

Governance, Risk and Best Value Committee

10:00am, Tuesday, 18 January 2022

Committee Decision Process and the Policy Register

Executive/routine Wards Council Commitments	Executive
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1. Recommendations

- 1.1 To note the actions outlined to improve the committee decision process.
- 1.2 To note that any review of the political management arrangements for the Council would take into account the workload of committees and the subsequent impact on the quality of reporting.

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Report

Committee Decision Process and the Policy Register

2. Executive Summary

- 2.1 This report analyses the processes that surround committee reporting and highlights some improvements. The report also covers the review of the Policy Management Framework, updating committee on the actions taken in response to the audit.

3. Background

- 3.1 On 21 September 2021, the Committee requested a report in two cycles covering:
- 3.1.1 How formal and informal committee and council actions are taken forward by officers following committee decisions and commitments made by directors and other officers in the course of committee business;
 - 3.1.2 The process followed by Committee Services to notify directorates of actions to be taken forward from Council and Committee decisions and how they are tracked;
 - 3.1.3 The protocols for officers carrying out agreed actions; and,
 - 3.1.4 A review of 2 specific cases and lessons learned.
- 3.2 On 9 November 2021, the Committee requested that a written report on the outcomes of the review of the Policy Register be brought to committee in January 2022 to be considered at the same meeting as the Committee Decisions Report.

4. Main report

Process following Committee Decisions

- 4.1 There are a range of committee documents that support the management of committee decisions. These cover informing directorates of the decision and the tracking of committee reports:
- 4.1.1 Action Sheets;
 - 4.1.2 Minutes;

- 4.1.3 Rolling Actions Logs; and,
- 4.1.4 The Report Schedule.
- 4.2 Following a decision at the Council or a Council committee, action sheets are produced which outline the formal decision of the committee but also includes informal agreements such as a commitment to circulate a report or briefing note. The action sheets identify the relevant executive director and lead officer and are circulated the day of or the day after the meeting. Directorates then issue the instruction to the relevant officer to write the report. A member's action sheet covering informal requests and commitments is also produced for Council.
- 4.3 Minutes are also produced which contain the legal record of the committee decision. However, it is expected that directorates will have progressed implementation of the decision through the action sheet.
- 4.4 Committee decisions are tracked through use of the rolling action logs and the committee report schedule. Each document has a different role although the report schedule is designed to cover all reports to committees.
- 4.5 Committee decisions that require further reports or briefing notes are included in the rolling action log. Rolling actions logs are submitted to every normal meeting of committee, and every six months to Council. Prior to submission to committee or Council, draft rolling actions logs are circulated to directorate officers to review and provide any updates relating to their outstanding actions. For longer-term pieces of work, officers will provide updates via the rolling actions logs or the business bulletin, if more detail is required. Actions may also be transferred to other committees if, for example, they tie into a larger piece of work or project under another committee's terms of reference. When reviewing rolling actions logs, officers may advise that an action has been completed, in which case the action will be recommended for closure at the next meeting of committee or Council.
- 4.6 Future reports are included in the report schedule which is updated regularly and circulated every week. It includes report titles, responsible directorate and division and the lead officers for each report and covers the following three month period.
- 4.7 There will be occasions where officers determine that a change in information or circumstances mean that a report may require to be different to that which was requested by the committee. If this is the case then report authors should liaise with their executive director and, if agreed, should consult on the proposed change with the convener and vice-convener of the committee receiving the report. If the report request came from a motion, then the elected member proposing the motion should also be consulted with. The reasoning for any such change should also be clearly set out in the relevant report.
- 4.8 A meeting was held to review the processes used between Committee Services and Executive Services within Business Support which underpins the committee report process within the directorates. The following was highlighted:
 - 4.8.1 Directorates indicated that the committee report process worked well but there were instances of one or two reports that slipped through the gaps.

- This was often when there was a complicating factor such as the report needing to be authored by more than one directorate;
- 4.8.2 Clarity in relation to who should do what between Committee Services and Executive Services should be improved;
 - 4.8.3 There was an example of a useful meeting between the two teams following a committee which dealt with any issues from the previous committee and looked ahead;
 - 4.8.4 Reports are often submitted very close to the deadlines to both Executive Services and Committee Services. This means there is little opportunity to check the report;
 - 4.8.5 The volume of reports is so significant that it is difficult to implement best practice. Often there is a need to just process the reports; and,
 - 4.8.6 Timescales and the lead in times for Agenda Planning Meetings and Committees are often very tight and difficult to comply with.

