

Growing a stronger local democracy through effective Member scrutiny



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Reference and Background papers

Good Scrutiny? Good Question! Auditor General for Wales Improvement Study: Scrutiny in Local Government [29 May 2014]

Evaluation of young people’s engagement in Scrutiny pilot [March 2017]

1. The Context

Effective Member scrutiny is a national Welsh Government priority:

“Effective scrutiny is vital in ensuring high quality public services which meet the needs of the public and in ensuring public services make best use of their money”.

[Local Government Minister, Lesley Griffiths, November 2013]

We want to create the foundations and conditions for local democracy to thrive and develop. This means starting with our citizens and looking specifically at Elected Member scrutiny¹.

In line with the principles of the Wellbeing of Future Generations Act², the Isle of Anglesey County Council has recognised the need to involve local people in Scrutiny and has begun developing this process. As a pilot, we used the 2017/18 budget setting process to explore how this could happen in practice. In **APPENDIX 1**, we discuss the National Wellbeing Goals.

If we are serious about encouraging effective scrutiny, we recognise that the information that we produce for the public should be clear, understandable and relevant. We also need to ensure that there is a better understanding of the role of Scrutiny Members and what Scrutiny is for, its role and purpose.

This can only happen if:

- We are clear about the vision and priorities for Scrutiny and these should be developed through ongoing engagement with our local people and communities
- We are open and transparent and have the right governance and accountability processes in place
- We support our elected members to lead the dialogue with their communities in order to develop, own and progress priorities through the Council
- We have clear monitoring and evaluation programmes in place to enable us to continually learn and improve.

¹ Scrutiny Elected Members do not sit on the Executive but have an important role in holding the decision-makers to account. They are a group of Councillors who look objectively and in detail at matters that are important to the Council, making sure that decisions are taken help us to meet our objectives and priorities for the people of Anglesey

² Wellbeing of Future Generations (Wales) Act 2015

2. What do we want to achieve?

The outcomes of better engagement through scrutiny have been defined nationally³ as follows:

1. Democratic accountability drives improvement in public services [**better outcomes**]
2. Democratic decision making is accountable, inclusive and robust [**better decisions**]
3. The public is engaged in democratic debate about the current and future delivery of public services [**better engagement**]

Where all three of these are in place, Scrutiny enables the “voice” of local people and communities across the Island to be heard as part of decision and policy-making processes.

To ensure that we are inclusive of diverse and marginalised groups, we will continue to build upon relationships with the Third Sector in engaging with the hard to reach groups⁴. We will use national best practice⁵ to guide us.

As the Isle of Anglesey County Council, we want to ensure that local people are strongly placed to contribute to, and benefit from, involvement in local decision-making. In moving forward, we also wish to challenge historical ways of thinking and working and experiment with new models that ensure a strong voice for local people. In doing so, we also wish to challenge communities to take shared responsibility for developing the services they use and to think about how they become more resilient⁶.

3. Our previous experiences

In partnership with Llais Ni⁷, Anglesey Council Scrutiny ran a pilot last year to establish a way of working that allows for input from young people and adds value to our Scrutiny model. The pilot looked specifically at the Council’s budget setting process for 2017/18 and tested how to better engage young people in democratic processes. It also explored how to develop young people’s understanding of the process of moving themes from consultation to Member scrutiny. This pilot was recently highlighted nationally as a model of good practice⁸ and shared with Welsh Government⁹.

“Overall it was an invaluable experience and was useful to gain an insight into how the Council is structured and how decisions are made.....I gained a lot more knowledge and

³ Good Scrutiny? Good question! Auditor General for Wales Improvement Study: Scrutiny in Local Government (29 May, 2014)

⁴ Through working with the Community Voice Project at Medrwn Môn, Isle of Anglesey County Council will ensure it includes representation from the hardest to engage groups. The Community Voice project is a portfolio of third sector agencies that encourage people from marginalised groups to engage with public services. These groups include homeless communities, communities with protected Characteristics under the Equality Act 2010, Deaf Communities, people with learning disabilities, older people and young people.

