City of Edinburgh Council

10.00am, Thursday, 11 December 2014

Review of political management arrangements

Item number	8.2
Report number	
Executive/routine	
Wards	All

Executive summary

In October 2014, further improvements to the Council's political management arrangements were considered. Following a decision to discontinue policy development and review sub-committees, a further report was requested asking for a review of the petitions process and the frequency of all committee meetings.

This report provides information on the outcome of consultation on the petitions process, working groups and the frequency of meetings and proposes further recommendations on the political management arrangements.

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Single Outcome Agreement	

Report

Review of political management arrangements

Recommendations

1.1   To note the consultation undertaken with members of the public, elected members and senior officials;

1.2   To consider options for the Petitions Committee and petitions process as set out in paragraph 3.1.12;

1.3   To note that comprehensive guidance on working groups had been published on the Orb and best practice training will be provided to elected members in early 2015;

1.4   To agree to further strengthen governance around working groups as set out in paragraph 3.2.5;

1.5   To consider options for the frequency of the Corporate Policy and Strategy Committee as set out in paragraphs 3.3.7.1 – 3.3.7.2;

1.6   To consider options for the frequency of the Governance, Risk and Best Value Committee as set out in paragraphs 3.3.8.1 and 3.3.8.2; and

1.7   To agree the improvements to the committee business processes as set out in paragraphs 3.4.3 – 3.4.5.

Background

2.1   In October 2012, the Council introduced a range of changes to modernise and streamline decision-making and monitoring processes. The aim was to support a more strategic approach to decision-making; enhance engagement with communities, stakeholders and partners in policy and service design; and to ensure robust oversight and scrutiny in key areas of Council business such as audit, risk and finance.

2.2   A review to refine these arrangements was completed in 2013 and again in October 2014, when the Council discontinued policy development and review subcommittees and strengthened the governance arrangements surrounding working groups. A further report was then requested on a review of the petitions process and the frequency of all committee meetings.

2.3   As part of the review a cross section of elected members, directors and senior managers from each service area were interviewed. The interviews looked at the petitions process, the operation of working groups and the frequency of meetings. The feedback from these interviews provided insight into experience of the petitions process, involvement as members of working groups and the frequency of all committee meetings; highlighting where they felt areas of good practice had been established and where any changes or improvements could be made. A survey was also sent out to those members of the public who had submitted a petition to the Council.

Main report

Summary of Findings

3.1   Petitions

3.1.1   The petitions process was designed to encourage members of the public, key stakeholders, customers, businesses and communities to participate in the decision making process of the Council.

3.1.2   The petitions process was launched in October 2012 and there have been 34 petitions submitted of which 17 have been considered valid and 17 invalid. Over 12,000 signatures and 26 businesses have supported the valid petitions. A comparison with a selection of local authorities in Scotland is outlined in the table below:
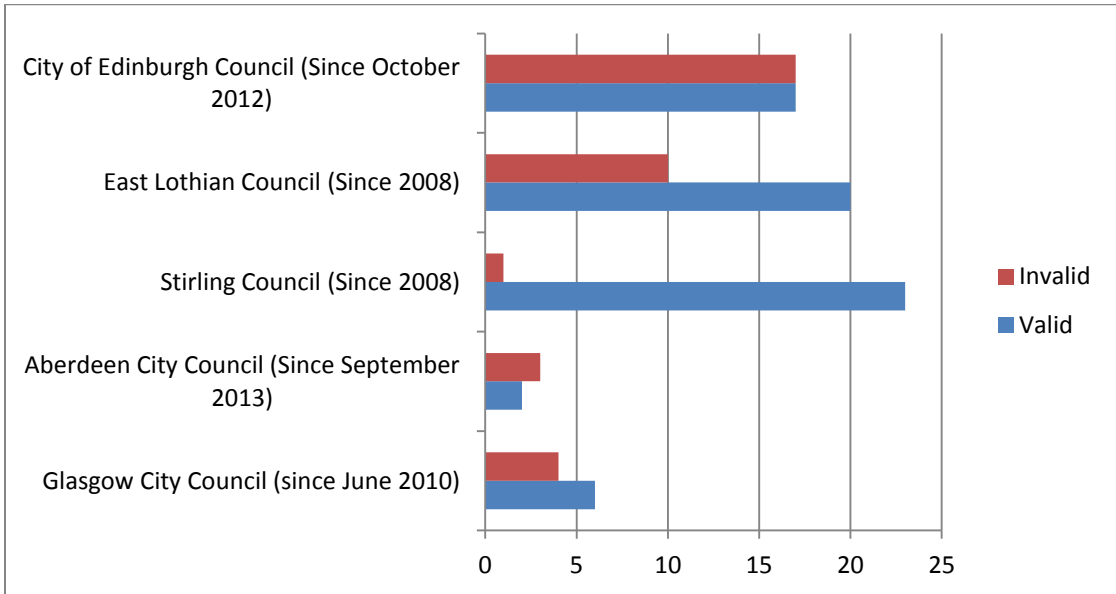
3.1.3   Petitions have generally been well received by the public in Edinburgh with the Council receiving a higher number of petitions than in all but one local authority in Scotland. When compared to other city authorities such as Glasgow and Aberdeen this is even more significant.