Case Studies

- 4.9 Two particular cases were asked to be reviewed. One involved a decision following motions by Councillors Doggart and Howie at the June 2021 Council meeting. The decision noted the recent report from the Mental Welfare Commission and, amongst other matters, asked for a proportionate and robust review of all cases of hospital discharges to care homes over the past 16 months. The subsequent report to the Policy and Sustainability Committee on 3 August 2021 did not cover this and the committee asked again for this report to be produced.
- 4.10 The Health and Social Care Partnership have reviewed this matter and concluded that it was an omission by officers. Officers were already working on an approach to review a sample of cases as part of the response to the Mental Welfare Commission prior to the Council meeting in June 2021 and did not fully incorporate the decision of Council into the report. The lessons learnt from this have been taken on board by the Partnership.
- 4.11 The second case involved the Policy and Sustainability Committee on 10 June agreeing 'that Full Council on the 24th June will receive an update report that will cover the progress made to resume youth work in community centres and in other locations. It should include how many community centres will be resourced by the council to open, what date they will be open from, what access will be allowed by other groups, what changes would be involved if Edinburgh were to move to Level 1 or 0, and how children's rights have been taken into consideration when making these plans.'
- 4.12 Council considered a report on 24 June 2021 on youth work in community centres and other locations but agreed that it did not fully cover the remit instructed by the Policy and Sustainability Committee. A further written briefing was requested to cover these points.

- 4.13 On exploring why the request from the Policy and Sustainability Committee was not implemented it became clear that there were several factors that contributed to this:
- 4.13.1 The complexity of the situation – the service was examining how to re-open community centres and libraries across the City safely and in compliance with both Scottish Government guidance and Council policy on providing services in the pandemic.
 - 4.13.2 The short timescale between the committee and the Council with only 8 days between the committee decision and the publication of the Council papers.
 - 4.13.3 Complications caused by different reports from different committees being requested on community centres.
- 4.14 The resumption of community centres was a complex exercise which required the Interim Executive Director of Education and Children’s Services to establish and personally lead a working group to ensure that the different strands were all being pulled together. This assisted the officers working on the resumption of service and ensured that they were supported in managing the process, including the briefing and reporting to elected members.

Conclusion

- 4.15 The review of the committee report processes took cognisance of the meeting with Committee Services and Executive Services and discussions and information provided by officers within the Health and Social Care Partnership and Education and Children’s Services.
- 4.16 The report processes do appear to be sufficient to ensure that nearly all reports are dealt with properly. However, the process does not have sufficient checking in place to act as a safety net for those small number of reports in a year that do not fully follow the instructions of committee.
- 4.17 As has been reported previously, the Council has a significantly higher number of reports than other Councils in Scotland and this pressure puts significant strain on the committee report processes and means that resources are not able to fully check all reports.
- 4.18 That being said there are a number of improvements that can be made as follows:
- 4.18.1 Committee Services as part of the Council 2022 project will review its processes and approach to committees including the report schedule with a view to improving the efficiency of the systems used;
 - 4.18.2 The relevant committee clerk and the relevant Executive Services staff will seek to have a regular meeting after every committee;
 - 4.18.3 The Head of Democracy, Governance and Resilience will have a bi-annual meeting with Executive Services to discuss any problems or issues with committee reporting;

- 4.18.4 Executive Directors have communicated with their teams to highlight the need to meet committee deadlines and ensure reports are with the relevant chief officer for approval in good time;
- 4.18.5 Circulate process to Directorates on changes to a requested report and,
- 4.18.6 Consideration will be given to any suggested changes or amendments to the committee system or Scheme of Delegation to allow for there to be higher quality reporting.

Policy Register

- 4.19 Internal Audit (IA) published a report into the Council's Policy Management Framework in Spring 2020. Control weaknesses were identified, in the design and ongoing application of the Framework across all Council Directorates and Divisions.
- 4.20 It was established that first (directorates and divisional) and second line (the former Strategy and Communications Division within Chief Executive's) responsibilities in relation to the framework had not been defined, agreed and communicated. A significant portion of the policies uploaded to the Council's online register were identified as out of date (142 of the 145 policies had missed their annual review date).
- 4.21 Whilst Integrated Impact Assessments (IIA) were incorporated into the policy management framework in November 2017, and Strategy and Communications had proactively supported IIA learning across the Council, the requirement to consider IIA requirements for both new and refreshed policies was not consistently applied.
- 4.22 Following the audit, a programme of work to improve the online register and the overarching framework was completed. This included:
 - 4.22.1 Refresh of orb information on policy framework;
 - 4.22.2 Amendment of templates and orb content to make clear that IIAs are required for all policies;
 - 4.22.3 Review of published policies by all directorates/divisions;
 - 4.22.4 Tidy up of online register to remove outdated policies and ensure consistency of template, labelling and information across categories;
 - 4.22.5 Revised definitions to ensure greater clarity;
 - 4.22.6 Clearly defined first and second line roles and responsibilities;
 - 4.22.7 Updates to the Orb to ensure all policy developers are aware of Integrated Impact Assessments (IIA) requirements;
 - 4.22.8 Creation of working group to explore digital solutions for registering and issuing policy reminders;
 - 4.22.9 Ongoing reviews and tidy-up of the policy register; and,
 - 4.22.10 Revised procedures for new policies and for the annual review of existing policies.

