

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
MUNICIPAL YEAR 2017-2018

**CHILDREN AND YOUNG PEOPLE
SCRUTINY COMMITTEE**

DATE: 20TH DECEMBER, 2017

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

Agenda Item No. 3
ESTABLISHMENT OF A COLLABORATIVE SCRUTINY WORKING GROUP

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1. PURPOSE OF THE REPORT

The purpose of this report is to provide Members of the Children and Young People Scrutiny Committee with the proposed arrangements for strengthening democratic accountability and scrutiny of the school improvement function in the Central South Consortium.

2. RECOMMENDATION

It is recommended that Members:

Agree to the proposed establishment of a Joint Collaborative Scrutiny Working Group comprising the Chairs of the Education Scrutiny Committees in each of the five local authorities (or a nominated representative of the Scrutiny Committee) supported by a Scrutiny Officer to consider regional performance of the Central South Consortium and share best practice and information.

3. BACKGROUND

- 3.1 The Central South Consortium is responsible for school improvement on behalf of the five local authorities, namely, Bridgend, Cardiff, Rhondda Cynon Taf, Merthyr Tydfil and the Vale of Glamorgan.
- 3.2 The Consortium is accountable to the local authorities through a Joint Committee comprising the relevant Cabinet Member from each of the local authorities.
- 3.3 The Consortium's performance is scrutinised on an annual basis by the relevant Scrutiny Committee in each local authority who examine the detail of the latest school performance results and business plan. These meetings focus on data and activity relevant to the individual local authority rather than performance in the region overall. In a recent

Estyn/Wales Audit Office Report on the quality of the school improvement services provided by the Central South Consortium it was noted that *“The Consortium has worked effectively with each Scrutiny Committee to provide data and related information, as well as training, in order to help the Committee hold schools and officers to account for performance. However, Scrutiny Chairs remain unclear about which aspects of the consortium’s work they can and cannot scrutinise more directly”*.

- 3.4 To address this, the Consortium Officers have met regularly with the five Scrutiny Committee Chairs in the Central South Consortium, as a Group together with Officers representing/working for the five local authorities. Discussions centred around developing a `regional` element to scrutiny work in addition to the current individual local authority scrutiny programme as outlined above.
- 3.5 The Group’s discussion included consideration of the findings of the Cardiff Business School study on co-ordinated scrutiny as well as the ERW model of co-ordinated scrutiny. ERW is the regional education consortium serving the West of Wales and Powys and consists of the Scrutiny Chairs of Education in each of the local authorities (or a nominated person other than the Chair) and has been identified as an example of good practice by the Wales Audit Office. ERW meets termly with the Consortium considering and discussing items such as pupil performance data (pre and post verification), progress against the business plan, Consortium governance and school categorisation.

4. PROPOSAL – ESTABLISHMENT OF A COLLABORATIVE SCRUTINY WORKING GROUP

- 4.1 Using the ERW model, the Group proposed to establish a formal Working Group to consider regional performance and share best practice and information. The Working Group would offer an element of co-ordinated scrutiny with a specific focus on regional working.

4.2 Membership

The Chairs of the Education Scrutiny Committees of each of the local authorities (or a nominated representative of the Scrutiny Committee), supported by a Scrutiny Officer. However, a suggestion has been made by Bridgend Council that the Working Group should consist of more than one elected Member from each local authority and will therefore be a matter for consideration by the Working Group when formally agreeing its Terms of Reference.

4.3 Standing Items for Consideration

- The Consortium’s progress against its 3 year business plan on a regional basis;
- Regional performance trends

- Sharing best scrutiny practice across the region.

It is also proposed that further items for consideration should include the Consortium's value for money, Governor Training and support, the Free School meal attainment gap and the impact from recent changes to the Pupil Deprivation Grant, focusing each time on the regional and national perspective.

4.4 ***Frequency of Meetings***

It is proposed that the Working Group will meet three times a year and that these meetings be scheduled to take place shortly after each meeting of the Consortium

- 4.5 It is also proposed that the Working Group would report annually to each relevant Overview and Scrutiny Committee in each local authority and provide recommendations to the Consortium's Joint Committee.

5. **CONCLUSION**

The proposed establishment of a Joint Collaborative Scrutiny Working Group has been reported to and endorsed by the Central South Consortium at a recent meeting held on the 5th December, 2017, where it was also agreed that the Consortium would receive recommendations from the Collaborative Scrutiny Working Group and respond to them as required following the formal agreement by each of the authorities to the formation of the Collaborative Scrutiny Working Group.

Date written: 24 November 2017

Report author: Anna Brychan

Date of meeting where the report is being considered: 5 December 2017

Appendices attached:

- *Developing a culture of collaborative scrutiny: an evaluation of practice and potential* - Cardiff Business School report 2013

Issue: Collaborative Scrutiny Plan

Summary

1. The Estyn/WAO *Report on the quality of the school improvement services provided by the Central South Consortium* (2016) noted that:
'The consortium has [...] worked effectively with each scrutiny committee to provide data and related information, as well as training, in order to help the committee hold schools and officers to account for performance. **However, scrutiny chairs remain unclear about which aspects of the consortium's work they can and cannot scrutinise more directly.**'
2. To address this, Consortium officers set up a calendar of regular meetings with the five scrutiny committee chairs in the Central South Consortium, as a group. Democratic services officers representing/working for the five local authorities also attend.

The model:

3. The chairs of the five scrutiny committees in the region have undertaken to secure the support of their cabinet/council members to develop this model of collaborative scrutiny.
4. The five scrutiny committee chairs have developed a workplan for their collaborative work and have agreed to meet three times a year as a group.
5. The group's purpose is to consider the regional performance of the Central South Consortium and share best practice and information.
6. This paper seeks to inform Joint Committee about the background to this work and the next steps and makes a recommendation that the joint committee agree to support these collaborative scrutiny arrangements.

Background

7. The Consortium is accountable to the local authorities through a Joint Committee comprising the relevant cabinet member for each local authority.
8. The consortium's performance is scrutinised on an annual basis by the relevant scrutiny committee in each local authority who examine the detail of the latest school performance results and business plan. These meetings focus on data and activity relevant to the individual local authority rather than performance in the region overall.
9. This accountability and scrutiny structure is critically important since the statutory responsibility for the performance of schools resides in the individual local authorities.

10. The group of scrutiny chairs in the central south region has been discussing the development of a 'regional' element to scrutiny work in addition to the current individual local authority scrutiny programme outlined above.
11. This discussion was informed by a Cardiff Business School study on coordinated scrutiny (*Developing a culture of collaborative scrutiny: an evaluation of practice and potential*. Cardiff Business School report 2013). This notes the benefits that collaborative scrutiny could offer including:
 - i. *The presentation of a clear rationale for regional service delivery and regional scrutiny to elected members*
 - ii. *Further clarity on the governance and service delivery configurations of Welsh public services*
 - iii. *Guidance to partnerships, consortia and other collaborations*
12. The discussion was further informed by the ERW model of collaborative scrutiny. (ERW: The regional education consortium serving the west of Wales and Powys). This has been identified as an example of good practice by the Wales Audit Office:

*'ERW generally supports elected members well in carrying out their scrutiny functions. ERW's reports to scrutiny are clear and informative, and elected members are provided with useful training to help them understand education matters and the interpretation of data. **ERW has also helped the six local authority's scrutiny chairs work more closely together through the Regional Scrutiny Councillor Group. These events are helping chairs to build an effective common approach to the scrutiny of school performance and ERW's work across the region.**'* From *A report on the quality of the school improvement services provided by the ERW Consortium*. June 2016

13. Recommendation

That the Joint Committee:

- i. Agree the model
- ii. Agree to receive recommendations from the collaborative scrutiny group and respond to them as required.
- iii. Joint Committee is also asked to consider an exception submitted by Bridgend County Borough Council that:
'a request be made to the Central South Consortium Joint Committee that the Working Group [described above] should consist of more than one elected Member from each local authority.'

Please note that the working group will not begin to work under this model until formal agreement has been recorded in each local authority via its internal processes.

14. Link to business plan.

5.3 Good governance: Improve engagement with scrutiny including: common format of scrutiny reports across region, shared calendar of Chairs of Scrutiny events and joint development programme



Developing a culture of collaborative scrutiny: an evaluation of practice and potential

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Views expressed in this report are those of the researchers and not necessarily those of the Welsh Government

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Acknowledgements

We would like to thank all the scrutiny officers who took part in our focus groups and the Centre for Public Scrutiny for allowing us to present our initial findings at their conferences in North and South Wales.

