

Operating the New Council Constitutions in English Local Authorities: A Process Evaluation

ELG Evaluation Team, July 2004

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About ELG

Evaluating Local Governance: New Constitutions and Ethics (ELG) is the name of a research project that is conducting a five year evaluation of the new council constitutions and ethical frameworks for the Office of the Deputy Prime Minister. The project involves a collaboration between the Department of Government, University of Manchester with Birkbeck College, Goldsmiths College and the SURF Centre at Salford University. The members of the research team are Professor Gerry Stoker, Dr Francesca Gains and Dr Stephen Greasley (University of Manchester), Professor Peter John (Birkbeck College), Professor Nirmala Rao (Goldsmiths College) and Professor Alan Harding (Salford University).

Further details about the project, publications and current activities can be found on our website www.elgnce.org.uk

The findings and recommendations in this report are those of the author(s) and do not necessarily represent the views or proposed policies of the Office of the Deputy Prime Minister

Evaluating Local Governance: New Constitutions and Ethics

Department of Government

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EXECUTIVE SUMMARY AND KEY FINDINGS

About this Report

This is the annual report of the Evaluating Local Governance research team for 2004 and the second of a series of five assessing the impact and outcomes of the Local Government Act 2000 part II and III. The Act formed a central plank of the Government's local government modernisation agenda and sought to improve efficiency, accountability, and trust in the conduct of local authority business through the creations of separate executives, the introduction of overview and scrutiny mechanisms and a new ethical framework to improve standards.

This year our report focuses on the *processes of implementation* which have been adopted to manage the new constitutions. Our core aim is to describe the ways of working adopted by local authorities in response to the demands of the 2000 Act. We draw on data from a census survey of all authorities in the summer of 2002, a survey of councillors, officers and stakeholders in forty authorities in the summer of 2003, visits to twenty authorities in the winter and spring of 2003/4 and a review of their constitutions and interviews with national policy makers. We highlight issues arising with the legislation or how the legislation has been put into practice and we seek to develop typologies that help to define and clarify the variation in operating practices. Our aim is to share insights with practitioners and policy makers and to reflect on how practice is flowing from the policy intentions behind the Act.

KEY POINTS

Attitudes towards the reform

- Our survey of nearly 2,000 respondents in a representative cross-section of 40 local authorities revealed that the introduction of the 2000 Act political management reform was opposed by a majority of councillors but supported by a majority of senior officers and stakeholders.

- The Act is seen as having improved the governance of councils by a majority of senior officers, most executive councillors and external stakeholders with a close connection to the working of local government.

Impact on councillor workloads

- Because councillors are involved in a range of activities outside of those most directly affected by part two and three of the Act it is difficult to be clear about the impact of the changes in governance arrangements on the time commitments of councillors. But it would appear that the role of an executive councillor can be very demanding and effectively a full time commitment in many cases. The role of non-executive councillor appears to also involve a considerable amount of time, with an average of over half of the hours in a working week devoted to council related activities. In general non executive councillors feel the time they spend on various activities is 'about right'. There is significant variation however in the average time commitment both across and within councils .
- If part of the aim of the Act was to make the job of non-executive councillor less time consuming and more attractive to a wider range of people it has yet to realise this potential. Some non-executive councillors still appear to have to commit a considerable amount of time to their task and of all the groups involved in local government non executive councillors appear to be most dissatisfied with the operation of the new governance arrangements. A time consuming but ineffective role is unlikely to be an attractive prospect for many.

How the new executives work

- The formation of new political executives with decision making powers established by the Act appears to have moved forward smoothly. But the dynamic inside the executives takes a variety of different forms. In some the leader takes control, in others individual portfolio holders are very much in charge of their own turf, in others everything as far as possible is done collectively and in a few there is a lack of an effective decision-making capacity of any form.

- The defining of key decisions and operation of the forward plan took a variety of forms in councils, as is to be expected, with a range of financial thresholds and criteria relating to social impact. One of the lowest financial thresholds we discovered in our twenty site visits was in a London borough and the highest was in a county council but generally the financial thresholds levels related to the size of the budgets for which the different councils were responsible. Although a few councils had difficulties in defining key decisions, most did not.
- There was some concern expressed especially by non-executive councillors about the degree of delegation of decision making powers to officers under the new constitutional arrangements established after the 2000 Act. The division of opinion among all councillors was evenly divided with roughly half saying the delegation schemes were about right and half saying they were excessive. Officers were more likely to be positive about the reforms where they had experienced an increase in delegation.

