

Report To:	COUNCIL	Date:	23 APRIL 2020
Heading:	CORPORATE PEER CHALLENGE UPDATE		
Portfolio Holder:	LEADER OF THE COUNCIL, COUNCILLOR JASON ZADROZNY		
Ward/s:	N/A		
Key Decision:	N/A		
Subject to Call-In:	N/A		

Purpose of Report

To note the draft summary outcomes of the Corporate Peer Challenge visit which took place in January 2020 and consider the progress made in respect of some of the recommendations to date.

Recommendation(s)

- 1. To note the draft summary outcomes of the Corporate Peer Challenge visit as outlined in this report.**
- 2. To endorse the progress made in respect of the draft recommendations to date and the next course of action.**
- 3. In accordance with one of the recommendations of the Corporate Peer Challenge feedback report, that the post of Political Assistant be established under the terms of section 9 of the Local Government Act 1989 with effect from this Annual Council (23 April 2020) until the next Annual Council meeting following full district council elections in 2023, and is allocated to the Ashfield Independents and the Conservatives, the posts being pro rata as set out in the report.**
- 4. That the Director of Legal and Governance (Monitoring Officer) be authorised to amend the Constitution and the Standing Orders contained therein in order to provide for the establishment of Political Assistants in accordance with the legislation.**
- 5. That the Leaders of the Ashfield Independents and the Conservatives be requested to advise the Director of Legal and Governance (Monitoring Officer) of their wishes concerning the filling of the posts.**
- 6. That the 2020/21 budget and Medium Term Financial Strategy (MTFS) be increased to reflect the additional cost of these posts. The 2020/21 net budget increase of circa £31k (full year effect) to be funded from the General Reserve.**

Reasons for Recommendation(s)

It is good practice for the Council to be made aware of the outcomes of the Corporate Peer Challenge visit; during the current unprecedented times, it was considered important to keep Members updated and to note early responses to the recommendations pending the finalisation of the Feedback Report which may be delayed due to the impacts of the Coronavirus pandemic.

The establishment of Political Assistants would enable the Council to implement a recommendation of the Corporate Peer Challenge. To comply with legislative provisions in respect of the establishment of Political Assistants. To ensure appropriate budgetary provisions are in place.

Alternative Options Considered

(with reasons why not adopted)

There are no alternative options in relation to the noting of the draft summary outcomes of the Corporate Peer Challenge report or the endorsement of the actions taken to date to meet some of the recommendations.

The Council could decide not to establish Political Assistants, however, there is no alternative way for the Council to resource political support to the political leadership and, therefore, the recommendation of the Corporate Peer Challenge would not be met.

Detailed Information

CORPORATE PEER CHALLENGE - SUMMARY

Members of the Council will be aware that the Council underwent a Corporate Peer Challenge visit towards the end of January 2020. The draft Corporate Peer Challenge report was sent to the Council in mid-March to enable Officers to check for factual accuracy before being finalised.

It is good practice for the Council to be made aware of the outcomes of the Corporate Peer Challenge visit. During the current unprecedented times, it was considered important to keep Members updated and to note some of the outcomes and early responses to the recommendations pending the finalisation of the Feedback Report which may be delayed due to the impacts of the Coronavirus pandemic.

The Corporate Peer Challenge Team consisted of:

- Cllr Gerald Vernon-Jackson – Leader, Portsmouth City Council
- Alison Broom – Chief Executive, Maidstone Borough Council
- Andrew Seekings – Interim Chief Executive, Allerdale Borough Council
- Rob Gregory – Assistant Director for Communities and Neighbourhoods Stevenage Borough Council
- Esther Barrott – Care and Health Improvement Adviser, NGDP/Local Government Association
- Becca Singh – Peer Challenge Manager, Local Government Association Strategic Leadership

Peer Challenges are improvement focussed and tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The

peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The current LGA sector-led improvement support offer includes an expectation that all councils will have a Corporate Peer Challenge every 4 to 5 years. Ashfield District Council had a Corporate Peer Challenge in July 2013, and a second in March 2017.

