Democratic Arrangements

Wirral Borough Council

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Introduction

1 The Audit and Inspection Plan sets out the programme of audit and inspection work for Wirral MBC. Our programme of work has been tailored to help support the Council in its drive for continuous improvement. A key feature of the audit and inspection plan is a review of the effectiveness and efficiency of the Council's current democratic arrangements.

Background

2 Democratic renewal formed an integral part of the Government's modernisation agenda. Whilst all authorities have developed new systems to meet the Government's requirements, many have found it difficult to ensure that they work effectively in practice. Issues like ensuring effective decision-making and scrutiny and clarity around officer and member roles have proved to be challenging for many authorities.

3 The Council's corporate assessment in December 2005 identified a number of issues around its democratic arrangements. These included:

- the transparency of decision-making;
- the length of decision-making processes;
- the lack of clarity around roles of officers and members in decision-making; and
- the role and function of scrutiny.

4 The Council developed an action plan in response to these issues and has, over the last 18 months, undertaken a range of activities to improve its arrangements.

Audit approach

5 In undertaking this work, we have assessed the impact of these changes and how effectively and efficiently the new arrangements operate. The project covered three areas that relate directly to the key lines of enquiry used in the Audit Commission corporate assessment. These included the following.

- The **roles and responsibilities** of officers and Councillors for taking decisions are clear.
- **Decision-making processes** are transparent and result in relevant actions and decisions being made in time for action to be taken to meet priorities.
- The level of involvement of Councillors and senior officers in **performance review** is consistent with their roles and responsibilities and reflects the importance for individuals and communities of meeting target standards and/or milestones.

6 We have done this by drawing together information from a number of sources including recent external review, our own previous audit knowledge and our ongoing work. We supplemented this with additional interviews with key officers and members, focus group of scrutiny committee members and a review of key documents including agendas and minutes over the last 18 months.

7 This has enabled us to establish an understanding of current arrangements and any opportunities for further development. The work informed the 2006/07 VFM opinion and will also inform the 2007/08 opinion.

Main conclusions

8 The Council has put in place a number of arrangements that have improved the effectiveness and efficiency of its democratic arrangements over the past 18 months. The Council has made steady progress and has addressed many of the issues raised by the corporate assessment in 2005.

- Roles and responsibilities of both the executive and scrutiny functions of the Council are clearer and a structured member development programme to support members in their scrutiny role has been put in place.

- The Council has taken steps to reduce the number of reports submitted to cabinet by establishing a virtual committee. It has also introduced a limited scheme of delegation to executive members to improve the effectiveness of the cabinet.

- Decision-making at cabinet is more transparent and members can access information easily.

- Scrutiny committees have introduced a formal cycle of financial and performance reporting. This has made it easier for members to review the Council's performance.

- Scrutiny committees have developed clearer work programmes and are becoming more focused.

9 However, there are a number of areas for the Council to develop further.

- The Council's current arrangements place a significant demand on senior officer time. The number of scrutiny committees and executive portfolios that senior officers need to service, means that they often spend a considerable amount of time in meetings or briefings. .

- Members felt that they required more support in their roles, such as performance management and that training should be ongoing.

- The number of items considered by cabinet has not reduced significantly and there remains scope for further improving its efficiency and effectiveness, through increased use of the virtual committee and the expansion of the scheme of delegation to portfolio holders.

- The remit of scrutiny committees is not always clear, and there is duplication between different committees, with often several different committees reviewing the same performance information.

Recommendations

Recommendations
R1 Assess and review the amount of senior officer time spent on serving the current democratic arrangements and whether that currently provides value for money.
R2 Continue to support and develop the training for the scrutiny function. Including the on going provision of training for new scrutiny members and the development of more tailored training such as performance management.
R3 Review the current scrutiny committee structure and clearly identify the remit of each committee in order to reduce duplication of activity and review. Including: • ensure that performance information is reported to the most relevant committee; and • that all committee have put in place work programme for the coming municipal year.
R4 Continue to review the arrangements for cabinet in order to further reduce the number of items considered. Including: • review the effectiveness of the virtual committee in reducing items taken to cabinet; and • monitor the impact of the new scheme of delegation in reducing the cabinets work load and explore the opportunity to extend the scheme further.
R5 Review current performance indicators to ensure they enable members to understand the impact and value for money of the Council activities.