Executive Summary

Introduction

1. This report presents the findings of an independent research study conducted by the Centre for Local and Regional Government Research at Cardiff Business School, Cardiff University. The study focused on local government scrutiny and comprised of two key elements. The first element identifies current practice and determines the future prospects for collaborative scrutiny (scrutiny conducted jointly between local authorities). The second element reviews mechanisms for peer learning and exchange between authorities on scrutiny. As such, the study addressed two main research questions:
 - a. The extent and nature of collaborative scrutiny conducted to date and the factors which facilitate or impede collaboration on scrutiny.
 - b. The most appropriate structures and mechanisms to underpin peer learning and knowledge exchange between scrutiny officers and members.
2. We conducted five focus groups in different regions of Wales between November 2012 and February 2013. These were based principally on the Regional Collaboration Footprint areas and included participants from each local authority in Wales.

Research findings on collaborative scrutiny

3. The research indicates that collaborative scrutiny is slowly developing in Wales. There are some examples of joint collaborative scrutiny focused on key public services which has generated some individual and collective benefits. However, participants also identified a range of barriers that act as impediments to collaboration on scrutiny. On the basis of this evidence, we suggest that collaborative scrutiny will be more feasible if a series of conditions can be put in place. These conditions include:

- a. A clearer specification of the accountability role that joint local scrutiny could perform in scrutinising collaborations and partnerships (versus inspectorates and regulators), and how elected members best contribute to this role
- b. The presentation of a clear rationale for regional service delivery and regional scrutiny to elected members
- c. Further clarity on the governance and service delivery configurations of Welsh public services
- d. A digest of case studies and potential blueprints for scrutiny officers to employ
- e. Sufficient resource and capacity to deliver collaborative scrutiny
- f. Guidance to partnerships, consortia and other collaborations – and a strong reminder to local authority leaders, executive members and chief executives - on the importance of scrutiny
- g. Service and policy-specific training for members and officers.

Research findings on peer learning and knowledge exchange

- 4. The research evidence suggests that scrutiny networks, particularly at the regional level, are playing a vital role in terms of peer learning and facilitating knowledge exchange. However, it is clear that scrutiny teams currently lack the time and resource to communicate and disseminate on a regular basis. In light of this, a nationally-based organisation might take responsibility for a more formalised and systematic dissemination of scrutiny activity, reports and best practice.
- 5. It is evident that budgets to provide development opportunities for members have been considerably reduced and indeed, in some cases, are now almost non-existent. This is a disappointing situation given the challenges facing scrutiny associated with implementing the Local Government Measure. Of further concern was the situation regarding scrutiny officers who, as a professional group, seem to receive very little in terms of training and professional development.

Conclusions and recommendations for action

6. Scrutiny context

- a. There is a need to ensure that the various initiatives designed to support scrutiny build upon one another so that the learning from one can feed and inform the next.
 - i. *Action: Progress on this is now underway, e.g. a series of meetings has been held between the Wales Audit Office (WAO), Welsh Local Government Association (WLGA), Cardiff Business School, Welsh Government and the Centre for Public Scrutiny (CfPS) in order to ensure that recent developments and research findings are shared. In addition, the Public Service Scrutiny Reference Group provides a forum for the dissemination of research.*
 - ii. *Action: The improved synergy will also be reflected in a joint conference being held in the autumn of 2013.*
- b. The purpose of any initiative or study of scrutiny should be made clear from the outset so scrutiny officers understand the aims, terms of engagement and potential outcomes of the exercise.
- c. Given the increasing role for the Centre for Public Scrutiny in Wales, the organisation needs to ensure that it quickly builds its knowledge of the Welsh context and also that it works with scrutiny officers to design and deliver their various initiatives. It will also be important to work in conjunction with the Welsh Local Government Association.
 - i. *Action: CfPS and WLGA need to work closely together to ensure that activities are synchronised and effective. Recent developments suggest that this kind of coordination is already underway.*
- d. Expectations of progress in relation to various aspects of the Local Government Measure, including collaborative scrutiny, need to be realistic in light of current challenges and constraints.

7. Understanding, interpretation and examples of collaborative scrutiny

- a. The research demonstrates that collaborative scrutiny is viewed in terms of a specific joint scrutiny project. Several of the examples contained in the report are projects funded by the Welsh Government Scrutiny

Development Fund. However, it was not clear whether the learning from these projects had been widely disseminated.

- i. *Action: CfPS and WLGA should explore how they can further disseminate the findings from previous rounds of SDF projects.*

8. Barriers to effective collaborative scrutiny

- a. The absence of a comprehensive mapping of public service arrangements in Wales is an inhibitor for collaborative scrutiny. Some council scrutiny teams are beginning to develop these on an individual basis but a comprehensive national map which might be locally adapted would be welcomed.
 - i. *Action: It is an urgent priority for WLGA and/or CfPS to provide a potential route-map for collaborative scrutiny.*
 - ii. *Action: Local authorities should undertake to keep their scrutiny teams informed of any collaborative initiatives.*
- b. There is also a need for some specific service/policy-related training and development. The new WLGA scrutiny member network meetings have focused on developments in specific policy areas and these have been well-received. Some further provision of sessions which might be attended by both officers and members would be welcomed.
 - i. *Action: WLGA and/or CfPS should consider incorporating this as part of their work in developing scrutiny in Wales.*
- c. Our evidence suggests that public service collaborations in Wales are not currently being fully held to account. Given the funding at their disposal and their service responsibilities, this is a serious concern.
 - i. *Action: As a matter of urgency, local authorities, Welsh Government and others need to give consideration as to the precise nature of accountability arrangements for public service collaborations in Wales.*
 - ii. *Action: Where new collaborations are established, it is important for all stakeholders to recognise that scrutiny could play a useful part in governance and accountability arrangements. The role for scrutiny should be considered as part of the governance arrangements from the outset.*

- d. It was disappointing to report that scrutiny teams are sometimes being deterred from conducting scrutiny by those within their authority.
 - i. *Action: Emphasis should be given to raising the profile of scrutiny amongst partners and new public service delivery organisations but also to local authority leaders, executive members and chief executives.*
- e. Our evidence suggests that as far as local politicians are concerned, a strong and convincing argument for the regional configuration of local services between authorities and the collaborative scrutiny of those services has not yet been clearly articulated. Although, it may be the case that some members may not want to hear the 'message'.
- f. The continual speculation around the configuration of local services has contributed to a sense of unease around joint service provision.
 - i. *Action: Welsh Government and local authority leaders need to present a clear and convincing rationale for joint service provision and joint scrutiny in order to 'win hearts and minds'.*
 - ii. *Action: There is a need for the WLGA and/or CfPS to consider the provision of further training and development opportunities for members on public service governance arrangements in Wales which might include discussions of different models.*
- g. There are concerns about the precise role that collaborative scrutiny can perform in relation to other accountability agencies (such as inspection agencies).
- h. If collaborative scrutiny is intended to involve strategic regional accountability then one option might be for a sub-set of scrutiny members (possibly Chairs) to undertake the role. This group of members could become particularly skilled in this type of scrutiny.
- i. If collaborative scrutiny is likely to involve more overview and policy development work, including an evaluation of local service impacts from a citizen perspective, then there is potential to engage a wider range of well-prepared and briefed members.
 - i. *Action: WLGA and CfPS to reflect on the skill-set required for collaborative scrutiny within WLGA scrutiny member networks and CfPS scrutiny officer development programme.*

- j. It is clear that the ability to prepare for collaborative scrutiny and build relationships between members conducting scrutiny jointly between authorities is essential. There is a genuine fear that without this kind of preparation, collaborative scrutiny will fail.
- k. The Welsh Government needs to recognise that preparing for this kind of scrutiny involves time and resource and under current circumstances, this is difficult to provide.
 - i. *Action: CfPS should work in conjunction with WLGA to assist in preparing officers and members for the task of collaborative scrutiny (e.g. through specific themed workshops or sessions designed to facilitate working relationships).*
 - ii. *Action: The Scrutiny Officer Summer School should incorporate some further development work in this area.*
 - iii. *Action: Through the CfPS development programme and the Summer School, scrutiny officers might review the potential benefits of incorporating strategic objectives for collaborative scrutiny into Personal Performance Plans.*
- l. As the precise accountability function to be performed by collaborative scrutiny teams remains unclear, Welsh Government and local authorities might review early experiences of collaborative scrutiny in order to reflect on the relative roles of inspectorates, regulators and local scrutiny. This would allow organisations to ensure that sufficient capacity exists to undertake appropriate scrutiny of collaborations.
- m. There is demand for further support and guidance on collaborative scrutiny - both in terms of identifying what collaborative scrutiny consists of (examples of good practice) and how it can be operationalised (in terms of protocols, memoranda of understanding etc). This reflects the current context for scrutiny with limited resource and capacity and also emphasises the need to avoid each authority reinventing the wheel.
 - i. *Action: CfPS and WLGA might compile a digest of case studies which includes relevant examples but also incorporates outline terms of reference, protocols and reporting mechanisms.*
 - ii. *Action: Welsh Government might consider providing clear guidance to collaborations and consortia subject to scrutiny to create an*

expectation that such organisations be open and responsive to scrutiny (This may be incorporated within the designated persons' guidance).

