

Review of Decision-Making Arrangements – Bridgend County Borough Council

Audit year: 2023-24

Date issued: September 2024

Document reference: 4481A2024

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Mae'r ddogfen hon hefyd ar gael yn Gymraeg. This document is also available in Welsh.

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Appendix 1

Why we did this audit

Our audit duties

- 1 We carried out this audit under the duties contained within:
 - section 17 of the Public Audit (Wales) Act 2004 (the 2004 Act) to help enable the Auditor General to be satisfied (or not) that the Council has put in place proper arrangements to secure value for money in the use of its resources; and
 - section 15 of the Well-being of Future Generations (Wales) Act 2015 to help enable the Auditor General to assess the extent to which the Council is acting in accordance with the sustainable development principle in taking steps to meet its well-being objectives.

Our objectives for this audit

- 2 Our objective for this audit was to gain assurance that the Council has proper decision-making arrangements to secure value for money in the use of its resources. By proper, we mean appropriate arrangements as defined by the audit criteria included in **Appendix 1**.

What we looked at and what does good look like¹

- 3 We reviewed the Council's arrangements for decision-making. This audit did not cover individual policy decisions nor undertake an in-depth review of scrutiny or regulatory committees.
- 4 The audit sought to answer the overall question: **Has the Council put in place proper decision-making arrangements to secure value for money in the use of its resources?**
- 5 We used the audit criteria set out in **Appendix 1**, which also shows how the criteria relate to the audit questions.

¹ Defined as 'what should be' according to laws or regulations, 'what is expected' according to best practice, or 'what could be', given better conditions.



Our audit methods and when we undertook the audit

- 6 The audit methods included; a review of a sample of committee papers, minutes, and decisions notices, observing a range of committee meetings via webcasts, interviews with some Chief Officers and Elected Members, and document reviews. The evidence we have used to inform our findings is limited to these sources.
- 7 We undertook this work during June 2024 – July 2024.



What we found

- 8 Overall, we found that the **Council generally has proper decision-making arrangements in place but weaknesses in forward planning and pre-decision scrutiny are undermining their effectiveness.** We set out below why we reached this conclusion.
- 9 **The Council has clearly set out its decision-making arrangements but there are shortcomings in forward work programming and pre-decision scrutiny.**
 - The Council is in the process of developing oversight arrangements for its policy framework to ensure key documents and policies have an owner and set review date. The Council has a scheme of delegation, which was last updated April 2024, but this does not reflect the new Cabinet Member portfolios agreed in May 2024. The impact of operating with a scheme of delegation which is not up to date could result in decisions being taken without the proper authority in place and being subject to challenge.
 - The Council has an agreed format for its reports to Cabinet and Council and agreed procedures for the sign off of these reports. The Council has an agreed format for hybrid meetings which was followed in the meetings we observed.
 - The Council has recently undertaken a review of the effectiveness of its scrutiny arrangements. The Council acknowledges that it needs to strengthen these arrangements, including pre-decision scrutiny.
 - The Council has a process for updating its forward work programme for committees (FWP), but the FWP is not comprehensive. It does not cover all the reports that are going through to committees and only spans a 4-month period. The FWP is not readily accessible via the Council's website. Sufficient planning ahead for reports also helps mitigate the need for using the urgent delegated decision process unnecessarily. The impact of not having a published, up to date, comprehensive, longer-term FWP hampers opportunities for robust pre-decision scrutiny. It also limits transparency around the decision-making process for both Members and the public.

10 **The information provided to Members in committees was clear, but the role and remit of the Council's scrutiny committees is unclear hindering the effectiveness and transparency of the Council's decision-making arrangements.**

