

Shadow Dorset Council

Date: Thursday, 13 December 2018
Time: 6.30 pm
Venue: South Walks House, Dorchester, Dorset, DT1 1EE

Membership:

The Council membership is listed on the following page.

Chief Executive (Designate) for the Dorset Council: Matt Prosser

For more information about this agenda please telephone Democratic Services on 01305 252216 or sdallison@dorset.gov.uk

Publication Date: 5 December 2018

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MEMBERSHIP OF THE SHADOW DORSET COUNCIL

Anthony Alford	Nigel Dragon	Andrew Kerby	Julie Robinson
Jon Andrews	Francis Drake	Paul Kimber	Gareth
Kerry Baker	Fred Drane	Rebecca Knox	Rockingham
Malcolm Barnes	Gerald Duke	Richard Kosior	Tia Roos
Peter Barrowcliff	*Jean Dunseith	Noc Lacey-Clarke	George Russell
*Shane Bartlett	Mike Dyer	Catherine Langham	John Russell
Thomas Bartlett	Dominic Elliott	Margaret Lawrence	Jacqui Sewell
*Pauline Batstone	John Ellis	Robin Legg	Peter Shorland
Bill Batty-Smith	*Beryl Ezzard	Margaret Leicester	*David Shortell
Colin Beck	Terry Farmer	Gina Logan	Andy Skeats
*Derek Beer	James	Mike Lovell	Deirdre Skipwith
Richard Biggs	Farquharson	Cathy Lugg	Jane Somper
Andy Blackwood	*Tony Ferrari	Barbara Manuel	Jackie Stayt
*Kevin Brookes	Caroline Finch	Gloria Marsh	John Stayt
*Cherry Brooks	*Spencer Flower	Penny McCartney	Gary Suttle
Piers Brown	Victor Fox	Frances McKenzie	Clare Sutton
Graham Brown	Jo Francis	Wendy Meaden	John Tanner
Sandra Brown	Robert Freeman	Laura Miller	David Taylor
Hazel Bruce	*Katharine Garcia	David Morgan	Gill Taylor
Ian Bruce	Ian Gardner	Tim Morris	Mark Tewkesbury
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David Budd	Hilary Goodinge	Pamela Nixon	Carol Tilling
Nigel Bundy	Barry Goringe	Ray Nowak	Simon Tong
Audrey Burch	Mike Gould	Peter Oggelsby	*William Trite
Sarah Burns	Robert Gould	*Jon Orrell	*Daryl Turner
Derek Burt	Matthew Hall	Jason Osborne	Mark Unsworth
Derek Bussell	Lucy Hamilton	David Packer	*David Walsh
*Steve Butler	Traci Handford	Cathy Page-Nash	Ann Weaving
Mike Byatt	Tim Harries	Emma Parker	Peter Webb
*Andrew Canning	David Harris	*Michael Parkes	Sandy West
Jeff Cant	Paul Harrison	*Andrew Parry	Jane Westbrook
*Graham Carr-	Brian Haynes	*Mary Penfold	*Peter Wharf
Jones	*Jill Haynes	*Bill Pipe	*Kate Wheller
*Andrew Cattaway	Ryan Hope	Claire Pipe	Mike Whitwam
Alexander Chase	Fred Horsington	Val Potheary	Mike Wiggins
Simon Christopher	Susie Hosford	Robin Potter	Peter Williams
Alex Clarke	Colin Huckle	Simon Pritchard	Timothy Yarker
Ronald Coatsworth	Nick Ireland	Byron Quayle	
Robin Cook	Christine James	Barry Quinn	(1 vacancy)
Patrick Cooke	Susan Jefferies	Alison Reed	
*Toni Coombs	Gary Jefferson	Molly Rennie	*Indicates
Barrie Cooper	Sherry Jespersen	Cheryl Reynolds	councillors on
Hilary Cox	K D Johnson	Dave Rickard	borough/district
*Deborah Croney	Stella Jones	Belinda Ridout	councils as well as
*Keith Day	Trevor Jones	Michael Roake	Dorset County
*Janet Dover	Oz Kanji	*Mark Roberts	Council
Charles Dowden			

A G E N D A

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1 APOLOGIES

To receive any apologies for absence.

2 CODE OF CONDUCT

To receive any declarations of interest.

3 MINUTES

5 - 8

To approve the minutes of the meeting held on 27 September 2018.

4 PUBLIC PARTICIPATION (30 MINUTES)

To receive any public questions or statements on the business of the Shadow Dorset Council. Members of the public may submit a written question to the Leader, Portfolio Holder or Chairman of the Shadow Council or committee. Questions or statements must have been submitted to the Interim Monitoring Officer by 10.00am on 10 December 2018.

5 QUESTIONS FROM SHADOW COUNCILLORS (30 MINUTES)

A Shadow Councillor may ask the Chairman, Leader, Portfolio Holder or the Chairman of a committee any question about a matter which the Shadow Council, the Shadow Executive or committee has powers, duties or responsibilities. Questions must have been submitted to the Interim Monitoring Officer by 10.00am on 10 December 2018.

6 MINUTES OF THE SHADOW EXECUTIVE COMMITTEE

9 - 34

To receive and note the minutes of the Shadow Executive Committee, 15 October and 12 November 2018.

7 MINUTES OF THE SHADOW OVERVIEW AND SCRUTINY COMMITTEE

35 - 52

To receive and note the minutes of the Shadow Overview and Scrutiny

Committee, 8 October and 7 November 2018.

8 CONFIRMING THE PERMANENT APPOINTMENT OF THE SENIOR LEADERSHIP TEAM FOR DORSET COUNCIL 53 - 64

To consider a report by A Twelves.

9 APPOINTMENT OF EXTERNAL AUDITORS 65 - 68

To consider a report by S Mackenzie.

10 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B(4) (b) of the Local Government Act 1972. The reason for the urgency shall be specified in the minutes.

Shadow Dorset Council

SHADOW DORSET COUNCIL

MINUTES OF MEETING HELD ON THURSDAY 27 SEPTEMBER 2018

Present: Cllrs A Alford, B Batty-Smith, R Biggs, C Brooks, P Brown, I Bruce, R Bryan, D Budd, S Burns, D Bussell, S Butler, A Canning, J Cant, G Carr-Jones, S Christopher, A Clarke, T Coombs, B Cooper, H Cox (Chairman), D Croney, K Day, N Dragon, J Dunseith, M Dyer, D Elliott, B Ezzard, T Ferrari, S Flower, V Fox, R Freeman, K Garcia, S Gibson, H Goodinge, B Goringe, M Hall, L Hamilton, T Harries, D Harris, P Harrison, B Haynes, J Haynes, F Horsington, S Hosford, S Jefferies, S Jespersen, K D Johnson, O Kanji, R Knox, N Lacey-Clarke, M Lawrence, R Legg, G Logan, M Lovell, B Manuel, W Meaden, L Miller, R Nickinson, P Nixon, J Orrell, E Parker, A Parry, M Penfold, A Reed, M Rennie, C Reynolds, B Ridout, T Roos, J Sewell, P Shorland (Vice-Chair), D Shortell, J Somper, D Taylor, G Taylor, B Trite, D Turner, M Unsworth, D Walsh, A Weaving, J Westbrook, P Wharf, K Wheller, M Wiggins and T Yarker

Apologies: Cllrs J Andrews, K Baker, M Barnes, P Barrowcliff, S Bartlett, T Bartlett, P Batstone, C Beck, D Beer, A Blackwood, K Brookes, G Brown, S Brown, H Bruce, N Bundy, A Burch, D Burt, M Byatt, A Cattaway, A Chase, R Coatsworth, R Cook, P Cooke, J Dover, C Dowden, F Drake, F Drane, G Duke, J Ellis, T Farmer, J Farquharson, C Finch, J Francis, I Gardner, M Gould, R Gould, T Handford, R Hope, C Huckle, N Ireland, C James, G Jefferson, S Jones, T Jones, A Kerby, P Kimber, R Kosior, C Langham, M Leicester, C Lugg, G Marsh, P McCartney, F McKenzie, D Morgan, T Morris, R Nowak, P Oggelsby, J Osborne, D Packer, C Page-Nash, B Pipe, C Pipe, V Potheary, R Potter, S Pritchard, B Quayle, B Quinn, D Rickard, M Roake, M Roberts, J Robinson, G Rockingham, I Roebuck, G Russell, J Russell, A Skeats, D Skipwith, Jackie Stayt, John Stayt, G Suttle, C Sutton, J Tanner, M Tewkesbury, A Thacker, C Tilling, S Tong, P Webb, S West, M Whitwam and P Williams

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

Susan Dallison (Democratic Services Manager), Lee Gallagher (Democratic Services Manager - Dorset County Council), Jonathan Mair (Interim Monitoring Officer), Jim McManus (Interim Deputy S151 Officer), Matt Prosser (Chief Executive Designate) and Lindsey Watson (Senior Democratic Services Officer)

13. Code of Conduct

There were no declarations of interest.

14. Minutes

The minutes of the meeting held on 7 June 2018 were agreed as a correct record and signed by the Chairman.

15. **Public Participation (30 minutes)**

There were no questions or statements from the public.

16. **Questions from Shadow Councillors (30 minutes)**

There were no questions from councillors.

17. **Minutes of the Shadow Executive Committee**

Councillor R Knox presented the minutes of the Shadow Executive Committee from the meetings held on 18 June, 20 July, 21 August and 17 September 2018. The minutes were received and noted.

18. **Minutes of the Shadow Overview and Scrutiny Committee**

Councillor C Brooks presented the minutes of the Shadow Overview and Scrutiny Committee from the meetings held on 20 June, 31 July, 22 August and 12 September 2018. The minutes were received and noted.

Matt Prosser, Interim Head of Paid Service left the room at this point.

19. **Minutes of the Shadow Senior Appointments Committee**

Councillor S Flower presented the minutes of the Shadow Senior Appointments Committee from the meetings held on 19 July, 24 August and 13 September 2018. The minutes were seconded by Councillor R Knox. The minutes were received and noted.

20. **Confirming the Permanent Appointment of the Chief Executive for Dorset Council**

The Shadow Dorset Council received a report by the HR Lead, Shaping Dorset Council Programme with regard to the confirmation of the permanent appointment of the Chief Executive for Dorset Council.

It was proposed by Councillor S Flower seconded by Councillor S Jespersen

Decision

1. That Matt Prosser be confirmed as Chief Executive designate for Dorset Council from 1 October 2018 and that he be confirmed as the new permanent Chief Executive, Head of Paid Service and Returning Officer for Dorset Council from 1 April 2019
2. That a spot salary of £165,000 to be effective from 1 October 2018, be agreed.

