



A guide to the operation of Overview and Scrutiny

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Information relating to the Overview and Scrutiny Committee arrangements is available on the Council's website by opening the following link: [Scrutiny](#)

Overview and Scrutiny Committee arrangements in Conwy

Background information

The Guide provides a summary to the operation of Overview and Scrutiny, whilst providing information for both Members and Officers involved in scrutiny activities and aid the effectiveness of the scrutiny process. It sets out locally agreed procedures and processes for Scrutiny, and should be read alongside the Council's Constitution which reflects the legal requirements of the Local Government Act 2000 together with other relevant legislation, including the Wellbeing of Future Generations (Wales) Act 2015.

Conwy County Borough Council has 59 Councillors, they meet a minimum of five times a year as Full Council and form the ultimate decision making body for the Authority on the Council's major plans and strategies.

The Full Council elects the Leader of the Cabinet who, in turn, appoints the Cabinet. Cabinet meets, approximately, every month and makes the majority of the day to day management decisions for the Council. There are four Overview and Scrutiny Committees which are politically balanced and currently each is made up of 15 Councillors who are eligible to sit on them, i.e. Members not on the Cabinet. Their purpose is to scrutinise the decisions made by the Cabinet, together with the operation of the Authority.

Role of Overview and Scrutiny

The Council has a strong Member led overview and scrutiny function which prides itself on having a very positive and constructive ethos; it acknowledges good practice and recommends improvements where necessary. Scrutiny seeks to engage with the community (where possible) about service inequalities, to enhance the quality of life of all who live, work or visit the area, which will be achieved by scrutinising the policies and services provided by the County Borough Council and whenever possible, working in partnership with other external organisations.

Scrutiny operates through four Overview and Scrutiny Committees which meet at regular intervals, in public, and encourages the public and the wider community to attend; the meetings are usually held in the Council Chamber, Bodlondeb, Conwy.

There is no single definition of Overview and Scrutiny; it therefore, should be viewed as an umbrella term covering a wide range of possible roles. However, the key legislative roles are: -

- Holding the Executive (the Cabinet) to account - Acting as a watchdog for the Cabinet's decision-making,
- Policy development and review - Checking on whether existing policies are effective and helping to shape new ones,
- External scrutiny - Reviewing or investigating matters of particular concern either within the Council or within the Community, including various partnerships e.g. Public Service Board, GwE – North Wales Regional

School Improvement Service, Betsi Cadwaladr University Health Board (BCUHB), etc.

Above all, the process needs to be firmly focused on both matters of importance and in making a difference, as these elements are key to Overview and Scrutiny reaching its potential and being of value to the Council and to local communities.

The Overview and Scrutiny process provides the opportunity for Councillors to:-

- Examine the various functions of the Council;
- To ask questions on how decisions have been made, to consider whether service improvements can be put in place, (act in the capacity of a “Critical Friend”);
- Make recommendations to this effect;
- Champion issues of local concern to residents;
- Participate in the development of new policies.

How Overview and Scrutiny can make a difference?

If applied correctly Overview and Scrutiny can play an important role in the management and operation of Conwy County Borough Council. Such roles may be in the development of policy, monitoring of policy or reviewing the services provided by Conwy.

Quite often when policy issues are being progressed by the Lead Member or Head of Service they may ask the Overview and Scrutiny Committee for its views prior to consideration by the Cabinet.

The advantages to this “pre-decision Scrutiny” are that possible difficulties in proposals can be discussed and resolved at an early stage and an opportunity can be afforded to Councillors to question the implications of any decision. Any comments arising from this “pre-decision Scrutiny” will then be incorporated into the final report submitted to Cabinet for consideration.

Overview and Scrutiny also plays an important role in monitoring corporate and service performance levels against agreed priorities and objectives. This monitoring role enables the Committees to identify areas where more in-depth investigative work may be required.

Call-in Procedure

Overview and Scrutiny Committees continually monitor and review the decisions of the Cabinet. This enables them to consider whether the decisions being taken are appropriate. Should an Overview and Scrutiny Committee come to a view that a decision may be inappropriate, under certain circumstances the Committee is able to use the “Call-in procedure”, to request that the Cabinet reconsider its decision, and they may make an alternative recommendation for the Cabinet to consider.

