

Review Committee – 13 January 2022

Minutes of the meeting of the **Review Committee** held on **13 January 2022** when there were present:-

Chairman: Cllr S A Wilson
Vice-Chairman: Cllr Mrs J E McPherson

Cllr R P Constable	Cllr Mrs C A Pavelin
Cllr R R Dray	Cllr Mrs L Shaw
Cllr I A Foster	Cllr P J Shaw
Cllr Mrs E P Gadsdon	Cllr C M Stanley
Cllr J N Gooding	Cllr M G Wilkinson
Cllr G W Myers	

VISITING MEMBERS

Cllr D S Efde	Cllr I H Ward
Cllr Mrs J R Gooding	Cllr M J Webb
Cllr Mrs C E Roe	Cllr A L Williams
Cllr S P Smith	Cllr S E Wootton
Cllr D J Sperring	

ALSO PRESENT

Cllr C Hossack	- Leader, Brentwood Borough Council
Cllr C Nolan	- Member, Brentwood Borough Council
Cllr Ms M Pearson	- Member, Brentwood Borough Council
Cllr G White	- Member, Brentwood Borough Council

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs B T Hazlewood, Mrs C M Mason and J E Newport.

SUBSTITUTES

Cllr C M Stanley	- for Cllr J E Newport
------------------	------------------------

OFFICERS PRESENT

J Stephenson	- Chief Executive
A Hutchings	- Strategic Director
A Law	- Assistant Director, Legal and Democratic
N Lucas	- Assistant Director, Resources
S Worthington	- Principal Democratic and Corporate Services Officer
W Szyszka	- Democratic Services Officer

6 PRE-SCRUTINY OF PROPOSED REPORT TO COUNCIL RE STRATEGIC PARTNERSHIP WITH BRENTWOOD BOROUGH COUNCIL

Members considered the report of the Strategic Director providing Members with an update on the Council's proposals for a strategic partnership with Brentwood Borough Council.

A Member observed that the Council worked with Basildon Borough Council to provide internal audit services and asked whether this current arrangement would continue or whether the arrangements would change once Rochford District Council worked in partnership with Brentwood Borough Council.

The Leader clarified that at the moment there were no intentions to implement direct changes and all services within the Council would be assessed and objectively reviewed. Discussions would be held with Brentwood Borough Council on current arrangements, which would include the current partnership with Basildon Borough Council to retain sufficient and effective means of maintaining Council workload that would not directly disrupt everyday business.

The Leader commended both teams at Rochford District Council and Brentwood Borough Council for their hard work and extended his gratitude to the Strategic Directors at both Councils. The Leader clarified that it was a priority for both Councils to implement a process that would be fair with Member engagement, though it was important to note that Jonathan Stephenson was already in post at Brentwood Borough Council which meant that the Chief Officer Appointments Committee was not appropriate. The Leader further stated that as both councils entered the tier 3 restructure stage, an objective selection process would be implemented.

The Leader of Brentwood Borough Council made a clarification around point 5.2 regarding the harmonisation of political ambition and commented that the main focus of this revolved around resource harmonisation, as well as staff development and a unification of foundational values of both councils. The expectation was to ensure that Members would be involved in the upcoming process.

A Member raised a point regarding paragraphs 4.2, 6.8 and 7.1 in the Report and questioned how the existing functions would be maintained in the short term without affecting service.

The Leader responded that a detailed outline of the Transformation Unit was set out in paragraph 6.1. This would be set up as a standalone unit with minimal resource impact on existing operations. Members were able to see the costs of this Unit and engagements with all departments would be carried out to ensure a minimal draw on service resource.

The Leader further clarified Member representation and that the responsibility would fall to both Leaders to work closely with the Chief Executive to deliver the programme. Both councils were committed to provide a wide scrutiny process that would promote objective discussions and direct engagement.

A Member questioned what back up plans were agreed should the Chief Executive leave and whether there would be redundancies that would result from the proposed tier changes and the proposed future savings set out in the Report.

The Leader responded that it was inevitable that good Chief Executives would be headhunted during their career. The Leader felt that it was unlikely that Jonathan Stephenson would move away from the Partnership and trust was reciprocated on both sides. The Leader further stated that there would be a surplus of staff; however, new opportunities would evolve out of the Partnership and best efforts would be made to retain staff by offering new vacancies and training development. The Leader highlighted that resorting to external recruitment would be the last course of action and would only be considered if absolutely essential. Redundancies would be avoided where possible.

