

The Prospects for Regional Collaboration Scrutiny: A View from Wales

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Stream: Devolution: from the national to the regional?

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Abstract

Regional collaborations, in other words arrangements to share services between councils, and sometimes also other public bodies, are regarded in the UK as necessary responses to reductions in public sector spending and increased demands for services. While greater efficiency is a clear driver, effective public scrutiny, while widely advocated, appears to be more problematic. Indeed, the current picture of formal scrutiny arrangements for these collaborations can be described as mixed at best with some notable innovations on the one hand and many obvious weak spots on the other.

The purpose of this paper is to ask whether this mixed picture should give cause for optimism or for pessimism. Drawing on the Welsh experience the paper will address this question in two stages. First, three types of scrutiny of regional collaborations will be specified and discussed. These types are; traditional, bespoke and regional. Second, in order to provide a broader analysis that reflects the different assumptions and expectations that can be applied to scrutiny, these structural types will be assessed from three different perspectives; namely the select committee, public accountability and Welsh scrutiny perspectives. The paper will conclude by suggesting implications for policy and practice.

A lot is changing in the way services are delivered, with regional partnerships operating collaboratively to ensure that the public get the best services possible in a cost-effective fashion. These new arrangements need to be subject to public accountability through effective local scrutiny arrangements, with councillors acting on behalf of their local communities to ensure that their interests are being served.

Carl Sargeant AM, Welsh Government Minister for Local Government and Communities. Promoting Local Democracy White Paper

Regional collaborations, in other words arrangements to share services between councils, and sometimes also other public bodies, are regarded in the UK as necessary responses to reductions in public sector spending and increasing demands for services. There is, however, little evidence that the recent increase in such initiatives has been matched by a corresponding increase in adequate formal scrutiny arrangements. Indeed, the current picture can be described as mixed at best with some notable innovations on the one hand and many obvious weak spots on the other.

Two plausible conjectures can be suggested to explain this state of affairs. The first is optimistic and suggests that there is a process of transition taking place. Regional collaborations are a recent phenomenon and it is unsurprising that scrutiny is taking a time to catch up. The capacity of local government to innovate, however, means that in time, new forms of scrutiny will be developed and put in place. The second conjecture is pessimistic. It suggests that the scrutiny of regional collaborations can only ever be limited. While local government scrutiny is lacking both in capacity and powers, regional collaborations operate in a governance 'no man's land', beyond the reach of non executive councillors. These two conjectures are reflective of a wider, long standing debate in local government; the rivalry between efficiency and democracy (Copus 2006). The scrutiny of regional collaborations may be regarded, therefore, as a new front in a much older war.

The purpose of this paper is to assess which of these conjectures is more valid; whether the current situation should give cause for optimism or for pessimism. The intention is also to provide an early mapping of the issues by drawing on the Welsh experience. As Ashworth and Snape (2004) suggest,

any assessment of scrutiny needs to consider both the structural arrangements and the context in which they operate. The analysis presented here adds a further dimension, that of *perspective*. Outside of the narrow legal definition, there can be a lack of clarity about what local government scrutiny is and wide variations in both role expectation and practice. As there is no one right way of approaching scrutiny so any assessment must encompass the expectations placed upon it. Identifying different perspectives on scrutiny also opens the door to more conceptual approaches, something that has been previously lacking in scrutiny research and practice (Ashworth and Snape 2004).

The paper will proceed in three stages. It will map out the structural possibilities in the form of three types of regional collaboration scrutiny drawing from Welsh and other examples. These types are; traditional, bespoke and regional. Following this the prospects for these types of regional collaboration scrutiny will be assessed from three perspectives; the parliamentary scrutiny, accountability and Welsh scrutiny perspectives. Before this, however, it is important to say a little about the policy context in which these scrutiny arrangements are operating in Wales.

