



Overview and Scrutiny Strategy 2009-12

**Scrutiny Unit
Strategic and Improvement Department**

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Introduction

Welcome to Gwynedd Council's Overview and Scrutiny Strategy.

The purpose of this strategy is to ensure joint understanding of the purpose, vision and forms of implementing Gwynedd Council's scrutiny and overview function, and the key role of that function in relation to identifying and achieving the Council's priorities.

This strategy is aimed at:

- All the Council's members, in particular those Councillors who serve on the scrutiny committees
- Officers who work with the scrutiny committees
- Those people who are called to give evidence to scrutiny committees / investigations
- Others who have a general interest in scrutiny committees.

This strategy is published to provide a framework for this work, and to ensure that the Council's members and officers jointly understand good practice in the area of scrutiny together with the methods that will be used to stride ahead with the organisation of scrutiny function at Gwynedd Council.

The Strategy explains the background and the statutory requirements for this area of the Council's work, and provides the vision and structure for the Scrutiny Committees in Gwynedd.

It also explains in detail the mechanism used for the organisation of the Committees related to scrutiny, and how the members will be supported in their work.

Full details are given on the work's practical aspects, including selecting issues to be scrutinised and the arrangements for, and style of the Committee meetings.

Details are given on the function of the various Working Groups, being sub-groups elected by the Scrutiny Committees to conduct thorough investigations into a specific work area or policy on behalf of a Scrutiny Committee.

A checklist of key issues is provided so that the various scrutiny committees and working groups should carefully consider in order for their work to be effective and focused.

Finally, an outline is given of how effective preparation and briefing can add value to the scrutiny process.

PART 1 - STRATEGIC ASPECTS

Statutory Background and Local Context

The Local Government Act 2000 stipulates that, “The councils need new ways of working. They need priorities that put their people and their communities first. In all that they do, they need to be effective, transparent and accountable.”

This is the main focus of the government’s programme for modernising local government. The aim is for more local people to know more about how their local council works, and for them to play a bigger part in it. It is hoped that this will lead to more people voting in local elections. Councillors will have more interesting and satisfying work, with an improved cross-section of the public interested in becoming councillors.

‘The act requires that councils establish new structures instead of the old committee system.

