

CYNGOR GWYNEDD – Report to Cyngor Gwynedd Cabinet

Title of Item:	Local Government and Elections (Wales) Act 2021 – Panel Performance Assessment
Cabinet Member:	Councillor Nia Jeffreys
Relevant officer:	Dewi Wyn Jones, the Council’s Business Support Service Manager
Date of meeting:	11 March 2025

1. Decision sought:

To agree on a timetable to carry out a Panel Performance Assessment during the week of 9 March 2026.

2. The reason why the Cabinet needs to make the decision:

The Local Government and Elections (Wales) Act places a responsibility on Councils to carry out a Performance Assessment by a Panel once within an election cycle. The duty came into force in May 2022.

3. Introduction and Rationale

3.1 Background / Introduction

As noted above, the Local Government and Elections (Wales) Act places a responsibility on Councils to carry out a Performance Assessment by a Panel once within an election cycle.

It is noted that the Council has the freedom to determine who should carry out and coordinate the panel assessment and to determine its timing, therefore guidance is required on this. It is necessary to follow three statutory duties when carrying out a panel assessment:

- Prepare (specify the scope, terms of reference, membership etc.)
- Assess (carry out the assessment, present findings)
- Follow-up step (draw up the final report, the council’s response)

After the Full Council adopted changes to the Constitution in relation to the Panel Performance Assessment on 28 September 2023, the function was set to arrange and appoint a panel with the Cabinet but that the response to the report and the recommendations would be retained for the Full Council.

This duty is linked to the duty of holding annual performance self-assessments. Similarly, the panel assessment will look specifically at the extent to which the Council:

- exercises its functions effectively:

- uses its resources prudently, efficiently and effectively: and
- has robust governance arrangements in place for securing the above.

You are reminded that the Cabinet has already discussed the Panel Performance Assessment at its meetings on 7 November 2023 and 17 September 2024 and that many of the decisions have already been made. Here is a list of these decisions:

- Carry out a Panel Performance Assessment during the Autumn 2024 term, commissioning the Welsh Local Government Association to support the work.
- Approve the content of the draft Panel Performance Assessment Scoping Document and the fields that have been identified for the Panel to look at them.
- Delegate the right to determine the Panel membership, paying due regard to the Welsh Local Government Association’s advice to the Leader in consultation with the Chief Executive.

As there wasn’t a Leader in place and the fact that there were many vacant seats on the Cabinet in November 2024, it was decided to postpone the Performance Assessment by a Panel with the intention of carrying it out at a convenient time during 2025/26.

Consequently, the Cabinet needs to agree on a new timetable to carry out the assessment. In doing so, there will be a need to consider the commitments that the Welsh Local Government Association already have to support councils across Wales and the need for the final report to be approved by the Full Council at least 6 months before the next local government elections in Wales in May 2027.

3.2 What will the Panel Assessment be looking at?

It is a matter for the Council to determine the scope of the work, considering any challenges that have been highlighted in self-assessments, audits by external auditors and matters on our risk register.

The assessment will look at evidence to allow the panel members to come to a conclusion regarding the extent to which the Council addresses the 3 performance requirements below. The table below notes the performance requirements, as well as the lead principles for the requirements noted in the Draft Methodology that has been published by the Welsh Local Government Association. The Panel will then need to consider a series of questions under different themes.

Performance Requirement One: The extent to which the Council exercises its functions effectively.
Lead Principle: The council is self-aware and is able to show that it exercises its functions in accordance with the local, regional and national context. Where improvements are required, suitable interventions have been designated without delay, and they should fulfil the desired results.
Considerations for the Panel Questions on the themes: <ul style="list-style-type: none"> • Leadership • Corporate Planning and Service Planning • Performance Management

Performance Requirement Two: The extent to which the council uses its resources prudently, effectively and efficiently.
Lead Principle: Resources are aligned effectively to facilitate the council to fulfil its objectives and statutory functions and the council is able to show that it ensures value for money.
<p>Considerations for the Panel</p> <p>Questions on the themes:</p> <ul style="list-style-type: none"> • Corporate Planning and Service Planning • Digital and data • Financial Planning • The Workforce • Procurement • Risk and Assurance • Assets
Performance Requirement Three: The extent to which the council has robust governance arrangements in place to ensure performance requirements one and two.
Lead Principle: There are robust and clear governance arrangements, that encourage an open and transparent culture which welcomes scrutiny processes and constructive challenging.
<p>Considerations for the Panel</p> <p>Questions on the themes:</p> <ul style="list-style-type: none"> • Evaluation • Leadership • Organisational culture • Financial Governance • The Ability to Improve