1. The Welsh Context

While Wales shares, with the rest of the UK, a strong advocacy for regional collaborations it nevertheless does so within a distinctive policy environment. As Martin and Webb (2009) suggest, Wales makes a worthwhile case study as it has a distinctive policy agenda; one that rejects user choice and competition in favour of collaboration and citizen engagement. Martin and Webb describe these two basic models of delivery in the following way:

One involves setting local services free from central control and leaving them to compete with each other to attract users. The theory is that competition will force them to become more responsive and drive down costs. The second approach encourages organizations to collaborate rather than compete, sharing their expertise and resources to maximize efficiency gains through scale economies, thereby improving services and increasing capacity across the public sector as a whole. (Martin and Webb 2009, p. 124)

This rejection of the first approach in Wales in favour of the second reflects, it appears, not simply an instinctive rejection of English approaches, but a distinctive public service philosophy:

The 'best outcomes are obtained when those who use and those who provide services work together' and this collaborative approach was

more in tune with 'Welsh values and attitudes and sense of ownership in our public services'. (Martin and Webb 2009, p. 124)

This Welsh approach is not simply a matter of philosophy and is 'reflected in significant and increasing divergence between the approaches to public service delivery in England and Wales' (Martin and Webb 2009, p. 125).

The drive for increased collaboration between councils and also with other public bodies has continued as a key theme in Welsh public policy over recent years. The defining moment in this development being the publication of *Beyond Boundaries', Citizen Centred Local Services for Wales*, otherwise known as the Beecham Review (Beecham et al. 2006). As well as the carrot of increased efficiency, councils in Wales are also well aware of one stick in particular; the threat of local government reorganisation. In practical terms the drive to increased collaboration has borne fruit with well over 100 collaborative programmes / projects reported through the Welsh Local Government Association's Regional Collaboration Compendium (2011). While it is not possible to provide a precise figure on the number of collaborations (interrelationships between collaborations and across regional boundaries make the picture a messy one), the high overall level of activity is reasonably clear and relates primarily to a number of priorities namely; education and lifelong learning; social care and health; transport; waste management; regeneration; and procurement. As well as these new collaborations, there are also a small number of joint 'county' services, such as for archives, for example, that are a legacy of the 1996 reorganisation of local government in Wales from a two tier system into 22 unitary authorities.

Scrutiny in Wales also has a distinct flavour. The recent Welsh Assembly Local Government Measure (2011) introduced a range of instruments designed to promote local government scrutiny including a number that have particular relevance for regional collaboration scrutiny. These include; the ability to set up joint overview and scrutiny committees between two or more councils (although some argue that these powers are already available under the 1972 Local Government Act); the power to scrutinise 'designated persons', in other words, office holders of other public bodies as defined by Welsh Government; the duty to take into account the views of the public; and encouragement to co-opt non councillors onto scrutiny committees albeit without voting rights.

The Local Government Measure (2011) was influenced by the recommendations of the Councillor Commission Expert Panel for Wales, which proposed a formal separation of executive and non executive support at local government level (2009). While not going this far, the Welsh

Government used the Measure to ensure adequate support for non executive councillors, including for scrutiny, by introducing a requirement for councils to appoint 'Democratic Services Committees' responsible for this.

One further notable difference between Wales and England has been the reluctance to promote health scrutiny. Instead of the requirement to establish health scrutiny committees as exists in England, in Wales a form of scrutiny is conducted instead through Community Health Councils. Recent Welsh Government Guidance on Local Service Boards (2012), however, suggests that Health Boards may be more subject to local government scrutiny in future.

In March 2011, the Welsh Minister for Local Government received the Simpson Report. This report had been commissioned by Welsh Government to advise on the potential for more services to be delivered regionally and nationally. This report insisted that "There is effective scrutiny of the collaborative arrangement and its performance" (Simpson 2011, p. 47). Furthermore that:

It is essential that the exercise of political scrutiny that elected members apply to 'in-house' service provision is equally applied to shared service provision. This may be arranged through the shared service organisation providing performance reports and being subject to questioning by separate scrutiny committees in each local authority. Alternatively a shared scrutiny committee might be established. Whereas the shared governing body is likely to consist of nominated executive members from each local authority, a shared scrutiny committee is likely to consist of nominated non-executive members. (Simpson 2011, p. 49)

This unequivocal advocacy for regional collaboration was not however reflected in the two 'sister' reports focusing on Education and Social services reported at the same time (Thomas 2011; Welsh Government 2011). Neither refers a local government scrutiny role in respect of regionalised services. While the social services white paper does refer to the importance of 'independent scrutiny' it is advocating the role of national inspection through the Care and Social Services Inspectorate Wales rather than local government scrutiny. This suggests that the preference for local government scrutiny of regional collaborations is not yet all embracing across national government.

