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Good Governance when Determining Significant Service Changes – **Blaenau Gwent County Borough Council**

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Summary report

Summary

- 1 'Governance is about how public bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and cultures and values, by which public bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities'¹.
- 2 Good governance is essential for the effective stewardship of public money and the continued delivery of efficient and trusted public services. The current financial climate and reduced settlements for local government as well as rising demand for some services mean that all councils are likely to continue to need to make decisions regarding the future configuration and level of service delivery. It is appropriate that public bodies continuously seek to improve. Small, incremental changes to service delivery are made at a managerial and operational level as part of normal, operational decision-making. However, good governance supported by effective planning and rigorous processes is critical when determining significant service changes. Such decisions are often controversial, generate considerable local interest and can have significant impacts on the individuals and groups affected.
- 3 From April 2016 councils are required to comply with the Well-being of Future Generations (Wales) Act (the WFG Act) and associated Statutory Guidance. The Statutory Guidance states that: 'Together, the seven well-being goals and five ways of working provided by the Act are designed to support and deliver a public service that meets the needs of the present without compromising the ability of future generations to meet their own needs'². This legislation emphasises the importance of effective governance in achieving well-being goals.
- 4 The focus of this review is on the effectiveness of Blaenau Gwent County Borough Council's (the Council) governance arrangements for determining significant service changes. We define this as any significant change in delivering services and/or any significant change in how services are experienced by external service users. This could include, for example, significant changes to the way the service is delivered, the level of service provided, the availability of the service or the cost of the service.
- 5 Taking the Chartered Institute of Public Finance and Accountancy's (CIPFA) revised framework for 'Delivering good governance in local government' as an appropriate standard, this review provides the Council with a baseline, from which to plan further improvement. In this assessment, undertaken during the period September to November 2016, we looked at aspects of decision-making

¹ CIPFA/SOLACE Delivering Good Governance in Local Government: Framework 2007.

² **Shared Purpose: Shared Future, Statutory guidance on the Well-being of Future Generations (Wales) Act 2015**, Welsh Government.

arrangements in relation to a range of significant service change proposals. The examples of service changes we looked at included:

- Review the use of the Bert Denning Centre³ to increase income
- Implementing new technology to facilitate digital models
- Review of out-of-hours arrangements
- Ceased funding for Police Community Support Officers
- Reduction in contribution to Community First service level agreement
- Review of Youth Service Provision
- Review of Gwent Outdoor Education Service service level agreement
- Withdrawal of pest control service

6 We did not look in detail at each of the individual service change decisions, but rather used them as examples to draw from and inform how the Council goes about making decisions in relation to service changes.

7 In this review, we concluded that **the Council has put in place arrangements to determine and deliver service changes but these are not yet fully developed or always used effectively.**

Proposals for improvement

Exhibit 1: proposals for improvement

The table below sets out the areas for improvement identified through our review.

Proposals for improvement	
The Council's governance arrangements could be strengthened by:	
P1	Providing further training on the WFG Act to ensure officers and Members understand the Council's responsibilities under the Act.
P2	Improving the quality of its options appraisals by providing information showing how options have been evaluated.
P3	Ensuring that reports containing service change proposals include the results of consultation and engagement and demonstrate how these have been taken into account in arriving at the proposals.
P4	Setting out at the point of decision on service change proposals how the impact of proposed changes is going to be measured and monitored.

³ Bert Denning Centre – Brynmawr is a purpose-built centre that caters for adults with profound and multiple physical and/or sensory disabilities that require specialist staff support.

