

REPORT TO: POLICY AND RESOURCES COMMITTEE – 8 January 2001
REPORT ON: LEADERSHIP ADVISORY PANEL – UPDATE
REPORT BY: CHIEF EXECUTIVE
REPORT NO: 46-2001

1. PURPOSE OF REPORT

To update members on the latest position in regard to the Modernising Agenda and agree the Council's response to the Leadership Advisory Panel.

2. RECOMMENDATIONS

It is recommended that the Council agrees:

- i) to submit Section 9 of this report as the Council's position statement to the Leadership Advisory Panel
- ii) that a cross party working group be established to consider information from the Leadership Advisory Panel and the Renewing Local Democracy Working Group, as it becomes available in order to investigate the merits and demerits of changing the Council's current scrutiny and committee arrangements

3. FINANCIAL IMPLICATIONS

There are no financial implications. However any decision to establish a new structure for conducting the business of the Council might have some financial implications.

4. LOCAL AGENDA 21 IMPLICATIONS

There are no local agenda 21 implications.

5. EQUAL OPPORTUNITIES IMPLICATIONS

There are no equal opportunities implications.

6. BACKGROUND

Members will recall that a remit was given to the Chief Executive at the Policy and Resources Committee meeting of 8 November 1999 to bring forward a report on the process of reviewing the Council decision-making structures, taking into account the guidance to be provided by the Leadership Advisory Panel established by the Scottish Executive.

The Leadership Advisory Panel was asked to advise on whether councils met a number of required criteria including:

- Council business should be managed so that policy proposals and decisions are subject to open debate
- the Council can effectively scrutinise the actions of the Leadership and hold it to account
- the work of the Council should take place as far as possible in public

- business should be organised so that a wide cross section of the community can realistically consider becoming a councillor

Councils were required to undertake a review that would bring forward proposals for formalising the political leadership structure and these should:

- provide all members of the Council with effective roles
- strike a balance between the freedom of the Leadership to operate effectively and the need for robust scrutiny
- spell out the relationship between council structures and any decentralised decision making forums and community councils

Reviews should be open and transparent, involving consultation with the opposition groups, the senior management team and the general public.

The Scottish Executive also acknowledged that many councils had already begun the review process and in Dundee's case a number of changes have been made to the committee system with significant changes to Standing Orders in order to streamline procedures.

Subsequent to this report being agreed the Leadership Advisory Panel issued a questionnaire to councils and this was replied to on 30 November 1999 following consultation with all group leaders and the independent member in regard to that response. (attached as Appendix A)

Members of the Council also met with representatives of the Leadership Advisory Panel on 17 January 2000 at which representations were made from elected members. Subsequently members of the Leadership Advisory Panel arranged to meet the Chief Executive, the Leader of the Administration and the Director of Corporate Planning on 27 November 2000 to consider what changes in processes and structures the Council have made in the last few years.

Following this meeting the Leadership Advisory Panel indicated they would comment on the Council's position in respect of the review and would require a 500 to 600 word statement from the Council outlining the Council's position in regard to the review and how any new arrangements meet the Leadership Advisory Panel criteria. It is intended that this statement would be included verbatim in the Leadership Panel's final report along with the Panel's assessment of the work done by the council.

7. LEADERSHIP ADVISORY PANEL SUGGESTIONS

The Leadership Panel recognises that the Council has made a number of changes to its processes and structures in recent years and it welcomed the moves to streamline paperwork, delegate operational matters to officers, the encouragement of cross-cutting working at officer level, and the creation of an audit committee.

In particular it noted the swift and efficient despatch of business which the current structure is able to deliver and it recognised that Dundee is almost unique in Scotland in that all of its 29 members belong to all committees, thereby giving everyone a direct opportunity to debate and challenge any policy issues which arise in committee.

The panel also expressed an opinion that the Council could have undertaken a different approach to any review through the establishment of a cross-party group which could examine and appraise possible options for changes to the committee system. In particular the panel would wish to see cross-party considerations of issues such as the scope for developing more effective modes of scrutiny, for further streamlining the

number of committees, and the merits/demerits of establishing an executive structure. Members will recall that at the meeting with the Leadership Advisory Panel on 20 January 2000 elected members of all political persuasions within the Council made clear to the Leadership Panel that the establishment of an executive structure and further streamlining of committees were not an option that the Council wished to pursue at that moment in time.

A number of local authorities are currently experimenting with different models of scrutiny, executive/cabinets and committee structures. As well as the Leadership Advisory Panel's report on the progress and advantages and disadvantages of these new models Councils are still awaiting the Scottish Executive's response to the findings of the Report of the Renewing Local Democracy Working Group which may have a profound effect on how local Councils conduct their business.

