

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2014-2015**

**EDUCATION & LIFELONG  
LEARNING SCRUTINY COMMITTEE**

**9<sup>TH</sup> JULY 2014**

**REPORT OF:  
DIRECTOR OF LEGAL AND  
DEMOCRATIC SERVICES**

**Agenda Item No.7**

**PREPARATION OF A WORK  
PROGRAMME FOR THE EDUCATION &  
LIFELONG LEARNING SCRUTINY  
COMMITTEE FOR 2014/15**

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(Tel No 01443 424098)**

**1. PURPOSE OF THE REPORT**

1.1 The purpose of this report is to advise Members on issues for consideration when preparing a Work Programme for the Committee.

**2. RECOMMENDATIONS**

It is recommended that Members:

2.1 Note the content of this report.

2.2 Agree on issues, for inclusion on the Committee's Work Programme for the Municipal Year 2014/15.

2.3 Agree that, the draft Work Programme be amended as necessary, to take on board Members' comments and be presented to the next scheduled meeting of the Committee.

**3. BACKGROUND**

3.1 There is a requirement to devise and publish a Work Programme for each of the Council's Scrutiny Committees as set out in Part 4 of the Constitution, (Overview and Scrutiny Procedure Rules). Each Committee is responsible for setting and agreeing its own Work Programme, although the Overview and Scrutiny Committee will ensure that there is no duplication of work and deliberate if necessary on any cross cutting issues.

3.2 Recommendation 6 of the Estyn 2012 Inspection recommends the need for the Committee to demonstrate 'rigorous and robust scrutiny across all services and partnerships' within the Committees remit.

- 3.3 The terms of reference for the Committee is to undertake the overview and scrutiny role in connection with Children and Young People, School Support and Improvement, Lifelong Learning and Libraries.
- 3.4 The Chair and vice chair of the Committee met with the Scrutiny Support Officer on 9<sup>th</sup> June 2014 and the Director, Education & Lifelong Learning to discuss areas of work and these along with the standard issues are set out in the next section. However, it is important that all Members have the opportunity to consider and put forward items for consideration and it should be noted that the draft work programme is only provided as a basis for discussion.

#### **4. ISSUES FOR CONSIDERATION**

- 4.1 Before identifying any potential new areas of work the Committee will need to consider the inclusion of a number of standard items such as:

**Financial and Performance Management** – Each Scrutiny Committee receives quarterly ‘Exception Reports’ containing information which has been drawn from the Cabinet’s Performance and Resources Committee reports by the Scrutiny Performance Management Co-ordinator in conjunction with officers and with the agreement of the Chairs and Vice Chairs of each Committee. Following a recent decision by scrutiny members, statistics in relation to Fixed Penalty Notices will also be incorporated within the quarterly exception reports. The Local Authority Estyn Action Plan is now incorporated within this information.

In addition, the Committee will act as the ‘lead’ scrutiny committee for the following Outcome Agreement area:

- Education

**Corporate Plan and Annual Delivery Plan** – Working groups of each scrutiny committee will play a part in reviewing the Council’s Annual Delivery Report which is an assessment of performance for the previous financial year. This will take place in the autumn. Members will be aware that the scrutiny working groups met in May to provide feedback on the draft improvement priority action plans which form the Corporate Plan and subject to review this process will take place once again in the spring of 2015 in preparation for the 2015/16 Corporate Plan. Due to the cross cutting nature of the Corporate Action Plans ‘Education’ and ‘Children’s services’ the plans are scrutinised through a Joint working group of the Education & Lifelong Learning Scrutiny Committee and Community & Children’s Services Scrutiny Committee.

**Budget Consultation Process** – The Committee is involved in the annual Revenue Budget Strategy consultation process.

**Annual Reports** - The Committee will also have opportunity to scrutinise the Welsh Public Library Standards Annual report and the Annual report on School Performance during the Municipal Year.

4.2 **Task & Finish Groups** - the Committee has no on-going working groups:

4.3 **Review / Monitoring** – In line with recent Committee practice regular updates on Estyn School Inspections will be provided to the Committee. Estyn feedback on the Local Authority recommendations will also be presented to the Committee. The Committee will still play an active role in monitoring the Authority's school attendance performance, through termly attendance reporting.

Other items for the Committee consideration include the Welsh in Education Strategic Plan and the review of the Fixed Penalty Notices.

4.4 **Outstanding items** – During the 2013/14 Municipal Year Members agreed that the Committee should consider the following areas which have yet to be considered:- 'More able and Talented pupils within Secondary Schools' and also the 'Educational outcomes for Looked After Children'.

4.5 **Fframwaith Children & Young People's Partnership** – the scrutiny of the Fframwaith Partnership has been an area of concern for both the Community & Children's Services and Education & Lifelong Learning Scrutiny Committee and it is therefore proposed that a report be presented to both committees which will provide an update on the work which Fframwaith supports. The service Director, Direct Services, Business & Housing Members also agreed at the Committee meeting in April to attend meetings of the Education & Lifelong Learning Scrutiny Committee on a quarterly basis. (Members should note that the Fframwaith Partnership Board now meets quarterly rather than bimonthly therefore the reporting of their minutes to scrutiny will be less frequent.)

4.6 **Self Evaluation Report** - The Local Authority Education services for Children and Young People 2014 Self Evaluation report was considered by Cabinet in May. This report is attached to the agenda for the Committees review. The report may also assist Members with informing the Committees work programme for the Municipal Year.

4.7 **Joint Education Service** – School Improvement. Following the Welsh Governments report and guidance in respect of 'National model for regional working' it is advised that each Local Authority and their respective regional consortium will make arrangements for 'robust democratic scrutiny of the consortium'.

4.8 Suggestions for potential areas of work are listed below for the Committee's consideration.

- Additional Needs Funding
- Youth Support Service
- Leadership / Quality Teaching – Teach First Scheme
- General Good practice Initiatives
- Families and Schools together (FAST)

- 4.9 In addition to the above considerations, the Committee could receive requests from the Executive or other committees e.g. Council or Audit Committee to consider a particular issue. The introduction of Councillor Calls for Action through the Local Government (Wales) Measure 2011 also has the potential to create additional work for the Committee. However, it should be noted that the Committee has not received any Councillor Calls for Action during the last two years.
- 4.10 The Council's Constitution requires that there is a minimum of eight meetings of the Committee each year. There have been 7 dates scheduled in the work programme which will allow the Committee some flexibility in arranging additional meetings.

## **5. WALES AUDIT OFFICE (WAO) SCRUTINY IMPROVEMENT STUDY**

- 5.1 Members may recall the WAO scrutiny improvement study which began in the Autumn of 2012 and involved each council undertaking a self assessment process and forming a peer learning exchange team to visit other authorities.
- 5.2 The WAO has now published its report arising from the study "Good Scrutiny? Good Question!" which makes a number of recommendations aimed at improving the recognition, effectiveness, and impact of scrutiny. Amongst its recommendations, the report recommends that councils should further develop scrutiny forward work programmes to:
- provide a clear rationale for topic selection;
  - be outcome focussed;
  - ensure that the method of scrutiny is best suited to the topic area and the outcome desired;
  - align scrutiny programmes with the council's performance management, self evaluation and improvement arrangements.
- 5.3 At the meeting of the Overview & Scrutiny Committee held on 9<sup>th</sup> June 2014, it was agreed that a working group be formed to consider how best to take forward the recommendations within the report and the results of this work will be fed through to the service scrutiny committees in due course. A copy of this report is attached for information purposes only. (Appendix 2)

6. **CONCLUSION**

- 6.1 Attached at Appendix 1 for Members' consideration is a draft work programme based on the issues discussed at paragraph 4. Members are asked to consider whether they are in agreement with the suggestions put forward and whether there are other issues which they would like included on the work programme. If the Committee feels that it is unable to deal adequately with all the issues put forward, it may be necessary to prioritise.
- 6.2 It should also be noted that whilst it is useful to have a plan of work for the Committee, it must also be appreciated that work programmes need to be flexible to respond to changing priorities.
- 6.3 The draft work programme will be amended based on Members' comments and brought back to the next scheduled meeting of the Committee.

**LOCAL GOVERNMENT ACT 1972**

**as amended by**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

**EDUCATION & LIFELONG LEARNING SCRUTINY COMMITTEE**

**9<sup>TH</sup> JULY 2014**

**REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES**

**PREPARATION OF A WORK PROGRAMME**

Freestanding Matter

(Officer to Contact: Emma Coates, Scrutiny Support Officer – Telephone No. 01443 424098)

Education & lifelong Learning Scrutiny Committee  
WORK PROGRAMME 2014/15.

Wed 11th June 2014	Wed 9th July 2014	Wed 3rd Sept 2014	Wed 1st Oct 2014	Nov-14	Wed 9th Dec 2014	Wed 28th Jan 2015	Mar-15	Wed 8th April 2015
Committee 5pm	Committee 5pm	Committee 5pm	Committee 5pm		Committee 5pm	Committee 5pm		Committee 5pm
<b>Fixed Penalty Notices - School Attendance</b>	<b>Draft Work Programme</b>	<b>Finalise Work Programme</b>	<b>Budget &amp; Performance Exception report</b>		<b>Budget &amp; Performance Exception report</b>	<b>Phase 2 Budget Consultation</b>		<b>Budget &amp; Performance Exception report</b>
	Education Outcomes for Looked After Children	More Able & Talented pupils in Secondary School	Draft School / Education Performance Report <b>(JES)</b>		<b>Phase 1 Budget Consultation</b>	Half Termly School Attendance performance		Half Termly School Attendance performance
	Half Termly School Attendance performance	<i>Additional Needs Funding</i>			Half Termly School Attendance performance	Fframwaith update		Estyn Inspection Update
	Estyn Feedback Letter	Fframwaith update			Library Standards Annual report	<i>FAST Project</i>		<i>Youth Support Service</i>
	Self Assessment				Estyn Inspection Update			
					<i>Sick Lit Update</i>			

**Suggested Areas**

Action Plan - Welsh in Education Strategic Plan  
JES - School Improvement Service  
Update on Sick Lit recommendations

Leadership / Quality Teachers - Teach First Scheme  
Good Practice Initiatives  
FAST project - Families and Schools Together

Youth Service  
Additional Needs Funding

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Archwilydd Cyffredinol Cymru  
Auditor General for Wales

# Good Scrutiny? Good Question!

Auditor General for Wales improvement study:  
Scrutiny in Local Government



WALES AUDIT OFFICE  
SWYDDFA ARCHWILIO CYMRU



I have prepared and published this report in accordance with the  
Public Audit (Wales) Act 2004

The team who delivered the work comprised Chris Bolton, Tim Buckle,  
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# Contents

Local government scrutiny in Wales is improving but councils need to do more to develop consistently rigorous scrutiny to increase public accountability in decision-making

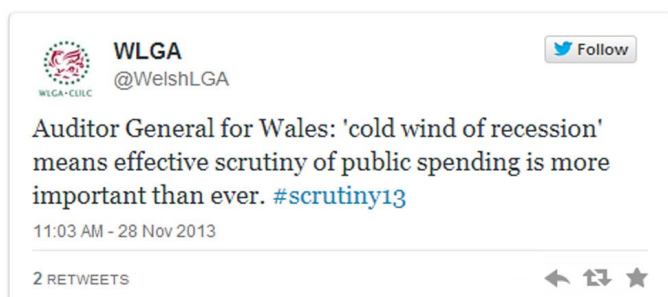
<b>Summary</b>	<b>4</b>
Recommendations	7
<b>Detailed Report</b>	<b>8</b>
Scrutiny practice is improving, but the impact that scrutiny is having is not always clearly evident	8
Whilst a majority of councils consider that there is a supportive environment for scrutiny, some lack of clarity of roles and responsibilities can limit the effectiveness with which scrutiny holds the executive to account	13
Better planning, more effective chairing and improvements to the range, quality and use of information are required to improve scrutiny across councils in Wales	16
In general, council scrutiny is not always fully aligned with other council improvement processes, nor builds on external audit, inspection and review	21
More effective engagement with the public and partners will improve scrutiny and increase public accountability	23
<b>Appendices</b>	
Appendix 1 - Self-evaluations and peer team evaluations	27
Appendix 2 - Outcomes and characteristics for effective local government overview and scrutiny	43

# Summary

‘Effective scrutiny is vital in ensuring high quality public services which meet the needs of the public and in ensuring public services make best use of their money’

Local Government Minister, Lesley Griffiths, November 2013

- 1 The importance of effective scrutiny is magnified as public services respond to the challenge of the global financial situation whilst continuously seeking to improve services. Effective scrutiny can improve the evidence base for decisions on the allocation of resources as well as ensuring that decisions are transparent and in accordance with the needs of the local community. Scrutiny also has an important role to play in contributing to developing policy, undertaking specific reviews and in monitoring performance. The development of effective joint scrutiny arrangements for new and emerging collaborations is also likely to be a key focus for public services over the next few years. Scrutiny functions will also need to continue to respond to the changes introduced through the Local Government (Wales) Measure 2011. These changes include the requirement to take into account the views of the public, and the ability to form joint overview and scrutiny committees with one or more local authorities.
- 2 Weaknesses in council scrutiny arrangements have been identified in numerous reviews and audit and inspection reports since scrutiny arrangements were introduced into local government following the Local Government Act 2000. For example: the Welsh Government’s Review of Local Service Delivery<sup>1</sup> in 2006; the Care and Social Services Inspectorate Wales (CSSIW) Chief Inspector’s Annual Report 2010-11<sup>2</sup>; Estyn’s Annual Report 2009-10<sup>3</sup>; and the Welsh Government’s explanatory memorandum to the Local Government (Wales) Measure 2011<sup>4</sup>.
- 3 The Auditor General for Wales recognises the need for improved scrutiny arrangements and the need to focus on issues of transparency and openness to challenge. These improvements are necessary to ensure that scrutiny plays a fully effective role in the good governance of local authorities in Wales. For these reasons, in 2012, the Auditor General committed to undertake an Improvement Study to explore how scrutiny could improve in councils in Wales.
- 4 Our approach to this study was innovative and differed from the traditional audit approach by involving facilitation of ‘real-time’ peer review, learning and improvement in scrutiny over a period of just over a year. The aim of the study was to help councils achieve lasting improvements in scrutiny. Wales Audit Office staff worked with councils to provide an opportunity for those involved in scrutiny to identify where improvements to their own arrangements may be required, and to share knowledge and experience with others to find solutions.



