Dorset Area Joint Committee

Minutes of the meeting held at South Walks House, South Walks Road, Dorchester on Wednesday, 15 November 2017

Present:
Rebecca Knox (Chairman)
Anthony Alford, Shane Bartlett, Jeff Cant, Hilary Cox, Spencer Flower, Matt Hall, Sherry Jespersen, Ros Kayes, Ray Nowak, Byron Quayle, Barry Quinn, Gary Suttle, Simon Tong, David Walsh and Daryl Turner

Officers Attending: Stuart Caundle (Monitoring Officer), Steve Mackenzie (Chief Executive - Purbeck District Council), David McIntosh (Chief Executive - East Dorset District and Christchurch Borough Council), Matt Prosser (Chief Executive - West Dorset District, Weymouth & Portland Borough and North Dorset District Council), Debbie Ward (Chief Executive - Dorset County Council), Lee Gallagher (Democratic Services Manager - Dorset County Council) and Fiona Napier (Communications & Customer Experience Manager - Dorset Councils Partnership).

Apologies for Absence
20 Apologies for absence were received from Cllr Graham Carr-Jones, Cllr Jill Haynes, Cllr Colin Huckle and Cllr Bill Pipe. Cllr David Walsh attended for Cllr Carr-Jones, Cllr Hilary Cox attended for Cllr Haynes, Cllr Ray Nowak attended for Cllr Huckle and Cllr Daryl Turner attended for Cllr Pipe.

Code of Conduct
21 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

Minutes
22 The minutes of the meeting held on 20 September and 16 October 2017 were confirmed and signed, subject to 'Purbeck District Council' being added to the title for Steve Mackenzie for the meeting on 16 October.

Public Participation
23 Public Speaking
Two public questions from Janine Miller from Unison were received at the meeting in accordance with Standing Order 21(1). The questions and answers are attached as an annexure to these minutes.

There were no public statements received at the meeting in accordance with Standing Order 21(2).

Local Government Reorganisation Update
24 A verbal update from the Chief Executive Sponsor of the Overall Programme on the current status of the Future Dorset proposal was provided. It was confirmed that the Secretary of State for Communities and Local Government (DCLG) had announced on 7 November 2017 that he was “Minded to implement the locally-led proposal for improving local government in Dorset”. It was clarified that although Joint Implementation Committees were quoted in the announcement, the Joint Committee was not a Joint Implementation Committee.

Any locally-led proposals for modifications (i.e. in the spirit of the original submission), or alternative proposals (which could only be brought forward by a council) could be made until 8 January 2018. The final decision following Secretary of State consideration in January would be subject to Parliamentary approval.
The huge amount of work still to be done in a very short timescale was recognised, to potentially dissolve nine existing councils and create two brand new councils for Dorset. The Central Programme Team was supporting both Joint Committees, including the Structural Change Order and consequential legal orders that were needed, initial work on Human Resources and Organisational Development (HR & OD), on-going work of disaggregation of budgets, council tax harmonisation and the potential for boundary views in one or both of the proposed unitary areas. Civil Servants at DCLG would now formally engage with the various teams, providing advice and guidance.

In addition to the update it was reported that Chief Executives across the pan-Dorset Area would lead the central work areas below:

- Debbie Ward – Disaggregation, supported by the Finance Officers Group
- David McIntosh – HR & OD, supported by the HR teams
- Steve McKenzie – Finance, supported by the S151 Officers Group
- Andrew Flockhart - Legal and Democratic, supported by the Monitoring Officers Group
- Jane Portman – Communications and Consultation, supported by the communications and consultation teams
- Matt Prosser – Overall Programme Sponsor – chair central programme team.

(Note: Governance of work areas is referenced at minute 27)

Updates would be provided and engagement events organised from early January 2018.

Resolved
That the update note provided by the Chief Executive Sponsor for the Central Programme would be shared with members and would be added to the Committee’s website.

