

Item 5

20th March 2009



Glasgow City Council

Report to Executive Committee

Report by: Councillor Aileen Colleran, Council Business Manager

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REVIEW OF DECISION MAKING

Purpose of Report: To describe the Business Bureau's review of the Council's decision-making processes and to recommend changes to the make-up and operation of the current Policy Development and Scrutiny Committees.

Recommendations:

The Executive Committee is asked to approve the recommendations of the Business Bureau as detailed in paragraph 14 (pages 5 and 6) of the report.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes No consulted: Yes No

Introduction

1. The Council introduced a new system of decision making based on an Executive Committee, supported by Policy Development and Scrutiny Committees (PDS Committees), in August 2006. This system was reviewed in early 2007 and minor changes made. The Business Bureau was asked in late 2008 to examine again how the system was working and to suggest how it might be improved.

Business Bureau's review

2. The Business Bureau's review covered the following areas :
 - 1 Should performance monitoring of Services be separated from policy development in terms of committee responsibility?
 - 2 Should there be a separate committee to cover the Council's Arms Length External Organisations (ALEOs)?
 - 3 Should policy development become the key role for PDS Committees? If so, what should their remit be?
 - 4 Should PDS Committees mirror the Council's Service structure or should they be themed/subject based? And if so, what broad themes might be appropriate?
 - 5 Is there duplication in finance monitoring (ie considered by all PDS Committees, the Finance, Corporate and Trading Services PDSC and Executive Committee)?
 - 6 Should the number of members on PDS Committees remain the same? Should the political balance in the committees be changed?
 - 7 Does a six weekly meeting cycle allow the committees to fulfil their role?
 - 8 How can the call-in process be improved?
 - 9 Is Executive Committee business pitched at the appropriate level, both in terms of volume and type?
 - 10 How can the business of the Executive Committee and PDSCs link better together?
 - 11 What should the Council's role be under any changes considered to the current decision making processes?
 - 12 What should the role of working groups be? Should they be time-limited and how should they relate to PDS Committees?
3. Each party political group considered these questions and the Business Bureau identified areas of consensus around changing the present arrangements. These areas are set out in paragraphs 6-13, accompanied by the Business Bureau's recommendations.
4. In summary, the new arrangements aim to deliver a greater emphasis on policy development, an increased role for the Opposition, more cross-cutting work to better reflect the complexity of the issues being tackled and a dedicated committee to scrutinise the Council's external partnerships.

Green Party Group Minority View

5. All the political groups, with the exception of the Green Councillors' Group, support the continuation of the current arrangements of an Executive Committee and Policy/Scrutiny Committees. The Green Councillors' Group, by contrast, supports increasing the powers and functions of Council. It believes that Policy and Scrutiny Committees should take on executive functions and remits and that changes should be made to the current committee structure since the Group argues that the Executive Committee has taken decision-making powers away from the Council and Policy and Scrutiny Committees. However, the Green Councillors' Group undertakes to continue to work constructively as members of the various committees put forward by the review of decision-making.

Areas of consensus

6. There is consensus for separating policy and scrutiny functions and establishing theme based policy development committees, with officer support, which would consider major policy issues before they are referred to the Executive Committee. A variety of potential themes were suggested. There is agreement too that the duplication in finance monitoring does not bring “added value” and that one committee should carry the remit for scrutinising financial issues. Only the SNP Group opposes setting up a separate committee to cover ALEOs. (Questions 1-5)

Recommendation

Set up four Policy Development Committees (PDCs) to cover:-

Business and the Economy;
Sustainability and the Environment;
Education, Children and Families; and
Health, Well-being, Social Care and Equalities.

Set up two Scrutiny Committees (SCs) to cover:-

Finance and Audit; and
External Governance.

The proposed Terms of Reference of the committees are detailed in Appendix 1.

All Executive Committee Members, including Deputy Executive Members and named Opposition substitutes, cannot be members of any Policy Development Committee. However, they can be members of the financial Scrutiny Committees. ALEO Board members cannot sit on the External Governance Scrutiny Committee.