1 *Beyond Boundaries: Citizen Centred Local Services for Wales*. Review of Local Service Delivery: Report to the Welsh Assembly Government, Welsh Government, Crown Copyright, 2006.  
 2 *CSSIW Chief Inspector’s Annual Report 2010-2011*, Crown Copyright, 2012.  
 3 *Estyn Annual Report 2009-2010*.  
 4 *Local Government (Wales) Measure – Explanatory Memorandum incorporating the Regulatory Impact Assessment and Delegated Powers Memorandum*, Welsh Assembly Government, July 2010.

- 5 The study enabled councils to evaluate their own performance, share knowledge, develop skills, build and strengthen relationships, and identify new opportunities for working together with other councils and partners. To support shared learning, we developed Peer Learning and Evaluation Teams at each council, comprising scrutiny members and officers. These teams were involved in observing and evaluating scrutiny at another council. Results of these peer evaluations are set out in [Appendix 1](#).
- 6 The study helped to shape the proposed Key Characteristics of Effective Overview and Scrutiny that the Welsh Local Government Association and partners had initially crafted from existing good practice guidance. Since the completion of the study an agreed set of 'outcomes and characteristics for effective local government overview and scrutiny' has been developed by the Wales Scrutiny Officers Network, supported by the Centre for Public Scrutiny (CfPS)<sup>5</sup>. These characteristics are listed in [Appendix 2](#).
- 7 On 28 November 2013 a national conference, *Scrutiny in the Spotlight: Investing to maximise its impact*, was organised and hosted jointly by Cardiff Business School, the CfPS, the Wales Audit Office, Welsh Government, and the Welsh Local Government Association. Part of the conference programme was developed to explore some common themes that emerged from the Wales Audit Office study and to seek ways of addressing the challenges ahead.
- 8 The national conference generated a lot of activity on social media, particularly via 'Twitter'. Participants and those engaged virtually, made useful contributions and observations that we have reproduced at various points throughout the report.
- 9 This report aims to highlight the challenges discussed at the conference and is based on: councils' self-evaluations; peer evaluations carried out by member and officer teams from other councils; and observations and existing accumulated knowledge of staff of the Wales Audit Office on councils' scrutiny functions and governance arrangements. It sets out what the Auditor General sees as the main challenges to more effective scrutiny and draws on various contributions to the national scrutiny conference in outlining potential solutions.
- 10 Overall we conclude that: local government scrutiny in Wales is improving but councils need to do more to develop consistently rigorous scrutiny to increase public accountability in decision-making. Councils demonstrated a genuine commitment to learning and improvement throughout the course of the study, and in many councils scrutiny practice at committees has improved. However many challenges remain. In summary we found that:
- a scrutiny practice is improving, but the impact that scrutiny is having is not always clearly evident;
  - b whilst a majority of councils consider that there is a supportive environment for scrutiny; some lack of clarity of roles and responsibilities can limit the effectiveness with which scrutiny holds the executive to account;
  - c better planning, more effective chairing, and improvements to the range, quality and use of information are required to improve scrutiny across councils in Wales;
  - d in general, council scrutiny is not always fully aligned with other council improvement

<sup>5</sup> The Centre for Public Scrutiny is an independent charity, focused on ideas, thinking and the application and development of policy and practice for accountable public services.

processes, nor builds on external audit, inspection and review; and

- e more effective engagement with the public and partners will improve scrutiny and increase public accountability.

- 11 Subsequent to the study and national scrutiny conference, the 'Commission on Public Service Governance and Delivery'<sup>6</sup>, established by the First Minister of Wales, published its findings in January 2014. The Commission's report identified scrutiny as an important lever to secure improvement, but highlighted that it needed development as, amongst other factors, the fundamental importance of scrutiny in driving improvement was not recognised. Amongst the Commission's recommendations were that:
- a The importance, status and value of scrutiny must be recognised, prioritised, continually sustained and reinforced.
  - b Organisations must regard scrutiny as an investment to deliver improvements and future savings. They must resource and support scrutiny accordingly.
- 12 Throughout this report we will refer to extracts and recommendations of the Commission's report where relevant.

<sup>6</sup> Commission on Public Service Governance and Delivery – January 2014.

# Recommendations

Recommendation	Responsible partners
R1 Clarify the role of executive members and senior officers in contributing to scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R2 Ensure that scrutiny members, and specifically scrutiny chairs, receive training and support to fully equip them with the skills required to undertake effective scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R3 Further develop scrutiny forward work programming to: <ul style="list-style-type: none"> <li>• provide a clear rationale for topic selection;</li> <li>• be more outcome focussed;</li> <li>• ensure that the method of scrutiny is best suited to the topic area and the outcome desired; and</li> <li>• align scrutiny programmes with the council's performance management, self-evaluation and improvement arrangements.</li> </ul>	Councils
R4 Ensure that scrutiny draws effectively on the work of audit, inspection and regulation and that its activities are complementary with the work of external review bodies.	Councils, Staff of the Wales Audit Office, CSSIW, Estyn
R5 Ensure that external review bodies take account of scrutiny work programmes and the outputs of scrutiny activity, where appropriate, in planning and delivering their work.	Staff of the Wales Audit Office, CSSIW, Estyn
R6 Ensure that the impact of scrutiny is properly evaluated and acted upon to improve the function's effectiveness; including following up on proposed actions and examining outcomes.	Councils, Welsh Government, Welsh Local Government Association
R7 Undertake regular self-evaluation of scrutiny utilising the 'outcomes and characteristics of effective local government overview and scrutiny' developed by the Wales Scrutiny Officers' Network.	Councils
R8 Implement scrutiny improvement action plans developed from the Wales Audit Office improvement study.	Councils
R9 Adopt Participation Cymru's 10 Principles for Public Engagement in improving the way scrutiny engages with the public and stakeholders.	Councils

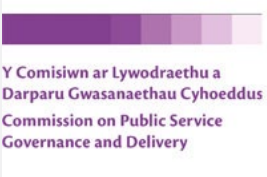
The responsible partners named above should co-operate in ascertaining how they will respectively and collectively address these recommendations and how others may be involved; for example the Wales Scrutiny Officers Network and the Welsh Government Scrutiny Reference Panel.

## Detailed Report

- 13 The detailed report that follows explores the challenges set out in our conclusions in more detail, and points to potential solutions using ideas explored at the national conference as a springboard to improvement.

### Scrutiny practice is improving, but the impact that scrutiny is having is not always clearly evident

- 14 This part of the report examines the extent of scrutiny activity taking place in councils across Wales and whether councils are able to demonstrate the contributions that the activity is making and the impact that it is having.



Y Comisiwn ar Lywodraethu a Darparu Gwasanaethau Cyhoeddus  
Commission on Public Service Governance and Delivery

**Commission on Public Service Governance and Delivery**

'As part of raising the status and profile of scrutiny, and engaging citizens, there must be increased visibility of the outputs and outcomes from local government scrutiny.' – recommendation 31.

- 15 During the autumn of 2012 and spring of 2013 all councils in Wales took an active part in our scrutiny improvement study, and engaged well with peer councils during peer evaluations and learning workshops. Peer Learning and Exchange Teams, consisting of both councillors and officers, were established at each council. The Peer Learning and Exchange Teams provided an external perspective to a peer council by evaluating its scrutiny function against criteria developed jointly by the Wales Audit Office, the Welsh Local Government Association, Welsh Government and the Wales Scrutiny Officers

Network. The Peer Learning and Exchange Teams also took part in regional learning workshops.

- 16 Staff of the Wales Audit Office who acted as co-ordinators throughout the study reported back that councils demonstrated a genuine commitment to learning and improvement throughout the course of the study, and many have continued to work with their peers to share information to improve practice. In many councils, Wales Audit Office staff have witnessed improved scrutiny practice at committees that they have attended since their involvement in the study.

- 17 In our national summary report *Local Improvement Planning and Reporting in Wales, September 2013*, we noted that many councils were providing scrutiny committees with a better range of relevant and up-to-date information than had previously been the case. This trend in relation to the range and timeliness of information being provided to scrutiny is encouraging, although the report also noted that there is scope for further improvement to ensure that information is consistently relevant, up-to-date and timely. Later in this report we will return to issues relating to the range and quality of information used by scrutiny committees to undertake their work.

- 18 Improvements to scrutiny practice need to be judged against the outcomes that result from its activities. Demonstrating the impact of scrutiny is important, not least in view of the considerable investment of time and resources in scrutiny functions across Wales, as well as the benefits that effective scrutiny can bring to governance, accountability and improvement. The Minister for Local Government and Government Business highlighted the importance of effective scrutiny in her keynote address to the national scrutiny conference, saying that: 'Scrutiny is at the heart and soul of effective governance and accountability. It is integral to demonstrating



local authorities are open and transparent.’ She supported the collective investment of time and resource in scrutiny activity, but stressed that it needs to add value and that scrutiny is ‘a classic ‘invest-to-save’ service for the public sector’.

- 19 Value, of course, must be seen in the context of the amount of time and money dedicated to the exercise of scrutiny, and the corresponding quality of outcomes generated. The Local Government Act 2000, which created separate Executive and Overview and Scrutiny functions within councils, requires that councils operating executive

arrangements create a minimum of one Overview and Scrutiny Committee which is composed of councillors who are not on the Executive Committee, or Cabinet, of that council. There is no national standard or prescription on the committee structure that councils adopt to satisfy these legislative requirements. A wide variety of designations and structures are in use, ranging from single committees to multiple committees with task and finish groups. The scale of local government scrutiny activity across Wales is significant as demonstrated in the table below.

### Overview and scrutiny committees at the start of the 2013-14 civic<sup>7</sup> year

	Wales total	Lowest/highest per council	Average per council
Number of overview and scrutiny committees	92	1 - 6	4.2
Number of overview and scrutiny committee positions	1221	16 - 92	55.5
Number of overview and scrutiny members	842	14 - 58	38.3

### Scrutiny activity during the 2012-13 civic year

	Wales total	Lowest/highest per council	Average per council
Number of overview and scrutiny meetings	827	8 - 63	37.6
Number of task and finish groups	107	0 - 18	4.9
Number of task and finish group meetings	573	3 - 200	26.0
Number of executive decisions ‘called in’	27	0 - 6	1.2

<sup>7</sup> The period between Annual Full Council meetings.

- 20 The amount of senior salary payable to an overview and scrutiny committee chair for 2013-14 is £21,910 (inclusive of a basic salary of £13,175 payable to all members of principal councils). Therefore, assuming that a senior salary is paid for the entire civic year 2013-14 for the chair of each of the 92 committees that were in existence at the start of the 2013-14 civic year, this would amount to approximately an additional £803,000.
- 21 In addition to the resources directly related to members' involvement in scrutiny, councils also expend resources on aspects of scrutiny support, including officer time and administrative support for meetings. The Welsh Government has also committed to spending £360,000 between 2012-13 and 2014-15 on supporting the Centre for Public Scrutiny to deliver a bespoke work programme in support of scrutiny in Wales. In addition, the Welsh Government has committed £300,000 over the same period in support of the third phase of the Scrutiny Development Fund in Wales. Also the Welsh Government, under the European Social Fund Local Service Board Development and Priority Delivery Project, funds the cost of an inward secondment to provide practical advice on the delivery of its programme of support for scrutiny, with a focus on Local Service Board scrutiny and developing collaborative scrutiny arrangements. Finally, the Welsh Government provides an improvement grant to the Welsh Local Government Association (£1.7 million in 2013-14), some of which is earmarked to support officers and members in delivering an effective scrutiny function.

- 22 Despite all this investment, and subsequent improvements in the quality of scrutiny practice, the impact of scrutiny activity is not always evident and is rarely captured. Of the 20 councils who responded to a study question on impact in their self-evaluations, a majority felt that scrutiny had a positive or significant impact. However, eight out of the 20 councils felt this was only partly the case. Peer evaluation teams were less positive about councils being able to demonstrate the impact of scrutiny. This resonates with the CfPS' Annual Survey of councils in England and Wales 2012-13, whereby in response to the question: 'How much difference do you think scrutiny makes to people's lives?' only three of 18 responses from Wales answered 'a lot', 10 'a little', four 'very little' and one 'none'<sup>8</sup>.



- 23 We observed some committees failing to arrive at clear conclusions and recommendations, along with a lack of 'summing up', or insufficient time being devoted to debating possible conclusions and recommendations. Some of the areas for improvement identified in councils' final self-evaluations included: the need for scrutiny committees to undertake better project planning and scoping of scrutiny activity with outcomes in mind; and the need for scrutiny committees to identify clear recommendations or outcomes from their work.

<sup>8</sup> The options were 1. None. 2. Very little. 3. A little. 4. A lot.

An example of a positive outcome from scrutiny was given by Dave McKenna, Scrutiny Manager at **City and County of Swansea Council**, at the national scrutiny conference. The work done by Swansea's Overview and Scrutiny Child and Family Services Board led to a peer mentoring scheme being set up for young care leavers by people that had previously been care leavers. This scheme resulted in a positive outcome those being mentored but also for the mentors who received an accredited qualification. Dave wanted to illustrate that scrutiny is a process with a number of stages and if you get all of those stages right then that can lead to a really good outcome. A video clip of Dave explaining this example can be viewed using the following link.

**Dave McKenna**

*Dave McKenna link - <http://vimeo.com/94525623>*

- 24 There are some practical measures that councils can put in place to encourage scrutiny committees to have a clearer focus on outcomes. These could include:
- a clearly identifying anticipated outcomes at the topic selection stage;
  - b considering what method of scrutiny activity is likely to have the most impact;
  - c ensuring that reports submitted to scrutiny committees clearly outline the intended role for the scrutiny committee; and
  - d setting out the options available to the committee in drawing its conclusions.
- 25 The Centre for Public Scrutiny has developed practical advice and guidance to assist councils in focussing on outcomes and measuring the impact of scrutiny.



#### **CfPS – 'Return on Investment' approach**

Drawing on the concept of 'return on investment (ROI)', CfPS has developed models which can assist the development of work programmes that better demonstrate the value and impact of scrutiny activity. A more structured approach to choosing topics and appropriate methodologies can help ensure that the limited resources available to scrutiny are used to maximum benefit.

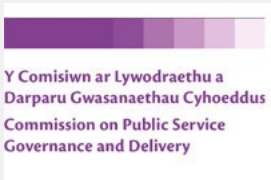
Action learning from practical application of ROI tools has shown scrutiny to have greater positive impact when outcomes are carefully considered at every stage of the process. Crucially this includes estimating and evaluating the measurable impact of scrutiny recommendations at the outset as a key part of developing the 'business case' for scrutiny. Furthermore, practitioners who have applied ROI methodologies in their area also found that identifying process and outcome measures builds a better understanding of local communities by triangulating local stories with data and national patterns and giving marginalised groups a voice in reviews.

