

# Shadow Dorset Council

## SHADOW OVERVIEW AND SCRUTINY COMMITTEE

### MINUTES OF MEETING HELD ON MONDAY 8 OCTOBER 2018

**Present:** Cllrs C Brooks (Vice-Chair), S Bartlett, R Bryan, M Byatt, B Goringe, N Lacey-Clarke, J Sewell, J Tanner and M Wiggins

**Apologies:** Cllrs T Jones, K Brookes, C Finch, S Gibson and J Somper

**Also present:** Cllr A Burch, Cllr G Carr-Jones, Cllr M Gould, Cllr D Harris, Cllr M Penfold, Cllr V Potheary, Cllr D Rickard, Cllr P Shorland, Cllr John Stayt, Cllr A Thacker, Cllr P Wharf and Bamberger

**Officers present (for all or part of the meeting):**

Keith Cheesman (LGR Programme Director), Jonathan Mair (Interim Monitoring Officer), Mark Taylor (Group Manager - Governance and Assurance), Kirsty Riglar (Democratic Services Manager - Purbeck District Council) and Lindsey Watson (Senior Democratic Services Officer)

**37. Declarations of Interest**

There were no declarations of interest.

**38. Minutes**

The minutes of the meeting held on 12 September 2018 were agreed as a correct record and signed by the Chairman.

**39. Public participation**

There were no representations from members of the public.

Councillor D Harris raised a number of questions. The Chairman read out a response which had been provided by the HR Strategic Lead, Shaping Dorset Council. The text of the questions raised and response provided is included as an appendix to these minutes.

Councillor D Rickard raised an issue with regard to a recent request for the call-in of a Shadow Executive Committee decision with regard to the transfer of services and assets. The call-in request which had received support from 27 cross party councillors had been determined as not being a valid call-in by the Interim Monitoring Officer. Councillor Rickard asked that the call-in process be examined by the committee.

The Interim Monitoring Officer noted that the Shadow Council had adopted the call-in process which was included within the Constitution and due to the high threshold set out in the Constitution, the call-in had not been accepted. All councillors supporting the call-in request had been notified of the decision. Although there could not be a call-in of the decision, the Shadow Overview

and Scrutiny Committee could consider whether they wished to carry out a post decision scrutiny in respect of this. A separate piece of work with regard to the Constitution for the Dorset Council was underway and this would include consideration of the call-in arrangements for the new council. The draft Constitution would be brought to this committee, the Shadow Executive Committee and in addition, member engagement would be undertaken through a member workshop.

Following a discussion, the committee agreed that they would undertake a review of the call-in process for the Shadow Dorset Council and whether the process was appropriate. Consideration would also be given to the call-in proposals for the new Dorset Council.

Councillor Rickard raised an additional point with regard to the scrutiny of decisions in the Shadow Dorset Council. In response, the Group Manager, Governance and Assurance, noted that in addition to the call-in process, the Shadow Overview and Scrutiny Committee had the right to examine any decision to be taken or already taken by the Shadow Executive Committee and that members could review the Executive Committee Forward Plan to review the items to be considered at each meeting. The Shadow Overview and Scrutiny Committee could also look at the governance arrangements for the Shadow Council. The committee could decide what they wanted to look at and include items as appropriate in their work programme.

#### **40. Programme Highlight Report including SWAP Assurance Report**

The committee considered the latest Programme Highlight Report which was to be considered by the Shadow Executive Committee on 15 October 2018. The report provided an update on progress since the last meeting of the Shadow Executive Committee and included a request for a change control on convergence and an update on the internal audit of the programme governance.

The Programme Director noted that overall progress remained at Amber. Work on the implementation plans continued, with theme boards making significant progress on developing the detailed service continuity plans. Due to the scale and complexity of the work, the plans were running approximately two weeks behind schedule. This would have a slight impact on the timing for the Gateway Review. The request for change control on governance highlighted any new requirements including additional resources identified.

The SWAP Assistant Director noted that the SWAP Programme Governance follow up report was a high level piece of assurance work. Assurance remained overall at 'Partial' but with a positive direction of travel.

In response to a question with regard to the level of additional resources identified, the Programme Director noted that work was continuing to further define the additional resources required but that currently the estimate was for an additional budget requirement of £350k – £400k.

In addition, lessons had been learnt from previous recruitment to the Programme Team which would be used for any additional recruitment required.

#### **41. Shadow Executive Operating Principles**

Following a request at the last meeting, the committee had asked to hold a discussion with regard to the Shadow Executive Operating Principles and how they had been brought to fruition. Members had also requested to receive an overview of the design principles for the new organisation which had been agreed at the Shadow Executive Committee on 21 August 2018.

The Group Manager, Governance and Assurance, noted that the committee would like to gain an understanding of the operating principles, how they were embedded in the work being undertaken, the design of structures, principles around governance, culture and designing a new council that embraced these features.

The Interim Monitoring Officer noted that for effective governance, the executive needed the ability to be able to take decisions, with scrutiny being able to intervene where necessary. Reference was also made to the distinction between a call-in and a call to account.

Members discussed the issues arising and points were noted with regard to the current pace of decision making in the Shadow arrangements, the ability of scrutiny to be proactive and work effectively with the executive arrangements and the need for there to be consideration of future scrutiny arrangements

The Interim Monitoring Officer noted that there would be differences in terms of arrangements between what would happen in a steady state council and the position that the councils were currently in, in the transition of six councils to one.

A point was made that Shadow Executive Committee meetings were open to all members to attend and that currently a limited number of additional members were attending meetings. Members were encouraged to attend meetings and hear the discussions.

Due to the necessary information not being available for the meeting, it was agreed that the item would be deferred to the next meeting.

#### **42. Member Engagement in Task and Finish Groups / Work Streams**

The Chairman welcomed the Lead Member and Officer for Member Engagement who had been invited to the meeting to talk with members about member engagement in the Shadow Dorset Council task and finish groups and workstreams. The Lead Member, Councillor G Carr-Jones indicated that he was happy to answer any questions that members had related to this area.

Members considered the issues in this area and during discussion the following points were raised:

- The group had been set up to look at issues around member engagement in the Shaping Dorset Council programme and included representatives from each of the six councils. The decision had been taken that electronic communications would be used including members receiving a newsletter by email and a full range of information being included on the Sharepoint site. Use of Sharepoint by members had been monitored and it was noted that only 43 members had logged into the site. In addition, monthly briefing sessions for members had been held. Numbers attending the briefings appeared to be declining although attempts had been made to hold sessions at various times, including in the evening
- A discussion was held in respect of the difference between member engagement and member involvement. Some members felt that they were not involved in the Shadow Council arrangements although it was recognised that it was difficult for everyone to be involved
- Councillor Carr-Jones noted that he was happy to receive feedback on ways that the wider councillor membership could be best engaged
- Consideration was being given to the use of ModGov for the various meetings being held
- A point was raised that there were some issues with members not attending meetings and not sending their apologies in advance, including with this committee. The Chairman indicated that she would review the position with members attending meetings of this committee
- There needed to be a good system where members were able to self serve in terms of finding out the information they needed
- A discussion was held in respect of the arrangements for the member briefings and in response to a point raised, Councillor Carr-Jones noted that these needed to continue to be held as sessions for all members as it was not practical for six separate sovereign sessions to be held. In addition it was seen as useful for members of the six councils to have opportunities to meet together and hear each others points
- A point was raised with regard to the Shadow Council meetings and that the opportunity to have presentations and discussion at the meetings would be welcomed
- In respect of information on people responsible for different areas, information would be included in the next newsletter
- A point was raised that some members were not thinking forward to the new council arrangements and that opportunities were being provided for them to engage with the process. There was a role for sovereign members to encourage other members to participate
- It was noted that there would be some members who did not want to be part of the new council and therefore they may have chosen not to engage with the work leading up to it. However a question

was raised as to what information these members were passing on to their town and parish councils?

- A point was raised that the workload for members in the new council would be formed in a large part by the work currently covered by Dorset County Council and that it would be beneficial for members to attend some county council meetings now in order to get an overview of the issues. Some members were already doing this
- Councillor Rickard raised some concerns with regard to members' ability to deal with sovereign council issues at the present time where the focus was now on working towards the arrangements for the new council. He raised concerns with regard to how some decisions were being taken and without scrutiny in his opinion
- The point was reiterated that there was a lot of information available to members electronically. In addition members had been offered 1-1s with regard to their mobile devices, committee and working group information was available on ModGov, information about the Shaping Dorset Council Programme was available on the Sharepoint site and all members received newsletters which included a question and answer section
- The Programme Director provided an overview of the current position with the task and finish groups (now referred to as working groups)
- A discussion was held in respect of member involvement on the working groups including members that had been part of working groups that were no longer in operation. It was noted that there were some members who were very interested in being part of the work happening. The Interim Monitoring Officer noted that this could be reviewed.

#### **43. Shadow Overview and Scrutiny Committee Work Programme**

Further to the discussion at the meeting, it was noted that the following items would be included within the committee's work programme:

- Call in arrangements – arrangements in the Shadow Dorset Council and the arrangements for the Call-in process for the new council. (Noted that the Dorset Council Constitution would be brought to the Shadow Overview and Scrutiny Committee at the appropriate time)
- An overview of work being progressed by the Governance working group and specifically proposals for scrutiny arrangements in the new council
- Design Principles for the new Dorset Council Operating Model

Members considered issues around the work programme and the following points were raised:

- The item on 'Future Operations of Leisure Facilities in Dorset' had been deferred to the 12 November meeting of the Shadow

- Executive Committee and would therefore be considered at the meeting of this committee on 7 November 2018
- In response to a comment with regard to the timing for items coming to scrutiny, the point was made that the Shadow Overview and Scrutiny Committee met in the week prior to the Shadow Executive Committee
- A key role for this committee was to review the Shadow Executive Committee Forward Plan, which was included on the agenda for every meeting, and identify areas for review. It was noted that the Shadow Executive Committee should also consider potential items to refer to scrutiny. However it was noted that due to the pace at which things were happening, it may not always be possible to bring items through scrutiny
- A report on 'Parish and Town Council Elections – Recharging Structure' was to be considered at the Shadow Executive Committee on 15 October 2018. This item had not been identified for scrutiny by this committee. Members of the committee had the opportunity to read the report and attend the Shadow Executive Committee meeting in respect of this item
- The items proposed for the next meeting of the committee were highlighted.

#### 44. **Urgent items**

There were no urgent items.

#### 45. **Appendix A**

##### **Questions raised by Councillor David Harris**

Was the scrutiny committee aware that despite the serious budget position, £50000 was being spent on the process to appoint the new Chief Executive?

If they were aware did they scrutinise the decision to see if it was justified?

Is the committee aware of any funding being set aside to get external help in appointing the second tier officers? This was not mentioned when members were being briefed about the process so if money is being allocated for external advice should this not be made clear at the start of the process? If money has been allocated for external advice can this be investigated before it is spent?

##### **Response provided by Nicola Houwayek, HR Strategic Lead, Shaping Dorset Council**

In February 2019, the Area Joint Committee authorised the Monitoring Officers to appoint external recruitment consultants to assist in designing and implementing the Chief Executive recruitment process, with a budget of up to £50,000. Following a competitive procurement process, GatenbySanderson were appointed. The total cost was below this, £41,500. This was £8,500 under budget and included advertising costs.

The role of external advisers is critical to recruit in a limited recruitment market for the councils most important posts and will be especially so for the Tier 2 posts, where there are a very small number of potential candidates across all roles. The role of the external advisor includes:

1. National Search exercise, adverts development (and placement) and hosting the microsite
2. An initial review of application, developing the reports and advising at the longlisting meeting with members
3. Running the longlisting exercise with a technical assessor
4. Feedback to candidates
5. Preparing reports on the candidates to support the creation of a recommended shortlist and attending the shortlisting meeting with members
6. Overseeing the Psychometric tests, input of occupational psychologist.
7. Running the final interviews – with advisors
8. Giving feedback to all candidates

At its September meeting, Shadow Executive have agreed a budget of up to £75,000 for the recruitment of four posts at Tier 2 and one post at Tier 3. This budget will also include costs to support internal applicants through the selection process. A further competitive procurement process has taken place to select a provider to deliver this work within the agreed budget.

**Additional point**

Following requests by the Shadow Overview and Scrutiny Committee, the committee has received two presentations from the HR Strategic Lead. At the meeting on 22 August 2018, the committee received a presentation with regard to the Chief Executive Recruitment Process. This was followed at the meeting on 12 September 2018 with a presentation on the Tier Two Recruitment Process.

**Duration of meeting:** 9.30 - 11.08 am

**Chairman**

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