Independent Advice on a Process to appoint a Chief Executive in the Event of Local Government Reorganisation

(Note: All Dorset Chief Executives withdrew from the meeting during consideration of this item.)

As one of the first issues to be considered by the Implementation Executive if Local Government Reorganisation was agreed, the Joint Committee was advised about the need to consider the steps, timing and appointment process for a Chief Executive. Some of the questions and options available to the Joint Committee were explained, including engagement with a team from the Local Government Association (LGA) to provide independent political and professional advice to consider a way forward. The team was currently being briefed on progress with Local Government Reorganisation to ensure that they were fully prepared to meet soon. The Joint Committee would take forward the process, but it would be the responsibility of an Implementation Executive to make the appointment in due course.

In addition to supporting the need to engage with the LGA, members expressed the need to prevent any delay in the process by ensuring, that as soon as the Structural Change Order was in place, the Implementation Executive was in a position to address the appointment of a Chief Executive should it wish to do so. This would maximise the lead in time to the launch of the new Council. However, an alternative view was expressed that there could be a different range of skills needed by a potential Chief Executive in the early stages of the formation of the new Council through to the evolution and stabilisation post March 2019.
The scheduling of a session with the LGA was discussed in detail and it was felt that an informal session would be welcomed in advance of the next meeting of the Joint Committee, with a follow up report at the meeting to progress any decisions required. It was agreed that the session would start at 11.30am. The participation of all substitutes was raised at the meeting, but it was confirmed that this would be addressed following the meeting.

**Resolved**
1. That a presentation be welcomed from a team from the Local Government Association on the approach to be taken to recruit a Chief Executive for a new unitary council and any interim appointment that may be required.
2. That the presentation be held at an informal session at 11:30am on 13 December 2017, before considering a report at the next Joint Committee Meeting later on that same day.

*(Note: At this point the Chief Executives of the Dorset Councils returned to the meeting.)*

**Local Government Reorganisation Service Disaggregation Principles**

The Joint Committee considered the disaggregation principles required if the Secretary of State agreed to the formation of two unitary councils in Dorset and specifically in relation to Christchurch.

Services, funding, assets, liabilities, contracts and staff of the County Council would need to be split fairly with a target completion date of June 2018, in consultation and agreement with the representatives of the other proposed unitary council in Dorset. This would inform the budget preparations of the two unitary councils by Autumn 2018.

Substantial work would need to be commissioned from in-house staff and there was a need for a Task and Finish Group of the Joint Committee to oversee the work to provide drive and focus and to ensure members of Dorset Councils had a clear understanding of the work as it progressed. The cost of the budgetary implication of the disaggregation process was confirmed as £90k to backfill financial staff to complete the process, of which the Dorset Area Joint Committee was responsible for £46.5k, and the Bournemouth, Christchurch and Poole Area Joint Committee would fund the remaining budget.

The report was welcomed, and existing partnerships and shared services, such as the Dorset Waste Partnership, were explored. It was confirmed that disaggregation of services would retain successful arrangements as far as possible. Details would need to be worked through, but it was envisaged that the Dorset Waste Partnership would continue to be delivered in the first instance by the Council in the Dorset area, and potentially extending membership to Poole and Bournemouth in the future.

Clarification was sought about the future of Christchurch Borough Council and the possibility of whether the door was open to becoming part of the Dorset Area. Leaders across the pan-Dorset area continued to meet regularly and would discuss the implications for Christchurch and its role in the new councils. However, it was confirmed that the Joint Committees had been formed on the original submission to the Secretary of State which included Christchurch in the Joint Committee with Bournemouth and Poole and this had not changed.

**Resolved**
1. The disaggregation principles detailed in the report be agreed.
2. That the creation of a Task and Finish Group of Joint Committee members to oversee the disaggregation work, to comprise Cllrs Cant, Haynes, Suttle and Alford (or alternative), be agreed.
3. That the budgetary implications of the disaggregation process of £90k be noted, and the Dorset Area Joint Committee proportion of £46.5k be agreed.