- The information provided to Members in the committees we observed was of sufficient quality to enable them to take well-informed decisions. Committee agendas, reports and minutes are published and available on the Council's website. Webcasts of meetings are available after the meeting has been held via You Tube.
- The quality and format of minutes from meetings was variable. The recording of decisions was not always clear. The Council has recognised this issue and has agreed a new format for minutes. Democratic Services staff are currently being trained in the use of the new style minutes for all committee meetings.
- Through our fieldwork we did not find any significant issues in officer/Member relationships and the statutory officers' advice in committees was listened to.
- There is lack of clarity and transparency regarding the terms of reference of the O&S committees. The naming of the committees 1,2 and 3 does not help with transparency on the remit of the committees, particularly from a public perspective. The Constitution is also not clear on the exact remit of the committees. The impact of the lack of clarity and transparency on the remit of the O&S committees is that their ability to contribute fully and effectively to decision making in the Council is limited. It is also a barrier to encouraging public involvement in the scrutiny process.²
- Greater clarity on the role O&S committees have in the Council's decision-making process would be beneficial. A better assessment of the impact the committees are having in terms of their positive contribution to shaping and improving decision-making to help achieve corporate objectives would help ensure that committees are using their time effectively and providing greater value in the decision-making process.
- As part of its budget setting process, the Council has established a working group of its Corporate O&S Committee (COSC) to help develop the budget. We heard from both officers and Members that this working group did not work as effectively as it had in previous years in building consensus around the budget proposals for 2024-25. The Council recognise this and is reviewing the process, looking to make improvements for the 2025-26 budget setting round.

² The Auditor General for Wales has produced a [Discussion Paper: Six themes to help make scrutiny 'Fit for the Future'](#) (February 2019), which is available on the Audit Wales website publications page

- The Council has reasonable arrangements in place to support Members in their decision-making, but Member completion rates for training is poor (only 6 of the 51 Members had undertaken their core training modules as of June 2024). The Council should ensure that the Member training programme offer is comprehensive and that it works with Members to explore ways to improve their engagement with training. The impact of Members not receiving/undertaking a relevant training programme is that there is a risk that they are not well equipped to understand and undertake their role. This could potentially limit their effectiveness.

11 The Council is proactively looking at ways to improve its decision-making processes but has not engaged with all Members to help it better understand the effectiveness of its arrangements.

- The Council is looking at ways to improve its decision-making processes. The Council has actively engaged with the Welsh Local Government Association for its support to help make improvements. Examples of this are the work it is undertaking on corporate leadership development and the review of scrutiny. The Council has also committed to reviewing its arrangements for budget setting, to look at how it can better engage with Members in this process.
- Members of the Standards Committee have observed their own and other councils' committee meetings to inform good practice. The feedback from these observations were that they were satisfied with what they observed and had no major issues or concerns to feedback to the committee.
- Members have not been asked for their views on the Council's decision-making arrangements in general but have been asked for their views recently on the effectiveness of the scrutiny process and on their training requirements. Involving all Members in reviewing the effectiveness of its decision-making arrangements would help the Council gain a comprehensive understanding of their views. It may also provide further opportunities for the Council to improve its processes.



Our recommendations for the Council

Exhibit 1: our recommendations for the Council

Recommendations

- **R1** – The Council should ensure that its published **forward work programme** for committees is accessible, comprehensive, and covers a longer time frame than the current 4-month period to give more opportunity for robust pre-decision scrutiny and provide greater transparency around the decision-making process for both Members and the public.
- **R2** – The Council should ensure that its **scheme of delegation is updated**, to mitigate the risk of decisions being taken without the proper authority.
- **R3** – The Council should ensure that there is clarity on **the role of scrutiny** in the decision-making process. The lack of clarity on the role of the O&S committees, particularly in relation to pre-decision scrutiny is limiting O&S committees' ability to contribute fully and effectively to the decision-making process.
- **R4** – The Council should ensure that it provides greater **transparency regarding the remit of the different O&S committees**. Naming the O&S committees 1, 2 and 3 does not help with transparency of the remit of the committees, particularly from a public perspective. It is also a potential barrier to encouraging public involvement in the scrutiny process.
- **R5** – The Council should ensure that Members receive, and are encouraged to access, a relevant **training programme** to ensure they are well equipped to understand and undertake their role. This should include focussed training for specific roles, e.g. chairing skills.

Appendix 1

Audit questions and criteria

Main (level 1) audit question: Has the Council put in place proper decision-making arrangements to secure value for money in the use of its resources?

Level 2 questions	Criteria
Does the Council have clear decision-making arrangements?	<ul style="list-style-type: none">• The Council has clearly set out the parameters for decision-making and the types of decisions that are delegated and those taken by Full Council, Cabinet and other committees.• The Council has a Scheme of Delegation which clearly sets out the process for taking and recording delegated decisions.• The Council has clearly set out the roles and responsibilities of Members and officers in decision-making.• Cabinet and Scrutiny committees have up to date and published forward work programmes, and these are easily accessible to Members and the public.• The Council has clearly set out its process for Call-ins of decisions.• The Council has arrangements to facilitate pre-decision scrutiny.• There are clear arrangements for declaring and managing conflicts of interests.• Roles of statutory officers are clear.