5. Next Steps

- 5.1 To implement the operational improvements highlighted in paragraph 4.17 and as part of the Council 2022 project examine where further improvement could be made.

6. Financial impact

- 6.1 There is no financial impact as a result of this report.

7. Stakeholder/Community Impact

- 7.1 Discussions were carried out with Committee Services, Executive Services and officers within the Health and Social Care Partnership and Education and Children's Services Directorate.
- 7.2 The Council's processes in relation to the committee system, the policy register and its duties under the Local Government (Scotland) Act 1973 were considered within this report.

8. Background reading/external references

- 8.1 [Local Government \(Scotland\) Act 1973](#)

9. Appendices

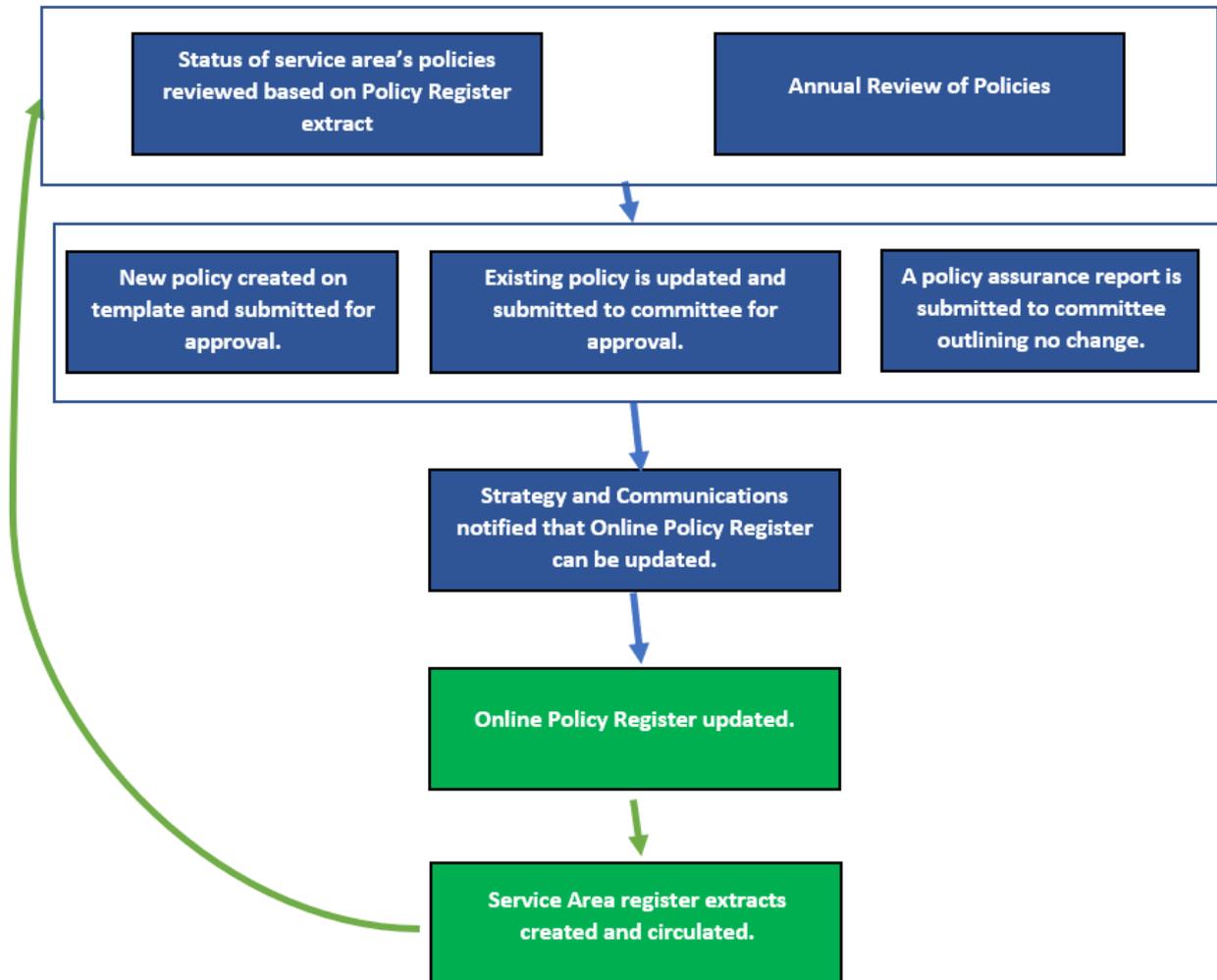
- 9.1 Appendix 1 – Annual review procedure for policies
- 9.2 Appendix 2 - Submission of a new policy procedure.

Appendix One

Annual Review Procedure

First line

Second line



Appendix two

Submission of a New Policy Procedure

