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Overview and Scrutiny – Fit For the Future? – **Ceredigion County Council**

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The team who delivered the work comprised Jeremy Evans and Nigel Griffiths directed by Huw Rees.

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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 for their scrutiny activity. These include the Well-being of Future Generations (Wales) Act 2015 and how councils are beginning to carry out scrutiny of Public Service Boards (PSBs). 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 between local authorities.
- 2 As part of this review we also 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 relevant proposals for improvement issued in local reports including those in our 2016-17 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 Well-being of Future Generations (Wales) Act 2015;
 - 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 method around the Outcomes and Characteristics for Effective Local Government Overview and Scrutiny that were developed and agreed by scrutiny stakeholders in Wales following our previous National Improvement Study **Good Scrutiny? Good Question?**
- 5 We carried out our fieldwork during the period November 2017 to January 2018. We reviewed documents, interviewed officers and ran focus groups with councillors. We did this to understand their views on Ceredigion County Council’s (the Council) current scrutiny arrangements. In particular how the Council is approaching and intends to respond to the challenges identified above. We observed a sample of scrutiny meetings and reviewed documentation, including reports and presentations, provided to councillors to support their scrutiny role.
- 6 We concluded the **Council recognises and values the importance of the overview and scrutiny function in scrutinising decision-making, but more could be done to extend the range of scrutiny methods used and to evaluate its impact.** We came to this conclusion because:

- the overview and scrutiny function contributes well in scrutinising decision-making and the Council recognises and values its importance;
- scrutiny committees' forward work programmes include appropriate issues: more could be done to extend further the range of scrutiny methods used and ensure it reviews progress made against audit and other regulatory and inspection body reports; and
- the Council has not regularly reviewed the effectiveness of its overview and scrutiny function, however, a review is now underway which will enable the Council to evaluate scrutiny impact and identify where it could improve.

Proposals for improvement

- 7 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.

Exhibit 1: proposals for improvement

Proposals for improvement	
P1	Ensure that reports on progress to address internal audit and external regulatory, inspection and audit recommendations are considered for inclusion in overview and scrutiny forward work programmes.
P2	Further develop scrutiny forward work programming to: <ul style="list-style-type: none"> • provide a clear rationale for topic selection; • be more outcome focused; and • ensure that the method of scrutiny is best suited to the topic area and the outcome desired.
P3	The Council should review the type of scrutiny support required to enable the scrutiny function to respond to future challenges.

Detailed report

The Council recognises and values the importance of the overview and scrutiny function in scrutinising decision-making, but more could be done to extend the range of scrutiny methods used and to evaluate its impact

The overview and scrutiny function contributes well in scrutinising decision-making and the Council recognises and values its importance

- 9 There are five Overview and Scrutiny Committees operating within the Council: Co-ordinating, Corporate Resources, Healthier Communities, Learning Communities and Thriving Communities. All the officers and councillors we spoke to during our review were positive about the way scrutiny operates in the Council. They believe that scrutiny is open, transparent and effective in supporting the Council's transformation and improvement agendas.
- 10 Much of the positive opinion of officers and councillors is based on their satisfaction with the pre-decision element of the scrutiny model operated by the Council. Members of the Overview and Scrutiny Committees in particular are confident that pre-decision scrutiny enables them to have an important and meaningful role in the business of the Council. It provides them with the opportunity to review, challenge and make recommendations on major issues before they are decided by Cabinet.
- 11 All the officers and councillors we spoke to are of the opinion that pre-decision scrutiny results in inclusive, well-informed and good quality decision-making. Our observations at Overview and Scrutiny Committees and interviews and workshops with officers and councillors support this view.
- 12 Our review of Cabinet and Overview and Scrutiny agendas, reports and minutes of a sample of recent, high-profile decisions taken by the Council supports the positive opinions of officers and councillors about the effectiveness of scrutiny. For example, reports to Overview and Scrutiny Committees on proposed changes to older people's residential care and car park charges, contained a good range of information. This enabled councillors to have an informed debate before making recommendations to Cabinet. In these two cases the Council supported the decision making with information gathered through public consultation. In relation to the residential care home, 265 consultation responses were received, either directly or through the public meetings that were held. The Council encourages the public to participate in a range of scrutiny activity, including committees. The public have asked a number of questions in the committee setting. These were about changes to residential homes, school building financing models and harbour fee

increases. Outside of committees, scrutiny committee members surveyed council car park users as they paid for their tickets. They also engaged with those living in flooded communities about how the Council could have supported them better in their time of crisis. In the future, the Council plans to use social media more, building on their experience with this in 2016.

