



WALES AUDIT OFFICE
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Auditor General for Wales

Overview and Scrutiny: Fit for the future? – **Blaenau Gwent County Borough Council**

Audit year: 2017-18

Date issued: June 2018

Document reference: 569A2018-19



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This document is also available in Welsh.

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Summary report

Summary

- 1 This review explored with each of the 22 councils in Wales how 'fit for the future' their scrutiny functions are. We considered how councils are responding to current challenges such as the Wellbeing of Future Generations Act 2015 in relation to their scrutiny activity and how councils are beginning to undertake scrutiny of Public Service Boards. We also examined how well-placed councils are to respond to future challenges, such as continued pressure on public finances and the possible move towards more regional working by local authorities.
- 2 As part of this review, we reviewed the progress that councils have made in addressing the recommendations of our earlier National Improvement Study 'Good Scrutiny? Good Question' (May 2014) (see Appendix 2). We also followed up on the proposals for improvement relevant to scrutiny that we issued in local reports. These reports included our 2016-17 thematic reviews of Savings Planning and Governance Arrangements for Determining Significant Service Changes.
- 3 Our review aimed to:
 - identify approaches to embedding the sustainable development principle into scrutiny processes and practices to inform practice sharing and future work of the Auditor General in relation to the Wellbeing of Future Generations Act;
 - provide assurance that scrutiny functions are well placed to respond to current and future challenges and expectations;
 - help to embed effective scrutiny by elected members from the start of the new electoral cycle; and
 - provide insight into how well councils have responded to the findings of our previous Scrutiny Improvement Study.
- 4 To inform our findings we based our review methodology around the **Outcomes and Characteristics for Effective Local Government Overview and Scrutiny** (Appendix 1) that scrutiny stakeholders in Wales developed and agreed following our previous National Improvement Study 'Good Scrutiny? Good Question'.
- 5 During November 2017, we interviewed a small number of key officers and ran focus groups with members to understand their views on Blaenau Gwent County Borough Council's (the Council) current scrutiny arrangements and in particular how the Council is approaching and intends to respond to the challenges identified above.
- 6 We observed a sample of scrutiny meetings and reviewed relevant meeting documentation provided to members to support their scrutiny role, such as reports and presentations.

- 7 We conclude that the Council has made positive changes to its scrutiny function and its commitment to improve makes it well placed to work differently to respond to future challenges. We came to this conclusion because:
- a. the Council has made good progress in developing its scrutiny environment and is well placed to meet future challenges;
 - b. the planning of scrutiny activity is improving and there is scope to further strengthen scrutiny practice through more effective questioning and greater consideration of different ways of working; and
 - c. the Council regularly reviews its overview and scrutiny function and is exploring how to better evaluate its impact.

Proposals for improvement

Exhibit 1: proposals for improvement

The table below contains our proposals for ways in which the Council could improve the effectiveness of its overview and scrutiny function to make it better placed to meet current and future challenges.

Proposals for improvement	
The Council's scrutiny function could be strengthened by:	
P1	Improving the provision of training and development opportunities for members to: <ul style="list-style-type: none">• provide further training on the Well-being of Future Generations Act for scrutiny members to improve their understanding and consideration of the Act when undertaking scrutiny activity;• understand the individual development needs of members and deliver relevant scrutiny skill training; and• develop member questioning skills to improve member questioning and constructive challenge.