Matt Prosser, Chief Executive (Designate) returned to the meeting at this point.

The Chairman of the Shadow Dorset Council congratulated Mr Prosser on his appointment.

Jim McManus (Interim Deputy S151 Officer) left the room at this point.

21. Tier Two Roles - Salary Ranges and Appointments

The Shadow Dorset Council received a report by the HR Lead, Shaping Dorset Council Programme with regard to the salary ranges and appointments for Tier 2 roles for the Dorset Council.

It was noted that a further meeting of the Shadow Dorset Council would be scheduled for December to enable agreement of the Tier 2 statutory posts as recommended by the Shadow Senior Appointments Committee and that a date would be announced as soon as possible. Meetings would also be required for consideration of the Constitution and Budget.

It was proposed by Councillor S Flower seconded by Councillor J Haynes

Decision

That the Shadow Dorset Council agree:

1. The recommended salary range of £120k - £135k for Tier 2 posts, with flexibility to go to £140k for an exceptional candidate
2. The recommended salary range of £85k - £110k for the Monitoring Officer role and subsequent roles that are evaluated at the same level, subject to further benchmarking being undertaken by the LGA
3. For the Shadow Executive Committee to be given authority to agree the most appropriate approach for the remuneration for the Tier 2 post, either as a spot salary or a salary scale with defined performance measures
4. For a further meeting of the Shadow Council to be scheduled for December to enable agreement of the Tier 2 statutory posts as recommended by the Shadow Senior Appointments Committee.

22. Urgent Items

There were no urgent items.

Duration of meeting: 6.30 - 6.54 pm

Chairman

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Shadow Dorset Council

Executive Committee

**Minutes of meeting held at South Walks House, Dorchester
on Monday 15 OCTOBER 2018.**

Present: Cllrs R Knox (Chairman), G Suttle (Vice-Chair), A Alford, S Butler, G Carr-Jones, T Ferrari, S Flower, M Hall, J Haynes, C Huckle, S Jespersen, A Parry, M Penfold, B Quinn, S Tong, D Turner, D Walsh and P Wharf.

Officers present (for all or part of the meeting): Matt Prosser (Chief Executive Designate), Jonathan Mair (Interim Monitoring Officer), Jason Vaughan (Interim Section 151 Officer), Keith Cheesman (LGR Programme Director) and Lee Gallagher (Democratic Services Manager - Dorset County Council).

In accordance with the Overview and Scrutiny procedure Rules of the Shadow Dorset Council, the decisions set out in these minutes will come into force and may then be implemented on the expiry of five working days after the publication date.

58. **Apologies**

Apologies for absence were received from Cllrs Jeff Cant and Pauline Batstone.

59. **Declaration of Interests**

There were no declarations by members of disclosable pecuniary interests under the Shadow Dorset Council's Code of Conduct.

60. **Minutes**

The minutes of the previous meeting held on 17 September 2018 were confirmed and signed.

61. **Public Participation**

There were no public questions received at the meeting in accordance with Standing Order 28.

One public statement was received from Unison in relation to programme progress and in respect of recruitment. The statement had been received by the Lead Member for HR & Workforce and the content had been taken into account. A copy of the statement is attached to these minutes as an annexure and as there was not a representative of Unison in attendance at the meeting the document was displayed for everyone present at the meeting to view.

62. **Shadow Executive Forward Plan**

The Committee received the latest draft Forward Plan, which included all decisions to be taken throughout the Shadow Dorset Council period until 1 April 2019.

Noted

63. Programme Highlight Report

The Committee considered a report by the Programme Director which provided an overview of the Local Government Reorganisation Programme including workstream activity, continued progress in developing detailed plans, theme board activity, the first gateway review, change control arrangements, the delivery plan against the implementation phase of the programme, SWAP audit review of the programme, and convergence and transformation. Work was also underway to address resourcing issues with the respective Section 151 Officers of sovereign councils.

Reference was made to the need for a 'cross checking exercise' to be undertaken, as identified in the SWAP audit report. It was confirmed that there was a constant state of checking at this point of the programme with weekly highlight reports with risks issues and dependencies being reported to the Programme Board.

In relation to the convergence timeline, and change control requests, clarification was provided that the position had developed since publication of the report and that it would run to the end of March 2019 instead of December 2018. It was also noted that this information would be addressed further as part of the Convergence and Transformation Task and Finish Group.

The alignment of convergence alongside the work of the Budget Working Group was raised as there was a need to validate financial savings assumptions and financial modelling for the delivery of the new council. The Programme Director confirmed that this area of work was fast-paced and further detail would be considered by the Budget Working Group and Convergence and Transformation Task and Finish Group.

A range of clarifications and questions were raised on the individual workstream updates included within the Programme Director's report which related to:

- The development of the Phase 3 Transformation Plan, which had progressed since publication of the report, but further clarity about resources was required.
- A coordinated approach to mitigate data disaggregation risk, which had moved on substantially since publication of the report. The risk had subsequently been downgraded from red.
- Identification of a single count venue after the Elections on 2 May 2019. This was confirmed as Redlands Sports Centre in Weymouth on Friday 3 May 2018 (and Saturday 4 May for town and parish count). This would be more efficient than multiple count locations in terms of returning officer attendance, staffing capacity, and would be logistically easier to manage.
- Work by CIPFA on financial analysis, which would hopefully be completed within the next couple of weeks and feedback would be provided in due course.
- Clarification that the risk to staff pay would be minimised to all groups of employees as there was a plan to keep the existing pay systems in place pending sign off by HMRC in October 2018.
- Clarification of the role of the theme boards which had been put in place to drive the service continuity workstreams of the programme. Questions were also asked about the issues and risks facing the theme boards. All status updates for the theme boards had moved on significantly since publication of the report.
- It was confirmed that the Bournemouth, Christchurch and Poole programme had chosen the Mosaic social care system which was the same as the Dorset programme.

It was generally accepted that the status updates needed to be more up to date for meetings of the Shadow Executive Committee through subsequent updates following agenda publication and/or through presentation at the meeting.

Decisions

1. That progress be noted.
2. That the Change Control Request on convergence be agreed, subject to any refinement and consequent update following consideration by the Convergence and Transformation Task and Finish Group.
3. That delegated authority be granted to the Chief Executive (designate), after consultation with the Convergence and Transformation Member Task and Finish Group, to agree the structure proposals for consultation purposes.
4. That the SWAP Programme Governance Follow Up Report and the Programme Board response be noted.

Reason for Decisions

To provide assurance that the Programme was progressing properly, and change was controlled and managed.

64. 2019/20 Budget and Medium Term Financial Forecast

The Committee considered a report by the Lead Member for Finance on the 2019/20 budget, future financial forecast and the strategic budgetary approach to enable the Dorset Council to deliver sustainable services.

Attention was drawn to savings required throughout 2019/20 and beyond, including stranded costs. The Budget Working Group would continue to address the budget challenges of the new council and further information would be shared with members as it was made available, which would include costs of the organisational design to deliver services. A particular request was received to illustrate the relationship between income derived from fees and charges against other income such as Council Tax.

Decision

1. That the current financial forecast for 2019/20 be noted and the strategy for balancing the budget of focusing on convergence savings be approved.
2. That the outline forecast for futures years and work being undertaken to ensure future financial sustainability be noted.

Reason for Decisions

To enable the development of budget proposals for 2019/20 that would set the foundations to creating a financially sustainable council.

65. Future of Local Plans in Dorset

The Committee considered a report by the Lead Member for Planning in relation to the future of local plans, which would see existing local plans transferred to Dorset Council as the statutory Development Plan from 1 April 2019, and the review process which would lead to a new council area Local Plan within five years of the reorganisation date.

The importance of making progress on local plans, in order to have an up to date basis for planning decisions, was emphasised. In addition legal clarification was being sought in relation to housing land supply as a result of the creation of Dorset Council, and application of existing plans prior to the development of a new Plan. The decision about how to progress local plan preparation would be one of the first tasks for the new Council after 1 April 2019.

Reference was made to the need for a plain English guide to be made available in due course to explain the arrangements to the public, and to share with town and parish councils at the earliest opportunity.

The Committee welcomed the report and thanked Cllr David Walsh, as the Lead Member for Planning, for his work in developing the position in relation to local plans.

Decision

1. That the current work on local plan reviews should continue until any decisions are made by the new Dorset Council about the future of local plans.
2. That the continuing status of the existing adopted local plans after the formation of the new council be noted.
3. That the essential need to progress local plan reviews in good time in future, and the risks associated with the various options for doing so, as outlined in the report be noted.

Reason for Decisions

To highlight the importance of maintaining progress on reviewing planning policy, and the decisions that needed to be made by the new Council about how this was achieved.

66. Parish and Town Council Elections - Recharging Structure

The Committee considered a report by the Chief Executive (designate), as the Returning Officer for Dorset Council, on the arrangements for recharging for the administration of town and parish council elections in 2019, incidental by-elections, and parish polls.

A request was made for information on the recharging to be shared with town and parish councils as soon as possible so that any financial impact could be taken account of in local budget and precept planning. The need for effective communications was highlighted through regular newsletters and through the Dorset Association of Town and Parish Councils (DAPTC).

Decision

That the implementation of the approach to recharging parish and town councils for the costs incurred by Dorset Council for administering their scheduled elections and by-elections set out in section 3 of the Returning Officer's report with effect from 1 April 2019, be approved.

Reason for Decision

Parish and town councils needed clarity about the likely costs that they would incur for both scheduled elections in 2019 and incidental by-elections to inform their budget-setting processes and decisions on the level of precept and beyond.

67. **Shaping Dorset Council Programme - Tier 2 Process, Voluntary Release**

The Committee considered a report by the Lead Member for HR and Workforce on the voluntary release arrangements for Tier 2 officers as part of the development of the management structure of Dorset Council. The report followed consideration of Tier 2 structure at the last meeting of the Shadow Executive Committee on 17 September 2018, and subsequent approval of the structure by the Shadow Dorset Council on 27 September 2018.

A question was asked whether the redundancy and HR costs were reflected in original case for change assessment. It was confirmed that the case for change did outline change costs, and that this element of the change costs related to a relatively small element of the overall costs.

Decision

1. That the approach to Voluntary Release, to be included as part of the Tier 2 Appointments Process, be agreed.
2. That sovereign councils be asked to include this approach to supporting Tier 2 officers in their organisations.

