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Bil Llywodraeth Leol ac Etholiadau (Cymru)

Local Government and Elections (Wales) Bill

Ymateb gan: Yr Athro Ian Roffe

Response from: Professor Ian Roffe

Consultation on the Local Government & Elections (Wales) Bill.

Context

1. My interest in responding to the Consultation arises as a Lay Member of the Audit Committee for Ceredigion County Council. I am also an independent researcher and consultant providing services in management, performance improvement and evaluation. Previously, I have had employment in starting a development agency as well as a senior university manager with responsibilities for economic, innovation and community development. Community positions have included chair of the policy and performance committee for the Police Authority in Dyfed Powys. I also worked as a peer reviewer of Police Authorities in England and Wales and was selected as an auditor for the Improvement and Development Agency for Local Government (IDeA), in England.

2. My comments are an individual submission and refer specifically and exclusively to Part 6: The Performance and Governance of Principal Councils.

3. The emphasis on improvement of performance assessment arrangements is welcomed. The process of keeping performance under review has changed over the years and often viewed as bureaucratic. There are multiple inputs into performance review and this includes that from Welsh Audit Office, which does serve a useful purpose in circulating good practice between Councils, members and officers. The structural organisation of County Councils in Wales creates many small sized organisations and combined with the geography these serve to limit the opportunities for the development of organisations and also for officer development, even with the benefits of ICT. Hence, the contribution and support of the WAO is important.

The use of the Annual Governance Statement has also provided a valuable opportunity for officers and members for self-assessment and self-awareness. However, with the development of this process over the past three years, it poses the question what happens when all elements have reached the top-level. There are still issues apparent with this process, particularly in generating information on the user experience of Council services in a coherent, timely and cost-effective way.

Peer-assessment panels are used in many types of organisation across the public sector. The process then has value, particularly when focusing on improvement that brings together a variety of perspectives. There are though risks attached to the process, such as the size of pool of skilled panel members and their availability - particularly when each Council will be seeking the same type of high-skilled individual. A variation in the approach could be to require review with a panel review on a 3-year cycle. This would also serve to mitigate the cost implications.

4. Renaming as Governance and Audit Committees. The renaming of the Audit Committee to the Governance and Audit Committee reflects a broader role for the committee in monitoring the governance of Councils. Agreed, as this is a reasonable measure.

5. One third of members must be lay members. Agreed, as there are potentially multiple benefits from this approach that are aligned with other aspects of this draft Bill. This includes the encouragement of local people to participate in making decisions connected with the work of the Council. It could also lead to a higher level of professional challenge on audit and decision making matters. There is also the potential for improved transparency and perceived accountability from the public and press. However, there is a key issue of recruitment of lay members with suitable expertise that would need addressing as well as the potential for more flexible terms in the period of appointment. Apart from recruitment, there would be additional lay member costs for attendance. However, with the withdrawal of the current allowance for chair there would be potentially a net cost savings as well as benefits in accountability and transparency.

6. Chair must be a lay member. Agreed. The position of Chair of Audit Committee is a challenging position for the occupant. There is a need to assimilate various factors such as a grasp of substantive audit processes, the changing environment of review, attention to detail and maintaining a positive dynamic amongst audit committee members to work towards a common purpose. The role would not suit every elected or lay member. However, there are key benefits obtained from a lay member chair, which are in greater objectivity, the perceived independence from Council processes and also potentially increased accountability of Officers. There would be consequences to this step. It would require officers to take care in the recruitment of a suitable lay member with the requisite level of skills, experience and capabilities to undertake the position.

Professor Ian Roffe JP