Roles and responsibilities

10 The Council has made steady progress in relation to defining member's roles and responsibilities through its democratic arrangements and has addressed many of the issues raised by the corporate assessment in 2005. Roles and responsibilities of both the executive and scrutiny functions of the Council are clearer and a structured member development programme for scrutiny to support members has been put in place. However, there are still some areas of overlap between executive portfolio's and the work of scrutiny committees which has led to some duplication of activity.

Executive

11 Roles and responsibilities are generally clear. Members and Chief Officers are clear about the roles and responsibilities of portfolio holders. As a result, there are clearer lines of reporting between portfolio holders and directorates. However, there is some duplication between portfolios and a number of directorates are covered by more than one portfolio holder or scrutiny committee, for example, both regeneration and corporate services are covered by four portfolio holders. Senior officers often have to attend more than one member briefing dependant upon the number of portfolio they have covering their department.

12 The current democratic arrangements place a significant demand on senior officer time. A senior officer in preparation for a cabinet meeting has to attend, a cabinet briefing session, an opposition party briefing and the cabinet meeting itself. An officer with one portfolio holder therefore attends four meetings in a week for cabinet equating to 1.2 days. In addition, some senior officers also provide briefing to portfolio holders, prior to cabinet. As a result, senior officers spend a considerable amount of time serving the current democratic structures.

Scrutiny

13 There are clear boundaries between the executive and scrutiny functions. Executive members no longer attend on scrutiny committees and attend meetings as observers only. This has prevented any blurring of the lines between the two functions' roles and responsibilities.

14 The chairs of scrutiny are now from the coalition parties, as are all executive portfolios. However, the current administration has ensured that where one party has the portfolio the other holds the scrutiny chair. This has been done to ensure that there is a level of segregation between portfolio holders and the scrutiny function.

15 The remit of scrutiny committees is not always clear and there is some duplication. Many committees still operate a service focus and the opportunity to look strategically at cross-cutting issues is not always fully exploited, such as environmental sustainability. Cross-cutting issues are picked up by individual committee, as an when they have an interest in that areas and there are numerous examples of more than one committee considering an issue such as, section 106 funding, Call Centres, and anti-social behaviour. There are no formal arrangements to manage areas of cross over and rely on informal discussions between members only when the overlap has been identified.

16 Whilst some work has been undertaken to review the most appropriate committee to receive performance information, a number of reports still go to one or more for review. This is discussed more in the final section.

Training and support

17 The Council has good arrangements for the training and support of members but there is a need to ensure that it continues to be developed and implemented. A structured member development programme for scrutiny has been put in place and has supported members in their roles. This programme was aimed at enhancing the Council's scrutiny function by enabling members to give greater direction to the work of the scrutiny committees. As a result, each committee has developed its own work plan and members have become more focused and actively involved in setting their work priorities.

18 Member training has been received positively. Members have seen the value of the development programme and have highlighted the need for further more detailed training focused towards local circumstances. In particular members express the need for training on performance management and the opportunity to look at good practice in relation to scrutiny outside of Wirral.

19 Training and support for scrutiny needs to be ongoing. In May 2007, a number of new members and chairs took roles in relation to the scrutiny function and they have not yet received training for their new role.

20 In addition, three scrutiny posts have been created to support and develop each party's approach to scrutiny. These positions are relatively new and are designed to give more capacity for scrutiny. It is not yet possible to assess their impact.

Decision-making

21 The Council has put in place a number of arrangements over the last 12 months aimed at improving the effectiveness and transparency of its decision-making processes. This includes:

- reducing the number of items considered by cabinet using the virtual committee;
- moving to a single cabinet and the removal of the executive board;
- introducing a scheme of delegation to executive members; and

- the publication of all cabinet reports in advance and posting on the internet, enabling cabinet papers to be more transparent.

22   However, whilst these arrangements have streamlined the Council's democratic arrangements, they still operate in a way which is time-consuming and the impact of these new arrangements have to date been limited.

Cabinet business management

23   Processes to ensure that cabinet business is managed more effectively have been put in place but have yet to have the desired impact in terms of the volume of business. The Council has introduced a virtual committee which is used for reports that are for information only and this has reduced the number of reports required to go to cabinet. The move away from executive board and cabinet to a cabinet has enabled decisions to be made in a more timely manner.