Summary report

The Council has a vision and framework for determining and delivering service change but the future shape and size of service provision is not yet clear

- 8 The Council agreed its 'Organisation Design Principles and Future Operating Model' in May 2014. It refreshed this in its 'Organisational Development Strategy 2015-2020' which sets out its ambition as 'The Council wants to be proactive, looking forward to understand potential national, regional, partnership opportunities and local opportunities over the next few years to better meet the needs of the community.'
- 9 The Council has responded positively over recent years to external pressures to reduce spending and improve services. The main drivers for service change in the Council have been reduced Welsh Government funding, legislative changes and external regulation.
- 10 The Council sets out its strategic improvement priorities in its Corporate Improvement Plan: Stage 1 2016-17 as follows:
 - ensure that education standards are raised particularly at Key Stage 4; and
 - ensure the financial sustainability of the Council.
- 11 The Council established its 'Transforming Blaenau Gwent Programme' in 2013 setting out the structures and processes to manage and monitor delivery of service changes. The Council's Performance Management Improvement Framework sets out the business planning process, roles and responsibilities, and support arrangements, which are key components of the Council's arrangements for determining and delivering service change.
- 12 In 2014-15, the Council commissioned an external consultancy to provide additional capacity and identify opportunities for service change and further efficiencies.
- 13 All service change proposals referred to in this report were linked to the budget setting process and details were set out in business cases. The Council intends that these business cases provide Members with the information they need to make decisions.
- 14 The Council has also started to embed the sustainable development principle into its service change processes, although it is not yet embedded in the early stages of shaping service change proposals. The Council requires managers to consider sustainable development and equality duties when preparing business cases for service changes; in particular, consideration of the impact upon people or groups with protected characteristics. The Council has also trained approximately 60 officers and provided briefing sessions for Members on the Council's responsibilities under the Well-being of Future Generations Act 2015 (WFG Act).

This work is at an early stage and all officers and Members are yet to receive this training.

- 15 During our fieldwork we were told that the Council does not have the capacity to make some significant changes that larger councils are able to make due to inherent demographic factors that, for example, result in high demand for Council services and limit opportunities to generate additional income through fees and charges. Blaenau Gwent also has a historically low Council Tax base which limits its ability to generate significant increased income through rises in Council Tax. In 2014, the Council, working with a neighbouring Council, submitted a proposal to the Welsh Government suggesting a merger arrangement. Whilst the Welsh Government did not support this proposal, the submission in itself, demonstrates that the Council is committed to large-scale change. The Council remains committed to working in partnership with other organisations, but at this stage it is not yet clear what role it will have in the future shape and size of service provision.

Officers and Members generally demonstrate a clear understanding of their roles and responsibilities in determining and delivering service changes and the Council provides ongoing support to improve their effectiveness

- 16 The Council updated its Constitution in 2016. This sets out roles and responsibilities of Members and officers in relation to the Council's governance arrangements.
- 17 The Council's approach to developing service change proposals is underpinned by positive working relations between Officers and Members. Most Members who responded to our governance survey as part of this review agreed that, overall, they have a constructive working relationship with senior officers of the Council. In addition, all officers and most Members who responded to our survey agreed that they understand their roles and responsibilities, and all responded that they understood the Council's arrangements for delegated decisions.
- 18 In our April 2016 **Governance review with a focus on Scrutiny**, we found a mixed picture in relation to Members' understanding of roles and responsibilities. In particular, we reported an inconsistent approach to Executive Members' attendance at scrutiny committees and inconsistent quality of chairing and questioning at scrutiny meetings. The timing of our current review has provided insufficient opportunity for the Council to demonstrate improvement in these areas. However, the Council continues to expand its Member Development Programme, and is planning to evaluate the impact of its training to embed continuous improvement and learning.

- 19 The Monitoring Officer, and Section 151 officer, review reports before they are presented to Members to ensure constitutional and legal compliance. Democratic Services officers attend all formal member meetings such as Council, Cabinet and Scrutiny Committee meetings to address any procedural queries as the meetings proceed. Scrutiny committees are able to call in items if they believe further scrutiny is required, although it is rare in Blaenau Gwent for scrutiny Members to use these measures which are practical controls within the decision making process.