The Leader commented on the financial savings detailed in the Report and clarified that the cost to implement the Partnership fully was £300,000 per council. Indicative savings from Phase 1 of the proposed arrangement were set out in the report and the starting point for these would be 50/50. Future savings from Phase 2 of the programme were not predicted as these could not be estimated at this stage, pending approval of individual business cases. It was further clarified that on page 6.5, paragraph 4.9 of the Report details of the immediate savings were set out. Brentwood Borough Council, like all councils, had limitations on what it could pay for a Chief Executive salary; however, by splitting this expense between the two councils, a more attractive job could be created whilst still delivering a saving across both councils.

A Member spoke in favour of this Partnership and requested that a s113 Agreement be presented to Members for review and that the document should include the provision for the early development of a robust exit agreement to protect both councils and the staff.

The Leader responded that the robustness of the s113 document must be clear in the legal process. Both Councils should be prepared for possible scenarios and confirmed that the s113 document would be made available to Members.

A Member raised a concern around workloads that could potentially be too large requiring assistant posts to support officers with the workload.

The Leader responded that this was already the case with some of the roles within the Council and the Partnership would address a proper team structure to overcome the issue of unmanageable workloads delegated to single officers. The Partnership would provide a unique opportunity for teams at either council to compare and contrast workloads and also the way in which certain issues would be approached. The Partnership as a whole would address the issue of workload and would aim to providing more job opportunities to prioritise the welfare of the officers.

In response to a Member query regarding communicating with other authorities who had gone into similar arrangements and keeping a log which would outline

progress made to improve services, the Leader responded that conversations were had with Bromsgrove and Redditch Councils who had been in partnership for 10 years, as well as with the East of England Local Government Association, which sought experiences of councils that had undergone the same process. The Leader noted that it was unlikely that the process would proceed without its challenges; however, the accumulated experience, discussions and preparations would minimise potential risks. It was also emphasised that Jonathan Stephenson had worked in a shared council agreement during the course of his professional career.

A Member supported this Partnership, however, commented that Members were presented with the challenge on how to sustain current resource without implementing further spendings.

There was a unanimous agreement that recommendations around s113 Agreement, feedback from residents regarding the impact of the Partnership and an early review of technology in Phase 2 of the Transformation Programme be put forward to Extraordinary Council to consider during the meeting next week.

Recommended to Council

- (1) To agree the Strategic Partnership between Rochford District Council and Brentwood Borough Council and that Jonathan Stephenson is the Joint Executive for both Councils;
- (2) To appoint Jonathan Stephenson as the Council's Head of Paid Service;
- (3) To approve the Heads of Terms set out in Appendix A;
- (4) That the Joint Chief Executive and the Monitoring Officer of each Council be given delegated authority, in consultation with the Leader of each Council, to enter into a Memorandum of Understanding and s113 Agreement to give effect to the Partnership;
- (5) That the Joint chief Executive be given delegated authority to undertake a restructure of Tiers 2 and 3 of the Councils in consultation with the Leader of each Council;
- (6) That the designated Head of Paid Service is the proper officer under s270(3) of the Local Government Act 1972;
- (7) That a maximum of £300,000 (as set out in paragraph 4.2 of this report) be allocated from general reserves to fund the additional programme resource for the Transformation Unit;
- (8) That the Monitoring Officer be given delegated authority in consultation with the Portfolio Holder for Governance to make any required changes to the Constitution to give effect to the recommendations in this report.

- (9) That the s113 Agreement makes provision for robust Exit Arrangements and a Member-led Conflict Resolution process.
- (10) That the s113 Agreement comes to the Review Committee for scrutiny before it is executed.
- (11) That the feedback from residents as to the impact of the partnership on services is regularly sought and reported upon.
- (12) That there be an early review of technology in Phase 2 of the Transformation Programme to identify threats and/or opportunities.
- (13) That subject to paragraph 12.1, The Review Committee recommends to Council to adopt the contents of this report. (SD)

(This was unanimously agreed.)

7 KEY DECISIONS DOCUMENT

Members considered and noted the contents of the Key Decisions document.

8 WORK PLAN

Members considered and noted the contents of the Work Plan.

The meeting closed at 9.19 pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 318111.