



# **BRECON BEACONS AND PEMBROKESHIRE COAST NATIONAL PARK AUTHORITIES SCRUTINY PROJECT 2011/12**

## **REPORT TO THE WELSH GOVERNMENT March 2012**

### ***National Park Scrutiny***

***“A fact finding, objective process, led by Members, addressing issues and concerns as to the effectiveness of delivery of the Park’s objectives and the needs of the public, producing actionable recommendations that add value to the Park’s accountability and impact.”***

## Foreword

As current Chairmen of the Brecon Beacons and Pembrokeshire Coast National Park Authorities we would like to present this report to the Welsh Government on the work undertaken with grant aid from the Scrutiny Development Fund. Without this financial support we would not have had the resources to research scrutiny, to test process, or to evolve a scrutiny model that fits the particular composition of National Park Authorities.

The project has involved the majority of members from the Brecon Beacons National Park Authority and a core group of enthusiastic Pembrokeshire Coast National Park Authority members, who have worked hard to lead this project from the outset. Their commitment has been exceptional and we would like to pay tribute to this, as well as to the unstinting support of officers, both in terms of contributing to the pilot scrutiny reviews and to developing the methodology as the project progressed. They all worked hard to see 'the bigger picture' of how scrutiny could identify and support improvement.

Tribute should also be made to our predecessors, Cllr Eric Saxon (former Chairman of the Brecon Beacons National Park Authority) and Richard Howells (former Chairman of the Pembrokeshire Coast National Park Authority) who were supportive of the project from the outset.

We hope that the processes agreed, and the skills and knowledge acquired, will be of help to other organisations wishing to introduce scrutiny, particularly National Park Authorities. We feel sure that scrutiny will lead to benefits not only in the governance of both authorities, but to our Park communities.



**Mrs Julie James (Chairman,  
BBNPA)**

**Cllr Tony Brinsden (Chairman,  
PCNPA)**



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## 1.0 Introduction

### 1.1 Composition of the two Authorities

In 1995 the Environment Act gave the three Welsh Parks independent status as special purpose local authorities. However, unlike the 22 local authorities in Wales, their members are drawn not only from constituent local authorities but also by appointment by the Welsh Government. This creates the need for a National Park member who, regardless of their appointing body, can carry out a unique role in managing Wales' protected landscapes. It also provides a challenge in building strong teams from a diverse range of elected members from different local authorities together with members appointed by the Welsh Government for their particular expertise in a given area. All members are appointed to support Park purposes regardless of their appointing bodies.

The composition of the Brecon Beacons and Pembrokeshire Coast National Park Authorities is given below:

<b>Brecon Beacons</b>	<b>No. of Members</b>	<b>Pembrokeshire Coast</b>	<b>No. of Members</b>
Powys	8	Pembrokeshire	12
Monmouthshire	2		
Carmarthenshire	2		
Merthyr Tydfil	1		
Rhondda Cynon Taf	1		
Torfaen	1		
Blaenau Gwent	1		
Welsh Government appointed	8	Welsh Government appointed	6
<b>TOTAL</b>	<b>24</b>		<b>18</b>

### 1.2 Our Statutory Purposes

The criteria used in the 1950s to designate National Parks are still used today, but the purpose was amended under the 1995 Environment Act:

- to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park
- to promote opportunities for public enjoyment and understanding of the special qualities of the National Park

## 1.3 Our Statutory Duty

- In fulfilling these purposes, to foster the economic and social well-being of communities living within the National Park

## 2.0 Background - Bid to the Scrutiny Development Fund

### 2.1 Drivers for Scrutiny

Traditionally National Park Authorities (NPAs) do not have a tradition of scrutiny, although several of the UK NPAs have audit committees. The composition of NPAs, with the absence of an executive, provides a challenge in that all members comprise 'the Authority' and in the case of the Brecon Beacons and Pembrokeshire Coast NPAs, all members make planning decisions. While the NPAs are not legally required to embed scrutiny, they recognise its potential as highlighted in Beyond Boundaries (Citizen Centred Local Services for Wales):

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

“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 advisors.” (Paragraph 3.24)

A number of factors led the Brecon Beacons National Park Authority to consider making a bid to the Welsh Government's Scrutiny Development Fund in 2010 in order to develop a scrutiny model for NPAs:

- In response to several critical Wales Audit Office Annual Relationship Letters prior to 2008 the Authority had worked hard to make improvements and saw scrutiny as a valuable tool to maintain progress;
- Wales Audit Office acknowledgement of progress made but are still recommending improvements in some areas;
- Wanting to raise members' confidence in officers' assurances on performance;
- The desire to improve confidence by the public in the Authority's governance and decision making

Under a new Chief Executive and Corporate Management Team in 2008/09 the Brecon Beacons National Park Authority started to make significant improvements in its internal controls, planning performance and performance reporting, and the trust between members and officers has also been largely restored. Public confidence, while much better than it was, is something the Authority is still working to improve, and members see scrutiny as an essential tool to improve service delivery and restore the confidence of local communities. The more recent

Wales Audit Office reports bear testimony to this improvement, and can be viewed on their website: [http://www.wao.gov.uk/reportsandpublications/nationalparks\\_749.asp](http://www.wao.gov.uk/reportsandpublications/nationalparks_749.asp)

In the Pembrokeshire Coast National Park Authority, the newly appointed Chief Executive also wished to focus on performance and performance reporting and saw much merit in introducing a more formal scrutiny framework into the work of the Authority. As such, he welcomed the opportunity to work jointly with the Brecon Beacons on a bid to the Scrutiny Development Fund.

It is also important to stress that both National Park Authorities see themselves as 'learning organisations' and both members and officers are willing to learn and implement new skills, as evidenced by their both having achieved the Welsh Local Government Association's Charter for Member Support and Development, and the Brecon Beacons having gone on to gain the Advanced Charter in 2011. They also both hold the Investors in People Award. In addition, both Authorities now have a culture of striving to improve performance and value for money. This explains why members have embraced the Scrutiny Project as an opportunity to increase their own knowledge as well as improving governance and service delivery.

## **2.2 Support for the Bid**

The Brecon Beacons National Park Authority sought advice and guidance from the Welsh Local Government Association (WLGA) and the Centre for Public Scrutiny (CfPS) before the bid was made, and Tim Buckle from the WLGA had previously been involved in some earlier work leading up to scrutiny, including delivering a workshop to members on the development of a committee structure that would encourage members to 'ask the right questions', leading to the establishment of an Audit and Scrutiny Committee, replacing the previous Internal Review Committee, which has subsequently driven the scrutiny work within the Authority.

Both the Brecon Beacons and Pembrokeshire Coast National Park Authorities had considered partner bids with constituent authorities but in the absence of easily transferable models, had concluded that a joint National Park Authority bid was the most effective way forward. It had been hoped to pursue a three Welsh Park bid, but Snowdonia National Park Authority elected to adopt a 'watching brief'.

## **2.3 The Bid to the Scrutiny Development Fund**

Aware of the discussions about scrutiny within the Brecon Beacons NPA, the WLGA, Wales Audit Office, CfPS and the then Welsh Assembly Government actively encouraged the two authorities to bid for funding.

The original bid document is attached at [Appendix 1](#). This was successful and elicited £19,500 towards the project, with the authorities' contribution partly in cash and partly in officer time.

Some months into the project further training needs were identified and a supplementary bid was submitted and approved, which gave a further £10,000. This bid is attached at [Appendix 2](#).

## 2.4 The Challenge

The definition of scrutiny is defined in the following way by the Centre for Public Scrutiny <sup>1</sup>

*Public scrutiny can be defined as the activity by one elected or appointed organisation or office examining and monitoring all or part of the activity of a public sector body with the aim of improving the quality of public services.*

While both NPAs are committed to improving service delivery, they recognise the practical and ethical challenges in self scrutiny, given their composition and decision making structures.

## 3.0 Observing Scrutiny in other Authorities

An important part of preparing for the project was to build an understanding of scrutiny and how this currently operated in local authorities. A total of ten members and four officers from both NPAs attended 13 scrutiny meetings across eight authorities, completing feedback forms to record what they had observed and their thoughts on the process. Details of meetings and who attended are given at [Appendix 3](#).

The benefits of observing a range of practices was discussed at the first Scrutiny training workshop on 7 March 2011 where members expressed their views on what constituted good scrutiny based on what they had observed, or from experience in their own authorities, and highlighted the elements they wished to see in a future National Park model. Just as relevant, they also highlighted practices or behaviours that they did not wish to include, conscious that they were starting with a 'blank sheet' and could devise a bespoke framework for National Park Authorities.