Reason for Decision

The approach would support the organisation in managing the reduction in senior manager posts in a way that included individual considerations to be taken account of.

68. **Delegation of Waste Function for Christchurch**

The Committee considered a report by the Lead Member for Waste to delegate the waste function of Bournemouth, Christchurch and Poole (BCP) Council for the Christchurch area to Dorset Council for a one-year period.

An amendment to recommendation 2 was proposed by Cllr Jill Haynes to ensure that consultation was undertaken with the Lead Members for Finance and Waste in respect of the terms of the legal agreement. It was confirmed that the financial impact would be minimal as the arrangement would charge for the service at cost. Cllr Jespersen seconded the proposal. On being put to the vote the amendment was agreed.

Encouragement was expressed to consider the level of street cleaning in the Christchurch area carefully as the requirement in the area was currently higher than other areas and should be reflected in the negotiations for the service.

Decision

1. That a delegation of function by agreement under Section 101 of the Local Government Act 1972 to allow waste services currently delivered by the Dorset Waste Partnership, to continue to be delivered in the existing Christchurch Borough area by Dorset Council on behalf of Bournemouth, Christchurch and Poole Council, for a period of one year from 1 April 2019, be approved.
2. That Director of the Dorset Waste Partnership, the Director of Environment Bournemouth Borough Council, and the Environmental Development Manager Borough of Poole, along with the two interim monitoring officers, be delegated authority to agree the terms of the legal agreement following discussion with lead members/portfolio holders (for the Dorset area these would be the Lead Member for Finance and Waste).

3. That a fee be agreed between the two interim S151 officers based on the waste and cleansing disaggregation template and determined as part of the budget making processes of the two Shadow Authorities. On the basis of the disaggregation template no council should be financially disadvantaged.

Reason for Decision

To ensure continuity of a high-profile service delivered to every household in Christchurch for a transitional period.

69. **Recommendations from the Shadow Overview and Scrutiny Committee**

The Committee considered recommendations from the Shadow Overview and Scrutiny Committee from meetings held on 31 July and 22 August 2018.

In relation to the recommendation on '*Town and Parish Councils – Principles for transfer and disposal of assets*' it was clarified that fortnightly communications were in place.

In relation to the recommendation on the '*Process for the appointment of a permanent Chief Executive for the Dorset Council*', it was confirmed that an odd number of members would constitute the appointment panels for Tier 2 posts.

In relation to the recommendation on the '*Programme Highlight report including Internal Audit report produced by SWAP*', members were informed that the format of the report had already been updated to take account of the recommendation.

Cllr Trevor Jones, as the Chairman of the Shadow Overview and Scrutiny Committee asked for a faster consideration of recommendations to Shadow Executive Committee. Officers confirmed that arrangements were in place and this would improve.

Decision

That the following recommendations from the Shadow Overview and Scrutiny Committee be agreed:

Town and Parish Councils – Principles for transfer and disposal of assets

1. *That town and parish councils receive direct communication from the Shadow Dorset Council on a fortnightly basis.*

Process for the appointment of a permanent Chief Executive for the Dorset Council

2. *That any Senior Appointments Committee / Panel established for the purpose of undertaking the selection process for the recruitment of senior officers (below Chief Executive/Tier 1) is constituted with an odd number of members.*

Programme Highlight report including Internal Audit report produced by SWAP

3. *That the Programme Milestone Plan contained within the Shaping Dorset Council Highlight Report be amended to include the use of shapes in addition to colours, in order to identify progress in the different areas.*

70. Independent Special School Provision - Framework Tender and Award

The Committee considered a report by Cllrs Andrew Parry and Steve Butler as the responsible Cabinet members from Dorset County Council, in relation to participation in a sub-regional framework tender for the provision of independent and special school placements.

It was explained that the framework would provide a broader range of independent special school and college placements that could deliver better outcomes for children and young people, especially when the number of placements was growing; and would meet procurement regulations by opening access to a range of placements to avoid spot purchasing placements as required.

Similar sub-regional arrangements were likely to be a feature of future commissioning due to the greater control of costs, including Adult Services.

The timing of the contract award in May 2019 was raised as a potential area of risk as the Dorset Council elections would take place at this time. It was confirmed that the responsible Cabinet members would continue to monitor and ensure the arrangements were on track leading up to the elections.

Decision

That the participation of Dorset County Council in a sub-regional framework tender for the provision of independent and special school placements be supported.

Reason for Decision

To improve the sufficiency and choice of independently provided school and college placements to meet the needs of children and young people with Special Educational Needs and Disabilities (SEND).

71. Urgent Items

There were no items of urgent business pursuant to section 100B (4) b) of the Local Government Act 1972 considered at the meeting.

Duration of meeting: 4.00 - 5.20 pm

Chairman

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UNISON Dorset Branch

Response to the report to the Shadow Dorset Council on 15 October 2018

Shaping Dorset Council - Change, Control, Convergence.

The Branch notes that this proposal involves bringing forward the convergence of some teams before 1 April 2019 in order to realise savings quickly after that date. It also notes that the report makes clear that this is not the transformational redesign of the new organisation required to enable the operating principles for the Dorset Council.

The potential for some job losses from convergence were outlined some time ago in the outline business plan. At that time UNISON indicated that since 2010 the Government's austerity agenda had placed considerable pressure on local government finances resulting in significant reductions to services, such as Social Care, provided to local communities. It indicated then that these funding pressures were continuing and intensifying and as a result UNISON understood why the Local Authorities were looking to merge to achieve cost savings. Whilst UNISON accepted the authorities have had little choice but to go down this route, it made clear that it was keen to ensure that this was not at the expense of further cuts to public services. UNISON noted that Central Government were providing no funding to support the merger process and the costs that had been identified by the authorities to pay for the inevitable costs associated with such a significant structural, organisational and administrative change. It expressed concern at the time that these additional costs would have their own pressures and would need to be found from existing, already very financially constrained, budgets.

Equally, the local Branches (now merged into the UNISON Dorset Branch) advised at that time that they would work very closely with the authorities to minimise the impact on staff and people receiving services over what will be a very challenging time limited implementation period. This would also involve challenging management, where appropriate, about any steps being considered to form the new Unitary Council. The aim being to work hard with staff and elected members to ensure that our members are treated fairly, that members' jobs were protected and to ensure that members were not disadvantaged by any harmonisation of existing agreed policies, terms and conditions. Furthermore, that the impact of this process of change would be minimised.

The Branch regrets the fact that it has only just been made aware of this proposed change and that at no time was it raised during our established consultation arrangements.

The report raises a number of concerns which need to be the subject of discussion as part of that process. The Branch notes the recommendation to agree structure proposals for consultation purposes and that discussion of these elements will commence soon. However,

a number of the issues have now been raised by UNISON on a number of occasions without resolution, which, given the apparent urgency, is now regrettable.

The Branch is concerned that the original number of posts in the business plan that might have been affected by convergence will have changed over time. The figures are over 18 months old and do not reflect the actual numbers that might be affected. At present it is unclear to us what alternatives are going to be considered other than staffing costs. In addition, the Branch is not aware whether the costs of redundancy, pension liability, redeployment, etc. have as yet been built in. Clearly existing staff hold significant concerns over the potential impact of the proposed changes, particularly in respect of job losses. It is also important to ensure that staff feel engaged with the process rather feeling it is being imposed upon them

There are also existing agreements in place which need to be addressed as part of this process, which we are concerned have yet to be acknowledged.

In terms of general points, the Branch is concerned about the legality of the proposed acceleration of any convergence measures potentially involving job losses at this time, particularly in respect of impacts on TUPE.

At this time there is the potential for inequality under this process, primarily due to carrying out EQIA's after decisions are made. Concerns have already been raised by our members that the new authority will have few women in senior positions, that in the two areas likely to suffer the brunt of the redundancies (Environment and Support Services) it seems likely many more women will face losing their jobs. Therefore, with further potential inequality, it is critical that a thorough and robust EQIA is presented for consideration prior to firming of any plan in order to prevent potential legal challenges.

To date, there has been no agreement on details of the proposed TUPE need for EQIAs.

Furthermore, and most importantly in terms of the current proposals, there is no agreement on Organisational change procedure to be adopted. As things stand there are a number of agreed documents.

The Branch would request that it would wish to see a more detailed breakdown of the budget costs and how any job losses are justified in each case.

Aileen Powell
Amanda Brown
Joint Branch Secretaries

Shadow Dorset Council

Executive Committee

**Minutes of meeting held at South Walks House, Dorchester
on Monday 12 NOVEMBER 2018.**

Present: Cllrs R Knox (Chairman), G Suttle (Vice-Chair), A Alford, P Batstone, S Butler, J Cant, G Carr-Jones, T Ferrari, S Flower, M Hall, J Haynes, C Huckle, S Jespersen, A Parry, M Penfold, B Quinn, S Tong, D Turner, D Walsh and P Wharf.

Officers present (for all of the meeting): Jonathan Mair (Interim Monitoring Officer), Keith Cheesman (LGR Programme Director), Jim McManus (Interim Deputy 151 Officer) and Lee Gallagher (Democratic Services Manager - Dorset County Council).

Officers present (for all of the meeting): Karen Andrews (Head of Business Improvement – Dorset Council Council), David Bonner (Intelligence, Insight and Performance Manager – Dorset County Council), Ed Denham (Schools and Learning – Manager – Dorset County Council), Martin Hamilton (Strategic Director – Dorset Councils Partnership), Rebecca Kirk (General Manager Public Health and Housing – Purbeck District Council), Jennifer Lewis (Communications and Engagement Manager – Dorset County Council) and Andrew Reid (Assistant Director – Schools and Learning – Dorset County Council).

In accordance with the Overview and Scrutiny Procedure Rules of the Shadow Dorset Council, the decisions set out in these minutes will come into force and may then be implemented on the expiry of five working days after the publication date.

72. **Apologies**

Apologies for absence were received from Matt Prosser (Chief Executive (designate) and Jason Vaughan (Interim Section 151 Officer). Jim McManus (Chief Accountant – Dorset County Council) attended the meeting for Jason Vaughan.

73. **Declaration of Interests**

There were no declarations by members of disclosable pecuniary interests under the Shadow Dorset Council's Code of Conduct.

74. **Minutes**

The minutes of the previous meeting held on 15 October 2018 were confirmed and signed.