How are overview and scrutiny processes working?

- Overview and scrutiny procedures remain a problematic element of the new constitutional arrangements but in many of our site visit authorities there was a sense that considerable progress had been made since the launch of the new arrangements in May 2002.
- Call-in powers have been used or not used in a variety of ways in local authorities. In many cases we found that call-in was hardly used at all and in other cases we found that it was used quite frequently. The key determining factors were the nature of the political relationships in the council and the extent and liveliness of the adversarial competition between political parties rather than the nature of the rules surrounding call-in powers. In particular if the political competition between the parties was fierce and their position with the electorate closely matched then call-in was used to make create publicity and make political points.

- Other than the rather obvious impact of party politics as described above we did find that in councils with a ‘safe’ majority that in many instances party loyalties seem to make the process of challenge to the executive problematic and difficult to sustain. However we also found examples of where party discipline and organisation was being used to encourage non-executive councillors into action and take forward elements of the overview and scrutiny functions.
- Overall we found overview and scrutiny being approached in a variety of different ways in councils. Some had begun to use it almost as a management tool, with the agenda and focus largely on overviews of issues of concern to the executive. Others saw overview and scrutiny driven by the individual interests and enterprise of non-executive councillors who took up issues of concern to them and galvanised their fellow councillors into action. In some instances overview and scrutiny became part of a wider opposition game and was used to score points against the performance or policies of the executive. In other cases we found that overview and scrutiny functions had not been effectively brought into operation and that non-executive councillors were virtually on mass disengaged.
- We received mixed evidence of the effectiveness of overview and scrutiny functions. Over half of executive members indicated that overview and scrutiny input had led them to change a decision sometimes or occasionally. On the other hand non-executive councillors were much less positive about their effectiveness with a majority feeling they were doing their best work in service reviews but feeling that they were failing in holding the executive to account in a variety of ways.

The operation of full council

- A mixed picture of how full councils were operating emerged with the possibility of tension between the aims of increasing efficiency through reducing the decision making capacity of full council and encouraging public and non executive participation. Many authorities reported a struggle to find a new role for full council. The range of local choice plans being approved by full council varied

significantly and not all authorities showed the full list of statutory and recommended policy plans on their overall budget and policy framework. There was universal agreement that the annual budget meeting was one time in the year when full council could flex its muscles.

The internal management of policy activity

- The new constitutions had satisfactorily indicated how issues should be routed through the councils' policy making forums in most cases. However in some authorities there was an element of confusion or uncertainty. Firstly about how well the routing of issues through the policy making cycle was understood by participants. For example overview and scrutiny councillors wanting their reports to go to full council and not the executive or calling officers to meetings and not portfolio holders. Secondly by officers being unsure whether to begin policy consultations with the executive or with party groups. Finally for issues where the constitution does not make it clear where decision making should take place for example personnel and staffing issues. One source of expertise on these matters other than the monitoring officer were the party whips.
- There is some evidence that budgeting processes have changed significantly since the introduction of the new council constitutions. Many case study authorities reported that the budget policy making process was more corporate, lengthier, more transparent and involved greater consultation both within and outside the council. The extent of consultation with overview and scrutiny was dependent upon the date of local authorities hearing the final settlement from central government and in some cases authorities felt there was insufficient time to permit overview and scrutiny to look at the draft proposals. One common theme was that the engagement of overview and scrutiny was partially undermined by the political desire of opposition councillors to 'keep their powder dry' for the full council to approve the executive's budget.

Community representation activity

- Area working represents a significant time commitment for non executive councillors with an average of eighteen and a half hours reported. Area working was being developed in several of our case study authorities primarily as a way of re-engaging non executive councillors with the policy activity of the authority. This creates a complication to the routing of decision making and scrutiny activities in authorities. Of those councillors who were involved in area committees seven out of ten felt that area committees were effective.
- Partnership working represents a significant activity for executive councillors and a range of different operating arrangements were evident from our visits. In some authorities the key point of contact was the executive portfolio holder, in others contact with stakeholders was primarily by officers. Stakeholders were the most positive about their relationships with the council and over seven out of ten stakeholders who expressed a view indicated they felt the quality of partnership relations had improved.
- The involvement of the public in decision making was felt to be weak by all of our respondent groups. Whether this is due to the 2000 Act of changes in democratic engagement more widely is something our evaluations will need to address over the next stage of our research.