⁵ National Principles for Public Engagement in Wales (Participation Cymru)

⁶ Ensuring a link to the Isle of Anglesey County Council Plan 2017/2022

⁷ A youth council for Anglesey

⁸ Centre for Public Scrutiny endorsement

⁹ Families Division, Communities and Tackling Poverty Department (Welsh Government)

information about the budget cuts and where exactly they are planning to make cuts, far more knowledge than I had before.....I felt this time that my opinion was taken in and was really appreciated' **Llais Ni Member.**

We are now keen to explore how this model can be further developed, building on the four key recommendations from our evaluation of the pilot. These are:

- R1 Good governance** – allowing for clarification of roles, responsibilities, skills and expectations
- R2 Time and resource** – there needs to be clear guidelines about the time and resources available for the work
- R3 Establishing creative work programmes** – providing a scrutiny process that is engaging and creative
- R4 Closing the loop** – building in effective evaluation and feedback processes

[**APPENDIX 2** includes details of the evaluation we undertook].

Llais Ni were also involved in the Scrutiny process for the Schools Modernisation Programme in Llangefni. This time their roles shifted from being involved as consultees in the process to actually looking at how the process of setting a budget moves to designing a consultation, how information is gathered and how the decision making process is fed back to the wider community. This allowed Anglesey County Council to show the Young People exactly how the decision making process happens. It allowed them to get involved in a way that was more involved than taking part in the consultation themselves and encouraged them to think about the impacts and benefits of decision making on their wider communities.

In moving forward, we will use the Citizens' Panel¹⁰ and Youth Council¹¹ as the vehicles for engaging a more representative view of the population.

4. Where do we go next?

We have recognised the importance of building on the recommendations of our pilot and will now work towards the following areas in order to further strengthen our engagement with the people of Anglesey:

- Establishing good governance and structure
- Making sure that we are aware of the Scrutiny forward work programmes
- Acknowledging risks and proposing mitigation actions

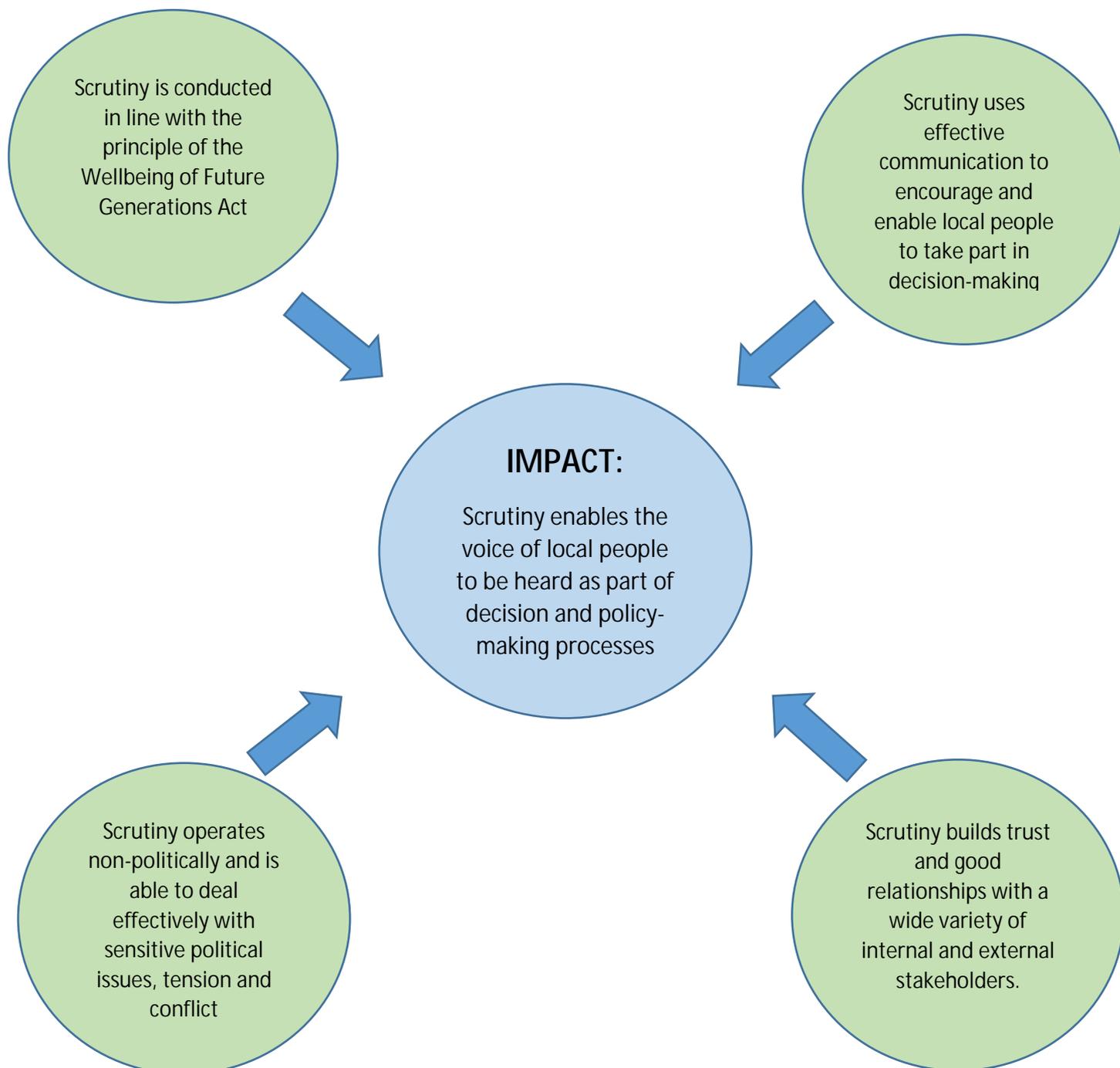
We also recognise the need to be flexible in our approach and that one size does not fit all. Our Scrutiny model therefore needs to accommodate different approaches to varying topics

