

## **West Dunbartonshire Report**

### **Improving Member/Officer Relations**

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#### **Introduction**

1. The IS was asked by the Leader and Chief Executive of West Dunbartonshire Council to undertake a review of member/officer relations in the Council in August 2007. This was in part a response to critical remarks in the audit of Best Value report on the Council. More importantly, the aim was to ensure that strong positive relationships exist given the improvement journey the Council has decided upon, and the difficult financial context within which that journey will be undertaken.
2. The context of member/officer relations had shifted substantially since the Best Value Audit was undertaken. The Council is now led by an SNP – Independent administration, with Labour (the largest group) forming the opposition. The Council has a new Chief Executive and is in the process of restructuring and renewing its corporate management team. Finally, a wide programme of review and improvement has been initiated in response to the findings of the Best Value Audit, led by a programme board.
3. We have taken our remit to include three related elements:
  - (a) The experienced quality of relationships between members and officers, and the level of trust and respect that characterises these relationships.
  - (b) The quality and appropriateness of the processes through which member/officer relationships are transacted and;
  - (c) Cultural and attitudinal factors likely to impact on how well the member/officer relationship is likely to work to deliver for the people of West Dunbartonshire.
4. The review involved a preparatory phase reviewing a range of documentation provided by the Council. This included Council papers relating to political decision making arrangements, scrutiny and audit arrangements and arrangements for the induction and support of new elected members. It also included the Council's member/officer protocol and standards arrangements. This was followed by 3 days of interviews with senior elected members, the two main political groups, the Chief Executive and members of the corporate management team. Focus groups were held with senior managers, managers and senior professionals within the Council. Interviews were offered to all independent elected members but only one was actually secured.
5. The report that follows is kept short and focussed, and straight forward points are not laboured: Its focus is on how the Council goes forward, not the past. It is occasionally blunt and contentious, and those elements are entirely contestable. We may need 'slapped down' and corrected. For that reason, we would prefer that the report is circulated on the explicit

understanding it is to be challenged and to challenge. A bland paper report with no engagement is unlikely to help at this juncture.

### The Quality of Member/Officer Relations

6. We were utterly heartened by our discussions around the quality of member officer relations. All elected members spoke of the high quality of support received from officers of the Council, and the quality of relationship they had with them. In particular, the professionalism and leadership of the Chief Executive was positively emphasised, as was the collective leadership provided by the Councils management team. It is clear that the Administration has positively sought to promote informality and a sense of equality in their relationship with officers and this was welcomed by officers at all levels of management.
7. Officers at all levels were entirely positive about the quality of inter-personal relations with elected members, and were clearly committed to providing advice and support wherever and whenever necessary. Pre-agenda briefings were found to be positive and a substantial amount of informal briefing and support was evidently available to office holders. Given a number of these are new to their role in the Council, and indeed new to the Council, this is entirely sensible.
8. In case this draws a misleading, and unduly stark, contrast with the past, two qualifying points are necessary. First, although specific relationships were problematic in particular contexts, we found no evidence that the member/officer relationship had generally or systematically been problematic under the previous administration. (Indeed, on the testimony available to us, relationships between members were more often characterised by serious tensions than those between members and officers). Second, and critically, member/officer relations have not yet been tested by 'wicked issues' or hard decisions, and these are the contexts within which trust and respect tend to get stretched. (The final decision on the schools PPP and some hard decisions on budget options may create contexts where the best professional advice of officers and the proper political views of elected members sit uncomfortably with each other.) Good personal relationships are one important basis for managing such situations but it will also require robust process and discipline.
9. The Council's member/officer protocol, and the standards of behaviours and practice required by it, are absolutely sound and clearly stated. That clarity is important but it requires ownership by all elected members and the party groups within the Council, to ensure that these standards are achieved. It also requires professionalism, objectivity and even-handedness on the part of Council officers, and respect for a context where no party has won a majority of seats.
10. To sum up, if the quality of personal relationships was the only issue, the new Council has made an impressive start. All of those who participated in the study were very positive about relationships and clearly were committed to working to maintain a constructive and open interaction between members and officers. However, we do not think that personal relationships alone, however positive, are sufficient to ensure effective member/officer relationships over time and we look at other factors below that will influence that.

