

Report

Cabinet

Part 1

Date: 17 October 2018

Item No: 6

Subject **Wales Audit Office Overview and Scrutiny – Fit for the Future? Review**

Purpose To advise cabinet of the findings from the Wales Audit Office's review of the Council's overview and scrutiny arrangements.

Author Head of People and Business Change
Democracy and Communications Manager
Scrutiny and Governance Manager

Ward All

Summary As part of their programme of work for 2017/18 the Wales Audit Office (WAO) reviewed the Council's overview and scrutiny arrangements. The main aim of the review was to assess how 'Fit for the Future' scrutiny functions in responding to current challenges including the Well-being of Future Generations (WFG) Act.

The review also included how Councils are beginning to undertake scrutiny of the Public Service Boards.

As part of this review, the Wales Audit Office identified 6 areas for improvement.

Proposal Cabinet is requested to:

- Consider the contents of the Wales Audit Office Overview and Scrutiny – Fit for the Future? Review; and
- Consider the action plan that has been compiled to address the recommendations that are identified in the Overview and Scrutiny – Fit for the Future? Review.

Action by Strategic Directors and Heads of Service

Timetable Immediate

This report was prepared after consultation with:

- Chief Executive
- Strategic Directors
- Heads of Service

Signed

Background

As part of their programme of work for 2017/18 the Wales Audit Office (WAO) reviewed the Council's overview and scrutiny arrangements. The main aim of the review was to assess how 'Fit for the Future' scrutiny functions in responding to current challenges including the Well-being of Future Generations (WFG) Act. The review also included how Councils are beginning to undertake scrutiny of the Public Service Boards.

The intended benefits of undertaking this project are:

- Identification of 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 WFG Act;
- Providing assurance that scrutiny functions are well placed to respond to current and future challenges and expectations;
- Helping to embed effective scrutiny by elected Members for the start of this new electoral cycle; and
- Providing insight into how well councils have responded to the finding of the WAO's previous Scrutiny Improvement Study.

To inform their findings the WAO based their review methodology around the Outcomes and Characteristics for Effective Local Government Overview and Scrutiny that were developed and agreed by scrutiny stakeholders in Wales following their previous National Improvement Study 'Good Scrutiny? Good Question!'

The WAO undertook the review during December 2017 and January 2018. They reviewed documents, observed a sample of scrutiny committee meetings, interviewed officers and held focus groups with Members involved in scrutiny to obtain their views on the Council's current scrutiny arrangements and understand how the Council is approaching and intends to respond to the challenges identified.

The review concluded that the Council's leadership is committed to improving its scrutiny function and to meet current and future challenges for scrutiny, but Members need a fuller understanding of their scrutiny role and more effective, timely training. The WAO came to this conclusion because:

- a. The Council has made recent changes to its scrutiny arrangements, which now need to be strengthened and embedded effectively in order for it to be well-placed to meet current and future challenges;
- b. The Council is creating a new environment for scrutiny to drive improvement, however Members' need a fuller understanding of their role in scrutiny and timely and specific member training to improve their effectiveness; and
- c. The Council is improving the planning and operation of its scrutiny function, which can be strengthened by greater alignment between the work of scrutiny and Cabinet.

The WAO made 6 Proposals for Improvement:

The Council's scrutiny function could be further strengthened by:

P1 Providing a structured and timely member development programme to improve members' scrutiny skills and improve their understanding of their scrutiny role;

P2 Effectively holding Cabinet Members to account for service performance when invited to scrutiny meetings;

P3 Improving the planning and links between the forward work programme of scrutiny committees and Cabinet;

P4 Providing further training for scrutiny members on the Well-being of Future Generations (Wales) Act to improve their understanding and consideration of the Act when undertaking scrutiny activity;

P5 Reviewing the impact of the new scrutiny structure and arrangements in driving improvement; and
P6 Improving the public's engagement with the scrutiny function by using a wider range of engagement methods.

See appendix 1 for the WAO's report and appendix 2 for the Council's management response and action plan.

Financial Summary

- There are no direct costs associated with this report.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
The WAO Proposals for Improvement are not addressed resulting in ineffective scrutiny to hold the Executive to account in the delivery of the Well-being Plan.	M	L	The management response includes an action plan to address the proposals for improvement	Head of Service, Managers

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Effective scrutiny is essential for better decision making, improved service delivery and performance.

Options Available and considered

- To consider the contents of the 'Scrutiny – Fit for the Future' report, and the proposed actions to address the proposals for improvement
- To reject the proposed actions or ask for further information

Preferred Option and Why

The preferred option is a) to initiate the action plan to address the proposal for improvement.

Comments of Chief Financial Officer

There are no financial implications arising from the report as all the actions identified will be contained within existing approved budgets.

Comments of Monitoring Officer

There are no specific legal issues arising from the Report. The WAO review confirms that the Council is meeting the requirements of the Local Government Act 2000 in terms of delivering an effective overview and scrutiny function, which makes a positive contribution to decision-making and policy development. There are identified areas for improvement, particularly in relation to member training and development, holding the executive to account, performance management and public engagement. However, all of these issues are already identified in the Overview & Scrutiny Annual Report and are being addressed through the agreed action plan.

Comments of Head of People and Business Change

There are no direct staffing implications arising from this report.

The 'Overview and Scrutiny – Fit for the Future?' report provides a balanced view of the council's scrutiny arrangements. It provides a baseline from which we can initiate further improvement and considers how well placed the council is to respond to current and future challenges. The management response to the WAO's report identifies actions that will address the proposals for improvement. This includes further training for members to improve their understanding of the WFG Act which will be addressed through a wider programme of training for members and staff across the Council. In addition, support will be provided by the policy and partnership team to improve the public's engagement with the scrutiny function using a range of engagement and participation methods.