In light of the above it would appear timeous to establish a cross party working group to consider the information in these areas as it becomes available with a view to investigating the merits and demerits of changing the Council's current scrutiny and committee arrangements.

The Panel now requires a position statement from the Council to the executive as an expression of the collective position of the council with members collective agreement to the text.

8. COUNCIL PROGRESS

There are a number of areas that have been indicated to the Leadership Advisory Panel which the Council has already reviewed, including member support arrangements through the Best Value Review process, and officer support arrangements through EFQM and the Employee Survey.

Previously, the Council had also indicated areas that have not been considered as part of the review process, these included arrangements to encourage more people to become councillors as this was directly in the remit of political parties and number of candidates standing for the Council in Dundee has been on the increase; the use of the party whip which again is a matter for individual political party groups and is not used on the quasi judicial committees of the Council; balance of members workloads between committee business, policy development, scrutiny and ward advocacy functions. There are a number of survey difficulties in this latter area which have already been highlighted through the Scottish Local Government Information Unit survey and in Dundee's case many of these issues have already being addressed by the Council in its submission to the Boundary Commission in regard to the appropriate number of councillors for Dundee.

In those areas that the Council indicated it would examine, progress is as follows:-

a) Scrutiny or Review Process

Dundee is unique in Scotland as all major committees comprise all members of the Council which in turn means that all committees have fully delegated powers so allowing a rapid implementation of decisions without a delay for ratification by the full Council.

Dundee is also in a unique position whereby the local press has a reporter covering every committee meeting of the council with the consequence that the public in Dundee are fairly clear about where decisions are taken and who takes them.

Complex and potentially divisive issues have been debated in detail by joint officer/member working groups before a final decision of the appropriate committee. Many of these groups have involved representatives of outside bodies as well as community groups and individuals who are receiving the service, for example older peoples working group, education morale working group.

The Council is also well on target in regard to its implementation of Best Value Reviews which cover all the services delivered by the Council. Because all members are on all committees then all policy decisions are open to scrutiny and debate by all members of the Council. All committees are open to the public and all agendas are public documents and there are regular deputation's to the committees and decisions are not a foregone conclusion given the current political mix. The Council also operates a number of neighbourhood development fora which are conducted annually within local areas of the City. The Council has also established an audit sub committee of the Finance committee in line with the recommendations from Nolan.

b) Policy Development Processes

As well as the joint officer/member working groups indicated above, both the Council's Corporate Plan 1996-1999 and the Council Plan 1999-2002 identify values which define how the Council will behave. These values are based on the key principles of public life, selflessness, integrity, objectivity, accountability, openness, honesty and leadership. All policies are formulated within this context and all policy decisions are open to scrutiny and debate. In addition a three year service plan is submitted by every department of the Council to the relevant committee. These are updated annually showing performance against agreed measures and targets as well as projections for future years.

c) Job Profiles for Members and Training Development for Members and Officers

In the case of the former it is felt that COSLA is the most appropriate organisation to arrive at job profiles for individual members of councils. Once these are generically established then individual councils could adopt them to their individual circumstances. Similarly it is also appropriate for COSLA to develop an educational package for councillors rather than each council individually, and currently COSLA is consulting on this process. Nevertheless, the Council has signed up to the Councillor Development Charter, conducted a survey of members' development needs, organised induction training and a programme of seminars on topical issues. Training plans have been established for all officers of the council and are reviewed annually within the context of departmental training plans.

d) Member Officer Relationships

In March 2000 the Council adopted a Code of Conduct for councillors to be used in the interim period until the Ethical Standards and Public Life, (Scotland), Bill became law. This code followed the guidance and principles of Nolan and considered that councillors should respect the role of the Council's officers and employees and treat them with courtesy at all times. The council did consider the establishment of a Standards Committee as suggested by the Nolan Committee. However, there was doubt expressed as to whether a standards committee or a small group of councillors investigating alleged misconduct by other councillors would actually work. This could be seen as an attempt to

transpose a parliamentary arrangement into local government without full consideration of the differences between the two.

e) **Relations with Other Bodies**

Dundee City Council is constantly reviewing its relationship with other bodies and was one of the first areas in Scotland to have a local partnership, the Dundee Partnership which involves all the major organisations including Universities and SET as well as the Chamber of Commerce to plan the future direction for economic development within the City. The Council is taking a lead role in the Community Planning process and this is currently underway and will be the main vehicle for reviewing relationships with other bodies. The Council has undertaken a number of surveys through both its priority search survey in regard to the Council Plan and its programme of Best Value Reviews. This customer consultation has been undertaken on a substantial scale has been augmented by the formation of neighbourhood fora within local areas in Dundee which give a voice to local people. The Council also undertakes an Annual Consumer Survey of Dundee residents commenting on the various aspects of the work of the Council. The Council also has an internet facility which has won the Scottish Local Government Best Website award.