### The Process of Member/Officer Relations

11. Our views on this are firmly based on four facts. First, 50% of all elected members are new to the Council, and over 50% of the administration group are new. Second, the majority of the administration are new to political leadership. Third, neither party group won a majority of

seats, and the party with the largest number of seats is in opposition. Finally, single member wards have gone and representation is now based on multi-member wards.

12. These facts taken together point to the need to think carefully about the process of governance, decision making and scrutiny within the Council and the ways in which officers support members in that process. Mechanisms and approaches developed under circumstances where one party held overall control may well need rethought fundamentally for changed circumstances. This is particularly the case given the financial constraints and challenges the Councils faces across the next three years.
13. The context, and the political arithmetic, point to a need to be imaginative about the process through which officers support members to make the best decisions on behalf of the people of West Dunbartonshire. Officers need to fully express their knowledge and strategic imagination through that process: Members need to bring their knowledge of the communities who elected them, to exercise their right and duty to set the key outcomes the Council will achieve, and to decide priorities within and between them.
14. The conventional approach across Scotland in the past has been of Administrations that were very highly supported by senior officers to fulfil their role, and oppositions that were relatively excluded from detailed senior support and advice. That may have been appropriate for contexts where one party had overall control of a Council, but it looks much less appropriate for a context where minority or coalition administrations exist, particularly where the largest party is in opposition. In particular, where achieving consensus on key strategic decisions is essential (e.g. PPP, stock transfer, the budget, etc), it is important that expert support and advice is consistent and even-handed. We were heartened by the imaginative thinking that both members and officers of the Council had done on this, and what follows draws heavily on that thinking.
15. In simple terms, proposals for decisions by Council go through a series of stages before and after decision making. These are:
  - (a) Pre:Pre-Agenda: Agreeing the context, the issues and the broad options that will be pursued in developing proposals. This is at the start of the development stage of proposals and good interaction between officers and members is critical to ensure (i) that officers do not waste time developing proposals or pursuing options that have no political support and (ii) to give members the background understanding of context and issues necessary to assess concrete proposals once they are developed. The early budget seminar in August of the year is a good example of this. The seminar set the financial context, mapped the challenges and issues the Council needs to address, and outlined the process that will be followed to develop the budget. It gave members an early chance to question and inform themselves, and provided the background necessary to understand the factors shaping the Councils financial position and options. This stage can be progressed in a number of ways: Open or restricted seminars; party group briefings; briefing of portfolio holders, etc.
  - (b) Pre-Agenda: This stage occurs once developed proposals and options exist. In the past, it was typically a briefing of conveners and vice-conveners who then took the proposals to the group for consideration. Two points are worth noting about this stage. First, it is more difficult to get agreement at this stage if the 'pre:pre-agenda' stage has been neglected and elected members feel they are being 'bounced' into options they are unhappy with, or that other desirable options have simply not be explored. Second, although the content of any report going to Council should be

finally determined by the officer presenting it, it defies democratic logic if members have not had any input at all, and forces confrontation and challenge in committee or at Council. The pre-agenda stage should permit time for challenging and testing so that the strongest report can go forward.

- (c) Decision Making: This stage, in committee and full Council, involves recommendations being considered, agreed or rejected. As proposals to Council should flow from the strategy and priorities of the administration, it would be usual for the administration group to support proposals. It is, however, neither necessary or inevitable. There may be issues on which there is no group position, or arrangements for individual members to go against the group line on matters of particular concern. If every decision was whipped and compliance enforced on all issues, this would be less than democratic and communities would be poorly represented. However, if groups had no position at all on major strategic issues it does raise questions about what it means for them to be political groups. This is particularly so for a political group in administration where no group position and discipline on key issues could get dangerously close to no direction or priorities.
- (d) Scrutiny: This stage includes scrutiny of:
- (i) Decision making and the basis on which decisions were made.
  - (ii) Implementation and the delivery of service commitments.
  - (iii) Best value and performance, and;
  - (iv) Propriety in the way the Council secures and deploys resources.