9. Peer learning and knowledge exchange

- a. Scrutiny officer networks, especially at regional levels, are operating as 'communities of practice'. Such communities are seen as ideal vehicles for sharing and developing learning amongst a like-minded practice grouping. The study suggests that the 'communities of practice' extend beyond the network meetings and involve open discussion and sharing information outside of formal meetings. These activities should be encouraged and it is important to value these kinds of benefits that the networks deliver.
 - i. *Action: Welsh Government and CfPS should recognise the value of scrutiny officer networks as 'communities of practice' and take care in attempting to secure additional outputs from these groups as this may impact on their ability to learn and share as naturally and productively as at present.*
- b. Some further facilitation of a more systematic form of knowledge exchange is required. This kind of support would prompt officers to provide information more routinely and would also ensure that a more permanent repository for Welsh scrutiny reviews is sustained.
 - i. *Action: CfPS, WLGA and Welsh Government should consider prioritising the Scrutiny Timebank, LGA Knowledge Hub or Scrutiny Connect and facilitate use of this by prompting input and uploads from scrutiny teams across the UK and beyond.*
 - ii. *Action: CfPS might consider compiling and circulating a regular email-based digest of scrutiny activity.*
- c. The CfPS Development Programme and activities such as the proposed scrutiny Summer School for scrutiny officers are particularly welcome in light of our findings.
 - i. *Action: It is vital that CfPS and Cardiff County Council ensure that scrutiny officers have some input into the design of these development activities.*

- d. Elected member peer exchange activities worked well as part of the WAO study so an extension of these might be considered.
 - i. *Action: WLGA might review the possibility of a buddy exchange scheme amongst scrutiny members. Feedback from the National Parks on their member buddy scheme might be useful here.*

Developing a culture of collaborative scrutiny: an evaluation of practice and potential

1. Introduction

- 1.1 The Welsh Government has stated its desire to create effective scrutiny models and introduce initiatives to strengthen the effectiveness of scrutiny both locally and regionally. This short project aimed to examine two main research questions:
 - a. The extent and nature of collaborative scrutiny conducted to date and the factors which facilitate or impede collaboration on scrutiny.
 - b. The most appropriate structures and mechanisms to underpin peer learning and knowledge exchange between scrutiny officers and members.
- 1.2 In order to address these questions, we conducted five focus groups in different regions (largely based on the Regional Collaboration Footprint) between November 2012 and February 2013) which included representation from all 22 local authorities. All focus group discussions were transcribed and analysed. We presented our initial findings to two Centre for Public Scrutiny (CfPS) conferences held in April 2013 made up of both scrutiny officers and local councillors.
- 1.3 The findings from the research is organised into three key sections. The next section relates to the scrutiny context, which not only shaped the research but also informs the immediate prospects for collaborative scrutiny. Section three reports on the first research question which focuses on perspectives on, and experiences of, collaborative scrutiny in Wales. Section four discusses the second research question and reviews perceptions of various mechanisms for dissemination, knowledge exchange and peer-based learning.

2. Context

- 2.1 The research was conducted during a challenging period for local scrutiny teams characterised by i) intense activity driven by Welsh Government and Wales Audit Office (WAO) studies and changes to the way in which scrutiny is supported by the Welsh Local Government Association (WLGA) and CfPS and, ii) challenges associated with the implementation of changes associated with the Local Government Measure and a large turnover in scrutiny committee membership, and iii) constraints associated with widespread reductions in local scrutiny and member development budgets. The following summarises the views on these three issues which emerged from the focus groups with scrutiny officers.

The Welsh Government's Scrutiny Development Fund

- 2.2 Scrutiny officers were unanimously in support of the re-launch of the Scrutiny Development Fund (SDF). While the Fund was softly launched in mid-August 2012 to give councils time to make an application (expressions of interest by November 2012 and full application due in January 2013), there was a concern that due to the work involved with the WAO improvement study (see below), there was a limited amount of time to devote to preparing an application. One officer summarised this position which was echoed across the focus groups:

'Because of the volume of work that everybody's involved with at the moment, it's difficult to find time to progress anything on SDF...the experience of that in the past has been it's been quite bureaucratic and time-consuming. Whilst I think the motivation behind it is very well thought out and anything that could help promote scrutiny and the interaction and working together is fine, but I think its timing is somewhat skewed with all the work that's going on at the moment'.

- 2.3 There was a view that the SDF might have been better synchronised with other initiatives to enable further improvement of key aspects of scrutiny. So, for example, it was suggested that the SDF might have more explicitly built upon

key findings from the WAO study which would enable authorities to pursue joint projects addressing common areas for improvement during their self-assessment – such as holding external organisations to account. In reality, budget cycles did not allow for this arrangement but this was not widely known. Consequently, some officers suggested having an all-year round application process so that councils can apply at the most appropriate time for them. Given that the Fund focuses upon collaborative working and that previous experience on joint bids suggested that collaborations were resource intensive, flexibility in the timing of applications is likely to be welcomed by councils.

2.4 Overall, officers appreciated recent amendments to SDF application procedures which included a simplified process, the removal of the requirement of co-funding and the provision of guidance and support from WLGA and CfPS. It was clear from discussions that authorities were actively exploring potential collaborations for future bids and scrutiny officers were much more positive about applying for resources from the SDF in the near future.

2.5 The SDF seeks to encourage collaborative scrutiny and so it will be interesting to consider whether collaborations instigated during the early rounds of SDF continue into future rounds. The evidence from our research demonstrated that whilst positive relationships have continued between authorities who secured joint SDFs in the first round, specific collaborations have not always been formally sustained – most notably those around training and development. Therefore, Welsh Government might consider incorporating an analysis of the sustainability of SDF collaborations within the evaluation process for the next round.

The Wales Audit Office Improvement Study

2.6 Our research took place during the early stages of the WAO improvement study and inevitably this meant that the exercise was at the forefront of the minds of scrutiny officers. A common issue raised in relation to the WAO study was a significant concern from officers about the time commitment and bureaucracy involved in completing the self and peer evaluations. Whilst we

understand that some negotiations between WAO and local scrutiny officers took place, a majority of scrutiny officers reported that they found the timing of the self-evaluation aspect of the study difficult because it followed closely from the introduction of the Local Government Measure and the local elections which brought lots of new members. Questions were also raised in relation to the process itself. For example, there was a perception in some cases that the self-evaluation was not always 'council-led' with WAO playing an active lead role. A further issue related to a question of consistency with different practices and approaches reported in different areas, depending upon the WAO lead officer involved.

- 2.7 A further concern was a lack of awareness and understanding in terms of the added value of the study, although it should be noted that these concerns may relate to the timing of our focus groups and reflect the fact that this was, for the WAO, a fundamentally different way of working with councils. For some scrutiny officers, it seemed the aims and objectives of the evaluation were not transparent and there was also some uncertainty around the terms of engagement. For example, it was not clear whether the WAO would continue to play a role into the long-term. So, at the time we conducted this study, there were a number of unanswered questions for scrutiny officers around the WAO self-evaluation, such as whether it would lead to a report with recommendations and a lessons-sharing event; whether the process would become an institutionalised, annual event and whether it would lead to the development of a toolkit. There were also queries around the future relationship between authorities and the WAO on scrutiny, specifically how WAO would aid improvement where a need was identified and whether positive evaluations of scrutiny would result in more freedom and flexibility for authorities. The worst fears were that the 'The outcome of the WAO assessment will be a nice packaged document that will sit on somebody's shelf'.

- 2.8 However, it was also very apparent that authorities had learnt a significant amount from this exercise as it provided an internal focus and stimulus for change. As one officer explained, 'I think it's very helpful for us to have that

kind of spotlight and just to check that things are working well'. The peer review element was perceived to have been especially valuable, particularly for those who had not previously undertaken this type of work. In these terms, the WAO study was seen to be helpful in encouraging members to reflect on their scrutiny practice through comparison with scrutiny in other authorities. Further, some research participants felt the summary document compiling the self-assessments has been useful in allowing authorities to compare with one another, although at the time of the research, few authorities had managed to use it to its full potential.

The CfPS Scrutiny Development Programme

2.9 At the time of our research, the Welsh Government had recently commissioned the CfPS to provide development support for scrutiny in Wales to support Ministerial priorities and policies. It was evident that scrutiny officers were unclear as to the nature of the future CfPS development programme. However, there was evidence of an expectation across the focus groups that CfPS would begin to chair the regional and national scrutiny networks. Many officers voiced some initial concerns about this development on the basis of: a) support for the prior role played by the WLGA in supporting scrutiny in Wales, b) a concern that the networks would become overly managed and 'top-down' in organisation and, c) a nervousness about CfPS, largely borne of the legacy of negative prior experiences, especially in training events when the organisation had displayed little knowledge of the Welsh context.

2.10 The first drafts of the CfPS programme began to emerge as our study progressed. This prompted a further question around the nature of consultation with scrutiny officers regarding the proposed plans. Further, there was a view that it might have been preferable for the CfPS programme to have been finalised after the completion of the WAO study and this study, in order to ensure that the programme was underpinned and validated by a clear evidence base. It should be noted that since the completion of our research,

CfPS have provided an opportunity for initial findings to be reported to scrutiny officers in order to feed into the development programme.

- 2.11 There was also a perception that the development programme should focus on helping to get the basics of scrutiny right in certain authorities and raising the overall status of scrutiny rather than focusing on longer-term ambitions: 'scrutiny is something that has to be tolerated...we're a very small group trying to change that culture and we need practical help'. Finally, the future of scrutiny support once the CfPS contract comes to an end in 2015 was unclear, i.e. whether CfPS is making a firm, long-term commitment to Wales. Clearly, much of this depends upon future Welsh Government policy on scrutiny and the extent to which the CfPS build their knowledge and credibility of scrutiny in Wales. It is likely that two scrutiny appointments from Wales will help significantly in this regard.

The Welsh Local Government Association

- 2.12 The Welsh Government has traditionally funded the WLGA to support officers and members in conducting local government scrutiny in Wales. However, in a change to these arrangements, WLGA now has responsibility for supporting elected members in undertaking scrutiny whilst the role of supporting scrutiny officers and their networks has been allocated to the CfPS. As reported above, there was a mixed response to this development, as some scrutiny officers had clearly valued the input and advice they had received from the scrutiny advisors at the WLGA, although there was also some confusion as to the precise nature of support offered to authorities by WLGA. However, the main references to the WLGA during our research focus groups were largely relative to the establishment of themed member development network meetings. Overall, it was reported that the early meetings of these networks had been very successful. They are discussed in more detail in section four of this report.
- 2.13 Given that WLGA and CfPS are now providing vital scrutiny support for officers and members in Wales, it is very important that the two organisations

work closely together to ensure that activities are synchronised and effective. Recent developments suggest that this this kind of coordination is already underway.

Challenges

- 2.14 Scrutiny officers identified challenges which had affected their ability to engage with initiatives and deliver scrutiny. The first of these was the local elections of 2012 which led to a significant turnover in scrutiny membership. Inevitably, this meant that officers had been investing considerable time and effort in member development for those new to scrutiny. The turnover in membership also led to complications with the WAO improvement study as officers found it difficult to write authoritatively about the current state of scrutiny, given the level of change. A further challenge was associated with the implementation of the Measure, which was being limited, in some circumstances by a lack of specific guidance (e.g. the guidance on designated persons had not been fully developed by that point). Budgetary constraints were also affecting aspects of implementation. For example, it was anticipated that in order to be able to develop the public engagement agenda, scrutiny teams needed to undertake surveys, focus groups and out-reach visits, all of which would incur further expense within already tight scrutiny budgets. We heard that scrutiny is busier than ever with little or no time to look 'up and out'. As one officer explained, 'Everything seems to be happening at the same time. So I think, I don't think we can manage it all'.

Constraints

- 2.15 It was clear from the focus groups that scrutiny resources are being significantly squeezed in almost all authorities. At times, the discussion reflected a concern around whether scrutiny would survive. For example, almost all scrutiny teams had lost a half or full-time post whilst in some cases, authorities could not afford to bring witnesses before scrutiny. We also heard that some scrutiny officers had lost out in the job evaluation processes being undertaken across councils. In a significant proportion of councils, task and

finish work which had been very popular with members had become unfeasible. Somewhat inevitably, many of the day-to-day activities we have come to expect of scrutiny are becoming reduced and diminished. One officer expressed the view of many by saying that: 'We are being told that scrutiny is important...we're constantly answering questions and filling out forms and surveys but it's on the frontline where we need help'. In light of these developments, the necessary progress required against the Measure (such as improved public engagement) and developments on collaborative scrutiny (which involve time and resource – see section three) are hard to envisage in the short-term. Although we recognise the budgetary pressures facing local government, councils should consider whether there needs to be additional resource devoted to support scrutiny. The leadership (both political and managerial) of councils should also ensure that they are providing explicit support for the contribution scrutiny makes to effective service delivery.

Conclusions

2.16 During recent times, Welsh Government has invested significantly in scrutiny, most notably in terms of the continuation of the SDF and the creation of a new development programme for scrutiny officers. In addition, the WAO has sought to further improve scrutiny capacity through its improvement study, whilst the WLGA and CfPS continue to support scrutiny members and practitioners. Scrutiny officers are clearly appreciative of the additional investment and support in scrutiny. However, it is also clear that these developments have come at a time where frontline scrutiny officers have to cope with budget cuts, the introduction of the Measure and a significant turnover in members resulting from the 2012 local elections. We recognise that this context has shaped the responses to our research study and emphasise that the unprecedented challenges to scrutiny capacity are recognised and taken into account.

2.17 Learning Points

- There is a need to ensure that the various initiatives to support scrutiny build upon each other so that the learning from one can feed and inform

the next. For example, the WAO study has clear potential to improve scrutiny practices so it was a surprise to see that the self-evaluation did not involve an assessment of collaborative scrutiny.

- *Action: Progress on this is now underway, e.g. a series of meetings has been held between the WAO, WLGA, Cardiff Business School, Welsh Government and CfPS in order to ensure that recent developments and research findings are shared. In addition, the Public Service Scrutiny Reference Group provides a forum for the dissemination of research.*
- *Action: The improved synergy will also be reflected in a joint conference being held in the autumn of 2013.*
- The purpose of any initiative or study of scrutiny should to be made clear from the outset so scrutiny officers understand the aims, terms of engagement and outcomes of the exercise.
- Given the increasing role for the Centre for Public Scrutiny in Wales, the organisation needs to ensure that it quickly builds its knowledge of the Welsh context and also that it works with scrutiny officers to design and deliver their various initiatives. It will also be important to work in conjunction with the Welsh Local Government Association
 - *Action: CfPS and WLGA need to work closely together to ensure that activities are synchronised and effective. Recent developments suggest that this kind of coordination is already underway.*
- Expectations of progress in relation to various aspects of the Local Government Measure, including collaborative scrutiny, need to be realistic in light of current challenges and constraints.

3. Collaborative Scrutiny

Understandings, interpretation and examples of collaborative scrutiny

- 3.1 We asked scrutiny officers how they would define the term 'collaborative scrutiny' and discussed what the concept meant to them in practice. Most officers interpreted the concept as a formal arrangement of some kind between authorities, such as establishing a joint committee or conducting a joint scrutiny enquiry. It was clear from the focus group interactions that highly positive relationships are in existence between scrutiny officers in different authorities which clearly facilitate informal sharing and learning (see section four). However, for officers, collaborative scrutiny clearly involved something more formal and substantial than this. On the basis of this interpretation, scrutiny officers felt that they had only limited experiences of conducting collaborative scrutiny.
- 3.2 Therefore, in terms of the practice of collaborative scrutiny, it was possible to identify only a few examples, most of which stemmed from the first round of the Welsh Government's SDF (see Box 1, below). Whilst scrutiny officers were clear that there are benefits to be gained from collaborative scrutiny, which might involve a joint piece of work designed to improve scrutiny practices or to scrutinise a specific service or innovation across a joint local authority area, it was clear that, for many authorities, it has not been a priority to date. This might be a cause for concern, given the amount of resource which is being moved to a regional level (such as educational consortia) and we explore the reasons for this later in the report.

Box 1: Examples of collaborative scrutiny*Prosiect Gwyrdd Scrutiny Panel (2009-2013)*

Prosiect Gwyrdd is a partnership of local authorities (Cardiff, Caerphilly, Newport, Monmouthshire and the Vale of Glamorgan) which undertook a complex procurement to secure a solution for the treatment of waste after composting and recycling have been maximised. It was resourced by the partnership and supported by a Project Team of full time officers, a Project Board made up of senior officers representing each of the partner councils and, a Joint Committee of two senior members from each authority. In addition, legal, technical and financial external advisors were appointed to provide expert advice. In response to these developments, each Council agreed to form a Joint Scrutiny Panel as part of the agreement to establish and participate in the project. The Prosiect Gwyrdd Joint Scrutiny Panel was established in December 2009 comprising two scrutiny members from each of the five authorities and conducted an inquiry into the health and environmental impacts of waste incineration. The panel produced an influential report in the summer of 2012.

Collaborative Scrutiny Member Development Programme in North Wales (SDF project, 2008-2009)

This project was developed in response to various reports by the WAO and WLGA amongst others, highlighting the need for members to improve their knowledge of the scrutiny process. The SDF funding and the greater emphasis on improving collaboration with other authorities also meant that this was an opportune time for councils to work together on member training. The project aimed to design and deliver a bespoke training programme for scrutiny members of Conwy, Denbighshire and Wrexham. Training was provided on the scrutiny of partnerships, chairing and communication skills and the role of members in the financial management process. Central to the project was the need to deliver a good quality training package for members so officers across the three authorities spent a great deal of time ensuring that they commissioned the most appropriate training providers. The training events provided useful networking opportunities for members to meet, share ideas and 'best practice'. It gave members (and officers) the chance to see how other authorities were using scrutiny to make a difference and in what areas. It also gave authorities the opportunity to identify common issues relevant to all councils and to procure what has proved to be a very useful training package which continues in use but has not been widely shared with councils outside the region.

The Economic Impact of NHS Procurement: A Study of the Aneurin Bevan Health Board (SDF project, 2009-2010)

This SDF-funded project involved a joint task and finish group established between Newport and Caerphilly County Borough Council to investigate the local impacts of Gwent NHS Trust procurement policies. The project management was carried out by a group of 10 Members, 5 from each local authority who formed a joint task and finish group. The scrutiny panel commissioned the main body of work from an external expert who reported findings back to the task and finish group at each key stage of the project. The task and finish group was highly collaborative with a representative from the business community included in deliberations, along with a representative from the Gwent NHS Trust.

Promoting a joint scrutiny culture in Gwent (2010-2011)

This project built upon the Local Government Measure which outlined the option for two or more local authorities to set up a joint overview and scrutiny committee. The project aimed to build relationships with partners, to raise awareness of the role of scrutiny and identify the benefits and barriers of joint scrutiny. It was undertaken jointly between Blaenau Gwent, Caerphilly, Merthyr Tydfil and Torfaen. Training sessions were held across the four authorities and were attended by officers and members and representatives from health, the police and fire service, and voluntary sector organisations. The joint project enabled the group of authorities to secure training provision which they may not have been able to afford on their own and encouraged members to develop relationships with counterparts from different authorities. The councils' report on the project concluded that 'there is an appetite for working together in terms of scrutiny' and suggested that the project had helped to set foundations for future joint training and scrutiny.

- 3.3 There are some common factors that can be identified across these examples of collaborative scrutiny. The SDF has clearly played a key role in stimulating collaborative activity. Further, in most cases, one authority had taken the lead in developing and managing these joint projects (e.g. Wrexham in the North Wales training collaboration and Caerphilly in the case of NHS procurement). Having one authority taking primary ownership was deemed as being crucial in determining the success of a joint project. A further success factor involved ensuring adequate preparation was undertaken for the task, especially in the cases where joint scrutiny panels were established. Here, officers reported that a significant amount of preparatory work was necessary to ensure positive and constructive relationships developed between members from different authorities.
- 3.4 However, scrutiny officers commented that, in some cases, it was easier to identify the benefits and added value from individual scrutiny reviews and SDF projects. In this sense the benefits of collaborative working are less immediate and quantifiable (e.g. members exchanging learning and breaking down barriers). One of the tests of these collaborative arrangements might be whether they have continued after the projects have concluded. It would seem though that whilst positive relationships between scrutiny teams continue, there is little concrete evidence of any continuing formal collaboration. Councils should take advantage of the opportunity of putting in follow-on bids to the Welsh Government where their projects have delivered outcomes. There does seem to be potential to build on some of the SDF projects (e.g. the Cardiff County Council's study on improving the links between public service inspection and regulation) and for councils to plan future collaborative work (e.g. in Gwent). Similarly, the Welsh Government should analyse thoroughly the impact of SDF projects to ensure that they leave a legacy.
- 3.5 In terms of future collaborative efforts, officers could clearly see the potential in terms of the range of services and organisations they might scrutinise, e.g. local health boards, regional educational consortia, waste disposal, social

housing, etc. As one officer explained, 'we need to think of the customer first, so have to look externally, rather than internally'. However, officers were less clear about the precise role that joint local scrutiny would perform. For example, would collaborative scrutiny involve scrutiny enquiries focusing on the strategic or operational levels of service? If the former, would members be enthused and prepared for this task? If the latter, whilst members might be more enthusiastic, there was a clear view that this might be best conducted locally, due to the differential impacts on communities which might complicate matters. For example, there will be difficulty in collectively scrutinising hospital reorganisations, police station closures and waste disposal policies which might negatively affect one local authority area and positively benefit another.

3.6 On this basis then, scrutiny officers were clear that collaborative scrutiny should only be undertaken where it is likely to add value for all potential contributors and should not be practiced for its own sake. The added value, it was argued, needs to be evident not only to scrutiny teams but also to the leadership of local authorities, other elected members, senior officers, those being scrutinised and the general public. In relation to this, officers were keen to emphasise an appreciation that, to date, authorities had not been coerced into one particular regional footprint and therefore had the freedom to collaborate as appropriate given the service in question. Whilst this could create a potentially confusing situation for scrutiny, one officer suggested that the 'messiness gives you more opportunity'.

3.7 Notwithstanding the positive comments regarding the potential for collaborative scrutiny, the focus group discussions did reveal a series of barriers that will need to be addressed in order for collaborative scrutiny to be successful. These barriers are based upon a combination of factors with some related to experiences of collaborative scrutiny to date and others reflecting existing problems with scrutiny. We discuss the main barriers below and also make a series of suggestions on how they might be addressed.

3.8 Learning Points

- The research demonstrates that collaborative scrutiny is viewed in terms of a specific joint scrutiny project. Several of the examples contained in the report are projects funded by the Welsh Government Scrutiny Development Fund. However, it was not clear whether the learning from these projects had been widely disseminated.
- *Action: CfPS and WLGA should explore how they can further disseminate the findings from previous rounds of SDF projects.*

Barriers to collaborative scrutiny

3.9 There was evidence of a lack of knowledge and some confusion in relation to the new joint service arrangements in place between authorities, the role and remits of other collaborative partnerships and how scrutiny sits in relation to other recent governance developments (e.g. Police and Crime Commissioners and Police and Crime Panels). This is somewhat inevitable given the current pace of policy change and the challenges and constraints facing scrutiny discussed earlier but nevertheless it clearly impacts upon the potential of collaborative scrutiny.

3.10 Learning Points

- The absence of a comprehensive mapping of public service arrangements in Wales is an inhibitor for collaborative scrutiny. Some council scrutiny teams are beginning to develop these on an individual basis but a comprehensive national map which might be locally adapted would be welcomed.
 - *Action: It is an urgent priority for WLGA and/or CfPS to provide a potential route-map for collaborative scrutiny.*
 - *Action: Local authorities should undertake to keep their scrutiny teams informed of any collaborative initiatives.*
- There is also a need for some specific service/policy-related training and development. The new WLGA scrutiny member network meetings have focused on developments in specific policy areas and these have been well-received. Some further provision of sessions which might be attended by both officers and members would be welcomed.

- *Action: WLGA and/or CfPS should consider incorporating this as part of their work in developing scrutiny in Wales.*

Scrutiny playing 'catch-up' to established governance arrangements

3.11 There is a significant concern that collaborative arrangements are being established without an appropriate consideration of accountability arrangements. For example, Local Service Boards (LSBs) have been operating for some time and still for many authorities, the scrutiny of LSBs is only at a very early stage. However, it is important to note that the fault for this does not necessarily lie with scrutiny teams. As one officer explained, 'We've been trying for years to get the LSB scrutinised and the door kept on shutting in our face but now they're accepting it they want it done jointly'. Similarly, the experience of those involved in Prosiect Gwyrdd (example in Box 1) was that scrutiny should have been integrated into arrangements from the outset and that playing 'catch-up' may have mitigated against its effectiveness. The fear is that these situations will be repeated in relation to educational consortia. For example, the Central South Consortium Joint Education Service comprises five councils covering 426 schools and 144,000 pupils, but the focus group discussions revealed that there are no formal scrutiny arrangements in place. Similarly, the Regional Safer Communities Board for North Wales has been in place for about a year and, at the time of the focus groups, there had been no local or collaborative scrutiny. Finally, it was unclear as to whether Single Integrated Plans have been scrutinised across Wales. Overall, there is a lack of clarity as to where the primary responsibility for accountability lies – is it solely with joint local scrutiny teams or collectively with a wider range of accountability partners (including regulators and inspectorates), within which local scrutiny teams play a leading role.

3.12 Further, it is not considered helpful that when officers have attempted to scrutinise collaborations, authorities have sought to deter them - 'we've not really been given the open door to do that'. The roles and responsibilities of executive members have also caused confusion, as one officer explained 'I think there's also a sense in which cabinet members, because things are

external, see themselves in a scrutiny role. So they will say, 'Ah we're keeping an eye on these things'...it kind of muddies the waters'. If local joint scrutiny is to constitute the main form of accountability for regional and collaborative partnerships, then whilst it might be seen to be too early for scrutiny to be involved in some of these embryonic arrangements, it is precisely at these initial stages that 'buy-in' should be sought and the profile and awareness of scrutiny heightened.

3.13 Learning Points

- Our evidence suggests that public service collaborations in Wales are not currently being fully held to account. Given the funding at their disposal and their service responsibilities, this is a serious concern.
 - *Action: As a matter of urgency, local authorities, Welsh Government and others need to give consideration as to the precise nature of accountability arrangements for public service collaborations in Wales.*
 - *Action: Where new collaborations are established, it is important for all stakeholders to recognise that scrutiny could play a useful part in governance and accountability arrangements. The role for scrutiny should be considered as part of the governance arrangements from the outset.*
- It was disappointing to hear that scrutiny teams are sometimes being deterred from conducting scrutiny by those within their authority.
 - *Action: Emphasis should be given to raising the profile of scrutiny amongst partners and new public service delivery organisations but also to local authority leaders, executive members and chief executives.*

Political opposition to the 'regional agenda'

- 3.14 In some cases, there had been long-standing historical disagreements between authorities and despite positive and constructive relationships between scrutiny officers, it was unclear as to how these difficulties could be overcome to facilitate joint-working. In others, there was a concern about configuring services with neighbouring authorities, especially where there

were perceived variations in service performance, and some antagonism towards the idea of collaboration. The suspicion that regionalisation was a pre-cursor to a more substantial re-configuration of local services was evident. The view from this officer was common across our focus groups: 'The spectre of local government rationalisation and of creating fewer councils, there is a concern that what ramifications there might be from starting to work together again'. We also heard that a proportion of members were not inclined towards working with any other local authority.

- 3.15 This raises the role of party politics which should not be overtly evident within scrutiny processes, but in reality is a fundamental element of local authority life. It is unclear how party groups will deal with services being provided and scrutinised jointly. This has prompted some worries on the part of scrutiny officers with one outlining a possible scenario, 'If we're not clearly able to state what they should be doing, then maybe we'd rather they weren't there at all because of the political risks potentially involved'.

3.16 Learning Points

- Our evidence suggests that as far as local politicians are concerned, a strong and convincing argument for the regional configuration of local services between authorities and the collaborative scrutiny of those services has not yet been clearly articulated. Although, it may be the case that some members may not want to hear the 'message'.
- The continual speculation around the configuration of local services has contributed to a sense of uneasiness around joint service provision.
 - *Action: Welsh Government and local authority leaders need to present a clear and convincing rationale for joint service provision and joint scrutiny in order to 'win hearts and minds'.*
 - *Action: There is a need for the WLGA and/or CfPS to consider the provision of further training and development opportunities for members on public service governance arrangements in Wales which might include discussions of different models.*

Member enthusiasm and aptitude for collaborative scrutiny

- 3.17 Scrutiny officers suggested that it would be difficult for members, elected to represent constituents in one local authority, to conduct collaborative scrutiny on a regional basis. Whilst those members have a clear local authority identity, they do not yet have a strong regional identity or responsibility. This view was summarised by one officer who explained that, 'inevitably you've got some who will stay intensely parochial and see themselves as, 'I'm elected to represent my people and that's what matters to me'. There is real difficulty in encouraging members (who are directly elected to represent one geographical area) to seek to influence decision-makers on behalf of a region – the outcome of which might involve a negative impact on their local ward or authority area (e.g. a proposed closure of a hospital or a shift in education resources towards schools in a neighbouring poorly performing council). While training may be useful in encouraging members to reflect on a regional dimension to their role and service provision, it will be difficult to encourage members to develop a regional identity. Whilst officers have adjusted to working across boundaries, this will be much harder for members. The link between regional commissioning, design and delivery and the scrutiny of these arrangements needs to be made explicit and discussed with members in order for them to appreciate the potential impact on their local areas.
- 3.18 There was also an acknowledgement that not all members would be interested in, and have the aptitude for, conducting collaborative scrutiny. Whilst local health boards might attract the attention of elected members, it is often the local service implications of their decisions and not strategic and financial planning processes which are the focus. Whilst the latter inform the delivery of the service, scrutiny of these elements is not always the most interesting to undertake and, as can be seen at local scrutiny level, not attractive or appropriate to all members. The evidence suggests that members are engaged when they are scrutinising exciting, important issues where they can make a difference to the people they represent. 'I think they've

got to have the drive to sort of really want to look at a topic, and if they have, you're going to do a really good piece of work'. It is not easy to see how you can translate this position on local scrutiny to a regional level. Further, where scrutiny can generate an important impact, namely in evaluating the effectiveness of services from a user/citizen perspective, it is not always clear whether it is sensible or appropriate to frame this kind of scrutiny locally or regionally.

3.19 Learning Points

- There are concerns about the precise role that collaborative scrutiny can perform in relation to other accountability agencies (such as inspection agencies).
- If collaborative scrutiny is intended to involve strategic regional accountability then it might be preferable for a sub-set of scrutiny members (possibly Chairs) to undertake the role. This group of members could become particularly skilled in this type of scrutiny.
- If collaborative scrutiny is likely to involve more overview and policy development work, including an evaluation of local service impacts from a citizen perspective, then there is potential to engage a wider range of well-prepared and briefed members.
 - *Action: WLGA and CfPS to reflect on the skill-set required for collaborative scrutiny within WLGA scrutiny member networks and CfPS scrutiny officer development programme.*

Capacity

- 3.20 It was clear from prior experiences on collaborative scrutiny that significant investment is required, both in terms of preparing for the task and building relationships. For example, those involved with Prosiect Gwyrdd described the process by which they prepared, encouraged and supported elected members in undertaking this joint scrutiny role. Several authorities have undertaken similar preparation prior to scrutinising their LSBs. This means that scrutiny officers and members need to be able to devote sufficient time to this important task. However, as documented earlier in the report, officers

reported that they were unsure whether they could deliver this commitment at this point in time, in light of reduced capacity on the ground. Others felt that, within this climate, prioritisation within scrutiny was vital. One officer explained that, 'It's not about taking on additional work in terms of joint scrutiny. It's about not starting a piece of work that you ordinarily would otherwise. So it is kind of being very disciplined, very tight and very outcome focused, about the types of work that you want to undertake'. Others argued more optimistically that the resource situation suggested collaborative scrutiny might offer opportunities to share the load: 'We're all too busy, so why don't we just make ourselves less busy by sharing the workload. It's a simple argument isn't it?' One officer suggested that a potential solution might be for regional scrutiny to be actively supported and directed by national support officers, suggesting they would build up a core of expertise and identify a number of key areas in order to focus improvement and share 'good practice'.

- 3.21 The focus groups revealed a concern that, as part-time representatives, members were already stretched with current scrutiny commitments and, on that basis, would find it difficult to engage with collaborative scrutiny. There were reminders that scrutiny is only one part of a member's role and that scrutiny committees only have a limited number of meetings per year in which to make progress. Added to this was a worry that members need to be especially prepared for this kind of scrutiny, with even more time required if it concerns a less familiar policy area. There are additional issues here to consider too, such as remuneration, travelling distances and expenses and so on, all of which add to the organisation and expense of conducting collaborative scrutiny.