9. **COUNCIL POSITION STATEMENT**

There has been no clear demand within Dundee City Council for the establishment of an executive or cabinet. This is perhaps not surprising given that all councillors are currently involved in policy making and decision making through their representation on every committee of the Council. There is a concern that an executive or cabinet will create two tiers of councillors with a centralisation of power within the hands of a few chosen individuals. Councillors in general cannot see how an executive/cabinet will improve the council's position and any restructuring to accommodate such would likely increase costs without any discernible improvement in services. All Council policy proposals and decisions are subject to open debate with all councillors participating fully in scrutinising decisions as they are members of every committee. This inclusiveness provides all members with effective roles in a Council with no overall majority

Re-organising Council structures has not been seen as a major priority within the Council with far more importance given to the overriding influence of problems caused by re-organisation and the physically restricted boundaries of the city whereby many of the middle class council tax paying citizens were removed.

This has led to a continuing budgetary crisis situation of increasing council tax, further compounded by out-migration often to areas around the city which are within easy commuting distance. This has created an almost cyclical affect of increase in council tax to compensate for out-migration, followed by further out-migration, followed by a further increase in council tax.

The Council has seen as its number one priority the necessity to manage the situation financially, at the same time attempting to deliver the government's political imperatives for local government and to be responsive to the citizens of Dundee's service demands. In the city wide priority search consultation exercise undertaken as part of the council planning process, care of the elderly, employment, play provision, and education came top of the public's priorities. Out of almost 30 issues on which the public were asked about their priorities, organisation of council services struggled to get out of the bottom five.

The Council will continue to consult the general public through Neighbourhood Fora, Community Councils, the Annual Consumer Survey and individual Best Value Review consultations.

Notwithstanding the above the Council did streamline the authority in 1996 and will continue to undertake restructuring to improve the service delivery and improve joint working between Council Departments and organisations such as Health Boards/Trusts, Scottish Homes and Scottish Enterprise Tayside.

The Council has also established joint officer/member working groups involving representatives from outside bodies, community groups and individual service users. An audit sub-committee has been established and Departmental Service and Action Plans are updated annual at appropriate committees with clear performance information and future targets for achievement.

The Council has signed up to the Councillor Development Charter and organised training and seminars to further councillor development.

For our Best Value Review process we have recently agreed to set up a pilot area service team to co-ordinate the work of various departments in local areas to provide a rapid response function and reduce the size of central organisational structure within the Council. The Council is also currently undergoing a corporate Performance Management and Planning audit and any recommendations arising from this audit that will bring better management to the Council will be addressed. The Council will also review its relationship with other bodies through its lead role in Community Planning.

10 **CONSULTATIONS**

The Directors of Support Services, Finance and Corporate Planning have been consulted in the preparation of this report.

Chief Executive Date

APPENDIX A

RESPONSE TO LEADERSHIP ADVISORY PANEL QUESTIONNAIRE

1 COUNCIL BUSINESS SHOULD BE MANAGED IN SUCH A WAY THAT POLICY PROPOSALS AND MATTERS FOR DECISION BY THE COUNCIL ARE SUBJECT TO OPEN DEBATE

1.1 Describe the current decision making process in the Council.

The Council's decision making process is based on a combination of decisions made by Committees and powers delegated to the Chief Executive and Chief Officers.

Dundee City Council's Committee structure comprises 15 committees and 12 sub-committees. The sub-committees discharge principally regulatory functions such as the Social Work Registrations and Cases Sub-Committee and the School Attendance Sub-Committee, and as such operate with a small membership. So far as the main Council Committees are concerned, with the exception of the Licensing Committee which operates in a quasi-judicial manner, all members of the Council are members.

This ensures that no one is excluded from debate and discussion on any business coming before these Committees, even the one independent member currently on the City Council. A benefit from this is that it has been possible to develop a comprehensive Scheme of Administration on Powers Delegated to Officers of the Council which, when operated in conjunction with a set of Standing Orders which delegates full powers to Committees, irrespective of any divisions, means a very speedy and efficient decision-making process. The Standing Orders and lists of powers delegated to Officers are documents which are open to public inspection at any time.

1.2 Does the Council have plans to make it clearer to the public who takes decisions and in what forums decisions are made?

This will be considered as part of the Council's review.

