



SCRUTINY LEADERSHIP GROUP – 26TH JUNE 2014

SUBJECT: GOOD SCRUTINY? GOOD QUESTION? – AUDITOR GENERAL FOR WALES IMPROVEMENT STUDY: SCRUTINY IN LOCAL GOVERNMENT

REPORT BY: SCRUTINY RESEARCH OFFICER

1. PURPOSE OF REPORT

- 1.1 To inform Scrutiny Leadership Group of the findings of the report published by the Auditor General for Wales following the National Scrutiny Improvement Study.

2. SUMMARY

- 2.1 This report summarises the findings and recommendations in the Wales Audit Office report, 'Good Scrutiny? Good Question? Published on 29th May 2014, see appendix 1. The WAO report refers to the National Scrutiny Improvement Study carried out during 2012/13, which resulted in the development of the Council's Scrutiny Improvement Action Plan, see appendix 2.

3. LINKS TO STRATEGY

- 3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.

4. THE REPORT

- 4.1 The Wales Audit Office carried out a National Scrutiny Improvement Study during 2012/13. The study involved local authorities in self-evaluation and peer review using the Welsh Local Government Association Key Characteristics of Effective Overview and Scrutiny, as a benchmark.
- 4.2 The Authority fully participated in this study, and Members of the Democratic Services Committee formed a peer learning exchange team (PLET). The Authority was partnered with Monmouthshire County Council and each respective peer learning exchange team carried out reciprocal visits. In addition the peer learning exchange team participated in a regional workshop with the all 5 Gwent local authorities in order to share findings.
- 4.3 The WAO published its findings in its report 'Good Scrutiny? Good Question? On 29th May 2014. The main findings are outlined as follows:
- 4.4 **Scrutiny practice is improving but the impact that scrutiny is having is not always clearly evident**

- The WAO Local Improvement Planning and Reporting in Wales report – September 2013, noted that many councils were providing scrutiny committees with a better range of

- relevant and up to date information, however there is scope for further improvement.
- Improvements in scrutiny practice need to be judged against the outcomes that result from its activities.
- The Minister for Local Government and Government Business is quoted as saying that scrutiny is a 'classic invest to save service for the public sector'.
- The report commented that despite the resources invested into scrutiny across Wales and subsequent improvement in scrutiny practice that the impact of scrutiny is not always evident and is rarely captured.
- During observations some committees failed to arrive at clear conclusions and recommendations, along with a lack of summing up and insufficient time devoted to debate.
- It is important that scrutiny members make it clear the reasons why they have requested information and reports. Similarly Officers must clearly explain the rationale for reports that they have suggested.
- Robust self-evaluation of scrutiny functions could help ensure that scrutiny focuses on outcomes.

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

- The relationship between scrutiny committees and cabinet members could be improved and we found that the relationship between the executive and scrutiny is not always clear.
- Councils should ensure there is clarity about the role of the cabinet member at scrutiny committee meetings to ensure that accountability is clear and that constructive challenge is facilitated without undermining the independence of scrutiny.
- We found that councils where officers were invited to attend for specific items as witnesses' to answer questions, rather than attending whole meetings almost as an ex-officio member of the committee, helped to encourage more effective and targeted questioning and to reinforce the distinct roles of scrutiny committee members, senior officers and executive members.
- Some of the lack of clarity in relation to the role of the scrutiny function within councils governance arrangements, and the respective roles of senior officers and cabinet members suggests a need for further training and development in some councils.

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

- The selection of appropriate topics for scrutiny led by scrutiny members with support from officers and informed by clear selection criteria, is a key element of preparing for effective scrutiny.
- Councils should ensure that the contents of forward work programmes are based on sound criteria with a clear rationale for topic selection and that sufficient consideration is given to the method of scrutiny, rather than just the selection of topics.
- The information provided to scrutiny committees is not always sufficiently robust, clear or timely.
- Members also need to be clear as to the purpose of requesting specific information and the outcome they are hoping to achieve as a consequence of examining it.
- The quality of advance preparation for scrutiny committees varies considerably between councils.
- We are of the view that scrutiny committees could make more effective use of pre-meetings.
- Successful scrutiny relies on effective questioning that: follows lines of enquiry; probes for further information; is prepared to challenge where necessary; and is clearly linked to the role of the committee.
- The importance of the role of the chair in facilitating and leading scrutiny committees, through effective chairing of meetings and summarising discussion, ensured that questions and discussions remained focused and set an appropriate tone for meetings

thereby allowing members and witnesses to contribute constructively.