In summary, members identified the following essential components for good scrutiny:

- A knowledgeable, well prepared, inclusive Chairman
- Members with a good knowledge of the subject under scrutiny
- A process that is member rather than officer led
- The use of prepared, open questions that challenged but did not become confrontational
- The ability of members to ask supplementary, probing questions and a Chairman who encouraged follow up
- The involvement of co-opted members or expert witnesses from the public or other organisations
- The importance of a Scrutiny Officer who could give objective feedback to members and help them plan the next meeting or actions

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<sup>1</sup> CfPS Website

- An inclusive team approach to scrutiny by members and officers – ‘trust and sharing’, ‘polite but firm’ and ‘transparent and open’ were phrases used in the feedback forms – members viewed some confrontational situations where those questioned became defensive and members did not elicit the information they sought
- The importance of evidence to back up the answers to questions
- The effectiveness of limiting topics to allow more in-depth analysis
- Absence of localism (parochialism) and focus on what is best for the public
- Absence of political ‘point scoring’

After the visits, the current Chairman of the Audit and Scrutiny Committee, Professor Alan Lovell, who has taken a leading role throughout the project, prepared a report on a comparison of scrutiny in local authorities against what might be developed for the NPAs, with particular reference to objectivity in an organisation without a separate executive:

“Independence and objectivity are often referred to as ‘states-of-mind’ when accountability processes are being discussed. Thus, one can have scrutiny systems that are in principle compromised by potentially flawed elements of the scrutiny process (e.g. those responsible for a decision or policy being the ones charged with scrutinising the wisdom, value-for-money, efficacy and implementation of the decision/policy). However, it is possible that these flaws can be overcome with independently-minded members of scrutiny committees. Thus the actual, as distinct from the theoretical process, is shown to be effective because of the independence and objectivity displayed by the individuals comprising the Scrutiny committee/process.

Some examples of how the limitation of ‘organisational structure’ referred to above can be further minimised are:

- a) Having officers as members of scrutiny committees
- b) Having the facility to call ‘experts’ to either serve as members or to act as expert witnesses when evidence is called;
- c) To provide facilities for members of the public to present evidence to scrutiny committees which becomes a matter of public record;
- d) To provide a place for members of the public to be members of specific scrutiny committees”

The above examples are not mutually exclusive.“

It is interesting to note that all the above examples have subsequently been integrated into the NPA model.

## 4.0 Communicating the Scrutiny Project

A vital element of the project bid was the ability to resource a Scrutiny Project Administrative Officer, and Lora Davies was appointed in January 2011. While her role was initially an administrative support one, her skills (both existing and those acquired as the project progressed) and her enthusiasm have led to her taking on a far more proactive role within the project. She has supported both pilot review panels and been the main point of communication between members and officers, and also with the public through the evidence gathering stages.

An important communication tool has been the regular newsletters produced by Lora and the Democratic Services Manager, Julia Gruffydd, for members and officers of both authorities. While providing a way of keeping members and officers engaged, in retrospect these provide a useful summary of the scrutiny journey over the course of the year. Newsletters are attached at:

[Appendix 4](#) – Newsletter No. 1

[Appendix 5](#) – Newsletter No. 2

[Appendix 6](#) – Newsletter No. 3

[Appendix 7](#) – Newsletter No. 4

A further edition is shortly to be published.

In addition to newsletters a dedicated forum was set up on the Brecon Beacons National Park Authority Members Portal where all training materials, presentations and newsletters were placed. All information was shared with Pembrokeshire Coast National Park Authority via email. A scrutiny noticeboard was created in the Members Room at the Brecon Beacons HQ.

Senior officers in both authorities took the opportunity at internal and external meetings to promote the project, but also to start linking scrutiny into future work programmes, the Corporate Business Cycle and highlighting to the Wales Audit Office and Internal Audit that this would provide additional and valuable evidence for their future audits.

In Brecon, presentations were made to the Authority's Area Advisory Forums in October 2010, the BBNPA/Powys Liaison meeting in June 2011 and to the Agricultural Stakeholders Group on 22 November 2011. In light of the objective to disseminate a scrutiny model to the wider family of National Park Authorities, presentations were made to the Democratic Services Officer network meetings in October 2010 and October 2011.

The Wales Audit Office was also kept informed about the project and in July 2011 their Corporate Assessment report on the Brecon Beacons National Park Authority commented that:

*“...the Authority's active involvement in a Welsh Government Scrutiny Project is already delivering benefits, with the likelihood of further improvements to come in its ability to oversee and manage performance; “*

## 5.0 Building Skills: Member and Officer Development

One of the key elements of the project was to build the skills of members and officers across the two authorities. While some local authority appointed members had scrutiny roles in their respective authorities, others had not been so directly involved, and the Welsh Government Members, although used to evaluation and appraisals in their working lives, did not have a detailed understanding of how scrutiny might be applied effectively in NPAs.

As such, a CfPS Associate, Frances Taylor, was appointed in recognition of her work with a range of organisations, including English and Welsh authorities and also the private sector. Members from both authorities were involved in discussions with Ed Hammond (CfPS) about a programme of training workshops which would both build skills and test these through carrying out pilot scrutiny reviews. The original plan is attached at [Appendix 8](#), although it is fair to say that the programme remained flexible during the year to reflect progress made, and to address specific areas on which members wished to focus.

In reality the timescale for the evaluation proved to be unrealistic, and an additional workshop was procured for November 2011 to discuss the final model and methodology.

In addition to the four workshops, two specific training days were procured at members' request to focus on Questioning Skills and Chaining Skills. These sessions were well attended and proved crucial in helping members carry out a range of evidence gathering during the two pilot scrutiny reviews.

Attendance figures for all the above sessions are given at [Appendix 9](#).

*NB. The Brecon Beacons figures show only 21 out of 24 members, due to a vacancy for a Welsh Government appointed member during the year, and several changes in membership from Powys County Council which meant some members attended one meeting and were then replaced on the Authority.*

### 5.1 Session 1- 7 March 2011

**16 BBNPA Members and 3 officers**  
**4 PCNPA Members and 2 officers**

#### Objectives

- To explore the culture and practice of scrutiny based on the experience of participants
- To identify the objectives of scrutiny and desirable outcomes
- To discuss and agree what effective scrutiny in the National Parks might look like and to clarify the requisite components for this
- To review learning and commit to action between sessions

## Members identified their desired outcomes for scrutiny as follows:

- Improved communications and confidence.
- Improved Member/Officer relationship.
- Greater integrity.
- Improved management – greater understanding of what NPAs do, how and why.
- Enhancing reputation – public perception.



Prof Alan Lovell (BBNPA), Mrs Margaret Underwood (BBNPA) and Cllr Michael Williams (PCNPA) – first scrutiny workshop 7 March 2011

## To achieve this, the following skills would be needed:

- Reading between lines.
- Knowledge of subject.
- Ensure data is up to date.
- Keep open mind.
- Understand big picture/strategy.
- Keep outcome in mind.
- Questioning skills/constructive.
- Effective listening.
- Create non-confrontational atmosphere.
- Generate trust.
- Analytical approach.
- Understanding Parks” purposes/ethos.
- Scrutiny chairing skills.
- Check that all members have same understanding

*“... the function of Scrutiny is new to National Park Authorities and requires very careful development. It will be different from the function within Local Authorities for various reasons. It is a real opportunity to promote and embed the newer thinking in England concerning ‘Accountability works for you’ – this broader Accountability framework being probably particularly appropriate for National Park Authorities.”*

Frances Taylor - trainer

## Gap Analysis – what was needed

- Process
- Questioning skills
- Scrutiny Officer role.
- Chairing skills.
- Resources.
- More public participation.
- More community role.
- Getting message across.

*“The presentations were helpful in increasing understanding of the topic. In addition the group exercises were useful as we could discuss issues and exchange information.”*

Member Evaluation from 7 March 2011 session

A key point at the end of each session was to plan for the next, and seek member commitment to ensure consistency and engagement with the emerging process. At the end of this session members highlighted the following actions for the next workshop:

- Help with feasibility criteria – drawing on best practice.
- Topic selection – criteria for this (feasibility checklist).
- By end of Session 2 – aim to have a shortlist of topics for pilot scrutiny reviews.
- All members asked to commit to feedback, with 8 weeks between each session- time to reflect and work towards next session.
- Officers to start working on any Project Management templates that could be developed as a Scrutiny toolkit.

Frances Taylor made the following comment after this initial session:

*“Members came from both Brecon Beacons and Pembrokeshire Coast National Park Authorities and worked hard throughout the day in small mixed groups, individually and in pairs to achieve a far better understanding of Scrutiny, the processes that need to be introduced concerning Scrutiny and the first steps towards a viable work programme for Scrutiny. The different backgrounds and attributes of Members, their combined experience and expertise and above all their apparent willingness to ‘get on with it’ certainly bode well.”*

She did, however, voice her concerns about the challenge in achieving the necessary objectivity in a National Park Authority and also the need for dedicated scrutiny officer support.

Cllr Lyn Elias and Cllr Tom Huish (BBNPA) and other BBNPA and PCNPA members – workshop 7 March 2011



## 5.2 Session 2 – 9 May 2011

**8 BBNPA members and 4 officers**

**6 PCNPA members and 4 officers (3 additional senior officers attended part)**

### **Objectives:**

- To hear and discuss feedback from Members on action learning
- To discuss and identify the best practice from existing scrutiny protocols and processes in BBNPA and PCNPA and other relevant local authorities
- To examine and agree the principles of work programming
- To establish how scrutiny can link with other key corporate processes
- To ensure direct involvement by the community in scrutiny
- To test out the tools and techniques for planning and scoping scrutiny reviews and to agree which ones are most appropriate for BBNPA and PCNPA with Members amending as appropriate
- To review learning and commit to action between sessions

This second session used the information gathered through the local authority visits, and members' own experience to start to consider how scrutiny might work in National Park Authorities. They felt (and this was strongly supported by officers) that scrutiny needed to be embedded into the annual work programme, and should link to and complement other processes in the Corporate Business Cycle such as internal and external audit, and performance management systems.