3.1.4   The Council has, however, had a higher proportion of invalid petitions than other local authorities and this suggests we apply stricter criteria. An analysis of invalid petitions indicates the criteria concerned relates to issues that are already being considered as part of a Committee work programme.

3.1.5   A number of petitions have resulted in positive outcomes including the following examples:

3.1.5.1   A Safer Mechanism for Reporting Edinburgh Council Mismanagement: This resulted in the Finance and Resources Committee on 19 September 2013 introducing a revised whistleblowing policy to support Council staff.

3.1.5.2   Crackdown on Legal Loan Sharks: The Corporate Policy and Strategy Committee on 10 June 2014 agreed to the establishment of an officer working group to take forward actions raised by the petition.

3.1.5.3   Kirkliston Public Transport Provision: The Transport and Environment Committee on 3 June 2014 agreed that the bus service covering Kirkliston continue to operate with an additional service on Sundays.

3.1.6   Elected Members and senior officers were asked a range of questions on the petitions process, the operation of the committee and in particular the extension of the criteria. The feedback was as follows:

3.1.6.1   The petitions process was generally thought to be useful, providing an alternative way for the public to engage with the Council. Most respondents wished to retain the process;

3.1.6.2   The Committee was generally thought to be inefficient and added a layer of bureaucracy. In addition, some respondents felt the appropriate executive committee may have additional knowledge of the petition and this would streamline the process for the benefit of the petitioner;

3.1.6.3   The petitions validity criteria could be relaxed to allow petitions on matters currently within a committee work programme;

3.1.6.4   The majority of respondents agreed that the criteria should be extended to allow 16 and 17 year olds to submit and sign

petitions but that it should not be extended to all secondary school children;

3.1.6.5 The number of signatures was thought to be too high with a number of respondents suggesting the required number for a petition should be 200 (rather than 500) for a city-wide issue and 50 signatures for a local issue (rather than 250); and

3.1.6.6 The number of signatures required should be the same for all ages.

3.1.7 An online survey was carried out of those members of the public who had submitted a petition. The respondents were supportive of the petitions process generally and were satisfied by the number of signatures required to make a valid petition. The feedback was split 50-50 in regard to the criteria being extended to allow 16 and 17 year olds to submit and sign petitions but were 75% against for the same criteria being extended to secondary school children at this stage.

3.1.8 There is no legal impediment to extending the criteria to those aged 16 and 17 but it would involve a change to the ratification process for petitioners and those that sign petitions. Currently, petitioners and those that sign petitions must live in Edinburgh and be on the electoral roll. The electoral roll is then checked to see how many signatures are valid. This would not be possible for 16 and 17 year olds, as the Young Voters' Register will not be available for Council staff to check. It is recommended that the Council continues to request that those involved in the process are resident in Edinburgh but that this is no longer checked against the electoral register.

3.1.9 The Council currently does not webcast people under the age of 18 unless consent has been given. This approach would continue if the criteria was extended and permission for filming would be sought if a petitioner aged 16 or 17 years old was due to address a committee.

3.1.10 If the Council decides to extend the petitions criteria to those aged 16 and 17 years, work would be undertaken in partnership with the Children and Families Directorate to publicise petitions and encourage engagement throughout schools, youth forums and other initiatives. Subject to the levels of participation and engagement, further consideration will be given to an extension of the criteria to secondary school pupils working in partnership with the Children and Families directorate.

3.1.11   The consultation feedback also included suggestions on improving the process within its current framework. This involved the Petitions Committee considering the petition and after discussion, debate and agreeing that it was worth further consideration, then the committee should request a report to the relevant executive committee on the issue raised by the petitioner and the committee. This would avoid discussion at the petitions committee being re-run at the executive committee and would provide for efficient, effective and informed decision making.