Requests for a decision to be ‘called-in’ have to be made within a specific timescale, i.e. 5 working days from when the Cabinet Minutes have been published, and the call-in must be supported by three Councillors.

What do Overview and Scrutiny Committees do and how many are there?

There are currently four Overview and Scrutiny Committees, each responsible for reviewing and improving different areas of the Council's work:

Committee	Area of Activity
<p>Finance and Resources Overview and Scrutiny Committee.</p>	<p>To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:</p> <ul style="list-style-type: none"> • Business Planning Framework • Budget monitoring of the Revenue and Capital Budgets • Corporate Plan • Asset Management • Performance Management Arrangements • Oversight of Corporate Risk Management • Programme and Project Management Monitoring Dashboard • General Corporate Policy Development and Review • Coordinating the annual Overview and Scrutiny Report to Council • Corporate Complaints & Compliments Annual Report • Freedom of Information Annual Report (FOI) • Information and Communications Technology • Health and Safety Annual Report • The Welsh Language Policy • Equalities and Diversity (including the Strategic Equality Plan Annual Report and the Employment Monitoring Report) • Co-ordinating the Work Programmes of other Overview and Scrutiny Committees and resolving any disputes in relation to the areas of activity of the other Committees. <p>Partnership Working including scrutinising the work of the Public Service Board</p>
<p>Economy and Place Overview and Scrutiny</p>	<p>To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:</p> <ul style="list-style-type: none"> • Local Development Plan (LDP) • Place Making Plans • Supplementary Planning Guidance • Economic Development and Tourism • Regeneration and Sustainable Development • Housing Strategy • Private Housing including Housing renewal

	<ul style="list-style-type: none"> • Public Protection • Gypsy Traveller Accommodation Needs Assessment • Active and Creative Life Styles • Culture, Libraries and Information • Theatres and Conference Centre • Community Transport • Environment, Roads and Infrastructure - Parks, Countryside, Street Cleansing, Fly tipping removal, Highways, Traffic and Network Management, Recycling and Waste Collection Services, Car parking, flood defence and coastal protection, public conveniences • Emergency Planning / Civil Contingencies • Community Safety Partnership • Regional Waste Management • Other Partnership Working <p>Fulfilling the function of the Crime and Disorder Committee in accordance with section 19(1) of the Police and Justice Act 2006.</p>
<p>Social Care and Health Overview and Scrutiny</p>	<p>To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:</p> <ul style="list-style-type: none"> • Adult Services • Children’s Services • Safeguarding • Protection of Vulnerable Adults • Mental Health • Extra Care Housing/ Residential & Nursing • Social Services Charging Policy • Annual Council Report Framework (ACRF) • Social Services Annual Complaints & Compliments Report • Programme and Transformation Reports • Social Care Transport Services • Partnership Working with Health, Independent and Voluntary Sector • Commissioning • Social Care Inspection and Performance Management • Tackling Poverty Agenda
<p>Education and Skills Overview and Scrutiny</p>	<p>To fulfil all the functions of an Overview & Scrutiny Committee as they relate to the following:</p> <ul style="list-style-type: none"> • School Performance Monitoring • Financial Performance of Schools • School Improvement and Modernisation • Special Educational Needs Services • Access to Education Services

	<ul style="list-style-type: none"> • Social Inclusion Services • School Support Services • Continuing Education and Apprenticeships • School Transport • Partnership Working – GwE
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Overview and Scrutiny Committees meet regularly and publish work programmes which, list their work commitments for the coming months. Any organisation or member of the public can request that an Overview and Scrutiny Committee schedule an issue for consideration on its work programme. The decision as to whether to scrutinise an issue rests with the Chair of the Scrutiny Committee and items will be scheduled according to relative priority.

All four of the Overview and Scrutiny Committees have the ability to co-opt additional members from time to time, in order that they can be provided with appropriate help, guidance and advice.

