

additional papers 1

Council

Mon 23 Feb
2009
7.00 pm

Council Chamber
Town Hall
Redditch



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Committee Support Services

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: (01527) 64252 Fax: (01527) 65216

e.mail: committee@redditchbc.gov.uk

Minicom: 595528

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AGENDA

Membership

Cllrs:	J Field (Mayor)	
	P Anderson	N Hicks
	K Banks	D Hunt
	M Braley	R King
	J Brunner	W King
	M Chalk	C MacMillan
	A Clayton	P Mould
	B Clayton	W Norton
	J Cookson	J Pearce
	D Enderby	B Quinney
	A Fry	M Shurmer
	C Gandy	D Smith
	M Hall (Deputy Mayor)	D Taylor
	W Hartnett	D Thomas

9. Acting Joint Chief Executive - Review of Operation of Secondment Arrangements

Head of Legal, Democratic and Property Services
(Pages 3 - 12)

To review the operation of the arrangements with Bromsgrove District Council for the secondment and sharing of their Chief Executive as the Acting Joint Chief Executive for both Councils.

(Report to follow)

(No Direct Ward Relevance)

No Direct Ward Relevance

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ACTING JOINT CHIEF EXECUTIVE – REVIEW OF OPERATION OF SECONDMENT ARRANGEMENTS

(Report of the Leader of the Council)

1. Purpose of Report

To review the operation of the arrangements with Bromsgrove District Council for the secondment and sharing of their Chief Executive as the Acting Joint Chief Executive for both Councils.

2. Recommendations

The Council is asked to RESOLVE that

- 1) **the recommendation from the Shared Services Board to continue with the Joint Working and Shared Service arrangements with Bromsgrove District Council be approved; and**
- 2) **the continued secondment of the Acting Joint Chief Executive to the Council be continued until the 31st July 2009 in accordance with the six month review requirements within the secondment agreement.**

3. Financial, Legal, Policy and Risk Implications

Financial

- 3.1 At its meeting on 30 June 2008, the Council resolved to share the full costs of the post of Joint Chief Executive. These costs to date amount to (figures to be provided at the meeting).
- 3.2 Any consequential costs because of the shared nature of the post relating to the Acting Deputy Chief Executive post will also be reported at the meeting.

Legal

- 3.3 Under Section 111 of the Local Government Act (LGA) 1972, a local authority has the power to do any thing (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

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Section 113 of the LGA 1972 allows authorities to enter into arrangements for the secondment of staff from one authority to the other.

Policy

- 3.4 There are no direct policy implications arising out of this report.

Risk

- 3.5 The risk to the Council in having a Joint Chief Executive has been minimised by the appointment of an Acting Deputy Chief executive and by ensuring that arrangements are in place to deal with any conflicts of interest for the postholder.

Report

4. Background

- 4.1 At the Council meeting on 30 June 2008, the Council resolved to appoint an Acting Joint Chief Executive for the Redditch Borough and Bromsgrove District Councils for a period of 12 months, subject to a six month review.
- 4.2 The Acting Joint Chief Executive arrangements began on 1 August 2008 and the six month review is therefore now due.
- 4.3 At Council on 8 December 2008, authority was delegated to the Head of Legal, Democratic & Property Services, in consultation with the Leader of the Council, to agree the terms of and enter into a secondment agreement for the Acting Joint Chief Executive.
- 4.4 Bromsgrove District Council will also be carrying out a review of the operation of the secondment arrangements from its perspective.

5. Key Issues

- 5.1 Since 1 August 2008 Redditch Borough Council and Bromsgrove District Council have been sharing an Acting Joint Chief Executive (AJCE). The post holder's time is split between Bromsgrove and Redditch in equal proportion. In support of this RBC has created a position of Acting Deputy Chief Executive. Amongst other issues this ensures a continuity of management and direction particularly when the AJCE is not on-site in Redditch. This combined with the latest communications techniques and technologies has enabled a seamless management framework in which officers and members can operate. To date no issues of poor accessibility or communications have been raised since the secondment began.

