

# Corporate Policy and Strategy Committee

**10am, Tuesday, 3 December 2013**

## Working Groups

<b>Item number</b>	7.2
<b>Report number</b>	
<b>Wards</b>	All

### Links

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<b>Coalition pledges</b>	
<b>Council outcomes</b>	<a href="#">CO25 and CO26</a>
<b>Single Outcome Agreement</b>	

### **Alastair D Maclean**

Director of Corporate Governance

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# Executive summary

## Working Groups

### Summary

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Working groups are currently a supporting element of the Council's decision-making processes. In line with the Council decision on 24 October 2013, this report proposes revised governance arrangements to ensure clarity within the committee model, enhance corporate oversight and provide a framework of key documentation to support meeting arrangements.

In addition, information is provided on the current range of working groups and scope to reduce numbers while enhancing the role of policy development and review sub-committees in line with the findings of the recent review of political management arrangements.

### Recommendations

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1. To consider options for the rationalisation of working groups in paragraphs 2.1.6 and agree a preferred option;
2. To agree transition arrangements outlined in paragraph 2.1.7;
3. To agree the annual appointment of working groups by the relevant committee set out in paragraph 2.2.1.2;
4. To agree that the relevant committee would approve the remit and appoint the membership of new working groups as set out in paragraph 2.2.2;
5. To agree that the convener of the working group would be able to adjust the remit within the parameters of the outline remit approved by committee or add to the membership if appropriate;
6. To note that an annual report on the number and scope of working groups will in future be provided to the Corporate Policy and Strategy Committee to ensure corporate oversight of working groups across the Council; and
7. To agree to the use of the standard documentation for working groups set out in appendix 3 to the report.

## **Measures of success**

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The integration of working groups into the committee system through rationalisation or approval of remit and membership by committee.

## **Financial impact**

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There are no financial implications as a result of this report.

## **Equalities impact**

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There are no direct equalities impacts as a result of this report.

## **Sustainability impact**

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There is no direct sustainability impact as a result of this report.

## **Consultation and engagement**

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Research was undertaken as part of the Review of the Political Management Arrangements, with feedback from public focus groups, individual interviews and an online survey for elected members.

## **Background reading / external references**

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[Review of political management arrangements – Council 24 October 2013](#)

## Working Groups

### 1. Background

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- 1.1 The Council's existing working groups fit into the following three categories:
  - 1.1.1 long standing, ongoing and consultative;
  - 1.1.2 short life created to examine a particular issue or project with a specific objective;
  - 1.1.3 required by statute, for example, local access forums created by planning legislation.
- 1.2 Policy development and review sub-committees were established in October 2012 to promote greater engagement at the early stages of policy development between the Council, partners and key stakeholders before consideration by a Council committee. The sub-committees do not have the power to make executive decisions and in some cases working groups replicate this activity.
- 1.3 On 24 October 2013, the Council agreed that the majority of issues currently being considered by working groups' could be included on the work programme of policy development and review sub-committees. In addition, Council confirmed that working groups should only be used where essential and be constituted appropriately to align with the issue under consideration.

### 2. Main report

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#### 2.1 Rationalisation of working groups

- 2.1.1 There may be occasions where a working group is the most appropriate model to discuss, engage and consult on areas of council business. This will often be at a very early stage where there is merit in having discussions in private between elected members, officers and partners, prior to debate and decision at committee.
- 2.1.2 In line with the council's commitment to open and transparent decision-making, many discussions could be considered in public, at the policy development and review sub-committees. This will increase accountability, enhance the information available to the public and further improve the democratic process.

