Guide to Scrutiny & Review

East Lothian Council

2

June 2022

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Introduction

Scrutiny is the term used to describe the way in which the performance, decisions and plans of the Council are examined by the Elected Members who are not part of the Cabinet. Scrutiny in its widest sense might also include audit, inspection and regulation. Although there is no set definition for what is meant by scrutiny, this Guide will provide some guidance on how it will be approached at East Lothian Council.

Numerous bodies perform some kind of scrutiny of local government, including Audit Scotland, Education Scotland, and the Care Inspectorate. These bodies provide 'external scrutiny'; equally important, if not more so, is the way that the Council scrutinises itself. Internal scrutiny by Elected Members took on much greater significance following publication of the Crerar Review in 2007. The Review recommended that rather than rely on the results of external scrutiny exercises 'The primary responsibility for demonstrating compliance and performance should rest with service providers.'

Rigorous scrutiny of the Council's achievement of Best Value by Elected Members is an essential part of the Council's governance arrangements, although it should not be conducted in a partisan manner. Audit, scrutiny, review of performance and policy review need not be done in a confrontational and oppositional way. As far as possible scrutiny should be a non-partisan, non-party political process. However, it is important to be aware, and accept that there remains a place for straightforward political opposition in the political arena of local government.

Four principles that were developed by the Centre for Public Scrutiny[1] underpin the Council's approach to scrutiny:

1   Scrutiny provides 'critical friend' challenge to executive policy-makers and decision-makers
2. Scrutiny enables the voice and concerns of the public
3. Scrutiny is carried out by 'independent minded governors' who lead and own the scrutiny role
4. Scrutiny drives improvement in public services

The Council's scrutiny arrangements were developed taking into account the criteria for good practice in scrutiny as set out by Audit Scotland in its Best Value Toolkit for Governance and Accountability (see Appendix 1).

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[1] 'Overview and scrutiny in local government', Centre for Public Scrutiny

Scrutiny is a critical element of the Council's Improvement Framework, **Improvement to Excellence.** The framework is designed to ensure the Council meets its legal requirement to provide Best Value. It helps the Council address the four key questions:

➔ Are we doing the right things?

   ➔ Are we doing them right?

      ➔ How do we know how well we are doing?

         ➔ Could we do things differently to be better?

Improvement to Excellence consists of five inter-related elements, which form the basis of continuous improvement.

1. **Setting clear outcomes and priorities** – what we need to do to achieve our vision and ambitions

2. **Service and improvement planning** – setting out how are we going to deliver and manage services, resources and improvement

3. **Performance management, monitoring and reporting** – monitoring how we are doing so we know what we need to improve

4. **Self-evaluation** – measuring how are we doing and what do we need to improve

5. **External assessment and accreditation** – how others see us and gaining external validation.

The scrutiny committees support the delivery of elements 3, 4 and 5.

1. Scrutiny in East Lothian Council

East Lothian Council has three committees that perform the 'scrutiny' function: the Audit and Governance Committee, the Policy and Performance Review Committee and the Police, Fire and Community Safety Scrutiny Committee. Appendix 2 provides details of the remits of these committees.

The Audit and Governance Committee has responsibility for scrutinising the Council's approach to risk and corporate governance. It also considers reports on the work of the Council's Internal Audit service and reports from the external auditors and Audit Scotland.

The Policy and Performance Review Committee covers all matters relating to the performance of the Council's services. The work of the Committee focuses on the review of performance and considering reports on matters of concern to the Committee seeking assurance that under-performance is being addressed. Members of the Committees will determine what items are included in the work plan with the help of the '*Selecting topics for scrutiny'* section of this guide.

Critical Success Factors:

- Respect and positive relations between elected members
- Mutual trust and respect with officers
- Respect for roles and boundaries

Mark McAteer (Improvement Service), presentation to Elected Members' Workshop, 6th Sept. 2010

The Police, Fire and Community Safety Scrutiny Committee scrutinises the performance of the Police and Fire and Rescue Services and other services that perform a community safety function in East Lothian. The Committee receives reports focussing on the performance of the Police and Fire and Rescue Services but will also consider reports on issues such as anti-social behaviour.

Responsibilities for decision making and for scrutiny are separated under the Council's Scheme of Delegation and executive decision making arrangements. Decisions are taken by the Council and by Cabinet, while decisions on certain matters relating to education are taken by the Council Committee for Education. Recommendations from any of the scrutiny committees may be referred to the Council, Cabinet or Education Committee for a decision to be made if necessary. The roles and responsibilities of elected members and council officers involved in scrutiny are detailed in Appendix 3.

Recommendations made by the scrutiny committees will be reported to the Cabinet or Council as appropriate if a formal decision is required to amend policy or practice. Alternatively recommendations will be made to the appropriate Head of Service if a decision falls within their delegated powers.

2. The Work Programme

The work of the scrutiny committees will be set-out in annual work plans. The Audit and Governance Committee's work plan will largely be governed by the Audit Plan and the annual cycle of audit reports. The Policy and Performance Review Committee's work programme contains a mix of on-going, regular items and items that have been selected for review by members.

The work programme of the Police, Fire and Community Safety Scrutiny Committee mainly consists of the performance reports presented by Police Scotland and the Fire and Rescue Service and reports requested by members on community safety issues.