Local Government Reorganisation Programme Governance and Resourcing

Following consideration of the initial priorities for collaborative working at the Joint Committee meeting on 20 September 2017, and agreement to recruit a programme manager, communications manager and two workstream co-ordinators on 16 October 2017, members discussed the governance structure work leading to the creation of a new Council and the challenging time pressures.

The Joint Committee would act as the Programme Sponsor, and a Programme Board would report to it comprising the Chief Executives of the six authorities on the Joint Committee and a Programme Director. The Board would be led by one of the Chief Executives as the Senior Responsible Officer for the Programme and they would be accountable to the Joint Committee.

The appointment of a Programme Director was discussed, and the need for staff to deliver the programme, including those already agreed by the Joint Committee. As such a further report would be considered on 13 December 2017 on the programme management budget. The programme costs would be shared between Dorset Councils with the County Council funding 50%, and the remaining 50% being split on a population pro-rata basis.

Amidst the important work areas to be progressed, the need for a Task and Finish Group on the Electoral Boundary Review was identified as an important part of the Joint Committee’s work programme. It was explained that Groups could be established outside of formal meetings, and as such the membership of a Group would be taken forward pending the scope of the Group being completed by Cllr Spencer Flower as the lead member for the Group. It was important to ensure political representation from across partner councils and this would be an area where members outside of the Joint Committee could actively participate. There was a need to ensure a clear explanation to members of all councils and the public about the role of the Group.

The Chief Executive Sponsor of the Overall Programme confirmed that an update on the boundary review options would be reported to the next meeting on 13 December 2017 as part of the workstreams update, which included member engagement. Input from members through the Task and Finish Group was welcomed to inform discussions with the Boundary Commission following initial contact made by Monitoring Officers and the Department for Communities and Local Government in the past few days.

Formation of other Task and Finish Groups would take place as workstreams developed.

The membership of the appointment Panel of the Programme Director was debated, with a request for all Council Leaders to form the Panel. A contrary view was expressed to have political representation on the Panel. A range of views were shared which articulated the need for the panel to be non-political, and that leaders of each council would be acting on behalf of the whole of their respective council and on behalf of the new organisation, not as an individual. On being put to the vote it was agreed that the Panel of six members would comprise the leaders of Dorset’s Councils on the Joint Committee.

Resolved
1. That the proposed programme management governance structure set out in Appendix 1 of the report be agreed.
2. That the appointment of a full-time Programme Director, on an 18 month fixed term
contract, following the ‘minded to’ decision by the Secretary of State, be agreed.
3. That the creation of an appointment panel of six members of the Joint Committee for the appointment of the Programme Director, to comprise the council leaders, be agreed.
4. A further report is brought to the Joint Committee seeking approval to the programme management budget on 13 December 2017.
5. That the agreed programme costs to April 2019 be shared between the existing councils pro-rata to population.
6. That a Task and Finish Group on Electoral Boundary Review be established, to be scoped by Cllr Spencer Flower, and be developed to invite member participation from across Dorset’s Councils to fully embrace the opinion of members at the appropriate time.

Risk Management Methodology

The Joint Committee discussed the use of a proactive and effective risk management process to demonstrate that objective and informed decisions were taken by the Joint Committee.

Resolved
1. That the risk management methodology set out in the report be adopted.
2. That a risk workshop be held to define the Committee’s risk appetite and identify the key risks (to be facilitated by the County Council’s Governance and Assurance Team).
3. That regular progress reports on High and Worsening risks be agreed.
4. That a SharePoint based risk register be established, enabling collaborative update and ownership.
5. That the risk management resource across the partner authorities be coordinated to provide a holistic overview of strategic risk be supported.