The Council considers a range of options when determining service change proposals although these are not always fully explained in reports and business cases

- 20 Most officers, Members and partners who responded to our governance survey as part of this review agreed that when considering a proposal for service changes the Council considers all potential options.
- 21 Reports and business cases on proposed service changes that are presented to Members include a range of options. For example, the business case proposing the cessation of funding for Police Community Support Officers included five options, and the proposal to reduce the Council's contribution to the Communities First service level agreement included three options. Officers generally consider options as they develop service change proposals and include information in reports and business cases to support the preferred option.
- 22 Although the Council sets out in business cases what it seeks to achieve from proposed service changes, it does not set out to what extent, and how, each option will achieve these improvements. Including this would better inform the decision making process and demonstrate transparency. Business cases and reports do, however, include a narrative explanation of why officers prefer a specific option.
- 23 The Council does not always set out consultation findings in business cases and reports, therefore Members do not have this information when making decisions, which lacks transparency. For example, the Council had consulted with the Office of the Police and Crime Commissioner (PCC) about the proposed reduction in funding for Police Community Support Officers, but the report did not include the comments or views of the PCC.
- 24 Not all reports and business cases detail the additional costs required to deliver a service change, and overall timescales and key milestones for delivering different phases of service changes are also not well documented. The Council's formal approach to planning the transition of a service change is also not integrated into the decision making process; it is considered separately through its business planning process as set out in the Performance Management Improvement and Planning Framework guidance. However, as this process is carried out later in the

year, after decisions have been made, it means that Members may not understand the likely high level implications of the proposed service changes during the decision making process. This lack of information in the decision making stage hinders Members from prioritising follow up reports for their Forward Work Programmes at appropriate times during the year.

- 25 The Council's decision-making arrangements for proposed service changes include challenge through a number of mechanisms. However, these could be more transparent, for example by recording the outcome of a session that shortlisted the service change proposals that will proceed into the formal decision making process
- 26 Directorate Management Teams, Corporate Management Team and Executive Members discuss proposals for service changes at an early stage of the initial outline proposal. There is potential that some projects will not proceed into the formal decision making process, and unless the Council maintains a clear record of all proposals showing which proceed and which do not, this part of the governance arrangements may lack transparency.
- 27 Scrutiny committees play a key role in challenging decisions, the robustness of service change proposals, and consider alternative options when considering proposed service changes. In our **Governance Review with a Focus on Scrutiny** report in April 2016, we concluded that Executive Members and senior officers were clear about how they contribute to the Council's scrutiny function, although in practice Executive Member invitations to attend scrutiny meetings were not consistently offered or in line with the Executive Committee Support Handbook. The Council's scrutiny arrangements are not therefore fully effective when considering service changes.
- 28 The formal decision making process for service change proposals is transparent. Scrutiny Committee, Executive and Council minutes show how Members debated and amended the service change proposals. Agendas and minutes of formal meetings are available on the Council website, and members of the public or stakeholders are able to attend meetings in person to observe and may speak at Scrutiny meetings, if invited to do so by the Committee Chair.
- 29 The Council assesses service change proposals against the Sustainable Development Principle as part of the formal decision making process. It has introduced a new reporting template that includes a section on the WFG Act five ways of working⁴; whilst this ensures a focus on the Sustainable Development

⁴ The Well-being and Future Generations (Wales) Act is about improving the social, economic, environmental and cultural wellbeing of Wales. The Act puts in place a 'sustainable development principle,' which tells organisations how to go about meeting their duty under the Act. It sets out the following five ways of working that public bodies must consider in order to help support sustainable development: long term, prevention, integration, collaboration and involvement. [Further information about the Act.](#)

Principle during the decision making process, it is unclear to what extent the Sustainable Development Principle is driving service changes .

The Council has a systematic approach to consulting with stakeholders on proposed service changes and is able to demonstrate that it listens to their views, but it is not always clear in reports and business cases how the views of stakeholders are taken into account in determining service changes

