

REPORT TO: FINANCE COMMITTEE - 9 JUNE 2003

REPORT ON: CONVENTION OF SCOTTISH LOCAL AUTHORITIES (COSLA) - MEMBERSHIP

REPORT BY: CHIEF EXECUTIVE

REPORT NO: 430-2003

1 PURPOSE OF REPORT

- 1.1 To consider whether the Council should rescind its notice of intention to withdraw from membership of the Convention of Scottish Local Authorities (COSLA).

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee:

- a) endorses the changes and key achievements of COSLA in the last year and its contribution to departmental operations
- b) agree to rescind the notice of intention to withdraw from membership which would involve the Council's membership expiring on 31 March 2004
- c) note the payment of £89,607.24 being the 2003/04 combined COSLA and SLGIU membership levies

3 FINANCIAL IMPLICATIONS

The payment of the 2003/04 COSLA and SLGIU membership levies of £89,607.24 will be met from the provisions that are included in the Finance and Chief Executive Departments 2003/04 Revenue Budgets

If the Committee decide to remain within COSLA then there is no effect on the 2003/04 Revenue Budget, and provision will be made in future years Revenue Budgets".

If the Committee decide to remain outwith COSLA then the estimated fee for remaining within the National Negotiating Bodies will be £26,519 in 2004/05 and £28,110 in 2005/06.

4 BACKGROUND

Members will recall that the Council agreed at the meeting of the Finance Committee on 15 April 2002 to instruct the Chief Executive to write to COSLA giving notice of Dundee City Council's intention to withdraw from COSLA (except for Joint Negotiating Bodies for Pay and Conditions of Council Employees to which continued membership should be sought) at the earliest possible time.

Notice of intention to withdraw from membership was intimated to COSLA and this notice was effective from the start of the financial year, 1 April 2003 and following the 12 month period of notice, Dundee City Council's membership would then expire on 31 March 2004. Subsequent to that decision, Dundee City Council has continued to play a full role as a constituent member Council of COSLA and both elected members and officers have contributed and participated in COSLA business.

5 CURRENT COSLA POSITION

5.1 The Value of a Local Government Association to Its Members

COSLA and the Scottish Executive have both indicated over the past year that the principle of having a Local Government Association of Scotland is essential in allowing local authorities to use their collective influence rather than to exert pressure singly in regard to major policy areas within local government's remit.

However, it is recognised that simply having a local government association is not enough and it must be able to demonstrate its effectiveness.

Since the new Chief Executive of COSLA was appointed, the organisation has been working on the development of a number of key objectives that had been identified within the review group's findings. It was intended that these key objectives would progress further through a business planning process which would be discussed with members through a series of visits to Councils later in the new year. Measures have also been put in place between now and then to show the organisation's effectiveness against objectives. In this manner, COSLA's members will be able to hold the organisation accountable and clearly see the benefit of being a member of COSLA. A key area of added value from COSLA is pushing local government's point of view and putting down a marker to central government on key issues. Whether this influence has been undertaken successfully can be hard to measure and sometimes it is necessary to consider what would have happened if COSLA had not been there pushing the Scottish Local Government viewpoint. COSLA has been very effective in resisting the more directive and interventionist approaches that have been adopted in England from being adopted in their entirety in Scotland e.g. Best Value.

There is no doubt that COSLA's most important role is in developing robust relationships with bodies such as the Scottish Executive and the Scottish Parliament. These relationships can be used as a vehicle for influencing development of public policies and impacting on local government; influencing and protecting resourcing of local government; and contributing to the agenda on issues relating to local government as an employer. In addition, significant added value can be achieved by addressing, as a national voice for local government, key constitutional issues including the status of local government as a legitimate and democratically elected tier of government in Scotland. Also, given the continued attacks on local government in recent years, a key objective for COSLA must be to promote the role, image and credibility of local government.