The peer team prepared for the peer challenge by reviewing a range of documents and information in order to ensure they were familiar with the Council and the challenges it is facing. The team then spent three days onsite at Ashfield District Council, during which they:

- Spoke to over 100 people including a range of Council staff, councillors and external stakeholders,
- Gathered information and views from 28 meetings, visits to key sites and additional research and reading
- Collectively spent nearly 300 hours to determine their findings – the equivalent of one person spending around 8 weeks at the Council

The Peer Challenge team in its Executive Summary concluded that:

- The Council is a council where the politicians provide strong community engagement, are involved, passionate and resident-focused.
- Councillors are particularly active in seeking residents' views and wants and use them to identify priorities for action.
- The Council is successful in using resident views in influencing service delivery.
- The Council has clear ambitions and it is clear which Directors and Departments are responsible for delivering them.
- The Council has a clear aspiration to take a One Council approach.
- The Council has adopted values and associated behaviours through a participative approach which are displayed across the organisation.
- Staff are very positive about working for the Council and are committed to delivering the best for the Council's residents and customers. They are also enthusiastic about using their untapped potential for the good of the Council and its residents.

The recommendations and suggestions for improvement and further development can be summarised under the following themes (improvements in italics have been/are being implemented or are part of ongoing work which are detailed further below):

Strategic Leadership:

- Increased focus on strategic ambitions that benefit the District
- *Provision of long-term political support for the Leadership to ensure horizon scanning and enable strategic policy development*
- Shared Strategic Plan with key partners
- *Achieve a more holistic partnership approach to strategic priorities with the Police*
- *Review the strategic direction of the Community Safety Partnership*
- Enhance working with the Local Enterprise Partnership (LEP)
- Enhance political alliances with other councils
- Develop relationships with voluntary and community sectors
- As part of the development of the Local Plan, determine the Council's role in future housing ambitions

One Council:

- *One corporate brand/de-brand legacy brands*
- *Integrate Brook Street housing office based employees to Urban Road*
- *Asset rationalisation and co-location of services and invest in rationalised buildings*
- *Integration of housing into the Council: co-locate office staff*
- *Ensure all employees engaged in transformation programme*
- *Harvest employee enthusiasm to be involved in corporate projects*

Financial Sustainability:

- *Medium Term Financial Strategy (MTFS) – longer term commitments to increases in Council Tax and Council Tax base*
- *Commercial investment - determine income ceiling target*
- *Diversify commercial enterprise programme to spread risk*
- *Strategic review of Housing Revenue Account (HRA) within MTFS*

Organisation Development:

- *Member development on behaviours, roles and expectations; require support of all political groups to ensure all Member compliance with Nolan Principles*
- *Member development on budget setting and Audit Committee topics*
- *Member Development via LGA for Cabinet on corporate strategy and policy development*
- *Member and CLT visibility - Employee engagement*
- *Capacity - realign corporate priorities more equitably across CLT/Directorates; consider corporate restructure*
- *Organisational Culture - shift from Departmental loyalties to cross-cutting outcomes*
- *Organisational Culture - embed buy in to corporate values through consistent messages*
- *Capacity - further explore alternative delivery models - outsourcing/shared services/joint ventures*
- *Capacity and Resilience - mitigate against loss of key post holders*
- *Capacity and Resilience - explore with other Districts how to best address recruitment challenges*
- *Communicate clearly the business reasons for when flexible working does not apply*

Digital Services Transformation (DST):

- *Fast track investment, delivery and benefits - invest in additional capacity and implement realignment of existing service based staff to Digital and Service Transformation (DST) work programme and projects - target specific employees and back fill*
- *Invest in ICT architecture, ICT capacity and employee development*

Partnership Working:

- *Discover Ashfield - implement practical project e.g. Town Centre Funds*
- *Explore potential for a triage service at Urban Road for one ADC/DWP customer reception*

NEXT STEPS

Officers are checking the draft Feedback Report for factual accuracy before responding to the LGA to enable the report to be finalised.

The Corporate Leadership Team (CLT) has started identifying a Lead CLT Officer for each of the recommendations and suggestions for improvement. The Lead Officer will be formulating a detailed response, proposed actions and timescales which will be reported to Members in more detail in due course. However, to progress with early responses to the recommendations pending the finalisation of the Feedback Report and avoid potential delays due to the impacts of the Coronavirus pandemic, a number of recommendations or improvement suggestions are already in the process of being implemented as detailed further below.

