



CITY OF WESTMINSTER

MINUTES

WESTMINSTER SCRUTINY COMMISSION

MINUTES OF PROCEEDINGS

Minutes of a meeting of the Westminster Scrutiny Commission held on Wednesday 9th November 2011 at 7.00pm in Committee Rooms 5, 6 & 7, 17th floor, City Hall, Victoria Street, SW1 6QP

Present: Councillors Sarah Richardson (Chairman), Ian Adams, Alan Bradley, Angela Harvey, Audrey Lewis and Nilavra Mukerji

Also present: Mike More, Chief Executive

Apologies: Councillors Barrie Taylor and Andrew Havery

1. MEMBERSHIP

- 1.1 It was noted that Councillor Nilvra Mukerji had replaced Councillor Barrie Taylor.
- 1.2 Apologies for absence had also been received from Councillor Andrew Havery

2. DECLARATIONS OF INTEREST

- 2.1 Councillor Richardson declared an interest in item 4 of the agenda as Chairman of the Commission.

3. MINUTES

- 3.1 **RESOLVED:** That the minutes of the meeting held on 5th July 2011 be approved and signed by the Chairman as a correct record.

4. CHAIRMANSHIP OF THE COMMISSION

- 4.1 The Commission received a report which set out options for the election of the Commission Chairman, as requested at the last Commission meeting. Members were asked to either confirm the appointment of Councillor Richardson, the current Chairman, or determine whether to elect a new Chairman, should an alternative nomination be received. The Commission

was also asked to determine whether it wished to elect a Chairman on an annual basis in the future years.

4.2 **RESOLVED:** That the Commission elect its chairman every year.

5. TRI-BOROUGH PROGRAMME UPDATES & RISK REGISTER

- 5.1 The Commission received a report which provided an update on the progress of tri-borough programmes and logged the current cross-cutting risks and mitigating actions being taken by programmes. Members welcomed Mike More, Chief Executive to the meeting who gave a presentation on the current position regarding the legal agreements, employment arrangements, financial systems and governance arrangements of the tri-borough programme.
- 5.2 It was noted that the relevant policy & scrutiny committees had been engaged in the development of the service mandates which would be agreed by each of the Cabinets by January. Operational plans for services would follow with targets, service level agreements and operational budgets expected to in place by April 2012. With regard to the legal agreements, a high-trust model was being adopted. Statutory functions would continue to be discharged by each authority in its own right. A process to deal with conflicts of interest and disputes was being developed which would involve an escalation process from Director to Chief Executive to Cabinet Member to Leader and mediation.
- 5.3 Members asked a number of questions on the issue of officer accountability and the performance monitoring of jointly appointed senior management. The Chief Executive informed the Commission that although services would have a 'host borough' which would employ staff, there would be a responsibility to each authority for discharging statutory duties. Staff would be answerable to the chief executive with the same checks and reviews in place as per current processes.
- 5.4 Councillor Bradley questioned the ability to organise staffing structures according to individual authorities spending priorities under the new tri-borough arrangements. The Chief Executive commented that there was nothing to compel the authorities to have the same spending priorities or the same shaped services. There may be some limiting factors but this was a matter for Directors to advise upon. Although arrangements could be seen as a 'super structure' it would still be possible to have locality arrangements.
- 5.5 With regard to audit arrangements, it was noted that the current plan was that Westminster City Council would share an auditor with Hammersmith and Fulham with Kensington and Chelsea remaining separate. Appointments would be made by the Audit & Performance Committee. Ofsted inspections would remain separate for each borough.
- 5.6 With regard the risk register document provided, the Chief Executive highlighted the following areas:
- HR – Managed services – the Council's contract with Vertex was due to expire in 2012, however, it was thought that the contract would be extended for short period of time to allow a procurement process to take place.

Services would be combined across all 3 boroughs. It was important that adequate resources were available to implement the changes. With regard to standardising payrolls, high experience would be important as a qualifying factor for the service provider.

- HR – Adult Social Care – The ring fencing process for staff was to be standardised across all 3 boroughs meaning that the Westminster policy would change so that staff would have the opportunity to be included in the ring fence at the next tier down if unsuccessful in obtaining a post at their existing tier. Unions had expressed concern that this would prevent people at the low tiers from securing jobs. It was too premature to say how many people this would affect in reality. It was also noted that the risk to adult social care savings due to changes in the programme resulted in a time delay in achieving the savings but did not affect the overall savings figure.

5.7 The Commission asked the Chief Executive to summarise his main areas of concern. These were:

1. Corporate support infrastructure (IT, HR, Finance) – work in this area was complex, necessary and also involved going to market.
2. That processes were not over complicated.
3. Different cultures – it was important to ensure that what was special to Westminster City Council was not lost.

5.8 Action points

5.8.1 The Commission asked that a further risk register, which more accurately reflected the genuine concerns of the tri-borough programme be submitted to its next meeting in March. Members also requested that the document did not have any colour coding.

5.9 **RESOLVED:** That the update be noted and that a further risk register be submitted to the Commission at its next meeting.

6. THE LOCALISM BILL & ITS IMPACT UPON POLICY & SCRUTINY AT WESTMINSTER

6.1 Mark Ewbank, Scrutiny Officer, introduced a report which gave an overview of the implications of the Localism Bill for the Council's scrutiny function and the possible changes to governance arrangements. Members noted that as well as offering the opportunity to revert back to a committee decision making system or retain the current executive model, there was also an option for local authorities to propose their own system, subject to Secretary of State approval. Other aspects of the Bill particularly relevant to scrutiny included the ability for both committee members and non-committee members to refer a wider range of matters to scrutiny committees for consideration and the new Community Right to Challenge provisions by which a "relevant body" (a charity, voluntary group, employee mutual) may express an interest in running local public services and the potential involvement of scrutiny to help develop the criteria used to come to a judgment on accepting expressions of interest.

6.2 Action points

6.2.1 The Commission tasked officers with developing alternative options for the delivery of scrutiny, including possible ways of conducting joint and shared scrutiny with the tri-borough authorities.

6.3 **RESOLVED:** That the report be noted.

7. ANY OTHER BUSINESS

7.1 The Commission requested that the issue of Member access to the Council's Wire pages and the Council staff directory be explored again, especially given the current changes occurring at the Council.

8. TERMINATION OF MEETING

8.1 The meeting ended at 20:45.

CHAIRMAN _____

DATE _____