The recent merger of SLGIU and COSLA means that there is an increased capacity to engage with backbench Councillors through improved communications. A detailed communications strategy will be devised by the Image, Media and Communication Team and the Executive Group. The strategy will address the different audiences COSLA needs to target through its communications including councillors who are not actively involved in COSLA. Key elements of the strategy will include:

- effective use of the press and media to communicate COSLA's viewpoint and policies;
- a monthly COSLA bulletin distributed to all councillors;
- regular briefings on key issues being dealt with corporately or by the themed teams, Executive Groups and Partnership groups distributed to all councillors;

- publication of guides to legislation, major consultation papers and key issues;
- an improved and more user friendly COSLA website containing information specifically targeted at councillors;
- a seminar and conference programme which encourage participation from backbench councillors; and
- encouragement to all councillors to feedback and communicate their views to COSLA

6 COSLA KEY ACHIEVEMENTS

Outlined below are some of the key areas where COSLA believes member councils have benefited directly from the work of the organisation. COSLA has also stressed that membership benefits are, however, not only one way and there are enormous benefits to the organisation of having all Councils in Scotland as members so that the collective voice of local government is greatly strengthened by the contribution of many different Councils over a range of sizes, geographical location and political makeup.

6.1 Policy Team

- ensuring a non-prescriptive approach to Community Planning;
- protecting local government's interests in relation to the Joint Future Agenda;
- promoting the local government role in Health Improvement;
- promoting the replacement of ringfencing with broad outcome agreements

6.2 Organisation Development Team

- promote the modernisation of the teaching profession and support the work of local authorities by playing a key role in the implementation team
- progress the single status agenda
- play negotiating role, including most recently the Fire dispute, and importantly promoting the Scottish view at UK level

6.3 Finance Team

- £80M for McCrone over the next three years;
- commencement of End Year Flexibility resources of £95M;
- mainstreaming of Better Neighbourhood Services Fund resources - £40M p.a.;
- Quality of Life Resources being built into the base - £180M for 2003/06;
- full recognition of COSLA's estimated £40M increased National Insurance costs as opposed to £25M;
- promotion of strategic local outcome agreements;
- securing £64M additional resources on Care Home Fees;
- Strategic Waste Fund extended and expanded by £202M for 2004/06;
- abolition of Council Tax Benefit Subsidy limitation

6.4 Chief Executives Team

- building effective relationships with the Scottish Executive and the Scottish Parliament, including progressing the Partnership Framework and the Concordat;
- Modernising Government Fund;

- 21st Century Government Fund;

6.5 President and Vice-Presidents

- funding for care home fees;
- funding for concessionary fare schemes;
- building effective political relationships with the Executive and Parliament

7 IMPLICATIONS OF WITHDRAWAL FROM DUNDEE CITY COUNCIL DEPARTMENTS

7.1 National Negotiating Bodies

Currently COSLA services a number of national negotiating bodies as the employers' side in pay and conditions of service negotiations. These are respectively the Scottish Joint Council for Local Government Employees; the Joint Negotiating Committee for Chief Officials; the Joint Negotiating Committee for Craft Operatives and the Joint Negotiating Committee for Teaching Staff.

The Employers' side secretary for each of these bodies is provided by COSLA (currently the COSLA Chief Executive) and the bodies are serviced by COSLA's Head of Organisational Development and his team of officers. The Convener of the Personnel and Management Services Committee is a COSLA representative on the Scottish Joint Council for Local Government Employees.

These bodies facilitate negotiations on pay and conditions of service in local government at a Scottish level and the trade unions wish to continue to negotiate on a national basis.

If Dundee is no longer a member then the Council might not be able to participate in discussion in the teachers' negotiating body since the constitution of that body states that the members will be drawn from COSLA, the Scottish Executive and organisations representing teachers.

Similarly, the membership of the Employers Side of the Scottish Joint Council, which negotiates the pay and conditions of service for local government employees, i.e. former APT & C and Manual Workers, currently has representation drawn from all 32 councils in Scotland, but the constitution states "the 33 employers' representatives will be appointed by the Convention of Scottish Local Authorities". If Dundee is no longer a member of COSLA, then it will no longer have an entitlement to send a representative to meetings of the SJC.

The constitution of these bodies is, however, ambiguous and COSLA has made contingency for Dundee's withdrawal from 2004/05 which would entail the Council paying an estimated levy for participation of £26,519 in 2004/05 and £28,110 in 2005/06.

7.2 Personnel and Management Services

As well as the various national negotiating bodies outlined in 9.1 above Personnel and Management Services also utilises COSLA and their Personnel Team in the resolution of queries and interpretations etc and the information provided to the Council is invaluable. Often in the field of Personnel there is a need to go back in time to find out how a certain development took place or how a decision was made and the COSLA

team are the main source of this information nationally. They are also useful in providing external views on important industrial relation matters.