1.3 How are decisions taken by officers or members made known to other members of the Council?

Since all members are members of all main Council committees, there is not generally an issue of some members having to be made aware of decisions made by others. Minutes of the committees with a smaller membership, as detailed under 1.1, are reported to the full Council.

Decisions taken by officers in accordance with the scheme of delegation are not reported to members, though they would be subject to scrutiny through arrangements such as audit.

An exception to this is that decisions which have to be made urgently between Committee meetings can be dealt with by Chief Officers in consultation with relevant Conveners and spokespersons from the opposition groups. In these circumstances, a report does go to the next Committee meeting for information.

- 1.4 Do you think there is scope for improving the current decision making process or moving towards a new process?

This will be considered as part of the Council's review.

- 1.5 Is the political leadership of the Council set up in a formal, open and accountable way or what are the Councils proposals to achieve this?

Appointments to positions such as Lord Provost and Conveners of Committees are made at Council meetings which are open to the public and press. Appointments made by political groups (such as group secretary) are decided within each group.

- 2 THE COUNCIL MUST BE ABLE TO EFFECTIVELY SCRUTINISE THE ACTIONS OF THE LEADERSHIP OR EXECUTIVE AND HOLD IT TO ACCOUNT FOR ITS PERFORMANCE

- 2.1 Are procedures in place to ensure that decisions can be properly questioned and debated or does the Council have proposals to allow this to happen?

As stated above, all members are members of every Committee and receive all agendas, minutes and reports. Procedures allow members to place items on agendas, to ask questions about any matter under consideration and to move that action be taken.

- 2.2 Is information on the Council's performance regularly made available to members or are there plans to do this?

The Council has a Corporate Plan and each department has produced Service Plans which contain performance indicators and targets. Progress on targets will be reported to Committees annually.

Members also have a right of access to Council documents if seeking information.

- 2.3 How are the actions of the leadership or executive currently scrutinised?

Council members can exercise their right to place items on agendas and ask questions at any Council meetings. Proceedings of Committees are also extensively reported in the local press.

- 2.4 Do you feel there is a need to modernise this scrutiny process and, if so, what is proposed?

This will be considered as part of the Council's review.

- 3 ALL MEMBERS SHOULD HAVE THE OPPORTUNITY TO PARTICIPATE IN POLICY DEVELOPMENT OR RAISE CONCERNS OF THEIR OWN.

- 3.1 Are mechanisms in place to allow members to contribute to the policy development process or are there proposals to establish this?

As well as reports being considered by Committees, all-party working groups are used to develop policy on a range of issues. Although all members are not involved in each group, there is an opportunity to contribute through colleagues

and to consider the recommendations of the groups once these come to Committee.

- 3.2 What mechanisms are in place or proposed to allow any member to bring forward matters which may have been overlooked, to point to gaps in policy, or speak out for local concerns?

As mentioned above, members have the right to place items on agendas and ask questions. Any other mechanisms will be considered as part of the Council's review.

- 4 THE COUNCIL'S WORK SHOULD TAKE PLACE, AS FAR AS POSSIBLE, IN PUBLIC AND FREE FROM UNNECESSARY CONSTRAINTS IMPOSED BY THE USE OF THE PARTY WHIP

- 4.1 Is the political whip operated by political groups?

Yes, although not in relation to quasi-judicial decisions such as planning, licensing, appeals and personnel issues.

- 4.2 How do political groups decide when the party whip should apply?

The whip will generally apply, except in the cases outlined under 4.1 above.

- 4.3 What is the differentiation between, for example, major policy issues, allocation of resources, general budget strategy, and other types of issues when it comes to applying the party whip?

The whip could be applied on any of the issues outlined in the question. It would not be applied on the issues detailed under 4.1 above.

- 4.4 How does the party whip apply to forums which scrutinise performance of the leadership or Executive and are such forums held in public?

The forums which scrutinise performance are the meetings of the Council and its Committees. These are held in public and the party whip may apply as outlined under 4.1 and 4.3 above.

- 4.5 How would the public know if the party whip applied when a particular decision was taken?

There is no specific arrangement in place for this. The public would only know if members chose to make a statement to this effect.

- 5 COUNCIL BUSINESS SHOULD BE ORGANISED IN A WAY WHICH MAKES IT POSSIBLE FOR AS WIDE A CROSS-SECTION OF THE COMMUNITY TO REALISTICALLY CONSIDER BECOMING A COUNCILLOR

- 5.1 Do you feel there is a need for the Council to take steps (for example, changing the timing of meetings) to allow more people to consider standing for election to the Council?