Despite the clear advocacy most recently stated in the Simpson Review, however, the scrutiny of collaborations has not yet been able to keep pace. Anecdotal evidence from the WLGA suggests the following mixed picture:

Region	Scrutiny to Date	Likely Scrutiny Developments
Central	Formal Member Boards engage executive members for many projects and these attract scrutiny through existing scrutiny structures	Joint Overview and Scrutiny structures being considered albeit in the context of concerns about 'scrutiny overkill'
North	Presumption in favour of using existing local arrangements Small number of ad hoc joint scrutiny activities	Executive councillors content with current arrangements Scrutiny councillors considering regional structures
South East	Presumption in favour of using lead authority scrutiny arrangements.	None
South West	Ad hoc arrangements such as Member briefings/ workshops for regeneration projects.	The formalisation of governance arrangements for Shared School Improvement Services will include review of appropriate scrutiny structures

In summary, the Welsh experience offers a setting in which both collaborations, and the scrutiny of those collaborations, is strongly advocated in national policy. While the number of collaborative projects has grown significantly the accompanying scrutiny structures have yet to catch up. In the short term this is no doubt because many in local government are waiting for the publication of the final guidance relating to joint overview and scrutiny committees and the scrutiny of designated persons. Before considering the likelihood that scrutiny will catch up in the longer term, however, it is important to clarify the nature of potential scrutiny structures. That is the purpose of the next section.

2. Three Types of Regional Collaboration Scrutiny

Drawing on experience to date, particularly in Wales, it is possible to identify three broad types of scrutiny that might be applied to regional collaborations. These are the traditional, bespoke and regional types, each of which is described below.

Traditional

As suggested by the Simpson Report (Simpson 2011), councils may prefer to undertake scrutiny of regional collaborations through their existing scrutiny structures. This could mean a relevant scrutiny committee taking on a regular monitoring role or undertaking an in depth review. It might also mean a more informal approach with committees simply being made aware of the opportunity to undertake one off scrutiny exercises. This approach has a

number of advantages including the ability to retain a focus on the impact for that particular authority, the clarity of the democratic link to the community, the prospect of working within existing resources and the perceived lower risk of duplication and confusion (Welsh Local Government Association 2012).

The new provisions being introduced for scrutiny in Wales are undoubtedly positive and suggest that the capacity to undertake traditional scrutiny of regional collaborations will be at least maintained. Given the current economic climate, the measures to protect levels of scrutiny support will be highly relevant. The concern would be, however, whether scrutiny support starts from a position of being able to resource the additional demands that regional collaborations might generate and whether they will be recognised as priorities within what are already stretched scrutiny work programmes. While the capacity of Welsh councils to support scrutiny can be described as uneven at best, the Local Government Measure (2011) does not provide for a minimum level of scrutiny support nor are there any additional resources being made available. The additional powers to call external 'designated persons' to attend meetings and to respond to scrutiny recommendations are certainly positive and can strengthen the scrutiny of those collaborations where other public sector bodies are involved.

Bespoke

Bespoke refers to joint scrutiny structures being established for particular collaborations with the involvement of non executives from the partner organisations. This would usually mean scrutiny councillors but, given the involvement of other public bodies might also include others such as those associated with police authorities or health trusts. The advantages of this approach include that witnesses do not have to attend several different scrutiny committees, the ability to focus on the operation of joint 'corporate entities' as a whole for their performance and governance and the potential for clearer lines of accountability and responsibility for scrutiny and governance (Welsh Local Government Association 2012).

The Local Government Measure (2011) provides for Joint Overview and Scrutiny Committees to be established. This is something that, outside of Health, for which there are specific regulations, is not widely used in England (although legal powers may be available). Joint Overview and Scrutiny Committees, on the face of it at least, will strengthen the option of bespoke regional collaboration scrutiny and provide a formal mechanism that can potentially fill a gap in governance. As with the traditional structure, however, effectiveness will to a large extent depend on the support available

and the willingness of councillors to invest the capacity that they have. Furthermore, practitioners have a concern that a large number of this type of arrangement will lead to a very messy scrutiny landscape that is difficult both to manage and to support.

Even without the ability to set up Joint Overview and Scrutiny Committees, there are examples of bespoke regional collaboration scrutiny. Cardiff, Monmouthshire, Newport and the Vale of Glamorgan, for example, have been involved in the scrutinizing of partnerships in waste management. This involved scrutiny councillors from the four authorities agreeing upon identical recommendations to be sent to their respective Executives. Following this, Cardiff, Newport, Monmouthshire, Caerphilly and the Vale of Glamorgan formed a joint Scrutiny Panel to monitor the decisions made by the regional Prosiect Gwyrdd Joint Committee which aims to identify a collaborative waste management solution for SE Wales. Regional scrutiny has been recognised as an important 'check and balance' to joint decision making and is seen as valuable by the considered by the participating authorities.

Regional

Rather than establish separate structures for each collaboration, councils may instead wish to establish a regional structure such as a joint scrutiny committee that would have responsibility for scrutinising all collaborations in a region. This could be a more efficient approach than establishing bespoke structures and could provide greater clarity and simplicity. Regional scrutiny committees might be generic or focused upon specific themes such as education or social services. The model for this might be the committees established to scrutinise the Regional Development Agencies (Ashworth *et al.* 2007). The recently established Joint Partnerships Scrutiny Committee set up by Conwy and Denbighshire Councils to scrutinise the work of the Joint Local Service Board (Local Strategic Partnership) is an example of this type.

As with the bespoke and traditional approaches, the availability of Joint Overview and Scrutiny Committees, the ability to scrutinise 'designated persons' and protection for scrutiny support are all likely to strengthen the regional approach as a structural option in the Welsh context. As with the other two options, the overall level of support and the priorities of councillors remain as possible areas of concern.

While understanding the possible structural options and their relationship with prevailing policy context is useful, a more substantial analysis needs to go beyond policy and practice issues and apply a wider critical framework. Scrutiny is a field that has been previously weak in this regard. As Ashworth

and Snape have argued: 'Without doubt the conceptual framework for scrutiny research has been neglected to date' (Ashworth and Snape 2004, p. 542). The purpose of the next section, therefore, is to adopt such a concept driven approach and to examine the prospects for regional collaboration scrutiny from three perspectives; select committee, accountability, and Welsh scrutiny.

3. Three Perspectives

The term 'perspective' refers here to a more or less coherent set of assumptions and expectations about what overview and scrutiny is and what it should be. While each of the three perspectives is drawn from the literature they are presented as no more than heuristics; broad organising devices that may not be widely recognised. Their value is that they provide a framework for analysis and discussion. While the three perspectives presented here are distinct from each other they are not claimed to be mutually exclusive. Nor is the list claimed to be exhaustive. Local government overview and scrutiny is a field able to accommodate a wide range of understandings. The application of these perspectives is very much subjective to the author. The hope is, however, that the analysis will nevertheless provide a useful starting point for debate and an initial map of issues and tensions.

The Select Committee Perspective

As Ashworth and Snape (2004) argue in their paper on the scrutiny of Regional Development Agencies by Regional Assemblies in England, the select committee model of scrutiny has been influential beyond the UK Parliament where it operates. They propose five variables which capture both the potential contribution and the possible limitations of select committee scrutiny. These five variables are;

- the range of powers;
- scrutiny support;
- budgetary influence;
- impact of party politics;
- the relationship with organisation under scrutiny.

From this perspective, within the Welsh policy context, bespoke regional collaboration scrutiny appears to present the best prospect for success. The option to establish joint overview and scrutiny committees means that all three types of structure benefit from the same range of powers and protection for support afforded by the Local Government Measure (2011). Similarly there is no reason to differentiate between the three types on the basis of their

ability to influence budget decision making. Where both bespoke and regional types might have an advantage from this perspective, however, is in the weakening of the influence of party politics. As Copus and Leach (2004) have argued the party group can exercise a decisive influence over scrutiny and this may well have a negative impact upon the traditional approach. For bespoke and regional types, however, this impact may be significantly weakened on account of the practical difficulties associated with co-ordinating the policies of different groups and well as the cultural, personal and political differences that might be present even between groups of the same political party coming from different councils. It will be interesting to see whether group politics can be regionalised or whether party politics will be weakened in regional political spaces. The final advantage that bespoke scrutiny has over the other two types is its closeness to the body being scrutinised. Given the relevance of goodwill to the scrutiny process, a bespoke arrangement has a greater likelihood of building a good relationship with the body being scrutinised and therefore better meeting attendance, provision of information and responses to recommendations.

While the available mechanisms for scrutiny provide cause for optimism, prospects also depend to large extent on the willingness and capacity of councillors to engage in scrutiny processes (Ashworth and Snape 2004). There seems to be little firm evidence that councillors are committed to these processes leading to the concern that regional collaboration scrutiny will be competing with many other priorities for scrutiny committees and that, if it is not seen as a priority, it may not attract sufficient resources. After all, as practitioners have observed, there have been joint services in existence in Wales since 1996 but very little interest in scrutinising them.

The Public Accountability Perspective

Public accountability is a broader concept than scrutiny in general and local government scrutiny in particular. While providing a focus for both theory and practice it is nevertheless a concept under challenge and open to debate (see Sullivan 2003). Commonly it encourages consideration of the activity of holding to account, on the one hand, and of giving account on the other. Thus, in this context, a public accountability perspective focuses attention on the relationship between the body undertaking scrutiny on the one hand and the body being scrutinised on the other. The Centre for Public Scrutiny characterise a difference between two types of accountability; “hard”, (where it provides sanctions and redress for complaints) and... “soft” (where its power relies on its ability to persuade, advise and influence)’ (2010, p. 4). Crucially this perspective places local government scrutiny within a wider ‘web of accountability’, for, as the Centre for Public Scrutiny suggest;

‘scrutiny as we understand it is a part of a much wider landscape of accountability which takes in the media, regulators, inspectors, elected politicians and, of course, the general public’ (2010, p. 6).

The public accountability perspective differs from the select committee perspective in at least three important ways. First it highlights the process of holding to account as having both a vertical and a horizontal element. Second it places a much greater focus on the body being scrutinised and its ability to be held to account and to give account. Specifically in this regard it places attention on the different types of accountability that might present. Bovens (1998) highlights four types of accountability; Corporate (organisations as autonomous actors), Personal (hierarchical – accountability rests with those at the top of the organisation), Collective (every member of the organisation is equally liable for the conduct of the organisation, an Individual (people are accountable to the extent that their actions have contributed to the organisation’s conduct).

Finally, the public accountability perspective differs from the select committee perspective in that it places attention on the relationship between local government scrutiny and other mechanisms for public accountability. Furthermore it suggests that local government scrutiny should be ‘first amongst equals’ for local public accountability with a leadership and coordinating role (Centre for Public Scrutiny 2010, p. 19). Local government’s democratic legitimacy places it in a unique position to lead the development of ‘plural forms of local accountability’ (Sullivan 2003, p. 366).

In summary, from a public accountability perspective, it is possible to provide an assessment of regional collaboration scrutiny against three key variables:

- vertical and horizontal holding to account;
- responsibility and obligation in giving account
- leadership of public accountability

Of the three structural types the traditional model seems to offer the least in terms of the public accountability perspective. While vertical holding to account is strong through the formal relationship between scrutiny bodies and cabinet members, the scope for horizontal holding to account is much more limited than with the bespoke or regional models. The provision for joint committees means that these two types can themselves maintain strong mechanisms for vertical accountability enhanced by the power to scrutinise designated persons if other public bodies are involved. The issue here is the extent to which local government cabinet members are accountable for regional collaborations for, without such clear accountability, scrutiny begins

to break down or at least becomes 'soft'. A further issue here is the extent to which cabinet members do see their role as being one of being held to account rather than of holding to account as can be the case for bodies external to the Council. Given the nature of regional collaborations, personal and corporate forms of accountability seem unlikely. There would be greater cause for optimism if cabinet members with responsibility for collaborations could be held to account either collectively or individually and if a culture of obligation and responsibility could be embedded. However, while the increased credibility of local government scrutiny mechanisms will no doubt help, this issue does not yet seem to have been addressed either formally or culturally.