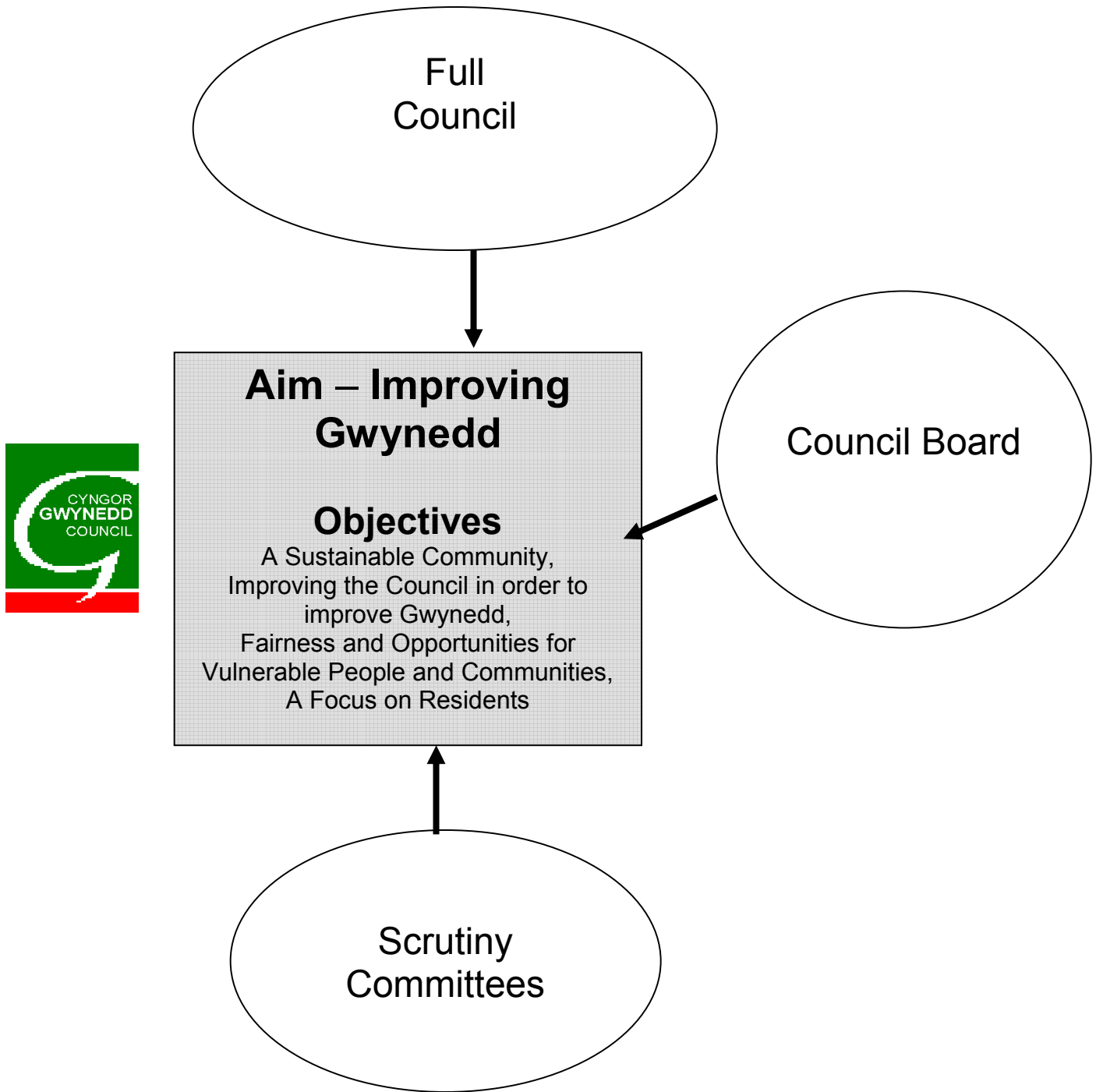
- All local authorities must also make “arrangements for....scrutiny committees to call the Executive Committee (i.e. the Board in Gwynedd) to account and to assist in the development of new policy.”
- Scrutiny committees “review the effectiveness of policy implementation (by the Board) and its public consequences, and make recommendations.”
- They also carry out an overview of the impact and outcomes of the Council’s work and that of its partners, by “reviewing policy in the public arena and taking the views of all stakeholders into consideration” and then making “public recommendations to the Board”.

External Auditors (Wales Audit Office) have noted the need to give consistent attention to the improvement and consistency of scrutiny.

Scrutiny committees are the main means of calling the Council Board to account publicly.

The following diagram shows that Scrutiny Committees, The Council Board and Full Council need to work together to contribute towards materializing the Council’s 4 objectives which are noted in the 3 Year Plan: **A Sustainable Community, Improving the Council in order to improve Gwynedd, Fairness and Opportunities for Vulnerable People and Communities, A Focus on Residents**. The Council’s aim in achieving these objectives is to **Improve Gwynedd**.

Member Input to Improve Gwynedd



Vision

Our Overview and Scrutiny vision is to increase accountability, improve performance and to maximise the engagement of local people.

We aim to this by realising the following objectives:

- improve public services in Gwynedd by making the best use of limited resources;
- develop effective scrutiny arrangements across the strategic partnerships and The Local Services Board;
- improve the lives of people who live and work here by realising the Council's priorities;
- improve input from the public, partners and communities by effective communication

The Aim and Values of the Council

Simply, the Council's aim is to "Improve Gwynedd" but, in working towards it, we will be:-

- open and accountable – ensuring that the fullest information is available and that we are willing to listen, respond and act in line with our residents' needs
- sustainable – promoting developments which meet the requirements of the present without jeopardising the ability of future generations to meet their needs
- caring - for our staff, by being a fair employer, our customers, and the ratepayers, by seeking to offer value for money
- inclusive and equal – promoting access and seeking to remove restrictions on access to services
- progressive – willing to venture and pioneer in order to find new means of responding to the needs of the area
- working together – in partnership, internally and with outside agencies, in order to achieve the best for the community
- learning – continuously developing through positive and honest challenge and learning from others

Function

The scrutiny committees' key function therefore, is to contribute to the identification and realisation of the Council's priorities through:

- Scrutinise the recognition and realisation of the Council's priorities
- Contribute towards achieving promises made through performance monitoring
- Developing and reviewing policies by scrutinising proposed policies and scrutinising the effectiveness of existing policies
- Holding the Board and the Portfolio Leaders accountable for their decisions

Scrutiny committees can sometimes act in a number of different ways and have a variety of responsibilities but the effectiveness of the scrutiny will depend, to a large extent, on:

- members and officers developing joint understanding of the contribution that scrutiny and challenge can make to the Council's work.
- a willingness to weigh up performance honestly, and to embrace continuous improvement.
- the ability to be open minded and confident in challenging the *status quo*
- a commitment to looking ahead towards achieving improved performance rather than looking back on poor performance.

PART 2

OVERVIEW AND SCRUTINY IN OPERATION

The Work Programme

Key decisions have to be taken on what issues to scrutinise and how this will be done.

There are different kinds of scrutiny:

- ***Continuous scrutiny:*** such as by means of performance indicators and by means of inspection findings carried out by external agencies.
- ***Regular items that need a generalised strategic assessment:*** such as those matters that impact on how the council plans its business, e.g. expenditure.
- ***Assessing how effective or efficient a service is***
- ***Developing or reviewing policies:*** e.g. the Council's procurement policy.
- ***Scrutiny in relation to a key issue:*** e.g. the cost of temporary accommodation for homeless people.

Scrutiny work can come before the committees from a number of valid directions, for example:

- The Council's contribution to the Community Plan – Gwynedd Together
- The Council's 3 Year Plan and Service Plans
- Referral by the Board
- Requests made by Members
- Requests made by Officers
- Matters as raised by external bodies, agencies or auditors.
- Requests made by the Third Sector, Partners and the Public

Considerations

It is therefore essential, in order to ensure the capacity to carry out the scrutiny work in a meaningful and efficient manner, that **careful consideration is given to what items should be included in the programmes.**

The Chair and Vice-chair of the Scrutiny Committees, in consultation with the Strategic Policy Manager will give **due attention to the following considerations** when a request is received for any matter to be put before the Scrutiny Committees:

Is the matter or service concerned:

- a priority in the 3 Year Plan
- a priority in the Community Plan – Gwynedd Together
- a national priority
- performing badly
- of major concern to a substantial number of the members
- of major concern to the public
- the subject of a critical report by inspectors
- a new policy area that is being developed.
- has been programmed to receive attention by the Council Board

Giving due attention to these considerations in selecting items for discussion will ensure that time is given to holding a meaningful discussion on those issues that are truly important, and to select items on the basis of risk. Presenting items for information only will not be permitted.

Consideration will also be given, when seeking agreement for work programmes, to the capacity of the Committee (in terms of time and resources), and the priority of the issue concerned.

In order to organise the programme more effectively, the front page of committee reports specifically states the reason for its presentation to Committee.

Scrutinising the work of external bodies

The Scrutiny Committees are responsible for scrutinising the work of the Local Services Board, strategic partnerships and they may also investigate the effectiveness of other partnership arrangements.

Scrutiny committees can also investigate specific matters that are in the community interest.

External bodies can be invited to send representatives to meet with the scrutiny committee to answer questions, or to submit evidence.

Committees, Working Groups, Meetings and the Forum of Chairs and Vice Chairs relating to scrutiny

Following restructuring of the Policy and Performance Service in April 2009, one of the key roles of the Strategic Policy Managers is to support scrutiny. In addition to coordinating the work of the Scrutiny Committees, they have a pivotal role in terms of the arrangements for Preparing, Presentation of Reports and Briefing of members.

A Legal Officer will be called to a meeting of a Scrutiny Committee or Briefing Meeting, if necessary.

1 Scrutiny Committees

Scrutiny Committees meet at least 5 times a year on dates which have been allocated at least a year in advance.

The main aim of the scrutiny committees is to scrutinise the matters on the committee programme

Scrutiny Committee meetings do not necessarily take place in the Council offices' own committee rooms. Other locations throughout the County can be used. Sometimes, when seeking the participation of the public, meetings will need to be held outside the Council offices or at different times to usual.