Members chose the South Cambridgeshire model of **Public Interest, Ability to Change, Performance, Extent, Replication (PAPER)** to score a number of suggested topics for the first scrutiny review and concluded that the first topic would be **“To assess the effectiveness of the Sustainable Development Fund (SDF) in helping to establish low carbon communities.”**

Members were keen that the pilot review should be a valid area of study as well as an opportunity to test process and methodology. In addition to scoring positively against all the PAPER criteria, the topic:

- Supported two Strategic Grant Letter themes for the National Park Authorities
- The benefits of the SDF needed to be assessed in light of financial uncertainty
- The resources and expertise on SDF existed and could be shared between the two Parks
- Comparisons could be made on a common area of work

It was also felt that this was an area that would encourage some community engagement given that the SDF is a funding source for community projects. Members volunteered to be on the Scrutiny Panel, although there was reliance on the hope that members not present would also agree to take part, which did happen. Prof Alan Lovell volunteered to chair the Panel.

The workshop concluded by focusing on the project management skills needed to scope and plan the review and noting that there was an increasing culture of project management in both authorities. The development of templates and guidance documents to support scrutiny was something that officers were asked to progress in order that members could test these during the review.



Joint working in action – Cllr Mike James (PCNPA) and Mr Martin Buckle (BBNPA) – Pembs Coast HQ – 9 May

### 5.3 Skills Training

Between the second and third workshops, two specific training sessions were held on Questioning and Chairing Skills which proved very helpful for the Scrutiny Panel.

- Questioning Skills – 17 May 2011: Attended by 13 BBNPA members, 3 officers, 3 PCNPA members, 2 officers.
- Chairing Skills – 20 June 2011: Attended by 14 BBNPA members, 3 officers, 4 PCNPA members, 3 officers. Maximum use of members' time was made by using the afternoon

session to progress the pilot scrutiny review and to involve all members in a progress report.

In July 2011 an officer training session was also delivered by Tim Buckle (WLGA) to Democratic Services officers from both authorities and the Project Scrutiny Officer, which gave advice on supporting members, planning scrutiny reviews, gathering evidence and scrutiny report writing.

Debating questioning techniques –  
17 May 2011



Prof Alan Lovell leading  
on scoping and planning  
the first pilot scrutiny  
review – 17 May 2011

## 5.4 Session 3 – 25 July 2011

**Attended by 13 BBNPA members, 5 officers, 3 PCNPA members, 4 officers**

### **Objectives:**

- To hear and discuss feedback from Members on action learning including initial review findings
- To challenge the ‘evidence’ to ensure accuracy
- To formulate robust evidence-based recommendations
- To discuss and identify mechanisms for follow-up
- To evaluate the whole process and identify an action plan for the future

The above objectives changed for this session as members decided that they wished to conduct one of the evidence hearings in front of colleagues so that they could observe and evaluate the process but also to see part of the review ‘in action’. For this reason, an additional workshop was scheduled for November to make conclusions on the scrutiny process.

The day was given added value by the presence of Ed Hammond (CfPS) and Tim Buckle (WLGA) who observed the scrutiny process and gave very helpful feedback to members and officers.

The morning was used to interview an external witness (unfortunately two further witnesses were unable to attend) and the afternoon as an opportunity for Prof Lovell to present how the scrutiny pilot had been planned and evidence gathered. He also highlighted what went well and what not so well, with some useful learning points which were extremely valuable for the second scrutiny pilot review. His presentation is attached at [Appendix 10](#) and his interim scrutiny report at [Appendix 11](#).

Feedback from other members observing the hearing was very constructive and gave useful advice on the excellent use of questioning skills acquired in the training session, the need to encourage supplementary questions as well as prepared questions, the need for all involved to be introduced, and a cautionary note about clarity and the use of acronyms.

During the session members also:

- Evaluated the hearing from the morning
- Made suggestions on the emerging scrutiny toolkit
- Used the toolkit to score suggested topics for the second pilot review and made a decision
- Used the toolkit to start to scope and plan the second review which was to be a review of the Public Rights of Way

It was noticeable as the workshops progressed that not only was Frances Taylor subtly increasing the pressure by holding members and officers accountable for tasks set in previous sessions, but encouraging members to take the initiative and plan future actions. This ensured that the project remained very much member led.

## 5.5 Session 4 – 11 November 2011

**Attended by 10 BBNPA members, 5 officers, 4 PCNPA members and 3 officers**

### **Objectives**

- to have evaluated the SDF Pilot Scrutiny review
- to have noted progress and made comments on the second Scrutiny review on Rights of Way
- to have given further guidance to officers on the draft Scrutiny toolkit
- to have explored and identified possible options for a viable Scrutiny process in each Authority
- to have identified and selected options for involving the public in the Scrutiny process
- to have identified the potential for working with partner Authorities
- To have agreed the next steps in completing the ROW Scrutiny review and concluding the Scrutiny Project

NB. Events had moved on between workshops with regard to the SDF Pilot Scrutiny final report, which had been presented to the Brecon Beacons National Park Authority on 30 September and to the Pembrokeshire Coast National Park Authority on 12 October.

The workshop was an opportunity for Mrs Underwood, Chairman of the Scrutiny Panel for rights of way, to give a detailed presentation on the planning, evidence gathering, methodology and interim outcomes of the review. This is attached at [Appendix 12](#). Members were supportive of the approach and the range of methodology tested.

The final part of the workshop gave members the opportunity to draw upon all the work of the project in making conclusions about the scrutiny process they wished to see in their respective authorities. At this stage, having worked closely together throughout, it was clear that the two authorities were starting to consider slightly different models for future use (See paragraph 8.0 below).

That said, neither authority has ruled out working together on a joint scrutiny project in the future if a common theme or issues arise, and in fact the Brecon Beacons National Park Authority has just approached the Chairman and Chief Executive of Pembrokeshire Coast to request their input into their first Scrutiny review of 2012-13.

## 6.0 Pilot Scrutiny Reviews

### 6.1 Sustainable Development Fund

At the member development workshop in May 2011 the effectiveness of the Sustainable Development Fund in encouraging low carbon communities was selected as the focus for the first pilot study for the following reasons:

- The schemes are relatively self-contained and thus ‘doable’ within the limited time available to undertake the study.
- Low carbon communities are a critical feature of all sustainable future scenarios and a key feature of the Welsh Government’s sustainability agenda.
- The SDF schemes are important in achieving a number of both authorities’ key strategic objectives and it is thus critical that the authorities are confident that the SDF schemes are maintaining their high standards (BRASS report 2007).
- With public spending under ever increasing pressure, current, accurate and well-researched evidence is required to inform debates about the level of all budgets, including those of SDFs.

A scoring system was used to ensure that this work was not being duplicated or the subject of other audits or reviews. Frances Taylor encouraged members to think about the possible outcomes from the scrutiny and how the review might be scoped, planned and resourced. As both authorities were moving towards a project based approach to their work, project management methodology was employed to support members in the planning of the scrutiny review, and this increasingly provided the basis for the emerging scrutiny toolkit.

The Scrutiny Panel was led by Prof Alan Lovell (BBNPA) and supported by the following members:

#### **Brecon Beacons**

Mrs Julie James  
Mrs Margaret Underwood  
Cllr Helen Wyn  
Cllr Gareth Ratcliffe

#### **Pembrokeshire Coast**

Mr Ted Sangster  
Cllr Mike James  
Mrs Fiona Lanc

At the next development workshop on 25 July 2011 a flow chart was circulated to show the process, the timetable and the progress made on this pilot scrutiny ([Appendix 13](#)) and the lead member, Prof Alan Lovell, gave a presentation ([Appendix 10](#)) to support his interim report ([Appendix 11](#)).

The pilot review highlighted some important learning points for the scrutiny process, not least the importance of scoping the review from the outset, setting realistic deadlines for initial research, evidence gathering, and for the involvement of the public. It also showed that the lead member needed to set firm deadlines for responses from scrutiny panel members, after which a consensus view would be assumed. This was as a result of inclusive leadership where members' views were sought on every stage, which was desirable but not always practical in terms of members' busy schedules. Member capacity was also recognised as a continuing challenge in achieving targets.

A number of evidence gathering methods were employed during the review:

- Desktop research of internal files and previous research studies
- Telephone interviews with recipients of SDF funding (in both Parks)
- Written questionnaires
- Site visits (both Parks)
- Hearings

These methods were evaluated by members and reported at the member development workshop on 25 July ([Appendix 10](#)). Lessons learned were carried forward to the next scrutiny review.