The Council has already adopted the policy of holding virtually all meetings in the evening, which allows members with day-time commitments to attend. The only exceptions are meetings such as the Licensing Committee (where e.g. it would be

inconvenient to expect attendees and their representatives to come outwith business hours) and Appointments Committee.

- 5.2 The nature, volume and timing of Council business should be subject to close and critical examination. What work has been done or is proposed on this?

The Council has already taken a number of steps to minimise time spent unnecessarily in meetings. The Scheme of Delegation helps reduce the number of items which have to go to Committee and there is a general policy that reports to Committee ‘for information only’ should be avoided. Reports are also generally restricted to 4 pages (with additional information included in appendices) and are written in a standard format (sample appended). This ensures that reports are clear, accessible and that any decisions recommended are transparent. The Council has also combined groups of Committees so that only 3 evenings per month are used for meetings.

- 5.3 If this examination has already taken place, what non-essential or unproductive activities have stopped?

Making all members of the Council members of all Committees means that items do not have to be referred to a subsequent meeting for ratification.

- 6 ALL MEMBERS SHOULD HAVE THE OPPORTUNITY TO ACCESS APPROPRIATE TRAINING AND DEVELOPMENT

- 6.1 Are job descriptions for members in place or are there proposals to do this?

No job descriptions are in place, but the Council supports the principle of developing these.

- 6.2 Are training and development arrangements for members in place or proposed?

A limited amount of training is provided, particularly in terms of induction for newly elected members e.g.:

- all Directors provide a briefing on their Department’s role, structure and current policy issues
- training is given on the exercise of the Council’s quasi-judicial facilities

In addition, there is compulsory training on fair selection procedures for any members involved in recruitment panels, along with training on the conduct of appeals. Training on use of IT facilities is also available.

- 6.3 How should members be made more aware of the roles they are expected to undertake:

There is no formal process in place at present. It is suggested that guidance on this could be developed in conjunction with the development of job descriptions.

7 APPROPRIATE SUPPORT ARRANGEMENTS SHOULD BE IN PLACE TO ASSIST ALL MEMBERS IN UNDERTAKING THEIR VARIOUS ROLES

7.1 What arrangements are in place to support members in carrying out their various roles – i.e. – executive, scrutiny, community advocate, quasi-judicial and policy formulation?

The Council has a Members' Support Unit which provides secretarial support and arranges equipment such as telephones and IT. Members also have free advertising and access to Council accommodation to conduct surgeries.

In terms of other support for Councillors' roles, all members have access to Council officers for information and advice and to discuss policy options. As mentioned above, members also receive specific briefings on the conduct of quasi-judicial functions.

7.2 Is there a need to modernise or improve existing arrangements and, if so, what is proposed?

This will be considered as part of the Council's review.

8 THE ROLES AND RELATIONSHIPS OF MEMBERS AND OFFICERS SHOULD BE CLEARLY DEFINED

8.1 Are the roles and relationships of members and officers defined and, if so, what mechanisms were used to develop the definitions?

There is no formal, written definition of roles and relationships. These are based on custom and practice, in adherence to the general principle that members develop policy (with advice from officers) while officers implement the decisions made.

8.2 If roles are not defined, what proposals are there for taking this forward?

This will be considered as part of the Council's review.

8.3 Are specific training and development arrangements proposed to inform members on this issue?

There are no current proposals, but this will be considered as part of the Council's review and in the light of any recommendations from the Leadership Advisory Panel.

9 APPROPRIATE ARRANGEMENTS SHOULD BE IN PLACE TO PROMOTE THE HIGHEST STANDARDS OF CONDUCT BY MEMBERS AND OFFICERS

9.1 Describe any arrangements which are already in place to promote the highest standards of conduct by members and officers.

On being elected, members undertake to abide by the National Code of Local Government Conduct and also make declarations of interest which can be updated as appropriate. The declaration form used by Dundee goes beyond the current requirements of the legislation (copy attached for information). The Council is currently considering the development of a local code of conduct.

A Code of Conduct for officers has been adopted, based on the model developed by COSLA. The Council also requires all first and second tier officers to complete

a 'declaration of interest' form similar to that used by members, and this requirement may be extended to all employees.

All members and officers are required to declare gifts or hospitality in accordance with guidelines. (A copy of the form used by members is attached for information). A series of briefings have been held to ensure that members are aware of the guidelines and procedures.

9.2 How are existing arrangements integrated into the formal processes and policies of the Council?

The Council's Standing Orders incorporate the National Code of Local Government Conduct. Any proposals for a local code will be subject to decision by Committee, as was the Code of Conduct for officers.