The CfPS publication '[Tipping the Scales](#)' (2011) provides practical advice and guidance on ROI approaches as based on the experiences of five Scrutiny Development Areas. '[Valuing Inclusion](#)' (2012) provides a refinement on ROI and focusses on engagement as an essential component of the model enabling scrutiny members and officers to meet directly with members of local communities and listen to their experiences and expertise.

CfPS is currently in year three of its scrutiny support programme for local authorities in Wales aimed at strengthening capacity and capability for effective public service scrutiny in the context of public sector reform and continued financial austerity.

*Links - [www.cfps.org.uk/publications?item=7137&offset=25](http://www.cfps.org.uk/publications?item=7137&offset=25)  
[www.cfps.org.uk/publications?item=7303&offset=0](http://www.cfps.org.uk/publications?item=7303&offset=0)*

- 26 It is also important that scrutiny members make clear the reasons why they have requested information and reports. Similarly, if officers suggest items to be considered by a scrutiny committee, they should ensure that there is a clear rationale for doing so. A more challenging task will be the development of more robust measures capable of demonstrating the impact of scrutiny. The agreement of a set of core characteristics and outcomes represents a good starting point for achieving this.
- 27 Robust self-evaluation of scrutiny functions could also help to ensure that scrutiny focuses sufficiently on outcomes. A number of councils referred to undertaking some form of self-evaluation of their scrutiny functions. Approaches to this included: the production of a scrutiny annual report; a chairs 'away day'; and committees undertaking an evaluation of their own performance after every meeting. Councils have welcomed the facilitation of self-evaluation through the Auditor General's study and recognise that this is an area that should be developed further and embedded within their work.



**Commission on Public Service Governance and Delivery**

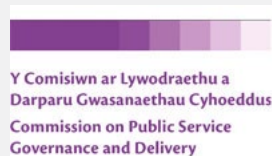
'Organisations must adopt a 'best practice' approach to scrutiny, not a 'least required'. The scrutiny outcomes and characteristics being prepared by the CfPS must be developed in discussion with other public sector organisations. Once agreed, they must be adopted by each organisation within 6 months.' - recommendation 32.

### Key Characteristics of Effective Overview and Scrutiny

The Wales Scrutiny Officers Network, supported by the CfPS has developed a set of key characteristics that councils can subscribe to aimed at achieving 'better outcomes', 'better decisions' and 'better engagement'. Staff of the Wales Audit Office have been engaged at various times throughout the development of the outcomes and characteristics and view them as a very helpful description of effective scrutiny. These can be found in Appendix 2.

**Whilst a majority of councils consider that there is a supportive environment for scrutiny, some lack of clarity of roles and responsibilities can limit the effectiveness with which scrutiny holds the executive to account**

28 This part of the report examines the culture within which scrutiny operates, the value afforded to it, and the quality of the support, structures and processes in councils. It is based on a mixture of self-evaluations by councils themselves, observations of peer learning teams, and audit observations and accumulated knowledge.



**Commission on Public Service Governance and Delivery**

‘All elected members, independent health board members, non-executive directors, and officers must acknowledge the importance and value of scrutiny in improving services for people and organisations in Wales. The independence of scrutiny must be strongly asserted and protected, as must its essentially constructive and positive nature.’

‘Executive members, non-executive directors, and officers, must similarly acknowledge the value of scrutiny in helping them to deliver services better. They must publicise and explain their decisions clearly, and invite scrutiny of them, including pre-decision scrutiny, willingly and openly. They must also acknowledge and respond to scrutiny reports promptly and in good faith.’ – recommendation 31.

29 Council self-evaluations were relatively positive about how well the role of scrutiny was understood, valued and supported. Several councils reported a number of contributions that scrutiny has made to policy and decision making and the positive way in which scrutiny is regarded. A majority of councils believe the relationship between overview and scrutiny committees, the executive and senior officers is supporting effective scrutiny. Some of the positive aspects noted included:

- a the development of pre-decision scrutiny;
- b cabinet members and senior officers making direct referrals of issues and decisions to scrutiny committees;
- c cabinet members and senior officers taking part in work planning sessions for scrutiny committees; and
- d the existence of protocols/role descriptions setting out how scrutiny committees, cabinet members and senior officers should work together.

30 However, some councils and peer observers felt that the relationship between scrutiny committees and cabinet members could be improved. Also, through committee observations we found that the relationship between the executive and scrutiny is not always clear. In some councils, cabinet members were invited to attend some scrutiny committee meetings to answer questions or provide perspectives on key issues, and a clear demarcation of roles taken at these meetings was evident. In other councils, cabinet members were not present at scrutiny committee meetings, or where they were in attendance, they did not participate in meetings and seemed to have no clear role to play.

31 There may be confusion about the role of scrutiny committees in holding the executive to account in councils where those roles and responsibilities have not been adequately set out. Scrutiny committees are unlikely to effectively hold the executive to account if cabinet members are rarely invited to attend scrutiny committee meetings to answer questions or provide evidence. Councils should ensure there is clarity about the role of the cabinet member at scrutiny committee meetings to ensure that accountability is clear and that constructive challenge is facilitated without undermining the independence of scrutiny. Scrutiny committees should also ensure that they are clear on the reasons why they wish cabinet members to attend meetings before inviting them to attend.

32 Where there is a lack of clarity of role and function, it is likely that there is no full appreciation of the value of scrutiny in the democratic process and in holding the executive to account.

#### 'Holding to account – implications and consequences'

A keynote speaker at the national scrutiny conference was Peter Watkin Jones, solicitor to the Mid Staffordshire NHS Foundation Trust public inquiry. Peter gave a captivating address on the importance of a strong accountability culture and the need for non-executives and scrutiny members to check and challenge assurances given to them in order to properly hold to account.

[A link to conference outputs and Peter's thoughts can be found here.](#)

*Link - <http://goodpracticeexchange.wordpress.com/2014/01/10/scrutiny-beyond-boundaries/>*

33 Councils' self-evaluations showed mixed views regarding the support received from the officers across the Council, with just under half of councils believing that this was only partly supporting effective scrutiny. A few councils also recognised the need to increase understanding of the role of scrutiny amongst officers, and some areas for improvement identified in the self-evaluations related to officers' attendance at meetings. Through observations of scrutiny committees we found that the role of senior officers in scrutiny appears to be unclear in some councils. Some councils had clearly set out the roles and responsibilities of officers, with officers being asked to attend committee meetings to answer questions and present reports or evidence. There were also a number of observations from peer teams that found officers attending for the duration of committee meetings without any apparent reason. A concern also identified is the extent to which the expertise of officers is consistently drawn upon by scrutiny committees.

34 In view of these observations, it is important that councils reflect on the role of senior officers in the scrutiny process to ensure that officers' time is used most effectively. The expertise and knowledge of officers should be drawn upon sufficiently by committees in carrying out their scrutiny role, whilst ensuring that scrutiny processes remain led by scrutiny committee members. We found that councils where officers were invited to attend for specific items as 'witnesses' to answer questions, rather than attending whole meetings almost as an ex-officio member of the committee, helped to encourage more effective and targeted questioning and to reinforce the distinct roles of scrutiny committee members, senior officers and executive members. Dedicated scrutiny support officers have a key role to play in helping scrutiny committees to plan for officer contributions and to liaise with those officers to ensure that the committees maximise the resources available to them.

### Clarifying respective roles in overview and scrutiny

Clearly setting out the roles of scrutiny chairs, scrutiny committees, cabinet members and officers in the process of overview and scrutiny means that there should be no ambiguity, no overlap and that appropriate and timely contributions can be made. Making an 'Overview and Scrutiny Guide' available on council websites is an effective way of councils communicating clearly defined roles to the public. Currently nine Welsh councils have publicly accessible guides available through their websites, whilst a further five have broken or out-dated web links. Guides produced by Cardiff Council, Torfaen County Borough Council, and the Vale of Glamorgan County Borough Council set out respective scrutiny roles well. Examples outside of Wales, such as that developed by the London Borough of Merton ([scrutiny\\_handbook\\_2011-3.pdf](http://www.merton.gov.uk/council/decision-making/scrutiny_handbook_oct_2011-3.pdf)) and Leicestershire County Council ([overviewandscrutinyguide.pdf](http://www.leics.gov.uk/overviewandscrutinyguide.pdf)), are also worthy of consideration.

Links - [www.merton.gov.uk/council/decision-making/scrutiny\\_handbook\\_oct\\_2011-3.pdf](http://www.merton.gov.uk/council/decision-making/scrutiny_handbook_oct_2011-3.pdf)  
[www.leics.gov.uk/overviewandscrutinyguide.pdf](http://www.leics.gov.uk/overviewandscrutinyguide.pdf)

Service Governance and Delivery recognised that the capacity and capability of scrutiny to drive improvement must be strengthened, and that scrutiny must be well resourced with sufficient support at officer level.



### Commission on Public Service Governance and Delivery

'Local authorities must make appropriate support available, at officer level, to develop co-ordinated scrutiny plans, identify gaps in expertise on the committees and provide proportionate and understandable information to committee members.'

'Mandatory training must be provided to all members and chairs of local government scrutiny committees.' – recommendation 32.

35 The number of officers directly supporting scrutiny varies between councils, and some officers also have additional roles in addition to scrutiny support. Some comments in councils' final self-evaluations recognised that resources were limited. Only one comment specifically referred to a recent reduction in the level of resources for scrutiny support whilst a few councils implied that teams had recently been, or were about to be, strengthened. Some councils identified several ways in which officers could provide more effective support, including assisting with the development of lines of enquiry and improving the quality of information and research provided to scrutiny committees. Evidence from CfPS annual surveys shows a clear linkage between the level of dedicated scrutiny support and the effectiveness with which scrutiny is able to perform its role. The Commission on Public

36 Ensuring that individuals involved in the scrutiny process have the right skills and competencies is a key element of preparing for effective scrutiny. This is not limited to those involved in supporting and providing information to scrutiny committees, but also applies to scrutineers. Many councils consider that access to training for scrutiny members that was focused on need positively supports effective scrutiny and referred to a range of training having been provided. Whilst local audit teams observed evidence of some strong scrutiny skills such as in chairing and questioning skills, there were also examples where these skills were less evident and needed to be improved. In their final self-evaluations some councils identified training as key to improving scrutiny, and a number of councils recognised the need to develop more tailored training based

on the needs of individuals. Some of the lack of clarity highlighted earlier in relation to the role of the scrutiny function within councils governance arrangements, and the respective roles of senior officers and cabinet members also suggests a need for further training and development in some councils.

- 37 During the study it was recognised by peer learning and evaluation teams that, to support the development of effective scrutiny, councils need to ensure that training and development are based on identifying individual training needs. These training needs include the development of scrutiny skills such as questioning, analysing and chairing, as well as supporting scrutiny members to develop their knowledge of the subject/ service areas they are scrutinising. It was also recognised that development activity is not limited to 'training', and that this could be broadened out to focus on wider learning and development. For example, some potential areas of development could benefit from 'on-the-job' member/officer interaction and collaboration rather than formal 'skills' training. These could include, for example, working together on scoping a review or observing directorate team meetings relating to performance reviews.

- 38 The Welsh Government Scrutiny Development Fund is currently supporting a project to identify the training and skills needs of Scrutiny Officers and then to deliver bespoke accredited training solutions. Training is being developed and delivered by the University of South Wales. The programme commenced in October 2013 and completes in June 2014. It covers three modules:

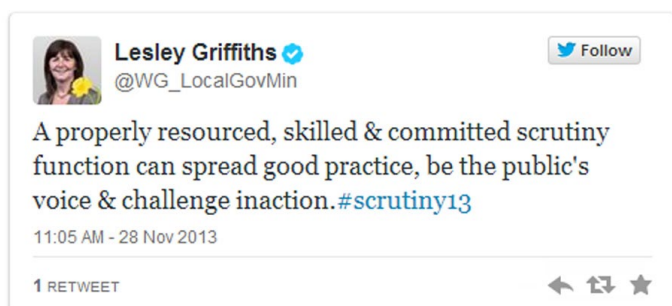
- a Political Awareness;
- b Scrutiny and Review/Understanding and Challenging public Service performance;
- c and Governance and Scrutiny.

### Better planning, more effective chairing and improvements to the range, quality and use of information are required to improve scrutiny across councils in Wales

- 39 This part of the report considers the quality of scrutiny committees' activities. In particular it considers forward work programming and identifying topics for scrutiny and the important role of pre-meetings and the chair in effective scrutiny.

### Selecting appropriate topics and the right method is vital to effective scrutiny

- 40 The selection of appropriate topics for scrutiny, led by scrutiny members with support from officers and informed by clear selection criteria, is a key element of preparing for effective scrutiny. Selecting the right approach to scrutiny activity is equally important, for example determining whether or not topics should be examined through a task and finish group or by a full committee.





- 41 Nearly all councils felt their work planning processes were effective, with many councils stating that members' choice of topics was appropriate. However, councils were less positive regarding the extent to which work programmes were balanced and focused appropriately, or were developed following consultation with the public and partners and in discussion with senior officers and executive members.
- 42 Councils should ensure that the contents of forward work programmes are based on sound criteria with a clear rationale for topic selection and that sufficient consideration is given to the method of scrutiny, rather than just the selection of topics. A key criterion for the selection of topics and the method of scrutiny should be the extent to which scrutiny committees are likely to have an impact in the area they have selected. A variety of sources of information can help to inform the selection of scrutiny work programmes. Information sources include: the views of senior officers, cabinet members and citizens; major policy changes; performance issues; risks; and inspectors' and regulators' concerns. Another key consideration for scrutiny committees should be the time available, including members' time, to undertake the scrutiny activity. Items should be programmed in a timely manner, for example, to encourage pre-decision scrutiny where this would add value. To help ensure that scrutiny has an impact, scrutiny committees may have to balance a desire to examine a large number of topics with the likelihood of securing greater impact through focusing on a small number of items in more detail.
- 43 Councils identified some common shortcomings related to forward work programming. These included:
- a the extent to which work programmes were focused on outcomes;
  - b that work planning processes were too 'officer driven';
  - c that some committee meeting agendas contained too many items;
  - d the extent to which the public were engaged in the selection of topics; and
  - e aligning with cabinet forward work programmes so that scrutiny could contribute to improving proposed or existing policies.
- 44 Task and finish groups, or their equivalent, often involving a smaller group of scrutiny members tasked with examining a particular topic in detail, are used in many councils to conduct in-depth reviews. A key theme for improvement identified in several council self-evaluations is the need to strengthen the evidence base for these reviews, including greater use of data, benchmarking information or broadening evidence bases to gather wider perspectives.
- 45 Effective topic selection and planning at the project selection stage can help to identify the evidence required and how it can be gathered, including a consideration of available information sources and the most appropriate way of gathering a range of perspectives. Due to potential resource implications it is important that careful consideration is given to the selection of topics and the approach taken to in-depth reviews, including timeliness and likely impact.