On-going regular items

Some items will be reviewed on a regular annual or quarterly basis (e.g. external and internal audit plans, the annual accounts and quarterly performance monitoring reports); these will need to be factored into the programme at the appropriate intervals.
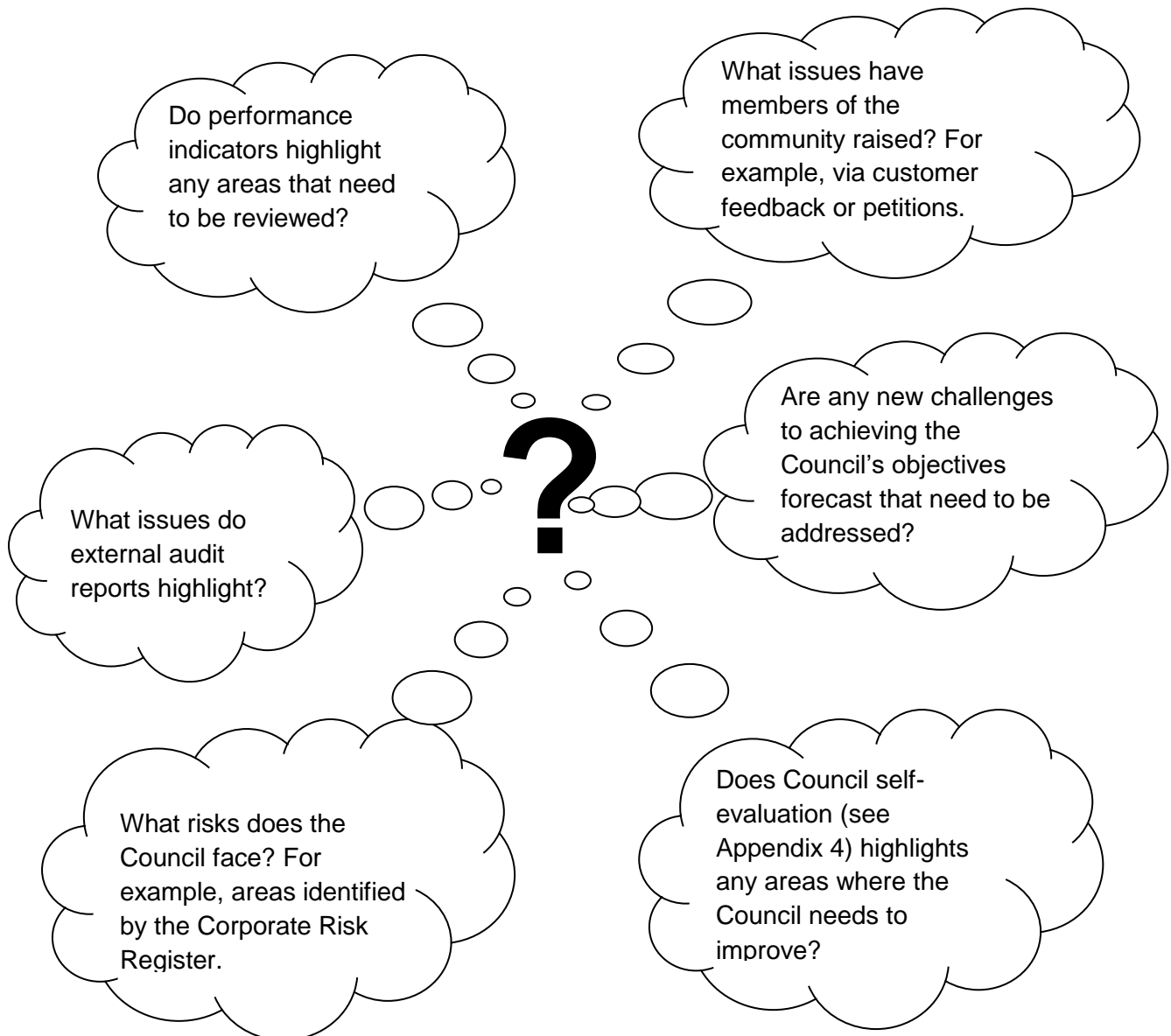
Regular items for scrutiny follow the annual planning and performance cycle with quarterly performance reports early in the second, third and fourth quarters and annual reports, if possible, at the end of the first quarter. Members will need to ensure that time is set aside in the work programme to allow for proper scrutiny of these regular items alongside other items.

Items that have met the topic selection criteria for policy review

Some items for inclusion in the work programme will have passed through the topic selection criteria outlined previously. Topics that are identified as possible items for scrutiny through the selection criteria should be placed on to a reserve list to be periodically reviewed for priority and workload capacity.

3. Selecting Topics for Scrutiny and Review

Selecting topics to include in the work plan is an ongoing process. Some topics will be regular items, for example performance reports, while others will deal with a particular issue of particular interest to members. The following questions might help Members to identify potential topics for inclusion on the work plan.

Do performance indicators highlight any areas that need to be reviewed?

What issues have members of the community raised? For example, via customer feedback or petitions.

Are any new challenges to achieving the Council's objectives forecast that need to be addressed?

What issues do external audit reports highlight?

What risks does the Council face? For example, areas identified by the Corporate Risk Register.

Does Council self-evaluation (see Appendix 4) highlights any areas where the Council needs to improve?

Members may request reports from officers on the subjects chosen for scrutiny using a range of criteria including requiring further information on areas of concern or follow up reports updating members on progress with improvement actions to address poor performance.

Using a structured approach to determine subjects for scrutiny reports or review helps to avoid poor topic selection. Each potential topic for scrutiny should be subject to the same initial selection and rejection criteria.

Selection criteria	Rejection criteria
Improvements to services would be likely	The topic is already being addressed
High public concern shown through consultation	Scrutiny is unlikely to result in service improvements
Poor performing service	Matter is sub-judice or prejudicial to the Council's interests
Enhances the Council's priorities	The issue is more appropriately addressed by a body other than the scrutiny committees
High budgetary commitment	The objective cannot be achieved within given timescales
New guidance or legislation has recently been introduced	The subject is too broad to make a review realistic

The following subjects are examples of topics that have been the subject of reports or reviews carried out East Lothian's and other local authority's scrutiny committees:

- The role of the Council in tourism
- Attainment in 5th and 6th years
- Early intervention
- Asset management arrangements
- Management of Council house voids
- Carbon management
- The implications of demographic changes
- Delayed discharges
- Child protection services

Members need to be realistic in regard to the number of reports the Committee can consider within its work programme or structured reviews that the Committee will be able to undertake in any given year.

4. Conducting a Policy Review

Policy Review is the process of evaluating the effectiveness of a particular area of Council policy or service provision. These reviews are likely to hear evidence from key stakeholders and commission research or reports to understand how well policy is being implemented or how well services are being delivered.

Policy Reviews are generally conducted within a set timescale, often two or three meetings. Conducting a review over the course of more than one meeting allows lines of enquiry to develop and additional information to be provided if required.

Advanced planning is essential to the success of any policy review. Officers will require time to prepare any evidence or reports and stakeholders will need prior notice if Members would like them to attend a meeting. Policy Review exercises need to be well planned and should be included as part of the work programme.

When planning a policy review exercise members might like to consider the following:

1. *Identifying the objectives and key issues*

   What do we want to achieve and what are the main issues that need to be addressed in order to achieve the objective?