Standards arrangements

- There were issues about how authorities could deal with declarations of interests at council meetings. Authorities had begun the process of establishing arrangements for local adjudication but only one authority from our case study sample had had to deal with a case. We propose to focus a special issue paper on this aspect of the Act next year when local authorities have had chance to develop further and operate the new arrangements for local investigation and adjudication.

Conclusions

- A mixed picture of reform has emerged with some parts of the system working better than others for example executive arrangements are operating better than overview and scrutiny functions on the whole. Some authorities have adapted more quickly than others. Some groups seem to be happier with the new arrangements than others with executive councillors, senior officers and stakeholders more positive about the system than non executive councillors and junior officers.
- The implementation has been successful in that the new arrangements are in operation and enable decisions to be made on a relatively smooth basis. The forward plan and key decisions, although subject to a variety of interpretations, appear to have become a normal way of conducting business in most local authorities.
- Decision making is seen as speedier and leadership capacity enhanced. Councils seem better equipped to deliver better service delivery and community leadership and there is a sense among senior councillors, officers and stakeholders that the governance of local authorities puts them in a better position to go forward.
- There are areas where much more needs to be done to increase the transparency and accountability of the system and ensure non executive councillors to realise the opportunities and potential afforded by their new roles.

1 INTRODUCTION

1.1 About This Report

This is the annual report of the Evaluating Local Governance research team for 2004 and the second of a series of five assessing the impact and outcomes of the Local Government Act 2000 part II and III. The Act formed a central plank of the Government's local government modernisation agenda and sought to improve efficiency, accountability, and trust in the conduct of local authority business through the creations of separate executives, the introduction of overview and scrutiny mechanisms and a new ethical framework to improve standards.

Last year, our first annual report set out how the 388 English principal local authorities had implemented the provisions of the Local Government Act 2000. We surveyed all authorities and visited forty reflecting a balanced sample. We looked at which form of constitution had been adopted, leader cabinet, mayoral or alternative arrangements confirming that the vast majority of councils had introduced a leader cabinet system. Given the scale and size of the leader cabinet group we offered a typology of the different structural forms of political management within this group distinguishing between the powers given to leadership and the support and operation of scrutiny in the authorities. We suggested that a council that structures its arrangements to provide strong leadership and strong scrutiny might be better placed to deliver improved performance judged by CPA scores. This is a tentative finding that we intend to return to in later work. We also provided baseline information on the size of executives, the number of overview and scrutiny committees, the time commitments of councillors and the composition and focus of standards committees. Our intention is to update this baseline information near the end of our five year evaluation.

This year our report focuses less on the formal structural variations in the response to the 2000 Act and considers more the *processes of implementation* which have been adopted to manage the new constitutions. Our core aim is to describe the ways of working adopted by local authorities in response to the demands of the 2000 Act. For

some authorities it is five years since they began operating pilot arrangements shadowing the new ways of working. For others it is only coming up to the second full year of working in this way. For all it is now possible to see how the formal and informal ways of operating the new constitutional arrangements are settling down and to identify common themes emerging. We highlight issues arising with the legislation or how the legislation has been put into practice and we seek to develop typologies that help to define and clarify the variation in operating practices. A theme which runs through this report is that reforming the constitutional rules governing organisations condition but cannot determine subsequent organisational behaviour. Even when constitutional forms are introduced their operation depends on the cultures, capacities and preferences of the groups in the system. Our aim is to share insights with practitioners and policy makers and to reflect on how practice is flowing from the policy intentions behind the Act.

The report this year does not try to come to full judgements about how successful the legislation has been in realising the Government's aim for more efficient, transparent and accountable decision making and increasing trust in local government standards. The more complex and demanding evaluative questions will be the focus of future annual reports. We comment in this report more on the process of implementation than make any judgements about whether the reforms have led to an overall improvement in the system of local governance. Over the next year we will develop our evaluative framework after consultation with the local government community. This will set out hypotheses about how and why change will occur and how we can capture and report on this. An examination of the impact of and outcomes from the changes in political management arrangements will follow in the final two years of the evaluation in years four and five.