Matters Arising

Report Template

Cllr Jill Haynes reminded the Committee that she had asked for Lead Members to be shown on the reports for each item on the agenda at the last meeting and this had not been fully implemented yet. It was important to show Lead Members on reports as it identified the responsible member, and also showed that they had been involved in the development of the report. This issue was taken away as an action for officers to continue to implement.

Minute 66 - Parish and Town Council Elections - Recharging Structure

Cllr Nick Ireland read out a statement in relation to the decision of the Shadow Executive Committee at its last meeting to raise concern regarding the recharging arrangements for towns and parishes within the current financial year. The statement is attached as an annexure to these minutes.

The Chairman announced that a briefing note had been shared with all town and parish councils about the arrangements which had received positive feedback, but some concern was expressed that there was an anomaly with the original proposal and that the costs were anticipated to be underwritten and recharged in the following financial year. The Leader undertook to look into the issue and explore what could be done to address the matter.

75. **Public Participation**

One public question was received from Tristram Hobson, Head Teacher at The Swanage School, in relation to Home to School Transport Policies 2019-2020 (Min 82 below). The question and answer are attached as an annexure to these minutes.

There were no statements received at the meeting in accordance with Standing Order 28.

76. **Shadow Executive Forward Plan**

The Committee received the latest draft Forward Plan, which included all decisions to be taken throughout the Shadow Dorset Council period until 1 April 2019.

It was noted that the Shadow Executive meeting shown in the draft Forward Plan had changed from 10 December to 17 December 2018. It was also confirmed that the item on the Home Education Bill had been removed.

Noted

77. **Programme Highlight Report**

The Committee considered a report by the Programme Director which provided an overview of the Local Government Reorganisation Programme including workstream progress, Theme Board activity, phase 3 convergence work, tier 2 officer appointments update, outstanding issues, risks, Gateway Review, contingency planning, and South West Audit Partnership (SWAP) update. A further report would be submitted to the Committee on 17 December 2018 in relation to Programme Resources.

A challenge was raised to the inclusion of Brexit within the Programme as this was an external risk which would take place anyway at the end of March 2019. The Programme Director explained that the ramifications of Brexit could have staffing and service implications which could threaten service delivery on day one of the new Council. It was also noted that this could change as more information became clear on the Brexit process from Government. Members asked for a form of wording to be developed outside of the meeting to capture a clear summary of

the risk and for an assessment of the impact of Brexit on Dorset Council to be developed.

Concern was expressed that lead members were not interviewed in the Gateway Review and would have had a valuable contribution if they had the opportunity to contribute. It was explained that due to time pressures it was not possible to include members in this review, but a commitment was made to include members in future providing that there was adequate time allowed for this. It was recognised that this would be discussed outside of meeting.

Members discussed the workstream reporting which had changed from the previous version of the report to provide a more streamlined and focussed update. It was noted that the background information to each of the workstreams was available on request outside of the meeting. Lead Members also confirmed that they were fully briefed on the progress of their respective areas of responsibility. A request was repeated from an earlier meeting to ask for circulation of the workstream updates to members on a regular basis through established communication channels.

Questions were asked about the contingency and resourcing around the programme arrangements, to which the Programme Director explained that the programme was resourced to date and that further consideration was needed for resources for the phase 3 convergence work. This was also an area of consideration for the Budget Working Group.

Decisions

1. That the progress made since the last meeting of the Committee be noted.
2. That the findings of the Gateway Review be noted.
3. That the budget update be noted and that an update be provided at the next meeting on 17 December 2018.

Reason for Decisions

To provide assurance that the Programme was progressing properly.

78. **Risk Management for Dorset Council**

The Committee considered a report on the approach and methodology for risk management which outlined the proposed future arrangements developed through emerging strategic priorities, operating model, best practice, and a review of the Sovereign Councils current risk management arrangements.

A presentation was provided on the consolidated risk management arrangements, robust methodology, strategic context linked with operating model of the new Council, inherited risks, risk tolerance and appetite, and effectiveness of mitigation control.

The report was welcomed by members, and a request was made for appropriate application of the methodology as soon as possible and for training of members and officers to ensure that behaviours and culture of Dorset Council reflected this risk approach.

Decisions

1. That the proposed Risk Management Framework be approved.
2. That the Committee receive a brief presentation on the work underway to understand the existing risk landscape, based on sovereign council corporate risks.

Reason for Decisions

To ensure the new council operated safely and within risk appetite, with a robust framework in place aligned to meeting Corporate objectives.

79. **New visual identity for Dorset Council**

The Committee considered a report on the visual identity for the Dorset Council as a key element of the branding for the new council for use from 7 January 2019. The recommended logo design was selected through testing with members, employees and Dorset residents.

A presentation was provided which outlined the consultation with a mixture of over 1000 members, staff and residents, the activity of the Communications and Engagement Working Group in developing the visual identity, and that the work was all managed in-house at no additional cost to taxpayers.

All members and staff involved in the process were commended for their hard work.

Decision

That the proposed logo design (below) as the new visual identity for Dorset Council be approved.



Reason for Decision

The recommended logo design fully delivered on the agreed brief for the new visual identity for Dorset Council, including accessibility requirements. It was the most popular design when tested with members, colleagues and residents.

80. **Future Operation of Leisure Centre Facilities in Dorset**

The Committee considered a report about management arrangements for the various Council owned Sports and Leisure Centres in Dorset and future programme of work with opportunities for efficiencies and savings in the future.

It was noted that further discussions would take place outside of the meeting in respect of the detail related to the Verwood Hub to reflect the full level of provision.

Decisions

1. That a specialist company be appointed to begin work on developing a business case, including options for future delivery of services, which will also include a building condition survey of all the assets.
2. That the outcomes of the business case be presented to Dorset Council for decision in summer 2019.
3. That officers from the Dorset Council Partnership and Dorset County Council extend the current contractual arrangements that are due to expire for Blandford and Ferndown leisure centres until 2022 with sufficient break clauses to mitigate against risks for unexpected delays.

Reason for Decisions

Beginning work on a business case and a building condition survey of the assets would enable Dorset Council to have a good understanding of the sports and leisure facilities in Dorset and make decisions on the future options for operation of these services that would align to the corporate vision, operating model and priorities.

81. **Future of the Public Health Partnership: Update and Key Issues under Local Government Reorganisation**

The Committee considered a report on key issues facing the public health partnership as it prepared for Local Government Reorganisation (LGR) including the model of service, maintaining the contract and agreement in support of the partnership, and ensuring good governance on key decisions. Support was sought for extending the public health partnership for a minimum 12 months post-LGR, along with a continuation of the Joint Public Health Board. Information about ring-fenced funding for Public Health of £28m per year would be shared with members outside of the meeting.

Decisions

1. That the Joint Public Health Board's decision to extend the partnership for a minimum of 12 months after LGR be supported.
2. That the Board's decision to approve a procurement for a new model to provide NHS Health Checks with a pan-Dorset budget of £600,000 per annum be noted.

Reason for Decisions

To maintain the partnership agreement for public health pre and post-LGR, would ensure good governance and clear decision making as LGR progresses, and the continued effective delivery of the statutory legal public health duties of local authorities.

82. **School Transport Policies 2019-2020**

The Committee considered a suite of policies detailing eligibility/entitlement to school transport for any Dorset resident attending an education setting, both Dorset maintained, Academy or in the case of children and young people with Special Educational Needs and Disabilities, those attending an Independent Specialist Placement. Particular reference was made to the surplus seat cost, as agreed by Dorset County Council's Cabinet on the 7 March 2018, which had risen from £675 to £715, and an objection to eligibility for transport for residents of the Swanage Town area raised by the Swanage School. Consultation was undertaken from June to July 2018 and September to October 2018.

One public question was received from Tristram Hobson, Head Teacher at The Swanage School, in relation to Home to School Transport Policies 2019-2020. The question and answer are attached as an annexure to these minutes.

The Committee discussed the application of catchment criteria to school transport arrangements, and although it was recognised that catchment areas had not been updated in some time, the policies over time had proven effective and there had not been a wholesale change at this point for policies in 2019-2020, but may be an area for consideration in future years. In relation to The Swanage School, a view was shared that the transport arrangements had been put in place in perpetuity in 1972 but times change and that this area should be reconsidered in due course.

Decisions

1. That the Home to School Transport Assistance Eligibility Policy for Children and Young People attending School 2019-2020 be approved and adopted.
2. That the Dorset Post 16 Transport Support Policy for 2019-2020 which includes a rise in the surplus seat price from £675 to £715 be approved and adopted.
3. That the surplus seat cost for 2020/21 will be £760 and in 2021/2022 will be £800 as per the Dorset County Council's Cabinet decision of 7 March 2018.
4. That the Home to School Transport Policy and Post 16 Transport Support Policy are reconsulted on only either when there is a significant change to the eligibility criteria; or where there are changes to the statutory guidance that would require significant change to the policy; or in April-June 2021 for implementation in September 2022, whichever is the sooner.

Reason for Decisions

For Dorset (County) Council to fulfil its statutory duty to approve and publish school transport policies ahead of the Academic Year to which they refer.

83. **Defining the Relationship Between the Local Authority, Schools and Academies**

The Committee considered a report regarding the development of a revised relationship between Dorset County Council and schools and academies across Dorset into a school's led system through a strategic School Improvement Board (SIB). The report was considered and approved by the County Council's Cabinet at its meeting held on 17 October 2018 and was submitted to the Shadow Executive Committee for consultation.

It was noted that the terms of reference of the SIB would be updated to read 'Ensure that every child and young person attends a good ~~or an~~ outstanding School'.

Members discussed the £100k of capital funding to be used to support the initiative. It was confirmed that this was one-off funding and it was anticipated that if the arrangements were successful it was hoped that they would continue to be funded by schools themselves.

Decision

That the decision of the Dorset County Council Cabinet be supported.

84. **Peninsula Redevelopment Scheme**

(Note: Cllr Tony Ferrari indicated at the beginning of the debate that he would not speak or vote on the report.)

Members considered a report on the Peninsula Regeneration Scheme as a five part development to contribute to reimagining of Weymouth. The plan had been developed over a number of years to bring together the regeneration proposal and further reports would be considered in due course. The report related to the first of five phases to provide a sustainable self-financing model which would bring £300k for the Dorset Council in the future.

The Committee spent considerable time discussing the legal remit and accountability of the Strategic Harbour Authority (SHA), the role of the Harbour Management Board, and ownership of the peninsula site. It was confirmed that the site would be owned by the Dorset Council, and it would be responsible for it as the SHA when the new council was formed, and would therefore be responsible for the future of the site which would include the potential to exploit funding opportunities to be ring-fenced for harbour use. It was also noted that this would include harbour wall repairs and ongoing maintenance.