7.3 Chief Executive and Corporate Planning

The Chief Executive or the Director of Corporate Planning attend all Leaders' meeting of COSLA which are preceded by the Chief Executives' meeting, a valuable forum for discussion of strategic issues which affect all Councils in Scotland. Officers from Dundee City Council are members of the Improvement Network and contribute to the design of interactive benchmarking databases. Much of the work on the Modernising Government Agenda including Smart Card development has been undertaken through the offices of COSLA and co-ordinated through the organisation.

The Council would no longer be eligible to enter the COSLA Quality Awards which we have won three times and been shortlisted three times. The Council submitted 46 applications which have always had a significant effect in recognising the efforts of staff in producing projects that are worthy of submitting for an award.

7.4 Information Technology

COSLA facilitates Information Security forums which are regularly attended by members of the IT Division. COSLA also co-ordinates and often hosts the "master address database" discussions with which Dundee are closely involved.

7.5 Public Relations

The Director of Public Relations is a member of COSLA's Public Relations Officers Working Group which helps COSLA formulate campaigns and assists local government in financial settlements as well as promoting local government. In terms of strategic lobbying of the Scottish Executive and influencing the public through the media e.g. in setting out the case for better resourcing of local government services, the COSLA public relations groups plays a key role. Through its membership of COSLA, Dundee City Council has been prominent in shaping both the messages and the delivery of the message.

The Public Relations Office has regular operational contact with the COSLA press office to ensure that the messages emanating from local government are consistent at Scottish wide level as well as locally in Dundee. This is very useful on a day to day basis e.g. the nursery nurses dispute.

7.6 Support Services

The Director of Support Services is COSLA's representative on the Scottish Executive's Home Office Working Groups on both the Marriage (Scotland) Act and current Home Office Plans for Citizenship Ceremonies, and has had the opportunity of influencing the final form of the Marriage Act and the forthcoming regulations on Citizenship Ceremonies. These areas of change should result in this legislative process being easier for Councils to implement with attendant benefits for the citizens.

COSLA, in conjunction with Quality Scotland, provides an extensive training programme which staff from the Architectural Services Division and other Departments regularly attend. It is the view of the City Architectural Services Officer that these seminars are normally of a very high standard and includes training relating to EFQM and Best Value which are a higher priority for all Departments within Dundee City Council. As a member of COSLA these are provided free.

7.7 Education

COSLA has been extremely supportive in promoting the case to the Executive of those authorities including Dundee who have suffered badly as a result of the distribution methodology adopted in funding the McCrone settlement. The joint case presented to the Minister of Finance by COSLA on the affected authorities' behalf and supported by all COSLA members has succeeded in gaining additional support for funding which would have much less chance of a success had it been presented by individual authorities on an individual case basis.

It will continue to be important to have an Education voice on COSLA as future implications of McCrone are addressed i.e. job sizing and promoted teaching posts, revised staff structures for schools, reduced class contact, and additional support staff.

It is particularly important to retain the COSLA input to the Scottish Executive spending reviews especially in the case of Education where new funding in the main comes in the form of specific grant attached to taking forward identified national priorities.

In addition to the strategic advantages of COSLA membership, there are also operational benefits, e.g. from receiving guidance on the interpretation and implementation of national pay and conditions of service agreements which has enabled a consistent approach across local authorities in Scotland. It has also been possible through COSLA working groups to address issues such as inter-authority payment arrangements attached to special educational needs provision.

7.8 Social Work

The Director attends the Health and Social Work network (3 monthly) with the Convener of Social Work and this has a wide range of responsibility in terms of influencing the development of policy and legislation. The Director of Social Work also represents COSLA on the Criminal Justice Development Centre and on the Risk Management Authority Project Board.

The Manager of Criminal Justice has been asked to attend the COSLA Working Group in respect of Scottish Executive proposals to establish a National Correction Agency. The Criminal Justice Service has also been involved in offering professional advice on policy initiatives and contributing to the COSLA Tough Options Monitoring Group. COSLA was also very active in challenging the prison contracting issue and achieving a more sensible outcome.

Members will be aware that local government is currently facing the prospect of a National Correction Agency and it will be extremely important for local authorities to speak with one voice through COSLA in opposing this and at the very least reshaping the proposals. COSLA has already taken a very robust stance in the short term since the elections and it is vital that this dialogue continues. The Social Work Department has an officer seconded to COSLA to help implement Supporting People.

