

THE OVERVIEW AND SCRUTINY COMMITTEE

18 April 2016

AGREED RESPONSES TO RECOMMENDATIONS – UPDATE FOLLOWING DISCUSSION OF INFORMAL POLICY GROUP

REPORT OF THE CHIEF EXECUTIVE

Contact Officer: Simon Eden, 01962 848283, seden@winchester.gov.uk

RECENT REFERENCES:

CAB2779 - Silver Hill: Independent Review Recommendations, 18 February 2016.

CAB2781 - Minutes of The Overview And Scrutiny Committee (Special Meeting held on 10 February 2016), 18 February 2016.

OS140 - Minutes of the Special Audit Committee (held on 10 February 2016), 18 February 2016.

OS139 - Silver Hill: Independent Review, 10 February 2016.

IPG(SH)1 - Update on Agreed Response to Recommendations, 5 April 2016

EXECUTIVE SUMMARY:

At its inaugural meeting held on 5 April 2016, the Independent Review Informal Policy Group (IPG) considered a table which summarises the recommendations made by the Independent Review carried out by Claer Lloyd-Jones and outlines comments made and the actions endorsed by Cabinet on 18 February 2016, The Overview and Scrutiny Committee held 22 February 2016, and Audit Committee held 10 March 2016 respectively

The IPG made a number of updates of actions and milestones in the table, which has been updated accordingly and is attached to this report.

The Audit (Governance) Sub Committee will meet on 11 April 2016 to consider the governance issues arising from the recommendations of the Silver Hill: Independent Review paragraph 6.1.12, as set out in Item 11 of the table below.

Summary of Proposed Actions and Committee Comment in response to Independent Review Recommendations

Item	Recommendation	Current Status	Committee Comment/Action			Milestones
			O&S	Audit	Cabinet	
1 (6.1.1 & 6.1.2)	The Council must express a definite idea of what it wants to be developed at Silver Hill....A sub-committee of and reporting to Cabinet should be charged with being the guardian of this vision..	The Council has now terminated the Development Agreement and is reviewing options for regeneration of the central Winchester area.	O&S (22/2) recommended a designated project group be established, as a sub-committee of Cabinet, to oversee the project.	Audit (10/3) endorsed the idea of a dedicated, cross-party group to oversee the project.	Cabinet (29/3) agreed formation of a new Task & Finish Group to coordinate SPD development – to be appointed in the new Municipal Year.	Cabinet to appoint, by June 2016, a sub-committee, with cross-party representation to oversee delivery of Central Winchester project Project plan to be agreed by Cabinet (Central Winchester) Sub-committee (July 2016)
2 (6.1.3)	The Council must ensure it has the necessary professional and commercial skills... to achieve the vision...	The Workforce Development Strategy is under review, and will be reported to Personnel Committee and Cabinet (dates tbc). Local Partnerships have been invited to advise on the broad mix of skills and capacity they consider necessary for the management of major projects, and will visit the Council on 21-22/4.	O&S (22/2) supported the recommended actions and noted the potential for accessing specialist skills through shared service arrangements,	Audit (10/3) endorsed comments made by O&S.	Cabinet will wish to review outcome of Local Partnerships' advice on skills and capacity (see also item 8). It was requested that the Workforce Development Strategy include a skills matrix	Report to Cabinet in June 2016 on outcome of Local Partnerships skills and capacity study. Workforce Development Strategy to Personnel Committee and Cabinet (September 2016)
3 (6.1.4)	The Council must consider whether and, if so, why it has been hostile to competition.	All of the Council's major projects currently underway have been, or will be, the subject of competitive tenders in accordance with EU and national legislative provisions. The Council is reviewing the case for appointment of a dedicated	Committee suggested (22/2) that the Council review the principle of competition against possible benefits of direct negotiation. This is likely to be a	Audit (10/3) noted that some Members did not believe the Council was hostile to competition. They suggested that, to counteract such a perception, the	Cabinet to consider the case for recruiting an in-house procurement specialist (which will be informed by Local Partnerships study –	Recommendation re-procurement support to Cabinet/Personnel Committee (July 2016) Revised Project Guidance (to be