The CfPS has published a short guide, *A Cunning Plan*, that explains the basic principles behind good work programming and cites some examples of notable practice from English local authorities ([acunningplan](#)).

Link - [www.cfps.org.uk/publications?item=113&offset=0](http://www.cfps.org.uk/publications?item=113&offset=0)

### The information provided to scrutiny committees is not always sufficiently robust, clear or timely

- 46 The range, timeliness, presentation and relevance of information available to committees all have an impact on the effectiveness of scrutiny. Councils were mixed in their views on the extent to which information received by scrutiny committees supported improvement.
- 47 Councils identified a number of ways in which information to support scrutiny could be strengthened. These included a need for less irrelevant detail in reports, a broader range of information to give a more rounded picture, as well as better quality and more timely information. The need to strengthen scoping and/or forward work programming to ensure that the correct information was requested by scrutiny committees was also identified by some councils.
- 48 So that the information needs of scrutiny committees are clear, and that the information provided is relevant, timely and in an appropriate format, councils need to ensure that clear communication channels are in place between scrutiny committees and those responsible for providing information to them. This could include senior managers, scrutiny officers, cabinet members and any external witnesses or partners that the committee has requested information

from. Scrutiny members have an important role in shaping the content and format of information that is presented to them and, where appropriate, in challenging the way in which information is presented if it does not enable them to perform their role effectively. Scrutiny members also need to ensure that the information needs of committees and the availability of information are considered at topic selection and project planning stages. Members also need to be clear as to the purpose of requesting specific information and the outcome they are hoping to achieve as a consequence of examining it.

- 49 As well as being presented with appropriate information, reports to scrutiny committees need to be suitably analytical and to arrive at an evaluation. Often self-evaluation reports merely present data without identifying unsatisfactory performance or progress. Reports are often too descriptive and do not focus enough on evaluating the impact of services.
- 50 Councils should also have regard to the report by the Auditor General entitled *Local Improvement Planning and Reporting in Wales*<sup>9</sup>. The report identified 'In a small number of authorities, information presented to scrutiny committees is not sufficiently consistent or impartial' and that 'councillors, who have a key role in driving improvement through effective scrutiny, are not being informed by comprehensive data and information'.



**Janet Finch-Saunders**  
@JFinchSaunders

“@AlanMorrisWAO: Non-execs (including scrutiny) must hold executive to account "Assurances" must bechecked and challenged. #scrutiny13 Agree

4:15 PM - 28 Nov 2013

2 RETWEETS

<sup>9</sup> *Local Improvement Planning and Reporting in Wales*, Wales Audit Office, September 2013.

**The quality of advance preparation for scrutiny committees varies considerably between councils**

- 51 Pre-meetings, whereby scrutiny committees meet in advance of formal committee meetings, can assist with the planning and preparation of scrutiny activity in a number of ways. Pre-meetings that take place well in advance of formal committee meetings can enable committees to discuss and determine: the information required; key lines of enquiry; the choice and order of witnesses; and the committee's objectives for the items it is due to consider. Committees could also use a pre-meeting to allocate provisional timings for items to enable witnesses to only attend for relevant item(s).
- 52 Planning ahead in this way also enables 'witnesses' to be briefed in advance on the subject matter the committee would like to discuss, and any information it would like to be contained in reports presented to it. These discussions do not have to take place as a separate meeting, but could form part of the discussions of the previous formal meeting of the committee. Pre-meetings that take place immediately prior to the formal committee meeting can provide an opportunity for members to discuss and agree the intended outcome to be gained from the meeting, key lines of enquiry for questioning and the approach to questioning the committee intends to take. Pre-meetings can also encourage committees to work as a team in jointly planning their activity.

A good example of preparing for effective scrutiny was given by Alison Ward, Chief Executive of **Torfaen County Borough Council**, at the national scrutiny conference. Alison spoke about how she saw scrutiny as the most challenging bit of democracy but the most important. After the 2012 elections Torfaen CBC started working with Members to improve scrutiny. They commissioned the Welsh Local Government Association to do an appraisal of their scrutiny function, and as a result they have significantly changed the way they approach scrutiny. One major change that they have made is to run Annual visioning sessions using information from the public and staff to form a picture of what issues that they'd like to explore through the scrutiny process. This has resulted in stronger scrutiny sessions with improved questioning and improved recommendations being made. A video clip of this example can be viewed using the following link.

**Alison Ward**

*Link - <http://vimeo.com/94525623>*

- 53 Not all scrutiny committees hold pre-meetings and, of those that do, we found a variety of approaches. Approaches range from those that typically take place a number of days or weeks prior to a full committee meeting, to those which are held immediately prior to or at the beginning of the formal committee meeting prior to witnesses arriving. We have also observed some confusion about the role of pre-meetings. There were some concerns that the use of pre-meetings could undermine the formal committee meeting leading to 'staged' questions with little spontaneity or follow-up questions.
- 54 However, we are of the view that scrutiny committees could make more effective use of pre-meetings. This could be achieved through ensuring that pre-meetings have a clear and agreed purpose and that they follow an agreed format for preparing for the formal committee meeting without undermining it. Whichever method of planning is employed, it is important that committees have the opportunity to discuss

and plan their scrutiny activity to ensure that: the purpose of each item is clear; the information needs and required witnesses are agreed; and that the committee has an effective mechanism for developing lines of enquiry. These would not be considered formal meetings of committees as they would be for planning purposes only, and as such they would not be required to be open to the public.

**There are some examples of good challenging questioning by scrutiny committees but in some cases questioning is ineffective**

55 Successful scrutiny relies on effective questioning that: follows lines of enquiry; probes for further information; is prepared to challenge where necessary; and is clearly linked to the role of the committee. The quality of questioning is partly a result of the skills and knowledge of scrutiny committee members and the contributions of those answering questions. However, it also depends on effective preparation including selecting the right topics, planning scrutiny activity and ensuring that members and officers understand their role in the challenge process.

56 Councils were generally positive about the extent to which scrutiny committees challenged through effective questioning skills. A number referred to having been provided with questioning skills training; with some noting that the standard of questioning was improving. A few councils recognised that questioning skills needed to improve further. From our own observations of scrutiny committee meetings, we found members' questioning to be of variable quality. We noted some good examples of challenging and probing questions; however, there were also examples of ineffectual questioning, such as:

- a parochial and personal-agenda driven questioning;
- b committees not following any particular lines of enquiry;
- c a lack of cohesion to members' questioning;
- d members making statements instead of questioning witnesses;
- e meetings appearing 'over scripted' with a lack of spontaneity in questioning; and
- f committees being insufficiently probing in their questioning.

57 Our study highlighted the importance of the role of the chair in facilitating and leading scrutiny committees. We observed examples of effective chairing of meetings, where the chairs summarised discussions, ensured that questions and discussions remained focused and set an appropriate tone for meetings thereby allowing members and witnesses to contribute constructively. However, we also observed some instances where the chairs were less effective, for example, in allowing discussions to end without the agreement of any clear conclusion or recommendation. It is particularly important that councils ensure that scrutiny chairs receive the necessary level of training and support in order to develop the range of skills required to undertake the role effectively.

**In general, council scrutiny is not always fully aligned with other council improvement processes, nor builds on external audit, inspection and review**

58 This part of the report examines how scrutiny interacts with and utilises the work audit, inspection and review bodies to help inform and shape their work.

**In general, scrutiny does not build on the learning highlighted in the work of external audit, inspection and review**



**Commission on Public Service Governance and Delivery**

‘Scrutiny, audit, inspection and regulation must become complementary, clearly aligned and mutually reinforcing - recommendation 4.

‘Auditors, inspectors and regulators who report on individual organisations must do so directly to the appropriate scrutiny or audit committee. Where appropriate, they should assist the committee in its consideration and holding the executive to account.’ – recommendation 34.

59 There are opportunities for scrutiny committees to use the reports of external review bodies to inform its own work planning, and to provide evidence to inform the findings of scrutiny reviews. These external review bodies may also look to take assurance from the work undertaken by the Council’s scrutiny function. Statutory guidance for the Local Government (Wales) Measure

2009 also states that: ‘If an authority’s scrutiny processes are sufficiently developed to discharge the above, and there is clear evidence that this is the case, then this scrutiny activity can be drawn upon by the Auditor General and relevant regulators in the course of their dealings with the authority.’



Alan Morris @AlanMorrisWAO

Effective self-evaluation and scrutiny by Boards and committees will lead to lighter-touch regulation. #scrutiny13

3:34 PM - 28 Nov 2013 from Cardiff, United Kingdom

60 Our study found that the majority of councils believe that communication between scrutiny committees, and the council’s auditors, regulators and inspectors could be improved. Some of the councils’ self-evaluations referred to examples of external auditors, regulators or inspectors being invited to attend scrutiny committees, and a few councils also recognised the role of Audit Committees in liaising with auditors, regulators or inspectors.

61 Councils also recognised that the sharing of work programmes between external review bodies and scrutiny functions could be improved. Only one council thought that this was an area of strength, whilst three thought that the lack of sharing was actually hindering improvement. Several councils referred to its scrutiny work programmes being available on council websites, but there was no evidence of councils actively sharing scrutiny work programmes with external review bodies.

62 To build on the work of auditors, inspectors and regulators, councils and external review bodies should explore practical ways in which communication regarding future work plans and findings from their respective work could be improved. The Commission on Public Service Governance and Delivery cited that the way that the Wales Audit Office reports to the Assembly's Public Accounts Committee (PAC) as strengthening the evidence base for the PAC's inquiries and gives its own findings and recommendations greater impact. It also helps to ensure that the accountability of the Welsh Government to the Wales Audit Office and to the Assembly are better aligned and thus less burdensome and more effective.

**In general, scrutiny is not well aligned with wider council improvement processes**

63 The role of scrutiny in the improvement agenda for local government is recognised in statutory guidance. The Guidance on Part 1 of the Local Government (Wales) Measure 2009 states: 'There is a clear role for an authority's scrutiny function in its improvement processes: as part of its role in holding local decision makers and policy makers to account, and in its policy development role.' The guidance suggests that the role of scrutiny should extend to 'scrutiny of the fitness of the organisation to discharge the general duty to improve', as well as its role in policy development and scrutinising performance and improvement. Our experience is that scrutiny rarely examines capacity and fitness for purpose, and that scrutiny programmes would benefit from including such activity. In practice this may include scrutiny enquiries that examine capability and deliverability, rather than the apparent quality of policies and plans.

64 Two-thirds of councils believed that the extent to which scrutiny has had a clearly defined and valued role in the council's self-evaluation, performance management and improvement arrangements, was either positively or significantly supporting improvement. However, for seven councils this was only partly the case. A few councils also identified a need to improve or clarify the role of scrutiny in corporate self-evaluation arrangements. Other areas for improvement that were identified included: training for elected members; the need to change the format of data presented to scrutiny committees; and the timing of when scrutiny committees received performance information. The need to improve the alignment of internal processes, including with executive work programmes, and improve internal communication was also identified as an area for improvement.

65 Only just over half of councils consider that scrutiny committees challenge poor performance effectively. We found that most council scrutiny committees have a role in performance management arrangements and that regular reporting of performance information occurs. However, where reporting does occur we found that the level of understanding of the data provided varies amongst scrutiny members, questioning of performance is not always effective, and there is limited connection between performance data provided to committees and the outcomes that it purports to relate to. This means that, in these cases, scrutiny committees are not equipped to effectively contribute to performance evaluation and management.

## More effective engagement with the public and partners will improve scrutiny and increase public accountability

66 This part of the report examines the extent to which council scrutiny functions engage and involve partners, stakeholders, community groups and members of the public in their work.

67 Engaging the public can help to ensure that the selection of topics for scrutiny takes into account the views of local communities, improves the evidence base for scrutiny recommendations and demonstrates accountability for decisions, policies and performance. As community leaders, elected members are ideally placed to facilitate the engagement of the public and partners in scrutiny through their links to the community and local partners. The Local Government (Wales) Measure 2011 requires scrutiny committees to take into account the views of the public. The role of scrutiny in holding local partners to account is also emphasised in statutory guidance covering the integration of plans and partnerships – *'local authorities should have in place effective scrutiny processes to ensure local democratic accountability for partnership actions'*.<sup>10</sup>



68 Most councils recognise that the extent to which scrutiny committees ensure that the voice of local people is heard as part of local decision-making is an area that needs to improve. During the study some councils referred to the need to develop a public engagement strategy for scrutiny, as well as the need to improve engagement of the public in the planning of scrutiny work. Broadening and improving engagement with partners was also recognised by councils as an area for development.



<sup>10</sup> Shared Purpose – Shared Delivery Guidance on integrating Partnerships and Plans – Welsh Government, Version 2, Crown Copyright, December 2012.

69 During the scrutiny study councils also provided examples in their self-evaluations of the way in which they have attempted to improve external engagement, which included the use of social media, co-option onto committees and making use of citizens' panels. Several councils also referred to the opportunity for the public to complete a form requesting a topic for scrutiny. One council referred to a form being available for the public to provide comments on any topic being considered by a scrutiny committee.

At the national scrutiny conference Councillor Peter Farley of **Monmouthshire County Council** spoke of the importance of public engagement in the work of scrutiny. He explored the way public engagement can be a means of enhancing the work of scrutiny and also the value of public involvement at scrutiny committees.

He gave three examples of how this has been approached in Monmouthshire and how involving stakeholders, individuals, communities and interest groups has significantly improved the scrutiny function in Monmouthshire. A video clip of Councillor Farley can be viewed using the following link.

**Councillor Peter Farley**

*Link - <http://vimeo.com/94525623>*

70 However, in observing scrutiny committees, we witnessed a number of practices that may deter the public and councils' partners from engaging with scrutiny committee meetings. Such practices included poor acoustics, no spare copies of agendas being available, and the use of unsuitable meeting rooms that helped to create an overly formal environment or had limited seating for external observers.

71 There are clearly opportunities for scrutiny functions to broaden their engagement activity and for some to learn from a range of approaches that have already been implemented. Some councils are more proactive than others in their attempts to engage the public at each stage of scrutiny activity including: topic selection; planning and scoping; gathering evidence; and reporting findings. Effective engagement may require changing the venue, format, and layout of meetings and the content of work programmes to encourage more interest and engagement. Councils can also draw on the numerous approaches to engaging the public that have already been implemented across Wales and England. The recognition by many councils that engagement with partners is an area that could be improved suggests that scrutiny committees are often failing to make use of partners' knowledge, expertise and perspectives to inform their work.