2. *Establishing the timeframe of the review*

   The overall timeframe of the review will need to be established and added to the work programme.

3. *Outlining the stakeholders and evidence required*

   What evidence is required to achieve the outcomes, and who needs to be called as a witness?
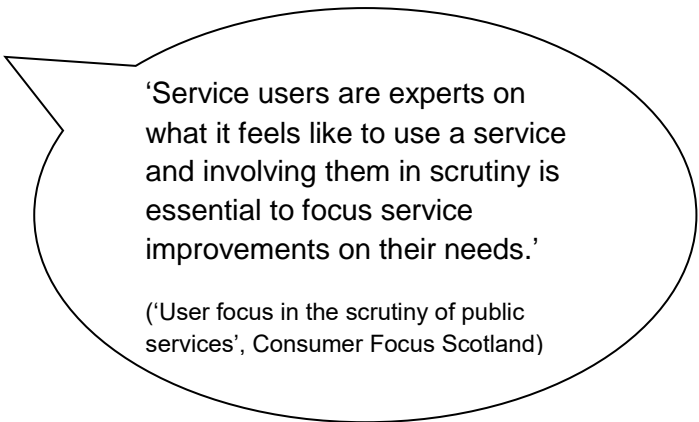
4. *Considering the lines of enquiry*

   Once the objectives and the key issues have been decided, lines of enquiry should be determined to help focus the review and enable a consistent approach to a topic across meetings. Are you clear about the issue or problem and why it is the subject of the review and what are the terms of reference of the review?

Appendix 5 includes some specific key questions identified by Audit Scotland in the 'Overview of Local Government in Scotland, 2009'. The questions reflect areas of concern that are common across Local Government in Scotland. Members are encouraged to consider the relevance of these questions to any scrutiny work they undertake.

Scrutiny committees are encouraged to involve relevant stakeholders in policy reviews. Stakeholders can provide useful expertise and knowledge, while hearing directly about the experience of service users can provide a helpful reality check.

The needs of different stakeholders should be considered when planning their involvement in a review. Not all stakeholders will be comfortable, or able, to attend a meeting, therefore consideration should be given to whether their evidence can be provided by other means if necessary.

'Service users are experts on what it feels like to use a service and involving them in scrutiny is essential to focus service improvements on their needs.'

('User focus in the scrutiny of public services', Consumer Focus Scotland)

Which stakeholders might we involve?

Group	Examples
Service Users	East Lothian Tenants and Residents Panel (ELTRP)
	Parent's Councils
Community Groups	Area Partnerships
	Community Councils
	Local business associations
Partners	Police
	Fire & Rescue Service
	NHS
	Volunteer Centre East Lothian (VCEL)
	Skills Development Scotland
	Edinburgh College
'Experts'	Academics
	Improvement Service
	SOLACE
	COSLA
	Professional associations

Before concluding a Policy Review the Committee should invite the relevant Head of Service, portfolio holder and/ or Council Leader to discuss the draft findings and recommendations.

5. Scrutiny Techniques

Members might find some of the following techniques and tips useful when conducting policy reviews or scrutinising performance information.

Questioning styles – good practice

Open questions

Open questions encourage respondents to talk and expand upon the issue. Open questions allow respondents to describe a situation in their own words. The key prefixes for an open question are 'What?', 'How?' and 'Why?' Examples include:

- What do you consider the service does well?
- How did you establish x as a priority for the service?

Open Questions can also be formed through phrases such as:

- Tell me about a time when…
- Explain to me how you…

Using open questions can form a basis for asking further probing questions based on the answer to the initial question. For example:

- You say that you did… can you give me an example of how you carried that out?
- I was interested to hear you say… can you tell me more about that?

Hypothetical questions

Asking hypothetical questions can help to test out ideas for recommendations and can also be useful in obtaining evidence. For example:

- If x were possible how would this change your strategy?

Behavioural questions

Behavioural questions can help to get evidence of how an organisation might carry out a task in future by using examples of past behaviour. For example:

- What process has the organisation used in the past to achieve the outcome?

Questioning styles – try to avoid

Closed questions

Closed questions are those that can be answered in a single word. While closed questions can be useful in clearing up points of fact, they are unlikely to yield much further information.

- Does your organisation do x?

Leading questions

Leading questions make it clear to the respondent what answer is expected and are unlikely to yield genuine answers. For example:

- We know from experience that x works, what is your experience of x?

Asking a question in this format makes it very difficult for the respondent to give an honest answer.

Double-headed questions

Double-headed questions ask more than one question at a time. Double-headed questions can either confuse the respondent, or ensure that the respondent answers only the part of the question that they are comfortable with. Both questions might be valid lines of enquiry, but it would be more productive to ask them separately:

- If your organisation has the responsibility to do x how is this measured, and how does x fit into the national strategy?

Multiple choice questions

Multiple choice questions offer a number of possible answers, but do not ask for any real explanation. For example:

- Do you believe that x, y, or z is the best way forward?

6. Making Sense of Performance Data

A key role of the Policy and Performance Review and the Police, Fire and Community Safety Scrutiny Committees is to monitor, comment on and make recommendations based on quarterly and annual reports of performance.

East Lothian Council's performance reports contain the following features (Police and Fire and Rescue services performance reports will be presented in different ways):

Trend arrows

Trend arrows show whether performance has improved, worsened, or stayed the same in comparison to the previous period (i.e. the previous quarter, month or year depending on how frequently the indicator is reported).

Key to symbols

no change	↔	Little or no change (less than 4% variation)
red down	↓	Worsening performance (Indicator aim: HIGH)
red up	↑	Worsening performance (Indicator aim: LOW)
green down	↓	Improving performance (Indicator aim: LOW)
green up	↑	Improving performance (Indicator aim: HIGH)

RAG (Red, Amber or Green) status

The RAG status is designed to show whether an indicator is exceeding its target for the period timeframe. RAG status can also be used by performance managers to flag measures that have suddenly improved or dropped performance. RAG settings can be set to variable to reduce false alerts for measures that have a greater range of change, but not necessary a change in performance trends. It is important to note that a measure can be outwith target in the quarter, but the Year to Date (YtD) figure can be within target.