3.22 **Learning Points**

- It is clear that the ability to prepare for collaborative scrutiny and build relationships between members conducting scrutiny jointly between authorities is essential. There is a genuine fear that without this kind of preparation, collaborative scrutiny will fail.

- Welsh Government needs to recognise that preparing for this kind of scrutiny involves time and resource and under current circumstances, this is difficult to provide.
 - *Action: CfPS should work in conjunction with WLGA to assist in preparing officers and members for the task of collaborative scrutiny (e.g. through specific themed workshops or sessions designed to facilitate working relationships).*
 - *Action: The Scrutiny Officer Summer School should incorporate some development work in this area.*
 - *Action: Through the CfPS development programme and the Summer School, scrutiny officers might review the potential benefits of incorporating strategic objectives for collaborative scrutiny into Personal Performance Plans.*
- As the precise accountability function to be performed by collaborative scrutiny teams remains unclear, Welsh Government and local authorities might review early experiences of collaborative scrutiny in order to reflect on the relative roles of inspectorates, regulators and local scrutiny. This would allow organisations to ensure that appropriate capacity exists to undertake appropriate scrutiny of collaborations.

The absence of 'blueprints' or models of collaborative scrutiny

3.23 Discussions within the focus groups revealed that, for many, collaborative scrutiny is still a relatively 'new' activity. While there is some understanding of the different types of service and organisation one might scrutinise, authorities lacked many examples of collaborative scrutiny. Further, there was concern about the formalities of collaborative scrutiny, such as how protocols should be devised, whether changes to constitutions were necessary and who will take responsibility for writing reports. This reflected recognition that collaborative scrutiny is a distinctive form of scrutiny, especially in terms of the way reports and recommendations might be addressed and implemented. This spilled over into some confusion as to the role of scrutiny in this context for scrutiny members and, in particular, partner organisations. Some officers

had constitutional worries whilst others were concerned about the risk of duplication with the role performed by the Community Health Councils.

3.24 Others suggested that the confusion created space for scrutiny teams to design an appropriate model and set the terms of engagement: 'I would prefer for us to work up local arrangements. There could be some suggested models but my feeling is it's got to be what suits you'. Others, due to time pressures and a lack of clarity about scrutiny's remit, were nervous about the responsibility associated with developing new models and approaches and felt they lacked the sheer time and space to deliver. Overall, there was a general consensus that more guidance would be useful in order to take collaborative scrutiny to the next level.

3.25 Learning Points

- There is demand for further support and guidance on collaborative scrutiny
 - both in terms of identifying what collaborative scrutiny consists of (examples of good practice) and how it can be operationalised (in terms of protocols, memoranda of understanding etc). This reflects the current context for scrutiny with limited resource and capacity and also emphasises the need to avoid each authority reinventing the wheel.
 - *Action: CfPS and WLGA might compile a digest of case studies which includes relevant examples but also incorporates outline terms of reference, protocols and reporting mechanisms.*
 - *Action: Welsh Government might consider providing clear guidance to collaborations and consortia subject to scrutiny to create an expectation that such organisations be open and responsive to scrutiny. (This may well be covered under the designated persons' guidance).*

Conclusions

3.26 Overall, we conclude that collaborative scrutiny is in a fairly embryonic state in Wales. There are some examples of joint collaborative scrutiny which focused on key services and generated collective benefits. However, even in those

cases, participants were unclear as to whether these projects produced clear added value when compared with individual initiatives. A set of barriers has been identified and there have been some suggestions as to how these might be overcome. To summarise, this section suggests that collaborative scrutiny might be more feasible if a series of critical success factors can be ensured. These are listed below:

- a. A clearer specification of the accountability role that joint local scrutiny could perform in scrutinising collaborations and partnerships (versus inspectorates and regulators), and how elected members best contribute to this role
- b. The presentation of a clear rationale for regional service delivery and regional scrutiny to elected members
- c. Further clarity on the governance and service delivery configurations of Welsh public services
- d. A digest of case studies and potential blueprints for scrutiny officers to employ
- e. Sufficient resource and capacity to deliver collaborative scrutiny
- f. Guidance to partnerships, consortia and other collaborations – and a strong reminder to local authority leaders, executive members and chief executives - on the importance of scrutiny
- g. Service and policy-specific training for members and officers

4. Structures and Mechanisms of Learning in Scrutiny

- 4.1 Our second research question aims to determine the most appropriate structures and mechanisms to improve peer learning and knowledge exchange amongst scrutiny officers and members. This is seen to be especially important in light of the new responsibilities for scrutiny, a perceived lack of engagement with support mechanisms such as the Scrutiny Timebank and limited evidence of dissemination from the last round of SDF projects. The section presents feedback from our focus groups on the quality of current arrangements and ideas for improvement.
- 4.2 It was important initially for us to determine how well scrutiny officers know one another and to establish the basis of their relationships. It was evident from the focus groups that in their regional configurations, officers are familiar with one another and have positive working relationships. When asked about the starting point and basis of these relationships, unanimously, officers cited the importance of the regional scrutiny officer networks. It is clear that the networks played a key role in delivering a safe and confidential environment and one in which officers feel free to share information with one another. The regional network meetings also seemed to operate as a support mechanism when scrutiny teams were faced with a difficult issue, they were able to discuss this at the network and gain feedback on next steps. Finally, the networks also serve as a vital element of the induction process for those new to scrutiny.

'As a newcomer to the group, I think this is only the second formal meeting that I've attended...but the interaction, there've been emails flying round, the questions, the phone calls I've made based on the knowledge that I've gained at this group has really helped me move things forward, from a perspective getting to know people, understand what other authorities are doing, it's been really, really helpful'.

- 4.3 Whilst regional network meetings seemed to offer a valuable combination of informal and formal opportunities for knowledge exchange, there was a concern that at the national network meetings there is less time for this kind of activity and relationship building:

‘The agendas don’t leave us a lot of time to do the actual talking about what matters to us all. We have these things on the agenda that are coming from national initiatives or whatever and we just don’t get the time then to sit down and actually have that chat unless it’s over lunch and you haven’t got time to go and see everybody you want to see. So perhaps... [we need to] manage those agendas better which could facilitate more collaboration or to start a collaboration’.

- 4.4 Whilst the lack of informal discussion time at national network meetings was perceived as a disadvantage, it is clear that this group plays an important role as a consultation body in relation to scrutiny initiatives and has the potential to further inform policy developments on scrutiny.
- 4.5 In terms of members, the focus group discussions suggested that the newly launched WLGA themed member development networks have been a success. Early perceptions indicated that where members had attended, they had found the presentations and networking opportunities to be useful. At the time of our research, however, not all councils had managed to secure engagement from members, potentially due to a slight mismatch between themes and scrutiny portfolios in certain authorities. Whilst members had clearly benefited from the meeting, the wider success of these networks rests upon the ability to ensure that the knowledge gained from the meetings is widely disseminated within authorities. It was clear that practice varied in this regard. In some cases, systematic arrangements were made and members took responsibility for dissemination. In other councils, there were no such arrangements. As a result, it might be useful for the organisers to summarise the key themes and discussion points from these meetings and communicate these to scrutiny officers who could ensure a wider circulation.

- 4.6 Overall, the network meetings were viewed positively as they allowed members to take ownership and leadership of the scrutiny process and gain further encouragement and support for the role. In addition, they provide much needed policy and service information which is essential for conducting collaborative scrutiny. Most importantly it seems members have benefitted from meeting one another and sharing practice: 'Our members have certainly always enjoyed it whenever they've got in a room with councillors from other authorities or partners. They've said, 'Oh that was really good. We really learned a lot from that'.

Informal sharing of knowledge

- 4.7 For officers, in addition to the formal network meetings, there was considerable evidence of informal contact by phone and email, sometimes on a regional basis and also nationally, across the 22 authorities.

'I think we all know that if we need anything or if it's urgent or just to pick anybody's brains, you can pick up the phone. Not only amongst this group but anybody in Wales I would have thought. I think we've built the relationships in the network because I don't think the staffing has changed that dramatically over the years...it's almost like an extended team where everybody's there and you get the advice you need'.

'If you spend twenty minutes sort of engaging with your colleagues across Wales as part of the day, you might actually learn things which are going to save you three thousand pounds or a couple of hours, or whatever else it might be, further down the line. So we've got more in common with each other than we have with our organisations...The number of hours I've spent in presentations about procurement or whatever else it is in various senior management groups and so on, which are of no added value really to us at all. Compared with what I get from these kind of interactions which is, you know, there's four or five things I've already taken away that are useful'.