The scrutiny committees are an important opportunity to ensure the public's participation, and Council offices are often seen as distant and unwelcoming places.

Consideration is therefore given to holding meetings in various areas and venues to promote more effective scrutiny giving priority where appropriate to buildings maintained by the Council.

2 Preparation Meeting

This meeting will be held at least 5 weeks in advance of the Scrutiny Committee, and the meeting will be led by the Chairman.

This meeting is for the Chair, Vice-chair (and any member of the Scrutiny Committee who wishes to be present), Corporate Scrutiny Manager and the relevant Strategic Policy Manager.

The purpose of this meeting is to confirm the final programme for the Scrutiny Committee and to organise the matters to be scrutinised and the method of scrutiny – e.g. question and answer session, presentation, report and/or visit.

3 Briefing Meeting

The relevant Strategic Policy Manager will arrange a meeting for the Chair and Vice-chair (and all members of the Scrutiny Committee – elected and co-opted) with the Corporate Scrutiny Manager in attendance, to be held before the Scrutiny Committee. The meeting will be led by the Chairman.

The main purpose of this meeting is to receive feedback from the Strategic Policy Manager following the Preparatory Meeting to further sharpen questions if necessary in order to attain clear answers from the author who will be in front of the committee as a witness. This is the place to put the questions in order without restricting the right of individuals to ask further questions.

4 Chairs and Vice Chairs Forum

Meetings of the Chairs and Vice-chairs of the scrutiny committees will be held as necessary, but at least quarterly, to discuss structural, constitutional and procedural matters. This group is known as *The Scrutiny Chairs and Vice-chairs Forum*.

5 Working Groups

Working groups may be set up when there is a need to scrutinise in detail using various methods. These include: developing or reviewing a policy, reviewing progress on specific projects, strategic review of a service, efficiency of a service or a key issue.

Working Effectively

Here are the essential elements for working effectively:

- 1 The matters being considered in Scrutiny Committees (based on *the considerations* for scrutiny on page 9) are matters that need to be scrutinised in detail with clear indication why the matter is being presented, and the risk associated with that item.

- 2 Additional information will be presented to members in the form of seminars and information bulletins. Additional sessions or presentations will be held on matters to be presented to scrutiny in order to raise awareness of members beforehand. It is intended whenever possible to hold these sessions on the afternoon of the scrutiny committee. (This is in addition to any standard scrutiny training arranged for members)

In general, therefore, the Scrutiny Committees' formal meetings should not be used to discuss matters for the general information of members.

Style of Meetings

Scrutiny Committee meetings should be open and transparent. An informal approach should be adopted whenever possible that encourages in depth inspection of matters e.g. a visit or further questioning to 'penetrate beneath the surface'.

Portfolio Leaders and Officers should be encouraged to be less formal and to respond to questions in an open and appealing way.

Consideration should be given to the kind and amount of information needed. Choose whenever possible short presentations and/or question and answer sessions and refer matters for information to other meetings, seminars or information bulletins well in advance of the scrutiny meetings.

Every report that needs to be scrutinised needs to include a front cover page providing a summary of the issues that need attention

Although members should persist in their search for information, it must also be recognised that it will not be available every time – and that costs could be attached to the gathering of it.

Taking evidence

An essential part of the scrutiny process is that of taking evidence given by the public, witnesses or experts.

In taking evidence, the members must ensure that they have:

- Allocated sufficient time to question and listen to the views of witnesses
- Given full consideration to which groups, representative or individuals will be asked to attend a hearing
- Considered the views of service users
- Considered how difficult to reach groups can be encouraged to attend meetings

- Considered the lay-out of the room for holding meetings with witnesses
- The locations for meeting with witnesses.

Mantell Gwynedd has appointed a pool of volunteers from the third sector to support the work of scrutiny. These individuals come from various backgrounds and represent their field of activity.

They will have an input into the process of formulating scrutiny committees work programmes when being considered.

When Committees elect a Working Group to undertake specific, detailed work, *Mantell Gwynedd* will be asked to consider whether or not the Third Sector has a contribution to make to that work.

If it is considered that the sector has a contribution to make, a suitable member from the pool will be invited to the Working Group as a specialist witness, to give evidence on the matter under consideration, or as a co-opted member.

Training

The Council is committed to providing a continuous training programme for Members and Officers (together if possible) involved in the challenge and scrutiny process, in order to maximise the effectiveness of the system and to learn from best practice, wherever it is to be found.

The effective and uniform implementation of the Scrutiny Strategy across the Scrutiny Committees depends to a large extent on the Chairs and Vice-chairs. Extra emphasis therefore will be given to specific training to these key scrutiny members.

PART 3 - APPENDICES

In addition to the following appendices, the Scrutiny Unit will be publishing guidelines and up-dates from time to time to support and facilitate the implementation of the Scrutiny Strategy

APPENDIX A

Structure of the Scrutiny Committees

There are five scrutiny committees in Gwynedd Council.

Principal Scrutiny Committee

Environment Scrutiny Committee

Development Scrutiny Committee

Care Scrutiny Committee

Children and Young People Scrutiny Committee

APPENDIX B

Mechanism of the Scrutiny Committees

Membership

The Full Council confirms the number of members from each political group allocated to each committee. The appointments are based on the political balance. The political groups choose which individual members will be on each committee. Members of the Council Board are not allowed to be members of a Scrutiny Committee.

Some members of the scrutiny committee also sit on one or more of the Council's regulatory committees, e.g. The Audit Committee.

Meetings

The scrutiny committees will meet regularly. The meetings will be noted in the Council's committees' calendar for the year which is adopted at the Council's annual meeting. If urgent matters (or matters of great importance) that cannot wait until the next scrutiny committee meeting the Chair of the Committee may convene a special meeting of the committee.

The scrutiny committee meetings are usually open to the public and members of the general public may attend the meeting to listen, and when appropriate members of the public or specialists in certain areas may be invited beforehand to speak or to give evidence.

Member Support

The members are supported in their overview and scrutiny functions by the Chief Executive, the Strategic Directors, the Strategic Policy Managers, the Scrutiny Unit and the Strategic and Improvement Department.

The Head of the Strategic and Improvement Department is:

Mr Geraint W George

Tel: (01286) 679052
E-mail address: GeraintG@gwynedd.gov.uk

The restructuring has enabled the Council to strengthen its support to scrutiny members by identifying lead officers to be responsible for the provision of specific support to the Chair, Vice-Chair and members of the Scrutiny Committee.

The scrutiny committees, therefore, will be supported by the scrutiny lead officer – the Strategic Policy Managers – who will coordinate the work of the scrutiny committees as well as advise and brief the members as appropriate. Those officers are:

Principal Scrutiny Committee

Corporate Scrutiny Manager: **Gareth James**

Tel: (01286)679261

E-mail address: GarethJames@gwynedd.gov.uk

Environment Scrutiny Committee

Sustainability and Environment Strategic Policy Manager: **Dewi Jones**

Tel: (01286) 679233

E-mail address: DewiWynJones@gwynedd.gov.uk

Development Scrutiny Committee

Regeneration and Skills Strategic Policy Manager: **Ann Owen**

Tel: (01286) 679528

E-mail address: AnnOwen@gwynedd.gov.uk

Children and Young People Scrutiny Committee

Children + Young People Strategic Policy Manager: **Darren Hume Wyn Griffiths**

Tel: (01286) 679788

E-mail address: DarrenGriffiths2@gwynedd.gov.uk

Care Scrutiny Committee

Care, Elderly and Children Strategic Policy Manager: **Rhoslyn Prys**

Tel: (01286) 679708

E-mail address: RhoslynPrys@gwynedd.gov.uk

Scrutiny Unit

Corporate Scrutiny Manager: **Gareth James**

Tel: (01286) 679261

E-mail address: GarethJames@gwynedd.gov.uk

Assistant Scrutiny Officer: **Ann E Roberts**

Tel: (01286) 679618

E-mail address: AnnElizabethRoberts@gwynedd.gov.uk

General support and assistance to scrutiny committees

Scrutiny committees are independent. They can ask any one to meet with them, to be on their committees or to provide them with professional support. For example:

- ***Witnesses:*** Scrutiny committees can invite people to meet with them, to answer questions and to give an expert opinion.
- ***Experts:*** Scrutiny committees can invite experts from outside the council to provide them with evidence or to attend meetings.
- ***Professional support by Council staff.*** Scrutiny committees can commission reports by officers, and can require specific information and professional opinions to be given, including the options that are available in special cases.

APPENDIX C

Working Groups

What is a Working Group?

Gwynedd Council, and other authorities, have learnt from experience that a very effective means of giving a specific subject or service close consideration is for a scrutiny committee to elect a Working Group of a small number of members to carry out detailed investigations.

The working groups can vary in size, work area and term time – Joint Review Scrutiny Working Group that scrutinises the progress of the Improvement Programme across the Council over a period of 3 years; Strategic Service Review Working Groups like the Residential Services for the Elderly, **and contracted working groups.**

The Function of the Working Groups

The function of any improvement working group is to conduct detailed investigations into a specific area or policy on behalf of the scrutiny committee. They are short lived and work to a set deadline, and meet as necessary.

They work according to specific instructions given by the scrutiny committee.

The central task of the improvement working group is to thoroughly investigate and review the implementation and effectiveness of a particular policy. Although the emphasis should remain on the effectiveness of policy implementation, there is no reason why all the evidence gathered cannot be used to enable the scrutiny committee to recommend to the Board that a policy should be reviewed, adapted or developed in the light of the findings of the improvement working group.

The improvement working groups also have a role in terms of thoroughly reviewing the performance of a particular service or activity. Such reviews can be instigated by poor performance reports or concerns expressed as a result of consultation exercises.

Usually, each working group will be expected to work to a deadline and will report back to the scrutiny committee.

APPENDIX CH

Scrutiny checklist – some things to do and not to do

Important

- Remember that scrutiny entails learning and being a critical friend, it should be a positive process – there should be no contradiction purely for the sake of it!
- Remember that scrutiny should lead to better value and better performance
- Take a generalised view and remain focused on the wider picture
- Use improvement working groups to get to the heart of performance information
- Take needs, priorities and local policies into consideration
- Ask effective questions – be constructive and not critical
- Listen to service users and to the public, listen out for voices that aren't often heard, seek the views of others – and weigh them all up
- Remember to praise good practice and best value – and try to disseminate them throughout the authority.

Do not

- Be persecutory or use performance review as a punishment
- Blame any legitimate risk taking or stifle progression or creativity
- Look at scrutiny as an added nuisance
- Get lost in the detail
- Be afraid to ask basic questions
- Take on too many issues and not be thorough enough
- Be driven by data or be paralysed by analysis – maintain a strategic and general outlook and expect officers to provide information and analyses of the highest standard to assist you with the work.

Key Questions

Scrutiny committees should bear certain fundamental questions in mind:

- Are we doing what service users / non-service users / local residents desire us to do?
- Are the needs of service users central to the service?
- Why are we doing this?
- What are we trying to achieve?
- How well are we doing this?
- How do we compare with others?
- Are we providing value for money?
- What areas could we improve upon?

APPENDIX D

General Arrangements and Guidelines

These are the key elements to get right:

- timetabling meetings a year ahead ;
- timetabling preparation time/reading beforehand;
- preparing reports in good time before the meetings;

1 Programming Work Annually

The scrutiny committees' work programme will run from May to May each year. In the first meeting of the scrutiny committee for the year, a workshop will be held to develop a draft work programme for the year ahead, and to suggest matters for the following year.

The Chair, Vice-chair, Strategic Policy Manager and the Corporate Scrutiny Manager will meet to collate the draft programme to be adopted by the Scrutiny Committee after it has been considered by the Chair and Vice-chairs Scrutiny Forum.

Following the adoption of the programme, the Strategic Policy Manager will distribute and collect back the *Programme Quality Control Templates* for the items noted on the annual work programme for the Preparation Meetings.

The Scrutiny Unit will establish a live, electronic version of the Scrutiny Committees' programme with access by each Strategic Policy Manager and officers who support scrutiny e.g. Performance Management and Efficiency. (The programmes may also be viewed on the Council's website.)

Consideration will be given to additional requests to place matters before the committee that are not on the annual work programme at a meeting between the Chair, Strategic Policy Manager and the Corporate Scrutiny Manager. If there is discord, it will be elevated through the Scrutiny and Performance Senior Manager to the Head of Policy and Performance.