Changes to Cabinet

Achieve a more holistic partnership approach to strategic priorities with the Police
Review the strategic direction of the Community Safety Partnership
Integrate Brook Street housing office based employees to Urban Road
Asset rationalisation and co-location of services and invest in rationalised buildings
Integration of housing into the Council: co-locate office staff

Council will recall at its meeting in February 2020, the Leader announced changes to his Cabinet. This included realigning his two Deputy Leaders to the Housing and Assets and Community Safety portfolios in response to the draft recommendations of the Peer Challenge Team to ensure senior member leadership to improve and implement those recommendations.

Community Safety Partnership

Review the strategic direction of the Community Safety Partnership

The Council's vision for a safer and stronger Ashfield by 2023 is set out within the Corporate Plan 2019 – 2023. This includes ensuring the foundations for a good quality of life are in place and reducing crime and anti-social behaviour.

This will be achieved through prioritising both an effective response to issues but also working on prevention and behavioural change. To achieve this, the Council will continue working with our partners to ensure people feel safe and are safe by reducing levels of crime and disorder and antisocial behaviour.

A review of the Community Safety Section is underway involving Scrutiny Panel B as part of the process.

Commercial Development Review

Commercial investment - determine income ceiling target
Diversify commercial enterprise programme to spread risk

An assessment and Options Appraisal is currently being developed with an imminent review of future approach. This will consider significant changes on restrictions to external capital fund borrowing, impact of Coronavirus and Brexit. The assessment will cover skills, capacity, resilience and the need to review risk assessments, risk appetite and target levels of income generation.

The income ceiling is being determined and will be informed by the level of Government funding announced in the next 3 year Spending Round (expected in the Autumn) and the expected level of cashable savings to be derived from the Digital Services Transformation Programme.

The Council's investment portfolio is already diverse, however, no further investment in out of District retail will be made.

Branding

One corporate brand/de-brand legacy brands

Re-branding to facilitate a one council culture is already underway.

Corporate Programme Funding for Building Works

Invest in rationalised buildings

Elsewhere on this agenda, Members have been recommended to approve additional capital funding to meet the costs of undertaking essential external health and safety works required for the Urban Road offices.

Member Development

Member development on behaviours, roles and expectations; require support of all political groups to ensure all Member compliance with Nolan Principles

Member development on budget setting and Audit Committee topics

Member Development via LGA for Cabinet on corporate strategy and policy development

Members underwent a comprehensive induction programme following the District Elections in May 2019 which included elements relating to the Members' Code of Conduct, the roles of Members and Officers and training relating to the role of the Audit Committee, treasury management and fraud. Cabinet Members and Committee Chairs attended an LGA led member development session on 14 October 2019.

Further development sessions will take place to refresh Members regarding these topics and ongoing training for Audit Committee Members is being planned with our partners from the Central Midlands Audit Partnership.

The Standards and Personnel Appeals Committee has been involved in considering the ethical governance report from the Committee on Standards in Public Life over the past year with a view to reviewing the Members' Code of Conduct and related processes and procedures. The Local Government Association will be launching a consultation period shortly regarding its proposed new model code of conduct and Members and relevant Officers will contribute to this consultation process in due course.

Officers and elected Members have already received some Finance training with more training planned. Once the upgrade to the Finance system is complete and embedded, it is the intention at this point to further strengthen Finance Business Partnering arrangements. Budget Managers and Budget Holders are already fully involved in the annual Budget Setting process.

One Council Response

Organisational Culture - shift from Departmental loyalties to cross-cutting outcomes

Member and CLT visibility - Employee engagement

There are numerous examples of current corporate working involving staff from cross-Council, such as:

- Response to Coronavirus
- Officer Working Together Group
- Digi Champs
- Digital Steering Group
- Leisure Transformation

However, there is a need to develop an approach to engage more widely across the organisation.

The Leader and the Chief Executive are providing weekly update videos for officers during the Coronavirus pandemic..