9.3 What independent elements are built into any existing process and did any consultation exercise take place?

The Council does not have a Standards Committee at present. In considering a local Code of Conduct, members may wish to consider the involvement of independent elements.

9.4 Do you think there is scope for improving any existing arrangements or moving to new arrangements?

The Council will consider this in light of proposals from the Scottish Executive.

10 A COMPREHENSIVE INFORMATION STRATEGY SHOULD BE IN PLACE FOR ALL MEMBERS

10.1 How are all members kept informed of what is happening in the Council and do you think there is any scope to improve that?

As stated earlier, all members receive agendas, minutes and reports for all Council meetings. Relevant documents are also made available in the Councillors' Lounge as appropriate.

11 THE COUNCIL'S DECISION-MAKING AND POLICY DEVELOPMENT PROCESSES SHOULD SUPPORT THE COUNCIL'S COMMUNITY PLANNING AND COMMUNITY LEADERSHIP ROLES AND HAVE CLEAR LINKS TO KEY EXTERNAL PARTNERS.

11.1 Describe how existing processes support the community planning and community leadership role

The Council agreed a report on Community Planning in November, which includes proposals for a structure to deliver effective implementation. This provides for a Forum, a Management Group and a Co-ordinating Group which will all include representatives of key partners as well as the Council. Formal consultation with partners on this structure is now being arranged.

12 AN INCLUSIVE POLITICAL APPROACH SHOULD BE DEVELOPED

12.1 What arrangements are in place or proposed to involve all political groups and, if appropriate, independent members, in the work of the Council?

As mentioned earlier, every councillor is a member of every Committee. In addition, all-party working groups have been used to gather information and develop policy in particular areas.

13 THE COUNCIL'S STAKEHOLDERS SHOULD BE INVOLVED IN THE COUNCIL'S DECISION MAKING AND POLICY DEVELOPMENT PROCESS

13.1 How do you involve, or plan to involve, stakeholders in the Council's decision making and policy development processes?

A number of methods are used to consult with stakeholders to gather views which then inform the development of policy e.g.

- an annual Consumer Survey
- a 'group priority search' questionnaire sent to every household in the city to inform the priorities identified in the Corporate Plan
- specific surveys by departments, including stakeholders identified as part of Best Value reviews
- Neighbourhood Forums involving individuals and groups in areas throughout the city
- direct consultation with affected users; (e.g. tenants) on matters which affect them
- a network of PINPOINT computer terminals, which provide information on Council services and have a 'feedback' facility

There is also provision for listening to deputations at Council meetings, and certain Committees include non-elected members representing stakeholder interests (e.g. Education, Equality Action). The Council also has commitments to consult certain groups on particular issues (e.g. Community Councils, Dundee Federation of Tenants Associations).

14 THE COUNCIL SHOULD ACTIVELY SEEK THE VIEWS OF THE PUBLIC ON POLICIES AND SERVICE NEEDS

14.1 Can the Council demonstrate effectively to its public how it regards the views expressed by them and how well is feedback provided to those who have been consulted?

The views expressed by the public will inform and influence the development of policies and services, and the publication of information on issues such as the annual consumer survey and performance indicators should allow the public to judge the extent to which their concerns are being addressed. Some consultation arrangements, such as the Neighbourhood Forums, include mechanisms for following up decisions and reporting back on progress. In other cases, there may not be formal feedback but the Council's subsequent actions will provide evidence of how it regards the views of those consulted.

14.2 Does the Council invite interest groups of those with a specialist knowledge to help it in formulating policy or does it have plans in this area?

Yes, the use of working groups to develop policy in particular areas does allow the input of specialist interest groups (e.g. environmental groups on Local Agenda 21; operators of private residential homes on the Older Persons Working Group; private landlords and housing associations on the Landlord's Forum).

- 14.3 Does the Council have mechanisms to allow members of the public or interest groups to participate in the policy and service needs debate?

To some extent, deputations to Committee provide a limited opportunity to participate in debates. Working Groups, as mentioned earlier, provide greater opportunity for this. Debates on policy and service needs are also influenced by the range of consultation exercises outlined under 13.1 above.

REPORT TO: MANAGEMENT TEAM
REPORT ON: REPORTS FORMAT
REPORT BY: DIRECTOR OF SUPPORT SERVICES
REPORT NO: 1/2000

1.0 PURPOSE OF REPORT

(To be kept brief - indicating whether report for information, for decision, in discharge of remit etc.)

2.0 RECOMMENDATIONS

3.0 FINANCIAL IMPLICATIONS)

4.0 LOCAL AGENDA 21 IMPLICATIONS) If none, simply state "None"

5.0 EQUAL OPPORTUNITIES IMPLICATIONS)

6.0 MAIN TEXT

The introductory paragraph to the main text should include the previous committee reference(s) if any.