2 Preparing for Scrutiny

Preparation Meetings will be held at least 5 weeks before each scrutiny committee between the Chair, Vice Chair (and any member who wishes to be present) and the Strategic Policy Manager with the Corporate Scrutiny Manager in attendance.

These meetings may be held at the end of the preceding meeting of the Scrutiny Committee or at a separate convenient time according to the Chair's discretion. If the meeting takes place at a separate time, it is presumed that this will take place through tele/video-conferencing, unless the Chair sees the need to make alternative arrangements.

The purpose of this meeting is:

- a) To consider the Programme Quality Control Templates identified in the Work Programme for the next meeting of the Scrutiny Committee.
- b) Depending on the information submitted, decide to include, postpone or delete item/s and to agree the Final Agenda for the next meeting of the Scrutiny Committee.
- c) Agree methods of scrutinizing the items on the Agenda giving guidance to the authors of reports and presenters on the type of information they are expected to provide, and the main questions they will be expected to answer in their reports or presentations.
- ch) Consider inviting relevant specialists to support the scrutiny of specific items as necessary.

A de-briefing session of the preceding meeting of the Scrutiny Committee may be held in this meeting or at a different time according to the Chair's discretion.

3 Last Minute Briefings

The Strategic Policy Manager will arrange the meeting for all members of the committee with the Corporate Scrutiny Manager in attendance. The Chair and Vice Chair (with the help of the Strategic Policy Manager) to draw attention to specific elements that need scrutinising. **This is not a question and answer forum.**

The main purpose of these meetings is to receive feedback from the Strategic Policy Manager following the Preparation Meeting and to further sharpen questions as required in order to ensure answers from the author that will come to the committee as a witness.

(ii) **A Guideline for the Strategic Policy Manager**

- The Strategic Policy Manager will prepare the *Quality Control Form* supplied by the Scrutiny Unit that has a space for the author of the report to note the obligations of the 3 Year Plan/polisi, staff, spatial, and service.

- The author of the report (whoever it is) will complete the form with the help of the Strategic Policy Manager. (the Strategic Policy Manager is NOT to complete the form).
- The Strategic Policy Manager is to bring the form to the Preparation Meeting, and the members to formulate questions to scrutinise the report.
- The Strategic Policy Manager is to take these questions back to the Author noting the need to answer the questions when drawing up the report.
- The Strategic Policy Manager will arrange to present any relevant information to the members before the Committee e.g. comparisons
- The Preparation Meeting will decide the final contents of the Scrutiny Committee's programme
- In this meeting, there will also be an opportunity to hold a de-briefing session of the previous Scrutiny Committee that will be shared with the Forum of Scrutiny Chairs and Vice Chairs

APPENDIX DD

Background Documents

- 1 Delivering Good Governance in Local Government – Guidance Note for Welsh Authorities (Solace/Cipfa 2007)
- 2 Guideline for Effective Scrutiny – Welsh Assembly Government (April 2007)
- 3 On the radar – developing the relationship between local authority overview and scrutiny committees and the voluntary sector (CfPS Sept 2005)
- 4 A Shared Responsibility (Local Government's contribution to improving people's lives (Welsh Assembly Government – March 2007)
- 5 Small print BIG PICTURE – A guide for Scrutinising Public-Private Partnerships (CfPS May 2008)
- 6 Public Scrutiny Arrangements – Discussion Paper (WLGA/Assembly February 2008)
- 7 Scrutiny, performance and improvement: the road to excellence (what corporate assessments tell us about overview and scrutiny (CfPS March 2007)
- 8 Review of the Role and Functions of Elected Members (Welsh Assembly Government March 2007)
- 9 Political Structures in Welsh Local Government (WLGA February 2007)
- 10 Scrutiny of Budgets and the Budget Setting Process (WLGA/CfPS March 2008)
- 11 Scrutiny Guidelines (Gwynedd Council Constitution – under review)
- 12 Gwynedd Council's 3 Year Plan 2008-11
- 13 Overview and Scrutiny Strategy (October 2004)
- 14 CSSIW Joint Review Report (October 2008)
- 15 Cyflawni – Guideline for managers on the system and the principles of the Council's Performance Management (Version 1.0 2008/09 – 2012/13)