- 13 Cabinet members attend Overview and Scrutiny Committees and speak when invited, taking questions from committee members. This provides the opportunity for the overview and scrutiny function to hold Cabinet members to account. The high profile case noted above, relating to the closure of a residential home is a good example. Another example is the challenge Cabinet received in relation to changes in the archive policies: this included a visit to the Archive Service in Aberystwyth. Cabinet members are also asked to provide evidence to scrutiny task and finish groups when required. An example of this is where the Healthier Communities Overview and Scrutiny Committee established a task and finish group to look at fly tipping. The Cabinet member lead was asked to attend to present evidence and answer questions from the group.
- 14 Councillors can also attend cabinet and are permitted under the Council's constitution to ask questions of cabinet members. This provides an additional opportunity to hold cabinet as a collective to account for the decisions it makes.
- 15 The effectiveness of the Council's scrutiny and decision-making, particularly on major policy and service delivery issues, is greatly assisted by the use of the Integrated Impact Assessment (IIA) tool. The IIA is completed and considered as part of the Council's process for determining new policies, reviewing existing policies, or proposing a reduction or closure of service. The IIA helps by ensuring that every major policy and service delivery proposal and decision has due regard to the requirements of national legislation and local plans.
- 16 As part of our work, we reviewed the IIAs produced to inform the Council's decision-making around proposals for older people's residential care and the adoption of the Well-being Plan. The IIAs include an assessment of how the proposals comply with national legislation including the: Well-being of Future Generations (Wales) Act 2015, the Equality Act 2010 and the Welsh Language Measure 2011. The IIAs also identify how the proposals align with, and contribute to, the Council's strategic objectives. Both of the IIAs are well prepared and include a range of evidence and analysis to support the proposal and, where required, actions to mitigate any potentially negative impacts. The IIAs are signed off by the Cabinet member, Strategic Director, Head of Service and Service Manager.
- 17 The Council is updating its arrangements for scrutinising the work of the Ceredigion PSB following the recent adoption of the Local Well-being Plan. Under these arrangements, the minutes of the meetings of the PSB are reported to the Overview and Co-ordinating Committee. Decisions on which of the Council's Overview and Scrutiny Committees will examine the work of the six PSB Project Groups are to be made by the Overview and Co-ordinating Committee in July 2018. This will be following consideration of the Project Groups' Work

Programmes. The Council has established arrangements for scrutinising the work of other regional and local partnership groups such as, the West Wales Care Partnership, ERW¹, and the Mid and West Wales Regional Safeguarding Children's Board.

- 18 Officers and councillors have a good understanding of their individual and collective roles and responsibilities in the scrutiny process. The 'Guide for Officers' includes comprehensive information on what is required from officers. It details areas such as reporting deadlines for meetings, and the development of IIAs to help councillors in their decision-making. The 'Overview and Scrutiny Members Handbook' includes a good range of information on a number of areas including the importance of scrutiny in adding transparency, accountability and value to the Council's decision-making process.
- 19 Whilst the availability of a good quality handbook is useful, the effectiveness of councillors in the Council's scrutiny process is very much dependent on the assistance they receive from the Scrutiny Support Officers. All the councillors we spoke to were very complimentary of the work of the Scrutiny Support Officers. With increasing pressure on resources, and the need to be fit for the future the Council should consider the type and amount of support needed for its scrutiny activity.
- 20 The range and scope of training provided to councillors by the Head of Democratic Services and the Scrutiny Support Officers are good. Training in 2017 included sessions for all scrutiny members in a number of areas including the Well-being of Future Generations (Wales) Act 2015 and Safeguarding. Training was also provided for the Chairs and Vice-Chairs of the Overview and Scrutiny Committees in chairing skills. Also the Chair and Vice-Chair of the Overview and Scrutiny Co-ordinating Committee received training on their roles in scrutinising the work of Ceredigion's Public Services Board. The training sessions were well attended.
- 21 A recent councillor training survey, reflecting on training sessions held between May and November 2017, showed a high level of satisfaction in the quality of delivery, knowledge of the trainer, and the content and appropriateness of the training.

¹ ERW is a regional alliance consisting of Ceredigion County Council, Neath and Port Talbot County Borough Council, Powys County Council, Pembrokeshire County Council, Swansea City Council and Carmarthenshire County Council. The aim of the alliance is to work together to secure the best outcomes for all learners across the six councils.

Scrutiny committees' forward work programmes include appropriate issues, more could be done to extend further the range of scrutiny methods used and ensure it reviews progress made against audit and other regulatory and inspection body reports

- 22 The forward work programmes for the Overview and Scrutiny Committees are available on the Council's website. When considering items to include in the forward work programmes, members of the Overview and Scrutiny Committees are provided with information from a number of sources. These include the: Corporate Strategy, Improvement Plan, Service Plans, Corporate Risk Register, Savings Plans and the Performance Board. Scrutiny Support Officers assist with the development of the forward work programmes and work with Chairs of the Overview and Scrutiny Committees to research topics for possible inclusion. The forward work programmes are discussed at every meeting of the Overview and Scrutiny Committees and items added or removed as agreed.
- 23 Forward work programmes are concise and include areas and subjects that are relevant to each of the Overview and Scrutiny Committees. However, these need further development to:
- provide a clear rationale for topic selection;
 - be more outcome focused; and
 - ensure that the method of scrutiny is best suited to the topic area and the outcome desired.
- 24 The Cabinet agreed revised transformation and performance arrangements in September 2017. The Performance Board, comprising the Leader, Chief Executive and Head of Performance and Economy, is responsible for challenging the Council's performance. Overview and Scrutiny Committee Chairs and Vice-Chairs are expected to attend the meetings of the Performance Board to identify issues and consider including them on future Overview and Scrutiny committee agendas. Some of the councillors we spoke to reported that attendance of the Overview and Scrutiny Chairs and Vice-Chairs at the Performance Board was 'patchy'. However, members are made aware of service performance issues as they are sent the papers from the Performance Board and prompts/notes from scrutiny support officers. While no committee members will have been involved in the more rounded debate on performance, the provision of highlight reports and notes enables them to consider the need to include service performance issues on committee agendas.