Work Programme and Forward Plan

The Joint Committee considered its Work Programme and Forward Plan and added the following items for future meetings:

- **Process to appoint a Chief Executive** – LGA informal session at 11:30am on 13 December 2017, and report to the meeting at 2:30pm. (min 25 refers)
- **Structural Change Order** – 13 December 2017
- **Approval to the Programme Management Budget** - 13 December 2017 (min 27 refers)
- **Risk Workshop** (to be facilitated by the County Council’s Governance and Assurance Team) – to be arranged (min 28 refers)
- **Member Engagement (as part of the update on workstreams)** – 13 December 2017 - potential to form a Task and Finish Group from members of all councils

A request was made to have a simple timetable which referenced all key areas of consideration and decision until March 2019 as a critical path.

Dates of future meetings were being investigated and would be made available as soon as possible.

Resolved
1. That the Work Programme and Forward Plan be updated.
2. That dates for future meetings of the Joint Committee for 2018 be progressed.

Meeting Duration: 2.30 pm - 3.55 pm
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Questions from Janine Miller from Unison to the Dorset Area Joint Committee

Questions

1) The terms of reference for the Committee includes the statement at para 6 that the purpose of the Committee is “To oversee the development and delivery of a comprehensive communications and engagement strategy that address the requirements of …..staff and wider stakeholders”. Will the Committee give a commitment that members and officers will:

   a. Work in partnership with the recognised Trade Unions, listening to our members and ensuring that TU representatives are fully involved at a governance, strategic and operational level in the process of decision making and organisation change;
   b. Maintain effective collective bargaining as the cornerstone of a joint commitment and approach to addressing financial realities while protecting employee jobs, pay and conditions;
   c. Jointly develop and follow model best practice policies and practices in conducting service reviews and considering commissioning decisions; and
   d. Retain equality proofed pay structures through equal pay audits and robust equality impact assessments.

2) A significant number of staff in the affected councils do not have regular access to a Council Intranet system, or work emails. How will the Committee ensure that these members are included in regular communications and are enabled and encouraged to participate in the engagement opportunities identified as part of the communications and engagement strategy?

Answers

1) The Dorset Area Joint Committee is committed to continuing effective working relationships with Trade Union colleagues. A meeting with Trade Union representatives from across all 9 Councils is currently being arranged to provide the opportunity to explore ways of working together that builds on our work to date. We know that delivering local government reorganisation will be a very significant challenge and we wish to do so in partnership.

   Should the Secretary of State make a final decision in favour of local government reorganisation the Joint Committee will be replaced by an Implementation Executive around Easter 2018 and that body will have the authority to deliver the new Dorset Area council. In the meantime the Joint Committee wishes to see reports bringing forward staff related matters which have been developed in consultation with staff representatives. These include implementing best practice. The submission for local government reorganisation was made in February of this year with the realistic expectation that there would be a decision in March. The loss of the subsequent 8 months means that the delivery of the new council will have to be done at pace. This will not negate the commitment to working with Trade Union colleagues but there has to be a recognition that in order to successfully implement change in a well-managed way there has to be a mutual recognition of the timescales involved and the challenge that this presents.

2) There are a number of ways in which staff can be encouraged to stay informed and engaged in the work of the DAJC, in addition to email and Intranet. Firstly, we encourage staff to keep up to date with the work of the DAJC website. This hosts the agenda, reports and minutes and is easily available from remote devices, such as a
laptop, ipad or mobile phone. The address is www.dorsetareacouncils.co.uk. News updates are also published on this site. The DAJC communications group live tweet at each committee and we also have a dedicated email for the DAJC where staff can get in touch; Dorsetareajc@dorsetcc.gov.uk. Each council has a programme of staff briefings which all staff are invited to. Some of those staff briefings have been live streamed so staff can watch remotely or post event. Chief Executives and the Senior Leadership Teams also pay regular visits to satellite offices. All staff are encouraged to speak to their line manager with any questions they have which can be passed to their Chief Executive to answer as and when answers become available. We are very happy to keep these initial arrangements under review and to develop them further in consultation with trade union colleagues.