A range of views were expressed in relation to the merits and caution regarding the Regeneration Scheme. Strong support was expressed by a number of members whilst reassurance was sought by others specifically in relation to the ongoing delegation of authority to progress actions within the scheme, which were likely to be different for the new Dorset Council. It was clarified that the delegations would be adjusted to reflect the delegations put in place by the new authority, including those where authority would be placed with Executive Portfolios.

A further view was expressed regarding the opportunity cost of the scheme and whether borrowing the funding to spread across many other areas in Dorset may have a greater positive impact on communities, and whether this would create a greater financial and community return on investment. Clarification was provided that the scheme was self-financing, and had been recognised as acceptable by the Treasury as it would fund repayment of debt and create a future surplus of £300k.

Clarification was provided by the Interim Monitoring Officer that the Shadow Executive Committee had been invited to support the decisions that had already been made by Weymouth and Portland Borough Council which was needed prior to implementation and if no support was given the Council would not proceed.

Some views were shared with the Committee about the need for appropriate gateways to be in place throughout the scheme regarding draw down of finance, which linked to the delegation arrangements and the evaluation processes that would be in place. It was noted that tests were included within the financial risk mitigation part of the report which required capability to progress to be demonstrated clearly and robustly. It was further added that the governance and programme controls would be implicit for the Dorset Council in taking forward the scheme.

Decision

1. That the decision of the Weymouth & Portland Borough Council be supported.
2. That the future arrangements regarding delegations be noted, in that they would be updated to fit the accountability and delegation arrangements for Dorset Council from 1 April 2019.

85. **Quarterly Asset Management Report**

The Committee considered a report from the Dorset County Council's Cabinet on key issues relating to the various asset classes of Property, Highways, ICT, Fleet and Waste. The report was considered and approved by the County Council's Cabinet at its meeting held on 17 October 2018 and was submitted to the Shadow Executive Committee for consultation.

Decision

1. That the decisions of the Dorset County Council Cabinet be supported.
2. That the allocation of £490,000 from capital balances to complete the refresh of user devices supporting the roll-out of Office 365, maintaining end-of-life assets and readying the authority to transfer to Dorset Council in a good state to support safe, legal and compliant operations from vesting day (paragraph 5.1.5 of the report) be approved.

Reason for Decision

A well-managed Council would ensure that the best use was made of its assets in terms of optimising service benefit, minimising environmental impact and maximising financial return.

86. **Urgent Items**

There were no items of urgent business pursuant to section 100B (4) b) of the Local Government Act 1972 considered at the meeting.

Duration of meeting: 4.00 - 6.35 pm

Chairman

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Item 3 – Minutes

Statement from Cllr Nick Ireland in relation to Recharging Town and Parish Councils for Election Costs

The last Shadow Executive approved recharging parish and town councils for election costs.

This is to *"be implemented replicating that which would have been implemented by the Dorset area councils on 1 April 2019"* and that *"any recharge will be made in the same financial year as the election or by-election"*.

This contradicts the stance taken by WDDC in March 2018 when their Returning Officer advised its parish councils that recharging would be implemented from 1 April 2019.

Their correspondence stated that *"The District Council recognises that the town and parish councils would need to precept to cover these costs which is why it was agreed that the charges would be made on a cost recovery basis i.e. those charges incurred in 2019, would be recoverable in the 2020/21 financial year"*

This difference is crucial and if not remedied, will have a significant impact on parish councils.

For many parish councils, contested elections are rare. If the current situation remains, **ALL** parish councils will have to raise their precept to cover a shared election next year, and also to cover at least one by-election. For several of my own parishes, this would necessitate a precept increase of over 50%, and in two cases, over 100%, to cover an eventuality that may not arise.

The WDDC policy makes perfect sense and the new Dorset Council will be easily able to carry the temporary burden of those election charges that do arise.

I therefore urge the Shadow Executive to reconsider this aspect of the decision.

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Shadow Executive Committee

12 November 2018 - Public Participation

Question from Tristram Hobson, Headteacher of The Swanage School to the Dorset County Council Cabinet Member for Economy, Education, Learning and Skills in relation to home to School Transport Policies 2019-2020

Question

It is apparent from paragraphs 5.4 to 5.10 that officers have not taken into consideration the points made in consultation responses making the consultation process itself flawed.

- As a mainstream secondary, The Swanage School does have sufficient capacity for all children from Swanage and the surrounding area.
- As it stands the transport policy is and will continue to waste £134,000 of taxpayers' money each year.

In the current economic climate how can the Council justify such an unnecessary waste of taxpayers' money?

Answer

My thanks to Mr Hobson for his question and may I also take this opportunity to say thank you for the warm welcome I received when I visit The Swanage School recently.

The Shadow Executive Committee, should be aware that within our home to school transport policy set out today, there is a provision under Section 4 relating to Swanage School, permitting pupils residing within the catchment area of The Swanage School, to also seek a place at Purbeck School as their preferential choice and to be permitted transport to the school.

The Swanage School operates as a Free School and regarding the objections they have lodged, Dorset County Council has sort independent advice to ascertain our policy is legal both historically and for the foreseeable future.

Madam Chairman, with your permission, I would like to take today's meeting of the Shadow Executive Committee as an opportunity to reach out to the community that is served by The Swanage School and urged those who have yet to evaluate the school's suitability for their child's education to do so.

The school offers excellent modern and comprehensive facilities, lead by a team of professionals with the very best of forward thinking in providing education. On the evidence I was shown during my visit, including conversations I personally had with pupils, when they told me they found their teachers inspiring, it should not come as a surprise that Ofsted rated the Swanage School - Good.

I hope in answering Mr Hobson's question, members will agree with me, that a parental lead choice, which would see greater numbers of pupils resident in the Swanage catchment area switching to The Swanage school which is geographically closer to their home, has the potential to produce a better outcome for pupils, whilst reducing resource pressure on the new Council, rather than a forced policy change which could at this time, be undermined via an appeals process.

I would like to continue to work on a solution that is acceptable to both The Swanage School and the new Dorset Council.

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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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Shadow Dorset Council

SHADOW OVERVIEW AND SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 7 NOVEMBER 2018

Present: Cllrs T Jones (Chairman), C Brooks (Vice-Chair), S Bartlett, K Brookes, C Finch, S Gibson, N Lacey-Clarke, R Nowak, J Sewell, J Somper, J Tanner and M Wiggins

Apologies: Cllrs R Bryan, M Byatt and B Goringe

Also present: Cllr A Alford, Cllr J Andrews, Cllr S Flower, Cllr M Penfold, Cllr V Potheary, Cllr M Rennie, Cllr P Shorland, Cllr T Yarker and Sally White (SWAP)

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

Matt Prosser (Chief Executive Designate), Jason Vaughan (Interim Section 151 Officer), Jonathan Mair (Interim Monitoring Officer), Keith Cheesman (LGR Programme Director), David Fairbairn (Solicitor), Rebecca Kirk (General Manager, Public Health and Housing - Purbeck District Council), Lee Ellis (Scrutiny Officer), Mark Taylor (Group Manager - Governance and Assurance) and Lindsey Watson (Senior Democratic Services Officer)

46. Declarations of Interest

There were no declarations of interest.

47. Minutes

The minutes of the meeting held on 8 October 2018 were agreed as a correct record and signed by the Chairman.

The Chairman reported that recommendations made by the committee to the Shadow Executive Committee at previous meetings, had been agreed.

48. Public participation

There were no representations from members of the public.

49. Design Principles for the new Dorset Council

In response to a request at a previous meeting, the Chief Executive (Designate) attended the meeting to provide an overview of the design principles for the new Dorset Council. A copy of the report considered by the Shadow Executive Committee on 21 August 2018 with regard to 'Building a Council for the 21st Century – Design Principles for the new Dorset Council Operating Model', was included within the agenda to support discussion on the item.

The Chief Executive (Designate) noted that work being undertaken was to create a Safe and Legal Council from day 1. Transformation work was underway to design an operating model to set out how the new Council would operate. The nine agreed design principles were being used in order to ensure the creation of a sustainable organisation.

The Chief Executive set out three key areas of focus for the new organisation:

- Being a customer focussed organisation with the ability to plan big but act local
- Being an effective and modern organisation – business like with a social purpose
- Being an employer of choice – empowering staff and being a learning organisation

A question was raised as to how the design principles and key areas of focus would be monitored in terms of whether they were being achieved? In response, the Chief Executive (Designate) noted that the design principles would provide a guide for creating the new structure. The challenge would come when looking back to see whether things were being done differently. Performance Indicators would be developed as a separate piece of work. A transformation roadmap would be created for approval by the Shadow Executive Committee and this could also be brought to this committee around February/March 2019.

Members considered the issues arising and during discussion the following points were raised:

- A comment was made that there was a need to see detail of the work that was being undertaken underneath each of the design principles
- In response to a question, the Chief Executive (Designate) highlighted that transformation would be ongoing up to and beyond 1 April 2019
- The transformation roadmap would include key milestones to be agreed by the new Council. These could be considered by the committee when the report was presented
- A question was raised with regard to the staffing hierarchy for the new Council and whether there would need to be consideration of the services required when considering the staffing required. In response, the Chief Executive (Designate) noted that it was the intention to simplify the staff structure of the Council in order to remove the distance between the layers

50. **Overview of work being progressed by the Governance Working Group**

At the request of the committee, members received a report which provided an outline of the work of the Governance Working Group, including its progress to date, next steps and the timetable for the production of the new

Constitution. The report also provided some information on the working group's initial thinking on overview and scrutiny arrangements.

As Chair of the working group, Councillor Spencer Flower provided an overview of the work of the group which had met on 3 occasions, with one further meeting planned before concluding their work. He noted that the report on the new Constitution would be brought to this committee at the meeting on 3 December, and in addition, a member briefing would be held to provide all members with the opportunity for a detailed look at the work done and for any fine tuning required.

David Fairbairn (Solicitor, Purbeck District Council) had been involved with the work of the group. He noted that there was a wish to involve all members in the development of the Constitution which was why it had been agreed to hold a member briefing and to include information in members' newsletters.