Digital Services Transformation (DST)

*Fast track investment, delivery and benefits - invest in additional capacity and implement realignment of existing service based staff to Digital and Service Transformation (DST) work programme and projects - target specific employees and back fill
Invest in ICT architecture, ICT capacity and employee development*

An initial review of capacity gaps in digital and technology resource has been completed in order to inform a decision for additional funding to be set aside in 2020/21 for this purpose. Elsewhere on this agenda, Members have been recommended to approve the use of up to £400k of the Corporate Transformation Reserve to facilitate expedient progression of the Digital Services Transformation Programme. An intended timeline has been aligned to our transformation programme to prioritise additional resources.

Our cross organisational Digital Steering Group has now been empowered to lead the transformation programme

Review of Housing Revenue Account (HRA)

Strategic review of Housing Revenue Account (HRA) within MTFS

The Council has a 30 Year HRA Business Plan and is continuously considering options (income generation and planned cost profiles) to increase its viability towards 30 years. There was an external review of the HRA business plan in 2019 by Savills.

Discover Ashfield

Discover Ashfield - implement practical project e.g. Town Centre Funds

The Discover Ashfield Board is currently supported by the Executive Project Officer, from the Secretaries Team. Wider support is required for the development of the Place Board and there is a lack of capacity for this currently. The required support for the Board has increased significantly following the Government's announcement of Towns Funding for Kirkby and Sutton, with the Board meeting monthly, rather than bi-monthly and requiring enhanced governance. A post has been created (Discover Ashfield Project Officer) to support the Chair and the development and completion of projects within the Discover Ashfield Delivery Plan.

Political Assistant

Provision of long-term political support for the Leadership to ensure horizon scanning and enable strategic policy development

Introduction

As set out above, one of the recommendations of the Peer Challenge feedback report is to ensure the Council provides long-term political support to the political leadership. The report says that without such support the political leadership's ability to horizon scan and develop and direct strategic policy will be seriously hampered. The establishment of a political assistant role under the provisions of section 9 of the LGHA would ensure this recommendation of the Peer Challenge is delivered.

To put in train the appointment of a political assistant at this time when there will be significant, complex and urgent strains placed upon the Council and its political leaders may be of considerable benefit.

The Widdicombe Committee (1986) found that political assistants were appointed by some local authorities, and were a useful means of broadening the basis for advice to councillors, in a way which could positively promote, rather than damage, the role of the main officer hierarchy. The Committee went on to recommend to the Government of the day that the law should be made clear, to allow for such appointments. However, they felt that:

- a) political advisers should be differentiated from other officers;
- b) they should not enjoy delegated powers;
- c) they should advise members directly, rather than through the chief executive; and
- d) they should be limited in number and seniority.

The Local Government and Housing Act 1989 (LGHA) governs the appointment of Political Assistants to provide assistance to political groups represented on the Council.

Under section 9 of LGHA, the Council may appoint staff for the purposes of providing assistance to the members of any political group to which the members of the authority belong. The terms of the appointment must comply with some qualifying criteria (see below).

As specified in the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006, the general role of political assistants is to undertake research and provide administrative support for political groups.

Political assistants are local government employees and, with two exceptions, the regime restricting the political activities of local government employees applies to them. The two exceptions being:

- a) Able to speak to the public with the intention of affecting support for a political party.
- b) Able to publish or cause to be published written work or other material intended to affect public support for a political party.

The appointment of a political assistant is at the selection of the political group to which the post has been allocated.

There is no single job description for a political assistant, since relevant authorities and political groups vary greatly in their approach to the support they seek from an assistant. Common roles for a political assistant can include:

- Researching and analysing information on behalf of the group
- Preparing reports and attending meetings of the political group and undertaking follow-up action
- Drafting briefing notes/policies for the group leader on new and emerging initiatives
- Liaising with national party and party leadership
- Liaising with national bodies, other Councils and their political groups, government bodies, other networks
- Liaising with local MPs
- Liaising with Council Officers
- Representing the group or group leader at relevant meetings

Legislative Criteria

To fall within section 9 of the LGHA a political assistant appointment must fulfil the following criteria:

- a) The purpose of the appointment must be to provide assistance in the discharge of functions of members of any political group as members of the authority
- b) The appointment must be at an annual rate of remuneration of less than the relevant amount if the annual rate of remuneration which is currently £34,986 excluding on-costs (for a full-time post) by virtue of the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006
- c) The appointment must terminate before the end of the day on which the authority hold their annual meeting following the District Council Elections; for this Council the appointment would terminate in May 2023
- d) Be no more than three posts throughout the authority
- e) Be selected by the political group to whom the post is to be appointed