3.1.12   Based on the consultation responses the following options are proposed for consideration by Council:

3.1.12.1   Option one: Retain the Petitions Committee in its current format.

3.1.12.2   Option two: Retain the Petitions Committee with the change to criteria outlined in paragraphs 3.1.6.3 - 3.1.6.5 and 3.1.8 and change in approach in paragraph 3.1.11.

3.1.12.3   Option three: To retain the Petitions function with the change to criteria in paragraphs 3.1.6.3 - 3.1.6.5 and 3.1.8, dissolve the committee and consider valid petitions at the relevant executive committee.

3.2   Working Groups

3.2.1   The Council agreed to strengthen governance arrangements for working groups, agreeing that they should normally be chaired by the vice-convener of the relevant committee, have a defined remit and time frame for delivery and that their actions should be tracked by Governance.

3.2.2   The majority of respondents to the consultation suggested that working groups should be short life, with clear remits, defined terms of reference and that guidance was required regarding how and when to initiate a working group. A number of working groups such as the Meadowbank Sports Centre and Stadium group and the Duddingston Village Traffic Group were highlighted as examples of good practice. These groups had a clear remit, expectation and focus.

3.2.3   Feedback indicated that short life working groups with a focus on a particular subject and created to influence or drive Council policy was preferable. The respondents stated that the relevant executive committee should decide the date at which the group should report back on discussions/findings to allow the committee to make informed decisions

based on the group's work. This was seen as key to ensure tangible outcomes were delivered by working groups.

3.2.4   Work has been undertaken to initiate the changes instructed by Council, and also address some of the concerns raised by the consultation respondents. Updated comprehensive guidance on establishing working groups has been made available on the Orb. This will assist in ensuring that working groups are established with a defined membership, terms of reference and a clear end date.

3.2.5   A number of suggestions for further improvements have arisen out of the consultation process, and it is recommended that rolling action logs, currently in use by executive committees, are utilised by working groups to track actions and delivery. Working Groups should also submit a work plan or timeline to identify when the group would advise the Council or relevant committee of their findings. It is also suggested that short life working groups should look to report their findings to the appropriate committee within a maximum of three committee cycles (6-9 months). These changes would help focus the working group and highlight when an outcome from the group was expected. The Corporate Policy and Strategy Committee will receive an annual report on working groups highlighting business and ensuring oversight on an ongoing basis.

3.2.6   Consultation respondents highlighted that working groups should be flexible in their meeting arrangements, with the format less formal and all stakeholders informed that the group was not a decision making body but would influence the Council or committee when making a decision on the issue. Different approaches to running working groups and the dissemination of good practice, in particular to stakeholder engagement, will be presented to elected members in a training session in early 2015.

3.3 Meeting Frequency

3.3.1   In general, respondents to the consultation feel that the current cycle of meetings is adequate and that the business of each committee should determine the frequency of meetings. The Council agreed to discontinue policy development and review sub-committees in October 2014, reducing the number of meetings in the Council diary by 33.

3.3.2   The majority of major committees are on an eight week cycle and it is not recommended that they are reduced any further. A committee that meets on an eight week cycle will have five meetings per annum. Due to the level of business and often the significance of decision making it is not considered that reducing the frequency is a viable option.

3.3.3 The Council, Corporate Policy and Strategy Committee, Finance and Resources Committee and the Governance, Risk and Best Value Committee all meet on a four week cycle. This means there are 10 meetings per annum.

3.3.4 Due to the importance of the Council and its level of reserved powers, it is considered that this meeting should remain on a four week cycle.

3.3.5 The Finance and Resources Committee has a wide ranging remit including the Council's budget, agreement of contracts, land transactions, ICT and workforce planning. The consideration of contracts and land transactions is often time critical and requires the committee to meet on a regular basis. The Finance and Resources Committee also considers on average 27 reports per meeting, reducing the meeting frequency would produce far larger agendas and the resulting time pressures would mean that items were not given due consideration. Respondents to the consultation also suggested that the committee was already operating at full capacity and a reduction in meetings would mean it could not effectively fully consider the items of business. It is considered that the Finance and Resources Committee should remain on a four week cycle.

3.3.6 The Corporate Policy and Strategy Committee and the Governance, Risk and Best Value Committee do not have the same time critical reports and consider far fewer reports. Feedback from officers suggested that a reduction in meetings on a four weekly cycle could free up time for officers to focus on the work in between meetings and result in some cost savings.