Task and Finish Groups

Overview and Scrutiny Committees can set up a “Task and Finish Group” to undertake a more detailed review of a topic. Before setting up any Task and Finish Group careful consideration is given to the reasons and merits for doing so, and whether it will deliver real informed options to the main Overview and Scrutiny Committee for taking any issue forward to a successful conclusion. Taks and Finish Groups can co-opt members from external organisations to take part in any investigation e.g. representatives from community networks and representative groups, the voluntary sector, Town / Community Councils, public sector agencies.

Access to meetings

All Overview and Scrutiny Committee meetings are open to the public. Members of the public may contribute to a Scrutiny Committee meeting, in line with the Council’s constitution and at the Chair’s discretion. On occasion the committee will consider issues of a confidential nature (known as exempt items) and on such occasions any members of the public or press that are present will be asked to leave whilst consideration of that item takes place.

Agendas and papers for meetings are available to the public 3 working days in advance of the meeting. These can be also be accessed via the Council’s website.

Have your say - Overview and Scrutiny Public Engagement Protocol

The Council has arrangements in place that enable all persons, who live or work in the area, to bring to the attention of the relevant Overview and Scrutiny Committee their views on any matter under consideration by the Committee.

Furthermore, Overview and Scrutiny Committees must take into account any views brought to its attention.

The Overview and Scrutiny Public Engagement Protocol (also available on the Council's website) provides detailed guidance on:

- Registering an interest in certain topics or Electoral Divisions
- Attendance at meetings of Overview and Scrutiny Committees
- Writing in or submitting a comment on-line
- Suggesting a topic for consideration
- Becoming a witness
- Public speaking arrangements at Overview and Scrutiny Committees
- Petitions

Member and Officer Participation within Overview and Scrutiny

Members' Roles

Members undertaking the Overview and Scrutiny function could be described as, Front Line Councillors, Professional Scrutinisers, or Backbenchers. Whichever description is used, Members performing this function require detailed, accurate, and timely information, in order to carry out their role in an informed way. Therefore, Members will receive a considerable amount of information and may need to attend a number of meetings relating to a specific topic.

Examples of key skills required for effective scrutiny include:

Chairing Skills

Provide clear leadership and direction ensuring that effective questioning is conducted in a focused and balanced way, whilst being able to sum up other people's views and being comfortable to convey them.

Work/Project planning skills

Project planning is an essential part of conducting a review; the ability to plan events to a conclusion taking into account resources and timescales is therefore of paramount importance.

Using Project and Programme Management approaches is a major part of how we undertake changes / improvements for the benefit of Conwy staff and citizens. We deliver a variety of different types of projects and programmes.

Team Working

In order for scrutiny to be effective it is essential that political allegiances are left at the door, to ensure that committee members are able to work as a team towards achieving the best outcomes for the citizens of Conwy County Borough and provide a research resource for the Authority.

Listening skills

In order to fully understand the information relayed it is vital to genuinely listen to others whose views and opinions may differ from your own.

Questioning skills

Effective scrutiny is about asking pertinent, relevant questions to probe for further information. Only by conducting business in this way will the committee be able to offer constructive conclusions and recommendations.

With the introduction of the Well-being of Future Generations Act 2015, Public Bodies in Wales, including Local Authorities, must comply with the Law.

The law says that every public body must carry out sustainable development. Local Authorities and other public bodies must set and publish well being objectives working towards the well being goals. These are set out in the *Conwy Corporate Plan 17-22*. Furthermore, public bodies must also publish a Well Being Statement.

The Act's seven Well-being Goals and Five Ways of Working are set out below:



The production of the Well-being plan will be undertaken by the Joint Conwy and Denbighshire Public Service Board (PSB). The PSB will:

- Assess the state of well-being in the area.
- Set Local Well-being Objectives (Well-being Plan) and seek the advice of the Commissioner.
- Produce an Annual Report.
- Both Conwy and Denbighshire Authorities have appointed 1 Scrutiny Committee to lead on scrutinising the work of the PSB.

What would be the top 5 questions you would ask on behalf of future generations?