7. Both the Labour and SNP Groups favour policy development committee membership being split equally between the Administration and Opposition Groups, but there is no agreement on how many committees should be chaired by the Opposition. (Question 6)

Recommendation

The number of members on each Policy Development Committee and each Scrutiny Committee is to be 14, with an equal split between Administration members and Opposition members as follows:-

7 members of the Administration
4 SNP councillors
1 Liberal Democratic councillor
1 Green councillor
1 Independent or Conservative Party councillor

The quorum for the committees is 4.

The two Scrutiny Committees will be chaired by a member of the Opposition and the four Policy Development Committees by a member of the Administration.

The Administration have nominated Conveners of the 4 Policy Development Committees as follows:-

Business and the Economy - Patricia Chalmers
 Sustainability and the Environment – Sadie Docherty
 Education, Children and Families – John McKenzie
 Health, Well-being, Social Care and Equalities – Catherine McMaster.

8. Opinion is split on whether committees should meet on a four week or six weekly cycle. (Question 7)

Recommendation

The four Policy Development Committees will meet on a six weekly cycle, whilst the two Scrutiny Committees will meet every four weeks; this arrangement is to be kept under review. It is proposed that the committees will meet at 1330 hours in the same “slots” in the committee cycle as the previous Policy Development and Scrutiny Committees (PDSC) etc as follows, with the first meetings of the new committees commencing in the new committee cycle starting in week beginning 6th April 2009 (Week 1):-

<i>Current committee</i>	<i>Place in committee cycle</i>	<i>New committee</i>
Finance, Corporate & Trading Services PDSC	Wednesday, Weeks 1, 5 and 3 (4 weekly)	Finance and Audit Scrutiny Committee
Education and Social Work PDSC	Tuesday, Weeks 4, 2 and 6 (4 weekly)	External Governance Scrutiny Committee
Direct and Care Services PDSC	Wednesday, Week 2	Health and Well-being, Social Care and Equalities Policy Development Committee
Development and Regeneration PDSC	Tuesday, Week 3	Business and the Economy Policy Development Committee
Land and Environment PDSC	Wednesday, Week 4	Sustainability and the Environment Policy Development Committee
Audit and Ethics Committee	Thursday, Week 4	Education, Children and Families Policy Development Committee

9. Most groups favour retaining the call-in process, whilst believing that a strengthened policy development role for PDCs should mean less need for call-in. (Question 8)

Recommendation

The overall call-in process remains unchanged. Call-ins will be referred to the appropriate Policy Development Committee or financial Scrutiny Committee, with the Chief Executive selecting the appropriate committee. However if all Executive Committee members, including Deputy Executive Members and named Opposition substitutes, can also be members of either Scrutiny Committee, there is a potential conflict when a call-in is being considered. A member who is part of the decision making process should not be in a position to scrutinise that decision. Therefore, where a member of the Executive Committee is also a member of a Scrutiny Committee, he/she can take no part in the discussion or decision regarding a call-in.

10. There is agreement that the links between the Executive Members and the relevant Policy Development Committees should be strengthened. All Executive Members and the four Deputy Executive Members for the Administration will play a crucial role in this. (Questions 9-10)

Recommendation

Executive Members will discuss the workplan of the relevant Policy Development Committee with the Convener and keep him/her updated on new developments. This will increase the focus on pre strategy development rather than post decision scrutiny.

11. A number of views were expressed, both in party group submissions and at the Business Bureau, on the role of the Council. The Business Bureau agreed to make no changes at this time and to review the situation after the summer recess. (Question 11)

12. There is consensus that working groups should be time-limited and report their recommendations to the relevant Policy Development Committee, financial Scrutiny Committee or to the Executive Committee, where appropriate. (Question 12)

Recommendation

The period in the run-up to the recess will be used to develop the work programmes for each committee and to review the role of existing working groups and standing groups; these should be time-limited to a maximum of the lifetime of the Administration and be required to report on progress to their relevant committee every six months. The Business Bureau has a role both in over-seeing each committee's workplan and in agreeing the setting up of working groups. Work programmes will come into effect in August. The current guidelines for Policy Development and Scrutiny Committees will be revised to reflect the changes agreed.

Service Implications

- 13 *Financial:* The financial implications for members' remuneration are detailed in Appendix 2.

Legal: If these proposals are approved the following consequential amendments to the Council and Committee Standing Orders will be required:

SO 28(4) – delete “and Scrutiny”.

