

SCRUTINY COMMITTEE	Corporate Scrutiny Committee
DATE OF MEETING	15 January 2015
TITLE	Proposed Joint Local Service Board Scrutiny Arrangements
AUTHORS	Joint Report by: <ul style="list-style-type: none"> • Anwen Davies (Senior Partnerships Manager Gwynedd and Anglesey); • Vera Jones (Democratic Services Manager of Gwynedd Council); • Geraint Wyn Roberts (Scrutiny Officer of Isle of Anglesey County Council).

1.0 RECOMMENDATION

- That the Committee agrees to proceed with Option B (i.e. establish a Joint Gwynedd and Anglesey Local Services Board Scrutiny Panel) and request officers to progress practical arrangements to include such matters as finalising membership arrangements, training arrangements, meetings schedule and venue.

2.0 REASON

2.1 There are numerous documents about scrutiny of Local Services Boards (LSB) available. For example, Welsh Government produced a report in 2013¹ which sought to gather information on the current state of play concerning LSB Scrutiny in Wales including understanding the extent of LSB scrutiny as well as motivators and barriers to effective LSB scrutiny.

2.2 A report jointly published by the Welsh Local Government Association (WLGA) and CfPS² in 2010 entitled “Scrutiny of Multi–Agency Partnerships” outlined some of the lessons learned from the development of scrutiny arrangements of Local Services Boards and identified some important points to bear in mind when developing arrangements:

- Importance of taking account of existing ‘scrutiny’ or accountability mechanisms that other partners may already have in place. Overview and Scrutiny should complement rather than duplicate existing accountability mechanisms;

¹ Reference the report

² Centre for Public Scrutiny – an organisation whose principal focus is on scrutiny, accountability and good governance both in the public sector and organisations who deliver publicly funded services.

- Clarity around the scope of scrutiny activity – that the scrutiny will focus on the partnership as opposed to on the individual organisations that are in partnership; that it is strategic rather than operational; and that it is outcome focused;
- It is important to manage the expectations of those carrying out the scrutiny and of those being scrutinised and to build, maintain and further develop trust between scrutineers and the Local Services Board;
- Seek feedback from partners and be seen to act on it – this demonstrates that the scrutiny process is prepared to be flexible and to work with partners to ensure they remain committed to engaging productively in scrutiny;
- Be aware of the context within which scrutiny is operating – there is a need to be sensitive to changes in partnership dynamics and how scrutiny can assist or exacerbate these. There may be risks in undertaking challenging scrutiny exercises too soon, before relationships are established and without the full buy-in of those participating in scrutiny;
- Importance of building relationships with partners that may be subject to scrutiny. Taking time to explain the role of scrutiny to partners and how the process works can help with this.

2.3 In order to be in a position to advise members on possible options to scrutinise the Gwynedd and Anglesey LSB, a multi-agency Task and Finish Project Group has been established. Membership has included representatives from the Betsi Cadwaladr University Health Board, North Wales Fire and Rescue Service, North Wales Police, Snowdonia National Park and Scrutiny Officers from both Councils. In order to obtain an independent perspective the Centre for Public Scrutiny was also invited to comment and input to the range of options for consideration by the Elected Members of both Local Authorities. The Task and Finish Group has also sought the views of both Medrwn Môn and Mantell Gwynedd as the umbrella organisations representing the interests of the Voluntary Sector.

2.4 In light of its deliberations, the multi-agency Task and Finish Group and Centre for Public Scrutiny propose that there are three options for Elected Member consideration which can be summarised as:

- **Option A** - Maintain existing scrutiny committee arrangements in both Isle of Anglesey County Council and Gwynedd Council.
- **Option B** - Establish a Joint Gwynedd and Anglesey LSB Scrutiny Panel.
- **Option C** - Establish a Joint Gwynedd and Anglesey LSB Scrutiny Committee.

2.5 Each option has its own strengths, weaknesses, opportunities and threats. In order to provide Elected Members with sufficient information to make a decision on the way

forward, the multi-agency Task and Finish Group considered that it was important that members' attention be brought to an options appraisal paper. The option appraisal paper is attached to this report (**Appendix 1**).

2.6 Although each option has its own advantages and disadvantages, the multi-agency Task and Finish Group are of the unanimous view that Option B (establish a Joint Gwynedd and Ynys Môn Local Services Board Scrutiny Panel) be proposed as the preferred option for consideration by Elected Members of both Gwynedd Council and the Isle of Anglesey County Council.

2.7 Dependent upon which option is supported by Elected Members of both Councils, the next step will be for the multi-agency Task and Finish Group to reconvene in order to consider practical arrangements as to membership of the joint scrutiny forum, implementation and training arrangements, meeting schedule and venue. The Centre for Public Scrutiny will be providing support and mentoring as we progress to implement the proposed joint scrutiny arrangements.

2.8 With a view to ensuring sufficient information at this time to enable Elected Members to make an informed recommendation on the preferred joint scrutiny model, **Appendix 2** to this report summarises some of the key issues relating to the detail underpinning Option B (establish a Joint Gwynedd and Anglesey LSB Scrutiny Panel):

- Membership;
- Governance and reporting arrangements;
- Frequency of meetings.

APPENDIX 1 - OPTIONS APPRAISAL PAPER

APPENDIX 2- KEY ISSUES UNDERPINNING OPTION B

Joint Report by: Anwen Davies (Senior Partnerships Manager Gwynedd and Anglesey), Vera Jones (Democratic Services Manager of Gwynedd Council) and Geraint Wyn Roberts (Scrutiny Officer of Isle of Anglesey County Council).