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

- In general, scrutiny does not build on the learning highlighted in the work of external audit, inspection and review.
- Most council scrutiny committees have a role in performance management arrangements and that regular reporting of performance information occurs.
- The level of understanding of the data provided varies amongst scrutiny members. questioning of performance is not always effective, and there is limited connection between performance data provided to committees and the outcomes that it purports to relate to.

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

- In observing scrutiny committees, we witnessed a number of practices that may deter the public and councils' partners from engaging with scrutiny committee meetings. Such as poor acoustics, no spare copies of agendas, and the use of unsuitable meeting rooms that helped to create an overly formal environment or had limited seating for external observers.
- Effective engagement may require changing the venue, format, and layout of meetings and the content of work programmes to encourage more interest and engagement.
- Engaging the public in council business is difficult and requires careful consideration of who to engage, on what, and for what purpose.
- Councils may wish to consider using the 10 'National Principles for Public Engagement' developed by Participation Cymru in considering how best to engage and involve the public.

4.9 Recommendations of WAO report

The Wales Audit Office report makes 9 recommendations which relate to local government, WLGA, Welsh Government, Estyn, CSSIW and WAO. The WAO recommend that the responsible partners should cooperate to collectively address the recommendations. The WAO recommendations are listed below:

Recommendation	Responsible Organisation(s)
R1: Clarify the role of executive members and senior officers in contributing to scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R2: Ensure that scrutiny members, and specifically scrutiny chairs, receive training and support to fully equip them with the skills required to undertake effective scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R3: Further develop scrutiny forward work programming to: <ul style="list-style-type: none"> • Provide a clear rationale for topic selection; • Be more outcome focused; • Ensure that the method of scrutiny is best suited to the topic area and the outcome desired; • Align scrutiny programmes with the council's performance management, self-evaluation and improvement arrangements 	Councils

R4: Ensure that scrutiny draws effectively on the work of audit, inspection and regulation and that its activities are complementary with the work of external review bodies.	Councils, Staff of the Wales Audit Office, CSSIW, Estyn
R5: Ensure that external review bodies take account of scrutiny work programmes and the outputs of scrutiny activity, where appropriate, in planning and delivering their work.	Staff of the Wales Audit Office, CSSIW, Estyn
R6: Ensure that the impact of scrutiny is properly evaluated and acted upon to improve the function's effectiveness; including following up on proposed actions and examining outcomes.	Councils, Welsh Government, Welsh Local Government Association
R7: Undertake regular self-evaluation of scrutiny utilising the 'outcomes and characteristics of effective local government overview and scrutiny' developed by the Wales Scrutiny Officers' Network.	Councils
R8: Implement scrutiny improvement action plans developed from the Wales Audit Office improvement study.	Councils
R9: Adopt Participation Cymru's 10 Principles for Public Engagement in improving the way scrutiny engages with the public and stakeholders	Councils

5. EQUALITIES IMPLICATIONS

- 5.1 This report is for information purposes, so the Council's EqIA process does not need to be applied.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications not contained in the report.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications not contained in the report.

8. CONSULTATIONS

- 8.1 There are no consultation responses not contained in the report.

9. RECOMMENDATIONS

- 9.1 That Scrutiny Leadership Group note the findings and recommendations contained in the WAO report.
- 9.2 That Scrutiny Leadership Group considers further actions required to improve the scrutiny function.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To ensure that SLG are aware of the findings in the WAO report and give their views on any actions required following the recommendations contained in the WAO report.

11. STATUTORY POWER

11.1 Section 21 of the Local Government Act 2000

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Appendices:

Appendix 1 Good Scrutiny? Good Question? Auditor General for Wales Improvement Study:
Scrutiny in Local Government
Appendix 2 Scrutiny Improvement Action Plan