72 The national scrutiny conference included sessions exploring ways that scrutiny could better engage with the public and partners. Details and links are contained in the boxes below.



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

**National Assembly for Wales – Public Engagement Toolkit**

This workshop examined the principle of participation in scrutiny and outlined the use of an engagement tool. The National Assembly as an organisation has prioritised broadening participation in scrutiny. To 'engage with the people of Wales' is a corporate priority.

**A link to the Public Engagement Toolkit can be found here.**

*Link - [www.assemblywales.org/public\\_engagement\\_toolkit\\_2014.pdf](http://www.assemblywales.org/public_engagement_toolkit_2014.pdf)*



## The Role of the Networked Councillor in Scrutiny

Catherine Howe of Public-i Group Ltd outlined why scrutiny is a perfect place to start developing the relationship between the networked councillor and the public.

For more information visit [www.public-i.info](http://www.public-i.info)

- 73 Engaging the public in council business is difficult and requires careful consideration of who to engage, on what, and for what purpose. Once this is established the method and style of engagement is important to be able to maximise potential contributions and the impact that they can have. There are no simple answers, and what worked for one council on a particular issue may not necessarily work for another. Often, however, the shift towards more effective engagement is a cultural one needed across the whole of a council, rather than just for the scrutiny function.
- 74 Councils may wish to consider using the 10 'National Principles for Public Engagement' developed by Participation Cymru in considering how best to engage and involve the public. Their guidance note on the National Principles provides a useful way of working through some of these issues ([www.participationcymru.org.uk/media/288784/national\\_principles\\_for\\_public\\_engagement\\_aug1\\_.pdf](http://www.participationcymru.org.uk/media/288784/national_principles_for_public_engagement_aug1_.pdf)).
- 75 In summary, the need to engage more effectively with the public and stakeholders is acknowledged as an on-going challenge for scrutiny functions, as it is for councils generally. However with more proactive planning of scrutiny activity, some dedicated effort and resources, and the support of organisations such as Participation Cymru and CfPS the voice of local people can play an important part in scrutiny and in local decision-making.

## Appendices

Appendix 1 - Self-evaluations and peer team evaluations

Appendix 2 - Outcomes and characteristics for effective local government overview and scrutiny



# Appendix 1

## Self-evaluations and peer team evaluations

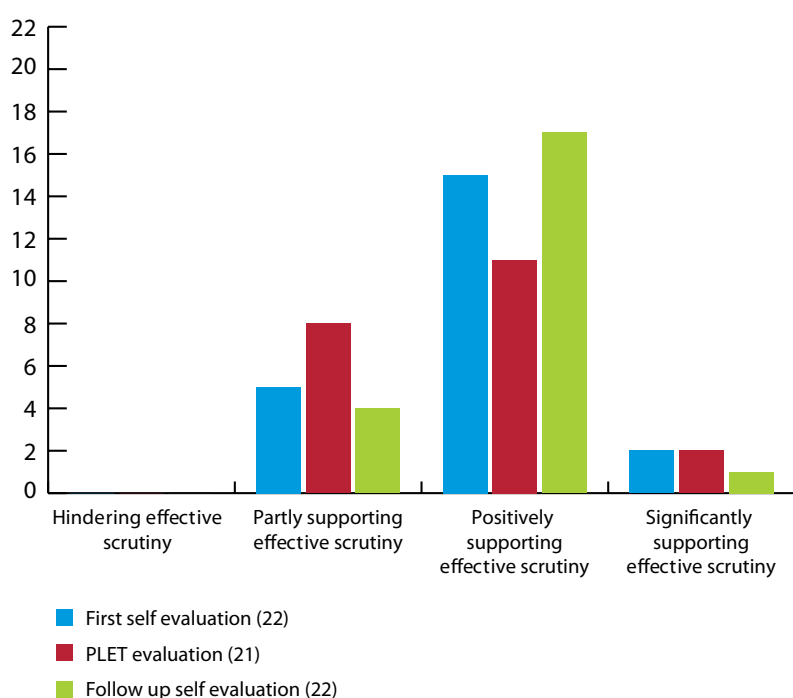
### Auditor General for Wales Improvement Study – Scrutiny in Local Government

This improvement study differed from the traditional audit approach by involving real time shared working activity, self-evaluation and peer learning exchange opportunities. These peer learning exchanges meant councils undertaking their own self evaluations of scrutiny arrangements with partner councils and observing and sharing views on each other’s’ scrutiny committees. This process enabled councils to build relationships with other councils, developing a better understanding, awareness and appreciation of themselves and others, as well as identifying opportunities for joint working and joint scrutiny in the future.

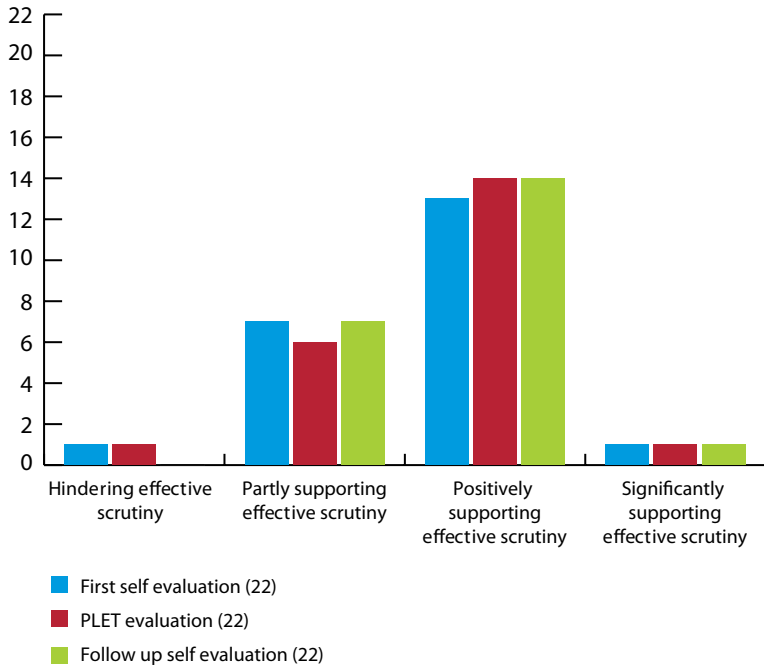
At the end of the study each council had an up to date baseline of its own and other councils’ scrutiny arrangements. This baseline was informed by real time observations, regional workshops, feedback from partner councils, a final self-evaluation relevant to each council and a local report from the Wales Audit Office. This enabled the councils to present their final self-evaluation to their own members and decide on an action plan for improvement.

### Self-evaluations and peer team evaluations

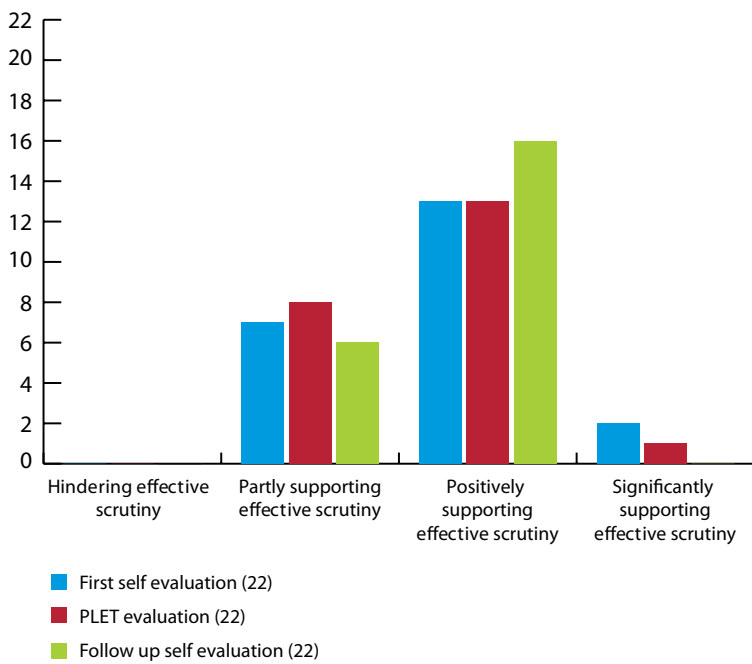
Q1. Is there a clear and shared understanding and application of the role and purpose of Overview and Scrutiny (O&S) amongst executive and non-executive members, senior officers, scrutiny officers and key local partners?



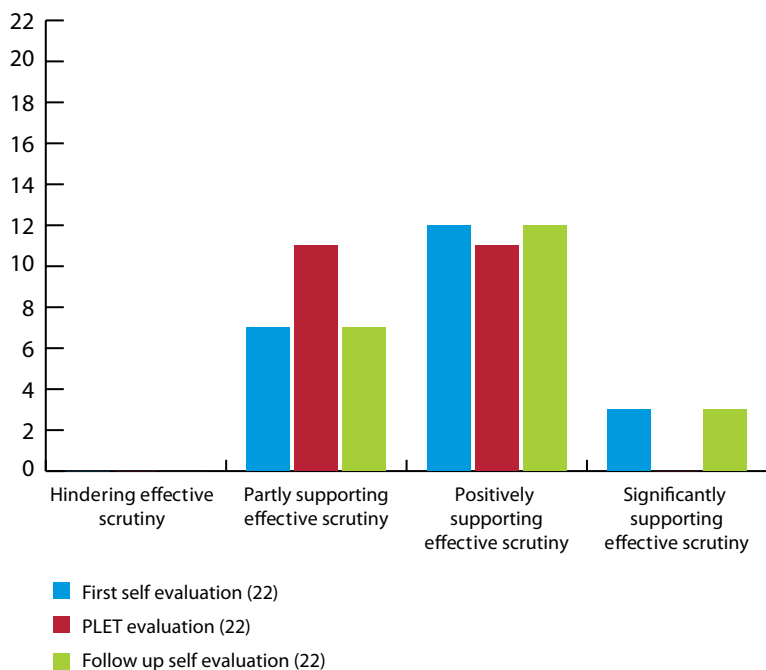
Q2. Does O&S enjoy a high status and is it held in high esteem, trusted and respected both within and outside the Authority?



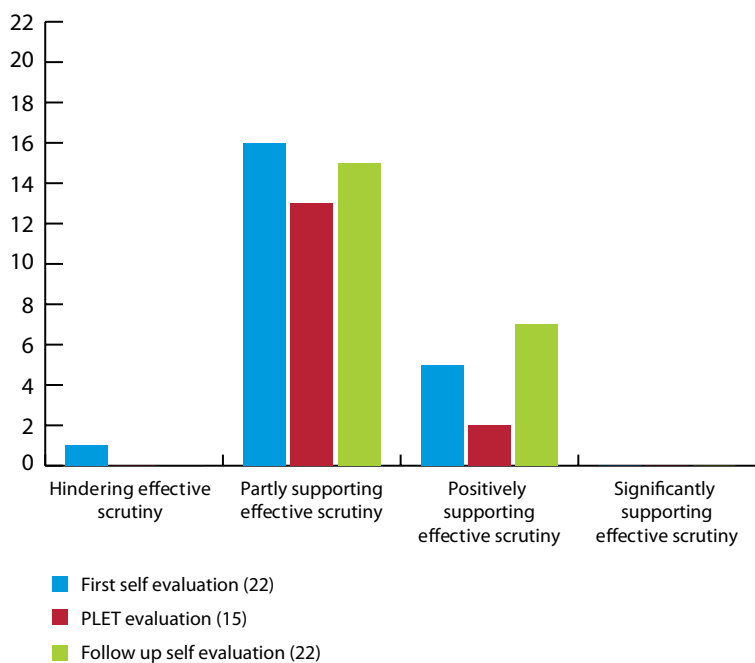
Q3. Is there a well-defined and constructive relationship between O&S, the executive and senior officers?



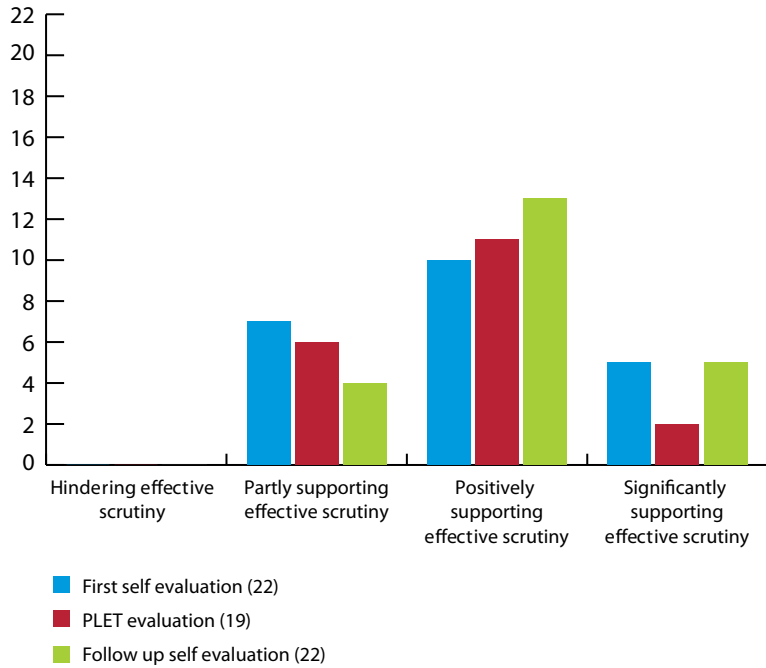
**Q4. Does O&S have a clearly defined and valued role in the council's self-evaluation, performance management and improvement arrangements?**



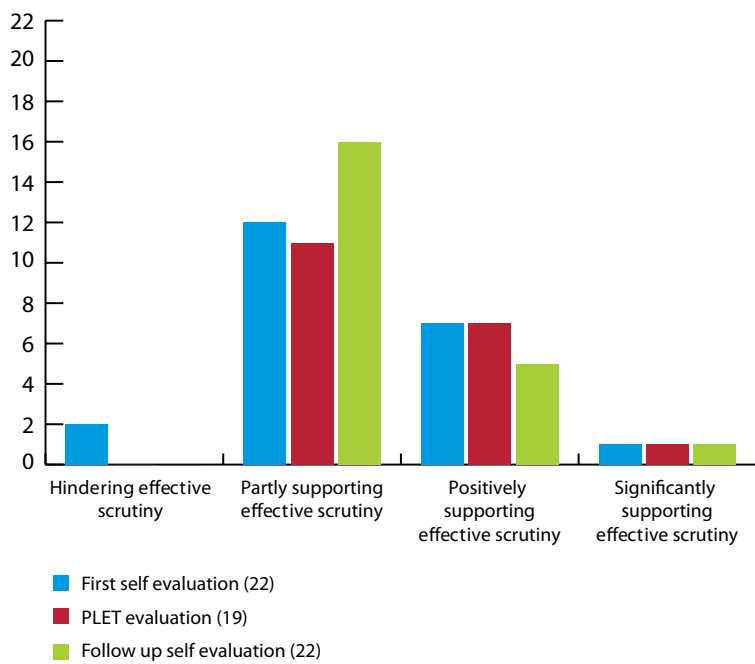
**Q5. Is there regular and effective two-way communication between O&S and external/internal auditors, regulators and inspectors?**