- 2.1.3 Feedback from public focus groups during the recent review of political management arrangements confirmed that members of the public would like a say on the local issues that affect them, at an early stage in the process. They indicated that early engagement with the Council via a deputation or the ability to give a presentation to elected members was critical to influence both the direction of discussion and decisions. The policy development and review sub-committees provide an opportunity for the public to view the meeting and request a deputation which working groups often do not.
- 2.1.4 Some working groups may involve external representatives discussing issues with the Council. It is not always necessary for these working groups to contain elected member representation and these can be retained but with officer and external representative members only.
- 2.1.5 The list of working groups, set out in appendix one, indicates which committee the group is aligned to and if there is outside representation sitting as members of the group.
- 2.1.6 It is proposed that Committee agrees one of the following options to rationalise working groups:
- 2.1.6.1 refer the list of working groups, set out in appendix one, to the relevant committees to determine which working groups should be retained, rationalised as officer only groups or their work undertaken by policy development and review sub-committees; or
  - 2.1.6.2 the appropriate director, in consultation with the convener and vice convener of the relevant committee, consider which working groups set out in appendix one should be retained, rationalised as officer only groups or their work undertaken by policy development and review sub-committees.
- 2.1.7 To support the transition, the following adjustments are proposed to enhance the integration of working group business with the policy development and review sub-committees:
- 2.1.7.1 executive committees allocate an area of work formerly undertaken by working group(s) to the sub-committee's work programme;
  - 2.1.7.2 policy development and review sub-committees identify the dates when the issue will be discussed and set a specific time period on the agenda;
  - 2.1.7.3 members and attendees of the working group should be invited to the sub-committee as witnesses and given the opportunity to join in discussion or, if appropriate, be allocated a specific time slot on the agenda to articulate their view; and

- 2.1.7.4 the sub-committee should have an informal set up to ensure an atmosphere conducive to open discussion and debate.

## **2.2 Governance**

### **2.2.1 Appointment by Committee**

- 2.2.1.1 The appointment of working groups annually by committee confirms membership, provides a democratic legitimacy and allows the Council to monitor the number and necessity of all working groups. It will also ensure working groups remain aligned to Council pledges, outcomes, and the single outcome agreement.
- 2.2.1.2 Annual appointment of all working groups in May/June would allow a committee to consider the number and remit of working groups while setting the policy review and development sub committee work programme and the appointment of any sub-committees. The committee will be able to consider the complete framework of meetings in their remit to deliver on key outcomes and objectives.
- 2.2.1.3 Following the appointment of working groups in May/June, an annual report should be provided to Corporate Policy and Strategy Committee to ensure corporate oversight of all working groups across the Council in line with approval of policy review and development sub committee work programmes.
- 2.2.1.4 If a committee retains a working group then the appropriate director should report the working group's findings to the policy development and review sub-committees.

### **2.2.2 Remit and appointment of members**

- 2.2.2.1 Working groups sit outside the provisions of the Local Government (Scotland) Act 1973. As a result, there are no restrictions on membership or requirements to publish papers and there is no statutory right of the public to view proceedings. However, the right of the public to request information under the Freedom of Information (Scotland) Act 2002 does apply to working group papers.
- 2.2.2.2 A working group should not resemble a committee and it should be clear that there are no delegated or decision making powers. If a working group has delegated power then the Local Government (Scotland) Act 1973 would apply and it would have to be constituted as a committee. The appointment of members and the remit are key components in ensuring that the working group has been appropriately established.
- 2.2.2.3 Membership of working groups should not only consist of elected members and it is appropriate for this to contain a mixture of elected

members, officers, key stakeholders or partners. The membership of each working group needs to be clearly defined.

2.2.2.4 Many working groups have a remit set by committee; this provides a clear focus to its membership on their role and responsibilities. However, this is not standard and many working groups have either an insufficient or no remit which can limit achievement of outcomes and objectives.

2.2.2.5 It is proposed that the relevant committee establishes the remit and membership of working groups. However, it is also important to continue to ensure flexibility as matters evolve. To support this the convener of the working group will be able to adjust the remit within the parameters of the outline remit provided by committee or add to the membership if appropriate.

2.2.2.6 A model remit, set out in appendix 2, will be published on the Council's intranet to guide officers when proposing the establishment of a working group.

### 2.2.3 Documentation

2.2.3.1 There is currently no standard documentation for working groups. The current practice is varied and alternates between briefing notes and action sheets, and documents in a committee style.

2.2.3.2 The use of committee documentation by working groups can lead to confusion and limit the effectiveness of the meeting. Committee reports are presented in a format to enable informed decision-making and meet statutory duties relating to areas such as finance, sustainability and equalities. Working group papers are not required to meet these duties and should be in a format that best facilitates engagement, discussion and displays information clearly and succinctly.

