

CYNGOR SIR POWYS COUNTY COUNCIL.

**CABINET EXECUTIVE
18th September 2018**

REPORT AUTHOR: County Councillor Aled Davies
Portfolio Holder for Finance, Countryside and Transport

SUBJECT: Corporate Regulatory Tracker

REPORT FOR: Decision

1. Summary

1.1

The council's corporate regulatory tracker summarises progress with regards to recommendations received from the Council's regulators, predominantly WAO, Estyn and Care and CIW.

In undertaking their roles, these regulators may provide statutory recommendations which the council is required to respond to within statutory timescales. The WAO may also make informal proposals for improvement which again the council must respond to, but there are no statutory requirements attached to these.

There are two purposes behind this report, firstly the report will discuss the recommendations which currently reside on the corporate regulatory tracker which having conducted the consolidation exercise were highlighted as not being relevant for the council to action or have become business as usual which should be approved for closure. Secondly the report will propose to cease and step down the Corporate Regulatory Tracker turning the tracker into a signposting document for regulators.

2. Proposal

2.1

This report proposes the closure of the corporate regulatory tracker as part of improvements to reporting processes within the council being driven by the Strategic Policy and Performance service.

The aim of this piece of work will be to remove duplication of process and free up capacity which would otherwise be engaged providing the same update multiple times for various plans. Once a position has been concluded any items moving to the CLGP, AIP, CIP and Vision 2025 programmes will be referenced within the Regulatory tracker which will become a signposting

document to direct regulators to the appropriate plan delivering the recommendation.

2.2

WAO Study Scrutiny 2014 - R1R6 – Recommendation *“Undertake regular self-evaluation of scrutiny utilising the ‘outcomes and characteristics of effective local government overview and scrutiny’ developed by the Wales Scrutiny Officers’ Network.”*

A proposal is going before County Council on the 17th May to change the scrutiny committee structure, the intention is to draft a plan and undertake self-evaluation to respond to the national review in Autumn 2019. This will allow time for Purdah, election and post-election settlement, member training and appointment of new scrutiny committee members before undertaking a self-evaluation within a stable environment.

Benchmarking has been conducted reviewing Caerphilly Council to aid the review in Autumn 2019. Partial self-assessment was completed in June 2017 on request of the Director of Resources. CFPS and WAO criteria were used to highlight "what good scrutiny is" and as a means of scoring the council against the criteria using the scorecard. Views and comments were sought from Strategic Directors and Heads of Service. The intention is to extend this process to all members as part of periodic reviews of the service moving forward.

It is the proposal of the Scrutiny Manager, Solicitor to the Council and the Regulatory officer that this recommendation should be closed as it is part of Democratic services and Scrutiny services business as usual /continuous development programme. The work currently undertaken and planned as stated above shows the Council is embedding this review into its annual cycle and as such responding to the recommendation originally stated within the national report.

(Close recommendation as processes are embedded as part of business as usual)

2.3

Charging for services and generating income by local authorities 2016 - R3 – Recommendation *“Use the impact assessment checklist (Appendix 2) whenever changes to charges are considered.”*

The impact assessment process is clearly embedded within the budget setting process to further strengthen this there has been an introduction of an independent risk assessment of the overall budget plan introduced this year.

(Close recommendation as impact assessment is fully embedded)

2.4

Community safety in Wales 2016 Recommendations R1–R7

This report and recommendations did not map against any of the three improvement plans or any of the corporate improvement plan programmes when undertaking the consolidation exercise. When discussing further with the service and at corporate management team it was agreed that the responsible officer assigned to the recommendations would provide a quarterly report to corporate management team and its position would be reviewed moving forward. Welsh Government conducted a review in November 2017 “*Working Together for Safer Communities*” this may see the way community safety partnerships work together changing so will need to be considered moving forward but this work is likely to be resumed back into business as usual.

(Report to be drafted on a Quarterly basis to be considered by corporate management team)

2.5

WAO Study Env Health - R3R5 –Recommendation *“Improve strategic planning by:*

- *identifying, collecting and analysing financial, performance and demand/need data on environmental health services;*
- *analysing collected data to inform and understand the relationship between ‘cost: benefit: impact’ and use this intelligence to underpin decisions on the future of council environmental health services; and*
- *agree how digital information can be used to plan and develop environmental health services in the future.”*

The recommendations in this report again did not map against any of the three improvement plans or any of the corporate improvement plan programmes when undertaking the consolidation exercise. When discussed further with the responsible owner and head of service they explained that procurement was underway for two new IT systems to improve the service and satisfy the recommendations within the study. One system being procured ‘Public protection’ had been restarted and the main target of this work now would be to produce efficiency savings via mobile solutions and a reduction of admin costs. The procurement and savings proposals for this work is fully embedded in the service improvement plan and as such is reported within the service as business as usual activity.