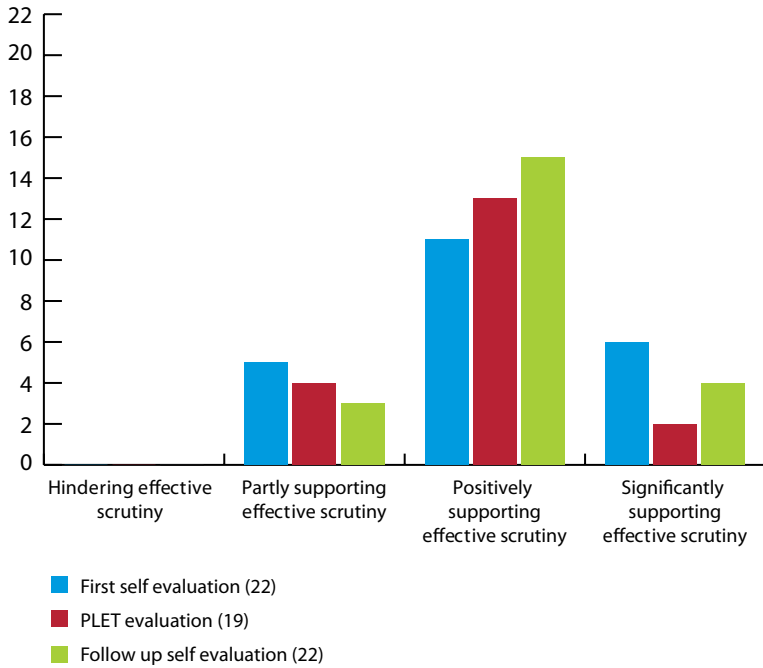
Q6. Does O&S have clear governance arrangements that are understood and applied effectively?



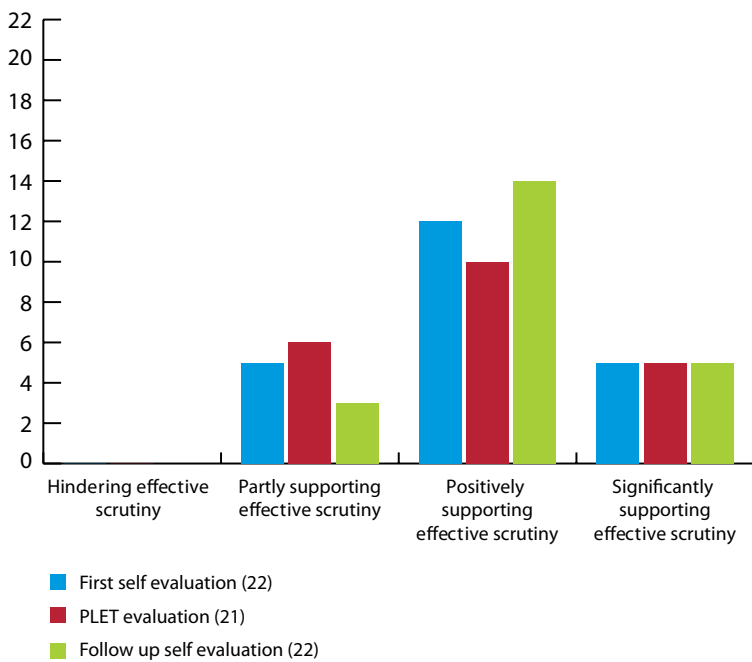
Q7. Are O&S chairs and executive members actively promoting the role and value of the scrutiny function to a variety of internal and external stakeholders?



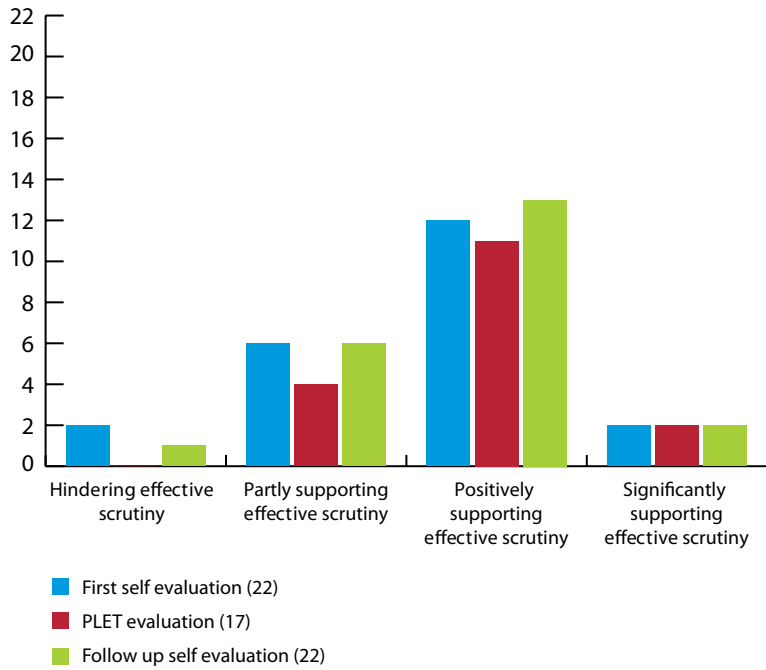
Q8. Do O&S members have access to development and training opportunities focused on need, as part of the council's wider commitment to member support and development?



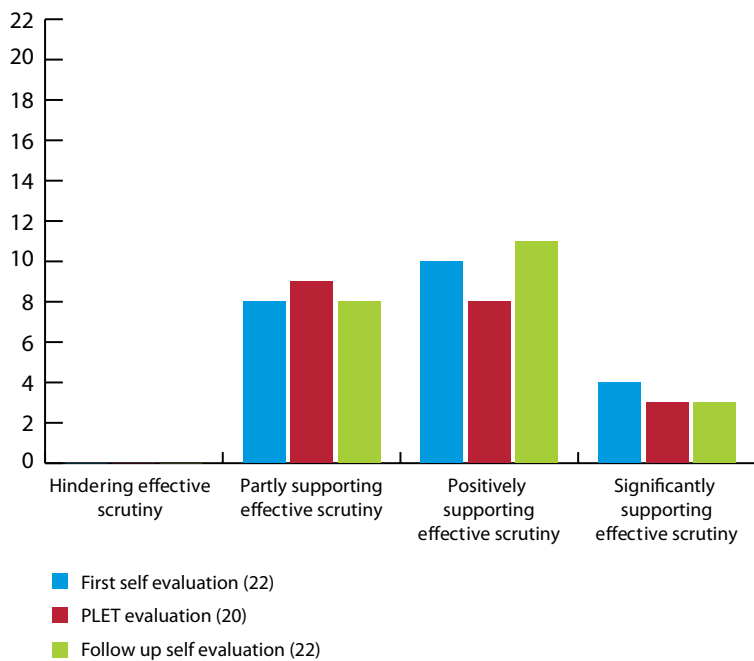
Q9. Does O&S have a sufficient level of dedicated support from officers who are able to research independently and are able to provide O&S members with high-quality, objective analysis and support?



Q10. Is the role of officers directly supporting scrutiny activity well-understood and valued within the organisation?

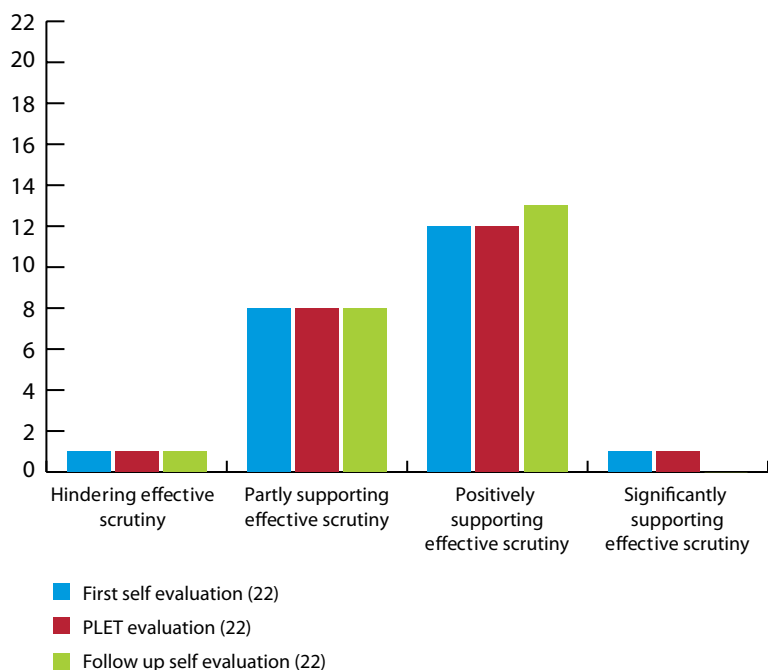


Q11. Does the O&S process receive effective support from the council's wider officer corp as and when required?

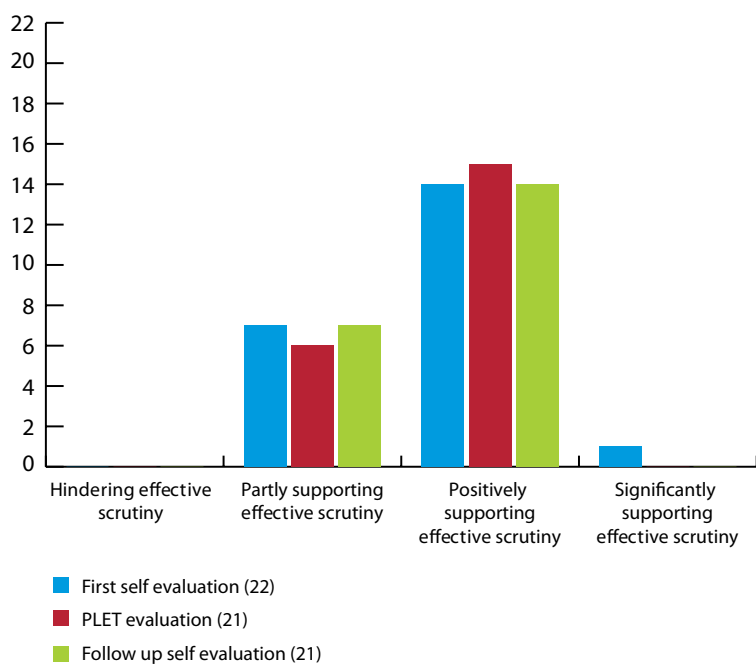




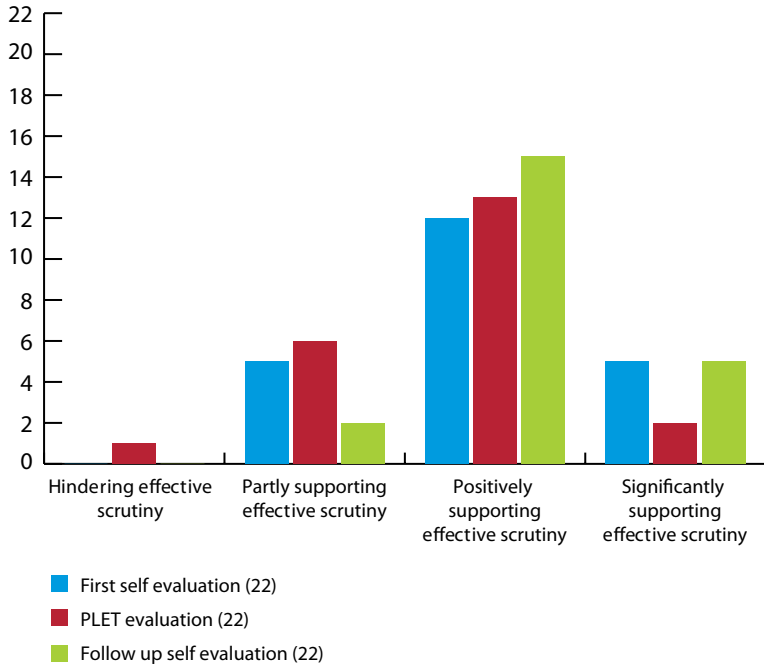
Q12. Is information provided to O&S relevant, robust, balanced, meaningful, responsive to requests, of high quality and provided in a timely and consistent manner?



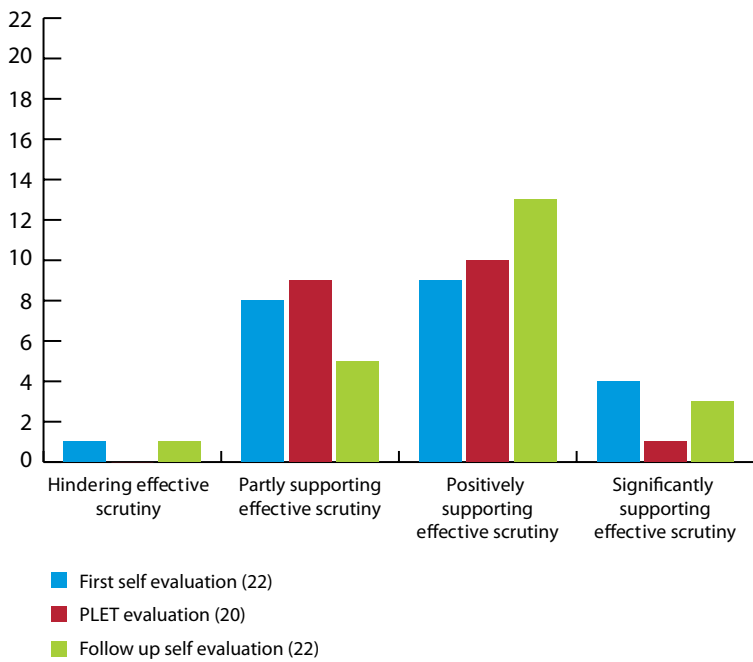
Q13. Section One, Scrutiny Environment: Does the environment that O&S operate in support improvement?



