



# RPA Progress Report – April 2009

## Introduction

To support the Reform of Local Government Implementation Programme, the key outcomes from the Strategic Leadership Board (SLB) meeting on the 10 April as agreed by the Joint Secretariat are detailed overleaf:

**Members should note that the communication from the Joint Secretariat has replaced the NILGA RPA Newsletter.**

The following notes highlight the NILGA views and priorities in brief:

### Key Issues

- NILGA is calling on the Department of Finance and Personnel (DFP) to take urgent action on funding for Local Government Reform
- Further work required to fully appreciate the financial implications of transferring functions
- Concerns raised about the consultation paper on planning reform, Sinn Fein and the Department are working on resolving issues.

### Consultation

- NAC and NILGA develop response to severance
- Transition Committees – NILGA working with councils to develop response.

### General Progress

- PDP A are working on finalising recommendations for an Ethical Standards regime for Local Government and outworking of the proposed 'call-in' procedure, the Panel are also working on the operational aspects of community planning
- PDP B presented primary legislative provisions for the new Service Delivery & Performance Improvement framework
- PDP C outlined their initial view on the proposed transferring functions, including recommending marginal changes to some. Panel reinforced the important influential role the new councils must have in the development and implementation of central government policy.
- TUPE The Transfer of Undertakings (Protection of Employment) Regulations 2006 – Minister reinforces commitment to TUPE stressing every effort will be made to avoid redundancies
- SLB/PDP panel structures to be reviewed, terms of reference for the review to be presented at the next SLB meeting.



## **Key Outcomes from Strategic Leadership Board (SLB) 10 April 2009**

### **Minutes of Meetings**

- Minutes from the previous SLB meeting on 6 March 2009 were approved subject to one minor amendment. The revised minutes will be available soon on the Local Government section of the DOE website on [www.doeni.gov.uk](http://www.doeni.gov.uk) and the NILGA website [www.nilga.org](http://www.nilga.org).

### **Planning Reform**

- The Minister updated members on difficulties currently being encountered on planning reform. The current position on the reform proposals, which include the transfer of planning functions to the new councils as well as streamlining and speeding up the entire planning process, is that:-
  - Sinn Fein had raised some concerns about the consultation paper on the proposals and consequently it has not yet been cleared by the Executive;
  - the legislative programme for planning reform is extremely tight and delay in agreeing and publishing the paper could have major implications for the whole process of planning reform, including the transfer of planning functions to the new councils in 2011;
  - discussions between Sinn Fein and the Department, aimed at resolving these concerns, are ongoing; and
  - SLB members will be kept informed of developments.

### **Consultation on Severance**

- The closing date for comments on the consultation paper inviting views on the proposed severance arrangements for long serving district councillors is 31 May 2009.

### **Executive Sub Committee on Local Government Reform**

- Minister Wilson has written to ministerial colleagues and it is hoped that the Executive Sub Committee on Local Government Reform will meet within the next few weeks.
- The Minister welcomed Local Government's proposal to contribute agenda items for discussion and agreement at the Sub Committee.

### **Policy Development Panel (PDP A) - Governance, Central and Local Relations and Community Planning Update**

- The Panel hopes to finalise its recommendations on issues such as the role of Monitoring Officer in the proposed new Ethical Standards regime and the outworking of the proposed 'call-in' procedure within the next few weeks.
- The Panel has commenced work on the operational aspects of community planning and an associated guidance framework for councils.

### **Policy Development Panel B (Service Delivery)**

- Panel B presented its proposals for the primary legislative provisions for a new Service Delivery & Performance Improvement framework.
- The purpose of this framework is to underpin continuous improvement in the delivery of council services to citizens whilst being fully accountable and transparent.
- The framework recommends the provision of a mechanism to establish a number of regional performance indicators and the implementation of an external monitoring body to ensure compliance. The framework also suggests that the DOE Minister have a power of intervention when required.
- These are high level proposals and the Panel will be working on further detail over the coming months including examining measures in the Audit Commission publication "Comprehensive Area Assessment" framework document.