¹⁰ The Citizens Panel is a group of local people who are given the opportunity to regularly have their say on local issues and to help the Council plan, deliver and review our local services. This can be done online, in focus groups, events or through formal consultation.

¹¹ The Llais Ni Youth Council is a group of young people who are given the opportunity to regularly have their say on local issues and to help the Council plan, deliver and review our local services. The structure of the Youth Councils is exactly the same as that for the Citizen Panel and covers young people from the age of 11 to 25

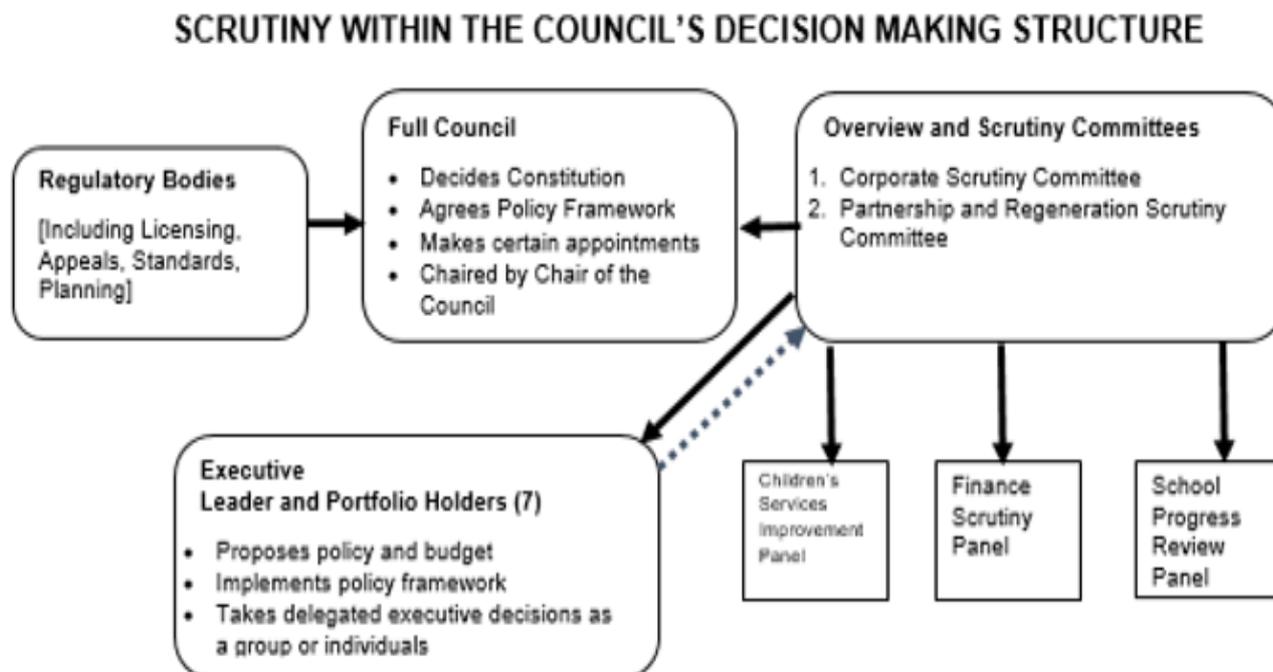
and that Members appreciate and are confident in using the right model for the right topic. Good practice in choosing the right model to achieve an outcome has been adopted by the Joint Engagement and Consultation Board's¹² 3 models of engagement and consultation

