

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET EXECUTIVE

4th February 2025

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Leader and Portfolio Holder for an Open and
Transparent Powys

REPORT TITLE: Proposed approach to the Panel Performance
Assessment (PPA), as required by the Local
Government and Elections (Wales) Act 2021

REPORT FOR: Decision

1. Purpose

1.1 The purpose of this report is to provide an overview to Cabinet of a proposed approach to the Council undertaking its Panel Performance Assessment based on recently released WLGA guidance and Welsh Government Guidance (both available in Appendix A).

2. Background

2.1 The Local Government and Elections (Wales) Act 2021 established a new legislative framework for local government elections, democracy, governance, and performance.

2.2 The Act places a duty on councils to arrange for an independent panel to undertake a panel performance assessment (at least once during the period between two consecutive ordinary elections of councillors to the council) to evaluate the extent to which the council is meeting its performance requirements. The duty came into force at the start of the local government electoral cycle, in May 2022. Performance requirements are defined as the extent to which a council:

- is exercising its functions effectively;
- is using its resources economically, efficiently, and effectively; and
- has effective governance in place for securing the above.

Areas of the Council required to directly support the process (alongside wider organisational contribution) include, but are not limited to:

- Cabinet
- Scrutiny
- Governance and Audit Committee
- Corporate Leadership Team
- Senior Leadership Team
- Personal Assistants to Senior Leadership Team

- Business Intelligence and Governance
- Finance
- Economy and Climate
- Digital
- People
- Legal
- Commissioning

2.3 The Panel Performance Assessment (PPA) is not an audit or inspection, and will not seek to duplicate any work undertaken, but should provide a complementary external perspective. It is about supporting councils to understand how they can improve the extent to which they are meeting the performance requirements. The panel assessment should provide different perspectives; some independent and objective external challenge; and an opportunity to test thinking with impartial expert peers. The assessment should be seen as challenging but also provide constructive feedback to ensure the councils can become more resilient.

2.4 Under the legislation, each council is free to determine its own approach to engaging with Performance Panel Assessments, however the statutory guidance sets an expectation of three stages:

- **Preparation:** setting the scope, identifying, and commissioning the panel, establishing the terms of reference, sharing information with the panel, and making practical arrangements.
- **Assessment:** desk-based review, discussions with relevant stakeholders, verbal presentation of panel findings; and
- **Follow Up:** production of final report, the council's response to it and involvement of the Governance and Audit committee (refer to the [statutory guidance](#) paragraphs 3.50-3.51 for further detail on involvement of the committee)

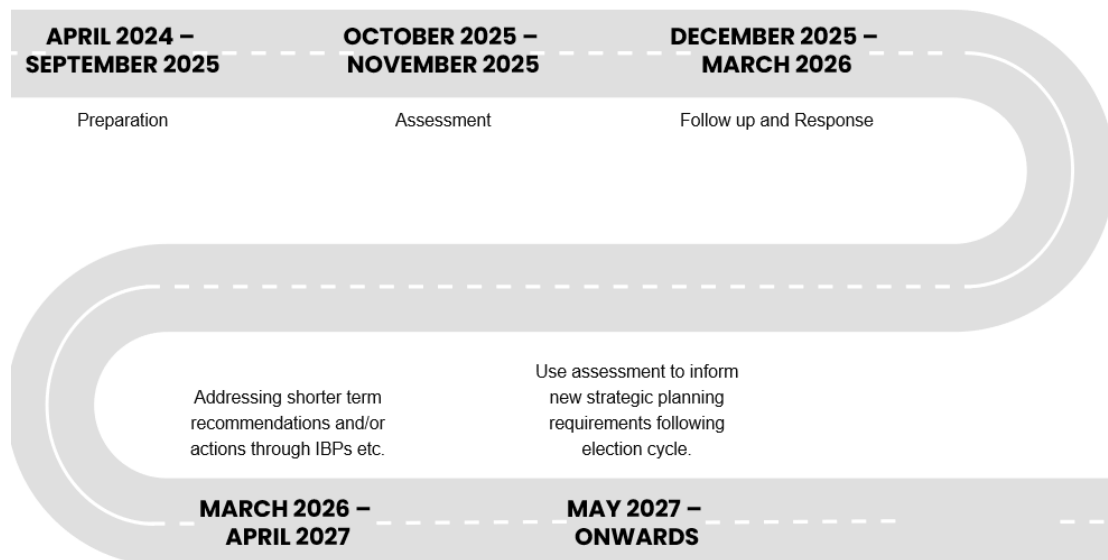
3. Advice

3.1 That Cabinet and Corporate Leadership Team review the provisional timeline within Appendix B and confirm they would like to work to the timeline of Autumn 2025 (September – November 2025). This timeline has been selected as:

- It will allow enough time to understand how the Council's current Corporate and Strategic Equality Plan, *Stronger, Fairer, Greener*, has been implemented using evidence bases such as:
 - Annual Self-Assessment report
 - Annual Governance Statement
 - Statement of Accounts
 - Annual Council Reporting Framework (Social Service's Directors report)
 - Regional Partnership and Public Service Board Annual Reports
 - Annual SWAP report

- Annual Audit Wales report
- Annual Information Governance Report
- Annual Complaints Report
- This timeline will also allow for the Council to understand how the delivery of Sustainable Powys is starting to impact upon any changes to delivery models, outcomes for the people of Powys and the Council's financial position.
- The potential finalisation of this process in February – March 2026 will allow for this information to become a key information asset as the Council will need to refresh the following strategies in 2027:
 - Council's Well-being objectives as required by the Well-being of Future Generations (Wales) Act 2015)
 - Public Services Board Well-being Plan (as required by the Well-being of Future Generations (Wales) Act 2015)
 - Strategic Equalities Plan (as required by the Equalities Act 2010)
 - Regional Partnership Board area plan (as required by the Social Services and Well-being (Wales) Act 2014)
- There is a requirement for this process to be undertaken leaving ample time before the next ordinary council elections in May 2027. There is a need for this work to be conducted before any formal pre-election period and ensure that internal and external stakeholders involved in the process are able to commit to the requirements of the ask before any election work commences.

PERFORMANCE PANEL ROADMAP



3.2 Based on the agreed timeline set out in Appendix B, it is proposed that the Council commissions the WLGA to support the delivery of this work, which will support the Council in discharging its duties under Part 6, Chapter 1 of the Local Government and Elections (Wales) Act 2021.

4. Resource Implications

4.1 It is proposed that this Panel Performance Assessment will, where possible, be drawn from existing organisational capacity and resources to be delivered. This will need to be factored into the Integrated Business Plans to ensure this process captures the relevant information at source.

4.2 Confirmation has been received that the WLGA will fund the facilitation costs of the Panel Performance Assessment process, in addition to reasonable fees and expenses incurred by the panel members, such as accommodation. At present, the WLGA have committed to funding principal councils' first Panel Performance Assessment only.

4.3 The WLGA expect principal councils to fund the catering provision (refreshments and lunch) for panel members whilst they are on-site for 3.5 days, this is minimal cost and can be managed within additional budgets.

4.4 There is no specific budget for this additional activity and whilst the WLGA will initially undertake this at no additional cost there may be costs attached to this new burden in future years.

4.5 The Head of Finance notes the report and the additional work that is required to support the new regime introduced by Welsh Government, both internal and external resources may be required, and no additional funding is being provided. The Council may need to identify budget to cover the cost, and it is essential we manage the requirements to limit this financial burden.

5. Legal implications

5.1 Legal: This report highlights the steps proposed to be taken for the Council to meet its duties under Part 6 of the Local Government and Elections (Wales) Act 2021.

5.2 The Head of Legal Services and the Monitoring Officer has commented as follows: "I note the legal comments and support the recommendations."

6. Climate Change & Nature Implications

6.1 Whilst this workstream does not directly impact upon the Council's response to the Climate and Nature emergencies, these areas will form a key area which will be examined during the process.

7. Data Protection

7.1 This process will not involve the processing of personal data. Quantitative information provided to external members will be in an aggregated format.

8. Comment from local member(s)

8.1 Comments were not sought from individual members, as the performance report is equally applicable to the whole county.

9. Impact Assessment

9.1 No impact assessment is required as this relates to an internal governance process.

9.2. Any changes because of the Performance Panel Assessment process will be required to undertake an impact assessment as appropriate.

10. Recommendation

That Cabinet:

10.1 Agree to commission the WLGA for the purpose of supporting Powys County Council in undertaking its first Panel Performance Assessment.

10.2 Approve the draft, provisional approach to undertaking the Panel Performance Assessment as set out in Appendix B and are satisfied that this will allow the Council to meet its duties under [Part 6, Chapter 1 of the Local Government and Elections \(Wales\) Act 2021](#).

10.3 Agree the proposed timeline of September to November 2025, for this work to be undertaken.

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Appendix A

WLGA Panel Performance Assessment Methodology

<https://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=3926> Accessed: 10th October 2023

Local Government and Elections (Wales) Act 2021 Guidance – Part 6

<https://www.gov.wales/performance-and-governance-local-authorities-statutory-guidance> Accessed: 10th October 2023

Appendix B

Ref	PPA Stage	Action	Provisional Dates	Responsible Officer(s)	Resources
1	Preparation	Internal scoping to understand how the Council can provide the suggested documents for review and identify any gaps to be explored via Senior Leadership Team (SLT) /Corporate Leadership Team (CLT).	April 2024	Deputy Head of Business Intelligence and Governance	
2	Preparation – Annual Requirements	Formally confirm commission of WLGA to support the Council in undertaking the PPA process in Autumn 2025.	January 2025	Head of Business Intelligence and Governance	To be developed (TBD) as above
3	Preparation – Annual Requirements	Services to undertake annual self-assessment “workbook” requirements including updating performance information, risks, regulatory recommendations, finance, and workforce positions.	February - April 2025	SLT	Within existing resources as per current requirements
4	Preparation – Annual Requirements	Scrutiny Committees to undertake self-assessment “workbook” exercise	February – April 2025	Head of Business Intelligence and Governance	Scrutiny Members Democratic Services Support Officers
5	Preparation – Annual Requirements	Annual Governance Statement finalisation ahead of approval alongside statement of accounts	May – June 2025	Head of Business Intelligence and Governance	Within existing resources as per current requirements
6	Preparation – Annual Requirements	Corporate Self-Assessment finalisation and appropriate governance for 2024-45	May – July 2025	Head of Business Intelligence and Governance	Within existing resources as per current requirements
7	Preparation – Identifying areas of focus	Desktop exercise identifying full extent of information from Service areas; including performance, risk, audit, inspection, self-	May 2025	SLT	Within existing resources as per

Ref	PPA Stage	Action	Provisional Dates	Responsible Officer(s)	Resources
		assessment alongside national benchmarking etc to be reviewed to identify areas to focus during PPA.			current requirements
8	Preparation – Identifying areas of focus	Desktop information to be aggregated and reviewed thematically against Sustainable Development Principle (considering questions within pages 9-17 of WLGA guidance) to identify strengths and weaknesses. To be reviewed by Cabinet and Corporate Leadership Team in a workshop format.	June 2025	CLT	Within existing resources as per current requirements
9	Preparation – Identifying areas of focus	Agreement of key areas for focus identified following the above session.	June 2025	Informal Cabinet	Within existing resources as per current requirements
10	Preparation – Panel Membership	Agree panel membership with assistance from WLGA to ensure the panel has a range of practical experience, knowledge and perspectives, has integrity, objectivity and assurance that its findings will be trusted by the council	June 2025	Informal Cabinet	Within existing resources as per current requirements
11	Preparation – Panel Membership	Commencement of scope for Terms of Reference to reflect the outputs of #8	June 2025	Deputy Head of Business Intelligence and Governance	Within existing resources as per current requirements
12	Preparation – Panel Membership	Agree and appoint panel members	July 2025 August 2025	Informal Cabinet/WLGA	Within existing resources as per current requirements

Ref	PPA Stage	Action	Provisional Dates	Responsible Officer(s)	Resources
13	Preparation – Panel Introduction	Undertake remote introductory briefing note and contact to: <ul style="list-style-type: none"> ▪ outline the PPA process, ▪ provide an overview of the council to be assessed ▪ explain, where appropriate, the Welsh legislative and policy context (e.g. the Well-being of Future Generations (Wales) Act 2015 and the Local Government and Elections (Wales) Act 2021) 	September 2025	WLGA Panel Informal Cabinet SLT	TBD as above
14	Preparation – Panel Introduction	A remote meeting of all the Panel, chaired by the appointed Panel Chair. The purpose of the meeting is outlined on page 5 of the guidance.	September 2025	WLGA Panel	TBD
15	Preparation – Panel Introduction	Circulate the information identified in action 6 to the Panel members – need to agree if digital or if printing will be required	September 2025	Head of Business Intelligence and Governance	Potential printing costs
16	Preparation – Panel Introduction	Panel to undertake remote desk-based research: each peer would review the relevant material provided by the Council, focusing on the role assigned to them. They would form a view from this research of the areas on which they would like to focus on when onsite and who they would wish to interview during the onsite assessment.	September 2025	Panel/Deputy Head of Business Intelligence and Governance	TBD
17	Preparation – Pre-Assessment	DHOS to agree arrangements for the onsite assessment; including facilitation of consultation duties, access to further	October 2025	Deputy Head of Business	Hybrid meeting rooms within Powys; Refreshments;

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		evidence and co-ordinating a timetable for interviews/workshops.		Intelligence and Governance Communications Manager	Communications support for consultation; PA support to co-ordinate interviews and workshops.
18	Assessment - Panel	A series of consultation events with stakeholders to be held including local people, local businesses, staff, and recognised trade unions, the panel may also consult partners and inspection and regulatory bodies. Likely to involve a combination of interviews, focus groups, and possibly digital surveys. A list of suggestions is within pages 21-25 of WLGA guidance .	October - November 2025	WLGA Deputy Head of Business Intelligence and Governance Communications Manager	Hybrid meeting rooms within Powys; Refreshments; Communications support for consultation; PA support to co-ordinate interviews and workshops.
19	Assessment – Panel	The panel, acting jointly, to convene and assess the extent to which the council is meeting the performance requirements, that is, the extent to which: it is exercising its functions effectively; it is using its resources economically, efficiently and effectively; and it has effective governance in place for securing the above – four days, potentially hybrid. During the onsite assessment the panel would undertake: a. Various interviews and focus groups.	November 2025	Deputy Head of Business Intelligence and Governance Informal Cabinet	

Ref	PPA Stage	Action	Provisional Dates	Responsible Officer(s)	Resources
		b. Analysis of findings and agreement to conclusions and recommendations c. A presentation of the findings and conclusions to the council – audience to be determined by the council’s Leader and Chief Executive.			
20	Assessment – Panel	The Chair will provide daily feedback to the Chief Executive and Leader on progress and emerging themes.	November 2025	Informal Cabinet	
21	Follow up	Chair will lead a verbal presentation of the main findings and recommendations agreed by the panel on the final day of the onsite assessment.	November 2025	Informal Cabinet	Hybrid facility?
22	Follow up - Report	Panel produce a draft report including any recommendations. This aims to be shared to the Council within 10 working days of completion of the panel assessment for the council to consider and provide feedback on any factual inaccuracies.	November – December 2025	Panel	
23	Follow up - Report	Panel will send their final report as soon as is reasonably practicable to the Council, the Auditor General for Wales, His Majesty’s Chief Inspector of Education and Training in Wales and the Welsh Ministers.	December 2025	WLGA Informal Cabinet	
24	Follow up - Report	The panel chair should discuss their conclusions and recommendations with the Council leader and Chief Executive	December 2025	Informal Cabinet	
25	Follow up - Report	The panel chair should discuss their conclusions and recommendations with opposition group leaders, Chair of	December 2025	Informal Cabinet	

Ref	PPA Stage	Action	Provisional Dates	Responsible Officer(s)	Resources
		Governance and Audit, and chairs of scrutiny committees			
26	Follow up - Report	Publish the report electronically on the website.	December 2025	Deputy Head of Business Intelligence and Governance	Communications
27	Follow up - Report	Report to be shared with Governance and Audit Committee for initial overview and assurance surrounding the process ahead of action planning	December 2025	Head of Business Intelligence and Governance	
28	Follow up - Response	Cabinet to prepare a draft response to report and recommendations	December – January 2025	Informal Cabinet	
29	Follow up - Response	Cabinet/CLT session to review report, recommendations, and draft response	December 2025	Informal Cabinet	
30	Follow up - Response	SLT session to review report, recommendations and draft response	December 2025	Informal Cabinet	
31	Response	Draft response to be considered by Governance and Audit Committee which may make recommendations for changes to the response.	January 2026	Governance and Audit Committee	
32	Response	Cabinet considers recommended amendments to the response from Governance and Audit Committee and finalise the response.	January 2026	Informal Cabinet	
33	Follow up - Response	As soon as reasonably practicable (and at least 6 months before the next ordinary local election) after finalising the response, the Council must publish the response on its website and send the response to:	March 2026	Head of Business Intelligence and Governance	Website; Communications.

Ref	PPA Stage	Action	Provisional Dates	Responsible Officer(s)	Resources
		<ul style="list-style-type: none"> • The members of the panel • The Auditor General for Wales • HM Chief Inspector of Education and Training in Wales • Welsh Ministers 			
34	Follow up - Response	Reflect on the panel performance assessment when undertaking the next annual corporate self-assessment, to see whether the learning from the panel assessment has been put into action.			