Comments of Cabinet Member

The Cabinet Member has been consulted and has agreed that this report goes forward to Cabinet for consideration.

Local issues

Not applicable

Scrutiny Committees

This report will be presented at Overview and Scrutiny Management Committee on 20th September 2018.

Equalities Impact Assessment and the Equalities Act 2010

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Children and Families (Wales) Measure

Although no targeted consultation takes place specifically aimed at children and young people, consultation on planning applications and appeals is open to all of our citizens regardless of their age. Depending on the scale of the proposed development, applications are publicised via letters to neighbouring occupiers, site notices, press notices and/or social media. People replying to consultations are not required to provide their age or any other personal data, and therefore this data is not held or recorded in any way, and responses are not separated out by age.

Wellbeing of Future Generations (Wales) Act 2015

The contents of the Wales Audit Office report consider the five ways of working and sustainable principles.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

Not applicable

Background Papers

WAO Report: Good Scrutiny? Good Question! (29/05/2014)

The above report is available on the Wales Audit Office Website, click [here](#) to view the report.

Dated: September 2018

Appendix 1



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Management Response

Local Authority: Newport City Council

Report title: Overview and Scrutiny: Fit for the Future?

Issue date: August 2018

Document reference: 770A2018-19

Ref	Proposal for Improvement	Intended outcome/benefit	High priority (yes/no)	Accepted (yes/no)	Management response	Completion date	Responsible officer
P1	<p>The Council's scrutiny function could be strengthened by;</p> <p>Providing a structured and timely member development programme to improve members' scrutiny skills and improve their understanding of their scrutiny role.</p>	Members' understanding of their overview and scrutiny role increases.	Yes	Yes	Covered by the Scrutiny Annual Report – 18/19 Action 2: Ensure an effective member development programme is implemented to support Scrutiny Members to undertake their roles. This will need to include feeding into to an overall member development programme and providing comprehensive support to Members.	Establish training needs September 2018 through reissuing the training and development questionnaire to Members; continue development of programme ongoing throughout the year.	Scrutiny and Governance Manager
P2	Effectively holding Cabinet members to account for service performance when invited to scrutiny meetings.	Ensure that the Council has arrangements to enable scrutiny to hold Cabinet members to account more		Yes	Covered by the Scrutiny Annual Report – 18/19 Action 3: Review the arrangements for Cabinet Member	November 2018 (to align with the Committees considerations of the Service	Scrutiny and Governance Manager / Cabinet Office Manager

Ref	Proposal for Improvement	Intended outcome/ benefit	High priority (yes/no)	Accepted (yes/no)	Management response	Completion date	Responsible officer
		effectively and ensure Cabinet Members are equipped and prepared to be held accountable for the roles they hold.			attendance at Scrutiny in light of changes to the performance reporting. To enable the Committees to effectively hold Cabinet Members to account for Service Performance, when invited to scrutiny Committees and utilise Cabinet Member time effectively at the meetings.	plans and the CM attendance at these meetings.	
P3	Improving the planning and links between the forward work programmes of scrutiny committees and Cabinet.	Work programmes are coordinated in order that Scrutiny can engage in pre-decision scrutiny.		Yes	Covered by the Scrutiny Annual Report – 18/19 Action 4: Improve the planning and links between the Scrutiny Forward Work Programme and the Cabinet. And Action 5: To continue regular meetings of the Chairs of Scrutiny, the Scrutiny Officer Team to ensure a positive relationship continues, and workloads are coordinated effectively.	Ongoing	Scrutiny and Governance Manager / Cabinet Office Manager

Ref	Proposal for Improvement	Intended outcome/ benefit	High priority (yes/no)	Accepted (yes/no)	Management response	Completion date	Responsible officer
					This will include meetings with the Executive.		
P4	Providing further training for scrutiny members on the Well-being of Future Generations (Wales) Act to improve their understanding and consideration of the Act when undertaking scrutiny activity.	The principles of the Act are more familiar to members and those are applied during scrutiny processes		Yes	Covered by the Scrutiny Annual Report – 18/19 Action 2: Ensure an effective member development programme is implemented to support Scrutiny Members to undertake their roles. This will need to include feeding into to an overall member development programme and providing comprehensive support to Members.	Establish training needs September 2018 through reissuing the training and development questionnaire to Members; continue development of programme ongoing throughout the year.	Scrutiny and Governance Manager
P5	Reviewing the impact of the new scrutiny structure and arrangements in driving improvement.	Ensure that the new structure and arrangements are achieving the intended outcomes.	Yes	Yes	Covered by the Scrutiny Annual Report – 18/19 Action 6: Review the impact of the new scrutiny structure and arrangements in driving improvement to include a repeat of the Scrutiny Self Evaluation and Peer review exercises	April 2019	Scrutiny and Governance Manager

Ref	Proposal for Improvement	Intended outcome/ benefit	High priority (yes/no)	Accepted (yes/no)	Management response	Completion date	Responsible officer
P6	Improving the public's engagement with the scrutiny function by using a wider range of engagement methods.	Ensure that there are greater opportunities for the public to help to influence scrutiny forward work programmes		Yes	<p>Covered by the Scrutiny Annual Report – 18/19</p> <p>Action 1: Redevelop the Public Engagement Strategy to ensure arrangements are put in place to support public involvement and participation within scrutiny is encouraged.</p> <p>To include:</p> <ul style="list-style-type: none"> - Utilising social media to promote Committee work. - Encourage public participation and involvement. <p>Improving the public's engagement with the scrutiny function by using a wider range of engagement methods.</p>	December 2018 / January 2019	Scrutiny and Governance Manager