Add new SO 28(5) – “A member of a Scrutiny Committee who is also a member of the Executive Committee may not participate in the consideration of any decision of the Executive Committee which has been called in to a Scrutiny Committee, in terms of Standing Order 29.”.

SO 29 - “Policy Development and Scrutiny Committee” should in all cases be replaced with “Policy Development or Scrutiny Committee”.

There are no Personnel, Service Plan or Environmental issues

Recommendations

14. The Executive Committee is asked to approve:

- (a) the establishment of 4 Policy Development Committees (PDCs) to cover Business and the Economy; Sustainability and the Environment; Education, Children and Families; and Health and Well-being, Social Care and Equalities and the Terms of Reference of those committees as detailed in Appendix 1;
- (b) the establishment of 2 Scrutiny Committees to cover Finance and Audit and External Governance and the Terms of Reference of those committees as detailed in Appendix 1;
- (c) that all Executive Committee Members, including Deputy Executive Members and named Opposition substitutes, cannot be members of any Policy Development Committee;
- (d) that all Executive Committee Members, including Deputy Executive Members and named Opposition substitutes, can be members of either financial Scrutiny Committee;
- (e) that ALEO Board members cannot be members of the External Governance Scrutiny Committee;
- (f) that the membership of each committee be 14 elected members, (with a quorum of four), split equally between the Administration and the Opposition, with Opposition membership as follows – 4 SNP; 1 Liberal Democrat; 1 Green and 1 Independent or Conservative Party councillor;
- (g) that the Scrutiny Committees be chaired by a member of the Opposition and the Policy Development Committees by members of the Administration, with the Conveners of the Policy Development Committees being appointed as follows:-
 - Business and the Economy - Patricia Chalmers
 - Sustainability and the Environment – Sadie Docherty
 - Education, Children and Families – John McKenzie
 - Health, Well-being, Social Care and Equalities – Catherine McMaster.
- (h) that the Policy Development Committees meet every six weeks and the Scrutiny Committees meet every four weeks as detailed at paragraph 8 above;
- (i) that call-ins be referred to the appropriate Policy Development Committee or financial Scrutiny Committee as determined by the Chief Executive;
- (j) that working groups be time-limited to a maximum of the lifetime of the Administration and be subject to a 6 monthly review and reporting to the relevant Policy Development Committee, Scrutiny Committee or Executive Committee as appropriate;
- (k) the amendments to the Council and Committee Standing Orders as detailed in paragraph 13 above;
- (l) the revised remuneration arrangements as detailed in Appendix 2; and
- (m) the following amendments to convenerships of quasi-judicial committees:-
 - Licensing and Regulatory Committee – appoint Gilbert Davidson in place of John McKenzie; and
 - Planning Applications Committee – appoint Shaukat Butt in place of George Redmond.

TERMS OF REFERENCE OF POLICY DEVELOPMENT COMMITTEES AND SCRUTINY COMMITTEES

Business and the Economy Policy Development Committee

To fulfil the functions of Policy Development (as detailed in the PD guidelines) as they relate to Council policies, services and activities relating to Business and the Economy.

These functions include:

1. Complementing and adding value (including consideration of equalities issues), to the work of the Executive Member for Business, the Executive Member for Housing, the Executive Member for International Affairs and the Deputy Executive Member for Business, specifically in relation to:
 - planning and strategic and local housing policy;
 - regeneration and transport;
 - natural and built environment;
 - land and property management;
 - building control;
 - economic, business and social development initiatives;
 - financial inclusion;
 - energy issues;
 - training and skills;
 - city centre; and
 - international links.
2. Examining, on behalf of the Council, various policies, strategies and plans in draft relating to Business and the Economy, (whether provided directly by the Council, external organisations or partnerships) and reporting on these to the Executive Committee.
3. Undertaking reviews or policy development tasks in relation to any matters falling within the remit of this committee or as requested by the Executive Committee.
4. Considering any performance reports and information which relate to any issue falling within the remit of this committee
5. Monitoring the outcomes of the Single Outcome Agreement in relation to the Council's input.
6. Considering any corporate issues which are relevant to any subject falling within the remit of this committee;
7. Considering any external audit (or equivalent) reports which relate to any issue falling within the remit of this committee.