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- 5.2 A management re-organisation immediately preceded the departure of the last Borough Director which has required “bedding in” during this 6 month review period. In addition it has been necessary to implement interim management arrangements until a final decision on a Joint CEO is concluded. It should be noted that it would have been necessary to put in place transitional management arrangements during any recruitment process arising from the departure of the Borough Director so some disruption would have been unavoidable. The CMT have continued to thrive during the period of this review, and have worked well in delivering all the Council’s priorities.
- 5.3 Following elections in May 2009 control of the Council was vested in a single party and resulted in a review of the Council’s priorities. This has produced a change in emphasis and direction. This coincided with the decision to proceed with an AJCEO. Having a resource available with current and real experience of another Council was beneficial in refining these priorities into robust and deliverable Service Plans and in the communication of these to staff, our partners and the media at large.
- 5.4 Redditch Borough Council has always believed that it has had difficulties in getting its priorities and issues on to the County and Region agendas. “We have shouted, but have seldom been heard.” Our representation in many of these forums is now through an AJCE who represents an extremely large part of the County. When he speaks he commands attention and is therefore able to make the case for Redditch more powerfully than has previously been the case.
- 5.5 Over recent years there has been little or no external recruitment into senior positions within Redditch Borough Council which always carries the risk of insularity. The management team has worked hard over the years to prevent this from happening. Having an AJCE with hands on control of two management organizations has given a large boost to the introduction of new ideas and innovation within the Council. Specific instances of this can be seen as follows:-
- a) The AJCE is using his experience to implement a new performance framework at RBC based upon his experience at Bromsgrove District Council. A new performance framework has been considered by the CMT. This includes the performance management timetable and includes a process for staff appraisals. Steps are underway to improve the ongoing financial planning process – both in terms of the delivery of the medium term financial plan and also its monitoring by the Executive and by Members. This work is being carried forward in to the development, delivery and monitoring of the Service Plans.

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- b) To support this work the ACJE has instigated a Financial Health Check which should bring substantial benefits.
 - c) RBC has in the last 6 months made great strides in the areas of Diversity and Equality. A Community Forum has been set up which is attended by both the ACJE and Leader of the Council and who will elect a member to serve on the LSP, thus ensuring that our LSP is truly representative of the community we serve. The CMT have received a presentation from Officers at Bromsgrove to share key learning principles. They have benefited from advice and support given by Bromsgrove at the behest of the AJCE and are now moving this agenda forward.
 - d) RBC has seen advances in its communications output based on an approach introduced by the AJCE which is currently utilized at BDC. This includes a new suite of tools and techniques and new publications including a regular newsletter from the AJCE.
 - e) The Council's performance in obtaining grants and external funding is showing a marked improvement with recent funding being provided by WMLGA and WMRIEP).
- 5.6 The Leader of the Liberal Democrat Group has indicated that he believes the process is working well and that the way the AJCE is prioritizing his time and work is bringing a fresh approach to the Council and that substantial benefits will be gained over time. The Leader of the Labour Group has raised no specific issues, but has indicated that the Labour Group do not agree with the principle of a joint Chief Executive.
- 5.7 A review has confirmed that the progress made by RBC in relation to its targets is satisfactory and it can therefore be reported that the arrangements are proceeding satisfactorily, in accordance with timescales and as such the AJCE arrangements are not hindering the progress of the Council, but are actually beneficial.
- 5.8 Members will recall that part of the process for managing the shared service and collaborative working arrangements between the two authorities required the creation of a joint Shared Services Board.
- 5.9 Accordingly this Board has been established and is made up of cross party elected members from both authorities. The Board meets every 8 weeks and its terms of reference are detailed in a Concordat which was agreed and approved by the Full Councils of both authorities.
- 5.10 The primary function of the Board is to receive reports from the Acting Joint Chief Executive into potential shared service or collaborative working opportunities.