- 25 We also reviewed the Council's arrangements for reporting, and monitoring the implementation of recommendations and proposals for improvement in three Wales Audit Office reports². There were inconsistencies in the way any activity carried out to address the recommendations and proposals for improvement included in the reports was monitored as part of the Council's performance management arrangements. Under the current system it is not possible for officers or councillors to have a clear understanding of the progress on implementation of the reports' recommendations or to assess any resultant improvements to service outcomes.

The Council has not regularly reviewed the effectiveness of its overview and scrutiny function, however, a review is now underway which will enable the Council to evaluate scrutiny impact and identify where it could improve

- 26 The Council has in the past produced an overview and scrutiny annual report. These were more a list of subjects debated rather than an assessment of the impact of scrutiny. The last report covered the 2016-17 year.
- 27 A review of the effectiveness of the Overview and Scrutiny Committees was carried out by the Scrutiny and Standards Officer in 2011. The Council also undertook a self-assessment of the effectiveness of its scrutiny arrangements in 2013 as part of our **Good Scrutiny? Good Question?** National Improvement Study. Overall, the results of the self-assessment, including the views of the peer learning exchange team, were positive. Following the initial review in 2011 the Council re-structured its Overview and Scrutiny committees, reducing from six to five committees, including one co-ordinating committee. This committee along with its co-ordinating function also scrutinises the PSB.
- 28 No other review of the Council's scrutiny arrangements has been carried out since 2013. However, the February 2018 meeting of the Democratic Services Committee agreed that a self-assessment of the overview and scrutiny function will be undertaken during 2018 and annually after that. This self-assessment, is underway, and is looking at the impact/outcomes of scrutiny, as well as reflecting on what good scrutiny looks like using our previous National Improvement Study **Good Scrutiny? Good Question?** as a guide.

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1. Auditor General for Wales, **Good Scrutiny? Good Question!**, May 2014
2. Auditor General for Wales, **Delivering with Less – The Impact on Environmental Health Services and Citizens**, October 2014
3. Auditor General for Wales, **Review of the Council's Approach to Communicating and Engaging with Citizens**, Ceredigion County Council, December 2015

Appendix 1

Outcomes and characteristics for effective local government overview and scrutiny

Exhibit 2: outcomes and characteristics for effective local government overview and scrutiny

Outcomes	Characteristics
<p>What does good scrutiny seek to achieve?</p>	<p>What would it look like? How could we recognise it?</p>
<p>1. Democratic accountability drives improvement in public services. '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"> iii) 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"> iv) Overview and scrutiny regularly engages in evidence based challenge of decision makers and service providers. v) Scrutiny provides viable and well evidenced solutions to recognised problems.

Outcomes	Characteristics
<p>What does good scrutiny seek to achieve?</p>	<p>What would it look like? How could we recognise it?</p>
<p>2. Democratic decision making is accountable, inclusive and robust. '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 which 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"> iii) 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. iv) Stakeholders have the ability to contribute to the development and delivery of scrutiny forward work programmes. v) Overview and scrutiny meetings and activities are well-planned, chaired effectively and make best use of the resources available to it. <p>Impact</p> <ul style="list-style-type: none"> vi) Non-executive Members provide an evidence based check and balance to Executive decision making. vii) Decision makers give public account for themselves at scrutiny committees for their portfolio responsibilities.
<p>3. The public is engaged in democratic debate about the current and future delivery of public services.</p>	<p>Environment</p> <ul style="list-style-type: none"> i) Scrutiny is recognised by the Executive and Corporate Management team as an important council mechanism for community engagement. <p>Practice</p> <ul style="list-style-type: none"> ii) Scrutiny is characterised by effective communication to raise awareness of, and encourage participation in democratic accountability. iii) Scrutiny operates non-politically and deals effectively with sensitive political issues, tension and conflict. iv) Scrutiny builds trust and good relationships with a wide variety of internal and external stakeholders. <p>Impact</p> <ul style="list-style-type: none"> v) Overview and scrutiny enables the 'voice' of local people and communities across the area to be heard as part of decision and policy-making processes.

Appendix 2

Recommendations from the report of the Auditor General's national improvement study 'Good Scrutiny? Good Question?' (May 2014)

Exhibit 3: recommendations from **Good Scrutiny? Good Question?** Scrutiny Improvement Study

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 and 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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