Questions	Why would you ask it?
Does our approach increase liabilities and risks for future generations?	To manage long term risk.
How does this increase community resilience over the long term?	To build long term resilience.
Can you explain to a future citizen why you have adopted a short term approach?	To question the business case for short term approaches.
How can you demonstrate that the needs of future generations have been considered?	To ensure an explicit focus on future generations (rather than implicit)
Where does this get us by 2030, 2040, 2050?	To explore how approach fits in with long term outcomes.
What long term trends have you considered in your approach?	To ensure longer term risks and opportunities are considered (not just short term)
What does this mean for a community/ citizen in 2050?	To consider activity from the view of a future community or citizen?
What is the long term legacy of this work?	To question long term qualitative outcomes.

Analytical skills

The ability to review and interpret data and reach conclusions based on clear evidence provided rather than personal opinion.

Officers' Roles

Officers have two main roles: -

1. They support Overview and Scrutiny Committees and Task and Finish Groups throughout the Overview and Scrutiny process. This will include giving advice and guidance on the process, providing background information, research, professional and technical information and administrative support.
2. Providing information to Overview and Scrutiny Committees and answering questions in support of the function. The information Officers provide should be factual and include explanations relating to current policies. Officers should avoid being drawn into discussions on the merits of alternative policies where this is politically contentious. Officers will need to ensure that they are appropriately prepared to provide all relevant information in accordance with the terms of reference of any review, and to address in detail the topics to be explored and the questions likely to be asked.

Officers should be open and co-operate fully with any review. They should not limit themselves to answering questions but should also provide information that is in clear and plain language, avoid (wherever possible) jargon, and being too technical. This will greatly assist in ensuring that the best possible service improvements and community benefits are achieved.

Choosing Scrutiny Topics and Completion of the Topic Selection Proposal Form

The four Overview and Scrutiny Committees support the work of the Cabinet and the Council as a whole. Through adopting a prioritised approach to the selection of topics for consideration, this will enable the Authority to target its resources at key elements of its functions and priorities.

Choosing Scrutiny Topics

Scrutiny Committees should use effective processes to select topics that will contribute towards the best possible Work Programme. This means looking at the sources of information that may help to choose the right topics. This involves:

- Understanding what information is available to help identify potential issues.
- Drawing out and discussing what matters most to Councillors and to the community at large.
- Finding out about any research that has been completed or that is planned, by way of the dedicated scrutiny support staff.
- Prioritising topics.
- Looking at what the Scrutiny function has done before.
- Planning how to get the best from the Committee meetings themselves.

Sources of work programme ideas

Numerous sources of information can help to inform topic selection, including:

- The concerns that have been raised with Councillors on the doorstep, in surgeries or in their divisions.
- Experience with Parent Teacher Association groups, School Governing Bodies, Town/ Community Councils.
- Issues that have been flagged up by audits and inspections (past and present – internal or external).
- Consultations and interviews undertaken that have had feedback provided.
- Poor performance – not meeting targets.
- “Stakeholders” concerns – raised by the Council’s partners and service users - who may feel that the Cabinet is neglecting important priorities.
- Strategic gaps shown up by plans and performance monitoring reports.
- Cabinet Members, Strategic Directors or Heads of Service presentations about the pertinent issues and any opportunities or threats on the horizon.
- Welsh Government and or Central Government priority changes.
- Media issues.
- Budgetary analysis.
- Demographic changes.

Deciding upon Scrutiny topics

The primary focus must be the application of criteria to decision making. It is important that the Committees’ own independent Forward Work Programme does

not exclusively follow what the Council and Cabinet identify as the priorities for Conwy, and that it is open to matters of community concern which may be neglected by those priorities. Scrutiny is also encouraged to think about external Scrutiny and the monitoring of other public bodies, and how its activities will engage partner organisations, the media and the public.

Criteria for examining and testing possible areas of Scrutiny work include:

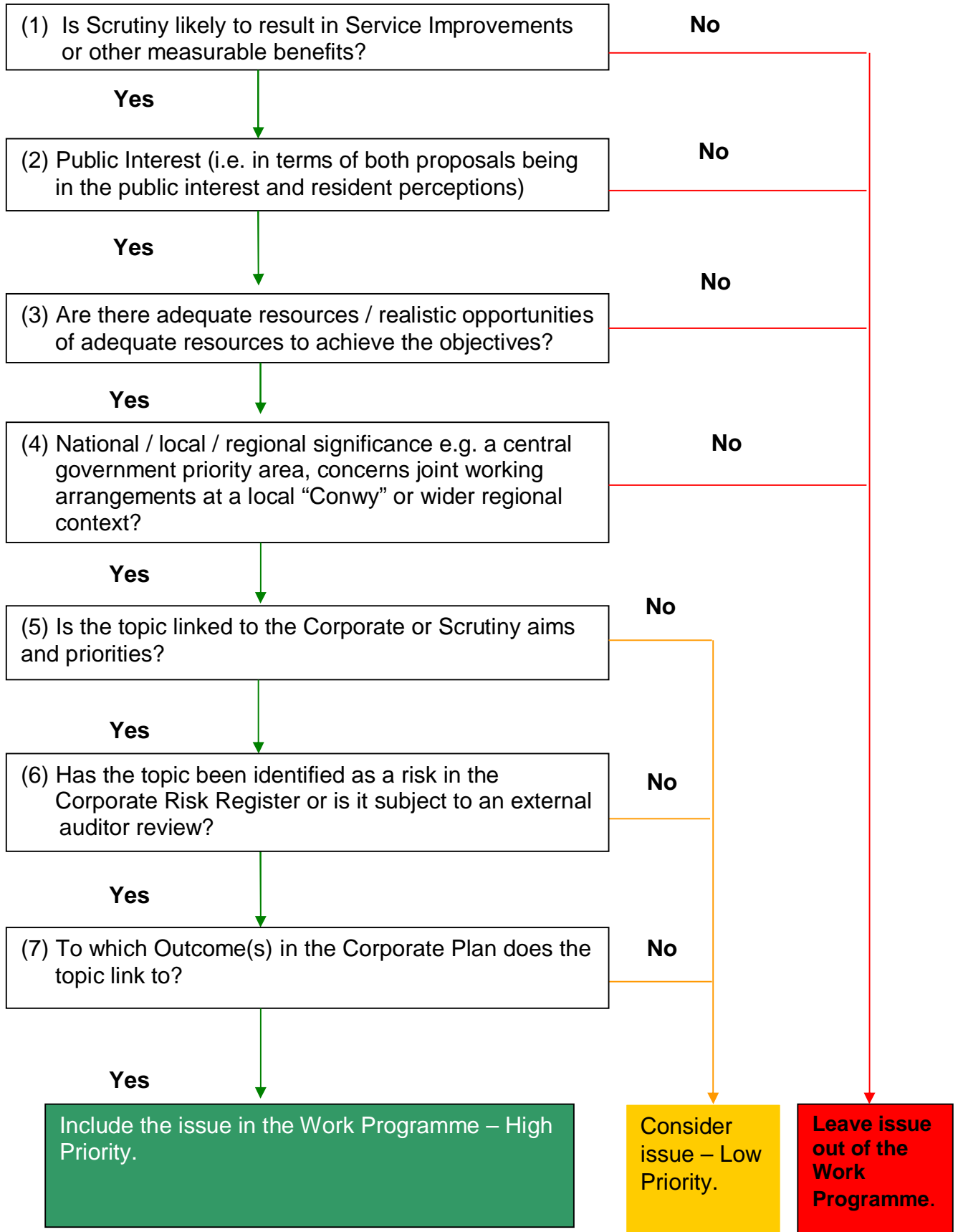
- The 7 - question approach (outlined in the diagram overleaf). Ideally, any topic should meet at least five of these criteria BUT if there is a good reason to make something a priority without meeting 5, that is acceptable as long as the reasons for so doing are clear. The criteria used for any topic selection should be recorded on Appendix A attached to ensure that there is a record of the scoring exercise.
- Considering Strategic Priorities and / or Risk – we have to try to prioritise competing demands, especially given finite time and resources, and there may be risks involved in either doing or not doing a piece of Scrutiny work on any given subject. What will the consequences be of allowing the area to forego Scrutiny?
- Cost and Duration - how feasible is any Scrutiny endeavor in terms of cost and in terms of how timely such work might be?
- Duplication of activity – Some potential topics may duplicate others suggested that are circulating within the Scrutiny process. Some issues for Scrutiny may be cross cutting; others may have already been identified for other Scrutiny Committees, or duplicate Internal Audit work, reviews or external audit inspections.
- Methods of working - it is also important to consider what is the best method to deal with any given Scrutiny topic.