COSLA had a key role in the development of free personal care and in the decision to postpone its implementation from April to July last year. The Scottish Executive proposed the implementation of Single Shared Assessment and at the same time establish the Resource Utilisation Measure (RUM). COSLA successfully argued that both could not be implemented at the same time. Implementation of RUM was delayed as a result of this COSLA intervention. The Director of Social Work has also been personally involved in the Supporting People Lead Officer Group Chair; Supporting

People Stakeholders Groups; and Supporting People Communication Group. COSLA has also been a successful vehicle in lobbying the Scottish Executive in regard to Social Work's areas such as:

- 1 Residential Rates; negotiating with the Scottish Executive, Private Sector and Voluntary Sector
- 2 Free Personal Care; budget and budget distribution negotiations
- 3 Health Improvement; emphasising the Public Health role of local authorities
- 4 Supporting People; budget distribution, budget growth, registration and de-registration issues
- 5 Joint Future matters; ensuring that emphasis is appropriately placed on strengthening the democratic process
- 6 Charging; setting a national framework and providing a mechanism for negotiation with the Scottish Executive

7.9 Housing

Officers from the Housing Department are involved in the following COSLA Working Groups:

- 1 Housing Policy Research Information Group which is responsible for commissioning and sharing research into Housing Services
- 2 Housing Practitioners Forum on Community Care which promotes the sharing of best practice and provides information and advice on new initiatives e.g. Supporting People

In addition, the Director of Housing is a member of the Association of Local Authorities Chief Housing Officers which is supported by COSLA and has been instrumental in amending proposed legislation.

COSLA have continued to co-ordinate local authorities response to the raft of new housing legislation. The Housing Act is the most important piece of Housing legislation for 20 years and contains a range of proposals which significantly affect how Councils operate. The proposals also have major financial implications for Councils and COSLA is currently arguing for additional resources to meet these costs. There are many operational issues which will arise from this new legislation and COSLA are active in ensuring a fair deal for local authorities.

In addition, there are a number of issues currently on the table, e.g. Supporting People, Housing Improvement Task Force report, Homelessness Act 2003, Prudential Borrowing, HMOs, Private Sector Grants, in which COSLA is active in shaping future policy.

7.10 Planning and Transportation

The Planning and Transportation Department is a member of the Scottish Building Control Organisation which is administered by COSLA and is a member/officer group looking at building control issues as well as allowing entry to the Type Approval Scheme. Officers within the Policy and Regeneration Division are members of the

following COSLA Working Groups: GIS Research and Information Managers' Network which provides knowledge about Geographic Information Systems and their application; Planning, Economic and Transport Research and Intelligence Group; Social Inclusion Research and Information Group which monitors and develops statistical information relating to local government, in particular deprivation; and Scottish Census Advisory Group which provides consultation on the Census.

7.11 Economic Development

Officers from the Economic Development Department attend the COSLA Energy Managers' Group quarterly meetings which operates as a good source and sounding board for energy related issues.

7.12 Environmental and Consumer Protection

In the Environmental and Consumer Protection Department, officers attend the Environmental Services Group which provides information on waste management, the COSLA Contaminated Land Officers' Network which looks at matters arising from regulations, registers and strategies as well as liaising with the Scottish Executive's Environmental Protection Unit. In addition, a COSLA Officers' Network for Waste Management is now being established. This Group will be able to involve the Scottish Executive on various issues such as how monies will be distributed through the Strategic Waste Fund and any other important waste management related issues.

COSLA also played a major role in securing/negotiating funding for the disposal of fridges and all local authorities benefited from the work that was undertaken at the time. COSLA has also formed a partnership with the East of Scotland European Consortium to establish how Scottish local authorities could influence the EU policy process in terms of forthcoming legislation. Councils have recently had legislation thrust upon them e.g. the WEEE Regulations, the End of Life Vehicle Directive and the Fridge Legislation without any input to the legislative process.

7.13 Dundee Contract Services

The Director of Dundee Contract Services represents COSLA on the Joint Scottish Apprenticeship Board for the Building Industry. This involvement with the Board greatly assists the implementation of the pre-vocational training scheme for Building Craft Apprentices.

7.14 Neighbourhood Resources and Development

1 Voluntary Sector Liaison

Councillor Helen Wright was appointed by COSLA as convener of the Scottish Voluntary Sector Task Group. The group is serviced by the Acting Director and brings together local authority representatives, Scottish Executive representatives and the Scottish Council for Voluntary Organisations.