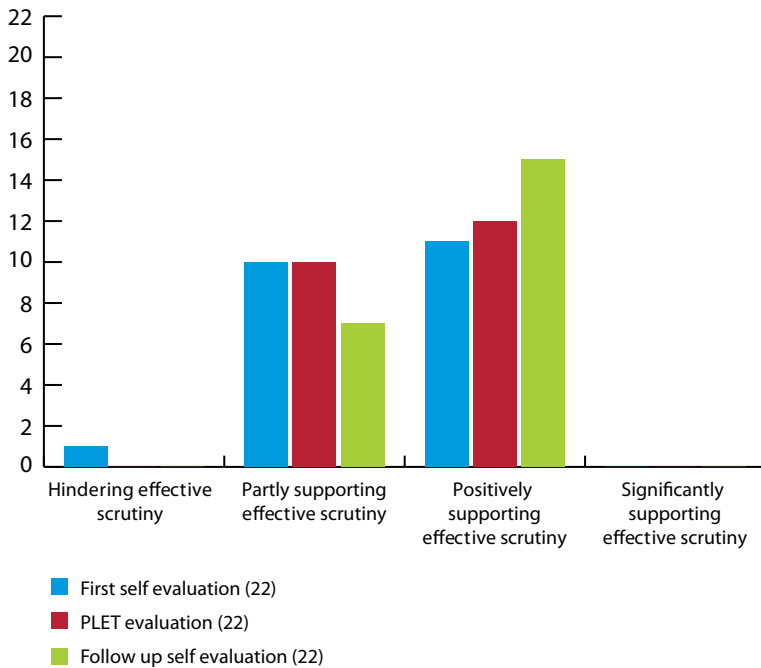
Q14. Does O&S provide evidence-based, constructive challenge; operate objectively, apolitically and with independence from executive decision-makers?



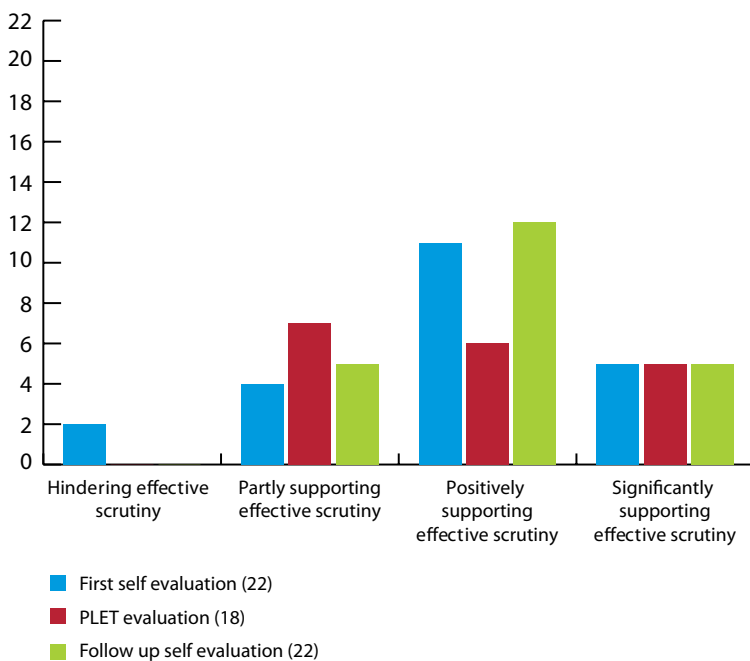
Q15. Do O&S members identify appropriate topics for challenge or policy review/development and develop outcome-focused forward work programmes?



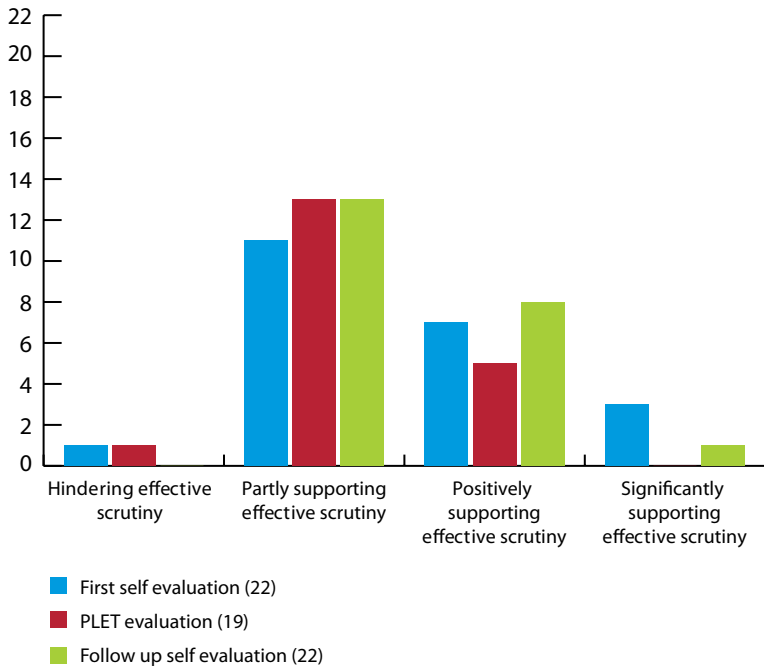
Q16. Do O&S members constructively yet robustly challenge policy and decision-makers and implementers (including partners etc) through effective questioning, listening and analysis, and develop a good understanding and knowledge of the subject under scrutiny?



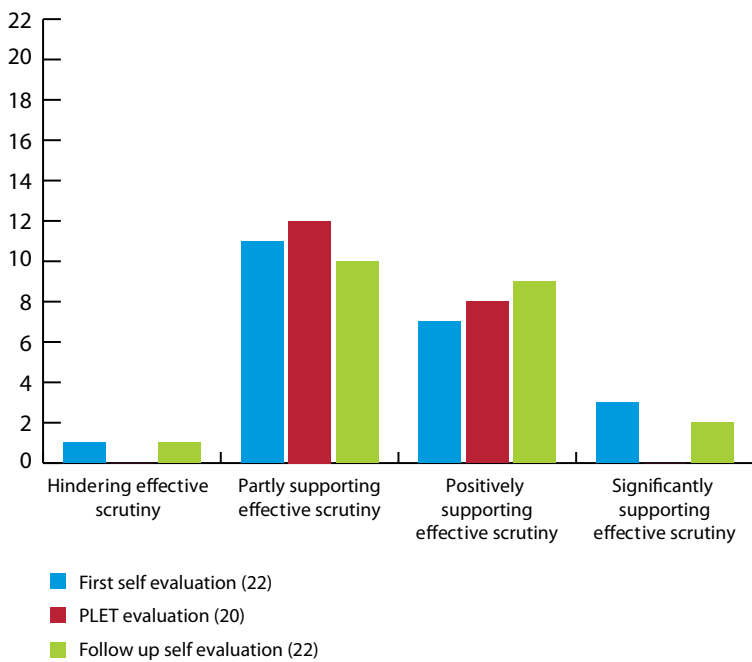
Q17. Are O&S inquiries/reviews in-depth, rigorous and draw upon independent and objective perspectives from a wide range of sources (including making use of benchmarking information) within and outside the council?



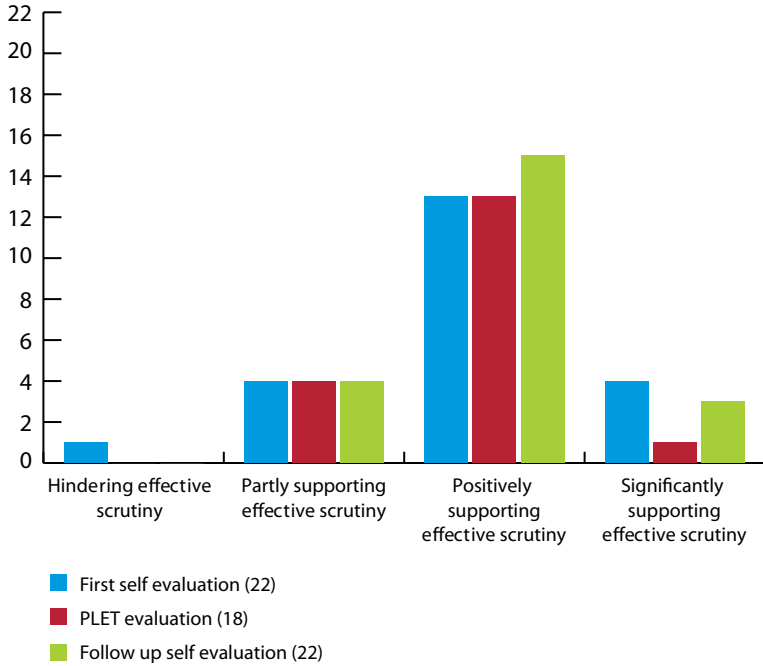
Q18. Does O&S regularly engage with members, officers, the public and other external stakeholders in planning and conducting its work?



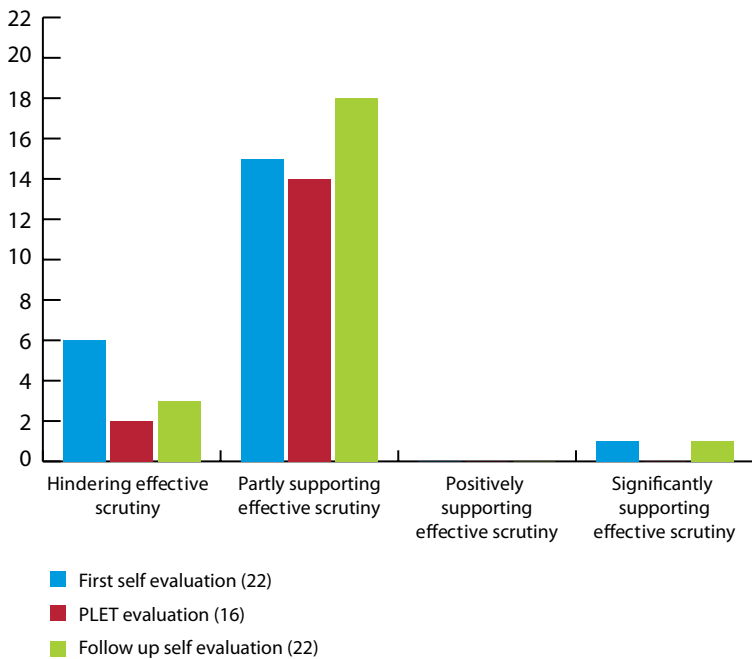
Q19. Does O&S have a balanced and focused work programme that is developed by O&S members, following consultation with the public and partners and discussions with executive members and senior officers?



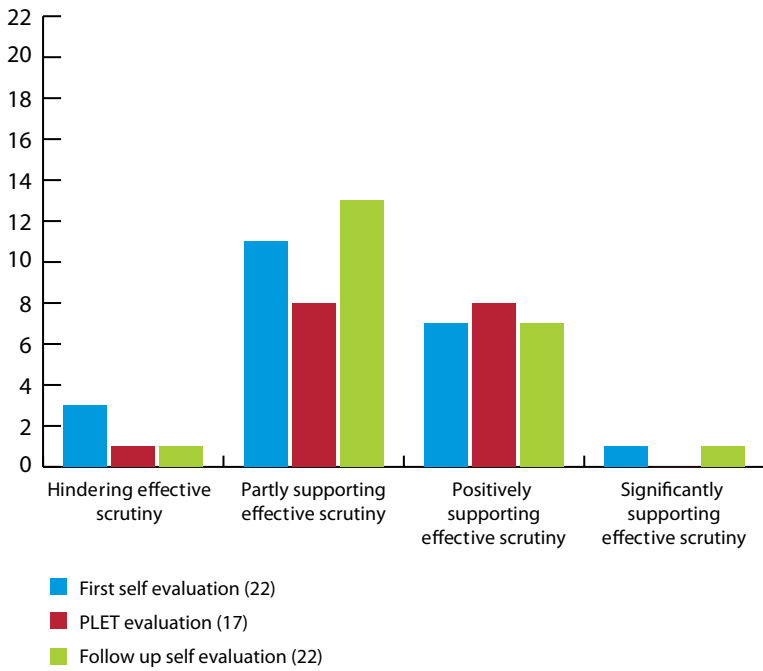
Q20. Do O&S members plan their work considering the appropriateness of a range of scrutiny methods/methodologies, use of clear terms of reference and realistic project plans?



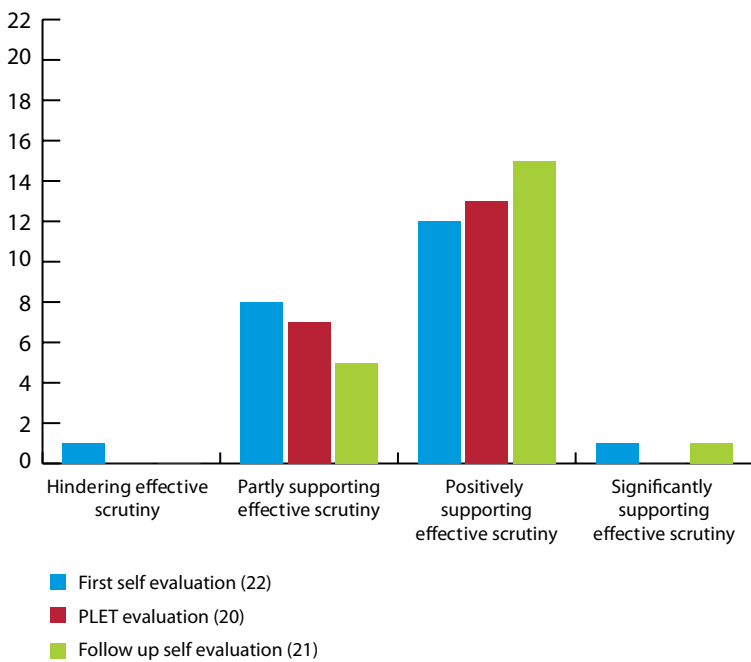
Q21. Are scrutiny forward work programmes routinely shared with auditors, inspectors and regulators to influence planning of improvement activity?