2.2.3.3 A set of standard documentation is, set out in appendix 3 for working groups.

## 3. Recommendations

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- 3.1 To consider options for the rationalisation of working groups in paragraphs 2.1.6 and agree a preferred option;
- 3.2 To agree transition arrangements outlined in paragraph 2.1.7;
- 3.3 To agree the annual appointment of working groups by the relevant committee set out in paragraph 2.2.1.2;

- 3.4 To agree that the relevant committee would approve the remit and appoint the membership of new working groups as set out in paragraph 2.2.2;
- 3.5 To agree that the convener of the working group would be able to adjust the remit within the parameters of the outline remit approved by committee or add to the membership if appropriate;
- 3.6 To note that an annual report on the number and scope of working groups would be provided to the Corporate Policy and Strategy Committee to ensure corporate oversight of working groups across the Council; and
- 3.7 To agree to the use of the standard documentation for working groups set out in appendix 3 to the report.

## **Alastair D Maclean**

Director of Corporate Governance

## **Links**

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### **Coalition pledges**

**Council outcomes** CO25 – The Council has efficient and effective services that deliver on objectives  
 CO26 – The Council engages with stakeholders and works in partnership to improve services and deliver on agreed objectives

### **Single Outcome Agreement**

**Appendices** Appendix 1 – List of working groups  
 Appendix 2 – Model Remit  
 Appendix 3 – Working group standard documentation

Ref	Name of Group	Category	Connected Committee	Appointed Annually by Committee	Outside Representation
1	Member / Officer Working Group on the Review of Grants to Third Parties	Short Life	Communities and Neighbourhoods	New	No
2	Neighbourhood Partnership (NP) Conveners	Long Standing	Communities and Neighbourhoods	No	No
3	Edinburgh Cultural Partnership	Long Standing	Culture and Sport	No	Yes
4	Meadowbank Working Group	Short Life	Culture and Sport	New	Yes
5	Festivals and Events Working Group	Long Standing	Culture and Sport	No	Yes
6	Edinburgh Youth Issues Forum	Long Standing	Education, Children and Families	Yes	Yes
7	Improving Community Access to Schools	Short Life	Education, Children and Families	Yes	No
8	Strengthening Support for Pupils with Behavioural Difficulties	Short Life	Education, Children and Families	Yes	No
9	Estate Strategy and Rising Rolls	Short Life	Education, Children and Families	Yes	Yes
10	Early Years	Short Life	Education, Children and Families	Yes	No
11	Consultative Committee with Parents	Long Standing	Education, Children and Families	Yes	Yes
12	Joint Officer/Member Group on Corporate Parenting of Looked After Children	Long Standing	Education, Children and Families	Yes	Yes
13	Castlebrae Working Group	Short Life	Education, Children and Families	New	Yes
14	Pay Day Loans	Short Life	Finance and Resources	New	
15	Elected Members ICT and Digital Sounding Board	Long Standing	Finance and Resources	Yes	No
16	Budget Sounding Board	Long Standing	Finance and Resources	No	No
17	Joint Consultative Group	Long Standing	Finance and Resources	Yes	Yes
18	Corporate, Health, Safety and Well Being	Long Standing	Finance and Resources	Yes	No
19	Scottish HMO Working Group	Long Standing	Health, Social Care and Housing	No	Yes
20	Affordable Housing Political Sounding Board	Long Standing	Health, Social Care and Housing	No	No
21	Empty Homes Task Force	Long Standing	Health, Social Care and Housing	No	Yes
22	Edinburgh Homelessness Forum	Long Standing	Health, Social Care and Housing	No	Yes
23	Multi Storey Working Group	Long Standing	Health, Social Care and Housing	No	Yes
24	Tenant Participation Working Group	Long Standing	Health, Social Care and Housing	No	Yes
25	Co-operative Approaches to Housing Cross-Party Political Sounding Board	Long Standing	Health, Social Care and Housing	No	Yes
26	Health and Social Care Partnership	Long Standing	Health, Social Care and Housing	New	Yes
27	Civic Forum	Long Standing	Planning	No	No
28	City Centre Vision Member Officer Group	Short Life	Planning	New	No
29	Edinburgh Development Forum	Long Standing	Planning	No	No
30	Regulatory Policy	Long Standing	Regulatory	New	No
31	Licensing Policy Development: Members Working Group	Long Standing	Regulatory	New	No
32	Tram All Party Oversight Group	Short Life	Transport and Environment	No	No
33	Tram Operations Group	Short Life	Transport and Environment	No	No
34	Cycle Forum	Long Standing	Transport and Environment	Yes	Yes
35	Capital Prioritisation	Long Standing	Transport and Environment	No	No
36	CEC Local Access Forum	Statutory	Transport and Environment	Yes	Yes
37	Transport Forum	Long Standing	Transport and Environment	Yes	Yes
38	CEC Officer and Member Working Group on Carbon, Climate and Sustainability	Long Standing	Transport and Environment	New	No
39	Zero Waste Cross Party Group	Short Life	Transport and Environment	Yes	No
40	Duddingston Village Traffic Working Group	Long Standing	Transport and Environment	Yes	Yes
41	Edinburgh Roadworks Ahead	Short Life	Transport and Environment	New	No
42	Water of Leith Phase 2	Short Life	Transport and Environment	New	No
43	Leith Links Steering Group	Short Life	Transport and Environment	No	Yes

