

**Extract from the Draft, Unconfirmed Minutes of the Public Accounts and
Audit Select Committee, 2 December 2014**

**Minute 20 - Call-In of Cabinet Decision re. Leader and Members' Services Manager
and Political Assistant posts**

The Monitoring Officer introduced a report on a call-in that had been received from Councillors Mullane and Reason in respect of Minute 49 (xi) of the Cabinet on 18 November 2014, which related to the withdrawal of part of saving CEX/SAV/09 (presented to Cabinet on 7 October 2014) in order to recruit a Leader and Members' Services Manager and a Political Assistant in the Democratic Services section.

The Monitoring Officer advised that the call-in had been assessed against the three relevant criteria of (a) was the decision in line with the Council's Policy Framework; (b) was the decision in line with the Council's Budget Framework; and (c) was the decision taken in line with the 'principles of decision-making' set out in the Council Constitution. In respect of (a) and (b), the Monitoring Officer explained the reasons why those criteria had not been considered valid. In respect of (c), the Monitoring Officer confirmed that the call-in had met the threshold for consideration under the grounds of proportionality, due consultation and clarity of aims and desired outcomes. Councillors Waker and Young made arguments against the application of the call-in assessment criteria and the determination by the Monitoring Officer that the decision had not contravened the Budget and Policy Frameworks.

In line with the procedure, the Lead Member invited the Councillors that had made the call-in to present their reasons for the call-in.

Councillor Mullane introduced the call-in and referred to the need for councillors to properly represent the interests of local residents through protecting front-line services. The decision by the Cabinet to appoint a Leader and Members' Services Manager and a Political Assistant would reduce the level of saving proposed via CEX/SAV/09 by approximately £100,000, which she believed would have a knock-on effect on front-line services. A further key reason for the call-in was that neither officers or the Cabinet Member for Finance, Councillor Twomey, had specifically referred to the posts when savings proposal CEX/SAV/09 was considered by the Select Committee at its meeting on 29 October 2014, despite them being known of at that time and, as was now understood, the recruitment process being commenced for at least one of the posts. Councillor Mullane added that the recommendation stemming from the Corporate Peer Review to increase the support to the new Leader and Cabinet was merely a recommendation and should have been considered in the context of the extreme financial difficulties faced by the Council at the present time.

Councillor Reason elaborated on the reasons for the call-in and made specific reference to Cabinet Manager and Political Assistant postholders who had supported the previous Cabinet, the decision by the Leader of the Council not to allow questions from non-Cabinet Members at the meeting of the Cabinet on 18 November 2014 and the option to continue the current voluntary support arrangement that was in place for the new Cabinet. Councillor Reason also reiterated the importance of minimising the impact of the Council's budget savings on front-line services and suggested that the funding for the Leader and

Members' Services Manager and a Political Assistant posts could be better served elsewhere.

Councillor Young enquired as to any steps that Councillor Mullane had taken prior to submitting the call-in. Councillor Mullane advised that she had been reviewing the Council's Forward Plan in order to see when the issue was due to be debated by the Cabinet and had attended the meeting on 18 November with the intention of raising her concerns but was advised by officers shortly before the meeting commenced that the Leader had indicated that he was not prepared to take questions from non-Cabinet Members. Councillor Young clarified that he had submitted a number of written questions to the Leader on the afternoon of 18 November but had received the same response.

Councillor Gill asked his colleagues whether anyone had seen the advertisements for either of the two posts. Councillor Mullane responded that she had been made aware by a member of the public of an advert for the Leader and Members' Services Manager post and had contacted the Chief Executive to express her concern. The Monitoring Officer clarified that the Leader and Members' Services Manager post had been advertised in mid October while the recruitment process for a Political Assistant had not begun. With reference to the discussions regarding the former Cabinet Manager post, the Monitoring Officer advised that the post formerly occupied by DW was that of Scrutiny Manager, although that point was contested by Councillor Mullane.

Members of the Select Committee expressed concern that no mention had been made at the meeting on 29 October to the specific proposals to recruit a Leader and Members' Services Manager and a Political Assistant, nor that the recruitment process for one of the posts had begun. Councillor Twomey referred to the presentation to the Select Committee on 29 October for savings proposal CEX/SAV/09 which stated that the full £195,000 saving may be reduced following a review of support to the Cabinet in the light of the Corporate Peer Review report. Whilst Members of the Select Committee agreed that had been the case, the point was made that the handling of the matter and the lack of openness, particularly on the part of officers who were responsible for giving impartial advice and support to all councillors, had undermined Members' position as democratically elected representatives of the local community.

