



Minutes of the first meeting of the Strategic Leadership Board Modernisation Subgroup Strand A –Legislative Framework and Capacity Building

Present: Ald Arnold Hatch, Vice Chair; Cllr Paul Fleming; Cllr Janice Austin; Cllr Helen Quigley; Cllr Lynn Frazer; Cllr Marion Smith; Cllr John O’Kane

In Attendance: Heather Moorhead, and Alan Hanna (NILGA); John Price (Local Government Reform Unit, Department of the Environment). Julie Broadway (Local Government Division, Department of the Environment).

Apologies: Cllr John Matthews and Cllr Mervyn Storey (Chair)

1. Welcome and Introductions

The Vice Chair, Ald Arnold Hatch, welcomed members and asked everyone to introduce themselves.

2. Apologies

The apologies were noted.

3. Process Overview

John Price explained the background to the Modernisation Subgroup. The Review of Public Administration was established in 2002 with final decisions announced in March 2006. To prepare for the establishment of new councils the Local Government taskforce was created and set up a number of subgroups to explore future issues such as capacity building and community planning. With the return of devolution in May 2007 a review of the RPA decisions on local government was instigated in July. During the period of the review the work of modernisation will continue through 2 subgroups of the Strategic Leadership Board. Each of the subgroups will have a Chair and Vice Chair from the SLB and 8 other elected members. The subgroups will also be supported by 3 senior council officers with a joint secretariat provided by NILGA and the DoE. Each subgroup will be responsible for developing proposals for a prioritised, costed and timetabled programme of work to be approved by the SLB. The subgroups are Strand A –Legislative Framework and Capacity Building; and Strand B –Service Improvement. Strand A is intended to improve the way councils work; deliver business-related services which are standardised, simple and value for money; and to enable resources to be released to improve front line service delivery.

The subgroup will report to the SLB and will work until the end of the review of the RPA decisions on local government. At this stage the position of the subgroups will be reviewed and the work of the subgroup may be continued under a new structure.

4. Update on Officer Appointments

Heather Moorhead explained that each subgroup would have the support of a Chief Executive and 2 other senior officers. The officers volunteering through the Councils with the nominations being forwarded to SoLACE. SoLACE and NILGA will liaise with the DoE and the Chair of each sub-group to select appropriate officer support. Cllr Quigley expressed disappointment that officers had not yet been appointed and this was echoed by Alderman Hatch.

5. Meeting Schedule

The following meetings were agreed by the members:
Away Day 31st October –Magherafelt starting at 10am
29th November –Cookstown 10am

6. Use of email and web based sharing area

To help the sub-group manage its work it was proposed to set up a dedicated web based area for sub group use. All documents useful to the sub-group would be kept in one place with access given to members of the sub-group and secretariat. Set up of this is considered fairly straightforward but training and support will be available to members. It was suggested that this would be demonstrated at the away day.

Members agreed to receive papers in electronic format. Anyone wishing to receive paper copies will be sent them on request.

7. Update on legislation

Julie Broadway updated the group on the progress of the Modernisation Order to update the legislative framework for local government. The current legal framework is now over 30 years old. Work had been well advanced under direct rule ministers to introduce legislation by order in council to restructure local government and update legislation. This would also establish the new councils and provide for the transfer of staff to the new organisations. With the restoration of the Assembly and the establishment of the new Executive the review of the RPA decisions on local government was set up in July. There has been significant progress towards the introduction of new legislation some elements already drafted. Ms Broadway explained the contents of the legislation which will go forward subject to ministerial approval:

Finance –The Local Government Taskforce recommendations on finance have been incorporated into the draft legislation to include powers for borrowing and lending; to remove the need for Departmental approval on a number of finance issues; investment powers; and clarification of work with the private sector in PFI or PPP projects.

Remuneration –Most of the recommendations of the Working Group on councillor remuneration have been implemented. The Modernisation Order would create an Independent

Remuneration Panel appointed through the Public Appointments process. Ald Hatch asked why this process would be used and Cllr Fraser queried the ability of a panel appointed in this way to understand the pressures on councillors. Julie Broadway explained that the Commissioner for Public Appointments recommended using the Public Appointments process for this Panel. Cllr O’Kane said that remuneration policies must encourage a variety of people from different backgrounds and ages to enter local government.

Severance –As part of the RPA process the then Secretary of State said that there would be a severance package for councillors who did not stand for the new councils. The Modernisation Order will not contain details of a severance scheme but will give power in legislation to introduce a scheme in due course. Cllr Quigley said that severance should not just apply to councillors not continuing to the new councils but should be applied to all councillors in recognition of their service.

Mandatory Codes of Conduct and Ethical Standards –There is currently guidance provided to councils but no formal mechanism to deal with complaints about councillors. Cllr Fraser welcomed a code of conduct but said that there should be protection for councillors from vexatious complaints.

Participation in limited companies –This item may not be in the Modernisation Order but could be introduced in subsequent legislation.

Power of Well-being –This is scheduled to be introduced in subsequent legislation. Members felt that this should be in the Modernisation Order and Julie Broadway undertook to raise this issue within the department.

Governance and Performance Management Issues will be in the Modernisation Order.

It was suggested that a paper on Performance Management should be prepared for the subgroup away day. This would seek to establish a framework for best practice by examining current practices.

In a wider discussion about the reform and legislative process there was concern amongst members about the lack of knowledge amongst council staff. It was agreed to write to SoLACE to ask them to brief staff on developments in the RPA.

The legislative timetable for the Modernisation Order will depend on Assembly business. In 2 weeks the Environment Minister will be asked to approve a request to the Assembly to give time for the Bill. Public consultation is scheduled for June.

The Strand A Group will be asked to contribute further on areas not already drafted in legislation.

8. Overview of Issues to be considered

Members said that performance management was a key issue for local government in the future and Cllr Quigley highlighted the example of Liverpool City Council. There was also some criticism for the Local Government Auditor who members felt was concentrating on the minutiae of councillor expenses rather than proper examination of value for money in council services. It was also suggested that during the lifespan of the Modernisation sub-groups each

group should have a specific item on each agenda to update them on the work of the other group.

Capacity Building

Members agreed that it was needed to focus on the priorities for action on capacity building. Cllr Quigley said that training was needed for elected members and funding for this should be provided in the same way as currently provided for officers. Cllr Fraser said that the needs of elected members and officers are different and that a training programme should be set in place and continued into the new arrangements. One suggestion was for a 'Champions' programme to be constructed for elected members, chief executives and senior officers to prepare for the implementation of the reform programme.

Other needs

Members were asked to suggest other work areas for the sub-group and a number were identified:

- Developing citizen focused services
- Researching other best practice areas
- Implications of new powers for councils

9. Away Day Proposal

It was proposed that the Strand A subgroup should have an away day to allow time to consider the wider issues. This will give members and officers an opportunity to build relationships within the group. It was agreed to have an away day on 31st October for members of the sub-group. It was acknowledged that following this meeting it will be necessary for the sub-group to work with other local government organisations to develop its work programme.

10. Any Other Business

Remuneration –clarification was sought on the remuneration arrangements for members of the Modernisation sub-groups. This will be provided separately.