Members considered the issues arising from the report and during discussion the following points were raised:

- A point was raised that there was some unease that the Shadow Executive Committee was receiving reports before the Overview and Scrutiny Committee had been able to review them. In response it was noted that the Constitution would not be finalised until it had been adopted by Full Council in January 2019
- A discussion was held in respect of the reference to the member briefing to be held and whether calling it a member briefing would reflect the importance and key role of the session? The Chairman asked if the session could be retitled in order to ensure attendance by members
- It was noted that the Governance Working Group had agreed with the principle of there being Area Forums in order to ensure that local connection with communities was not lost with the new Dorset Council. Further work was required but this would be part of the model moving forward. In addition, the working group, through discussion with officers, had identified a suitable option for development management purposes
- The working group had considered options within the 'Governance-light' model that it would like to see for Dorset Council. There was an opportunity to review structures and ways of working. This would include a review of the Policy Framework with 10 headline policies (there were around 30 included in the policy frameworks of the current six councils) and a review of the Constitution both now and as the new Council bedded in
- There was no wish to marginalise members, although a point was raised that some members did not feel as engaged as they had been previously
- A point was noted that the proposals outlined in the report could be supported as long as they were 'governance-light' and not 'democracy-light'. It was acknowledged that there was a need for good local decision making and it was hoped that this was a central feature of what was brought back to the committee in December

- In respect of the indicative proposals for Overview and Scrutiny, it was noted that the working group had considered whether there should be an overarching overview and scrutiny committee but that this had been rejected as being too bureaucratic and not in keeping with the 'governance-light' model
- In response to a question with regard to the geographical nature of the proposed area forums, it was noted that work in this area was still to be completed
- In respect to proposed changes to boundaries by the Boundary Commission it was noted that some changes had been made following consultation with local residents but that most of the proposals considered by the working group would remain the same
- Reference was made to a report on the Shadow Executive Committee Forward Plan for the meeting on 10 December 2018, with regard to 'Local Area Arrangements'
- Further consideration of the detail of area forums could be considered by the committee at their next meeting where the draft Constitution would be considered

The committee noted the progress made to date by the Governance Working Group.

51. Shadow Dorset Council Call-in arrangements

The Chairman introduced the item which had been prompted by a recent Call-in request in respect of a decision of the Shadow Executive Committee on 17 September 2018 on the transfer of services and assets. The Call-in had been instigated but subsequently rejected by the Monitoring Officer. The Chairman felt that this should have been dealt with as a Call to Account.

The Interim Monitoring Officer provided information in order to clarify the situation. He noted that Call-in should only be used in exceptional circumstances and explained the situation with regard to Call-in in the Shadow Dorset Council and in the new Dorset Council. For the new Dorset Council it was proposed that a Call-in could be instigated where the executive failed to follow the policy framework or the Budget set by Full Council or where the executive did not follow principles for good decision making. The current situation in the Shadow Dorset Council was very different given the constrained time period within which it operated and the requirement to be safe and legal on day 1. The Shadow Constitution, which had largely been drawn from one used by another council, provided only narrow opportunities for a decision to be called in – in essence the only factor that could be considered was whether the decision was in accordance with law. The recent Call-in had been procedurally correct but had been rejected as it was not an unlawful decision.

It was agreed that as this had been dealt with, discussion would move to the next item on the agenda.

52. Proposed Call to Account

The Chairman introduced an item to ask the committee to consider a proposed Call to Account with regard to the decision of the Shadow Executive Committee on 17 September 2018 on the transfer of services and assets in West Dorset. If agreed, the Call to Account would be considered at a future meeting of the committee and the relevant people would be required to come to the meeting to provide information in respect of the decision taken.

Reference was made to the principles for the transfer of assets to town and parish councils, which had been agreed by the Shadow Executive Committee on 20 July 2018 and the amount of work that had been undertaken in West Dorset. The recommendations put forward by West Dorset District Council had been considered by the Shadow Executive Committee, but had not received support from the committee. A point was raised that when the Shadow Dorset Council came in to being there was a wish to empower people by enabling local communities to be in charge of their own assets. A report had subsequently been considered by West Dorset Full Council which sought to leave the door open for future discussions, within the principles agreed by the Shadow Council and which had received cross party support.

The Chairman noted that the purpose of the discussion at this meeting was to determine whether there was committee support to proceed with a Call to Account.

Members discussed the issues arising and during discussion the following points were raised:

- A lot of time and effort had been put into negotiations with town and parish councils in West Dorset and it was felt that the Council had been caught out by the principle that a proposal must not exceed £100k value
- A point was made that market towns should be treated differently, similar to the exception provided to Weymouth Town Council and Portland Town Council. The point was made that many councils had low tax bases
- It was felt that there was not a uniform process in place across the county
- In response to a point raised it was noted that there could be a need for clarification with regard to the £100k cap that had been put in place and whether this was per town or parish council or per individual asset, or whether it was in place for all transactions proposed by a district council
- A question was raised as to what action could be taken as a result of undertaking a Call to Account? It was noted that the committee could make recommendations to the Shadow Executive Committee
- The Interim Monitoring Officer noted that the Shadow Executive Committee had agreed a set of principles for this area. It was the view of the Shadow Executive Committee that the proposals put forward by West Dorset, did not fit with the agreed principles

- Clarification was sought as to whether the Call to Account related to the specific decision with regard to the transfer of assets and services in West Dorset or whether it was with regard to the wider issues with the consistent application and implementation of the principles?
- A point was raised that the decision made by the Shadow Executive Committee in September 2018 could mean that there were no transfers of assets or services and this could have implications for the councils relationship with town and parish councils
- It was noted that some transfers had been agreed, for example in Purbeck
- Reference was made to the recognition by the Shadow Executive Committee of the unique circumstances of Weymouth Town Council and Portland Town Council and that these were to be considered separately. It was noted that this was an amendment to the principles which had been agreed by the Shadow Executive Committee in order to recognise the unique circumstances in forming a new town council for Weymouth. A point was noted that Portland Town Council although already formed, had also been included
- The committee was reminded that they were here as Shadow councillors and the suggestion made that the issue was not so much to do with the specific West Dorset decision but instead with regard to exploring the suggested inconsistencies in how the agreed principles had previously been applied and would be applied in the future. The Call to Account, if agreed, could therefore seek to gain an understanding of the situation in terms of how the principles were applied and the perceived inconsistencies. It was suggested that the position in West Dorset was the case that had triggered the request to undertake a Call to Account
- Reference was made to work undertaken by the county council to devolve services
- A point was raised that it was felt that there were inconsistencies in how the principles were being applied with Weymouth and Portland being treated differently. The point was made that there were a significant number of market towns with low council tax bases which would have an impact. It was felt that the policy was not working to a fair degree and therefore should be subject to a Call to Account
- Clarification was provided in respect of the asset transfer agreed in Purbeck which was six car parking spaces for residential use with only a small amount of income attached

Following the discussion, it was proposed by T Jones seconded by J Sewell that a Call to Account with regard to the transfer of assets to town and parish councils be supported and considered at the next meeting of the committee in December. Members discussed the people who would be called to account and it was felt that this should include the Leader, relevant Portfolio Holders, the Interim Monitoring Officer and Interim S151 Officer.

Decision

That a Call to Account with regard to the transfer of assets to town and parish councils be supported and considered at the next meeting of the committee in December. The Leader, relevant Portfolio Holders and Interim Monitoring Officer and S151 Officer to be asked to attend the meeting.

53. Overview and Update on Finance

The Interim S151 Officer provided a presentation which gave an overview of the financial issues for moving to a new Council. The presentation covered:

- Context – the financial issues associated with moving from six to one Council. There were currently six budgets, six teams in different locations and using different systems. Work around disaggregation was referred to and other moving parts such as demand led services, capital, staffing, TUPE, council tax and stranded costs. Members of the Shadow Dorset Council would vote on the Budget for 2019/20 in February next year
- Financial Strategy – there was a focus on protecting front line services and delivering resources for transformation
- Medium Term Financial Forecast – in respect of a question with regard to retained business rates, the Interim S151 Officer noted that there was not currently clarity about how the new scheme would work
- 2019/20 Budget
- Capital and bringing six programmes together – the S151 Officer briefly referred to a current disagreement on the apportionment of disaggregated debt between the two councils, which could result in a £600k to £900k impact
- The situation with Reserves
- Balancing the Budget
- Transformation savings – this was about doing things differently
- Other factors being looked at for example spending protocol, financial systems harmonisation, internal and external auditor appointments and banking tender process

A number of questions were raised and responses provided including:

- The amount of audit work taking place would be reduced as there would only be a need to sign off books for one council and not six as currently. There would be no change to the frequency of audits
- There may be opportunities to use capital receipts from selling of assets. Savings would be phased
- There would be an opportunity for this committee to scrutinise the Budget during mid-January 2019. The timescale for this did not fit in with the current date for the committee in January and therefore this may need to be reviewed
- Council Tax harmonisation would be from day 1

- In response to a question with regard to the position with pension funds, the S151 Officer noted that this had been reviewed by an Actuary and although there were slightly different funding positions they were not too far apart.

54. Future operations of Leisure Facilities in Dorset

The Portfolio Holder for Leisure Services introduced and provided an overview of a report on the future operation of sports and leisure centre facilities in Dorset, which would be considered by the Shadow Executive Committee on 12 November 2018. The report detailed the current management arrangements for the various Council owned sports and leisure centres in Dorset, highlighted the contractual issues faced by two of the centres and the associated risks that might impact on the ability to continue with service delivery as a result of Local Government Reorganisation. The report also outlined a suggested future programme of work and highlighted the opportunity for efficiencies and savings in the future.

There was a general level of support for the approach being proposed in the report which provided a commitment to gathering information, developing a business case and considering options with outcomes to be presented to Dorset Council for decision. There was support for the way that the issues were presented and how they were to be considered.

It was noted that the report and recommendations would be considered by the Shadow Executive Committee on 12 November. Support was expressed for the report and recommendations to be presented to the Shadow Executive Committee.

55. Programme Highlight Report including Gateway 1 report

The committee considered the latest Programme Highlight Report which was to be considered by the Shadow Executive Committee on 12 November 2018. The report provided an update on progress since the October meeting of the Shadow Executive Committee, including the findings of the Gateway Review and an update on the Programme Budget. It was noted that there would be an update to the December meeting of the Shadow Executive Committee with regard to programme resources.

In response to a question, Sally White representing the South West Audit Partnership (SWAP) noted that this was not a traditional audit piece and that work had been undertaken with the Programme Team. The SWAP report had been published with the agenda for this meeting and had been summarised within the Programme Highlight Report. There had been some limitations to the SWAP report and it had not been formally signed off to date. It was anticipated that the report would be signed off shortly once some of the programme plans had been signed off.