In many Councils, 'Scrutiny' and 'audit' responsibilities are separate, with 'scrutiny' focussed on decision making and delivery, and audit focussed on 'best value' and propriety. These are combined in West Dunbartonshire with implication for workload and resourcing.

16. Our core suggestion is that officers should fully advise and support all elected members across all stages of the decision making process mapped out above. This draws on thinking already developed within the Council at political and officer level about how to optimise consensus on key decisions and minimise adversarial politics. We would propose that this be formalised as follows:

- (i) All major decisions on strategy, budget, improvement and development should have a planned and resourced 'pre:pre-agenda' stage. The Council already uses seminars for elected members to do this but this should be extended in frequency and briefings for party groups at 'pre:pre-agenda' stage should be routinely available. It is critical that members make input into the development of strategic decisions at the earliest possible point, and fully understand the background and context of the decisions they are asked to make. This option will require members to engage and attend such sessions, and such sessions should be run at times that are most convenient to members. We also note that the content of such sessions should not simply be lead by officers, and we would encourage elected members to suggest topics and initiate discussion of issues that are relevant to them as the elected representatives of the citizens of West Dunbartonshire.
- (ii) A clear option for helping to make sure this happens in a focussed and effective way is to build on the model developed for the Councils improvement planning and implementation. This is a member/officer 'board' with senior representation from across parties, and across administration and opposition. There is certainly a case for a 'budget strategy group' on the same model to build maximum possible consensus on

strategy and options. The development of the PPP for schools has used similar mechanisms and we think there is a case for adopting this approach for all major strategic developments. This in no sense qualifies the role of Council as the end decision maker but it does ensure much greater input and challenge by elected members at the early stages of developing proposals.

- (iii) At the pre-agenda stage, we think a proposal by the leader of the Council is worth adopting. He suggested that Conveners, Vice Conveners and their opposition shadows should be briefed together so that the same information and professional advice is available to all parties as a basis for their discussions. Where it is wanted, we think direct briefing to party groups would also be sensible because, where issues and proposals are complex, officers may be better placed to talk members through them. This would be firmly within the context of the member/officer protocol, and must respect the distinction between professional and political roles. Our view is that getting the pre:pre-agenda and pre-agenda stages right is a precondition for informed decision making in committee and in full council.
- (iv) The decision making stage is critical to progress and it is important that members are not placed in the position of voting down proposals because of misunderstanding, limited information or concern about detail. We would suggest creating a process for members to raise issues for clarification or further information between the issue of papers and the committee or council meeting. The model adopted within procurement may be appropriate: If one participant in the process raises a point of information or clarification, the query and the answer to it are provided to all other participants. This would give the relevant officer advance notice of points for clarification and information, and allow all elected members to have access to the answers. This could be done online on the intranet, or questions and answers to them, tabled when the report is introduced. As no report will ever be perfect, this approach allows officers to better support elected members to arrive at the best decisions possible. It also cuts down the scope for adversarial interrogation and 'ambushes'. Members, of course, remain free to reject proposals but at least they would do so with the fullest information, and clarification of any points of potential misunderstanding.
- (v) The scrutiny stage is complex. Scrutiny of whether decisions have been properly arrived at, the evidence base for them, the costing of them, etc is fundamental to transparency and accountability. On the other hand, there is a need for very clear criteria of risk, strategic importance and evidence required for calling in decisions made by Council. (Evidence from elsewhere suggests that there needs to be a basis for limiting frivolous or mischievous 'call in'). As importantly, all elected members have a duty to scrutinise and challenge proposals prior to decision making and the arrangements proposed (i - iii) above should minimise the need for call in of decisions for further scrutiny prior to implementation.
- (vi) The second focus of scrutiny is on whether decisions taken have been effectively implemented and have produced the intended results. We think that a single 'Audit and Performance Review' committee is likely to become seriously overloaded if it has responsibility for:
  - (i) All internal and external audit matters.
  - (ii) All scrutiny of decision making, and;
  - (iii) All scrutiny of implementation and impact, ie. Performance

We also think the resources available to the committee are likely to be stretched by the range and potential scope of that workload. For it to be manageable, a broader base of member scrutiny may need to be available and, again, strict criteria for the development of the committees programme and for referral to the committee.