Sustainability and the Environment Policy Development Committee

To fulfil the functions of Policy Development (as detailed in the PD guidelines) as they relate to Council policies, services and activities relating to Sustainability and the Environment. These functions include:

1. Complementing and adding value (including consideration of equalities issues), to the work of the Executive Member for Land and Environment, the Executive Member for Sustainability and the Deputy Executive Member for Land and Environment, specifically in relation to:
 - transport infrastructure;
 - highway maintenance and improvements;
 - sustainability;
 - climate change;
 - road safety;
 - lighting strategy;
 - parks regeneration and events;
 - street environment;
 - waste and recycling;
 - energy management;
 - public health;
 - pollution;
 - trading standards;
 - scientific services;
 - Nuclear Free Zones.
2. Examining, on behalf of the Council, various policies, strategies and plans in draft relating to Sustainability and the Environment (whether provided directly by the Council, external organisations or partnerships) and reporting on these to the Executive Committee.
3. Undertaking reviews or policy development tasks in relation to any matters falling within the remit of this committee or requested by the Executive Committee.
4. Considering any performance reports and information which relate to any issue falling within the remit of this committee
5. Monitoring the outcomes of the Single Outcome Agreement in relation to the Council's input.
6. Considering any corporate issues which are relevant to any subject falling within the remit of this committee;
7. Considering any external audit (or equivalent) reports which relate to any issue falling within the remit of this committee.

Education, Children and Families Policy Development Committee

To fulfil the functions of Policy Development (as detailed in the PD guidelines) as they relate to Council policies, services and activities relating to Education, Children and Families.

These functions include:

1. Complementing and adding value (including consideration of equalities issues), to the work of the Executive Member for Education and the Deputy Executive Member for Education, specifically in relation to:
 - nursery, primary, secondary school and special educational needs provision;
 - educational attainment;
 - development of school curricula and in-service training;
 - provision of psychological service;
 - Child and Families Strategy;
 - vocational training and skills;
 - careers service to schools;

- community learning;
 - children with learning disabilities and developmental disorders;
 - children and family services
 - Children's Services' Plan
2. Examining, on behalf of the Council, various policies, strategies and plans in draft relating to Education, Children and Families (whether provided directly by the Council, external organisations or partnerships) and reporting on these to the Executive Committee.
 3. Undertaking reviews or policy development tasks in relation to any matters falling within the remit of this committee or requested by the Executive Committee.
 4. Considering any performance reports and information which relate to any issue falling within the remit of this committee
 5. Monitoring the outcomes of the Single Outcome Agreement in relation to the Council's input.
 6. Considering any corporate issues which are relevant to any subject falling within the remit of this committee;
 7. Considering any external audit (or equivalent) reports which relate to any issue falling within the remit of this committee.

Health and Well-Being, Social Care and Equalities

To fulfil the functions of Policy Development (as detailed in the PD guidelines) as they relate to Council policies, services and activities relating to Health and Well-Being, Social Care and Equalities.

These functions include:

1. Complementing and adding value (including consideration of equalities issues), to the work of the Executive Member for Social Care/Commonwealth Games, the Executive Member for Health and Well-being, and the Deputy Executive Member for Social Care and Equalities, specifically in relation to:
 - community care;
 - adult services;
 - criminal justice services;
 - Community Health and Care Partnerships;
 - addictions services;
 - homelessness function and strategy, including hostels decommissioning;
 - health and health improvement;
 - voluntary sector;
 - crime and community safety; and
 - culture, sport and leisure activities.
2. Examining, on behalf of the Council, various policies, strategies and plans in draft relating to Health, Social Care and Equalities (whether provided directly by the Council, external organisations or partnerships) and reporting on these to the Executive Committee.
3. Undertaking reviews or policy development tasks in relation to any matters falling within the remit of this committee or requested by the Executive Committee.
4. Considering any performance reports and information which relate to any issue falling within the remit of this committee.

5. Monitoring the outcomes of the Single Outcome Agreement in relation to the Council's input.
6. Considering any corporate issues which are relevant to any subject falling within the remit of this committee.
7. Considering any external audit (or equivalent) reports which relate to any issue falling within the remit of this committee.

Finance and Audit Scrutiny Committee

The Finance and Audit Committee is responsible for monitoring the financial performance of the Council and its Trading Operations, the performance of audit and inspection within the Council and for promoting the observance by Councillors of high standards of conduct.