In addition, there is an opportunity for the Council to identify fields where consideration from the Panel would be welcomed. There is a list below of the fields that the Cabinet has already determined would be beneficial for the Panel to look at as part of the assessment (note that the Governance Group and the Audit and Governance Committee has been part of the process of identifying these fields). In order to ensure that we get the most benefit from the Panel's visit and they add value to our work, it is suggested that they focus mainly on the matters that have been coloured in yellow on the list:

- Capacity/ability to fulfil our priorities for the future – are the resources aligned with our priorities?
- Leadership and organisational governance – how effective is this politically and managerially and is it supported by governance arrangements and make robust decisions? Do they allow the Council to respond to challenges by changing and transforming in order to respond to the challenges?
- Do we have suitable arrangements in place to measure how we provide services to customers/residents?
- Prove the efficiency of our plans or projects within the current Council Plan
- Carry out an assessment of the core matters within the requirements of the Act:
 - Exercises its functions effectively
 - Uses its resources prudently, efficiently and effectively; and
 - Has robust governance arrangements in place to ensure the above

- Look at the extent to which the Council's culture and our way of working (Ffordd Gwynedd) has permeated within the organisation and the difference it has made.
- To what extent have we incorporated the requirements of the Well-being of Future Generations Act in our work?
- The Council's self-assessments and arrangements to respond to matters that need to be improved
- Look at our work and plans in the fields of workforce planning, succession planning and managerial progression, suggesting any improvements.

There is a draft copy of the Scoping Document for the Statutory Panel Performance Assessment in **Appendix 1**. *(Note that this is the document prepared for the assessment in November 2024, so it will need to be updated at the end of 2025.)*

Should the Cabinet agree with the timetable suggested in terms of carrying out the assessment, it is suggested that we revisit the fields above at the end of 2025 to ensure that we continue to be up to date.

The assessment will be a combination of desk top work, as well as interviews and work on site. As part of the assessment, it is likely that the Panel will be eager to meet a wide range of members, officers and stakeholders, namely the Leader, every Cabinet Member, Chief Executive, Directors, Heads of Department, various Focus Groups and officers and partner organisations.

It is noted that there is no expectation for the Council to prepare any additional material for the assessment, but the panel will need access to a number of information sources and documents that already exist, such as the Performance Reports, Self-assessments and the annual Governance Statement.

During the period of the assessment, daily feedback will be given by the Chief Executive and the Leader on the progress of the work.

At the end of the assessment, there will be a presentation on the main findings and the recommendations will be presented. In addition, a written report will be presented (where the Council will have an opportunity to check its factual accuracy) and the Council is responsible for publishing the final report.

The Council will also need to prepare a response to the report and the recommendations as noted in the statutory guidelines.

3.3 The Panel and timing of the review

As already mentioned, the assessment had to be postponed in November 2024. The availability of the team within the Welsh Local Government Association (who will be supporting the work) is quite limited over the next few months as a result of commitments that they already have to support other councils across Wales. Consequently, it is

suggested to carry out the assessment during the second week of March 2026 (week commencing 9 March).

We will have prepared 4 self-assessments by then and we should be in a position to be able to present the final report, as well as the Council's response to the Full Council in July 2026.

The panel is likely to include 4 people, including an independent Chair; counterparts from the broader voluntary, private or public sector; senior local government officer who is currently in post (Chief Executive or Director level) and a senior elected member (from outside the Council).

Discussions have already been held with the Welsh Local Government Association regarding proposed members for the Panel, with some potential members having been identified with necessary expertise and skills. There will be a need to ensure that the individuals are available on the dates in question and that their expertise continues to be relevant to the fields that the assessment will look at. It is therefore suggested that we wait until we have confirmed the final scope for the assessment before confirming the Panel members.

We have received assurance that the Panel members for us will be able to speak Welsh (although it is likely that there would be fewer potential members). The Improvement/Contact Officer will also be able to speak Welsh.

The preparation work will take place before the Panel's 'on site' period with the Council to gather all the required documents and make the necessary arrangements. It is likely that the Panel members will be eager to conduct interviews/discussion sessions with elected members and key officers.

3.4 Next steps

After receiving the Cabinet's approval for the amended timetable, we will inform the Welsh Local Government Association to be able to move forward with the work. Over the next few months, we will confirm the final scope for the assessment and the Panel members.

4. Statutory Officers Observations

4.1 Chief Finance Officer

Conducting a panel assessment as described in the report is a statutory requirement. I have no comments to add from the perspective of financial propriety.

4.2 Monitoring Officer

The first Panel assessment for Gwynedd Council represents one main element of the new performance regime created in Part 6 of the Local Government and Elections (Wales) Act 2021. I can confirm that the modifications to the Constitution set out in the report are operative. With delay and re-organisation of a timetable it is appropriate that Cabinet has an opportunity to review the arrangements and in particular the date of the assessment. It is noted in the report that decisions for organising the Panel have already been made.

List of Appendices:

Appendix 1 – Scope Document for the Statutory Panel Performance Assessment