

REPORT OF ADMINISTRATION & DEMOCRATIC SERVICES MANAGER

SUBJECT: SCRUTINY

Purpose of Report

To introduce a more formal and robust framework to enable the Authority to better scrutinise aspects of its work.

Introduction/Background

National Park Authorities (NPAs) do not have a tradition of scrutiny. The composition of NPAs, where all Members are involved in the decision-making process, therefore provides a challenge to develop an effective scrutiny process. An effective scrutiny process is considered to represent good practice and the document *Beyond Boundaries (Citizen Centred Local Services for Wales)* to the Welsh Assembly Government in 2006 highlighted that:

“All public service organisations should welcome scrutiny as a means to improve and learn.” (Paragraph 3.23) and

“The aim should be to provide effective challenge to organisational culture and examine whether public services together are achieving desired outcomes. The scrutiny process could be enhanced considerably by the involvement of users of services, advocates and expert advisers.” (Paragraph 3.24)

As an additional external driver, scrutiny features highly in the Local Government (Wales) Measure 2011 as it made changes intended to strengthen the structures and working of local government in Wales at all levels and to ensure that local authorities reach out to and engage with all sectors of the communities they serve. It was with both these drivers in mind that the Authority joined with the Brecon Beacons National Park Authority in 2010 to submit a bid to the Welsh Government's Scrutiny Development Fund to help both Authorities explore and develop a scrutiny model for National Park Authorities. The purpose of the bid was:

“To introduce a culture of scrutiny into the two National Park Authorities which has not previously existed in order to produce a sustainable model that can be applied to National Park Authorities across Wales and disseminated more widely to UK National Park Authorities as a tool for improving services to the Parks' communities and visitors and delivering on core purposes.”

Funding was secured and, in 2011, a series of Workshops were commenced facilitated by Mrs Frances Taylor, Associate at the Centre for Public Scrutiny.

At these Workshops, both Members and Officers of the two Authorities built up a better understanding of scrutiny and looked at developing a methodology that would

work in a non-Executive environment. The methodology was then employed in two scrutiny reviews and the findings of both – the Sustainable Development Fund review and the Public Rights of Way review – have been reported to Members previously.

A report on the findings of the whole joint scrutiny project has been submitted to Welsh Government and a copy of this substantial document is available to Members.

Current situation

There is no formal scrutiny framework *per se* currently in place at the Pembrokeshire Coast National Park Authority (PCNPA). However, those Members and Officers involved with the joint scrutiny project believed that it was an extremely useful process and that a formal framework would be of benefit to the work of the Authority.

Way forward

A number of options were explored at the final Workshop in November 2011, when the PCNPA Members and Officers present considered that a separate Scrutiny Committee – to run alongside the existing Committees – would be an appropriate framework to introduce. The areas/issues of scrutiny would arise from the three Review Committees (via the National Park Authority), the Executive (i.e. Senior Management Team) and/or the public through the Authority's complaints system. The Authority could develop an annual programme of areas to be considered by Scrutiny Committees.

It is considered that it would be of benefit for all Members to be involved in the scrutiny process, although such a large Committee would be too unwieldy. However, two Scrutiny Committees of 9 Members each could be established, with the second Committee commencing a review when the first has completed its task. Lack of specific staff capacity to adequately support the scrutiny process would make it difficult for the two Scrutiny Committees to work at the same time. Suggested Terms of Reference for the Committee are appended to this report.

The proposed model would enable the Authority to administer its own scrutiny process. However, since the joint project worked on the basis of partnership with Members of the Brecon Beacons National Park Authority, Members may wish to keep open the option of including Members of other Authorities or even members of the public on the Scrutiny Committees, and this scenario has been reflected in the Terms of Reference.

Comparisons

Colleagues at the Brecon Beacons National Park Authority have already adopted a scrutiny framework following lessons learned from the joint project. The Snowdonia National Park Authority was not involved in the project, but kept a watching brief on the outcome. All 22 local authorities in Wales are required to have Scrutiny Committees.

Financial considerations

Scrutiny Committees have been included in the Authority's calendar of meetings for 2012/13 and this was adopted at the meeting of the National Park Authority held on the 28th March 2012. Travelling expenses would be payable to Members for attending at the HMRC rate.

Risk considerations

The Authority will be able to demonstrate that it works to a high standard of governance and that it is efficient, effective and transparent in its business.

Compliance

The proposal complies with Outcome 8 of the Corporate Strategy: The Authority is recognised as meeting good practice standards in terms of governance, providing value for money and listening to the views of residents, visitors and partners.

Human Rights/Equalities issues

A scrutiny framework will provide members of the public with an additional vehicle for raising issues about the work of the Authority.

Biodiversity implications/Sustainability appraisal

No impact.

Welsh Language statement

No impact.

Conclusions

The introduction of a more formal and robust framework will enable the Authority to better scrutinise its work.

Recommendation

- 1. That two Scrutiny Committees be established and that the Terms of Reference appended to the report be adopted, and**
- 2. That Members agree priority areas to be considered as part of the scrutiny process at the August National Park Authority.**

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Consultees: Chief Executive, Business and Performance Manager

Background Documents

SDF Scrutiny Review report: NPA 12th October 2011

Public Rights of Way Scrutiny Review report: Recreation and Tourism Review Committee 28th March 2012

Brecon Beacons and Pembrokeshire Coast National Park Authorities Scrutiny Project 2011/12: Report to the Welsh Government March 2012

(For further information, please contact Janet Evans, Administration & Democratic Services Manager on extension 4834 or by e-mailing janete@pembrokeshirecoast.org.uk)

APPENDIX 1

SCRUTINY COMMITTEE: TERMS OF REFERENCE

Role

1. To review existing policies and the effectiveness of their delivery in relation to the Authority's Corporate Strategy
2. To review proposed policies/decisions referred to the Committee by the three Review Committees (via the National Park Authority)
3. To review any other matter referred to the Committee by the National Park Authority
4. To make evidence-based recommendations to the National Park Authority and/or partners as appropriate

Mode of operation

The Committee will comprise 9 Members of the Authority, to be selected and/or confirmed at the Annual General Meeting each year

The Committee will co-opt external advisers to assist in the scrutiny process as necessary

The Committee will meet as necessary and provide reports to the Authority on its performance

Note

The exercise of such powers and duties exclude:

- matters specifically reserved to be exercised by the Authority, unless delegated to the Committee
- matters delegated to another Committee or Sub-Committee
- decisions taken where the full impact of that decision cannot as yet be correctly evaluated
- matters that the Chief Executive Officer considers should be referred to a meeting of the Authority for determination