors work well together and there is an effective working relationship between the leader (Labour) and the deputy leader (SNP). The coalition has set out a clear vision and objectives with a strong focus on improving outcomes. The coalition has also adopted an open approach to business demonstrated, for example, by its commitment to publish information about its progress in achieving its policy pledges.

There are constructive and effective working relationships across political parties. Councillors from all parties are strongly committed to restoring public confidence in the council, and the council's reputation more generally. There is a common understanding that the council needs to build public trust and confidence if it is to achieve its plans for the city.

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