In terms of the broader 'web of accountability', the role of local government scrutiny will undoubtedly be strengthened by the new power to scrutinise designated persons. Again, this is likely to operate better within the bespoke and regional models simply as, for each collaboration, where non local government bodies are involved; they will only need to report to one place. The same applies for the expectation that local government scrutiny will be the 'first amongst equals' in public accountability. For inspectorates and other national bodies the tentative suggestion is that the regional model will provide for a simpler structure for engagement. A greater concern is the willingness of Welsh Government to give local government scrutiny a pre-eminent role in public accountability. While health scrutiny has been 'kept away' from local government, as noted above, recent reports on the regionalisation of education and social services (Thomas 2011; Welsh Government 2011) have stressed the importance of inspection and regulation while saying little about the potential role of local government scrutiny. A further issue is the differences in accountability cultures of different public sector bodies and whether or not non-council bodies will feel comfortable with the types of open public challenge associated with scrutiny committees.

The Welsh Scrutiny Perspective

Just as there is a distinct public policy environment in Wales, so it is possible to identify a distinct scrutiny perspective. This can be drawn from the various policy documents and from the Beecham Report in particular. The Welsh Scrutiny perspective emphasises two considerations in particular; the need to work across organisational boundaries; and the need to place citizens at the centre.

At the same time as pushing for greater collaboration, reviews into service delivery in Wales have diagnosed a lack of 'challenge and contestability' in the Welsh system (Martin and Webb 2009, p. 129). The Beecham Review also suggested that local government scrutiny could go some way to addressing

that shortage, and should be 'a strong lever for improving delivery' working across organisational boundaries (Beecham *et al.* 2006, p. 60). Furthermore:

Scrutiny at local level should extend to all services, devolved and non-devolved, and involve a broad spectrum of stakeholders. Organisations should share scrutiny support capacity and expertise, including analytical capacity, and should publicise scrutiny as a means of citizen engagement and policy development. There needs to be increased investment in developing challenge skills across local authority elected members, non-executive directors and members of governing bodies. (Beecham *et al.* 2006, p. 61)

Hence local government scrutiny is seen as central to a new multi agency form of scrutiny which is jointly supported by the bodies under scrutiny. Scrutiny, in other words, is itself a focus for collaboration. The interesting point, perhaps, is that scrutiny arrangements are to be developed through public agencies rather than supported and resourced separately.

Linked to this there is a recognition that bodies being scrutinised need to take scrutiny seriously if improvements are to be achieved. As the Beecham Review argues: 'An improvement-driven culture would take scrutiny more seriously and give it a higher status and more challenging multi-disciplinary focus' and that 'all public service organisations should welcome scrutiny as a means to improve and learn' (Beecham *et al.* 2006, p. 13).

As well as a multi agency approach, the Welsh Scrutiny perspective stresses the importance of citizen engagement. While placing citizens at the centre is seen as central to public service delivery and improvement, scrutiny is seen as an important mechanism for achieving this. As Beecham suggests, scrutiny can be 'enhanced considerably by the involvement of users of services' and that the '(scrutiny) process can give voice to sections of communities that are hidden, hard to reach and marginalised' (Beecham *et al.* 2006, p. 13). One of the pre-conditions of effective scrutiny in this context is the ability for citizens and their representatives to track performance and for information to be open and available:

...the importance to the citizen model of having up to date quantitative and qualitative data about performance and public satisfaction. Information is, we believe, crucial: to engage citizens, to inform scrutiny and to inspire public services to innovate and improve' (Beecham *et al.* 2006, p. 43).

The Welsh Scrutiny Perspective, therefore, can be assessed against the following variables:

- multi agency leadership and support;
- weight given by public sector bodies;
- mechanisms for identifying the needs of citizens;
- performance information for citizens;
- direct involvement from the public.

Traditional forms of scrutiny may well be at a disadvantage as far as multi agency scrutiny is concerned. External bodies may be uncomfortable operating on local government's 'home ground' and those that operate on a regional basis, such as health and police, will no doubt prefer regional arrangements for efficiencies sake. The sticking point, of course, is whether these regional boundaries match up. If they do then the regional model may make the most sense, if not then the bespoke model may be the 'least worst' option. At the same time the effectiveness of regional scrutiny arrangements will depend in large part upon the credibility afforded to them by the bodies engaged in the collaborations. While Welsh Government has placed great emphasis on the need for agencies to collaborate there does not appear to have been a similar emphasis afforded to the need to be scrutinised. One suggestion is that an independent 'accountability service', made up of the different non executive 'scrutiny' functions of the different public bodies in an area, would address this problem and remove the dependence of scrutineers on their 'parent bodies. Of course many regional collaborations only involve local government. For traditional and bespoke arrangements this is not an issue. For regional structures that are multi agency, however, it raises the interesting possibility of non-council public service providers scrutinising local government services in which they are not involved. Whether this is a good thing is clearly a matter for debate.