A final report on the SDF pilot scrutiny review was presented to the Brecon Beacons National Park Authority on 30 September and to the Pembrokeshire Coast National Park Authority on 12 October. The detailed evidence and conclusions are in the report at [Appendix 14](#) but the key outcomes identified were as follows:

**a) Multiplier effect of SDF funding**

The figures below include cash matching, but also volunteer hours and other in-kind contributions. Given that the focus of this study has been upon the contribution of SDF to the development of low carbon communities, the need for local communities to be actively involved in achieving carbon reduction on an on-going, long-term basis is central to the success of these projects. In a deteriorating economic climate these are strong multiplier achievements, particularly those of the BBNPA.

The ratio of SDF funding to all other funding relates to the time of the SDF investment, i.e. the figures do not include funding achieved subsequent to the SDF investment. Thus, the significant successes of the projects mentioned above and their associated awards post-SDF support are not included in these figures.

	2008/9	2009/10	2010/11
BBNPA	1:4.6	1:2.9	1:6.7
PCNPA	1:4.0	1:1.8	1:1.1

## **b) Promoting Sustainability**

There appears to be a powerful case for the SDF, certainly in the context of the Brecon Beacons National Park Authority and the Pembrokeshire Coast National Park Authority, to be important conduits of Welsh Government investment in sustainable futures; sustainable communities in general; and low carbon communities in particular.

The resolutions taken by both authorities were:

- a) That the Authority approve this report and note that the Pembrokeshire Coast National Park Authority will be considering the report on 12 October 2011;**
- b) That the Brecon Beacons and Pembrokeshire Coast National Park Authorities approve an approach to the Welsh Government to discuss how the SDF schemes could be more influential in implementing the government's sustainability agenda.**
- c) That Professor Lovell liaises with members of the scrutiny pilot group of each authority to identify specific proposals and to engage with the Welsh Government.**

Simultaneously the report had been sent to the Minister for Environment and Sustainable Development, John Griffiths, together with the Annual SDF Reports from each Authority. It is believed that the reports had a bearing on the announcement by the Minister in October 2011 that the Welsh Government would be continuing to fund the SDF in all three National Park Authorities for the next financial year. This grant is now provided as part of the National Park core grant which has had the added benefit of increasing the levy to constituent local authorities.

## **6.2 Rights of Way Scrutiny Review**

The topic for the second scrutiny review was selected at the member development workshop on 25 July, using suggestions from members, and scored with the help of a scoping template and a feasibility checklist from the toolkit. Both groups returned in favour of rights of way with a possible focus on whether each Park is delivering their statutory ROW duty effectively.

The Rights of Way network was further supported as a topic for joint study as there appeared to be significant differences in performance between the two National Parks. PCNP were consistently reporting a much higher percentage of their ROW network as 'open'. It was also unclear how much of an impact the Coastal Path was having on their network in terms of funding, and there were some clear differences in levels of legal responsibility, largely due to the delegation framework that had been agreed between the authorities and their respective constituent County Councils. It was also felt that the topic would allow greater interaction with the public on service delivery because of the number of individuals, businesses and organisations who relied on the ROW network. This was an area that members wished to build on following the first scrutiny review where opportunities for public interaction had been more limited.

The lead member for this review was Mrs Margaret Underwood (BBNPA member), with support from members of both authorities. It is fair to say that the quality of the work carried out is in no small way due to the enthusiasm, commitment and willingness of this lead member, the support of rights of way officers in both Parks and the Scrutiny Project Administrative Officer. Other members who formed the Scrutiny Panel were:

**Brecon Beacons**

Cllr Kathryn Silk  
Mrs Julie James  
Cllr Helen Wyn  
Mrs Melanie Doel  
Prof Alan Lovell  
Cllr Michael Jones  
Cllr Gareth Ratcliffe  
Ms Carys Howell  
Cllr Martin Weale

Cllr Howard Barrett  
Cllr John Steadman

**Pembrokeshire Coast**

Cllr Tony Brinsden  
Cllr Mike James  
Mrs Gwyneth Hayward  
Mr David Ellis

**Key Questions for the Scrutiny Review (Devised by Members with help from the Centre for Public Scrutiny)**

1. Is the management of the Public Rights of Way Network (PROW) helping to meet National Park purposes?
2. Are we delivering our ROW duty effectively and providing value for money?
3. Can we establish criteria for ROW data to enable comparisons between our two authorities to help us assess our performance?
4. Is it a realistic ambition and an effective use of resources to seek to open 100% of the ROW network in each National Park? If not how should we



Rights of Way Scrutiny Panel on site visit to Brecon Beacons Waterfalls Area with BBNP Wardens  
November 2011

The review was thoroughly scoped and planned using the draft scrutiny toolkit, and a gantt chart was used to plan the timescale, although this was amended during the review as detailed in the full report of the scrutiny review ([Appendix 15](#) and the annexes at [Appendix 16](#)).

Because of the wider scope and complexity of the topic, there was far greater involvement of and reliance on relevant officers (both rights of way and wardens/rangers) in both authorities, which could have been a concern in terms of resources. However, officers recognised the potential benefits in scrutinising their area of work and welcomed the interest of members, which strengthened the working relationship. They also welcomed the opportunity to work more closely with colleagues in their partner Park.

“From the outset, members were keen to keep the scrutiny process non-adversarial and the co-operation from staff has proved this approach to be a sensible one as staff in both National Parks have felt able to be open and honest about the issues they face in managing the ROW networks.”

*ROW Scrutiny Report – Appendix 11*

Building on the experiences of the first pilot a wide range of evidence gathering was undertaken, including:

- Primary and secondary research (carried out mainly by officers)
- Site visits in both Parks
- Hearings – internal and external witnesses – held in both Parks (video-conferencing was also used during this process in order to maximize participation of both members and evidence providers)
- Use of existing BBNPA groups such as Area Advisory Forums, Local Access Forum, Agricultural Stakeholder Group which acted as focus groups
- Questionnaire advertised in the press in both Parks and on respective websites
- Narrative questionnaire sent to partner organisations, town and community councils and local tourism businesses

The panel took a proactive approach to managing the review, and the lead member made more use of delegation to get the work done, rather than involving all members in each task. However, the topic was a complex one, and the timescales were extended to reflect this, on the understanding that once the scrutiny process was implemented ‘for real’ reviews would need to be completed to time to comply with the Corporate Business Cycle.



ROW Scrutiny Panel on site visit to Pembrokeshire Coast NP November 2011

The review was very much a valid piece of research as well as testing methodology, and has enabled the four key questions to be answered:

1. It is very clear that people value the ROW network and what it has to offer and all external respondents who commented agreed that the network is crucial in delivering NP purposes and duty. Respondents to the various surveys and hearings all mentioned enjoyment, health and wellbeing and benefits for the local economy as benefits of a functional ROW network.

2. When looking at providing value for money it is clear that those authorities who have delegated agreements with both NPs are getting a service far in excess of any funding given. In the case of PCNPA, the situation is even more exaggerated as they receive no funding at all from their constituent local authority. However the local authority undertakes major schemes such as Brecon Beacons and Pembrokeshire Coast National Park Authority 4 cycleways. The added value from using volunteers and voluntary wardens in both NPs offers significant benefits to managing the ROW network and provides further value for money. Both NPAs are able on occasion to bid for external funding, PCNPA more so than BBNPA given the EU designated status of Pembrokeshire.

3. Establishing a set of jointly agreed criteria for determining the state of a ROW as being open or not was achieved relatively easily. The two key officers working together right at the beginning of the study were able to agree this key element. This will mean in future that comparisons on percentages of network open will be easier and more accurate.

4. While some respondents see it as a 'duty' for the NPAs to maintain and keep open the entire ROW network, it is clear, from the number of outstanding anomalies on the respective networks, that this cannot happen until these are resolved. Given that there are nearly 800 of these unresolved anomalies between the two NPs and given that each will cost in the region of £1500 to resolve (and which can take years of investigations to track down landowners etc.), and that resources to do so are very limited; in the current economic climate, this is neither a practical nor cost effective option. Many respondents however felt they would rather see a realistic, well signed and well maintained network open. Current delegation agreements do nothing to help the matter and until these are negotiated on a more realistic basis, both NPAs can do little to improve their

NB. See the full report at [Appendix 15](#).