(Close recommendation as processes are embedded as part of business as usual)

2.6

Financial Resilience Assessment 2016 – 47 – Recommendation *“In circumstances where timescales are compressed, it is particularly important to ensure that risk is effectively managed and proper accountability arrangements are in place. We recently published a report of our Review of*

the Letting of a Domiciliary Care Contract to Alpha Care Limited. It expresses our view that in its haste to introduce the new domiciliary care service as quickly as possible, the Council compromised the integrity of its established governance arrangements. In consequence, the Council and users of the domiciliary care service were exposed to unnecessary risk.”

The recommendation listed above was part of the financial resilience assessment conducted in 2016, the recommendation focusses on the letting of the domiciliary care contract to alpha care and asks the council to address and ensure that future procurement and commissioning strategies and processes are robust with clear governance arrangements in place. Having met with the Interim Professional Lead for Commercial Services it was agreed that this was less a recommendation more a statement to be considered. The **“Review of the Letting of a Domiciliary Care Contract to Alpha Care Limited”** report published in 2016 has been mapped across the adults and Childrens improvement plans and will be further strengthened by the roll out of the new Corporate Commissioning and Procurement Strategy.

(Recommendation to be removed due to duplicated progress reporting)

2.7

WAO Study - Early Departures – Recommendations – R5R5, R5R6, R5R7

As part of the Regulatory tracker consolidation exercise I met with the Employment Policy & Service Development Business Partner (Workforce and Organisation Development) to discuss early departures and the recommendations issued nationally back in 2015. There was agreement that the recommendations still hold relevance and that the council is continuing work to deliver against the recommendations with a significant amount of work already undertaken. The early departures recommendations did not appear in any of the three improvement plans within the council, and both the regulatory officer and Employment Policy & Service Development Business Partner agreed that all three recommendations were adopted as part of the services core business as usual operations.

(Proposal to remove recommendations from Corporate Regulatory Tracker due to processes becoming business as usual practises)

3. Options Considered / Available

3.1

Option 1 – Keep the Corporate Regulatory Tracker

The Corporate regulatory tracker is embedded as part of the performance management framework it currently reports to Corporate Management team, and Audit Committee. Option 1 would propose that the corporate regulatory tracker would stay in operation in its current guise. Quarterly reports and

updates would be sought by the regulatory officer from senior leads to be reported through the aforementioned performance management framework cycle.

Advantages to this approach would mean corporate oversight and delivery against regulators recommendations and proposals for improvement would remain robust. Levels of scrutiny and challenge would ensure performance management and quality assurance is present at each step of the reporting cycle.

Disadvantages to this option are varied, keeping the current reporting and operational structure would further enable a level of repetition to exist. The council is under significant financial restraints which will force difficult decisions to be made including likely reduction in workforce. Alongside this the council must undertake a radical transformation of its services, culture and workforce whilst supporting the delivery of its Corporate Improvement Plan. A high pace of change to deliver the transformational change programme with competing capacity and reducing workforce restraints means any opportunity to remove duplicated processes and free up officer and member time is invaluable. Senior officers and services have shown a continued commitment to meet and provide quarterly updates for the corporate regulatory tracker and this must be recorded and merited. This commitment however comes with an added adverse impact upon service and officer efficiencies, officers are providing multiple replicated reports to various boards/committees and it is questioned the value of continuing to do so.

Option 2 – To cease and step down the Corporate Regulatory Tracker and turn the tracker into a signposting document for regulators.

The aim behind the consolidation exercise undertaken compliments the organisations focus and drive to streamline reporting whilst ensuring increased performance management and quality assurance at all levels. The development of the Performance management & quality assurance framework along with similar work ongoing within the Strategic Policy and Performance service seeks to deliver such changes, the motto “Less is more, if more of the right things are done” explains this approach.

If the tracker were to change to a signposting and referencing document then the council would continue to respond and have oversight of regulatory recommendations, whilst at the same time removing a significant number of duplicated reporting processes corporately.

As alluded to in the summary and proposal at the front of the report, the advantages of adopting this option are numerous. Officer time coupled with competing corporate and service pressures means that affording time quarterly to provide updates for the regulatory tracker just isn't appropriate or achievable moving forward. The mapping exercise clearly identifies the duplicated reporting and by creating a signposting document we will be able to not only direct regulators to progress being made against

recommendations, but also corporate oversight can be achieved and progress can be managed at key stages.

The recommendations within the regulatory tracker all map against one of the 3 corporate improvement plans which are regularly updated to assurance board and undergoes significant quality assurance and performance management scrutiny on a monthly basis. Services are fully signed up to these improvement plans and they have clear end dates and accountability frameworks to ensure robust scrutiny and management are present at all stages through to completion.

4. Preferred Choice and Reasons

4.1

Option 2

The preferred option put before Cabinet Management team is for option 2 to be adopted and moved forward for formal sign off at Cabinet. The Council its services and officers have shown great commitment and motivation to listen, communicate and deliver recommendations its regulators highlight locally and nationally. This commitment will continue through the delivery of the 3 improvement plans and with future regulator recommendations which will be referenced on the signposting document to ensure clarity of oversight within the organisation.