Detailed report

The Council has made positive changes to its scrutiny function and its commitment to improve makes it well placed to work differently to respond to future challenges

The Council has made good progress in developing its scrutiny environment and is well placed to meet future challenges

- 9 The Council's Scrutiny Committee Support handbook clearly defines members' and officers' roles and responsibilities in scrutiny. The Council's Executive Handbook also clarifies the Executive members' responsibilities regarding working with scrutiny members. During our fieldwork, members and officers could clearly explain their role and involvement within the scrutiny function.
- 10 The Executive values the contribution that scrutiny makes to decision making and the Council has strengthened arrangements for pre-decision scrutiny. Scrutiny committees regularly undertake pre-decision scrutiny. The Executive is open to positive changes to the scrutiny function that could improve its effectiveness. At the time of our review in November 2017, it was clear that good scrutiny is valued with officers and members citing a promising start to the new administration.
- 11 Many new members are 'growing' into their roles. We undertook our review in November 2017, which was at a relatively early stage of the new electoral cycle following the Local Government Elections in May 2017. We observed new members of scrutiny committees gaining confidence to ask for clarification on information provided to them. Officers and members seemed confident that over time, by increasing their exposure to their scrutiny role, new members would become more confident.
- 12 The Council's Member Development and Training programme (which incorporates a member induction programme) is a comprehensive series of member briefings to improve member knowledge and understanding of their elected member role including relevant issues for each scrutiny committee. 58 sessions were provided up until February 2018. Briefings included safeguarding, Social Services and Well-being Act, waste and recycling, Welfare Reform, Corporate Parenting and the financial context, overview and current financial position of the Council. However, there has been limited scrutiny specific skill development offered to members to date. The Council did commission external training for members on 'effective scrutiny' and 'Chairing skills for chairs and vice chairs of scrutiny', however, the Council has not yet asked individual members for their specific training needs. In 2017, the Council planned to introduce a Personal Development Review process for elected members, however, political group leaders at that time agreed to defer introducing this process. In May 2018, the Democratic Services Committee and

Council received a report on an elected member Personal Development Review process and member competency framework. This will provide members with the opportunity to reflect on their skills, knowledge and behaviours to support their specific personal development and help to support their effectiveness as a scrutiny member.

- 13 The Council is starting to embed the requirements of the Wellbeing of Future Generations (Wales) Act (WFG) into its scrutiny arrangements. The Council has trained members on the sustainable development principle and associated 'five ways of working' as set out in the Well-being of Future Generations Act 2015¹. The Council has amended the officer report template and trained officers on the Well-being of Future Generations Act to help them to consider the five ways of working when preparing reports. We found that members were aware that information on the five ways of working was included in reports but they do not yet scrutinise or challenge this information when considering issues, reports or making recommendations. Officers told us that the information provided in reports does not yet clearly set out how the Council is acting in accordance with the sustainable development principle by describing its relevance to the issue being discussed. Improving the quality of information on the five ways of working in reports remains a work in progress.
- 14 The Council may benefit from reviewing its scrutiny support function to meet future challenges. The Council has one dedicated scrutiny support officer. The Head of Democratic Services and Corporate Performance Manager also provides additional support to scrutiny members and scrutiny committees. During the fieldwork, officers and members described some potential future challenges for the scrutiny function such as the Cardiff Capital Region City Deal, and possible increased service collaboration that may result in an increasing need for regional scrutiny. The Council has not yet assessed the likely impact of this on its scrutiny support function, as the details of these arrangements are not yet clear. Members will need the right experience and knowledge to scrutinise effectively at a regional level, whilst ensuring members have local ownership of regional issues. To supplement the support provided by the scrutiny support team, the Council has designated officers in different services to help members' access information and staff as part of their scrutiny work.
- 15 The Council has taken positive action to improve scrutiny of the budget setting process. Members describe continuing austerity as a significant challenge. In September 2016, to ensure scrutiny's involvement in understanding and recommending future budget allocations, a joint scrutiny committee specifically for budget monitoring was established. All scrutiny members now receive revenue and capital budget monitoring reports that include the use of general and earmarked reserves and budget savings proposals. Members have the opportunity to question and challenge issues raised in these reports, however, as we observed at the

¹ Integration, Prevention, Long-term, Collaboration and Involvement

meeting in November 2017, members asked few questions and provided little challenge. Dedicated training for members on how to scrutinise financial information would be of benefit to the Council in ensuring scrutiny members become more knowledgeable and confident to ask relevant questions.

- 16 Scrutiny committee reports clearly explain the issues. Reports to members are clear, containing different sections on background, performance evidence/information, risk implications, financial implications, staffing and workforce implications, options for considerations, impact assessment against proposals, contribution to national well-being goals, consideration of the WFG five ways of working, conclusions, and recommendations.
- 17 Scrutiny members are actively involved in the Council's improvement arrangements. For example, there are bi-monthly meetings between Executive members and relevant Chair and Vice Chairs of each scrutiny committee. This enables discussion on emerging issues that could influence both the Executive and scrutiny forward work programmes.
- 18 Technology to support the scrutiny function is slowly improving following member's dissatisfaction with poor provision to date. Scrutiny members raised concerns about the quality of Information Technology to support them in their elected member role. Members told us that the Wi-Fi in the Civic Centre is poor and previous attempts to move to paperless scrutiny meetings had not progressed. The Corporate Overview and Scrutiny Committee raised this issue at its meeting in November 2017. In January 2018, the Council approved a policy whereby each member will receive a laptop that will enable them to connect to the Council Wi-Fi in any Council building.

The planning of scrutiny activity is improving and there is scope to further strengthen scrutiny practice through more effective questioning and greater consideration of different ways of working

- 19 In April 2016, we issued our report to the Council following a 'Governance review, with a particular focus on scrutiny'. We concluded 'the Council had taken positive steps to address a scrutiny related statutory recommendation issued in 2013 and was implementing its Scrutiny Arrangements Action Plan. More work could still be done however, to make scrutiny more effective and consistent in practice.'
- 20 At the time of our fieldwork for this review in November 2017, officers and re-elected members noted further improvement to the scrutiny function since the 2016 review. Progress includes new arrangements to further support the planning and operation of scrutiny. Whilst there is consistent application of these arrangements across all committees, a significant amount of scrutiny work continues to be carried out through the traditional committee system.

- 21 All scrutiny committees set an annual forward work programme linked to the Executive forward work programme. There is prioritisation of scrutiny committee meeting agendas with the Council encouraging scrutiny committees to have a maximum of three items per agenda. Guidance is available for members in the Scrutiny Committee Support Handbook on prioritising agenda items for scrutiny committees:
- corporate priorities
 - service areas identified as underperforming
 - any issue subject to a new or change in policy
 - areas of improvement as identified by external regulators
 - any emerging issues due to new legislation
- 22 There are clear timescales in the individual scrutiny committees and Executive forward work programmes setting out when reports considered by scrutiny will be reviewed by the Executive and if applicable, when reports are to be considered by full Council.
- 23 The production of annual forward work programmes takes place in May/June each year. In addition to identifying the issues for inclusion in its own forward work programme, each committee considers whether Task and Finish groups or member briefings are required as an alternative to receiving reports at committee meetings. There are opportunities to review forward work programmes at each agenda preparation meeting, scrutiny committee meeting, post meeting evaluation and at bi-monthly meetings between the Chairs, Vice Chairs and relevant Executive Member.
- 24 The Council seeks to ensure that agendas are planned effectively. Agenda preparation meetings take place six weeks before each scrutiny committee meeting. Report authors, the Vice Chair, Chair and the scrutiny support officer attend to discuss the agenda, prioritise items and intended outcomes of each agenda item as well as identifying whether there is a need to invite any expert witnesses. Representatives from the Aneurin Bevan Health Board, Education Achievement Service, Care Inspectorate Wales and Leisure Trust have attended scrutiny committees.
- 25 Members have an opportunity to prepare for scrutiny meetings. Each scrutiny committee holds a pre-meeting thirty minutes before the scrutiny meeting to which all committee members are invited to discuss lines of questioning, potential recommendations, amendments to recommendations and intended outcomes. Immediately after each scrutiny meeting, it is positive that members hold a post-meeting evaluation. While there is structure to the pre-meeting with the committee considering each agenda item, this structure is lacking in the post-meeting evaluation session. We observed the Corporate Overview and Scrutiny Committee post-meeting evaluation on 27 November 2017. Members focussed on the presentation of reports and made good observations on how scrutiny could improve. The post-meeting evaluation could be even more effective by introducing

structure to ensure a more thorough evaluation of each agenda item, whether the intended outcomes were met, as well as member self-reflection on how they performed and whether they provided robust scrutiny and challenge to each agenda item.

- 26 Currently, the public do not engage in the scrutiny process and the Council has found it difficult to promote involvement of the public in scrutiny. The Council has previously webcast some scrutiny meetings but found this did not effectively engage the public. Officers remain committed to engaging more effectively with the public. Following our 'Governance review, with a particular focus on scrutiny' report in 2016 the Council committed in its Scrutiny Action Plan to improve public engagement by:
- a. working with members to identify areas of interest from the forward work programmes;
 - b. ensuring up to date information on the website; and
 - c. using social media to promote scrutiny to the public.
- 27 The Council is not yet improving public participation in scrutiny as it planned. The Council's Scrutiny Action Plan includes success criteria in evaluating the effectiveness of public engagement in scrutiny. The two main success criteria are:
- a. members of the public attending meetings and participating in scrutiny committee meetings; and
 - b. number of items of interest regularly promoted via social media.
- 28 These success criteria rely on the public proactively engaging with the Council, for example by attending scrutiny meetings and by reading the Council's social media content. The Council is seeking to identify ways to improve public engagement in scrutiny and has established performance indicators to measure success. Scrutiny activity though, is mainly undertaken within formal committee meetings, which to date has not attracted public participation.
- 29 We observed three scrutiny committee meetings as part of this review:
- a. Joint Scrutiny Committee Budget Monitoring – 6 November 2017
 - b. Corporate Overview and Scrutiny meeting – 27 November 2017
 - c. Public Service Board Scrutiny Committee – 11 January 2018
- 30 Member questioning and participation varied at the three meetings we observed. While member questions were mainly clear and concise, they often lacked a strategic focus, particularly in relation to the scrutiny of the Public Service Board. Member questions to partners of the Public Service Board on 11 January 2018, mainly focused on individual public bodies rather than on those issues that partners were seeking to resolve collectively.

- 31 At the meetings we observed, when members asked questions, senior officers addressed each question clearly and succinctly. Discussions between members and officers were respectful and apolitical.
- 32 There is clear guidance within the Executive Support Handbook and Scrutiny Committee Support Handbook regarding Executive Member attendance at scrutiny committee meetings with scrutiny members and the Executive understanding the guidance.

The Council regularly reviews its overview and scrutiny function and is exploring how to better evaluate its impact

- 33 The Council is committed to evaluating the impact of the scrutiny function and identifying the means to do so. While this is a work in progress, officers and members understood the need to do so.
- 34 Our review of 'Governance review, with a focus on scrutiny' published in April 2016 assessed the Council's progress in addressing the Auditor General's statutory recommendation to strengthen scrutiny by:
- a. addressing deficiencies in the quality of reports to scrutiny committees;
 - b. ensuring officers are provided with appropriate training on the role of scrutiny and presenting information to members; and
 - c. ensuring the right officers attend scrutiny committees to present reports and deal with members' questions.
- 35 In our April 2016 report, we made five proposals for improvement. In response, the Council updated its scrutiny arrangements action plan to reflect these proposals for improvement and identify improvement actions. The Council is making progress in delivering against these actions. The Democratic Services Committee is responsible for monitoring the delivery and progress of this action plan and received a quarter two update in November 2017. The progress report stated one action was complete, four actions BRAG² rated as Green and one action as Amber.
- 36 One of the five proposals for improvement issued in our April 2016 report was to 'evaluate the impact the Council's scrutiny function has on improving outcomes for local people'. The Council identified five actions to address this particular proposal for improvement. As at September 2017, two actions had yet to start with three actions in progress. Members told us that information in reports on risks and benefits is better, however, information supporting the proposed impact to service users and/or residents, needs strengthening to help members to make better-informed recommendations.