3.3.7 The Corporate Policy and Strategy Committee includes the leader and depute leader of the Council, conveners of the executive committees and all group leaders. It provides the opportunity for significant corporate and strategic issues to be considered by the Council's senior councillors. The Committee considers the most important policies and acts as a monitor and arbiter of the executive committees. It does, however, currently consider 8-9 reports on average per meeting, with 33% of these reports being for information only. The following options are proposed for consideration by Council:

   3.3.7.1 Option 1: Reduce the frequency of meetings for the Corporate Policy and Strategy Committee to an eight week cycle.

   3.3.7.2 Option 2: Retain the Corporate Policy and Strategy Committee on a four week cycle.

3.3.8 The Governance, Risk and Best Value Committee does not take decisions but acts as the Council's audit and scrutiny committee. It considers, on average, 7-8 reports per meeting although by its nature it spends significantly longer periods of time scrutinising and monitoring each item than other committees. The committee has a busy work programme and is regarded as having significantly improved the effectiveness of scrutiny, confirmed by 70% of respondees from the survey in October 2014. The following options are proposed for consideration by Council:

3.3.8.1 Option 1: Reduce the frequency of meetings for the Governance, Risk and Best Value Committee to an eight week cycle.

3.3.8.2 Option 2: Retain the Governance, Risk and Best Value Committee on a four week cycle.

3.3.9 Moving all four weekly meetings to a six weekly cycle was also explored to determine whether the frequency of meetings could be reduced but not as much as eight weekly. However, moving to a six weekly cycle would present numerous changes to the Council diary such as two recess weeks being removed and inconsistent meeting dates. It would also only provide for one further meeting than if the committee was moved to an eight week cycle. These challenges are not insurmountable but would lead to a less efficient system and with little impact. For these reasons it is recommended that committees are maintained on a four or eight week cycle.

3.4 Business Processes

3.4.1 As an alternative to reducing the number of meetings, research was undertaken to ascertain whether efficiencies could be made in the content and amount of business considered at committee.

3.4.2 There are a high percentage of reports submitted to the executive committees for information, with no requirement for a committee decision. These reports made up 39% of the reports considered by committees over the previous year.

3.4.3 However, a significant proportion of the information considered by committee in these reports is useful information that the committee either requires or has requested. Due to this, it is recommended that non-critical information is provided via the business bulletins or as member briefings. This would lead to the reduction of committee business, resulting in a reduction in the application of officer resources and increased time for

committees to consider critical information. It would also still allow elected members to scrutinise and monitor the information.

3.4.4 In the past 12 months there have been 70 reports referred by the Corporate Policy and Strategy Committee and executive committees. Only 18 (26%) of these were for a decision with the remainder for information only. It is recommended that if an executive committee is referring a report for information, it is included in the business bulletin only. This will allow for committee to scrutinise the information but will reduce the number of reports considered.

3.4.5 A number of high profile significant projects or issues are considered by multiple committees. This includes reports on the governance of major projects and health integration. This can result in a repetition of scrutiny and a confused approach to operational implementation of decisions. It is recommended that issues are generally considered by one committee which undertakes the scrutiny and monitoring for the Council. The exception to this is if Council, Corporate Policy and Strategy and Governance, Risk and Best Value Committee consider elements of the issue should be scrutinised by their committee.

Measures of success

4.1 To operate an efficient streamlined system to effectively support the decision making bodies of the Council.

Financial impact

5.1 There are no financial implications as a result of this report although the efficiencies in business processes proposed would positively impact on officer time and resources.

Risk, policy, compliance and governance impact

6.1 An effective political management system as the main decision making apparatus of the Council is a key component of its overall governance. A review of the system ensures appropriate scrutiny with an opportunity to improve and amend where necessary.

Equalities impact

7.1 There are no direct equalities impacts as a result of this report.

Sustainability impact

8.1   There is no direct sustainability impact as a result of this report.

Consultation and engagement

9.1   Consultation was undertaken by a series of interviews with elected members and senior officers. There was also an online survey for members of the public who had submitted a petition.

Background reading/external references

The City of Edinburgh Council 23 October 2014 - Minute

Review of political management arrangements – The City of Edinburgh Council 23 October 2014

The City of Edinburgh Council 24 October 2013 - Minute

Review of political management arrangements – The City of Edinburgh Council 24 October 2013

Item 8.1 (b) Governance: Review of political management arrangements – City of Edinburgh Council 2 May 2013

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Coalition pledges	
Council outcomes	CO24 - The Council communicates effectively internally and externally and has an excellent reputation for customer care.
	CO25 - The Council has efficient and effective services that deliver on objectives.
Single Outcome Agreement	
Appendices	