These might include:

- (i) Q & A sessions during an ordinary Scrutiny Committee meeting.
- (ii) Scrutiny commissioned Task and Finish Groups to carry out initial preparation before reporting back to a Scrutiny Committee meeting with recommendations/options. The Terms of Reference for any Task and Finish Group will be clarified using Appendix B.

The choice may depend on the nature of the activity being undertaken, but the capacity of the Scrutiny Committee's members to carry out the work, and the balance of the Committee's activities must also be considered.

Scrutiny Work Plan Topic Selection Questions:



Prioritisation and saying “No”

It is not possible for Scrutiny to do everything that might be suggested by Councillors and the community.

Scrutiny Councillors must be extremely selective and should apply criteria to their decision-making to be certain that the very best topics are chosen. As Scrutiny succeeds in increasing local community involvement it becomes increasingly important to be able to show why and how decisions have been reached. Councillors should be prepared to put the arguments in favor of including a topic, or outlining the potential risks and disadvantages. It requires careful analysis and planning to prioritise those topics that will add the most value to the work programme and have the greatest impact.

Boundaries of Overview and Scrutiny

Whilst the primary role of Overview and Scrutiny committees is to scrutinise and oversee the work of the Cabinet and Council policies and services as a whole, they may also have a role in scrutinising other public bodies. In many instances, partner organisations play a key role in how services are provided within the County Borough and the Overview and Scrutiny Committees may invite the relevant organisations to provide specialist evidence on a broad range of issues.

What Overview and Scrutiny Does NOT Do

Overview and Scrutiny does not get involved in minor matters or individual concerns which are not of wider community or corporate significance. These need to be pursued through the appropriate service, Ward Councillors or with the relevant Cabinet Member. Overview and Scrutiny does not deal with complaints; these are addressed through the Corporate Complaints Procedure.

Scrutiny is not:

- Political;
- An opportunity to question officers on non-agenda items;
- Negative;
- An opportunity to raise Individual cases / individual ward issues

Overview and Scrutiny does not get involved in topics that are the subject of legal proceedings or internal appeals procedures.

Development of Forward Work Programmes

To enable the Overview and Scrutiny Committees to undertake their work effectively, there needs to be a structured approach. To this end, the Overview and Scrutiny Committees produce an integrated Forward Work Programme. This document implies a volume of work that is to be undertaken by each of the four Overview and Scrutiny committees, their formulation must be timely, reasonable and deliverable having regard to their capacity to carry out the programme of work.

It is not possible for Scrutiny to do everything that might be suggested by Members and the community. Overview and Scrutiny Committees must ensure they choose the right issues, which reflect local, regional and national priorities.

In determining when issues are to be considered the Overview and Scrutiny Committees will also need to consult the Cabinet's Forward Work Programme. By considering the Cabinet's work programme, Overview and Scrutiny Committees should be seeking to 'broker' involvement in influencing key decisions and helping with policy formulation. This will also assist them to identify when recommendations / options need to be timetabled on the Cabinet's Forward Work Programme. This approach should ensure that the work of the Overview and Scrutiny Committees would be timed for maximum impact and value, for example, consideration and involvement in the Business Planning Framework.

Meetings of Chairs and Vice Chairs of the Overview and Scrutiny Committees

These meetings enable Chairs and Vice Chairs to: -

- i) Take an active role in co-ordinating an integrated Forward Work Programme for the Overview and Scrutiny Committees. Such meetings would also review the Cabinet Calendar in order to inform the Scrutiny Forward Work Programme.
- ii) Consider possible crosscutting issues, so as to avoid duplication of work by one or more Overview and Scrutiny Committee considering the same/similar issue.
- iii) Invite, regularly, Cabinet Members and the Senior Management Team along to discuss their Forward Work Programme priority issues.

SCRUTINY TOPIC SELECTION FORM

Proposed Topic Title

How has this topic been initiated? Policy/Discussion with Councillor/Recommendation from a Committee

Officer Registering the Topic:

Councillor Register the Topic:

Committee:

Date of Committee:

Is a Cabinet Decision Required

Yes No

Date of Cabinet:

What is the expected outcome (recommendation)?

