



NOAC

**National Oversight
and Audit Commission**

**An Coimisiún Náisiúnta
Maoirseachta & Iniúchóireachta**

Scrutiny Programme
Progress and Options
October 2020

NOAC Scrutiny Programme

Background and Progress Report

In February 2017, NOAC, in accordance with its statutory functions, began to review the performance of individual local authorities. The starting point was getting an overall picture derived from the performance indicator results, the LGAS audit reports, the financial position and revenue collection performance, private rented sector inspections, housing stock management and maintenance data and using the relevant data contained in the NOAC reports published to date.

Background to NOAC

NOAC, the National Oversight & Audit Commission, is a statutory body established by Ministerial order under section 126B of the Local Government Act 2014, to oversee the local government sector. NOAC's statutory functions are wide and include the requirement to:

- Scrutinise performance against relevant indicators;
- Scrutinise financial performance, including Value for Money;
- Support best practice (development and enhancement);
- Monitor and evaluate adherence to Service Level Agreements;
- Oversee how national local government policy is implemented;
- Monitor and evaluate public service reform implementation;
- Monitor adequacy and evaluate implementation of corporate plans;

Background to Profiles and Scrutiny Programme

At the outset the importance of the meetings was emphasised over and above the data which NOAC had regarding local authorities. There was also an objective to broaden the NOAC members' understanding of the work of the local authorities and the individual priorities and pressures they faced and to put the information in context. Therefore, NOAC wanted to get the background context from the authorities and any other datasets that the councils consider should be taken into account.

Following initial meetings local authorities were invited to a stage two meeting where more detailed questions would be carried out in the areas of interest to NOAC, including customer service and IT investment, collection rates, the quality of information provision to the public etc. These meetings would take place after the main NOAC board meeting with all the members present. These meetings marked the beginning of the scrutiny process.

The Scrutiny Process

The process has evolved over time, allowing it to become more structured, formal and documented. Given the importance of the work, it is led by the Chair of NOAC (or a delegated alternate, if required) with support from NOAC members and the Executive. The formal process agreed by the Board is termed as a constructive dialogue and is laid out below:

Stage 1 (NOAC Scrutiny Visit)

Meeting held with NOAC Chair (or alternate) and/or one additional NOAC member and member(s) of the NOAC Executive. The Chief Executive (CE) and members of the management team, as invited by the CE shall attend.

- Stage 1 notice issued to Chief Executive of the local authority.
- Profile report prepared by NOAC Executive. This is circulated along with an agenda to the local authority and NOAC attendees in advance of the visit. The report is based on general and specific information from NOAC reports relating to the local authority in question.
- Local authority to present on issues arising and take questions from attending NOAC members.
- Minutes prepared and issued for comment.

Stage 2 (NOAC Scrutiny Meeting)

Appearance at full NOAC meeting. The Chief Executive and members of the management team, as invited by the CE shall attend.

- Stage 2 notice to attend NOAC meeting issued to Chief Executive of local authority.
- Profile report updated as required and circulated along with an agenda to local authority and NOAC members in advance of the meeting.
- Local authority to present on issues arising and take questions from attending NOAC members.
- Meeting minutes prepared for circulation to local authority for its comment.

Stage 3 (NOAC Sign off and Publication)

Following completion of Stages 1 and 2 the Executive shall collate the material and present it to the NOAC Board as follows: -

- Final sign off on minutes / documents / reports;
- Comments / Findings / Recommendations to be made as required;
- Approval for completed records to be published.

The process as approved and published is set out in Appendix 1.

Progress to date

2017

To commence the process, profiles were prepared in respect of Cork City Council, Louth and Offaly County Councils and these were forwarded to the Chief Executives of the authorities concerned. The NOAC Chairman at the time, Pat McLoughlin, began this process with a meeting with the Chief Executive of Louth County Council for a general discussion on the profile in August 2017. This Stage 1 meeting was followed by a similar meeting with the Chief Executive of Cork City Council in September 2017. The final Stage 1 meeting to take place in 2017 was held with the Chief Executive of Offaly County Council in October 2017.

2018

In 2018 the schedule consisted of eight meetings with local authorities, four each for Stage 1 and Stage 2. A Stage 2 meeting was held with Offaly County Council, which consisted of a meeting between the Council and full NOAC board, in January 2018. This was the first Stage 2 meeting, which formed an important part of the overall process. These meetings served a particularly important function which allowed the Council to give an overview of their work and also gave an opportunity to the full NOAC Board to put questions to the Council and understand their situation in more depth. This was followed by another Stage 2 meeting with Cork City Council in March 2018.

A new Chair, Michael McCarthy, was appointed on 24 September 2018. The process continued with meetings with Westmeath County Council in October and Kerry County Council in December. These were Stage 2 meetings with the full NOAC board as in these cases, the 2018 Performance Indicator validation meetings for these authorities were deemed sufficient as Stage 1 meetings. Further Stage 1 meetings were held with Roscommon County Council and Tipperary County Council.

2019

The format continued with 8 meetings with local authorities. This year consisted of 5 no Stage 1 meetings and 3 no Stage 2 meetings. The Stage 1 meetings were with Donegal County Council, Laois County Council, Clare County Council, Waterford City and County and with Carlow County Council. Stage 2 meetings took place with Roscommon County Council, Tipperary County Council and Donegal County Council.

2020

A meetings list has been scheduled for 2020 to cover 6 additional local authorities. The year has commenced with a Stage 1 meeting with Monaghan County Council in February, along with Stage 2 meetings with Laois County Council in January and Waterford City and County Council in March. Further meetings are scheduled, however due to the COVID crisis, meetings with Clare (Stage 2) and Limerick City and County Council (Stage 1), scheduled for April 2020 were deferred. The Stage 2 meeting with Clare and Monaghan County Councils were carried out by WebEx after the June and July NOAC Board meetings and it is hoped that with the COVID restrictions, such meetings can continue by remote access. A restricted Stage 1 meeting was held in person with Limerick City and County Council in August.

In parallel to the meeting schedule much work has been undertaken by the Executive in collating and reviewing backlog material for Stage 3. Given the scale, this has been a significant undertaking which also presents options to be considered for reporting. Details of all meetings and dates since the outset of the process are set out in Appendix 2.

Reporting Options

There are a number of possible options however in considering this the objectives of the programme need to be considered and regard has to be given to the work and process to date and need to ensuring that reports issued are current.

1. Single combined report covering multiple local authorities (say 10). These could be produced periodically for groups of local authorities based on period (annually); number (say 10);

Geography or by Theme. Thematic reports are already produced in some areas such as Performance Indicators.

This has the advantage of covering specific themes such as performance, however with the size of the individual local authority report appendices would be very large and thus this approach could be unwieldy and impractical and thus harder/slower to produce. If coordinated the approach does however allow for comparison between local authorities, but comparison of local authority over an extended period of time would be difficult.

2. Individual Local Authority Reports. This would involve a separate report for each local authority and consist of the Profile Report, Stage 1 to 3 material in combination with an introduction chapter and conclusion for each.

These reports would be simpler and quicker to turnaround especially if they are standardised in format, but allowing for more specific conclusions/recommendations/findings, if required, in the individual reports. Tracking of progress and periodic trends/comparisons can be easily made for that local authority but less so between local authorities. There would ultimately be less of a backlog building up as publication would be either ongoing or annually.

3. A hybrid solution. This could involve separate reports to be produced per local authority, per option 2, but from time to time specific themed reports could be produced. Each local authority will have a separate summary report and will include comments, findings and recommendations made by NOAC as required. In addition, periodic progress and summary reports could be produced under this approach.

It is recommended that option 2 be selected, as the approach reflects the ongoing rolling nature of the programme. This is also more manageable from a logistics perspective and allows to produce material on an ongoing basis that is current and up to date. Option 3 should also be adopted as the production of summary and thematic reports drawn from Scrutiny programme outputs and other material is seen as beneficial.

Based on the process that has been followed and that all material would be published, individual local authority reports would consist of the following elements: -

- 1 Introduction and background;
- 2 NOAC Profile Report;
- 3 Stage 1: -
 - Local Authority Presentation / Submission material;
 - Stage 1 meeting minutes;
- 4 Stage 2: -
 - Local Authority Presentation / Submission material;
 - Stage 2 meeting minutes;
- 5 Stage 3 NOAC Findings / Recommendations / Conclusions.

Thus for each local authority it could amount to be between 20 and 70 pages of material of material. The total for local authorities engaged in the process to date is 500 pages.

Material for all reports has been collated, proofed and validated by local authorities and is up to date. These provide all the information pertaining to the meetings for the local authorities that Stages 1 and 2 have been completed. Of the 15 local authorities profiled to date, all have completed

stages 1 and 13 have completed stage 2. Although none have completed Stage 3 to date, material from 9 local authorities have been finalised for this Stage. In terms of scale the total amount of material to date is 500 pages approximately.

The next step (Stage 3) is to consolidate/compile the material into a draft report for each local authority and consider whether recommendations / findings / comments / observations should be made for each. It should also be noted that this process is developing and that some of these meetings have taken place a number of years ago. These need to be approved by the NOAC Board and sent to the relevant local authority for final comment.

Recommendations / findings / comments / observations need to be considered, if required. These could also be positive. It may also be that general recommendations / findings / comments / observations could arise. In such cases these should consistently apply in each local authority report, however if a summary report is also produced, then these could also be made in that.

Next Steps

1. Agree reporting approach for current and future material. Present a pilot report for one or two local authorities and consider the approach to recommendations / findings / comments / observations. This may also evolve from time to time.
2. Draft material can be loaded onto a document sharing site for members to consider and review.
3. Complete Stage 3 process for the outstanding local authorities per option 2 and progress to publication by end of 2020.
4. Upon completion of the above, consider the need to produce a summary progress report based on option 3.
5. Progress programme at a rate of 6 per year.

The logistics need to be considered as there are about 8 NOAC meetings per year.

It is intended that all information will be published on the NOAC website www.noac.ie or www.noac.gov.ie.

Conclusions

1. NOAC consider that this process is worthwhile and necessary. The meetings allow the local authorities to outline their strong and weak performing areas.
2. More specific recommendations /findings could be included as part of the process going forward.
3. It allows for further examination of the results of the performance indicators and allows the results to be put into context. Areas where consistent under performance is highlighted can be examined further and exemplars of best practice can also be identified and used to share with other local authorities.

4. The preparation of the Profile report also identifies the performance of local authorities in relevant NOAC reports and provides for further examination of the results of these reports.
5. The Scrutiny Process requires time and resource from NOAC and the local authorities in preparation of the profile report and for the Stage 1 and Stage 2 meetings. NOAC consider to date that the investment of time and resources has been worthwhile and necessary and that local authorities have welcomed the meetings to explain how they operate, what challenges they have and areas where they have excelled.
6. The process while not a follow up to the Performance Indicator reports does allow for consideration of barriers that certain local authorities have in achieving results and highlight areas which may warrant further clarification or investigation in the PI process.
7. Local Authorities have all indicated in the meetings thus far that they compare their performance and results in relation to what they deem as similar local authorities. This grouping could be reviewed further by NOAC and adopted for the results of some of its reports. Groupings are not only on size but, finances, urban, rural, employment, staffing, rates etc.
8. NOAC believes that this process is evolving and may consider the possibility in the future while ensuring that the core objectives and outcomes are achieved.

Recommendations

1. Improved and wider thematic structure covered in the profile reports and subsequent process.
2. Build further on material from all NOAC reports as well as those from other bodies (Departments and agencies) with an oversight role for local authorities.
3. NOAC should strengthen the process and meetings with the Local Authority management to have an agenda, that local authorities can present and respond to matters raised in the Profile Report and that members are briefed to identify items in advance for discussion, with various members of NOAC asking relevant questions.
4. NOAC should consider carefully the role of recommendations / findings / comments / observations to ensure that they are consistent and have a clear basis. These can be positive or negative and if there is no basis for such then none should be made.
5. NOAC consider that the process has evolved and has improved and that going forward that a further step be introduced – Stage 4 whereby at the end of Stage 3 the agreed Findings / Recommendations arising from the meetings be followed up after a defined period and that a short report could be provided by the local authority to demonstrate how the recommendations were being implemented.

Appendix 1

Local Authority Scrutiny Process

(approved by members and published)

The following sets out the process for NOAC Scrutiny/Profile visits and meetings with local authorities. This is based on the existing process and can be termed as a constructive dialogue, that would have a number of stages to it. The process is to be somewhat formal, structured and documented. Given the importance of the work, it shall be led by the Chair of NOAC (or a delegated alternate, if required) with support from NOAC members and the Executive.

The following sets out the process: -

Stage 1 (NOAC Scrutiny Visit)

Visit (NOAC Chair (or alternate) and 1 additional NOAC member, 2 members of the NOAC Executive).

- Stage 1 (Initial) notice issued to CE of LA;
- Profile Report (Briefings / Notes) prepared by NOAC Executive and circulated along with an agenda to LA and NOAC attendees in advance of the visit. Report based on general and specific information from NOAC reports relating to the local authority in question;
- LA to present on issues arising and take questions from attending members;
- Visit minutes prepared and issued for comment.

Stage 2 (NOAC Scrutiny Meeting)

Appearance at full NOAC meeting.

- Stage 2 (Further) notice issued to CE of LA;
- Profile Report (Briefings / Notes) updated (if required) and circulated along with an agenda to LA and NOAC members in advance of the meeting;
- LA to present on issues arising and take questions from attending members;
- Meeting minutes prepared for circulation and comment.

Stage 3 (NOAC Sign off and Publication)

- NOAC sign off on documents / reports;
- Recommendations to be made as required;
- Records Published on WEB site.

For stage 1 and 2 local authorities would have the opportunity to comment on Reports and minutes prior to Stage 3 where NOAC would sign off on the final versions, which may also include recommendations.

Given that there are 31 local authorities and a need to scrutinise each at least every 5 to 6 years the recommendation is 6 local authorities per year. It would thus be necessary to visit 6 local authorities per year with 3 of these subsequently in attendance to meet the full NOAC board.

Material generated will be published on the website.

Appendix 2

Local Authority	Scrutiny Programme											
	NOAC Visits						NOAC Meetings					
	2017	2018	2019	2020	TOTAL	2017	2018	2019	2020	TOTAL		
1 Carlow			Dec-19		1				Sep-20	1		
2 Cavan					0					0		
3 Clare			Nov-19		1				May-20	1		
4 Cork City	Sep-17				1		Mar-18			1		
5 Cork County					0					0		
6 Donegal			Jan-19		1			Apr-19		1		
7 Dublin City					0					0		
8 Dún Laoghaire-Rathdown					0					0		
9 Fingal					0					0		
10 Galway City					0					0		
11 Galway County					0					0		
12 Kerry		Jun-18			1		Dec-18			1		
13 Kildare					0					0		
14 Kilkenny					0					0		
15 Laois			Mar-19		1				Jan-20	1		
16 Leitrim					0					0		
17 Limerick City and County				Aug-20	1				TBD	1		
18 Longford					0					0		
19 Louth	Aug-17				1			Dec-17		1		
20 Mayo					0					0		
21 Meath					0					0		
22 Monaghan				Feb-20	1				Jun-20	1		
23 Offaly	Oct-17				1		Jan-18			1		
24 Roscommon		Nov-18			1			Jan-19		1		
25 Sligo				Sep-20	1				Nov-20	1		
26 South Dublin					0					0		
27 Tipperary		Dec-18			1			Mar-19		1		
28 Waterford City and County			Oct-19		1				Mar-20	1		
29 Westmeath		Jul-18			1		Oct-18			1		
30 Wexford					0					0		
31 Wicklow					0					0		
Totals	3	4	5	3	15	1	4	3	7	15		

*In the case of Kerry and Westmeath no stage one meeting was considered necessary as a comprehensive validation meeting took place in the context of the Performance Indicator visit.

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