Wherever possible reports should not exceed more than 4 sides of A4 in length.

Reports which take up a page or less (one side A4) will be treated as agenda notes and need not follow the format and order detailed here. Notes should still include a clear statement or recommendation as to the action the committee is being asked to take.

For ease of reference, reports should use numbered paragraphs.

7.0 **CONSULTATIONS**

8.0 **BACKGROUND PAPERS**

9.0 **SIGNATURE**

Actual signature, not just typed name, together with date of signature and departmental file reference, where appropriate.



**Register of Members' Interests
General Notice of Registerable Interests**

I (Name) _____, an elected member of Dundee City Council for Ward _____ give notice that

I have listed below all my interests which these regulations require me to declare. Where I have none I have entered "None" in the appropriate box.

PLEASE READ THE EXPLANATORY NOTES CAREFULLY BEFORE FILLING IN EACH SECTION OF THE FORM.

1. Employment, job, trade, profession or vocation

Notes

- (a) Use this box to show every job, employment, post, trade profession, business, official position or career or public office bearer's position which you hold and which brings you income which you have to declare for income tax purposes.
- (b) Give a short description of what it is you do: for example, "accountant", "joiner", "teacher", "director".
- (c) If you are employed, give the name of your employer. If you are employed by a company which is part of a larger group or holding company, give the name of the company which actually pays your wages or salary, not the holding company. If you are a partner in a firm, give the name of the firm.
- (d) Where you hold an official position as an office-bearer, give the name of the person or body which appointed you. If you hold a public office other than your position on the Council, name the public authority from which you receive any payment.

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2. Sponsorship

Notes

If you received financial backing or support towards your expenses in campaigning for election or in carrying out your duties as a Councillor since the last election, you must use this box to enter the name of the person(s) or body(s) who made you any payment (ie any person or body other than the Council). You do not have to declare the amount(s) you received.

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3. Contracts with the Authority

Notes

If you, or a firm in which you are a partner, or a company in which you have a financial stake or are a director, are involved in any contract to supply the Council with goods, services or works, you must use this box to give a description of the contract (including the length of time for which it will last). You only need to list contracts which are currently active and not complete and finalised. Nor do you need to disclose any financial details.

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4. Land in the area of the authority

Notes

- (a) In this form "land" includes building or parts of buildings.
- (b) Give the address or a brief description to identify any land which you own in the area of the City Council.
- (c) If you live in the area of the City Council, give your home address and state whether you are the owner, lessee or tenant.
- (d) If you receive rent for any property or if you have loaned out money for the purchase of land or property and receive mortgage payments, give the address or a description of such land or property.
- (e) If you have a connection with any land which you do not own and for which you do not receive rent or mortgage payments, but which you receive benefit either in cash or in kind, give its address and description.

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5. Licences or other informal arrangements to occupy land

Notes

- (a) In this form "land" includes buildings or parts of buildings
- (b) List any land which you have permission to occupy for a month or longer even if you do not have a lease or tenancy agreement. Give the address or a description to help identify it.

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6. Corporate Tenancies

Notes

Use this box to list any tenancy where the Landlord is Dundee City Council and the tenant is a company or firm in which you have an interest and from which you gain benefit or profit.

7. Interests in Companies and Securities

Notes

- (a) List the names of any companies, co-operative societies, provident societies or other bodies operating on a commercial basis for profit which are active in the area of Dundee City Council and in which you have a **substantial** interest from which you gain benefit or profit.
- (b) You do not need to declare the financial value of your interest.
- (c) A "substantial" interest would be if you own shares or other securities in the company with a nominal value of £25,000 or if you own 1/100th of the total issued share capital of a body.
If a body in which you have an interest has more than one class of share capital you only need to make a declaration if your interest in any one class exceeds 1/100th.
- (d) If you hold shares or securities through a nominee - ie they are held in a name other than your own, but you receive income from them - they too must be declared if they exceed the limits at (c) above.
- (e) "Securities" can be defined as shares, stocks, or bonds, which are evidence of your ownership of part of

a profit or dividend sharing company, society or body.

8. Please list the names of any societies and organisations (other than Council appointment) of which you are a member including, for example Social Clubs, Masonic and Orange Lodges, Knights of St Columba, Co-operative and other Friendly Societies, and religious and secular organisations.

Notes

When completing this box you do not have to identify your religion or affiliation to any particular Church, mosque, synagogue or temple.