The report was noted by members. The Chairman asked that the committee be informed if there were any concerns from SWAP before the next meeting of the committee. In response, Sally White noted that SWAP was engaged

with the Programme Team on a regular basis and that the situation would be regularly reviewed.

56. Shadow Overview and Scrutiny Committee Work Programme

The Scrutiny Officer provided an overview of the items expected at the next meeting of the committee as follows:

- TUPE – progress to date
- Readiness of critical/key services
- Dorset Council Constitution
- Call to Account in respect of the transfer of services and assets
- Programme Highlight Report including SWAP Assurance Report

The scrutiny of the Budget would take place during January 2019 and it was noted that the scheduled date for this meeting (currently 8 January) may need to be reviewed in order to fit in with the overall Budget timetable.

The work programme would be developed each month and considered at each meeting of the committee.

There were requests for further information in respect of the position with both Revenues and Benefits and the Dorset Waste Partnership. The Scrutiny Officer confirmed that she would request further information to provide to members of the committee. Members could then decide whether any further action was required in respect of these areas.

57. Urgent items

There were no urgent items.

Duration of meeting: 6.30 - 8.27 pm

Chairman

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Shadow Dorset Council

Date of Meeting	13 December 2018
Officer	Angie Twelves, HR Business Partner, Shaping Dorset Council Programme
Subject of Report	Confirming the permanent appointment of the Senior Leadership Team for Dorset Council
Executive Summary	<p>At its meeting on 7 June 2018, the Shadow Dorset Council agreed the process to appoint to the Senior Leadership Team including statutory officers for s151 and Monitoring Officer, for Dorset Council and the terms and conditions of employment for Chief Officers at Executive Director and Corporate Director Level. At the meeting, the Shadow Dorset Council gave delegated powers to Group Leaders to make in year changes to appointments. The Shadow Leader for Dorset Council used their delegated powers to create a selection committee for each of the five appointments.</p> <p>The appointment of the Senior Leadership Team is a key step towards the establishment of the new council, providing a basis now for councillors, supported by the Chief Executive, to take forward the next steps in developing a new unitary authority on 1 April 2019</p> <p>Through the Shadow Leader’s delegated powers, the selection committees were given authority to make appointments to the roles of Executive Director, Place, Executive Director People, Adults and Executive Director People, Children’s. The selection committees are tasked with making a recommendation to Shadow Council for the appointment to the Executive Director Corporate Development (S151) and Corporate Director Legal & Democratic (Monitoring Officer).</p> <p>Cllr Ferrari as Chair of the Selection Committee for the appointment of the Executive Director Corporate Development will make the recommendation to council.</p> <p>Cllr Flower as Chair of the Selection Committee for the appointment of the Corporate Director Legal & Democratic will make the recommendation to council.</p> <p>The LGA have undertaken a job evaluation exercise and have recommended a salary range of £120k-£135k for Executive Director roles and £85k - £110k for Corporate Director roles. Following a competitive selection process, Penna were appointed to work initially with the Chief Executive Designate and HR Strategic Lead to design and deliver a recruitment and selection process. The selection process involved a round of technical interviews conducted with external specialists in each service area. A further assessment centre involved a range of leadership and digital tasks, together with stakeholders and</p>

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	<p>employee panels and participation from Service Users and Young People. The process concluded on Wednesday 5 December 2018 with the member led final interviews.</p> <p>The Selection Committees met on 3, 4 and 5 of December to agree the appointments to the following roles: Executive Director People, Adults Executive Director People, Children's Executive Directors Place</p> <p>The selection committees also recommend the Shadow Council to agree their recommendations for appointment to the following posts: Executive Director Corporate Development Corporate Director Legal & Democratic</p> <p>At the time of writing this report, candidates are being notified of the outcome of the final committee interviews and the names of the successful candidates will be notified to the Shadow Council as soon as possible.</p> <p>Council is also asked to consider the appointment to the statutory role of Electoral Registration Officer within the remit of the Chief Executive.</p>
Impact Assessment:	<p>Equalities Impact Assessment: N/A</p> <p>Use of Evidence: LGA recommendations for Salary and Terms & Conditions of Employment</p> <p>Budget: The proposed salaries are in line with the LGA job evaluated salaries, which are £120k - £135k (or up to £140K for an exceptional candidate) for Executive Director appointments and £85k - £110k for Corporate Director appointments. These salaries will be eligible for any annual cost of living increase agreed nationally by the Joint Negotiating Council for Chief Officers of Local Authorities. There will be standard additional on-costs of c28%.</p> <p>Risk Assessment: Having considered the risks associated with this decision using the LGR approved risk management methodology, the level of risk has been identified as: Current Risk: HIGH Residual Risk: LOW</p> <p>Other Implications: None</p>

<p>Recommendation</p>	<p>Shadow Dorset Council is asked to agree:</p> <ol style="list-style-type: none"> 1. The appointment to the position of Executive Director Corporate Development at a spot salary of £135,000 2. The appointment of to the position of Corporate Director Legal & Democratic at a spot salary of £105,000 <p>Shadow Dorset Council is asked to note:</p> <ol style="list-style-type: none"> 3. The appointment to the position of Executive Director People, Adults at a spot salary of £135,000 4. The appointment to the position of Executive Director People, Children’s at a spot salary of £135,000 5. The appointment to the position of Executive Director Place at a spot salary of £135,000 <p>Appointments will be taken up at the earliest possible date and will be dependent upon individual notice periods for the successful candidates.</p> <p>Shadow Dorset Council is asked to agree:</p> <ol style="list-style-type: none"> 6. The addition of the statutory role of Electoral Registration Officer within the remit of the Chief Executive’s duties and responsibilities
<p>Reason for Recommendation</p>	<p>The appointment of the Executive Director Corporate Development and Corporate Director Legal & Democratic is for decision by the Shadow Council. In line with government guidance and the importance of transparency and of objective justification for senior salaries the basis for the recommended salary is set out in this paper.</p>
<p>Appendices</p>	<p>None</p>
<p>Background Papers</p>	<p>Selection Committee Agenda and Papers</p>
<p>Officer Contact</p>	<p>Name: Angie Twelves Tel: 01305 221581 Email: angela.twelves@dorsetcc.gov.uk</p>

1. Background

- 1.1. Following a presentation by the LGA to the Dorset Area Joint Committee in February, the Dorset Area Joint Committee agreed that the Leaders continue to work with the Shaping Dorset Council Programme director and appointed consultants to agree final recommendations to the Shadow Council for the job description, personal specification and terms and conditions for the permanent appointment to the Senior Leadership team for Dorset Council and for the remuneration of the posts within the Chief Officer terms and conditions of employment and pay and grading.
- 1.2. At the meeting on 7 June 2018 the Shadow Dorset Council agreed the job descriptions and person specifications together with the LGA recommended salary ranges for the five senior leadership team roles. It was also agreed that the recruitment process could start with immediate effect.

2. Salary Recommendations

- 2.1. The LGA recommended a salary within the range of £120k - £135k for Executive Director roles.
- 2.2. The LGA recommended a salary within the range of £90k - £110k for Corporate Director roles.

3. Recruitment Process

- 3.1. Following a competitive selection process, Penna were appointed to work with Dorset Shadow Council members on the senior leadership team recruitment and selection process.
- 3.2. The following recruitment process was followed:
 - The roles were advertised nationally in October
 - The Panel Chairs of the selection committees, the Shadow Leader and Shadow Deputy Leader together with the Chief Executive Designate met with representatives from Penna on 7 November to longlist candidates
 - Longlisted candidates were interviewed in November by a representative from Penna and a technical assessor representing each of the five roles
 - The Panel Chairs of the selection committees, the Shadow Leader and Shadow Deputy Leader together with the Chief Executive Designate met with representatives from Penna on 21 November to agree a shortlist of candidates
 - Two assessment centres were held on 27 and 28 November and included panels of external stakeholders, employee panels (with representatives from all sovereign councils), a Young People's panel (DCS role) and a Service Use panel (DASS role)
 - An assessment centre feedback meeting was held on 29 November with the Panel Chairs of the selection committees, the Shadow Deputy Leader, the Chief Executive Designate and representatives from Penna to agree the format for the final interviews
 - The selection committee appointment panels met to hold the final interviews on 3, 4 and 5 December.

4. Recommendation

- 4.1 The member appointment panels for the three posts of Executive Director Place, Executive Director (People – Adults) and Executive Director (People – Children's) have all made successful appointments subject to contracts, safer recruitment checks and references. As a result, the Shadow Full Council will be provided with details of the appointments by the 13 December to allow the appointed candidates time to inform their current employer and wider teams.
- 4.2 The member appointment panels for the post of Executive Director (Corporate Development & S151) have recommend that:

Shadow Dorset Council appoints Aidan Dunn to the post at a spot salary of £135,000.
- 4.3 The member appointment panel for the post of Corporate Director (Legal & Democratic and Monitoring Officer) have recommended that:

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Shadow Dorset Council appoints Jonathan Mair to the post at a spot salary of £105,000.

5. Appointment of Electoral Registration Officer

The appointment of the Electoral Registration Officer role would normally sit within the remit of the Chief Executive. At the time of confirming the appointment of the Chief Executive for Dorset Council, this statutory position was not included. Council are asked to agree the addition of this responsibility to the role of the Chief Executive for Dorset Council, within their existing terms and conditions.