Key to Icons
RAG status

Icon	Description
⭐ (green star)	Performance within target
🟠 (orange circle)	Performance within tolerance levels
🔺 (red triangle)	Performance outwith target / tolerance levels
?	Missing data
!	No target
?!	No data or target

Graphs

Graphs are used to show the long-term trend for an indicator. While the trend arrows show whether an indicator has improved or worsened since the last period, graphs can provide further context to help understand performance such as seasonal impacts. Graphs show whether any changes in performance are a short-term blip, or are the result of a long-term trend.
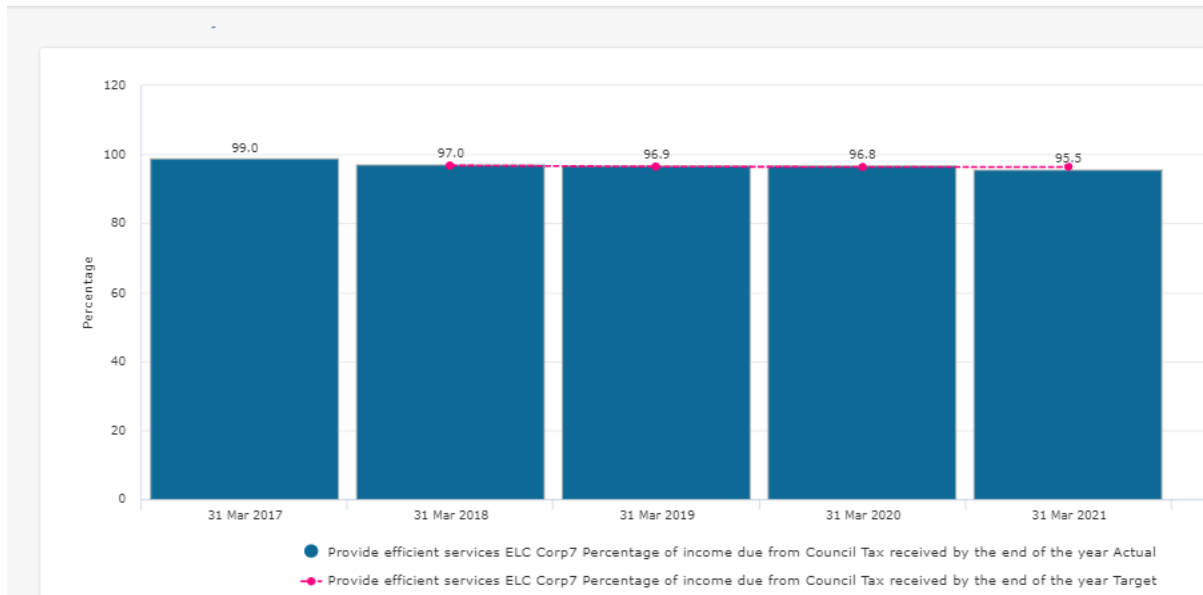
Line chart with RAG and Target

Measure: ELC Corp7 Percentage of income due from Council Tax received by the end of the year
Objective: Provide efficient services
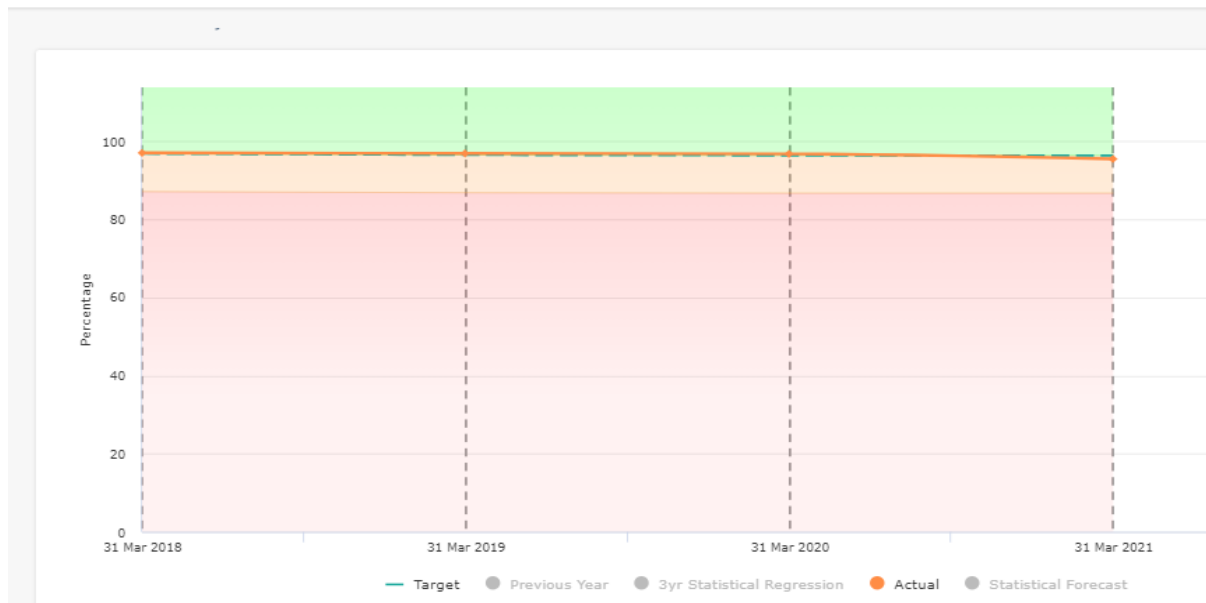
Bar chart with Target

Measure: ELC Corp7 Percentage of income due from Council Tax received by the end of the year
Objective: Provide efficient services

Comments

Each indicator can include explanatory comments that are provided by the Service. The comments section should explain the reasons why the indicator has improved or worsened.

These comments can cover 4 areas:

- **Change in performance and performance against target**
- **Policy & resource impacts on performance**
- **Progress towards Objectives / Outcomes**
- **Details of improvement activity**

What to look for in a performance report

For the measure below (BEN01 - Benefits, Average time in days to process new Housing Benefits claims) we can see the profile for this measures is lower is better. The quarter performance has been consistent until June 2021 when quarter performance is outwith the threshold / target. RAG is in the red until the end of the financial year, where quarter performance improves and is now within target.