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In turn where the Board feels that a shared service or joint working opportunity is viable it requests the Acting Joint Chief executive to prepare a formal business case for consideration by both Councils.

- 5.11 In accordance with the requirements of the Concordat the Shared Service Board has undertaken a six month review into the progress that has been made in identifying and establishing joint working opportunities and the extent to which each authority has benefited by these arrangements.
- 5.12 In addition to this the Acting Joint Chief Executive has, at the request of the Board, reported to them on how the joint working arrangements are progressing and on areas that he feels need to be improved or altered so as to ensure that all benefits from these arrangements can be maximised.
- 5.13 Members will find the report from the Shared Services Board detailing the findings of its six month review together with its recommendations at Appendix 1 to this report.
- 5.14 Members are advised that the Concordat requires there to be a consensus of agreement in relation to any proposed recommendations made by the Board, and that while there was indeed a consensus at the Board meeting on 9 February 2009, the decision was not unanimous as the Labour Groups from both Councils did not agree that the Acting Joint Chief Executive arrangements (which are in themselves a shared service) should continue.
- 5.15 The minutes of the meeting are clear that all Councillors present at the meeting were in favour of the principle of shared services. The Shared Services Board was not, however unanimous that the Acting Joint Chief Executive arrangements should continue.

6. Other Implications

Asset Management	None identified
Community Safety	None identified.
Human Resources	Kevin Dicks will continue to be employed by Bromsgrove District Council but will be seconded to Redditch Borough Council to the extent necessary to enable him to perform the Acting Joint Chief Executive role.

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Social Exclusion None identified.

Sustainability None identified

7. **Conclusion**

The secondment arrangements are working satisfactorily and should be continued until the Shared Services Board reports on the longer term business case for joint working arrangements and/or a shared approach for the delivery of services by Redditch and Bromsgrove.

8. **Background Papers**

Confidential Council reports and confidential internal files.

9. **Consultation**

There has been no consultation other than with relevant Members and Borough Council Officers.

10. **Author of Report**

The author of this report is Cllr Carole Gandy (Leader of the Council) who can be contacted on (01527) 542022 (e-mail CllrGandy@redditchbc.gov.uk) for more information.

11. **Appendices**

Appendix 1 Minutes and recommendations from the Shared Services Board of 9 February 2009.

**BROMSGROVE DISTRICT COUNCIL AND
REDDITCH BOROUGH COUNCIL**

SHARED SERVICES BOARD

Monday 9 February 2009

Redditch Town Hall

NOTES

Present:

- Councillors Carole Gandy, Colin MacMillan, Bill Hartnett, Malcolm Hall (Redditch Borough Council)
- Councillors Roger Hollingworth, Peter MacDonald (Bromsgrove District Council)

Officers – K Dicks (Acting Joint Chief Executive – Redditch and Bromsgrove Councils)

Committee Support – I Westmore

Also in attendance – None

Apology – Apologies for absence were received on behalf of Councillor Webb (BDC).

1. Minutes of previous meeting

It was AGREED that

the minutes of the meeting of the Board held on 21 January 2009 be confirmed as a correct record.

2. Matters Arising

Members were informed that, as of that day, which had been the date set for the close of expressions of interest, approximately 30 such expressions in the contract for the General Business Case had been received. A short-listing process would be undertaken by Officers with the preferred candidates being considered at the next meeting of the Board in early March.

The Board was notified that Redditch representatives had given further consideration to the Medium-Term Wins and it was suggested that Economic Development could be taken forward as one of the proposals either with or without any willingness on the part of Wyre Forest to contribute to the work.

It was **AGREED** that

the proposal to include Economic Development Services as a potential medium-term win not be subject to Wyre Forest's willingness to contribute to the work.