9. Interests of spouse, partner or children and other household members (includes employment, contracts with authority, tenancies, interests in securities, etc)

Notes

Section 39 of the Local Government (Scotland) Act, 1973 makes it clear that the interests of spouses, partners and other close relatives will be considered to be an interest of a Councillor. Such interests should therefore be declared at any relevant meeting in the same way that you would declare your own interests.

Section 40 of the 1973 Act requires Councillors to give a written general notice of such interests and completion if

this section of the form will serve as a general notice in terms of Section 40.

10. Other Interests

Notes

- (a) Use this box to list any other interests which you have which in your judgement might be perceived by the press or public to be capable of influencing your actions as a Councillor or the way you might vote on a related matter in a Committee meeting.
- (b) You should consider whether interests of a friend or someone in your extended family might be perceived as influencing you, and list these interests too.

I recognise that so far as the requirements of the Local Authorities (Members Interests) Regulations 1992 are concerned it can be a criminal offence to:-

1. leave out information that ought to be given in this notice;
2. provide information that is materially false or misleading;
3. fail to give further notices in order to-
 - bring up to date information given in this notice
 - declare and interest that I acquire after the date of this notice and have to declare

Signed

Date

IMPORTANT

This form requires to be returned within one month of signing your declaration of acceptance of office as a Councillor.

If any of the above information supplied in this form is subject to change from time to time you are required to give further notice setting out the details. You are also required to give further notice setting out the details of any change within one month of that change.

Any person failing to comply with the Regulations without reasonable excuse or any person providing information known to be false or misleading shall be liable to prosecution.

Even though you have completed and submitted this form, it is still essential that when any matter in which you have an interest appears on an agenda, you declare that interest at the meeting and take no part in the discussion on that item.

Received

Date



**Register of Gifts and/or Hospitality Received by
Members of the Council**

Before completing this form carefully read the guidance notes overleaf.

1. Name of Member	
2. Ward Represented	
3. Convenership (if any)	
4. Description of *gift/hospitality and reason being offered *(delete as appropriate)	
5. Estimated Value	
6. Name of Company, organisation, body or Individual from whom gift or hospitality received.	

7. DECLARATION

I confirm that the information provided above is to the best of my knowledge true and accurate.

Signed

Date

NOTES OF GUIDANCE

1. The National Code of Local Government Conduct for Members, in relation to gifts, hospitality etc provides:-

"You should treat with extreme caution any offer or gift, favour or hospitality that is made to you personally. The person or organisation making the offer may be doing, or seeking to do, business with the Council, or may be applying to the Council for planning permission or some other kind of decision.

There are no hard or fast rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be a proper way of doing business, provided that they are approved by the local authority and that no extravagance is involved. Likewise, it may be reasonable for a Member to represent the Council at a social function or event organised by outside persons or bodies.

You are personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding the risk of damage to public confidence on local government. **The offer or receipt of gifts or invitations should always be reported to the appropriate senior officer of the Council.**"

2. In addition, Lord Nolan in his report on Standards in Public Life - Standards of Conduct in Local Government in England, Scotland and Wales at Recommendation 11 states:-

"Councillors should have to declare any interest which is not of a pecuniary kind and which members of the public could reasonably think could influence their actions, speeches or votes."

3. By way of general guidance it is suggested that when attending conferences, for example, sponsors gifts which are being made freely available to all delegates and guests, such as pens, keyrings, folders etc, may be accepted without the need to declare them. However, where a sponsor provides a dinner or other meal not paid for via conference fees, you should consider carefully whether to accept it and if you do, it should be declared.

A working lunch provided by someone other than the Council can be treated as exempt so long as you are accompanied by Officers of the Council and the hospitality provided is not "extravagant". A working lunch is one provided for the purpose of facilitating the discussion of business without losing time for a lunch break.

4. Gifts of alcohol or tobacco should not be accepted in any circumstances.

5. These procedures and the provisions of the Code of Conduct are for the protection of the good names and reputations of both Councillors and the City Council. Just because a gift or hospitality is offered, it does not have to be accepted. You should at all times bear in mind that the Council and you as a Councillor are in the public eye and you should consider whether acceptance of any gifts or hospitality would be perceived by the press or public as being likely to influence your actions or decisions on matters associated with the discharge of your duties. If there is any possibility that the public could come to the conclusion that you could be so influenced, you must decline to accept the gift or hospitality.

6. Members of the Council should, therefore, report all gifts, invitations and hospitality firstly to their own Group and thereafter to the Director of Support Services who will discuss with the Chief Executive and Director of Finance and then advise Members of any concerns. A record will be kept by the Director of Support Services of any gift, invitation or hospitality notified and accepted by Members.

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