In terms of citizen engagement, additional duties to involve the public in scrutiny set out in the Local Government Measure (2011) can be seen as being reflective of the Welsh policy agenda and will no doubt enhance all three types of arrangement in this regard. There is no reason why the public should not be involved in scrutiny activities or why scrutiny arrangements should not ensure the publication of 'public friendly' performance information, although this has not been a central concern as yet. One difference between arrangements refers to the type of people who might be co-opted to work with scrutiny as a difference can be recognised between those who are engaged as service users and those who are engaged as citizens (ref). Certainly bespoke arrangements, with a focus on a particular service might favour the former while regional arrangements, covering a number of different collaborations, might be more suited to the latter. Finally, whatever the arrangements, prospects will depend on the willingness of the public to

become engaged. As Lepine (2008)(notes, this has been a major difficulty in the past and there is nothing to suggest that regional collaboration scrutiny will be any more able to capture the public imagination than traditional forms. If anything it seems likely to be a much harder sell.

4. Conclusion - Prospects for the Scrutiny of Regional Collaborations

This paper has sought to assess whether the current state of scrutiny for regional collaborations in Wales should give cause for optimism or pessimism. To do this it has offered a framework of analysis that considers both the structures available and the context in which they will operate. While this type of analysis is not entirely new, the added value here is the further consideration of the problem from three different perspectives. The argument being that the prospects for scrutiny can only be properly assessed if there is clarity around assumptions and expectations. By offering the view from Wales and in particular seeking to capture the distinctiveness of Welsh scrutiny, the paper also seeks to contribute to comparisons between the devolved administrations in the UK.

What then are the prospects for regional collaboration scrutiny? The answer, predictably, is it depends. There are certainly some grounds for optimism. On the supply side of scrutiny, from whichever perspective, the tools are certainly there. In Wales, joint scrutiny committees, with added powers to 'call in' representatives of other public service agencies, can provide a more than adequate platform from which to undertake the scrutiny of regional collaborations. Both bespoke and regional arrangements, while in their infancy, offer the possibility of matching new service delivery structures with parallel formal scrutiny structures. While examples in practice of these types of scrutiny are few and far between where they do exist they appear to work well and are regarded as valuable by participants. On the downside, there seem to be few reasons to expect that local councillors will engage in this type of scrutiny in addition to the scrutiny work that is already going on or to prioritise it at the expense of that work. Similarly where the willingness of either non council bodies or the public is central to the success of scrutiny these demand side issues seem to have been left relatively unattended. This supports a pessimistic view.

The policy and practice challenge, in Wales at least, appears therefore to be fourfold. First it is to clarify the expectations for regional collaboration scrutiny in order to provide a clear focus for development and evaluation. Second to convince local councillors and councils that scrutiny of regional collaborations is an important and achievable task that should be supported and resourced. Third to ensure that; the regional collaborations themselves

are 'scrutinisable'; that they have an appropriate relationship and respect for whichever scrutiny arrangement is in place; and that responsibilities and mechanisms for accountability are clear. Scrutiny, in other words, needs to be 'designed in' at the start by local authorities developing collaborations. The final challenge is to find ways of making this form of scrutiny meaningful to the public. This could mean a greater emphasis on publishing performance information or a greater use of co-option for example.

In terms of the tension between efficiency and democracy and the role of regional collaborations in that respect, it seems that, for the time being at least, efficiency has the upper hand. For, while the scrutiny tools are being made available, and despite some examples of good practice, it is not clear that there will be any great enthusiasm to use them on the part of councillors, partners or the public. Furthermore, it should be remembered that local government scrutiny is not always the same as democratic accountability. There is perhaps an irony in the Welsh context that, while support for scrutiny structures opens up the possibility of greater democracy, the ethos of this scrutiny presents a concern with the performance of services rather than with the accountability of decision makers. Furthermore, as financial constraints become greater, the worry is that democratic forms of scrutiny will retreat from the governance 'no man's land' of regional collaborations altogether.

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