- 30 The Council engages well with stakeholders. Officers updated the Local Service Board in January 2016 about the budget setting process, which could result in service changes. The Council also engages with partners who are directly affected by planned service changes, as appropriate. All partners who responded to our governance survey as part of this review agreed that they have a constructive working relationship with senior officers and Members of the Council.
- 31 The Council has engaged with local residents and stakeholders using its 'Let's Talk'⁵ process, which sets out the Council's financial challenge, seeks views on potential budget savings and later explains the Council's decisions in respect of the forthcoming budget. This information is presented to Members during the budget setting process and the Council is able to show how it has taken account of feedback from local people when setting the budget.
- 32 In setting its 2015-16 budget, the Council updated the Local Service Board on the Let's Talk events and the budget setting timelines. The Council also contacted specific stakeholders to discuss how budget saving proposals affected their organisations. For example, the Council had consulted with the Police and Crime Commissioner about the proposed reduction in funding for Police Community Support Officers. The Council published information on its website, in the local media and at libraries, and met with local groups and organisations to explain how the Council had taken account of their feedback through the Let's Talk process.
- 33 The Council's proportionate approach to engagement is mindful of its capacity. It can demonstrate how it has taken account of feedback from its Let's Talk engagement and can evidence that it contacts key stakeholders to discuss planned service changes. However, as noted above, business cases reported to Members do not routinely include feedback from stakeholders. As a result, Members are not aware of this information when making decisions about individual service changes.

⁵ The Let's Talk public engagement programme is intended by the Council to give local residents and stakeholders the opportunity to influence budget proposals.

- 34 Most partners who responded to our governance survey as part of this review agreed that, when considering service changes, the Council effectively involves them as a key partner. All agreed that they felt able to influence the Council's proposals for service change and that they found it easy to find out what key decisions the Council has made.

The Council does not systematically monitor the impact of its decisions to make service changes

- 35 The Council identifies people or groups with protected characteristics who are likely to be affected by planned service changes in its Equalities Impact Assessments (EIAs), as part of its decision making process. However, business cases do not show what information has been used to inform EIAs or who the Council has consulted. It also does not specify how managers should quantify the potential impact of service changes; how they should evaluate the actual impact or if, how and when Members should receive reports showing the impact of their decisions.
- 36 Business cases do not always include sufficient detail of the intended impact of decisions or allocate responsibility for reviewing impact after implementation of service changes. The Council cannot therefore formally evaluate whether it has achieved the intended impact from the changes.
- 37 The Chairs of Scrutiny Committees and the Chair of the Audit Committee have started to meet to discuss their Forward Work Programmes to identify opportunities for monitoring the impact of service changes that have been agreed. However, in practice, scrutiny committees do not effectively evaluate the impact of service changes after implementation, partly because effective scrutiny is hampered by the lack of detail in business cases.
- 38 The Council does, however, have robust arrangements to monitor the realisation of anticipated budget savings. The 'Wider Corporate Management Team' monitors savings plans at an officer level. Corporate Management Team, the Executive, and Overview Scrutiny Committee receive quarterly finance and performance monitoring reports which include progress in delivering savings plans.

The Council reviews the effectiveness of its decision-making arrangements and makes improvements to address weaknesses that it identifies

- 39 The Council regularly reviews its decision-making arrangements. It updated its Constitution in March 2016 and is currently reviewing other aspects of its arrangements for developing and monitoring financial efficiency projects.
- 40 The Council also reviewed its processes for delivering its financial efficiency projects in 2014-15 and 2015-16 to identify opportunities for further improvement to its arrangements. These reviews sought feedback from officers and Members involved in developing, approving and implementing service changes and efficiency projects, and recommended action to improve the arrangements. The 2015-16 review reported positive progress in implementing recommendations from the 2014-15 review, with 10 of the 12 recommendations fully implemented and two partially implemented.
- 41 The Council has established groups to supplement the existing governance arrangements to support delivery of service changes. Later, as these groups have fulfilled their purpose, the Council has disestablished some of them. For example, in 2014, the Council established the Coalition for Change that brought together Members and senior managers to drive forward change to improve service provision. The Council has since reviewed and disestablished this group as it considers its purpose to have been fulfilled. The Council also established the Transforming Blaenau Gwent Programme Steering Group (the Steering Group) to identify remedial actions for project managers to address, to ensure delivery of the financial efficiency projects continues in a timely manner. The Council has now reviewed the Steering Group's purpose and incorporated its functions into the work of the Wider Corporate Management Team.
- 42 The Council makes changes to its decision-making processes as it identifies opportunities for improvement. For example, it has established scrutiny arrangements for the Public Service Board and holds joint scrutiny meetings where these are likely to improve scrutiny efficiency.

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