Item	Recommendation	Current Status	Committee Comment/Action			Milestones
			O&S	Audit	Cabinet	
		procurement specialist to support future competitive procedures.	case-by-case judgement, and subject to procurement law.	Council should actively engage in procurement to remove any barriers to competition, and that it should be more robust in demonstrating this through public engagement.	see 2 above).	brought to Cabinet (Major Projects) Subcommittee and Cabinet in July 2016) to provide advice on public demonstration of competition.
4 (6.1.5)	The Council must not re-procure external advisors without involving internal specialists, and relevant Members...	<p>The importance of procuring any specialist advisor through the relevant in-house professional (unless, of course, it is a discipline not represented in-house) will be reinforced in project guidance.</p> <p>Project guidance will be reviewed to ensure lead Members are identified for each project (usually the relevant Portfolio Holder) and are fully engaged in all aspects of the project.</p>	O&S (22/2) suggest it be made a rule that external advisors should not be engaged without involving internal specialists.	Audit (10/3) commented that the Cabinet IPG should explore the involvement of the relevant Portfolio Holder.	Ensure project guidance is clear on expected procedure.	Project guidance to be amended accordingly and brought to Cabinet for approval (July 2016)
5 (6.1.6)	A register should be kept of all external advice obtained which should be available to all Members, and the public unless a particular piece of advice is required to remain confidential...	<p>Cabinet considered that a register should be created including external advice commissioned in respect of major projects. Portfolio Holder is to authorise all external advice requests above a de minimis level.</p> <p>All exempt reports relating to major projects will be made public 12 months after production, unless the information definitely needs to be kept exempt.</p> <p>It will be the responsibility of the project manager, supported by legal advice as required, to determine when exempt reports can not be placed in the public domain.</p>	O&S (22/2) endorsed the keeping of a register.	<p>Audit (10/3) suggested that the relevant Portfolio Holder should be satisfied on the procedures in place for the retention of advice and ensuring that it was in the public domain.</p> <p>Audit also asked that the IPG consider defining the level of advice that was given to Members in order that decisions were made effectively (nb.</p>	Relevant portfolio Holder (currently Leader) to agree details of register, both content and management.	<p>To be put in place by the Project Office. Details to be approved in PHDN (July 2016)</p> <p>Internal Audit to be asked review operation of register after 12 months of operation.</p>

Item	Recommendation	Current Status	Committee Comment/Action			Milestones
			O&S	Audit	Cabinet	
				this may be a topic for Audit to consider as part of their review of governance).		
6 (6.1.7)	The Council must look at other projects to see whether outcomes are at risk in a similar way to Silver Hill.	<p>All major projects are now managed through the Project Office, and follow clear corporate guidelines. Each project manager prepares and maintains a risk register which is reviewed regularly by senior officers and Members.</p> <p>Audit Committee (10/3) endorsed the Programme Risk Register (AUD144) which reviews risks associated with all major projects.</p> <p>Improved use could be made by Councillors of the Council's Covalent system.</p>	O&S (22/2) recommended a review of all current development projects to establish the risk management status (undertaken through AUD144).	<p>Audit (10/3) supported the approach outlined.</p> <p>At the same meeting they reviewed and endorsed the Programme Risk Register (AUD144).</p>	<p>Cabinet (Major Projects) Committee is charged with maintain an overview of the conduct of projects.</p> <p>Cabinet (Major Projects) Committee to review Programme Risk Register as a standing agenda item</p>	<p>Cabinet to agree programme of meetings for Cabinet (Major Projects) Committee (May 2016)</p> <p>Overview & Scrutiny to consider whether to establish an ISG to review Member use of Covalent (June 2016)</p>
7 (6.1.8 & 6.1.10)	<p>The Council must ... review its public engagement strategy.</p> <p>New strategies need to be written on press and PR...</p>	<p>The Head of Communications, with the Head of Policy & Projects, will review the Council's engagement strategy, supported by advice from the LGA. That will include consideration of the best way of providing public access to advice and information on major projects.</p> <p>The diaries of all Cabinet and Corporate Management Team (CMT) be made public (subject to some necessary exceptions which would be clearly stated)</p>	Committee supported this approach.	Committee supported this approach.	The work will be led by the Portfolio Holder for Service Delivery, who will report to Cabinet.	<p>Recommendations to Cabinet July 2016.</p> <p>CX to review implementation and delivery from May 2016</p>