Measure: BEN01 Average time in days to process new claims in housing benefit
Objective: Provide efficient services
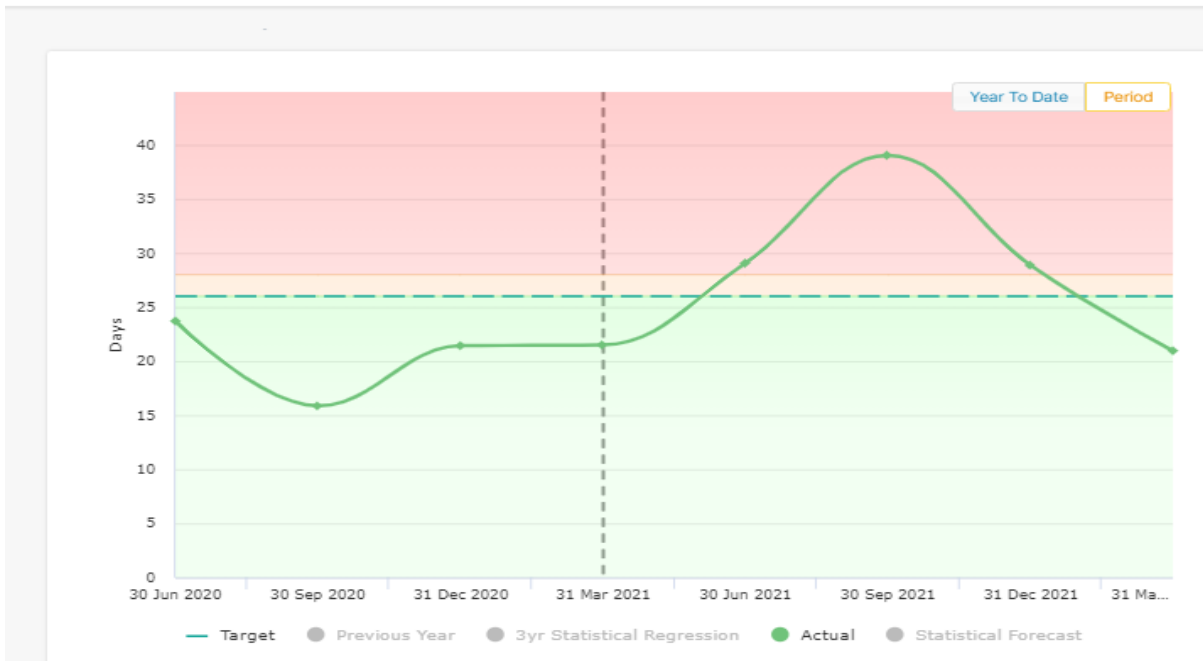
For the same measure, the line chart below is showing Year to Date rather than period performance. Performance is still outwith target at the end of the financial year despite an improvement in the last period quarter performance. The trend is looking downwards (lower is better) towards the green RAG area.

Measure: BEN01 Average time in days to process new claims in housing benefit
Objective: Provide efficient services

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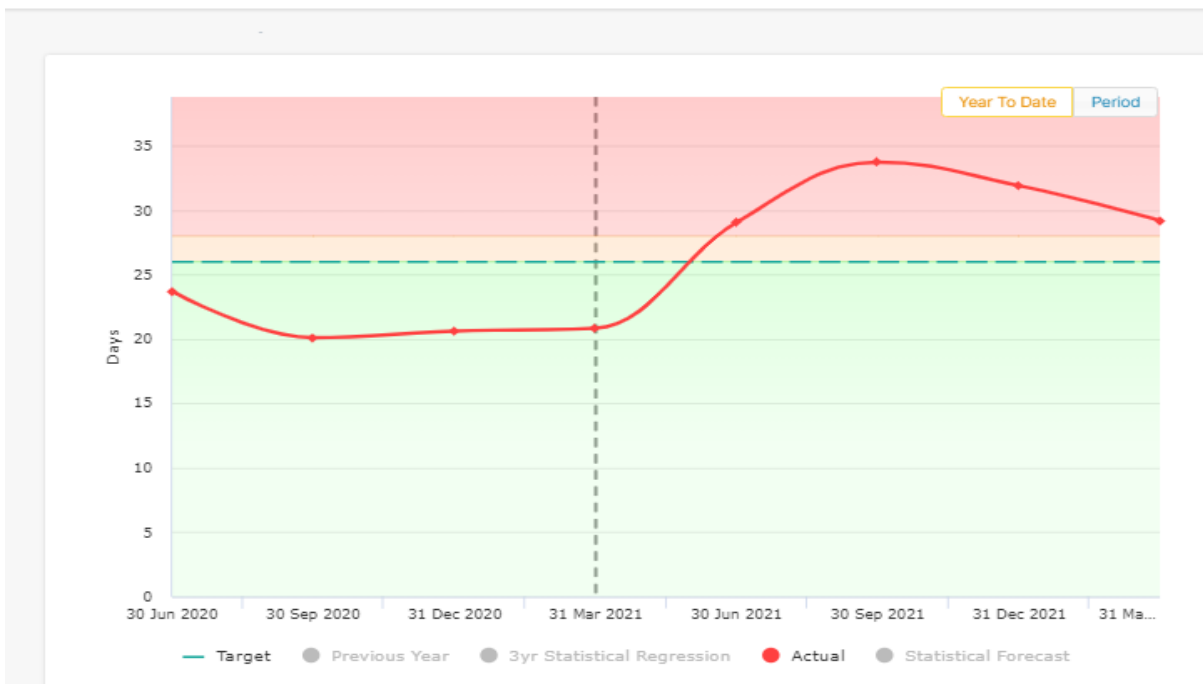
Questions to ask when considering performance data:

These are some questions you should think of asking when considering performance data:

- What information could I do without?
- Is the information easy to understand?
- Can I interpret what the key messages are?
- Would a different method or presenting help me interpret the information?
- Do I challenge officers to explain the information?
- Do I challenge officers to provide missing information?

Using performance indicators

Performance indicators should be used to identify areas for further investigation and review. There are many different type of indicators that can help to determine progress against objectives and performance improvement.

Process – Similar to the example measure used earlier, this type of indicator can help to measure the efficiency or productivity of a business process that might impact on customer satisfaction

Input / **Output** - Measures costs and resources needed to provide services and the output or results of operational activities

Outcome – measures the benefits of performance as an outcome of operational activity. Eg employee satisfaction measures. This type of measure is usually found in corporate plans and strategies with more detailed measures in action plans.

Individual performance indicators should be considered in conjunction with other related or different types of indicators and contextual information. Rarely will an individual indicator adequately describe performance on its own. Other sources of information that could be used in conjunction with an indicator might include other performance indicators, source data, previous committee reports and customer feedback. Most measures will have a mix of performance that may indicate the effectiveness, efficiency and quality of a service is being provided.

Appendix 1: Best Value Toolkit – Governance and Accountability

Audit Scotland has outlined what constitutes good practice in scrutiny as part of their Best Value Toolkit on Governance and Accountability. The Toolkit forms one part of a set of documents that clarify the criteria against which Councils will be judged as part of Best Value Audits.

BEST VALUE TOOLKIT: ASSESSMENT MATRIX – GOVERNANCE & ACCOUNTABILITY

	Basic practice	Better practice	Advanced practice
5. How well do challenge, scrutiny and review processes ensure a range of informed views are sought and actively considered to aid decision making and improvement?			
5.1 How effective, objective and transparent is the scrutiny and challenge of decisions and policies?	There is sufficient opportunity for objective challenge and questioning of decisions by members before they are taken or confirmed, built into policy development and decision making processes. There is a process to challenge and rethink decisions in exceptional circumstances. Some member challenge to policy or decisions takes place. It incorporates a dispassionate exploration of issues, alongside any challenge to decisions on grounds of politics or principle. The nature and extent of the scrutiny and challenge that has taken place is transparent.	The organisation regularly reviews how effectively it scrutinises decisions, making continuing improvements to processes and support for members. Independent members actively challenge key decisions before they are taken or confirmed in an, objective and constructive manner. This scrutiny is treated seriously by decision makers, with time taken to explore the issues raised. Scrutiny processes are structured and well managed as part of a systematic approach. Challenge is focussed on significant issues and does not unduly delay decisions.	Effective, objective and transparent scrutiny and challenge of policy development and decision making is embedded in the organisation's culture and ways of working. Members and senior officials that are responsible for decision making actively seek informed and constructive challenge, value and respond positively to this. Members and senior officials routinely challenge each other in an objective, effective and open manner – achieving an appropriate balance between challenge and timeliness of decision making.

BEST VALUE TOOLKIT: ASSESSMENT MATRIX – GOVERNANCE & ACCOUNTABILITY

	Basic practice	Better practice	Advanced practice
5.2 How effective, objective and transparent is scrutiny of the organisation's performance and the effectiveness of its policies and procedures?	There is sufficient opportunity for members to review and objectively challenge the performance of the organisation and the implementation of policies and decisions through: • ongoing monitoring of quality, performance, implementation and management processes • post implementation reviews of policies and improvements. Time is set aside on agendas for this purpose and members are provided with appropriate and objective reports. Some challenge takes place, including questioning of responsible senior officials about important aspects of performance and management effectiveness. The nature and extent of the scrutiny and challenge that has taken place is transparent.	The organisation regularly reviews how effectively it scrutinises performance, making continuing improvements to processes and support for members. Scrutiny is led by independent members who take a constructive and objective approach. Senior officials are held to account in a meaningful way, and are open and helpful in their response to questioning. Challenge is based on objective sources of evidence and effort is targeted at significant issues related to the priorities and the overall objectives of the organisation. Scrutiny leads to the identification of areas for improvement. Members responsible for scrutiny follow-through to make sure appropriate action is being taken and whether it has been effective. They report their activity and significant exceptions to all members.	Effective, objective and transparent scrutiny of performance is embedded in the organisation's culture and ways of working. Members and committees that lead and undertake performance scrutiny functions are well supported and respected. They have a clear understanding of the issues and aspects of performance that are important to the success of the organisation, and robustly challenge and hold to account in these areas.

BEST VALUE TOOLKIT: ASSESSMENT MATRIX – GOVERNANCE & ACCOUNTABILITY

	Basic practice	Better practice	Advanced practice
5.3 How effective is the Audit committee?	An audit committee has been established and meets regularly. Its remit and operation meets the minimum applicable standards for the organisation. It has the right to report to and be heard by all members. An appropriate focus is given to the risk management, internal control and financial management & reporting. Internal and external auditors attend meetings and submit reports summarising their plans and the results of their work.	The audit committee regularly reviews its own performance against best practice and takes action to continuously improve its effectiveness. It reports annually to all members and can demonstrate good performance. The committee specialises in scrutiny of risk management, including the effectiveness of financial management and reporting. Wider scrutiny of performance is dealt with elsewhere. At least one member of the committee has recent financial experience.	The audit committee's role is well understood and valued across the organisation. It is seen as apolitical and authoritative. Members of the committee are well informed, and skilled in effective challenge and open discussion. They are able to confirm to other members that the right processes are in place to give confidence that financial stewardship and overall governance arrangements can be relied upon.
5.4 How well does the Internal audit function provide assurance to management on the integrity of the organisation's corporate governance framework and identify areas for improvement?	The organisation has established an internal audit function with sufficient status and resources to review and report on key aspects of the system of internal control. The Internal Audit function complies with relevant minimum standards and the head of internal audit has unfettered rights of access to members and senior officials.	The Internal Audit function maintains a recognised quality accreditation, actively reviews its own effectiveness, and continuously improves. The Head of Internal Audit respected and authoritative, and is consulted on governance and internal control arrangements for new and existing business initiatives during the development phase.	The internal audit function can demonstrate the highest standards of performance. The value and impact of its work is recognised by all members and senior officials.

BEST VALUE TOOLKIT: ASSESSMENT MATRIX – GOVERNANCE & ACCOUNTABILITY

	Basic practice	Better practice	Advanced practice
5.5 How effective is the organisation's annual review of its overall corporate governance arrangements?	The organisation completes an annual review of its corporate governance arrangements that meets the relevant minimum standard. It publishes details of this review in line with requirements placed on it. The review is informed by the work of internal audit, the audit committee and reports from external auditors and the conclusions are consistent with this. The review is effective in identifying significant concerns and action is taken to address these.	An annual governance statement is published, summarising the extent of and conclusions from a review of the effectiveness of the system of internal control. It is underpinned by a robust approach to review and is signed by the most senior member and most senior official on behalf of the organisation. No significant control weakness exist. The review process is itself reviewed regularly.	The overall review of governance is underpinned by ongoing review of control frameworks operated across the organisation and any subsidiaries. Senior officials are committed to an effective review of internal control in their own areas of responsibility. They show an understanding of the nature and value of the control framework and act promptly to address any areas of concern.
5.6 How well does the organisation respond to external review and scrutiny?	Relevant staff engage constructively and professionally with external auditors and other scrutiny bodies, making genuine attempts to answer questions and provide evidence that is requested. Reports by external auditors and other scrutiny bodies are considered by relevant members and senior officials, and action is taken to address any significant issues that are raised. Where external scrutiny identifies any significant areas of concern or weakness, members and senior officials engage with the relevant scrutiny body to better understand how to address the issues raised.	The organisation engages meaningfully with external audit and other relevant scrutiny bodies about their plans, providing views on where external reviews would add most value alongside internal review and improvement activity. The views and support of external auditors and inspectors are sought in relevant circumstances, and members and senior officials display a real understanding of their role and remit. The organisation systematically considers the wider implications of significant issues raised in external reports (for example whether similar concerns exist in other areas of the organisation).	The organisation systematically reviews the findings and conclusions of reports about other organisations and any national or cross-cutting reports, to considering potential implications for it and opportunities to apply best practice. Members and senior officials value the independent challenge and assurance provided by proportionate and risk based scrutiny activity. They respond to this in a manner that strengthens the organisation's own review and improvement activity.

Appendix 2: What do the scrutiny committees do?

Audit and Governance Committee

Audit responsibilities

1. *Risk and Internal Controls*

(a) Promote Council policy on risk management by reviewing the delivery of the Risk Management Strategy, reviewing the business and strategic risk assessment arrangements and procedures and the Corporate risk Register;

(b) Promote, review and monitor internal controls, financial and otherwise, within the Council in order to provide reasonable assurance of the effectiveness and efficiency of operations and compliance with relevant statutes, directions, guidelines and policies;

(c) Develop an anti-fraud culture within the Council to ensure the highest standards of probity and public accountability;

(d) Approve the annual Internal Audit assurance report and the statement of internal controls for inclusion in the annual accounts.

2. *Review of Audit Functions*

(a) Determine the scope of the annual audit plan and ensure it is directed in accordance with the approved business risk assessment;

(b) Examine and review the External Audit Planning Memorandum and review the overall performance with regard to quality, productivity and the fees charged;

(c) Review the activities of the Internal Audit function and monitor overall performance in terms of quality, productivity and effectiveness;

(d) Ensure that the Internal Audit function is sufficiently resourced to provide a systematic review of internal controls and a full assessment of significant investigations;

(e) Examine Internal and External Audit reports, and ensure weaknesses identified are adequately addressed by management and recommendations are actioned;

(f) Ensure that there are effective relationships between Internal and External Audit and inspection agencies, and that the value of the audit process is actively promoted.

3. *Financial Matters*

(a) Review the Council's financial performance as contained in the annual statement of accounts;

(b) Review the audit certificate/wording of any matters reported;

(c) Review the annual report to Members from the External Auditor;

(d) Review the implementation of audit recommendations;

(e) Ensure that issues raised in previous financial years have been addressed.

(f) Review and monitor treasury management arrangements

Governance responsibilities

4. All matters relating to the performance of the Departments and Council as a whole, including, but not limited to:

Community

- Strategic vision and direction setting by Members

- Integration of strategic vision, direction and Community Planning priorities and actions into internal planning mechanisms

- Public performance reporting and public accountability

- Transparency of decision-making processes

- Consultation and communication with communities

Service Delivery Arrangements

- Corporate planning approach and performance against corporate actions and targets, including financial position and performance and asset management

- Performance management system and corporate performance information monitoring

- External scrutiny/assessment recommendations and resulting action planning

- Management of joint working

- Best Value reviews and option appraisal

- Contracting issues

Structures and Processes

- Monitoring of decision-making structures and mechanisms

- Monitoring of policy development and implementation

- Clarity of key roles and responsibilities

Governance

- Corporate Governance

- Annual Governance Statement

Policy and Performance Review Committee

Remit and Powers

All matters relating to the performance of all the Council's services including, but not limited to:

- Vision and direction setting by members

- Integration of vision, direction and Community Planning priorities and actions into internal planning mechanisms (including Service Plans)

- Mechanisms and Initiatives for Improvement (e.g. Benchmarking)

- Public Performance Reporting and public accountability

- Consultation and communication with communities

- Planning and performance against actions and targets including financial position and performance, priority/risk based resource management and asset management

- Mainstreaming of equality issues and sustainable development

- External scrutiny/assessment recommendations and resulting action planning

- Management of joint working

- Best Value reviews and option appraisal

- Contracting issues

- Scrutiny of policies identified through an annual work plan or other aspect of its work

Police, Fire and Community Safety Scrutiny Committee

Remit and Powers

The following business and functions are delegated by the Council to the Community Safety Committee:

- To carry out scrutiny of the performance of the Police and Fire & Rescue services in East Lothian with specific reference to each organisations' Local Plan.

- To receive and comment on local quarterly performance reports from Police Scotland and the Scottish Fire & Rescue Service.

- To engage in the development of Police Scotland and the Scottish Fire & Rescue Service Local Plans.

- To consider and respond to national level strategy and policy discussions of Police Scotland and the Scottish Fire & Rescue Service.

- To scrutinise and monitor the Service Level Agreement between the Council and Police Scotland

- To receive and comment on reports on the performance of any other services performing a community safety function in East Lothian.

Appendix 3: Roles and responsibilities

Conveners of Scrutiny Committees

- Chairing the Committee, co-ordinating its activities and taking a lead role in its work
- Providing leadership in relation to monitoring the Council's strategies, performance and service delivery and contribute to the effective governance of the Council
- Giving direction to senior officers of the Council in respect of matters within the remit and powers of the Committee
- Contributing effectively to the Council's scrutiny, policy and performance review processes by ensuring the questioning of relevant officers on the strategies, policies and performance of the Council and its service
- Encouraging and supporting participation and debate by all other committee members and ensuring that they contribute effectively to the work of the Committee
- Ensuring adequate scrutiny of reports from the Council's auditors and Audit Scotland on Council performance
- Identifying cross-cutting issues and ensuring a corporate approach to scrutiny in these areas
- Ensuring that effective working relationships with all councillors, officers and relevant partner organisations are developed and maintained
- Leading on the selection of witnesses to policy and performance reviews and determining whether evidence is to be given orally or in writing
- Leading on determining a timetable for the Committee's work

Members of the Committees

- Selecting topics for scrutiny and policy review
- Participating constructively in the activities of the Committee
- Determining which stakeholders they would like to attend the meetings
- Examining the basis on which major decisions are taken and ensure that they are consistent with Council policy
- Monitoring the effect of national legislation on the Council
- Holding councillors and officers to account in respect of their implementation of Council policy
- Investigating the quality and performance of services provided by the Council
- Engaging with members of the public and key stakeholders to inform areas of scrutiny work
- Making recommendations for improvement to Council / Cabinet

Committees Section

- Preparing and arranging meeting rooms and facilitate meetings
- Determining dates and deadlines for meetings

- Producing minutes and notes of meetings and meeting agendas

Service Manager/ Performance Officer

- Preparing performance reports
- Providing reports and advice on corporate planning
- Reporting upon the Council Improvement Plan

Services

- Providing reports as requested by the Committees
- Attending Committees to assist with their enquiries when requested
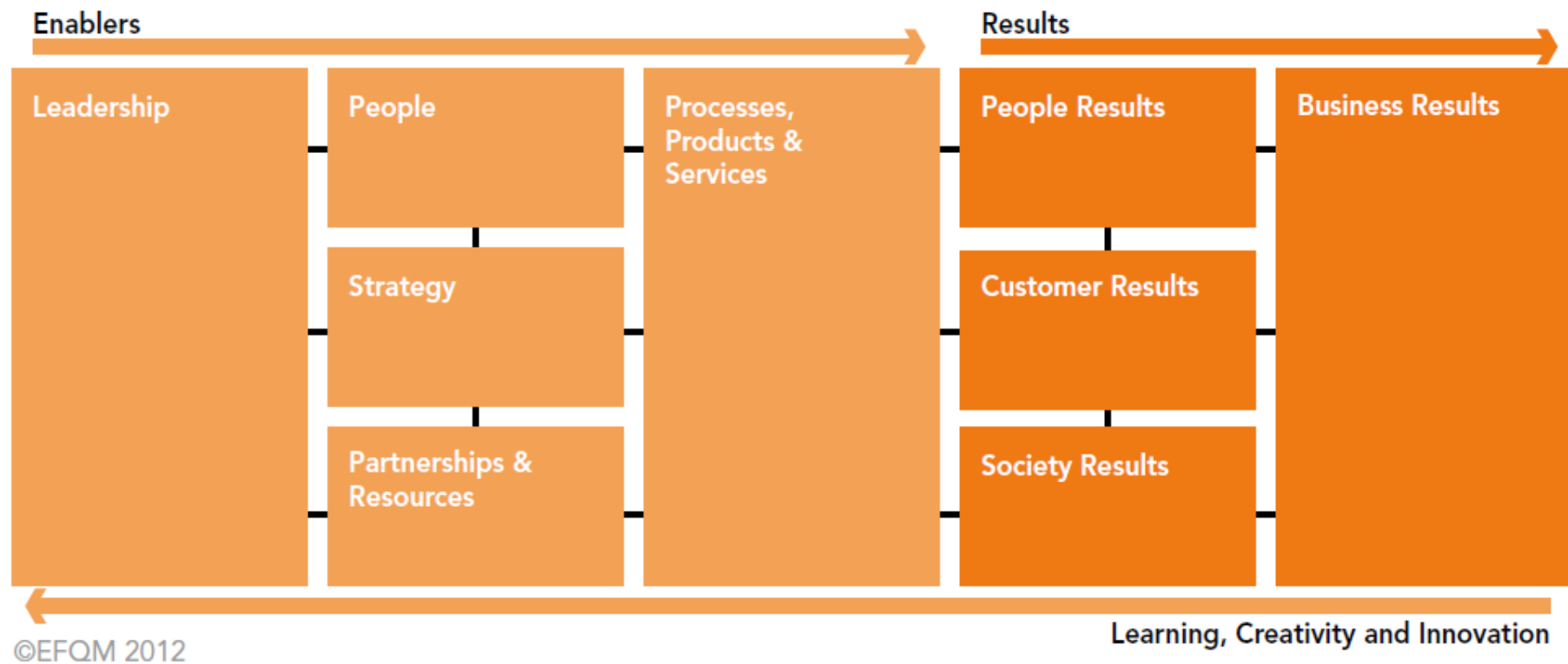- Accounting for relevant performance indicators

Stakeholders

- Members of the public, including service users, and representatives of partner organisations can be invited to attend the scrutiny committees to assist members in their work by giving evidence and taking part in the discussion and consideration of topics

Appendix 4: Self-Evaluation

The Council's self-evaluation process which helps the council and services assess how we are doing and what we need to improve is based on the principles of the **European Foundation For Quality Management (EFQM).** This framework enables us to understand the cause and effect relationships between what we do ('enablers') and the results we achieve.

The EFQM model comprises five 'Enabler' criteria and four 'Results' criteria:

Appendix 5: Key Questions for Elected Members[2]

Longer-term planning	• To what extent are we planning for beyond the current year taking into account financial projections and other intelligence? • How robust are plans to achieve the savings required to meet our priorities? • To what extent do we have a clear plan for achieving the most appropriate size of workforce and skills needed to deliver our goals? • To what extent do we have a clear plan for ensuring that expenditure and investment in our asset base achieves value for money and most appropriately supports the delivery of our goals
Decision-making and prioritisation	• How clear are we about the priorities of local people? • How good is our information on performance and the costs of providing different levels and quality of services to assist us in setting priorities and taking decisions? • What action are we taking to prioritise spending? • How aware are we of the relative risks and rewards associated with our decisions, and how well placed are we to manage identified risks?
Outcomes	• To what extent are we considering the impact of the recession on our service outcomes and our commitments in our Single Outcome Agreement? • How are we comparing our service outcomes with others, for example by benchmarking? • What evidence do we have that our service outcomes represent best value?
Keeping informed	• How well are we kept informed of the impact of the recession on our finances and service performance? • How effectively are we monitoring and planning for changes in demand for services? • Are our training and development needs fully addressed?
Working with others	• How well are we working with our partners and/or neighbours to deal with pressures caused by the recession? • Are we exploring all possible options for the delivery of local services? • What quantifiable efficiencies or improvements are resulting from working with others?

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[2] An Overview of Local Government in Scotland 2009; Accounts Commission, 2009