24   However, there remains scope for further improving the efficiency and effectiveness of cabinet. Whilst cabinet agendas have reduced, the number of cabinet meetings has increased. In the 2006/07 municipal year, the average combined cabinet and executive board's items considered in one month was 51 items. This compares with 48 items per month considered by cabinet in the 2007/08 municipal year to date. Therefore, whilst work has been undertaken to reduce the number of items considered, the impact to date has been limited.

Delegation

25   The Council has taken a positive step in developing a scheme of delegated powers to executive members. This is an important move towards improving the efficiency of decision-making and freeing up cabinet time.

26   The Council has improved its delegated powers for executive members. The scheme provides limited powers to portfolio holders, for items such as proposed traffic regulation, acceptance of tenders below £250,000 and the disposal of surplus land, buildings and other assets up to value of £250,000. The new scheme was adopted in September 2007 but has had limited impact to date on reducing the number of items consider by cabinet.

27   The Council has acknowledged that the scheme is limited but it is seen as an important first step in building member confidence in the transparency of delegated powers to members. The Council needs to ensure that the arrangements for recording portfolio holders' decisions using delegated powers are in place and are widely understood in order to achieve this.

Transparency

28   The Council has made progress in this area. Its arrangements are more transparent. Decision-making at cabinet is more transparent and all Members can access information easily through the introduction of the virtual committee system is seen as a positive development. Information and reports are posted online a week before the cabinet meeting and joint briefings. This provides greater transparency around information considered by both the cabinet and political parties.

29   The Council has made positive progress in relation to performance review. It has put in place new monitoring and reporting arrangements and scrutiny is becoming more effective in its review role. Scrutiny committees have developed clearer work programmes and are becoming more focused. However, there remains some scope for improvement, as not all committee have embedded this new approach and there remains duplication of activity between scrutiny committees.

Performance review

30   The Council's has reviewed and strengthened its arrangements to monitor the quality of its published performance information and in reporting this to members.

31   Performance information is presented in a clear way. Scrutiny committees have moved to a formal cycle of financial and performance reporting and a traffic light system for performance management and exception reporting was introduced in 2006/07. This has made it easier for members to review the Council's performance.

32   Members are clear as to their roles in reviewing performance. There are examples of members challenging performance, for example the performance of the waste contract. This has resulted in the Council delaying the introduction of fines for residents for improper use of waste collection in order to facilitate greater use of recycling.

33   The system to capture performance information is used consistently across the Council and there are further plans to develop reporting to integrate HR and financial information within service reporting. Financial information is currently reported to Overview and Scrutiny Committees as part of their performance monitoring role.

34   Performance indicators need to be developed further to enable members to understand the impact of the Councils activity. Members have identified that performance measures do not always monitor the right things. For example, the provision of free swimming, members have been monitoring cost and take up but the aim of the provision is to increase health and wellbeing and this is not being captured. As a result, it can be difficult for members to assess the impact and value for money of the Council activities.

35   Scrutiny is becoming more effective in providing challenge. As part of a new approach to scrutiny, committees have developed clear work programmes which provide a greater focus to their work. In particular, the Children Services and Lifelong Learning overview committee has been at the forefront of the Council's new approach. The committee has undertaken two reviews; the first looking at the support to primary schools post Ofsted and the second at outcomes for foster care placements. In undertaking the work the committee has engaged with a wide range of partners and service users in order to gather their views and to help inform their conclusions and recommendations. As a result, the work has had a greater impact on the development of Council services.

36 There is still some duplication in relation to the scrutiny of performance information. Performance information is often reported to more than one committee. For example, Environment Overview and Scrutiny Committee, Street Scene and Transport Service Committee, and Finance and Best Value Overview and Scrutiny Committee all look at performance information in relation to call centre and waste collection. Street scenes and the planning committee both review performance in relation to processing time of planning applications and the finance and regeneration and planning overview committee both receive the quarterly performance reports for corporate services. The Council is aware of this duplication and has undertaken work to identify what committee performance information should go to; this will help to reduce duplication. It is proposed that an annual council wide performance report will be produced and circulated to all scrutiny committees.

Appendix 1 – Action plan

Page No	Recommendation	Priority 1 = Low 2 = Med 3 = High	Responsibility	Agreed	Comments	Date
6	R1 Assess and review the amount of senior officer time spent on serving the current democratic arrangements and whether that currently provides value for money.					
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	• monitor the impact of the new scheme of delegation in reducing the cabinets work load and explore the opportunity to extend the scheme further.					
6	R5 Review current performance indicators to ensure they enable members to understand the impact and value for money of the Council activities.					