By considering the topic, how will scrutiny be able to add value to the decision making process?

If you tick at least 5 of the eligibility criteria below your topic will be included on the Forward Plan:-

Is Scrutiny likely to result in service improvements or other measurable benefits?
If your answer is 'yes', please provide an explanation:

Yes No

Public Interest (ie. in terms of both proposals being in the public interest and resident perceptions)
If your answer is 'yes', please provide an explanation:

Yes No

Are there adequate resources/realistic opportunities of adequate resources to achieve the objectives?
If your answer 'yes', please provide an explanation:

Yes No

National/local/regional significance e.g. A central government priority area, concerns joint working arrangements at a local 'Conwy' or wider regional context
If your answer is 'yes', please provide an explanation:

Yes No

Is the topic linked to corporate or scrutiny aims and priorities?

Yes No

Has the topic been identified as a risk in the Joint Risk Assessment or is it subject to an external auditor review?

Yes No

To which Outcome in the Corporate Plan does the topic link to? Tick all that apply.

- | | | |
|---|------------------------------------|--------------------------------------|
| People in Conwy are safe and feel safe | Yes
<input type="checkbox"/> | No <input type="checkbox"/> |
| People have access to affordable good quality accommodation that enhances their quality of life | Yes
<input type="checkbox"/> | No <input type="checkbox"/> |
| People in Conwy are healthy and active | Yes
<input type="checkbox"/> | No <input type="checkbox"/> |
| People in Conwy live in a County which has a prosperous economy | Yes
<input type="checkbox"/> | No <input type="checkbox"/> |
| People in Conwy value and look after the environment | Yes
<input type="checkbox"/> | No <input type="checkbox"/> |
| People in Conwy live in a County where heritage, culture and the Welsh language thrive | Yes
<input type="checkbox"/> | No <input type="checkbox"/> |
| People in Conwy contribute to their community. They are informed, included and listened to. | Yes
<input type="checkbox"/> | No <input type="checkbox"/> |
| Is the purpose of the topic to scrutinise or provide a view on policy? | Policy
<input type="checkbox"/> | Scrutiny
<input type="checkbox"/> |

Could other Councils, partners, external services, voluntary sector or public interest add value to the topic?

Has the Head of Service agreed the topic? Yes No

Note: If a Councillor has submitted the topic, the Scrutiny Support Officer will contact the Head of Service for a comment.

Head of Service:

**CONWY COUNTY BOROUGH COUNCIL
OVERVIEW AND SCRUTINY COMMITTEE.**

TERMS OF REFERENCE FOR A REVIEW OF

Questions 1 to 4 to be completed at the time an Overview and Scrutiny Committee is considering establishing a Task & Finish Group.

Question 5 will be completed by the Strategic Leadership Team or the Senior Management Team; and

Questions 6 onwards will be completed by the Task and Finish Group.

<p>1) Why? Why is a Task and Finish Group considered necessary?</p>	
<p>2) What? <i>What precisely is the Task and Finish Group going to look at?</i></p>	
<p>3) When? When is the Task and Finish Group's work to be completed by?</p>	
<p>4) Who? Lead Member; Other Members (politically balanced if possible). Nominations to be obtained from Political Group Leaders.</p>	

<p>5). A lead Officer for the Task & Finish Group will be appointed by the Strategic Leadership Team or S.M.T.</p>	
<p>6) Format of meetings :</p> <p><i>Venue for meetings – can they be held in the community?</i></p> <p><i>Frequency of meetings.</i></p> <p><i>Co-options – does the Committee wish to co-opt members onto it for the investigation - if so who & why? e.g. “representatives from community networks and representative groups, the voluntary sector, Town / Community Council’s, public sector agencies”.</i></p> <p><i>Member involvement – full Committee, task & finish working group or individual or Members to drive the investigation forward?</i></p>	
<p>7) Conclusions / recommendations.</p>	
<p>8) Follow up matters / issues. <i>What next & who will monitor progress?</i></p>	
<p>9) Date & Minute reference establishing the Task & Finish Group:</p>	

Political and Democratic Arrangements