### 6.2.1 Key points from the ROW Scrutiny Review

#### Process

- Public consultation is desirable within the scrutiny process but will require significant forward planning if used in the future
- Administrative support is essential to the scrutiny process
- Building in further scrutiny work into officer and member timetables will be vital if successful scrutiny is to be achieved
- Where joint work is undertaken there needs to be early and transparent exchange between officers to avoid discrepancies in figures presented and subsequent repeated changes in figures given
- There appears to be no substitute for seeing problems and issues first hand

#### Rights of Way

- There appears to be some support for the principle that visitors to NPs could be encouraged to contribute to the upkeep of ROW through visitor payback schemes etc
- There was concern expressed in both NP areas about the state of footpath signage and information (including issues of accuracy) available about the network
- There is a significant difference in levels of resourcing for ROW work between the two NPs. This needs co-ordinated action by BBNPA and its constituent local authorities and by PCNP and Pembrokeshire County Council
- Once a definition of 'open' criteria was agreed, the difference in the amount of PROW declared 'open / passable' between the two NPs is significantly narrowed.
- Off-roading is undoubtedly a contentious issue particularly in BBNP area which realistically has no suitable network available for this activity to take place legally
- Livestock in fields, particularly bulls and deliberate blocking of paths by farmers was highlighted in both NP areas
- Lack of enforcement action against those who obstruct the PROW network was highlighted as an issue in both NP areas
- It is clear from responses to the public consultation that users do not feel that those with access needs are being fully catered for currently

*“We now have two very useful pieces of evidence based not on supposition and hearsay but on evidence gathered in a number of ways. This has already helped to demonstrate the value of the SDF grant scheme we manage and will now give us the information to be able to renegotiate rights of way delegation agreements with constituent local authorities in a more realistic manner.”*

BBNPA member

The rights of way recommendations from the scrutiny review will shortly be put into a prioritized action plan for approval by the Brecon Beacons National Park Authority, which will subsequently be monitored by its Audit and Scrutiny Committee. At the Pembrokeshire Coast National Park Authority, the scrutiny review will be considered by its Recreation and Tourism Review Committee.

Members who participated in the reviews identified some real benefits:

*“It really gave me an insight into the workings of two key areas (SDF and ROWIP) I was able to identify good practice and how we might improve.”*

BBNPA member

## 7.0 Developing Methodology

From the outset of the project, it was the intention to develop a scrutiny toolkit to support members in the scrutiny function. This would comprise scoping and planning documents, feasibility templates, gantt charts, report format, as well as guidance for officers and members of the public giving evidence at hearings. The emerging toolkit has been informed by researching good practice in other authorities and based on the particular needs of a National Park Authority. It has also drawn on project management training delivered to officers in the Brecon Beacons National Park Authority in 2011.

Discussion about the emerging toolkit was incorporated into each member development session, and based on this feedback and with advice from Tim Buckle (WLGA) officers drafted elements of the toolkit which were then tested by members during the two pilot scrutiny reviews and amended as appropriate. Both authorities have welcomed the toolkit as a way of:

- Ensuring a standard approach to each scrutiny review
- Helping members scope and plan reviews
- Keeping the scrutiny process as clear and simple as possible
- Providing a useful audit trail for the scrutiny review

The current list of contents is as follows, but we anticipate this being amended or expanded as needed. ([Appendix 17](#)).

## Scrutiny Toolkit

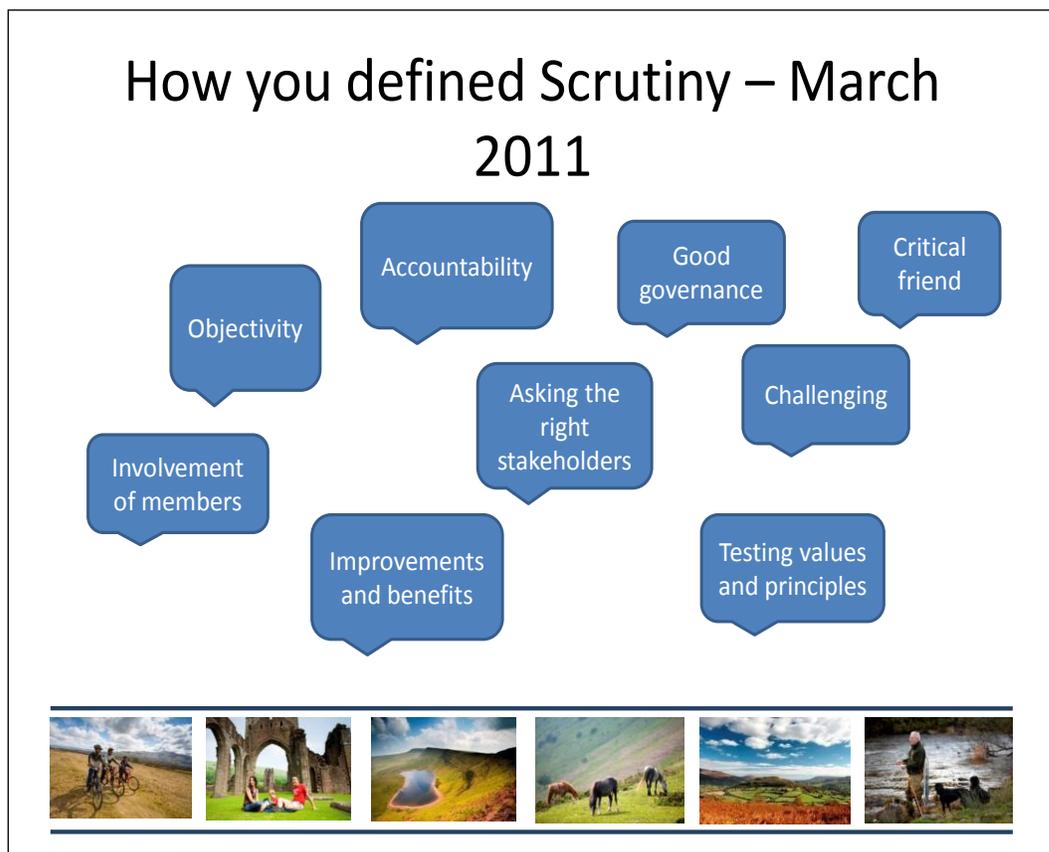
1. What is scrutiny?
2. How scrutiny works in National Park Authorities
  - Who does what?
  - Terms of Reference – Scrutiny Committee/Panel
  - Role of Chairman
  - Role of Scrutiny Member
  - Role of Scrutiny Officer
3. Guide to Scrutiny Process (flow chart)
4. How to request a scrutiny review (guide for internal and external use)
5. Setting the work programme
6. Selecting a topic
7. Planning a Scrutiny Review (project management)
8. Guide for those attending a Scrutiny Review
9. Questioning Skills
10. Guidance for Scrutiny Chairs
11. Scrutiny report format
12. Further sources of information
13. Evaluation form (for each review)

## 8.0 Developing a Scrutiny Model

### 8.1 The starting point

Just as the scrutiny toolkit was developed through each of the member development sessions, so too was the scrutiny model slowly evolved. Many of the local authority appointed members, by their own admission, had preconceived ideas about scrutiny and how it is used by local authorities. While the project has benefited from the local authority experience, both from members and from the visits to observe scrutiny committees, members were clear from the start about some of the components, and all members saw the benefits in developing a bespoke process for national park authorities.

At a presentation to the Brecon Beacons National Park Authority on 3 February 2012 members were reminded of the phrases they had used nearly a year earlier to define scrutiny:



One of the major concerns at the outset had been in relation to objectivity and accountability if all members were responsible for making decisions. As referred to in paragraph 3.0 above, at

the first member development session Prof Lovell reported on his comparison between local authorities and national park authorities (see [Appendix 18](#)) and concluded:

“Independence and objectivity are often referred to as ‘states-of-mind’ when accountability processes are being discussed. Thus, one can have scrutiny systems that are in principle compromised by potentially flawed elements of the scrutiny process (e.g. those responsible for a decision or policy being the ones charged with scrutinising the wisdom, value-for-money, efficacy and implementation of the decision/policy). However, it is possible that these flaws can be overcome with independently-minded members of scrutiny committees. Thus the actual, as distinct from the theoretical process, is shown to be effective because of the independence and objectivity displayed by the individuals comprising the Scrutiny committee/process. “

He felt that the potential problem could be overcome by:

- having officers from a different directorate to the service area under scrutiny as members of scrutiny committees;
- having the facility to call ‘experts’ to either serve as members or to act as expert witnesses when evidence is called;
- providing facilities for members of the public to present evidence to scrutiny committees which becomes a matter of public record;
- providing a place for members of the public to be members of specific scrutiny committees.

## 8.2 Developing the Thinking through the Pilot Scrutiny Reviews

### 8.2.1 1st Scrutiny Review – process feedback

While the process was being discussed in member development sessions it was also being tested through the two pilot scrutiny reviews. The first, looking at the Sustainable Development Fund, identified the following principal learning points.

- The importance of a good Scrutiny support officer;
- The pilot review was conducted differently to what is understood to happen in most if not all local authorities. The principal differences are that the members have:
  - determined and then managed the scrutiny process;

- undertaken the search for secondary evidence;
  - developed the research instruments;
  - been heavily involved in applying the research instruments, i.e. conducting the research;
  - set the timetable and hearing agendas.
- This approach was advantageous because participating members really understood the subject, and their questioning was more incisive and informed. However, this approach is very time consuming.
  - One option is to consider an embedded scrutiny process having the same structure as many of the Authorities' committees and working groups, i.e. a small core team of members who draw upon the skills and experiences of other members as and when appropriate.
  - Scrutiny processes take time. The choice of the SDF as a focus of study was because it was a well defined area of activity with clear boundaries. Other, larger areas of enquiry will be far more complex and thus more time-consuming. This will limit the number of studies that members could reasonably deliver in a year.
  - Overall, members felt that this had been a worthwhile exercise to understand far more rigorously the SDF scheme; its operation and its role in renewable energy initiatives. More importantly up-to-date evidence had been gathered to add to the previous reports on the operation of SDF schemes which can be used in discussion with key funding agencies.