Councillor Twomey acknowledged the concerns but suggested that the Select Committee's focus should be on the call-in made by Councillors Mullane and Reason and other issues that Members may have regarding the recruitment and appointment arrangements should be dealt with elsewhere. With regard to the specific point that Members' democratic role was being undermined, Councillor Twomey commented that the purpose of the call-in process was to provide non-Cabinet Members with an opportunity to exercise their democratic rights. The Monitoring Officer also clarified that the original savings proposal had been developed in April based on the corporate direction that all vacant posts should be put forward for consideration. The posts of Scrutiny Manager and Political Assistant had been vacant for several months so were included in the proposals but the subsequent Corporate Peer Review and the ambitions of the new leadership led to a reconsideration of the support that would be required.

Other points / questions raised by Members included:

- Whether the Cabinet's decision to withdraw approximately £100,000 of the planned saving of £195,000 from the Democratic Services section to support the recruitment of

a Leader and Members' Services Manager and a Political Assistant meant that the Cabinet was undermining its own policies.

- The diversion of circa £100,000 from the planned Democratic Services saving, the additional cost associated with the employment of a full-time Chief Executive and the continued use of agency staff in many departments placed a considerable additional burden on the Council's finances. Following on from that point, Councillor Young acknowledged that the appointment of a full-time Chief Executive was likely to lead to efficiencies being realised elsewhere in excess of that specific extra cost but he found it hard to understand how a Leader and Members' Services Manager and a Political Assistant could deliver savings comparative to the level of expenditure.

In response to a number of the points raised and in presenting the Cabinet's response to the call-in, Councillor Twomey referred to the following:

- Saving proposal CEX/SAV/09 was originally listed for management implementation but was moved into 'schedule B' to enable scrutiny by the Select Committee.
- The previous leadership had introduced the role of Political Assistant several years before and the last postholder was brought in by the previous Leader in 2012 before the appointment was formalised in 2013 and at a time when budget savings were being made.
- There were no objections to the Political Assistant role at that time.
- The previous Cabinet had received similar management level support in the past.

Councillor Twomey explained that a lot of issues had been taken into account before reaching the decision to recruit a Leader and Members' Services Manager and a Political Assistant. He gave examples of where the added value was expected to be achieved and did not feel that the proposal created unnecessary pressure, adding that those involved in the Corporate Peer Review had been well aware of the Council's financial situation so would not have made their recommendation lightly. Councillor Twomey concluded that the previous leadership had overseen considerable budget reductions yet had seen the benefits of having dedicated managerial and political support for the Cabinet at the same time, and he felt that the support was even more important now due to the significant challenges ahead and the vision and priorities of the new leadership.

Councillor Young spoke on the value of the political assistant role and acknowledged that he had argued for increased support in the past. He felt, however, that the current pressures on front-line services placed the Council in a different position and he suggested that Councillors should be encouraged to carry out their own research. Councillor Waker concurred with the view that the situation was different now as a result of the extreme financial constraints and questioned the role of the Leader and Members' Services Manager post, suggesting that other officers could provide the service.

Councillor Twomey responded that the postholder would be responsible for bringing together all of the current support provided to councillors including the Members' casework service, ensuring service efficiency and keeping everyone informed. It was acknowledged that there was not the capacity within the Democratic Services section to take on the responsibilities.

With reference to Members' casework, Councillor Reason advised that she had previously taken the lead on issues that fell under her former Cabinet portfolio responsibilities and felt that having a 'middle man' would detract from the relationship between Cabinet and non-Cabinet Councillors.

Councillor Gill asked whether alternative arrangements such as shared services with neighbouring boroughs had been considered as a way of providing the expertise needed but at a reduced cost. Councillor Twomey responded that if that was to be a proposal of the Select Committee he would take it back to the Cabinet for consideration, along with any other proposals recommended by the Select Committee.

The Select Committee retired at 18:10 to deliberate and returned at 18:35 to announce its decision.

Decision

The Select Committee upheld the call-in on the following grounds:

- (a) Proportionality - the withdrawal of £100,794 from saving proposal CEX/SAV/09 was inappropriate in the context of the financial pressures currently faced by the Council and would have an adverse impact on front-line services;
- (b) Due consultation - there had been no prior consultation on the proposals, non-Cabinet Members were refused permission to ask any questions at the Cabinet meeting where the proposal was agreed and detailed information known at the time of the Select Committee's consideration of the original saving proposal on 29 October was not shared with Members; and
- (c) Clarity of aims and desired outcomes – there was a lack of openness and transparency.

The Select Committee acknowledged, however, the points made by the Cabinet Member for Finance regarding the need for the new leadership to be supported at the present time. Taking that into account, the Select Committee agreed the following recommendations to the Cabinet:

- (i) That the post of Leader and Members' Services Manager was unnecessary and unjustified in the context of the Council's current financial situation, and should not be recruited to; and
- (ii) That the recruitment of a Political Assistant was supported on the basis that the duties of the post should be expanded to take on responsibility for non-management elements of the Leader and Members' Services Manager job description.