² BRAG: the Council operates a **Blue, Red, Amber and Green** rating which is intended to indicate the Council's progress against its Scrutiny Action Plan

- 37 The Council is proactively reviewing its scrutiny function through a Scrutiny Action Plan. This plan highlights and monitors improvements to scrutiny and its effectiveness. However, it is not clear whether the Council has completed a full review of the scrutiny function considering the appropriateness of the current scrutiny committee structure and wider scrutiny function, and how this prepares it to meet future challenges.

Appendix 1

Outcomes and characteristics for effective local government overview and scrutiny

Exhibit 2: the table shows the outcomes and characteristics for effective local overview and scrutiny

Outcome What does good scrutiny seek to achieve?	Characteristics What would it look like? How could we recognise it?
<p>1. Democratic accountability drives improvement in public services.</p> <p>'Better services'</p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny has a clearly defined and valued role in the council's improvement arrangements. ii) Scrutiny has the dedicated officer support it needs from officers who are able to undertake independent research effectively, and provide scrutiny members with high-quality analysis, advice and training. <p>Practice</p> <ul style="list-style-type: none"> i) Overview and scrutiny inquiries are non-political, methodologically sound and incorporate a wide range of evidence and perspectives. <p>Impact</p> <ul style="list-style-type: none"> i) Overview and scrutiny regularly engages in evidence-based challenge of decision makers and service providers. ii) Scrutiny provides viable and well evidenced solutions to recognised problems.
<p>2. Democratic decision making is accountable, inclusive and robust.</p> <p>'Better decisions'</p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny councillors have the training and development opportunities they need to undertake their role effectively. ii) The process receives effective support from the Council's Corporate Management Team who ensures that information provided to scrutiny is of high quality and is provided in a timely and consistent manner. <p>Practice</p> <ul style="list-style-type: none"> i) Scrutiny is member-led and has 'ownership' of its work programme taking into account the views of the public, partners and regulators whilst balancing between prioritising community concerns against issues of strategic risk and importance. ii) Stakeholders have the ability to contribute to the development and delivery of scrutiny forward work programmes.

Outcome What does good scrutiny seek to achieve?	Characteristics What would it look like? How could we recognise it?
	<p>iii) Overview and scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it.</p> <p>Impact</p> <p>i) Non-executive members provide an evidence-based check and balance to Executive decision making.</p> <p>ii) Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities.</p>
<p>3. The public is engaged in democratic debate about the current and future delivery of public services.</p> <p>'Better engagement'</p>	<p>Environment</p> <p>i) Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement.</p> <p>Practice</p> <p>i) Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability.</p> <p>ii) Scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict.</p> <p>iii) Scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders.</p> <p>Impact</p> <p>i) Overview and scrutiny enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.</p>

Appendix 2

Recommendations from the report of the Auditor General's National Improvement Study 'Good Scrutiny? Good Question' (May 2014)

Exhibit 3: recommendations

Recommendation	Responsible Partners
R1 Clarify the role of executive members and senior officers in contributing to scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R2 Ensure that scrutiny members, and specifically scrutiny chairs, receive training and support to fully equip them with the skills required to undertake effective scrutiny.	Councils, Welsh Government, Welsh Local Government Association
R3 Further develop scrutiny forward work programming to: <ul style="list-style-type: none"> • provide a clear rationale for topic selection; • be more outcome focussed; • ensure that the method of scrutiny is best suited to the topic area and the outcome desired; and • 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

Recommendation	Responsible Partners
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 Overview & Scrutiny Officers' Network.	Council
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

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