One of the most encouraging comments was that

*“This study has confirmed the importance of scrutiny as a process to enhance the governance of the two Authorities.”*

SDF Scrutiny Report, Appendix 8

### 8.2.2 2<sup>nd</sup> Scrutiny Review – process feedback

Principal learning points on the process from the second scrutiny review were:

- Time is an important issue when considering any scrutiny study and proved to be particularly so when involving people outside the respective National Parks. Sufficient consultation time needs to be built into any future scrutiny review where the involvement of the public and outside bodies forms a critical element.
- Where a scrutiny review involves external members or public consultation, there should be an accompanying communication strategy together with a section on providing feedback for contributors.
- If the involvement of community councils is required in future, thought should be given

as to the most appropriate mechanisms for doing this effectively. Sufficient time needs to be built into the process;

- The use of ‘workshop’ type sessions within existing stakeholder forums can be an efficient use of time and resources provided it can be inserted into agendas with the appropriate amount of notice;
- All those who responded positively and offered to provide more information at the questionnaire stage should be contacted with the results of the scrutiny review;
- If hearings and expert witnesses are used in future scrutiny studies, any options to record sessions should comply with guidelines set out by the NPA for the recording of its meetings generally;
- Whenever practical and possible, site visits to further understand issues should be included within the relevant scrutiny plan.

### 8.2.3 Final Member Development Workshop – November 2011

During this workshop it became apparent that while the two National Park Authorities had worked in partnership throughout the project, and had developed skills, methodology and process learning points, the final model adopted by each Authority would not necessarily be the same. What was clear, however, was that the close joint working had set a firm foundation for future collaboration on scrutiny, which would go some way towards meeting the challenge in ensuring objectivity and accountability. Divided into Park groups, members summarised the following components of their preferred models:

#### **BBNPA Scrutiny**

- Topics should be based on Strategic Grant Letter or Improvement Objectives
- Involvement of public in ‘voting’ for topics (although not in the first year when the Authority was establishing a process)
- Encouragement of public to submit evidence
- Publication of all reports
- Full Authority to make decisions on the topics and recommendations arising out of Scrutiny reviews
- Audit and Scrutiny Committee to review progress on scrutiny reviews, make recommendations to the Authority and monitor action plans arising out of scrutiny reviews

#### **PCNPA Scrutiny**

- Separate Scrutiny Committee, to run alongside existing Committees.
- Areas/issues for scrutiny to arise from Review Committees, Executive and/or public through complaints system.

- Three year work programme, reviewed annually to reflect priorities.
- Members of the community, perhaps via Community Councils, to be involved, dependent upon the area of scrutiny. The area/topic of scrutiny investigation would determine the form of contact.
- PCNPA would like to continue joint scrutiny with Brecon NPA and perhaps Snowdonia NPA too. The National Parks share a commonality of subjects and the partnership has worked well to date.

During this session one group of members defined scrutiny as:

***'A fact finding, objective process, led by Members, addressing issues and concerns as to the effectiveness of delivery to the Park's objectives and the needs of the public, producing actionable recommendations that add value to the Park's accountability and impact.'***

This encapsulates the ethos of the preferred model for both authorities.

### **8.3 The Brecon Beacons Scrutiny Model**

Based on the feedback from the two pilot studies and the workshop in November, a report was taken to the Brecon Beacons National Park Authority on 3 February 2011 (attached at [Appendix 19](#), with the unconfirmed minute at [Appendix 20](#)).

This linked scrutiny firmly to the Authority's performance management system. Out of the approved corporate objectives for the year, the Authority is required to identify several improvement objectives, areas on which it particularly wants to focus, and on which it is audited by the Wales Audit Office (WAO). Last year the WAO focused much more on outcomes, looking for evidence on who benefits from the service rather than what was achieved. The Authority has procured training on Results Based Accountability (RBA) for its members and officers to support this approach, and it has now been embedded into the process for agreeing corporate objectives and monitoring performance. By linking scrutiny to improvement objectives members feel that they can provide in depth evidence of how the Authority is delivering on its objectives. The WAO welcome this approach and will be able to refer to scrutiny reports in their corporate assessment process.

At the meeting on 3 February the key components were summarised as follows:

## Key Components – Scrutiny reviews

- Two scrutiny reviews per annum
- Topic selection linked to improvement objectives – NPA to make final decision
- Public involved in giving views and evidence
- Member led scrutiny panels to share the work and build skills and experience
- Involve officers to build skills and capacity
- Recommendations and action plans to NPA
- Audit and Scrutiny Committee – monitoring role in checking progress on reviews and action plans



In addition it was proposed to co-opt members either from Pembrokeshire Coast NPA, constituent authorities or the public as appropriate in order to ensure objectivity, as well as an officer from another department. Since the meeting the Brecon Beacons Park Society has expressed interest in sitting on scrutiny panels and we are actively developing this role.

Process was highlighted:

## Key Components – Process

- Operates within a scrutiny policy
- Supported by scrutiny toolkit
- Embedded in the Corporate Business Cycle and the work programme of Audit and Scrutiny Committee
- Use of co-opted members of scrutiny panels (external partners, public, officers from directorate not involved in the topic)



During the latter stages of the project the importance of communication, and in having a communications strategy for each scrutiny review, was seen as crucial, and members of the Authority's Communications Working Group are keen to work with each scrutiny panel to ensure that the public are kept informed and involved, and that information is targeted towards relevant organisations and potential witnesses. The methods will also be important, not simply relying on the website but using written and face to face communication.

## Key Components – Communication

- Press release
- Leaflet for the public
- Dedicated scrutiny pages on the website
- Involve officers to build skills and capacity
- Articles aimed at partner organisations
- Making use of existing forums to communicate scrutiny
- Feed back to contributors to scrutiny reviews



### 8.4 The Pembrokeshire Coast Scrutiny Model

Officers are of the opinion that any scrutiny review should be undertaken in short, focused projects to ensure that the process undertaken is both effective and manageable. It is envisaged that any review will arise from members' consideration of the Authority's performance at the recently introduced three Review Committees, which focus on Audit and Corporate Services, Conservation and Planning, and Recreation and Tourism respectively. However, in view of the impending County Council elections, the decision has been taken to defer taking a report on the matter to members until the membership of the 'new' Authority has been confirmed.

### 8.5 Meeting the challenges

From the beginning, the following challenges to scrutiny in National Park Authorities were identified:

- Objectivity

- Capacity

As the project progressed members also started to address the ‘value for money’ element of scrutiny.

## **Objectivity**

In an address to the Brecon Beacons National Park Authority on 3<sup>rd</sup> February 2012 Prof Alan Lovell referred to the conundrum of an executive which was effectively scrutinising itself (see Section 3 above). However, he felt that a significant element of good governance is the existence of effective checks and balances and with careful thought sufficient checks and balances can be incorporated into a scrutiny process to give all members, officers, funding bodies, Welsh Audit Office and the general public the confidence they seek that the scrutiny process has integrity, is robust and is a significant element in the effective governance of the Authority. He cited the following as examples of checks and balances:

- The mix of Local Authority members and Welsh Government members immediately introduces different perspectives and challenges within the Authority's processes.
- To avoid the Authority sidestepping difficult or sensitive issues, the general public will be invited to indicate their preferences from a selection of improvement objectives identified on the Authority's website<sup>2</sup>. The final decision regarding scrutiny subjects will be the Authority's but the views of the general public will be important and form part of the information used to make the final decisions. These decisions will be placed on the Authority's website, with an accompanying explanation of the scrutiny subjects selected.
- An officer from an area of the Authority's activities that is not the subject of the scrutiny study will be a member of each scrutiny study. This has the benefit of facilitating staff development, providing an organisational insight that is distinct from that of members, and is further evidence that the process is not exclusively concerned with members auditing themselves.
- Members from other organisations who have relevant skills, expertise and knowledge will be invited to participate in the studies, as members of the scrutiny teams and/or as expert witnesses.
- Members of the public with relevant expertise will be invited to participate in scrutiny studies either as members of scrutiny teams or as expert witnesses.

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<sup>2</sup> It is likely that this ‘voting system’ will be implemented in year two, although full public involvement will be sought in year one;

- The final reports will be public documents.

Members considered that these checks and balances were quite robust. Prof Lovell concluded:

“With the mix of internal and external representation on the scrutiny teams and with officers also part of the scrutiny teams, the dynamics of the scrutiny process are likely to be different to those experienced in many local authorities and central government. Paradoxically the scrutiny process could well be more rigorous and effective than seems to have been the general experience of scrutiny in central and local government “

In the workshop held on 11 November 2011 Frances Taylor commented that one of the most effective ways to increase accountability and objectivity was to hold scrutiny hearings in public so that members of scrutiny panels can be seen to be challenging and objective.

### **Capacity**

Because of the absence of legislation pertaining to scrutiny in National Parks, this area of work is less well resourced in terms of officer support than in central government and many of the larger local authorities. There are not sufficient resources in either National Park Authority to create dedicated scrutiny officer roles to undertake much if not all of the research and report writing of scrutiny studies. As a consequence responsibility for undertaking and reporting scrutiny studies will fall on the member scrutiny teams. An advantage of this process is that members will really understand the Authority for which they are responsible and as a consequence organisational effectiveness should be advanced. This is only sustainable if the two National Park Authorities build capacity not only through the scrutiny officer role, but through developing staff skills to enable support for each scrutiny review. To this end, a training event has been arranged for 12<sup>th</sup> March for officers from both authorities in order to:

- Increase understanding of scrutiny (both in local authorities and National Park Authorities)
- Highlight the role of scrutiny within the Authority and how this will enhance current performance review, with implementation through the corporate business cycle
- Encourage debate on how officers can best provide scrutiny support (this will include research, evidence gathering, report writing and action plans, as well as communication and community engagement)

At the time of writing, the remainder of the Scrutiny Development Fund grant is being carried over to the next financial year to extend the officer resource pending a more permanent solution to officer capacity. Reliance is also placed on service managers acquiring scrutiny skills to support future scrutiny reviews.

*“The buy-in of officers is vital to the scrutiny process and by making it very clear from the outset that this process is non confrontational has certainly helped. I think the option of being able to have officers from other activity areas together with co-opting external people will further strengthen this approach.”*      BBNPA Member

In terms of member capacity, a number of members have taken a particular interest and active role in the scrutiny project, with those members who have been unable to commit time showing support for the emerging process and the potential benefits of scrutiny in improving performance. One of the learning points from the second review was that:

“It would seem to be more practical to have a smaller more proactive working group of members and key officers to steer a scrutiny study with perhaps the involvement of an independent external member of the group to act as the ‘critical friend’.”

The role of the wider membership in addressing the recommendations from the scrutiny reviews and monitoring action plans to improve performance will be key, and will provide another check for accountability.

### **Value for Money**

Reference was made to Value for Money in the Scrutiny Rights of Way report, using the definition from the Centre for Public Scrutiny<sup>3</sup>.

“Value for money” (often shortened to VfM) is about making sure that the money that you put into a service is justified by the result you get out. However, the method of assessing whether a service is value for money can be difficult. Usually, VfM is described as a combination of three factors – economy, efficiency and effectiveness. They are usually described as follows:

**Economy** Minimising the cost of resources used or acquired (spending less)

**Efficiency** The relationship between output from goods, services and the resources used to produce them (spending well)

**Effectiveness** The relationship between intended and actual results of public spending (spending wisely)

A proper consideration of whether something is, or isn't, value for money, needs to bear in mind

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<sup>3</sup> Counting the cost, measuring the value Scrutiny's role in “value for money” Centre for Public Scrutiny  
Published Feb 2011

all three of these things. It is not simply a case of saying that something is “value for money” if it’s cheap. There has historically been a perception that VfM work – particularly when it is undertaken by auditors – tends to focus on economy and efficiency rather than effectiveness... the current Government has consciously made a decision that central, independent forms of audit and inspection will now focus almost exclusively on financial investigation.

National Park scrutiny recognises that quality of service and public perception are also factors in determining VfM even if they might be harder to evidence or enumerate.

Outcomes from the two pilot scrutiny reviews suggest that scrutiny can both encourage continued funding to a service area, or act as a lever in renegotiating funding agreements, both of which justify the cost of scrutiny reviews.

## 9.0 Community Engagement

One of the objectives of the scrutiny project was to ‘develop a citizen centred approach to scrutiny by providing a clear process to allow the concerns of the public to be heard and addressed’.

The scrutiny model now approved for the Brecon Beacons National Park Authority highlights the importance of:

- Communication about scrutiny to the public and how they can be involved;
- Future voting system for the public to influence topic selection (subject to final approval by the Authority)
- Involvement of the public as expert witnesses or scrutiny panel members
- Feedback to all those who contribute to scrutiny reviews
- Publication of all scrutiny reports
- Communication of service improvements to the public (i.e. outcomes from scrutiny)
- Monitoring of action points accessible via Audit and Scrutiny Committee agendas

The scrutiny policy shortly to be written will set out clear guidelines for community engagement and participation in scrutiny reviews. It is possible that interest from the public will be limited at the outset but if scrutiny leads to real service improvement, then it is hoped that this interest will increase.

A communications strategy will be produced as part of every scrutiny review (tailored to specific audiences as appropriate), but there will also be a strategy for communicating scrutiny through existing groups such as town and community council clusters, Area Advisory forums, consultation meetings and stakeholder groups.

## 10.0 Working with Other Organisations

From the outset the project has benefited from the advice and guidance of a number of key organisations, in particular the Welsh Local Government Association and the Centre for Public Scrutiny. Being small authorities we do not have the expertise or resource to work in isolation and the help we have received, and the interest shown in the project, has been extremely valuable.

We have built on working relationships established with partners in other areas of work, such as member development, and explored not only what processes might be emulated, but how our organisations might work together on scrutiny. An example of this is the Mid and West Wales Fire and Rescue Authority, whose composition is not dissimilar to National Park Authorities. Both members and officers have expressed an interest in working together on scrutiny reviews in future and currently a BBNPA member sits on the Fire Authority as well. In addition it is hoped that both National Park Authorities might work with Snowdonia National Park Authority in future.

Between the two authorities there are eight constituent local authorities (ten with Caerphilly and Neath Port Talbot, who, while having some land in the Brecon Beacons, opt not to be represented on the National Park Authority). There is potential for joint working with any of these authorities, and this will be factored into future scrutiny reviews. The Brecon Beacons National Park Authority has signed up to the Scrutiny Time Bank operated by Bridgend Council which will hopefully allow future joint working.

In addition to statutory bodies there is also the third sector, and a recent presentation on scrutiny to the Area Advisory Forum in the east of the Brecon Beacons National Park drew a response from the Brecon Beacons Park Society, who expressed interest in sitting on the scrutiny panel for the first review of 2012-13. We are now actively progressing this.

The willingness of both national park authorities to continue to learn from others, and the interest in the emerging scrutiny process shown by others, bodes well for future joint working on scrutiny and can only add value in terms of widening the perspective and increasing objectivity.

## 11.0 Budget

The detailed budget spend to the end of February 2012 is attached at [Appendix 21](#).

With the agreement of the Welsh Government the remaining monies will be carried forward to 2012-13 to fund the extension of the Scrutiny Project Administrative Officer to support both authorities as they implement their scrutiny models pending a more sustainable solution to officer capacity.

## 12.0 Evaluation of the Scrutiny Project

The following refers back to the objectives and outcomes laid out in the original bid to the Scrutiny Development Fund and comments on how these have been, and will continue to be, achieved.

### 12.1 Meeting Objectives

Objective	How this was met
<p>1. To develop the skills of members and officers to provide a source of trained members to sit on a National Parks Scrutiny Committee</p>	<p>1. Four development workshops delivered to BBNPA and PCNPA members/officers by CfPS Associate            2. Two skills training sessions delivered on scrutiny chairing and questioning            3. Scrutiny officer training delivered to Democratic Services officers            4. Training delivered to 24 senior and service managers on supporting members of scrutiny panels</p> <p>NB. The final BBNPA model does not include a scrutiny committee but panels appointed for each review. The final PCNPA model will be considered by members in the summer, following probable changes to the membership as a result of the impending County Council elections</p>
<p>2. To develop terms of reference for this committee to allow it to challenge policy, decisions and performance and to openly engage with officers in a non confrontational way</p>	<p>The preferred BBNPA model is to link scrutiny to improvement objectives rather than challenge decisions or policy(although the outcomes from scrutiny may inform decisions and influence policy)</p>
<p>3. To provide an opportunity for peer review between the two authorities (learning and improvement)</p>	<p>Both pilot scrutiny reviews have raised issues in relation to aligning performance data collection for the purpose of comparison. The project has given valuable opportunities for sharing good practice and facilitated future joint working. The good working relationship between members of the two authorities has been a key strength of the project</p>
<p>4. To develop a citizen centred approach to scrutiny by providing a clear process to allow concerns of the public to be heard and addressed</p>	<p>Building on the first pilot scrutiny review the second, looking at public rights of way, gave more opportunity to involve the public, and full use was made of the press, website, existing fora and focus groups/hearings to gather</p>

	evidence and hear the views of the public. These views have contributed to the final recommendations. All reports and ensuing action plans will be in the public domain. The approved scrutiny process in the Brecon Beacons will include seeking the public's views on all scrutiny reviews and in future the opportunity to 'vote' on a preferred improvement objective as a scrutiny topic.
5. To test the agreed scrutiny process by agreeing a focus area for scrutiny across the two authorities	Members exceeded their original project brief by suggesting two pilot reviews. This proved to be invaluable as lessons learned on process in the first review were applied in the second, which in turn helped to shape the final scrutiny models in each authority. Both studies provided valid new information for the benefit of future service delivery.

## 12.2 Delivering Outcomes

Outcome	Comment
1. Better Decision Making	The information and evidence gathered through the pilot and future scrutiny reviews will inform decision making. The project has encouraged members and officers to focus on outcomes rather than process, and to consider the effect of Authority decisions on the public
2. Transparency	Throughout the project members and officers have been committed to developing a transparent scrutiny process. Emerging areas of work such as the potential for webcasting meetings, will complement this.
3. Closer involvement with communities and a better understanding of their needs	Using existing groups to get the scrutiny message across will encourage participation so that the Authority can hear the views of communities. This will in turn inform decision making and policy formation.
4. Communities to have a better understanding of the Authority's purposes	The BBNPA model of linking scrutiny to performance objectives will help communities understand our core purposes, as all objectives are linked to purposes. It is also hoped that this will contribute to the aspiration to improve public confidence in the Authority. A

	comment made at the recent Western Area Advisory Forum suggested that scrutiny was perceived to be a useful tool in giving assurance that 'things were improving'
5. A clear process for the public, members and officers to challenge decisions, policy and performance	The scrutiny model preferred by members was to link it to performance rather than challenging decisions (given the absence of an executive). However, within future reviews, the public will be encouraged to challenge performance and service delivery, but also to suggest solutions to problems.
6. Effective use of resources (addressing capacity and sustainability issues)	The acquisition of key scrutiny skills for members and officers provides a firm foundation for embedding scrutiny as a performance tool. Scrutiny will become part of the core induction for all members to ensure that skills are taught, developed and refreshed. Capacity of members and officers will continue to be a challenge but building officer skills to support members will help in this regard. In the BBNPA it is proposed to ensure that all members have the opportunity to participate in at least one scrutiny review during a four year term of office. The implementation of the Independent Remuneration Panel for Wales recommendations for an annual allowance will hopefully mean that scrutiny will be less likely to be seen as additional work with a cost attached, and more as part of the core role of a member.
7. Member and officer skills potentially available to help other organisations develop scrutiny (critical friend)	There is willingness to share the skills acquired. The BBNPA is already signed up to the Scrutiny Time Bank although has not explored the potential for this yet. The joint working between the two NPAs will continue as needed, and dissemination of the lessons learned will continue to be done, particularly amongst the family of National Parks.

## 12.3 Additional Outcomes

As well as meeting objectives and outcomes above, a number of other benefits have been identified,

*“Greater understanding of our processes; ability to contribute 'offline' i.e out of normal day to day responsibilities; extremely valuable contacts with colleagues in Brecon and an interesting comparison of Brecon's way of working compared to ours.”*

PCNPA member

which we could not necessarily have anticipated:

- Strengthened working relationships between members and officers – due to the determination of members to adopt a non-confrontational but challenging approach to scrutiny, officers responded very positively to the pilot reviews, and appreciated the opportunity to showcase their area of work. One officer has commented that already, he is thinking about doing some things differently in future as a result of the scrutiny review;

- Peer learning – both member to member and officer to officer between the two authorities. Both authorities would consider themselves to be 'learning organisations' but there was a genuine ethos of sharing ideas that added value to the whole project.

*“The shared learning processes should help to ensure broad ownership of the project conclusions amongst members and officers. We have in particular developed a shared understanding of the role of scrutiny in the strategic management of the NPA. We also more fully recognise that scrutiny involves scrutinising the performance of Members/partners and external bodies as well as of NPA officers.”*

BBNPA member

- The real value of the pilot reviews which were originally a vehicle for testing process, but culminated in some very useful evidence and public opinion that will form action plans for service improvement.

*“Through the pilots we have become better informed and thus better able to fulfil our roles as Members.”*

BBNPA member

*“We now have two very useful pieces of evidence based not on supposition and hearsay but on evidence gathered in a number of ways. This has already helped to demonstrate the value of the grant scheme we manage and will now give us the information to be able to renegotiate delegation agreements with constituent local authorities in a more realistic manner.”*

BBNPA member

- An appreciation of the value of non-adversarial scrutiny which was recognised to give the best possible results, in that officers were not made to feel

*“It was clear that the best way to elicit information was by being non-confrontational and understanding that this is an inquisitorial process, not adversarial.”*

BBNPA member

defensive, but were welcomed as part of a team looking at the achievements to date but also examining the potential for real improvements to be made to service delivery;

- A Wales Audit officer commented, following the latest meetings of the Pembrokeshire Coast National Park Authority and its Recreation and Tourism Review Committee, on the high level of debate that had taken place and the robust questioning of officers and their reports
- The two joint Scrutiny Review reports have already impacted positively upon Member debates, and this was evident at the latest meeting of the Pembrokeshire Coast National Park Authority during consideration of the Authority's Corporate Strategy, when determining its strategic priorities, and in considering value for money
- The realization, at the end of the project, that we had devised a model for scrutiny that met the definition of the Centre for Public Scrutiny i.e

*Public scrutiny can be defined as the activity by one elected or appointed organisation or office examining and monitoring all or part of the activity of a public sector body with the aim of improving the quality of public services.*

*"I have seen various scrutiny models and it seems the Authority are taking the matter very professionally."*

Recently appointed BBNPA member

## 12.4 External Evaluation of Project

Pending a more detailed evaluation, Ed Hammond (Centre for Public Scrutiny) and Tim Buckle (Welsh Local Government Association) were both asked to comment on the project. Ed Hammond responded as follows:

*"Beginning from a standing start, Brecon Beacons and Pembrokeshire Coast NPAs have managed to deliver two pieces of work that have the potential to challenge some of the very best scrutiny practice across England and Wales. In doing so, their members have significantly developed their skills and expertise in constructively challenging and holding to account decision-makers – and recommending improvements to policy that will lead to knock-on positive impacts for local people. It's probably too early to make clear statements about impact in the longer term, but over 2011/12 the foundations have been put in place for a strong, dynamic and independent scrutiny process that,*

*with continued support, will be able to form a valuable part of the governance and improvement arrangements of both authorities.”*

Tim Buckle’s assessment:

*“Whilst it is probably too early to assess the long-term impact of the project, it is clear that the project has produced a range of outputs already including the completion of two pieces of scrutiny work involving the collection of evidence from a range of sources, the development of outline scrutiny processes and procedures, and the development of member and officer skills, knowledge and experience in relation to scrutiny practice. The project also seems to have benefitted from strong member engagement and leadership throughout along with the continued support of key officers in both authorities, whilst fostering joint working and practice exchange. The proposals for the introduction of an ongoing scrutiny process, which have been developed through the project, are also clearly linked to the wider corporate improvement agenda whilst at the same time seeking to engage the public/wider stakeholders in potentially innovative ways, particularly around the choice of future scrutiny topics.”*

## 12.5 The Way Forward

The practical element of the Scrutiny Project is now completed, and work is now commencing on the following tasks:

- Completing the scrutiny toolkit
- Brecon Beacons National Park Authority approval of a scrutiny policy which will lay down the framework for the process, the involvement of other organisations and the public and include a communications strategy
- Building bespoke areas of the websites for scrutiny
- Working to enhance the public profile of scrutiny, by targeting specific audiences – including town and community councils and partner organisations
- Building on relationships forged through scrutiny reviews to seek community views and consult on future policy

## 12.6 Conclusion

There is little doubt in the minds of members and officers from both authorities that the Scrutiny Development Fund grant has provided the resources to develop an effective, tailor made scrutiny process, which will be implemented in 2012-13 and embedded into the corporate governance cycle. This process will provide an invaluable tool for performance monitoring and for the Wales Audit Office to draw upon, as well as the internal auditors. It will inform decision making, build on the work with Park communities to hear their views, and lead to improved decision making and service delivery. The final toolkit will be shared with all UK National Park Authorities via their portal for them to adapt for local use.

Prof Alan Lovell (BBNPA Chairman of Audit and Scrutiny Committee) has made the following comments:

*“Had scrutiny been introduced years ago it would be regarded by all (if effectively undertaken) as a fundamental element of organisational effectiveness it would not be seen as an option, but rather as a central element of good governance. It would also be accepted as integral to the work of members and officers. As it is, it is being introduced 'on top of' existing responsibilities for both members and officers. There is no doubt that for those who are heavily involved in the research necessary during scrutiny studies and particularly in the report writing, the time commitment is significant and much of it goes unrecorded as it takes place away from HQ. The new remuneration arrangements offer the opportunity for more robust monitoring of attendance and contribution of members and officers to the work of the Authority. Scrutiny should become an integral part of job and role descriptors for both members and officers.”*

At the Brecon Beacons National Park Authority on 3<sup>rd</sup> February 2012 he added:

*“The scrutiny process explained in this report should support the professional, respectful, but challenging relationship between members and officers which will explain why the Brecon Beacons National Park will be seen as a place of beauty; of great scientific interest; a wonderful place for humans and wildlife to live and a must-see place to visit.”*

“We now have a model for delivering effective scrutiny within a NPA framework but also one which I consider could be an example for all public bodies in terms of a non confrontational but inclusive model which is focussed on delivering improvement in performance.”

BBNPA member

March 2012