The standing orders of a relevant authority the members of which are divided into different political groups shall:

- a) Prohibit the making of an appointment to any post allocated to a political group until the authority have allocated a post to each of the groups which qualify for one
- b) Prohibit the allocation of a post to a political group which does not qualify for one
- c) Prohibit the allocation of more than one post to any one political group

Qualifying measures:

A political group shall qualify for a political assistant post if:

- a) The membership of the group comprises at least one-tenth of the membership of the authority – which equates to 4+ members for political groups within Ashfield District Council
- b) The number of the other groups (if any) which are larger than that group does not exceed two
- c) Where the number of the other groups which are the same size as or larger than that group exceeds two, the authority has determined that that group should be a group to which a post is allocated

Where the members of a relevant authority are divided into political groups only one of which has a membership that comprises one-tenth or more of the membership of the authority:

- a) The groups qualifying for a post shall be that group and one other group
- b) The other group shall be the one with the next largest membership

Applying the qualifying criteria to the current political position at the Council would mean:

- a) The Ashfield Independents political group comprises one-tenth or more of the Council's membership and would qualify for a political assistant post
- b) As the Ashfield Independents political group is the only group to comprise one-tenth or more of the Council's membership, under section 9(7) of the LGHA, the next largest political group would also qualify for a political assistant, which would be the Conservative political group
- c) The Labour political group would not qualify for a political assistant post.

It is suggested it would be reasonable to pro rata the level of political assistant support to those groups qualifying in order to proportionally reflect the comparative political group sizes. It is suggested that the allocation reflects the following proportions:

NUMBER OF MEMBERS IN A POLITICAL GROUP	NUMBER OF DAYS/HOURS
2 - 5	1 day / 7.4 hours
6 - 9	2 days / 14.8 hours
10 - 13	3 days / 22.2 hours
14 - 17	4 days / 29.6 hours
18 - 35	5 days / 37 hours

A Political Assistant cannot exercise the powers of delegation conferred on officers by section 101 Local Government Act 1972 or sections 14 to 18 Local Government Act 2000.

In the event that the Council decides to establish the role of Political Assistant, there are some consequential changes required to the Constitution and standing orders relating to the appointment of employees.

Implications

Corporate Plan:

The Corporate Plan sets the strategic direction of the Council.

Legal:

The Local Government and Housing Act 1989 (LGHA), section 9, governs the appointment of Political Assistants to provide assistance to political groups represented on the Council.

The Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2006) - the amount specified for the purposes of section 9(3) of the LGHA is £34,986.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	Cost in 2020/21 to be met from a combination in reduced Member Allowance costs arising from the Independent Remuneration Panel Review (£23k) and the balance from the General Reserve (circa £31k full year effect). Future years costs to be factored into the MTFS.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Risk:

Risk	Mitigation
<p>Failing to implement the recommendations and suggestions of the Peer Challenge Team might stifle the Council's ability to improve.</p> <p>Failing to establish the role of Political Assistant would also see the Council fail to implement a recommendation of the Corporate Peer Challenge. The Peer Challenge said that the political leadership's ability horizon scan and develop and direct strategic policy would be seriously hampered if the Council did not provide political support.</p> <p>In the event that the political make up of the Council were to change in the future, it is possible that other political groups may also become legally entitled to a Political Assistant which would see the costs of such provision increase.</p>	<p>To endorse and implement the recommendations and suggestions of the Peer Challenge Team.</p> <p>To establish the role of Political Assistant in accordance with the legislation.</p> <p>The Council is legally required to keep the establishment of Political Assistants under review.</p>

Human Resources:

Recruitment processes will be carried out in accordance with the relevant regulations and reflect the Council's recruitment processes. This would lead to an increase in the Council's establishment of 1.2 Full Time Equivalent posts.

Environmental/Sustainability

There are no environmental/sustainability issues identified relating to the recommendations in the report.

Equalities:

There are no equalities issues identified relating to the recommendations in the report. Recruitment processes for the role of Political Assistant will comply with equalities legislation.

Other Implications:

None

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