Item	Recommendation	Current Status	Committee Comment/Action			Milestones
			O&S	Audit	Cabinet	
8 (6.1.9)	The Council must implement in full the LGA and Local Partnerships' recommendations	<p>Appendix 2 and 3 to CAB2779 outlined progress in implementing the Peer Review's recommendations and those of the Local partnership's review of project and programme management. That included timetables for outstanding actions.</p> <p>The Council will invite LGA to deliver a new Peer Review in autumn 2016.</p>	Committee noted they would wish to monitor progress with implementing recommendations of these reviews.	Committee noted they would wish to monitor progress with implementing recommendations of these reviews.	Cabinet should lead in monitoring implementation of each report, through Leader and Portfolio Holder for Service Delivery.	<p>IPG to receive update report in July 2016.</p> <p>Update report to Cabinet, O&S and Audit in September 2016.</p> <p>Peer Review to be programmed for October/November 2016</p>
9 (6.1.10)	New strategies must be written on ... project management and risk management (including a transparent and effective risk register).	<p>Project and programme management at the Council was reviewed by Local Partnerships in April 2015 and a programme of improvements agreed by Cabinet in October 2015.</p> <p>The Council's revised risk policy was adopted by Audit Committee, The Overview & Scrutiny Committee and Cabinet in June/July 2015. Audit Committee receive a quarterly update of the corporate risk register, and the full policy will be considered again in June 2016. As part of our approach to project management each major project has a full risk register which is kept under review by the project team.</p>	No specific comment beyond general support for the recommendations.	Audit (10/3) noted that it would be for O&S to scrutinise emerging strategies. Audit would keep a watching brief on project management and continue to lead on risk management.	Cabinet (Major Projects) Committee keeps all project and programme management arrangements under review.	<p>Project guidance to be amended accordingly and brought to Cabinet for approval (July 2016)</p> <p>Annual review of approach to risk management already programmed for Audit Committee (June meeting)</p>
10 (6.1.11)	The Council must consider how it will improve communications, both externally and internally.	<p>The Head of Communications has invited the LGA to undertake an independent assessment of the impact of recent changes to corporate communications.</p> <p>(nb – these actions link with those planned on engagement, item 7)</p> <p>Improvements are to be made to the way information on the Council's website is presented</p>	O&S (22/2) will take the lead in scrutinising the Council's response in these areas.	Committee noted the importance of managing reputational risk.	Portfolio Holder for Service Delivery to lead (see item 7).	Recommendations to Cabinet July 2016.

Item	Recommendation	Current Status	Committee Comment/Action			Milestones
			O&S	Audit	Cabinet	
		Quarterly public information sessions are to be organised, possibly around the District. The Overview and Scrutiny Committee should examine how the Council could improve its communications.				
11	The Council must carry out a governance review to create a new constitution and ways of working for the new Council from May 2016.	<p>The cross party group which led work on the electoral review also took a broader view on matters of governance (see CAB2593). As a result, several elements of a governance review have already been undertaken. Members have agreed that a broader review of governance should follow the implementation of those changes to our electoral arrangements (in May 2016), drawing on any relevant comments from the independent review.</p> <p>The Terms of Reference for a review will be put to the cross-party Audit (Governance) Sub-Committee established by the Audit Committee, who will lead such a review. They will take into account the recommendations of the independent review.</p>	<p>O&S to appoint a task-and-finish group to review the Council's Scrutiny arrangements, drawing on the review undertaken by the Committee Chair (OS136).</p> <p>Committee considered the Council should review their decision on elections by thirds after May 2016 elections.</p>	<p>Audit Committee (10/3) has established a Sub-Committee to examine the Independent Review's recommendations on governance and make its own recommendations, via the full Committee, to Cabinet and Council. That Sub-Committee's first meeting is on 11 April.</p> <p>Review operation of the gifts and hospitality register, to be reported to Audit Committee</p>	<p>Review the protocol for writing of committee reports, to be reported to Cabinet.</p>	<p>For O&S to agree timetable for review of scrutiny arrangements.</p> <p>Audit (Governance) Sub-Committee to meet on 11/4 and, in due course, agree work programme.</p> <p>Report writing protocol to Cabinet in September 2016.</p> <p>Review of gifts and hospitality register to Audit Committee (September 2016)</p>
12	The Council must ensure sufficient Member training on the new Constitution.	<p>Training on this and related matters will be included in the programme of Member training in the normal way.</p> <p>LGA advice to be sought on Member training, Groups to discuss training needs.</p>	Endorsed.	Endorsed.	Endorsed, noting that the training should cover actions implemented in response to all recommendations.	<p>LGA discussion (tbc)</p> <p>Programme to be agreed with Group Leaders (June 2016).</p>