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- The Council has clear rules and procedures governing meetings (physical, hybrid and on-line only meetings) and these rules are set out at the start of meetings, including arrangements for any loss of connectivity.
 - There are clear arrangements for voting on decisions.

Are the Council's arrangements working effectively to ensure there is transparency and accountability in its decision-making?

- Members and officers demonstrate clear understanding of their roles and responsibilities in decision-making including their role in specific committees and/or agenda items.
 - Meetings are held in public unless there are good reasons for confidentiality (reasons are published). The Council is following appropriate legal requirements for exempt items / items held in private session.
 - The agendas/reports for committees are published in line with legal requirements.
 - Meetings are quorate in line with Council's constitution. Meetings are not regularly cancelled because they are inquorate.
 - Scrutiny is welcomed as making a positive contribution to shape and improve decision-making, helps achieve corporate objectives. Scrutiny is given the opportunity to influence decision-making.
 - Call-ins are infrequent and not seen as the standard way of challenging decision-making.
 - The Council is taking decisions on items in line with the published forward work programmes. Items are not being consistently delayed.
 - There is clear reasoning for decisions in public records.
 - Relationships amongst and between Members and officers are constructive.
 - There is constructive debate and challenge when decisions are being considered.
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- In reaching decisions, members have regard to the advice given by officers, particularly that given by statutory officers.
 - There is active consideration of the sustainable development principle and other relevant impacts such as equalities in decision-making.
 - All participants are able to contribute to meetings, including when joining remotely.
 - All public meetings are webcast. Webcasts of meetings are available live and to inspect following meetings and there is an agreed policy for how long webcasts are available for in the Council's archive.
 - Attendees are able to participate through the medium of both Welsh and English, according to their preference, and translation is provided.
 - The chair ensures committee meetings follow procedures, that committees consider items in line with their terms of reference.
 - Members' and officers' behaviours in committee are in line with Council standards of behaviour. The Council effectively addresses/manages issues of poor behaviour in committee.
 - Committees are being used effectively to do something active rather than just receiving items to note.

Does the information provided to Members enable them to take well informed decisions?

- Agenda items are accompanied by a written report that clearly sets out the role the committee is being asked to undertake and that is in line with the committee's terms of reference.
 - Reports are clear and balanced, and easy to understand and appropriate to the intended audience.
 - Reports include, where appropriate, objective and rigorous analysis of a variety of options including impact on service users, financial and value for money implications, service performance and risk.
 - Reports set out relevant implications common to most or all decisions such as:
 - The application of the sustainable development principle;
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	<ul style="list-style-type: none"> • Equalities; • Welsh Language; • Biodiversity; and • Socio-economic duty • The reports identify whether consultation/engagement has been undertaken and if so, contain the results of that consultation.
<p>Does the Council have arrangements to support officers and members in their decision-making?</p>	<ul style="list-style-type: none"> • The Council communicates the values and standards of behaviour that are expected from its Members, senior officers, and staff. • Members have received appropriate training to enable them to participate appropriately in Council's decision-making arrangements (e.g. declarations of interest, code of conduct, committee specific training such as planning, standards, GDPR, equalities, WFG etc) • Committee chairs are provided with effective support from Council officers to support them in their role. Chairs have received training to help them understand and fulfil their role. • The Council promotes and supports the role and responsibilities of its statutory officers. Statutory officers have capacity to review and contribute to reports as necessary in order to fulfil their roles. • Members have access to appropriate advice both outside and during committee meetings on decision making procedures and rules.
<p>Does the Council review the effectiveness of its decision-making arrangements?</p>	<ul style="list-style-type: none"> • Members have been asked their views of the Council's decision-making arrangements and the support they receive. This is used to shape training and inform changes to the Council's arrangements.

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- The Council's Annual Governance Statement provides a fair and balanced assessment of the effectiveness of the Council's decision-making arrangements and includes actions to strengthen arrangements where necessary. Previous actions identified are monitored and addressed.
 - Constitution, Scheme of delegation and financial procedures are reviewed regularly.
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