We are clear that this is about achieving what has nationally been described as effective outcomes for Scrutiny. The structure that we put in place should enable and support us to make a real difference [form should follow function]. In practice, this means:-



¹² The Joint Engagement & Consultation Board is a structure set up between Anglesey Council and Medrwn Môn to ensure that we are able to avoid over-consulting residents; that any consultation and engagement carried out by the Council is meaningful and that appropriate feedback is given to our communities once decisions have been made.

Alongside the governance and structure for Scrutiny work, we have also identified the need to clarify where Scrutiny fits in the Council's overall structure. This is best illustrated as follows:



5. How will we know that we have made a difference?

We will put an action plan in place to monitor progress but we recognise that in order to capture the quality of the progress towards better outcomes for Scrutiny, we will need to shift our focus to evaluation. This will give us the opportunity to look at how our Scrutiny processes have enabled the voices of the people of Anglesey to be heard in matters that are important.

We will achieve this by establishing a statement of expectation between Scrutiny and the Citizens' Panel or Youth Council. This statement should describe what people should expect from joint working and how to measure the outcomes of that work. The statement will be reviewed at the beginning of each topic to ensure that it reflects what needs to be achieved. At the end of each topic, Elected Members and the Citizens' Panel or Youth Council will be encouraged to reflect on the lessons learned from the piece of work. This will include the sharing of best practice as well as identifying areas for further improvement.

Wellbeing of Future Generations (Wales) Act 2015 - 7 National Wellbeing Goals

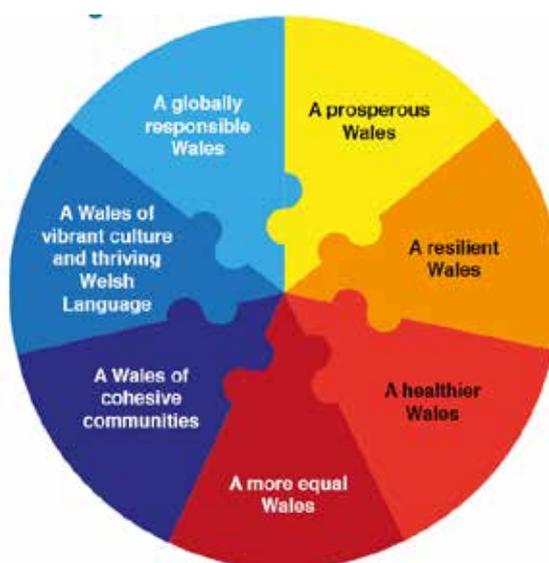
Wellbeing Duty

The Act is about improving the way that we can achieve our **economic, social, environmental** and **cultural** wellbeing.

Public bodies listed in the Act¹³ are required to carry out their activities in a sustainable manner. It places a responsibility on public bodies to think about the long term, to work better with people and communities, look to prevent problems and take a more joined up approach (referred to as the “**Wellbeing Duty**” in the legislation).

Wellbeing Goals

To ensure that we are all working towards the same vision, the Act puts in place **7 Wellbeing goals**:



Sustainable Development

The Act also puts in place a “**sustainable development principle**” which sets out how organisations must go about meeting their duty under the Act. This means that organisations must act in a manner which “**seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs**”¹⁴. Public bodies therefore need to make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales now and in the future.

¹³ Local Authority, the Health Board, Public Health Wales, Natural Resources Wales, the Ambulance Service as well as the Fire and Rescue Service, Police and 3rd Sector

¹⁴ Wellbeing of Future Generations (Wales) Act 2015

APPENDIX 2

Evaluation: Young People's Engagement in Scrutiny Pilot

Medrwn Môn have undertaken an evaluation following two pieces of engagement work by the Citizen Panel and Youth Council (Llais Ni). The evaluation included examining how the findings can inform future engagement work between the Citizen Panel (CP), Youth Council (YC) and Scrutiny. The following recommendations have been identified:

1. **Good Governance** - For the work between Anglesey Council and the Citizen Panel/Youth Council to work effectively, we first need to establish a set of Good Governance systems principles. This will allow for clarification of roles, responsibilities, skills and expectations for all parties and will support the development of manageable work programmes.

Whilst there is no universally agreed definition of what makes 'good governance' there is a fair degree of consensus about what 'good' should look like. It therefore follows that good governance systems should always cover the essentials, meet citizen expectations and work in context.

a. Covering the essentials -

1. Accountability	Those responsible for taking decisions give public account for their actions and are held to account by independent non-decision makers in public.
2. Impact	A visible difference is made for citizens through improved policies and services.
3. Democracy	The system provides a degree of popular control by those affected and ensures fair treatment for all.
4. Deliberation	Decisions are made through careful consideration and have looked at all the information and evidence needed.
5. Engagement	Those affected by the decisions are involved in the process of making those decisions.
6. Delegation	The appropriate person or body makes decisions at an appropriate level.
7. Clarity	The purpose of arrangements, processes and the roles of all those involved are clearly understood and stated in writing.
8. Capability	Everyone involved in the process has the skills and experience required or has the opportunity and support to do so.
9. Capacity	There are enough resources (human and other) to make sure that the processes are effective and sustained.
10. Legality	Processes comply with and relevant laws and rules meet the expectations of government guidance.
11. Integrity	Everyone involved in the process behaves ethically and honestly and is trusted to do so.
12. Transparency	Everything takes place in public unless there is a cultural or legal reason otherwise.
13. Integration	Clear connections are made with other governance systems within the organisation- i.e. corporate governance, department governance etc.
14. Independence	Arrangements work for the benefit of those affected free from external political or economic interests.

15. Adaptability	Regular processes of self-evaluation & external evaluation ensure responsiveness to external changes and lead to improvements to processes.
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- b. Meeting Citizen Expectations – As good governance systems are put in place for the benefit of the citizens involved it is only right that they have a say about what ‘good’ looks like and this should naturally shape expectations about what the system does.

Good governance needs to be stakeholder specific- it should bring together the different scrutiny mechanisms and structures so that all those involved are able to measure how effectively it meets their expectations. This means measuring and evaluating how the scrutiny system is working from a qualitative point of view. Our recommendation is therefore that a statement of expectations between the Citizen Panel (CP) and Scrutiny, and Youth Council (YC) and Scrutiny be co-produced to make sure that these expectations are clearly defined. This should not be a terms of reference or constitution type document, moreover it should describe what people expect from the joint working and how to measure the outcomes of that working.

- c. Working in Context – Context is critical to the success of joint working with citizens and scrutiny processes.

The joint working between CP, YC and Scrutiny should allow for consideration of the capabilities, skills and experience of the people involved; the resources available for the work to be done; and the wider social, economic and political conditions.

We would recommend that any work with CP, YC and scrutiny should therefore consider whether the joint work is proportionate given the number of citizens, size of the service in question etc. and whether the processes used are culturally sensitive by looking at previous work done with engaging rural communities, hard to reach and under-represented groups.

2. **Time and Resource** - through previous experiences of engaging citizens in public service decision making processes there needs to be clear guidelines as to the time and resources available for the work. Remits/subjects areas, timetables, staff support and expertise all need to be made clear and understood at the outset and should reflect the agreed expectations as set out above.

In order to keep citizens meaningfully engaged with the scrutiny programme their needs to be a certain element of planning in advance, with the warning that some issues may move up the agenda as priorities change. However too much change and lack of stability will result in dis-engagement and loss of experienced and skilled CP and YC members taking part.

3. **Establishing creative work programmes** - to be effective in achieving its aims and engaging citizens long-term, the scrutiny process should be engaging and creative. This would allow for maximum impact and qualitative responses from citizens and the communities that they would represent. Information should be available in a variety of formats and consideration should be given to the type of group engaged, for instance the YC prefer interactive sessions to present the information they are being asked to consider (i.e. the 2017/18 Budget Video), and prefer to engage face to face. CP

members are more independent and prefer information in a clear an open written format before engaging in forums or meetings.

4. **Closing the loop** - It is essential that every piece of work undertaken with the CP and YC results in an evaluation and feedback session. Citizens must have the opportunity to sit with Scrutiny Officers or an external third sector worker to look at how the process went and to receive feedback about how their input was used to inform decision-making. This gives an opportunity to identify and recommend best practice, as well as discussing lessons learned and setting priorities for the future.

APPENDIX 3

ACTIONS FOR 2017/18

Action Point	Expected Outcome	Who to action	Priority	RAG status
Improving Public Engagement in our Scrutiny work				
<p>Citizen Engagement in Scrutiny - develop a policy statement as a foundation to further develop our engagement with citizens through Member scrutiny</p> <p>In partnership with the 3rd Sector, put arrangements in place to publicise and promote public engagement in Scrutiny</p>	<p>Good governance and structure, including clear Scrutiny arrangements</p> <p>A strong foundation to improve outcomes for citizens, better decisions and higher quality of democratic engagement</p> <p>Enable the voice of local people and communities across the Island to be heard as part of decision and policy making processes</p>	<p>Scrutiny Manager / Medrwn Môn</p> <p>Medrwn Môn</p>	<p>August, 2017</p> <p>October, 2017 (first initiative inviting expressions of interest through social media)</p>	
<p>Statement of expectation – Citizens’ Panel and Youth Council</p> <p>i. develop a statement of expectation between Scrutiny and the Citizens’ Panel and Youth Council to include:</p> <ul style="list-style-type: none"> · description of what we should expect from joint working [clear expectations] · how we will measure the outcome and impact of the work [focus on outcomes /impact] · reference to equalities/ language impacts as an integral part of the statement <p>ii. review statement of expectation at beginning of each topic to ensure it reflects what needs to be achieved</p> <p>iii. reflect on the lessons learned at the end of each topic</p>	<p>Good governance and structure, including clear Scrutiny arrangements</p> <p>Added value and better outcomes for Scrutiny [R3]</p> <p>A strong foundation to improve outcomes for citizens, better decisions and increased democratic engagement</p>	Medrwn Môn	<p>October, 2017</p> <p>From October, 2017</p>	Draft statement of expectation out to consultation (Oct. 2017)

Action Point	Expected Outcome	Who to action	Priority	RAG status
<p>Voice of Children & Young People [Llais Ni] Voice of Citizens [Citizens' Panel] Appraise the effectiveness of budget scrutiny arrangements for 2018/19 by citizens. Include the voice of children and young people (Llais Ni) and adults (Citizens' Panel). Include direct feedback from citizens to the Corporate Scrutiny Committee (February, 2018) (as appendices to committee papers). This to be delivered through 3 sessions:</p> <ul style="list-style-type: none"> · Session 1 (31/10/17) – general introduction to the Council/decision-making / Scrutiny / Who's who / observe scrutiny committee meeting · Session 2 (TBC – after 06/11/17) – appraise initial budget proposals · Session 3 (05/02/18) – feedback from citizens to the Corporate Scrutiny Committee 	<p>A strong foundation to improve outcomes for citizens, better decisions and a higher quality of democratic engagement</p> <p>Better public engagement</p> <p>Enable the voices of people to be heard in matters that are important</p> <p>Governance and accountability arrangements that support robust and effective decision-making [R3, R6]</p>	<p>Medrwn Môn to propose options</p> <p>Scrutiny Manager</p> <p>Public Relations Officer</p>	<p>October, 2017→ Feb. 2018</p> <p>Early Oct. 2017</p>	

KEY to RAYG status:

RAYG STATUS			
Overdue	Behind schedule	On track	Completed
R	A	Y	G