Whereas option 1 would deliver benefits and provide corporate oversight the findings identified in the mapping exercise (Appendix 1 – Reg tracker mapping 2018) clearly identify duplication which mirrors concerns from officers and myself with continuing the current process. The mapping undertaken by myself has been checked, scrutinised and challenged with the responsible officers, SMT/DMT and head of service they have also been before Management Team and Audit committee for sign off. Recommendations have been clearly referenced on individual improvement plans against the relevant actions to ensure easy identification for regulators.

The response from services to the approach and removal of duplicated reporting has been very positive and the objectives from the delivery of this work will see benefits for not only the services but corporately. As alluded to earlier in the report and clearly identified in the Vision 2025 Corporate improvement plan we as an organisation must seek to;

- *Have the right skills, attitude, behaviours and experience to be innovative*
- *Be an organisation that demonstrates good practice*
- *Be pro-active and forward thinking*
- *Have seamless and efficient processes to get things 'right' first time*
- *Make evidence based decisions underpinned by accurate information*
- *focus on outcomes instead of activity*

- *Make best use of resources and improve productivity continually improving customer satisfaction*

Financial restraints facing the council, coupled with balancing the delivery of an ambitious vision for 2025 and the pace of change to deliver these outcomes alongside the improvement plans will require us to look at our processes, refine our approach and change the way we work as evidenced in the bullet points from Vision 2025 CIP. I feel option 2 will go a long way to delivering against these bullet points by releasing capacity of officers within services allowing them to make best use of resources, improve productivity and allow focus to be placed on improving and delivering innovative customer focused services.

Appendix 2 (Corporate Regulatory Signpost Tracker) provides a suggested draft layout for the signposting document. The spreadsheet is simple in its design it provides the audience with tabs relating to the respective regulators containing the recommendations set within reports from those regulators. Against each recommendation the spreadsheet identifies the report in which it was published, the service which is responsible, the date of publish and the responsible portfolio holder. Within each tab the last 3 columns are colour coded for the respective Improvement plans, against each recommendation where appropriate there is an indication of the action(s) within the improvement plan relating to the recommendation. This simplified approach allows a regulator to look at the signposting document and be able to look at progress against a specific recommendation with access to the relevant improvement plan.

It was discussed at Management team on the 15th August that the signposting tracker could be extended to have oversight of wider corporate service regulatory recommendations from regulators such as ESTYN for example to provide further corporate oversight. I have begun a new role in a different service but have agreed with the Head of Strategic Policy and Performance (Chief Executives) to see the process through to sign off at Cabinet, at which point the signposting tracker and future progression would be undertaken by an officer within the Strategic Policy and Performance service with support and handover.

5. Impact Assessment

5.1 Is an impact assessment required? **Yes/No**

5.2 If yes is it attached? Yes/No

6. Corporate Improvement Plan

6.1 Alluded to in section 4.1 when discussing preferred option.

7. Local Member(s)

7.1 N/A

8. Other Front Line Services

Does the recommendation impact on other services run by the Council or on behalf of the Council? Yes/**No**

If so please provide their comments

9. Communications

Have Communications seen a copy of this report? Yes/**No**

Have they made a comment? If Yes insert here.

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal : The recommendations can be supported from a legal point of view.

10.2 Finance

10.3 Corporate Property (if appropriate)

10.4 HR (if appropriate)

10.5 ICT (if appropriate)

11. Scrutiny

Has this report been scrutinised? Yes / No?

If Yes what version or date of report has been scrutinised?

Please insert the comments.

What changes have been made since the date of Scrutiny and explain why Scrutiny recommendations have been accepted or rejected?

11.1

12. Data Protection

If the proposal involves the processing of personal data then the Data Protection Officer must be consulted and their comments set out below.

13. Statutory Officers

13.1 The Solicitor to the Council (Monitoring Officer) commented as follows :
“ I note the legal comments and have nothing to add to the report.”

14. Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
Recommendation 1: Approval for closure of the recommendations within the proposal	Ensure appropriate focus is given to delivering recommendations which are valid and relevant to the organisation.
Recommendation 2: Stepping down of Corporate Regulatory Tracker to be replaced by Corporate Regulatory signposting spreadsheet	To enable continued improvement, removal of duplication and streamlining of corporate reporting within the council. This will enable officer time and capacity to be released to focus on delivery of key priorities e.g. Vision 2025.

Relevant Policy (ies):			
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Thomas Yeo
Date By When Decision To Be Implemented:	

Is a review of the impact of the decision required?	Y / N
If yes, date of review	
Person responsible for the review	
Date review to be presented to Portfolio Holder/ Cabinet for information or further action	

Contact Officer: Thomas Yeo Tel: 01597 826368 Email: Thomas.yeo@powys.gov.uk
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Background Papers used to prepare Report: