

STRATEGIC LEADERSHIP BOARD MEETING – 14 MAY 2008

Transition Arrangements

Agenda Item: 6

Summary: Identify issues in relation to transition arrangements and identify the actions that now need to be taken

Action Required: SLB to invite councils to begin to co-operate in the short term and circulate guidance on what this co-operation is likely to entail.

Set up a working group to prepare a paper for the SLB meeting in June, detailing robust proposals for transition structures including any legal implications.

Transition Arrangements Paper

Background

The Secretary of State has written to the Minister indicating agreement to the extension of existing Councils until 2011. There is now a need to identify appropriate arrangements to facilitate the orderly transition from twenty six councils to eleven in 2011, to integrate the additional functions that are transferring from the various government departments and to facilitate early modernisation projects.

Examples of Transition Arrangements Elsewhere

Reorganisation has taken place in neighbouring jurisdictions and both transitional committees and shadow councils have been used to facilitate this reorganisation. Currently new unitary local government structures are being planned in England. The transition to a single tier of local government will be managed either by an executive transitional committee or by the election to the new Council in May 2008, which acts in shadow form for one year. Where a new council is elected in 2008 there is a requirement to form an implementation committee, in partnership with the outgoing councils, to prepare for the transition to single tier local government by 1 April 2009. These committees have been

given a statutory role of preparing for and facilitating the economic, effective, efficient and timely transfer of the district councils' functions, property, rights and liabilities ("the main transitional function"). Reorganisation of Scottish local government took place in 1995. In this reorganisation a shadow period of one year was provided for new councils to appoint senior staff and develop policies and business plans. The review of the Scottish local government reorganisation found that the "process of implementation was successful"¹

Work associated with implementing RPA

Subsequent to the announcements Councils are already beginning to liaise and develop structures to facilitate co-operation. There are a number of key actions that need to be taken over the next 3 years and these have been categorized into three stages as outlined below.

Convergence and service delivery 2008 - 2009

Converging council systems where necessary before 2011 e.g. Business Planning
Managing Human Resource issues such as vacancy control, single status, training plans etc
Continuity of service delivery
Convergence of financial planning e.g. capital expenditure plans

Preparing to "go live" 2009 - 2011

Developing a vision for the new council
Developing standing orders and key policies for the new council
Preparing a budget and ensuring financial systems are in place for the first year of the new council
Deciding on the name of the new council
Agreeing a Customer Service Strategy – how services will be delivered
Deciding on staff structures
Agreeing an estates policy and deciding where people will work
Appointing the new senior management team

Closure team – supporting those staff leaving and winding up the existing councils 2010 - 2011

Managing a staff exit strategy
Managing legal compliance

Key Issues:

There are a number of issues impacting on the development of transition arrangements and to ensure that robust proposals are put forward to the SLB it will be necessary to look in detail at what has

¹ Arthur Midwinter & Neil McGarvey, Local Government Reform in Scotland: Managing the Transition, Local Government Studies, Volume 23, Autumn 1997

happened elsewhere and to assess the need for legislation to support formal co-operation. The specific issues that need to be addressed include the following:

1. Political composition of a committee
2. The authority required by any transition vehicle to have the:
 - a. legal ability to make decisions
 - b. the democratic right to make decisions
3. The co-ordination of activity and the convergence of local policy and project development
4. The need to ensure continuity of service delivery
5. The need to facilitate the timetable and the early modernisation projects
6. The capacity of the sector to support transition arrangements
7. The need for guidance to councils

Proposal

1. The SLB write to councils to inform them of the work that is being carried out in relation to transition arrangements and that advice will be issued after the SLB meeting in June. In the short term SLB would welcome councils' co-operation, both politically and operationally on an informal basis, when councils may wish to issues relating to convergence. Examples of areas of work for scoping and convergence activity may include:
 - Culture and Values
 - Human Resources Policies and Practices
 - Financial Philosophy, systems and Planning
 - Capital Projects
 - Corporate Planning
 - Performance Management
 - Legal Issues
 - Policy Issues
 - Estate Issues
 - Communication
 - Good Relations/Equality
 - IT

It is important to note that councils should be requested to avoid activity which may compromise any sector-wide strategic initiatives which may be taken forward as part of the modernisation agenda. This could include initiatives such as Egovt, Shared Services, IS Strategy, Customer Relationship Management.

2. The SLB should commission a project to prepare a paper detailing robust proposals for transition structures, addressing the key issues outlined above and including any legal implications. It is proposed the project should be lead by a Chief Executive from the SLB, one DOE Officer, one NILGA Officer and one Policy Officer. As with all the work of the task force some consultancy support may be required, and this may include for example legal advice.