3. Six Month Review

The Chair referred Members to the Six Month Review report, prepared by the Acting Joint Chief Executive, detailing the progress against the phases of the project and against set targets, problems and issues encountered, risks and operational improvements. The elements of the review had been agreed at the previous meeting of the Board. Each of the two Council Leaders would be submitting a report to their respective Councils in due course outlining their opinions of the benefits or otherwise of the arrangements thus far.

a) Progress against each of the phases of the Project

Mr Dicks reported that the project was generally proceeding according to the targets and objectives agreed by the Board. Robust consultation with staff over the quick-wins for shared services had slowed progress to an extent. It was noted that the next Board meeting would be to select the preferred consultant to assist with the preparation of the full Business Case.

b) Progress against targets for each Council

It was considered significant that the draft CPA report for Bromsgrove District Council had reported that the Joint Chief Executive arrangements had not impacted negatively on the Council's ability to continue to improve. One area of slight concern had been the inability to conclude the budget process at Redditch as quickly as desired. It was acknowledged that the respective Leaders report to each Council would address this in more detail.

c) Problems encountered by each Council

Mr Dicks acknowledged that the press article arising from the results of an employment tribunal following the dismissal of a Head of Service at Bromsgrove had been the cause of some concern amongst Members at Redditch. Members made it clear that it was the lack of forewarning that had been the primary cause of concern. It was accepted that any such future matters that might be the cause of unusual press interest should be communicated to Members of both authorities at the earliest opportunity.

d) Problems encountered by the Acting Joint Chief Executive

The position of the Acting Joint Chief Executive on those occasions when the interest of both authorities needed to be reflected was discussed. In respect of the Regional Spatial Strategy, Mr Dicks indicated that he would be stepping back and allowing the Director of Planning and Environmental Services at Redditch and the Head of Planning and Environment at Bromsgrove to take the respective leads. Should Mr Dicks be involved in discussions over such a matter he made it clear that it

should be absolutely transparent which Council he was advising. To this end it was suggested that reports touching on such matters should include a clear indication that the Acting Joint Chief Executive was formally designating another Officer from whichever authority to take the lead as there was an inherent conflict of interest. It was suggested that the role of Acting Joint Chief Executive could be considered a strength by both authorities as it served to prevent potential conflicts arising between Redditch and Bromsgrove.

Formal meeting arrangements were discussed and it was suggested that some flexibility was required on both sides to allow Mr Dicks to be present at key meetings of each authority. On a related theme the Acting Joint Chief Executive confirmed that he had not experienced any practical difficulties through being at one authority at the time of an urgent occurrence at the other.

e) Operational Improvements

Mr Dicks referred to a number of improvements that were either ongoing or anticipated through the Acting Joint Chief Executive arrangements. Two areas that were particularly highlighted were the assistance that was being provided by Bromsgrove in the field of equality and diversity and the use that was being made of the skills and experience of the Redditch Planning and Development Control Team.

f) Cost Savings

Mr Dicks provided a brief update on cost savings that were accruing. An outstanding issue was the different means of financial reporting at the two authorities which would be addressed over time.

Mr Dicks left the meeting at the conclusion of the presentation of the report and prior to the Members debating the recommendation contained therein.

4. Consideration of recommendations

The predominant view was that the first six months of the trial period had clearly not been the cause of major difficulties and there was consequently no reason not to continue with the present arrangements. It was proposed that the proper time for a major discussion of the continuation of arrangements be at the conclusion of the entire twelve month trial period.

The two Minority Labour Group representatives indicated that their Groups did not support the Acting Joint Chief Executive arrangements and, as a consequence, the Board was not able to reach unanimity on this point. On a majority vote

It was RECOMMENDED that

the respective Councils continue with the Acting Joint Chief Executive and Shared Service arrangements between Redditch and Bromsgrove Councils for a further six months.

5. Dates of next meetings

It was confirmed that the next meeting of the Board would be held on 3 March 2009 at Bromsgrove District Council, but that the start time would be brought forward to 5.20pm to allow as many parties as possible the opportunity to attend.

The meeting started at 5.08 p.m.
and closed at 5.47 p.m. .