- 4.8 However, this form of sharing did not extend to the routine distribution of scrutiny work programmes. Whilst these are all available online, scrutiny officers are not aware of the scrutiny agenda in neighbouring authorities. This is somewhat inevitable given that they have limited capacity to deliver scrutiny within their own authority and often do not have the time and space to review work programmes from elsewhere. However, one consequence of this is that authorities are scrutinising very similar topics to one another without knowing. Welfare reform was one such example which featured in every focus group discussion. Whilst one would not expect councils to necessarily conduct joint scrutiny on common topics, there may be benefits in jointly commissioning research, drawing on one another's evidence and avoiding reinventing the wheel in each enquiry. One thing to note is that the kind of sharing discussed in the focus groups was almost exclusively limited to Wales. This was explained on the grounds of an increasingly distinctive public service context and that Wales was 'just about big enough that there's good practice that people can share'.
- 4.9 In terms of members, the view was that they have welcomed the peer interactions prompted by the WAO improvement study, although it should be noted that some authorities had adopted reciprocal exchange relationships prior to this. We also heard positive reports of being able to meet and exchange information on occasions such as joint training events and development programmes like the Leadership Academy. However, these are rare events and typically only involve a small number of councillors. Consequently, there may be potential here for the WLGA to be proactive in considering developments in terms of peer review/buddying type relationships between members.

Knowledge repositories and exchange facilities

- 4.10 These support mechanisms, such as the Timebank and Knowledge Hub, were used to different degrees across authorities. Some officers felt that these were important as they help to provide a national perspective on scrutiny

issues. However, it was clear there was a perception that engaging with any of these facilities was more time-consuming and potentially less productive than sending a quick email to fellow scrutiny officers. It is important to recognise that this kind of systematic knowledge exchange needs a facilitator and, due to budget constraints, the host authority has not been able to support the Timebank as was possible with SDF support. In this way, scrutiny officers were supportive of the idea of having an organisation acting regionally or nationally in pulling support and development opportunities together along with scrutiny work programmes, whilst also disseminating good practice.

'I'm the time bank lead for our authority but I've had virtually no time to focus on time bank for the last few months... You have to be realistic. I think the intention is always there but you have to invest a lot of time in it. The fact that we can come to a session like this for the morning and do a lot of sharing experiences talking and networking, it's quite important'.

'I'm easily the worst offender...because we don't share anything with any of our partner organisations, you know, local authorities, and I'm sure we're not alone there...the Timebank is a great idea, great opportunity, but for whatever reason it hasn't worked and I mean it takes only two or three minutes to link a PDF onto a website, but it's not happening'.

Members were less likely to be involved in this kind of activity, although it was noted that many had appreciated input and support from the Wales Data Unit.

Professional development

- 4.11 Focus group discussions revealed that the main issue regarding member development was managing to provide the required support and appropriate development opportunities on a vastly restricted budget. There was evidence that scrutiny officers were adopting an imaginative and resourceful approach to this, often delivering training themselves. However, in light of the

developments in collaborative scrutiny previously discussed within this report, it is vital that members should be adequately prepared prior to engaging with different forms of scrutiny – in terms of skills requirements and the relevant policy background.

- 4.12 Naturally, as members are seen to lead the scrutiny process, the focus is often on their preparation and support. However, our focus groups revealed that scrutiny officers receive little or no professional development. Indeed, even posing the question about the extent of personal and professional development available prompted laughter amongst focus group participants. 'We don't have a training budget. We don't have continuing professional development as a cadre of officers in the same way that other people do. That's a really big issue in terms of training events for scrutiny officers'. Often scrutiny officers would 'piggy-back' onto training provided for members as scrutiny budgets are so tightly restricted, scrutiny officers are no longer able to attend courses as they have in the past. In terms of identifying occasions when they felt they had been able to reflect on their practice, scrutiny officers mentioned national events held over two-day periods as these guaranteed some time to consider scrutiny more fully. In this way, the officers clearly highly value time to discuss and reflect with colleagues with some even calling for a more unstructured approach to scrutiny development and support, such as an 'unconference', where time is set aside for people to speak informally, without a clear remit in order to spark exchanges and ways of improving scrutiny practice. Cardiff County Council's SDF bid on a Summer School for scrutiny officers might prove to be very helpful in addressing the issues outlined above.

Conclusions

- 4.13 Overall, it seemed that for officers and members, networks are playing a vital role in terms of peer learning and facilitating knowledge exchange. Beyond this, it was argued that a nationally-based organisation might take responsibility for a more formalised and systematic dissemination of practice. Council budgets to provide development opportunities for members and

officers are extremely tight – in some cases, almost non-existent. This is disappointing given the challenges facing scrutiny and that scrutiny officers receive very few professional development opportunities. Overall, it seems a mixture of support is required in order to further encourage effective knowledge exchange and dissemination of scrutiny practice.

4.14 Learning Points

- Scrutiny officer networks, especially at regional levels, are operating as ‘communities of practice’. Such communities are seen as ideal vehicles for sharing and developing learning amongst a like-minded practice grouping. The study suggests that the ‘communities of practice’ extend beyond the network meetings and involve open discussion and sharing information outside of formal meetings. These activities should be encouraged and it is important to value these kinds of benefits that the networks deliver.
- *Action: Welsh Government and CfPS should recognise the value of scrutiny officer networks as ‘communities of practice’ and take care in attempting to secure additional outputs from these groups as this may impact on their ability to learn and share as naturally and productively as at present.*
- Some further facilitation of a more systematic form of knowledge exchange is required. This kind of support would prompt officers to provide information more routinely and would also ensure that a more permanent repository for Welsh scrutiny reviews is sustained.
 - *Action: CfPS, WLGA and Welsh Government should consider prioritising the Scrutiny Timebank, LGA Knowledge Hub or Scrutiny Connect and facilitate use of this by prompting input and uploads from scrutiny teams across the UK and beyond.*
 - *Action: CfPS might consider compiling and circulating an email-based digest of scrutiny activity.*
- The CfPS Development Programme and activities such as the proposed scrutiny Summer School for scrutiny officers are particularly welcome in light of our findings.

- *Action: It is vital that CfPS and Cardiff County Council ensures that scrutiny officers have some input into the design of these development activities.*
- Elected member peer exchange activities worked well as part of the WAO study so an extension of these might be considered
 - *Action: WLGA might review the possibility of a buddy exchange scheme amongst scrutiny members. Feedback from the National Parks on their buddy scheme might be useful here.*

5. Conclusions

5.1 This short project aimed to examine two main research questions:

- a. The extent and nature of collaborative scrutiny conducted to date and the factors which facilitate or impede collaboration on scrutiny.
- b. The most appropriate structures and mechanisms to underpin peer learning and knowledge exchange between scrutiny officers and members.

5.2 We observed that the recent period has been an unprecedented one in terms of initiatives, challenges and constraints for scrutiny teams. In addition to the WAO study, the SDF and changes to the way that scrutiny is supported, scrutiny officers have had to cope with budget cuts, the introduction of the Measure and a large number of new members resulting from the 2012 local elections. We recognise that this context has shaped the responses to our research and it is important that these unprecedented challenges to scrutiny capacity are recognised and taken into account.

5.3 In terms of collaborative scrutiny, we conclude that there are only a few examples to date, but there is potential to do much more where it clearly adds value. There are a number of barriers to collaborative but we have made some suggestions as to how these might be overcome. We suggest that collaborative scrutiny might be more feasible if a series of critical success factors can be ensured:

- a. A clearer specification of the accountability role that joint local scrutiny could perform in scrutinising collaborations and partnerships (versus inspectorates and regulators), and how elected members best contribute to this role
- b. The presentation of a clear rationale for regional service delivery and regional scrutiny to elected members

- c. Further clarity on the governance and service delivery configurations of Welsh public services
- d. A digest of case studies and potential blueprints for scrutiny officers to employ
- e. Sufficient resource and capacity to deliver collaborative scrutiny
- f. Guidance to partnerships, consortia and other collaborations – and a strong reminder to local authority leaders, executive members and chief executives - on the importance of scrutiny
- g. Service and policy-specific training for members and officers

5.4 It is important for all organisations which support scrutiny to work together with local councils in examining these success factors, learning from previous collaborative arrangements and ultimately improving the practice of scrutiny in Wales.

5.5 Finally, our research suggested that networks for officers and members are playing a vital role in terms of peer learning and facilitating knowledge exchange. It is an appropriate time to reflect on how these networks can further improve the dissemination of scrutiny practice. It is important that both officers and members receive development opportunities given the significant challenges facing scrutiny. It is likely that a mixture of support is required in order to further encourage effective knowledge exchange and dissemination of scrutiny practice.

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