## **Model Protocol and Remit for Working Groups**

The following six headings are mandatory and should be agreed by the relevant committee.

### **1. Membership:**

List members in full, unlike committees this may include officers and can often include outside representation.

### **2. Convener/Chair:**

Outline if there are rules regarding the Convener i.e. chair is the convener of the relevant executive committee, whether there is a vice-convener and who would chair the meeting in the absence of the convener.

### **3. Substitutes:**

State whether substitutes are allowed and whether they must be from the same political party/outside body.

### **4. Officers**

If not members officers will normally attend to support meetings

### **5. Remit**

Outline what the working group is expected to look at. It should not have decision making powers.

### **6. Code of Conduct**

- a. The Councillors' Code of Conduct (paragraphs 3.14 – 3.15) specifies members' responsibilities regarding private information.
- b. Non-Council members should also be aware that the discussions and papers at this meeting are confidential, and not for public disclosure.

**The following areas are not mandatory but may be appropriate for some working groups:**

**7. Meeting (and papers):**

Outline the frequency of meetings and if there is an expectation regarding the circulation of papers.

**8. Agenda Planning:**

Outline if there are any pre-meetings.

## Agenda

**Working group name**

**Time, day, date**

Venue name and address

### Private and Confidential

1. The Councillors' Code of Conduct (paragraphs 3.14 – 3.15) specifies members' responsibilities regarding private information.
2. Non-Council members should also be aware that the discussions and papers at this meeting are confidential, and not for public disclosure.

### Contacts

Clerk: Name, job title

E-mail: [e-mail address](#) | Tel: 0131 123 4567

Directorate Lead Officer(s): Name, job title

E-mail: [e-mail address](#) | Tel: 0131 123 4567

## **1. Declarations of interest**

1.1 Body text

1.2 Body text

- bullet [or]
- a)
- b)

## **2. Note of previous meeting**

2.1 Body text

2.2 Body text

- bullet [or]
- a)
- b)

## **3. Matters arising**

3.1 Body text

3.2 Body text

- bullet [or]
- a)
- b)

## **4. Presentations/reports**

4.1 Body text

4.2 Body text

- bullet [or]
- a)
- b)

## **5. Date of next meeting**

5.1 Body text

5.2 Body text

- bullet

### **Carol Campbell**

Head of Legal, Risk and Compliance

## **Membership**

### **Members appointed by the Education, Children and Families Committee**

Insert Members names.

### **Outside agency representatives**

Insert names.

### **Lead officers**

Insert officers names.

## **Information about the {name} Working Group**

Include information about the Working group here

## Briefing note

**Working group name**

**Time, day, date**

**Name of item**

Contact: Name, job title

E-mail: [e-mail address](#) | Tel: 0131 123 4567

### Summary

1.1 Body text

1.2 Body text

- bullet [or]
- a)
- b)

### Recommendations

2.1 Body text

2.2 Body text

- bullet [or]

# Note of meeting

**Working group name**

**Time, day, date, venue**

**Present**

Insert names

**Also present**

Insert names

## 1. Minute

**Decision**

2.1 Body text

2.2 Body text

- bullet [or]

a)

b)

## 2. [Item name]

**[subheading]**

2.1 Body text

2.2 Body text

- bullet [or]
- a)
- b)

### **Motion**

2.3 Body text

### **Amendment**

2.4 Body text

2.5 Body text

### **Voting**

2.6 For the motion – XX votes

2.7 For the amendment – XX votes

### **Decision**

2.8 Body text

- bullet [or]
- a)
- b)

## Action note

**Working group name**

**Time, day, date**

Item	Item name	Action	Lead officer
1.	[name]	[name]	Name: [name] Tel: [telephone] <a href="#">[e-mail address]</a>
2.	[name]	[name]	Name: [name] Tel: [telephone] <a href="#">[e-mail address]</a>