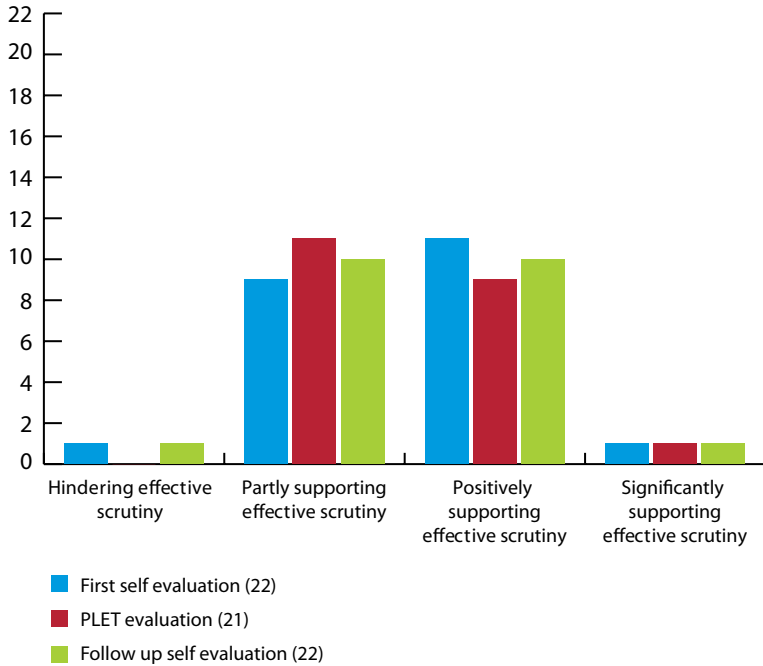
Q22. Does O&S play a key role in the council's self-evaluation and assessment arrangements and regularly evaluate itself to ensure that it continues to learn and improve how it adds value and impact?



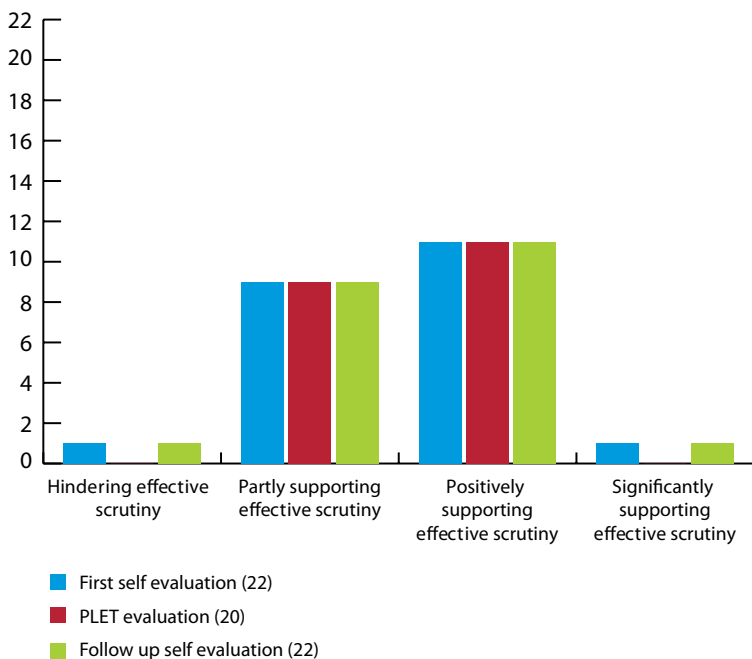
Q23. Section Two, Scrutiny Practice: Is O&S practice effective?



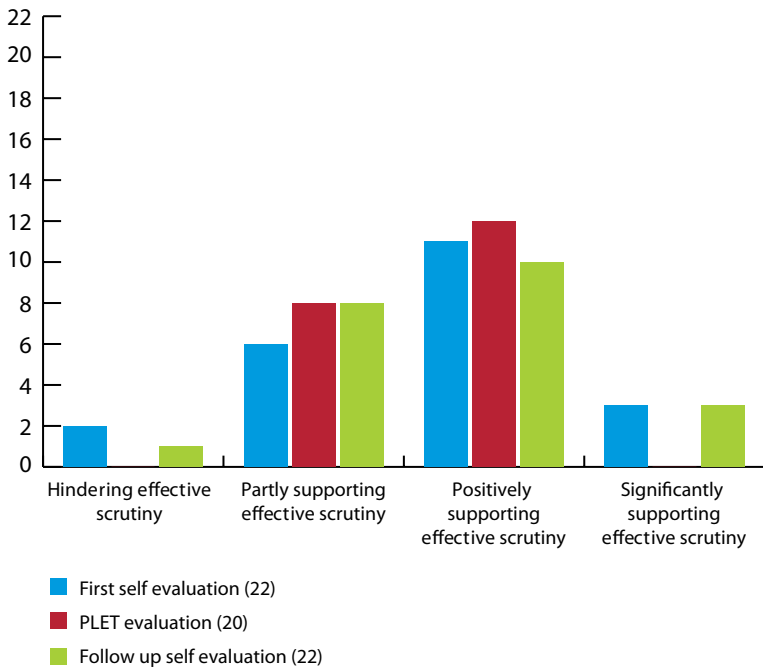
Q24. Does O&S regularly contribute to the improvement of proposed/existing policies for the benefit of the area and its local communities?



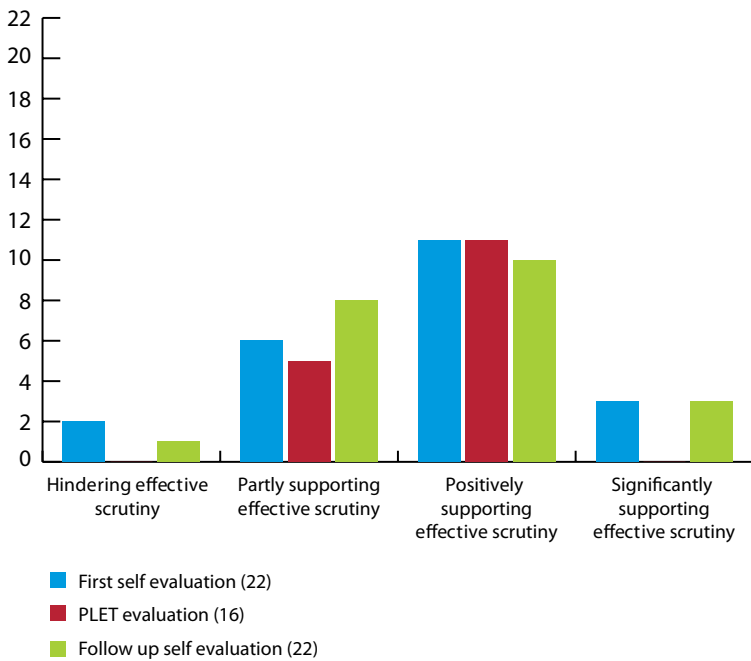
Q25. Does O&S identify instances where agreed policies are not being implemented effectively and recommend appropriate remedial action to whomever is responsible within or outside the Council?



Q26. Does O&S challenge poor performance and its causes and alert senior officers, the executive, full council or partners to instigate remedial action as appropriate whilst continuing to monitor progress to remedy this?

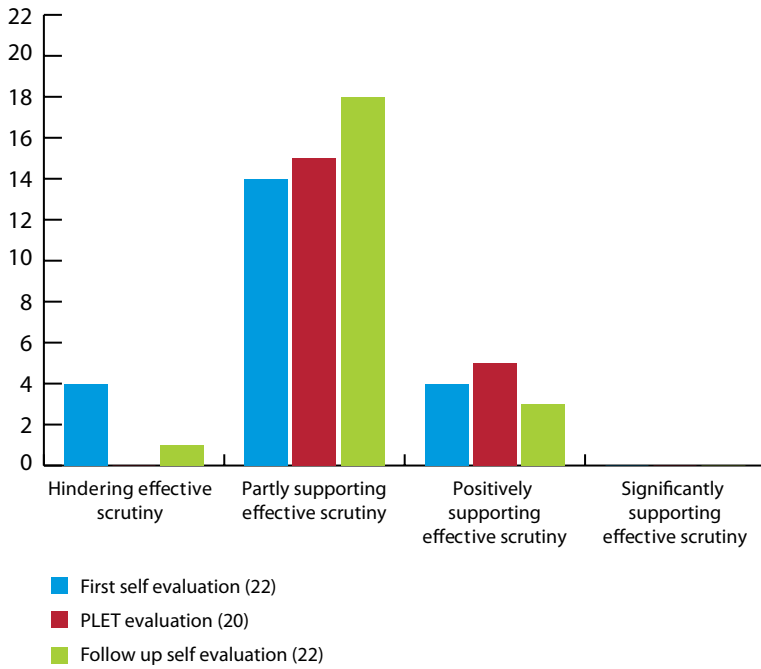


Q27. When conducting in-depth inquiries/reviews into areas of poor performance, does O&S help shape responses to improve performance and the performance of other public sector providers?

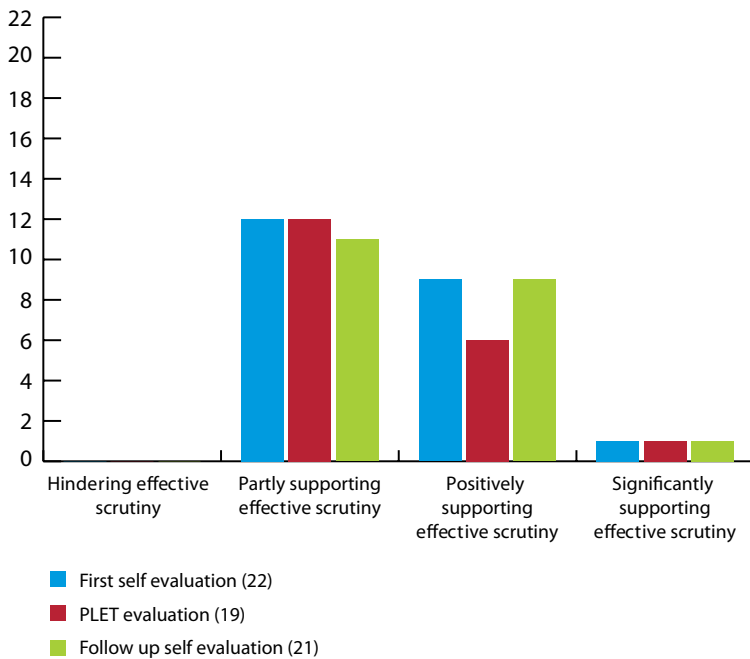




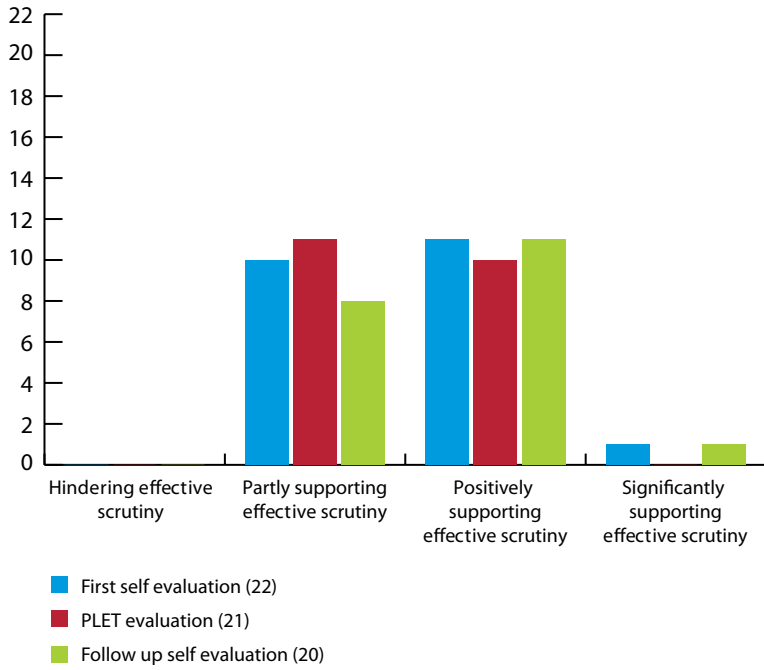
Q28. Does O&S ensure that the 'voice' of local people and communities across the area is heard as part of local decision and policy-making processes?



Q29. Does O&S enhance democratic accountability through regular, robust, constructive and public challenge of local decision-makers/deliverers of services in the local area (including other public service providers/providers of 'shared'?



Q30. Section Three, Impact of Scrutiny: Does the O&S activity have impact?



## Appendix 2

# Outcomes and characteristics for effective local government overview and scrutiny

### Wales Scrutiny Officers Network

#### Outcomes and characteristics for effective local government overview and scrutiny

<b>Outcome</b> <i>What does good scrutiny seek to achieve?</i>	<b>Characteristics</b> <i>What would it look like? How could we recognise it?</i>
<p>1 Democratic accountability drives improvement in public services.</p> <p><i>'Better Outcomes'</i></p>	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>i) Overview and scrutiny has a clearly defined and valued role in the council's improvement and governance arrangements.</li> <li>ii) Overview and scrutiny has the dedicated officer support it needs from officers who are able to undertake independent research effectively, and provides councillors with high-quality analysis, advice and training.</li> </ul> <p><b>Practice</b></p> <ul style="list-style-type: none"> <li>iii) Overview and scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives.</li> </ul> <p><b>Impact</b></p> <ul style="list-style-type: none"> <li>iv) Overview and scrutiny regularly engages in evidence based challenge of decision makers and service providers.</li> <li>v) Overview and scrutiny provides viable and well evidenced solutions to recognised problems.</li> </ul>
<p>2 Democratic decision making is accountable, inclusive and robust.</p> <p><i>'Better decisions'</i></p>	<p><b>Environment</b></p> <ul style="list-style-type: none"> <li>i) Overview and scrutiny councillors have the training and development opportunities they need to undertake their role effectively.</li> <li>ii) The process receives effective support from the council's corporate management team who ensures that information provided to overview &amp; scrutiny is of high quality and is provided in a timely and consistent manner.</li> </ul> <p><b>Practice</b></p> <ul style="list-style-type: none"> <li>iii) Overview and scrutiny is councillor-led, takes into account the views of the public, partners and regulators, and balances the prioritisation of community concerns against issues of strategic risk and importance.</li> <li>iv) Overview and scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it.</li> </ul> <p><b>Impact</b></p> <ul style="list-style-type: none"> <li>v) Decision makers give public account for themselves at overview and scrutiny committees for their portfolio responsibilities.</li> </ul>

<p><b>Outcome</b>  <i>What does good scrutiny seek to achieve?</i></p>	<p><b>Characteristics</b>  <i>What would it look like? How could we recognise it?</i></p>
<p>3 The public is engaged in democratic debate about the current and future delivery of public services.</p> <p><i>'Better engagement'</i></p>	<p><b>Environment</b></p> <p>i) Overview and scrutiny is recognised by the executive and corporate management team as an important council mechanism for community engagement, and facilitates greater citizen involvement in governance.</p> <p><b>Practice</b></p> <p>ii) Overview and scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.</p> <p>iii) Overview and scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict.</p> <p>iv) Overview and scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders.</p> <p><b>Impact</b></p> <p>v) Overview and scrutiny enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.</p>