- (vii) We would suggest two options to mitigate the risk of overload here. First, the criteria for call in or referral to the 'Audit and Performance Review' committee should be more clearly stated. The current statement of remit, particularly paragraph 1, is so general that, in principle, almost any decision could be called in and reviewed on a wide range of grounds. Criteria of risk, strategic importance, and solid evidence for concern that a decision is inadequately based need spelt out clearly, to guide both what is worthy of review and what aspect of it needs reviewed. (For example, if the concern is about the extent to which service users were involved in service development proposals, only that aspect of decision making should be reviewed and commented on.)
- (viii) The second option is to spread the best value and performance review responsibilities more broadly. Committees already receive performance information on the services within their portfolio and could sit quarterly as standing sub-committees of the council to review and challenge performance and best value within their remit. As they already have a substantial knowledge of the service areas and outcomes being sought, they ought to be able to focus hard on issues. Corporate directors and senior managers already have a duty to advise not just on development decisions, but on issues of performance as well, and this approach would build on that relationship. That would allow the Audit and Performance Review committee to focus on the robustness of systems, processes and reporting rather than on specific performance issues within the remit of other committees. We emphasise that we are not proposing standing sub-committees over and above the existing committee structure and cycles. Our proposal is that existing committees sit as scrutiny committees quarterly within the normal cycle.
- (ix) An additional option would be to empower multi-member ward teams to scrutinise delivery on the ground. For the public, it is not policy that is critical: It is what is delivered in my area and how well it is delivered. Members caseloads largely reflect these concerns. Multi-member ward committees as a scrutiny vehicle to focus on delivery would give members of the ward a common remit and focus; provide a systematic basis for relationships with local service managers and provide a focal point for public issues and concerns. Again, general issues of service standards and whether they are being delivered consistently across the Council area would remain with the 'Audit and Performance Review committee'. Performance and delivery should be every members business, and other committees and the ward level have a role to play in that.

17. The options above need substantial further development and challenge, and we will happily work with the Council on that. The core aim is to put a clearer structure and process around the member/officer relationship so that, not only can high quality relationships be maintained, but the best possible decisions and the highest standard of accountability are achieved. Such an approach will require the active engagement of all members and a maturity in political relations to allow it to proceed. We would make the point that almost everything suggested above is already happening in some form within the Council. The trick is to make it systematic, consistent and properly resourced to provide a productive basis for future member/officer interactions.

## Cultural Issues: Obstacles to Effectiveness

18. The options above assume a way of operating at political and officer level that requires a distinct culture to exist and a set of values and commitments that drive behaviour. In our view, a truly effective relationship will not emerge unless there is a culture of ambition and discipline around the elected members role, and the historic geography of the Council area becomes less of a factor in peoples sense of place and purpose. We would emphasise that what follows is based on our observation and analysis, and is absolutely open to challenge.

### A Culture of Ambition and Discipline

19. Our feeling was that, with few exceptions, there was insufficient ambition for the member/officer relationship. At officer level, good and respectful relationships were wanted and that is right and proper. However, there was less emphasis and ambition about what elected members can bring in terms of leadership, scrutiny and challenge, real community engagement and the brokerage of key external relationships. Indeed, there was real anxiety that parochialism around area, inability to prioritise and take hard decisions, and purely oppositional politics and games playing would make it difficult for the Council to go forward positively. We accept that there is a risk of that but it is much more likely to happen if low ambition exists, and process and support are not fit for purpose and fit for context.

20. Oddly, we were not entirely convinced that members are fully ambitious for themselves. For example, we had fascinating discussions with the SNP Group on PPP. We are entirely open to a critique of the impact of UK economic policy on Scotland and to a critique of Treasury rules and PPP. Indeed, we have written and published on just such issues ourselves! The difference is that we had not signed up to hold the provision of essential services in trust on behalf of the people of West Dunbartonshire. Ambition in local politics is about having the discipline to deliver the best possible outcomes for individuals and communities under circumstances that are largely not locally controlled. The core issue is not 'is PPP right?': The issue is how do we provide the best possible schools for the current generation of children in West Dunbartonshire within prevailing investment constraints. Discipline and focus are a pre-requisite for ambition and delivery. Both discipline and ambition will be necessary.

