

SLWG – POLITICAL MANAGEMENT ARRANGEMENTS

1.0 EXECUTIVE SUMMARY

- 1.1 At its meeting on 30 September 2021, the Council endorsed a Best Practice review of current political management arrangement and the establishment of a Short Life Working Group (SLWG) to progress the review of the Political Management Arrangements. This SLWG is tasked with making a recommendation(s) to a new Council following the Local Government Elections in May 2022 regarding this matter.
- 1.2 The membership of the SLWG consists of 10 Members comprising 6 from the Administration being Councillors Currie (Chair), Green, McCabe, McNeilly (Vice Chair), Vennard and Morton and 3 from the largest opposition group being Councillors Lynch, Forrest and Taylor and 1 from the remaining groups being Councillor Freeman
- 1.3 Members are asked to:-
- a) note the basic principles for the review of the Political Management Arrangements;
 - b) agree the attached timetable for the review and associated reporting arrangements, with a final report being submitted to the meeting of Council in April 2022, and
 - c) Consider the Political Management Arrangements adopted by other Scottish Local Authorities, and
 - d) agree that officers engage with all 36 Elected Members seeking their views on how the current Political Management Arrangements are working, asking for suggestions in terms of any future.

SLWG – POLITICAL MANAGEMENT ARRANGEMENTS

2.0 INTRODUCTION

2.1 This report seeks to outline the proposed timetable and process for the review of Political Management Arrangements.

3.0 RECOMMENDATIONS

3.1 Members are asked to:-

- a) note the basic principles for the review of the Political Management Arrangements;
- b) agree the attached timetable for the review and associated reporting arrangements, with a final report being submitted to the meeting of Council in April 2022, and
- c) Consider the Political Management Arrangements adopted by other Scottish Local Authorities, and
- d) agree that officers engage with all 36 Elected Members seeking their views on how the current Political Management Arrangements are working, asking for suggestions in terms of any future.

4.0 DETAIL

4.1 The Council last undertook a review of its Political Management Arrangements in 2016/17. The recommendations from the SLWG established for that purpose were referred by the Council on 20 April 2017 for consideration at the first meeting on the new Council on 18 May 2017.

4.2 Members may find it useful to reflect on the fundamental principles determined by the Council in September 2021, which should inform discussion on different option and types of Committee models:-

- a) Stability in political management arrangements
- b) Clear strategic direction to deliver on Single Outcome Agreement

- c) The development of clear and sustainable policies
- d) An inclusive Council
- e) Positive Culture
- f) Constructive working relationships across all Elected Members
- g) Members focus on addressing challenges and identifying opportunities
- h) Good reputation
- i) Leadership
- j) Effective political scrutiny
- k) Effective decision making
- l) Focus on all our customers
- m) Achieving our ambition
- n) Future proofing

4.3 In addition when considering these principles, Members may wish to consider the complex and challenging environment that Councils operate in, best illustrated by the Covid-19 pandemic.

Continual progress is being made to harness new technologies available to facilitate greater flexibilities in how the Council conducts its meetings in an open and transparent fashion. It will therefore be critical for a new Council to enable ongoing transformation and recovery and ensure that it has the governance and political management arrangements in place for effective scrutiny and decision-making.

The Council is also awaiting the outcome of Boundaries Scotland Review of Electoral Arrangements for Argyll and Bute. Their report to Scottish Ministers proposes a reduction in Councillor numbers and the introduction of island-only wards which if accepted requires to be taken into account in any discussions on future political management arrangements.

4.4 Statutory basis for delegating powers to Committees

4.4.1 In terms of the Local Government (Scotland) Act 1973, section 56, a Council can make arrangements (scheme of delegations) for a Committee, Sub Committee or officer to carry out some of its functions. This power is extended by section 43(a) of the Planning etc. Scotland Act 2006 to a scheme of local delegation planning matters to a committee, and for local developments to an officer which requires approval of Scottish ministers to allow any amendment and which must be reviewed every 5 years or sooner.

4.4.2 There is also a need to recognise that Elected Members can only exercise an executive role when they sit as the Council or a Committee thereof. This is provided for in the Local Government (Scotland) Act 1973, section 56 which sets out how a local authority may discharge its functions. In addition there is a National Code of Conduct for Councillors which sets out the differing role of Members and officers in respect of the authority and which prohibits members from engaging in the direct operational management of council services.

4.5 **Current Political Management Arrangements**

4.5.1 The Council's current Political Management Arrangements comprise of the bodies listed in the table below, the number of meetings associated with each meeting are also included.

Bodies	Average no. of Pre-agenda meetings per year	Average no. of meetings per year	Total
Council	8	8	16
Policy and Resources Committee	6	6	12
Community Services Committee	4	4	8
Environment, Development and Infrastructure Committee	4	4	8
Harbour Board	2	2	4
Area Committees	16	16	32
Planning, Protective Services and Licensing Committee, <i>(including planning hearings and civic government applications)</i>	20 (?)	20 (?)	40
Audit and Scrutiny Committee	4	4	8
The Policy and Resources Asset Transfer Sub-Committee	5	5	10
Total	69	69	138

The remit for the current Committees of the Council is detailed in the Council Constitution – which can be accessed by following the [LINK](#).

4.5.2 There are also a number of other committee, sub committees and partnership groups that support the existing Political Management Arrangements. These

bodies are listed at appendix 1 alongside the number of meetings that are held on average each year.

- 4.5.3 The Council has a commitment to Community Planning in Argyll and Bute. The Single Outcome Agreement covering the period from 2013 – 2023 has an overall objective of “Argyll and Bute’s economic success is built on a growing population” which is underpinned by 6 long term outcomes.

The Council has a critical role in supporting the Community Planning Partnership to achieve each of the 6 long term outcomes. Community Planning is also delivered locally by 4 Local Area Community Planning Groups covering the administrative areas of the Council working with local partners in the Areas.

The number of meetings associated with each Area Community Planning Group are listed below

Meeting	No. of Pre-agenda meetings per year	No. of Pre-agenda meetings per year	Total
Bute and Cowal Area Community Planning Group	4	4	8
Helensburgh and Lomond Area Community Planning Group	4	4	8
Mid Argyll, Kintyre and the Islands Area Community Planning Group	4	4	8
Oban, Lorn and the Isles Area Community Planning Group	4	4	8
Total	16	16	32

- 4.5.4 The Integration Joint Board (IJB) has the responsibility for all Health and Social Care within Argyll and Bute. The IJB is the Governance Board of the Argyll and Bute Health and Social Care Partnership and has responsibility for the planning, resourcing and overseeing of the operational delivery of integrated services. The membership of the IJB comprises elected councillors from Argyll and Bute Council, NHS Highland Board members and a number of other members from a range of sectors and stakeholder groups including the Third Sector, Independent Sector, patients/service users, staff and carers.

Meeting	No. of Pre-agenda	No. of Pre-agenda	Total
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	meetings per year	meetings per year	
IJB	5	5	10
Finance and Policy Committee	-	11	11
Audit and Risk Committee	-	5	5
Clinical and Care Governance	-	5	5
Strategic Planning group	-	5	5
Total	5	31	36

4.5.5 A diagram of the current Council decision making structure is attached at appendix 2.

4.6 Political Management Arrangements Across Scotland

4.6.1 Information on the Committee Structures which are adopted across all of the other 31 Local Authorities is provided at appendix 3 and is summarised as follows:

Council	Committee Model
Aberdeen City, Aberdeenshire, Angus, City of Edinburgh, Clackmannanshire, Dumfries and Galloway, Dundee City, East Dunbartonshire, Highland, Inverclyde, Moray, North Lanarkshire, Orkney Islands, Perth and Kinross, Renfrewshire, Shetland Islands, Stirling, West Dunbartonshire, Western Isles	Traditional Model (19)
East Ayrshire, East Lothian, East Renfrewshire, Midlothian, North Ayrshire, South Ayrshire	Cabinet Model (6)
Falkirk, Fife, Glasgow City, Scottish Borders, West Lothian	Executive Model (5)
South Lanarkshire	Hybrid Model (1)

4.6.2 Councils tend to operate either a traditional Committee system or a cabinet/executive style of government. One Council has combined aspects of the two systems to form a 'hybrid' system.

Traditional Committee system

4.6.3 A total of 19 councils in Scotland operate a traditional committee system with the majority of these also having audit/scrutiny arrangements in place.

Cabinet Model

4.6.4 6 councils operate a Cabinet system, which aims to improve decision making and to make it more accountable. Under this approach a small group of elected members, typically from the administration and with Portfolio/Policy remits, make all the day-to-day decisions within a policy framework set by the council as a whole. The Cabinet would meet on a regular basis with their role likely to be:

- providing strategic leadership
- taking executive decisions within a budget and policy framework approved by the full council
- leading the council's partnership activities with other bodies
- developing and making recommendations about strategy and budget to the council

In essence a lot of decisions that the council itself would have to take in terms of its corporate governance role are delegated to a small group to take on behalf of the council. In this kind of structure, it is the role of non-cabinet elected members to scrutinise the cabinet's activities through a committee or panel.

Executive Model

4.6.5 5 councils in Scotland operate an Executive system. This approach is similar to the Cabinet model, but the Executive generally has membership from both administration and opposition councilors. The Executive would meet on a regular basis with their role being as outlined in the Cabinet model above.

Hybrid Committee system

4.6.6 A single Authority operates a Hybrid structure with an Executive Committee and a number of Policy Committees.

4.7 Arrangements in similar Local Authorities

4.7.1 Looking at Local Authorities which have similar characteristics to Argyll and Bute with a large land area and rural population, the following models are in place:-

Council	Committee Model
Aberdeenshire Council	Traditional Model
Dumfries and Galloway Council	Traditional Model
Highland Council	Traditional Model
Western Isles Council	Traditional Model
Scottish Borders Council	Executive Model
South Ayrshire Council	Cabinet Model
South Lanarkshire	Hybrid Model

4.8 Scrutiny

4.8.1 Across local authorities in Scotland, there are a number of different arrangements which are used to undertake both scrutiny and audit functions and a benchmarking exercise has been carried out in this regard. It can be seen

that a number of authorities have committees dedicated to scrutiny, but others link scrutiny with performance review, some with audit, and some with a range of other functions. It can further be seen that a number of local authorities allocate scrutiny of different thematic functions across more than one committee.

4.8.2 Many local authorities have a single body for undertaking both Audit and Scrutiny functions. This is the preferred model for 19 local authorities, including Argyll and Bute whereas 12 have more than one committee to undertake scrutiny and audit functions.

4.9 Area Committee Structures

4.9.1 Of the 32 Local Authorities in Scotland, 8 including Argyll and Bute, operate a system of Area Committees, these are:-

- Aberdeenshire Council
- Dumfries and Galloway Council
- Highland Council
- Fife Council
- South Lanarkshire Council
- West Lothian Council
- Scottish Borders Council

4.9.2 These committees meet in the local areas, many of them involve and consult local people. Some undertake the scrutiny role for all services delivered in the area. Normally only Ward members for each area sit on their area committee, although some area committees have representation from local communities in their areas, such as West Lothian. Some area committees have delegated budgets to fund work in their local area.

4.10 Best Value Audit

4.10.1 In response to the 2015 Best Value report, the council identified 13 action in its improvement plan, including reviewing and revising the political management arrangements and scheme of delegation.

4.10.2 The most recent Best Value³ Audit (2020) highlighted the significant improvements in the Council's partnership working arrangements and approach to constructive and focused decision making. It also recognised that the world has changed considerably in the last few years. Councils operate in a complex and challenging environment at the best of times however the Covid-19 pandemic has changed that environment on an unprecedented scale.

4.11 Principles of Good Governance

4.11.1 Audit Scotland published a report in 2016, Principles of Good Governance – Audit Scotland (An overview of Local Government in Scotland 2016) ([LINK](#)). In this report the principles of good governance are outlined as:-

- creating and implementing a vision and focusing on outcomes
- councillors and officers working together to achieve a common purpose, with clearly defined functions and roles
- promoting the council's values and upholding high standards of conduct and behaviour
- taking informed and transparent decisions which are subject to effective scrutiny and managing risk
- developing the capacity and capabilities of councillors and officers
- engaging with local people and other stakeholders to ensure robust public accountability.

4.12 Other considerations/challenges

4.12.1 Community Planning Partnership

The Argyll and Bute Community Planning Partnership is a partnership of agencies and organisations from the public, voluntary, private and community sectors that have an interest in working together to reach the agreed overall outcome for Argyll and Bute: Argyll and Bute's Economic Success is Built on a Growing Population.

Currently, elected members have links to/responsibilities within the partnership in that the Leader of the Council chairs the full partnership (which meets once per year), with the Depute leader undertaking the role of Vice-Chair. Additionally, local elected members are involved in local community planning groups in that the Chair and Vice Chair from the Area Committee and one other Elected Member from an Area Committee Ward not already represented by the Chair or Vice Chair sit as members of the group

5.0 Elected Member Engagement

It is suggested that officers engage with all 36 Elected Members seeking their views on how the current Political Management Arrangements are working, asking for suggestions in terms of any future arrangements and asking for comments.

This exercise will be undertaken electronically with the responses collated and presented for consideration at the next meeting of the SLWG.

6.0 Process

6.1 Following agreement of the basic principles, it is suggested that Members are asked to consider:-

- The effectiveness of the current Political Management Arrangements.
- The main issues which need to be addressed to ensure the Political Management Arrangements facilitate good governance.
- Decision making – can the existing process be streamlined taking into account

scrutiny and risk requirements.

- How to ensure the transparency of decision making.

6.2 Officers have liaised with Members of the SLWG and have compiled a detailed timetable for meetings and this is attached at Appendix 4. The SLWG will be supported by officers from Legal and Regulatory Support who will provide administrative and governance support. The intention will be for the final recommendations of the SLWG to be presented to Council in April 2022 with final consideration to be submitted to the new Council in May 2022.

7.0 CONCLUSION

7.1 The Council has agreed that this is an appropriate time to conduct a review of the current Political Management Arrangements in advance of the Local Government Elections in May 2022. This report proposes the way forward in terms of this review.

8.0 IMPLICATIONS

8.1 Policy – none at this stage.

8.2 Financial - none at present, but may be financial implications dependent on the outcome of the review.

8.3 Legal – none at this stage.

8.4 HR – none at present, but may have HR implications dependent on the outcome of the review.

8.5 Fairer Scotland Duty – none.

8.5.1 Equalities – protect characteristics – none.

8.5.2 Socio-economic Duty – none.

8.5.3 Islands – Addresses consideration of proposed introduction of island only wards.

8.6 Climate change – none.

8.7 Risk – none.

8.8 Customer Service – none.

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November 2021

For further information contact: Patricia O'Neill, Governance Manager 01546 604384

APPENDICES

- Appendix 1 - All Meetings Annual Average
- Appendix 2 - Current Committee Structure diagram
- Appendix 3 - PMA across other 31 Local Authorities
- Appendix 4 - Timetable of meetings and reporting for SLWG