The group has acted as a policy sounding board for both local authorities and the Executive and has influenced the Scottish Executive's policies in relation to the voluntary sector.

Locally, membership of the group has assisted Dundee City Council to ensure that its policies and practices, in relation to voluntary sector, benefit from an

exchange of best practice and are at the forefront in policy and practice nationally.

2 Community Regeneration

COSLA has been the vehicle through which Dundee City Council was enabled to take part in the Scottish Executive Stakeholders Group, reviewing the guidelines for transitional arrangements for SIPS. Through this and other involvements, such as the COSLA Urban Task Group, COSLA has been able to influence Scottish Executive policies such as the regeneration statement "Building Stronger Communities" and subsequent funding programmes.

On a number of matters, local authority representatives have liaised through COSLA prior to meeting Scottish Executive representatives and this has clearly strengthened the local government hand in negotiations.

3 Community Learning and Development

The previous Director was appointed as chair on the National Training Review Group, which has set the policy direction for training for community learning and development in Scotland. This review group had strong links with COSLA and, again, the ability of local authorities to network has benefited Dundee in terms of policy and practice exchange.

There have been some practical benefits coming from this, particularly following local government reorganisation.

4 Youth Work

Dialogue Youth is co-ordinated via COSLA.
COSLA also represents local councils on YouthLink.

5 Public Protection

COSLA is involved in discussions over Criminal Record Check Revisions and the new Sex Offenders Index arrangements.

6 Library and Information Services

COSLA played the lead role in the development of standards for library and information services several years ago. They also played a significant part in the implementation of the People's Network, and without their involvement local authorities would not have had such an effective and efficient vehicle to deliver this initiative.

Other officer networks on which Dundee City Council is represented include the Equality Network which provides a forum for research, good practice development and policy formulation on equality issues; the Social Inclusion Officers Network which provides input to the Scottish Executive Inclusion Network, and the COSLA Credit Union Task Force which has fed information to local authorities and the Scottish Executive in relation to the development of the national strategy for credit unions in Scotland; more recently, Dundee City Council was invited to join the Scottish Neighbourhood Statistics Steering Group – this group was set up by the Scottish Executive under the auspices of COSLA to agree a work plan for a major project aimed at advancing the production,

dissemination and use of data at local and national levels relating to deprivation. This group has the capacity to make a significant contribution to the monitoring of deprivation data and to ensuring that influence on the Scottish Executive's thinking for the future funding of strategies to address social inclusion/deprivation.

7.15 Leisure and Arts

The Director of Leisure and Arts is a COSLA adviser on Culture and Sports issues. In this capacity he is a member of the Ministerial Task Force on the Implementation of the Cultural Strategy; has been part of the Group for Guidance for Local Authorities in the Cultural Strategy; is member of the Executive/COSLA Review of Local Authorities Cultural and Leisure Services Group.

7.16 Finance

The Director of Finance was a member of the joint Scottish Executive /COSLA group on Spending Review 2002 , this group had a critical role in advice and negotiations with the Scottish Executive on the 3 year Local Government financial settlement 2003/04 to 2005/06.

It is likely that a similar Group will be established to take forward the Spending Review 2004, and it would certainly be preferable if the City Council were represented within such a Group. The Director of Finance was a member of the Advisory Group on Waste Disposal and the Advisory Group on the Councillor Code of Conduct. The Director of Finance was also the finance representative on the COSLA/Scottish Executive group which looked at the adequacy of the McCrone funding , and the Group was instrumental in achieving additional funding from the Scottish Executive. The Director of Finance is firmly of the opinion that in order to maximise the level of Scottish Executive funding the City Council should continue as a member of COSLA.

8. CONCLUSION

If the Council continues to maintain its current position of withdrawing from membership of COSLA by 31 March 2004 then, as shown above, there will be an adverse effect on the influence the Council's officers and members will have in many areas of policy development that have a direct effect on the services provided by Dundee City Council.

It is the view of the Officers of Dundee City Council that the COSLA subscription has been recovered through additional income through the actions of COSLA. It would not be prudent in financial terms for the Council to withdraw from COSLA.

9. CONSULTATION

All Chief Officers have been consulted in the formulation of this report.

10. BACKGROUND PAPERS

COSLA Review and Implementation Plan 2001.

Alex Stephen
Chief Executive

3 June 2003