### **Policy Development Panel C (PDP C) - Structural Reform Issues**

- Panel C outlined their initial recommendations on the proposed transferring functions, based on a report from the Transferring Functions Working Group (TFWG).
- The Panel recommends that a number of additional functions should be considered to transfer to local government such as on-street parking but that responsibility for others (e.g. traveller's sites) should not.
- Consensus amongst the Panel could not be reached on all TFWG recommendations.
- The Panel is in complete agreement that the new councils must have a strong, robust and influential role in the Department of Regional Development (DRD) Roads policy formulation and implementation.
- Panel C will further engage with relevant ongoing central government consultations and strategic reviews including the Department of Enterprise, Trade and Investment's (DETI's) Barnett Review.
- SLB members emphasised that further work is required on the financial implications of the transferring functions to ensure that there is no extra burden on the rate payer at the time of transfer. This needs to be taken forward in conjunction with the urgent discussions with the Department of Finance and Personnel (DFP) on the funding for Local Government Reform.
- Panel C will forward a detailed report to Minister Wilson on all of its recommendations by the end of April 09 to facilitate his discussions with the Executive Sub Committee on the proposed changes to the transferring functions.
- Panel C will be meeting on 23 April 2009 to discuss HR issues in detail. The outcome of these discussions will be presented at the next SLB meeting.

### **Update on Transition Committees**

- All Transition Committees have met to discuss key issues, identified work streams and established task groups to scope, prioritise and implement the work required to ensure a smooth change-over to the new councils.
- Each of the Policy Development Panels is currently considering draft guidance on winding down arrangements and will have their comments by 30 April 2009. Panel A will receive further guidance on key tasks and milestones soon.

## **Establishment of Transition Committee in Statute - Consultation Paper**

- Members of the public have been asked to give their views on the establishment of Transition Committees in Statute that will manage the implementation of the Local Government Reform Programme.
- The consultation paper invites views on proposed governance arrangements for the Statutory Transition Committees and provisions relating to the appointment of a Chief Executive and senior team designate; the role of the Local Government Staff Commission; the relationship between Transition Committees and councils; and the Power of Direction for the Department.
- The closing date for comments is 31 May 2009.

## **Communications Plan**

- A Communications Plan was agreed to underpin the communications framework and general principles. This is a working document, which will be updated and amended continuously as the programme plan develops.
- The Communications Plan aims to support and facilitate the change management programme by providing relevant and timely information to all staff and stakeholders. It will be supplemented by an organisation type chart covering all major players in the process and interrelationships between them.
- Members also agreed the importance of ensuring that councillors are copied into all key messages issuing from the Department to local government staff.

## **TUPE (The Transfer of Undertakings (Protection of Employment) Regulations 2006)**

- The Minister indicated that he had used a recent written Assembly Question to reinforce his commitment to TUPE. This question requested how many redundancies there would be when the new local authorities come in to existence.
- He responded that:
  - it was too early to say how many jobs could be lost but that the Executive had agreed that every possible effort would be made to avoid redundancies;
  - compulsory redundancy will only be considered when all other practical options have been exhausted; and
  - staff would transfer to the new local authorities with the protection of TUPE.

## **SLB/PDP Review**

- It was agreed that a review should be carried out of the SLB and Panel structures to ensure that they are suitable for meeting the changes and challenges up to May 2011. This is in line with the SLB terms of reference.
- A paper setting out the terms of reference for the review and how it will be taken forward will be presented by the Joint Secretariat at the next SLB meeting.

## **Date of Next Meeting**

- The next SLB meeting will be held on 22 May 2009 at 10am.

**Please note:** The information above may be subject to change. This is due to the quick turn around of information in order to provide a summary as soon as possible after each meeting. The formal minutes will represent the information in finalised format.

## **Communications Joint Secretariat**