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Shadow Dorset Council

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Officer	Angie Twelves, HR Business Partner, Shaping Dorset Council Programme
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	<p>employee panels and participation from Service Users and Young People. The process concluded on Wednesday 5 December 2018 with the member led final interviews.</p> <p>The Selection Committees met on 3, 4 and 5 of December to agree the appointments to the following roles: Executive Director People, Adults Executive Director People, Children's Executive Directors Place</p> <p>The selection committees also recommend the Shadow Council to agree their recommendations for appointment to the following posts: Executive Director Corporate Development Corporate Director Legal & Democratic</p> <p>Council is also asked to consider the appointment to the statutory role of Electoral Registration Officer within the remit of the Chief Executive.</p>
<p>Impact Assessment:</p>	<p>Equalities Impact Assessment: N/A</p> <p>Use of Evidence: LGA recommendations for Salary and Terms & Conditions of Employment</p> <p>Budget: The proposed salaries are in line with the LGA job evaluated salaries, which are £120k - £135k (or up to £140K for an exceptional candidate) for Executive Director appointments and £85k - £110k for Corporate Director appointments. These salaries will be eligible for any annual cost of living increase agreed nationally by the Joint Negotiating Council for Chief Officers of Local Authorities. There will be standard additional on-costs of c28%.</p> <p>Risk Assessment: Having considered the risks associated with this decision using the LGR approved risk management methodology, the level of risk has been identified as: Current Risk: HIGH Residual Risk: LOW</p> <p>Other Implications: None</p>
<p>Recommendation</p>	<p>Shadow Dorset Council is asked to agree:</p> <ol style="list-style-type: none"> 1. The appointment of Aidan Dunn to the position of Executive Director Corporate Development at a spot salary of £135,000

	<p>2. The appointment of Jonathan Mair to the position of Corporate Director Legal & Democratic at a spot salary of £105,000</p> <p>Shadow Dorset Council is asked to note:</p> <p>3. The appointment to the position of Executive Director People, Adults at a spot salary of £135,000 (details to be released at a later date)</p> <p>4. The appointment of Sarah Parker to the position of Executive Director People, Children’s at a spot salary of £135,000</p> <p>5. The appointment of John Sellgren to the position of Executive Director Place at a spot salary of £135,000</p> <p>Appointments will be taken up at the earliest possible date and will be dependent upon individual notice periods for the successful candidates.</p> <p>Shadow Dorset Council is asked to agree the addition of the statutory role of Electoral Registration Officer within the remit of the Chief Executive’s duties and responsibilities.</p>
Reason for Recommendation	The appointment of the Executive Director Corporate Development and Corporate Director Legal & Democratic is for decision by the Shadow Council. In line with government guidance and the importance of transparency and of objective justification for senior salaries the basis for the recommended salary is set out in this paper.
Appendices	None
Background Papers	None
Officer Contact	Name: Angie Twelves Tel: 01305 221581 Email: angela.twelves@dorsetcc.gov.uk

1. Background

- 1.1. Following a presentation by the LGA to the Dorset Area Joint Committee in February, the Dorset Area Joint Committee agreed that the Leaders continue to work with the Shaping Dorset Council Programme director and appointed consultants to agree final recommendations to the Shadow Council for the job description, personal specification and terms and conditions for the permanent appointment to the Senior Leadership team for Dorset Council and for the remuneration of the posts within the Chief Officer terms and conditions of employment and pay and grading.
- 1.2. At the meeting on 7 June 2018 the Shadow Dorset Council agreed the job descriptions and person specifications together with the LGA recommended salary ranges for the five senior leadership team roles. It was also agreed that the recruitment process could start with immediate effect.

2. Salary Recommendations

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2.1. The LGA recommended a salary within the range of £120k - £135k for Executive Director roles.

2.2. The LGA recommended a salary within the range of £90k - £110k for Corporate Director roles.

3. Recruitment Process

3.1. Following a competitive selection process, Penna were appointed to work with Dorset Shadow Council members on the senior leadership team recruitment and selection process.

3.2. The following recruitment process was followed:

- The roles were advertised nationally in October
- The Panel Chairs of the selection committees, the Shadow Leader and Shadow Deputy Leader together with the Chief Executive Designate met with representatives from Penna on 7 November to longlist candidates
- Longlisted candidates were interviewed in November by a representative from Penna and a technical assessor representing each of the five roles
- The Panel Chairs of the selection committees, the Shadow Leader and Shadow Deputy Leader together with the Chief Executive Designate met with representatives from Penna on 21 November to agree a shortlist of candidates
- Two assessment centres were held on 27 and 28 November and included panels of external stakeholders, employee panels (with representatives from all sovereign councils), a Young People's panel (DCS role) and a Service Use panel (DASS role)
- An assessment centre feedback meeting was held on 29 November with the Panel Chairs of the selection committees, the Shadow Deputy Leader, the Chief Executive Designate and representatives from Penna to agree the format for the final interviews
- The selection committee appointment panels met to hold the final interviews on 3, 4 and 5 December.

4. Recommendation

4.1 The member appointment panel agreed the appointment John Sellgren to the post of Executive Director Place

4.2 The member appointment panel agreed the appointment to the post of Executive Director People, Adults (details to be released at a later date)

4.3 The member appointment panel agreed the appointment of Sarah Parker to the post of Executive Director People, Children's

4.4 The member appointment panel for the post of Executive Director (Corporate Development and S151) have recommended that:

Shadow Dorset Council appoints Aidan Dunn to the post at a spot salary of £135,000.

4.5 The member appointment panel for the post of Corporate Director (Legal & Democratic and Monitoring Officer) have recommended that:

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Shadow Dorset Council appoints Jonathan Mair to the post at a spot salary of £105,000.

5. Appointment of Electoral Registration Officer

The appointment of the Electoral Registration Officer role would normally sit within the remit of the Chief Executive. At the time of confirming the appointment of the Chief Executive for Dorset Council, this statutory position was not included. Council are asked to agree the addition of this responsibility to the role of the Chief Executive for Dorset Council.

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Shadow Dorset Council

Date of Meeting	13 December 2018
Lead Member	Councillor Tony Ferrari
Officer	Steven Mackenzie
Subject of Report	Appointment of External Auditor
Executive Summary	<p>The Local Audit and Accountability Act 2014 put in place the arrangements for the appointment of external auditors to local authorities. Public Sector Audit Appointments Limited (PSAA), which is owned by the Local Government Association, has been specified by the Secretary of State for Housing, Communities and Local Government as the appointing person for those local authorities who choose to opt-in to its arrangements to appoint their auditors.</p> <p>Nationally, most councils opted to use PSAA, who organised a national tendering exercise to appoint their auditors upon the expiry of their current contacts after the audit of 2017/18. Deloitte has been appointed to complete the 2018/19 audit of all of the councils which will form Dorset Council.</p> <p>PSAA have indicated they are prepared to organise the external auditors of Dorset Council from 2019/20 and the Shadow Council in 2018/19 if the Council opts-in. The audit of Dorset Council would be for four years up to and including 2022/23.</p> <p>For any council to opt-in to using an independent panel for the appointment of external auditors a resolution of the full council under Regulation 19 is required.</p>
Impact Assessment:	<p>Equalities Impact Assessment:</p> <p>The report and the recommendations have no implications for any groups with the protected characteristics.</p>
	<p>Use of Evidence:</p> <p>The use of PSAA to appoint the Council's external auditors will make the process easier and is likely to provide a more economical solution.</p>

	<p>Budget:</p> <p>The cost of the external audit is included in the 2019/20 base budget and is based on the 2018/19 fees of the predecessor councils. The total audit fee of the six predecessor councils in 2018/19 is £217,285 excluding grant claims and the pension fund. The fee for Dorset Council has yet to be set but it will be set on a scale which will be lower than the current total fees. For indicative purposes, the 2018/19 fee for Wiltshire is £128,913, excluding grant claims and the pension fund.</p> <p>There may be a relatively small additional charge for the audit of the Shadow Council in 2018/19 but the number of transactions is being kept to a minimum to minimise its financial administration.</p> <hr/> <p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the LGR approved risk management methodology, the level of risk has been identified as: Current Risk: LOW Residual Risk LOW</p> <p>(Note: Where HIGH risks have been identified, these should be briefly summarised here, identifying the appropriate risk category, i.e. financial / strategic priorities / health and safety / reputation / criticality of service.)</p> <hr/> <p>Other Implications:</p> <p>There is a statutory requirement for external auditors to be appointed for both Dorset Council and the Shadow Dorset Council.</p>
<p>Recommendation</p>	<p>That Dorset Council and the Shadow Dorset Council be recommended to opt-in to the arrangements for the appointment of external auditors, managed by Public Sector Audit Appointments Limited.</p>
<p>Reason for Recommendation</p>	<p>To ensure external auditors are in place for the new Council and its Shadow and to benefit from the 23% reduction in audit fees achieved by the procurement process organised by PSAA..</p>
<p>Appendices</p>	<p>None</p>
<p>Background Papers</p>	<p>None</p>
<p>Officer Contact</p>	<p>Name: Steven Mackenzie Tel: 01929 557235 Email: stevemackenzie@purbeck-dc.gov.uk</p>
<p>Date agreed by Lead Member</p>	<p>26 November 2018</p>
<p>Date agreed by Statutory Officers</p>	<p>Jonathan Mair Interim Monitoring Officer 4th December 2018</p>

1. Background

- 1.1 The Local Audit and Accountability Act 2014 abolished the Audit Commission and put in place new arrangements for the appointment of external auditors of local authorities and the NHS. The 2014 Act requires local authorities to appoint an independent panel to manage the appointment of their external auditor. The Local Government Association created Public Sector Audit Appointments Limited (PSAA) to act as an independent panel and the company has been specified by the Secretary of State for Housing, Communities and Local Government as the appointing person for those local authorities who choose to opt-in to its national appointment arrangements.
- 1.2 Regulation 10 of the Local Audit (Appointing Person) Regulations 2015 provide that a newly-established local authority may opt-in by giving notice to PSAA of its decision to become an opted-in authority.

2. Current Arrangements

- 2.1 Prior to its abolition the Audit Commission agreed contracts for the audit of local authorities up to and including the audit of 2017/18. Following its abolition these contracts were managed by PSAA. Dorset councils suggested they should retain their existing auditors for 2018/19 because it is their last year as local authorities. However, the contracts had no provisions for their extension beyond 2017/18 and so extensions could not be achieved.
- 2.2 Nationally, the majority of local authorities chose to opt-in to the PSAA arrangements for their audit from 2018/19. Following a national tendering exercise by PSAA the contract to audit all of the Councils which will form Dorset Council, together with many other councils in the South West, was awarded to Deloitte. The contracts awarded by PSAA are for five years with 2018/19 being the first year of audit.
- 2.3 Both PSAA and Deloitte know that Dorset councils will only have one year of audit under the new contracts, before their abolition.

3. Proposals

- 3.1 Dorset Council and the Shadow Dorset Council need to appoint external auditors. This can most easily be achieved by opting-in to the national arrangements put in place by PSAA. PSAA have already indicated they are willing to manage the appointment of auditors to both councils but the councils will need to opt-in to the arrangements to allow PSAA to act.
- 3.2 The Local Audit (Appointing Person) Regulations 2015 require a resolution of the full Council to opt-in to any arrangements which lead to the appointment of the council's external auditors.
- 3.3 Once the Councils have opted-in to their arrangements PSAA will consult the Councils on the proposed auditor appointment. The appointment of the auditors of Dorset Council will be for a period of four years. The fees will be based on the scale of fees achieved as part of their procurement process last year.

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