21. Equally, we had a constructive meeting with the Labour Group on their views of their new role. We understand the frustration of being the largest group in the Council and not being able to form the administration. We also understand the temptation to use both their experience, and leadership of the Audit and Performance Review committee, to engage in oppositional politics. Again, however, we would return to the point above. Labour members also operate in trust to the communities of West Dunbartonshire and have a duty to use their skills and experience to achieve the best possible outcomes for those communities. This does not mean they should not oppose particular proposals: It means oppose constructively and selectively, and work with the administration to get to the best possible outcomes. Again, ambition is about the discipline necessary to achieve delivery.

22. Our proposals above assume a culture of ambition and discipline all round and we are optimistic that the elected members themselves recognise the need for this. However, that means unthinking conventional approaches to administration and opposition. The context and the political arithmetic of the council does not support a conventional approach. Equally, it means a well supported inclusive process of policy development, decision making and scrutiny will be necessary. Again, the proposals above are intended to achieve that. However, if a culture based on collective commitment to outcomes, discipline and ambition is not developed, the proposed process will struggle to be effective. The key cultural requirement is to think beyond party groups and to focus on the interests of service users and communities.

## A Culture of West Dunbartonshire

23. A striking element of culture, to an outsider, is the recurrent discussion of historical identities: Clydebank, Dunbarton, Vale of Leven. These no longer exist as political or administrative units, but they do seem to structure a lot of current thinking. For corporate officers of the Council, who are charged with pursuing the overall interest of West Dunbartonshire, this is problematic as it cuts across the need to make long term strategic decisions for the whole area. For local officers, these old identities are at larger scale than multi-member wards, and the local delivery boundaries of services. In short, these old identities are too small scale for strategic decision making, and too large scale for local engagement between elected members and local service providers at ward level.
24. Most members and officers we spoke with see this as problematic, but there is a slightly fatalistic sense it is 'built in with the bricks'. We are not sure we know the answer to this but two points may be worth considering:
- (i) Identify focal issues that can only be addressed for West Dunbartonshire as a whole and very publicly pursue these to bolster that identity. Distribution and financial allocation would be one that needs pursued and that would bolster collective identity.
  - (ii) Strengthen the identity of multi-member wards and focus more communication, activity and responsibility at that level. The options for scrutiny above would do that, but so also could local community planning and a variety of other initiatives.
25. More generally, we think a more structured and intensive process around strategic decisions allows older identities to be questioned and challenged. However, we think this issue needs to be owned and addressed within political groups if tensions between members and officers are to be avoided. (Officers necessarily develop strategic and operational proposals in ways that will not always fit the Clydebank, Dunbarton and Vale of Leven axis). We note that no elected member is the member for Clydebank or Dunbarton, and all powers and responsibilities are held by West Dunbartonshire Council as a corporate body. It would be useful also to take this up with local MSP's and MP's whose sense of boundaries and interests may be part of the problem if they do not become part of the solution.

## Conclusions

26. We stated at the beginning of this report that our intention was to focus on the future rather than the past. As such, this report is intended to initiate a process of engagement within the council between members and officers and between the council and the Improvement Service. It is our view that to succeed in improving member – member and member – officer relations then both members and officers will need to demonstrate ambition, leadership, a strong focus on the needs of the community of West Dunbartonshire, self discipline and commitment to new ways of working within the council. Given the strong positive relations that exist, and the imaginative thinking going on at political and officer level, our view is that this is certainly attainable. In rethinking how relations are conducted, and in redesigning new systems and processes within the council to support this, we are of a view that progress can be achieved and that more effective forms of relationship can be secured. We hope that this report provides the spark to begin that process and we look forward to continuing to support the council in this matter.



27. Finally, we would wish to thank members and officers of the Council for their hospitality, engagement and openness. Having outsiders descend on you asking impertinent questions is not always welcome, and we are grateful for the time and the thought made available to us. We learned a lot through the process.