Dated: 2 January 2015

APPENDIX 1

OPTION A: MAINTAIN EXISTING SCRUTINY COMMITTEE ARRANGEMENTS IN GWYNEDD COUNCIL AND THE ISLE OF ANGLESEY COUNTY COUNCIL.

SWOT ANALYSIS

Strengths

- Structure in place
- Members and Officers familiar with processes in their own Councils.
- The two scrutiny committees can make their own recommendations to LSB

Weaknesses

- Duplication of work by two Councils
- Partners would have to attend two scrutiny committees.
- Capacity to scrutinise LSB limited due to existing scrutiny committee workload.
- Local government elected members lead scrutiny (no or less input from other partners)

Opportunities

- The existing two scrutiny Committee could meet together to consider matters but make their own separate recommendation to LSB or partners but this would require further development.

Threats

- Wales Audit Office criticism of effectiveness of model.
- Welsh Government criticism of failing to collaborate.

OPTION B: ESTABLISH A JOINT GWYNEDD AND ANGLESEY LSB SCRUTINY PANEL.

SWOT ANALYSIS

Strengths

- No duplication
- Partners and officers in LSB would only have to report to one Panel.
- Panel would have more capacity as its sole remit would be scrutiny of LSB.
- Panel would be able to co-opt members.
- Unencumbered by constitutional issues and able to function more flexibly
- Ability to call in witnesses
- Terms of reference of panel would need to be established
- Evidence to show that panels have been more successful than other structures in strengthening the accountability of LSBs

Weaknesses

- Delay dealing with Panel recommendation (s) should panel members be uncomfortable with not relaying recommendations to parent Scrutiny Committees for approval first before being forwarded to LSB/Partner.
- Smaller number of elected members from each authority

Opportunities

- The Panel would develop a specialist role in scrutinising the LSB.
- A smaller group/panel would lead to a more informal atmosphere where better scrutiny would therefore evolve with a focus on outcomes rather than structures
- Would be able to consider scrutiny of agencies and bodies outside the county boundaries (should this be the requirement in the future).
- Co-opted Members could help reduce organisational fragmentation across LSB priority areas.
- Co-opted Members could help reinforce collaborative working.

Threats

- Insufficient resources allocated by the two Councils to support the Panel.
- Insufficient input by members (local authority or co-opted) to the scrutiny arrangements
- Scrutiny Committees could fail to approve Panel recommendations should this be a requirement.
- Terms of reference not clear and Understood.

OPTION C: ESTABLISH A JOINT GWYNEDD AND ANGLESEY LSB SCRUTINY COMMITTEE

SWOT ANALYSIS

Strengths

- The Committee would be able to make recommendations to each Council and partners. Formal Collaboration is possible under S58 of the local Government (Wales) Measure 2011 and is encouraged by the Welsh Government. Having said that, a formal agreement has to be reached between Councils to have a joint scrutiny committee. The requirements are set out under Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013 No 1050(W-112).
- No duplication
- Partners and officers in LSB would only have to report to one Committee
- Committee would have more capacity as its sole remit would be scrutiny of LSB.
- Committee would be able to co-opt members

Weaknesses

- Formal arrangement in formal setting, not the best setting for good scrutiny arrangements.
- Cost – time and financial resources
- Would there be sufficient work for an additional committee.
- Encumbered by the constitutional regulations related to formal joint scrutiny committees and less able to act flexibly
- Additional work for both authorities

Opportunities

- The Committee would develop a specialist role in scrutinising the LSB.

Threats

- Insufficient resources allocated by the two Councils to support the Joint Scrutiny Committee.

APPENDIX 2

Membership

There are different options available in considering the membership of the LSB Scrutiny Panel. It is however considered best practice that such a Panel incorporates representatives from partnership agencies. Representatives from partners will bring a different contribution and perspective to the table, including their particular form of accountability and unique professional and service expertise. The objective is to create strong synergy by combining and building upon strengths and tackling barriers where they may exist. The following membership is proposed which is based on good practice:

- 3 Non Executive Elected Members of Gwynedd Council;
- 3 Non Executive Elected Members of Isle of Anglesey County Council;
- 1 nominee from the Betsi Cadwaladr University Health Board;
- 1 nominee from North Wales Police;
- 1 nominee North Wales Fire and Rescue Service;
- 1 nominee from Mantell Gwynedd;
- 1 nominee from Medrwn Môn.

Governance and Reporting Arrangements

Although one of the main strengths of this model is its relative flexibility and that it is free from many constitutional strictures, there is a need to complete further work in order to fully develop the governance and reporting arrangements of the proposed Scrutiny Panel. The following guiding principles will underpin these arrangements:

- Provide a 'critical friend' challenge to the Local Services Board;
- Scrutinise, evaluate and actively promote improvement in work carried out in line with Local Services Board priorities and not that of those individual constituent organisations represented on the Local Services Board;
- Scrutinise, evaluate and actively promote improvement in developing and implementing projects to address the priorities set by the Local Services Board;
- Submit reports to the partners or the LSB (as appropriate) and make recommendations on measures which may enhance the impact of the Local Services Board;
- Reflect the voice and concerns of the citizens and communities in Gwynedd and Anglesey.

Frequency of Meetings

It is proposed that meetings of the Panel will be convened on a six monthly cycle. However a degree of flexibility will need to be applied as the transformation journey of the Local Services Board evolves e.g. Panel members may wish to consider issues on an ad-hoc basis.