These functions include:

1. Complementing and adding value (including consideration of equalities issues), to the work of the Executive Member for Corporate Governance, the Executive Member for Service Reform and the Executive Member for Personnel, specifically in relation to scrutinising financial information (including consideration of equalities issues) on:
 - Council budget;
 - management of Council assets;
 - control, monitoring and review of income and expenditure, both revenue and capital;
 - Members' allowances;
 - employment and personnel issues;
 - Trading Operations;
 - civic matters;
 - Children's Panel; and
 - Common Good Fund.
2. Initiating and undertaking specific scrutiny reviews of any matters falling within the remit of this committee or requested by the Executive Committee.
3. Monitoring the annual strategic audit plan and reviewing all Council Audit and Inspection work against the audit plan.
4. Receiving and considering summaries of internal and external audit reports which relate to any issue falling within the remit of this committee.
5. Promoting value for money studies and best value.
6. Monitoring internal financial control, corporate risk management and corporate governance including procurement, complaint handling, customer care, ombudsman reports and freedom of information.
7. Scrutinising and monitoring the performance of Council Services, including statutory performance indicators, as required.
8. Monitoring the outcomes of the Single Outcome Agreement in relation to the Council's input.
9. Monitoring grant allocation across the Council.
10. Taking an overview of the Service Reform and Efficient Government Review Programmes (including consideration of equalities issues).

11. Promoting the observance by Councillors of high standards of conduct and assisting them in observing the Code of Conduct, in accordance with any guidance issued by the Standards Commission for Scotland.

External Governance Scrutiny Committee

The External Governance Scrutiny Committee is responsible for scrutinising the performance of the arms-length external organisations established by the Council. Currently, these include:

ACCESS Limited Liability Partnership (LLP),
City Building (Glasgow) LLP,
City Markets (Glasgow) LLP,
City Parking (Glasgow) LLP,
City Property (Glasgow) LLP,
Clyde Gateway Urban Regeneration Company,
Cordia (Services) LLP;
Culture and Sport Glasgow Limited,
Glasgow City Marketing Bureau Limited,
Glasgow Community and Safety Services Limited,
Glasgow Cultural Enterprises Limited,
Glasgow Clyde Regeneration Limited.

These functions will complement and add value (including consideration of equalities issues), to the work of the Executive Member for Corporate Governance and the Executive Member for Community Planning in scrutinising the performance of the Council's Arms Length Companies in delivering services to and on its behalf. Scrutiny covers:

1. Financial Management;
2. Contractual performance/compliance;
3. Statutory and other performance targets and outcomes set through the Single Outcome Agreement which are relevant to partnership working (SOA);
4. Internal and external audit reports;
5. Decision making structures and compliance with applicable codes of conduct;
6. Risk management;
7. Compliance with equalities obligations;
8. Complaint handling and customer care; and
9. Community Planning.

REMUNERATION ARRANGEMENTS

EXECUTIVE COMMITTEE

Leader of the Council	£47,516
Deputy Leader	£28,700
City Treasurer	£28,700
Business Manager	£28,700

Executive Member for:

Education	£28,700
Social Care/Commonwealth Games	£28,700
Land & Environment	£28,700
Business & the Economy	£28,700
Personnel	£28,700
Health & Wellbeing	£28,700
Environment & Sustainability	£28,700
Service Reform	£28,700
Housing	£28,700
International Affairs	£21,525
Community Planning	£21,525
Corporate Governance	£21,525

POLICY DEVELOPMENT COMMITTEES

Health & Wellbeing, Social Care and Equalities	£21,525
Business and the Economy	£21,525
Sustainability and the Environment	£15,838
Education, Children and Families	£28,700

SCRUTINY COMMITTEES

Finance and Audit	£21,525
External Governance	£21,525

REGULATORY COMMITTEES

Planning Applications Committee	£28,700
Licensing Board	£21,525
Licensing Committee	£15,838

OTHER POSITIONS

Civic Head	£35,637
Deputy Leader of the Opposition	£21,525

DEPUTY EXECUTIVE MEMBERS

Social Care and Equalities	£15,838
Business and the Economy	£15,838
Land and Environment	£15,838
Education	£21,525