1.2 Has Implementation been a Success?

Although this report, as noted above, claims no final judgement on the impact of the 2000 Act what we are able to reveal is the relatively positive assessments at this early stage in the process of reform of the new system from a number of the participants in local governance.

We wanted to capture some indicators of councillor, officer and stakeholder attitudes towards the reform process itself. Partly to understand how different groups responded and partly as a baseline to gauge opinion when we repeat our survey in two years time. We asked groups for their opinion when the new constitutional arrangements were first proposed and their current view on whether the reforms represented an improvement.

The response suggests that there was not as much opposition to the legislation or as negative feeling about the reforms as has been feared. Table 1 shows that initially half of officers and stakeholders were supportive of the legislation and only thirteen and fourteen per cent respectively actually opposed to the 2000 Act. What is clear is that councillors were less keen on change. Only three in ten councillors were initially supportive of the political management reforms although our issue paper on Councillors and the New Constitutions (Rao, 2004 forthcoming, Table 2) shows that amongst the councillor group Labour councillors responded more positively to their own Government’s proposals with exactly half of them indicating a favourable response.

Table 1: Initial Councillor, Officer and Stakeholder Attitudes to Reforms

	Councillors (%)	Officers (%)	Stakeholders (%)
Favoured	29	54	48
Indifferent	19	28	29
Opposed	45	13	14
Don’t know/no Response	7	5	9
(Base)	901	546	444

We also asked respondents about their current views on the new arrangements. Table 2 suggests that overall officers and stakeholders are positive. When we looked at the type of councillor we found unsurprisingly that executive members were more positive than non executive members.

In a separate issue paper (Rao, 2004 forthcoming) a more detailed analysis reveals that Labour members were still more positive than members of other parties. Four out of ten Labour members consider the system an improvement suggesting a drift in opinion since the reforms were proposed although of course we only asked for retrospective views and these figures are less reliable than had they been gathered at the time the reforms were mooted (Rao, 2004 forthcoming, Table 5). Councillors in mayoral authorities also were more favourable than those in leader cabinet or alternative arrangement authorities (Rao, 2004 forthcoming, Table 6).

Officer responses are explored further in a separate issue paper (Stakeholders and Officers and the New Constitutions) and appear to be related to type of role played in the new structures with democratic services officers showing less favourable views than officers as a whole. What appears to be driving some of the differences is the perceived impact of the reforms on the workings of the authority. Satisfaction with the system appears to be related to the extent to which officers perceive that the reforms have enhanced delegation, increased contact with councillors and with positive views of provision of officer support for overview and scrutiny (John, 2004 forthcoming, Table 15).

Stakeholders who were service users appeared to have a slightly more positive view of the changes as did stakeholders who had contributed to the development of a policy plan. Differences in the type of political management arrangement, leader cabinet, mayoral or alternative arrangements did not appear to be significant (John, 2004 forthcoming).

Table 2: Councillor, Officer and Stakeholder Views on Current Arrangements

	All Councillors %	Executive Councillors %	Non- Executive Councillors %	Officer %	Stakeholders %
An improvement	27	48	20	59	49
Made no difference	3	3	3	9	20
Disadvantages/ retrograde step	57	43	61	29	19
No experience of previous system/Don't know	12	4	14	4	12
(base)	(910)	(210)	(700)	(548)	(462)

We provide some more detailed analysis of councillor, officer and stakeholder views on the effectiveness and impact of different aspects of the new constitutions in the chapters that follow. However these figures provide helpful contextualisation for the ensuing analysis. They suggest that the system, as many anticipated, has produced differential responses to reform with senior officers, stakeholders and executive members respectively indicating more positive views about the changes.

1.3 Political management in context

Our report does not cover areas of activity that have not altered as a result of the Local Government Act 2000. Local authorities are typically depicted as having a triangular locus of activity consisting of executive, overview and scrutiny and full council. Our visits have highlighted that the landscape of local government activity is more

complex, the policy stream is only one part of what a council does in its decision-making.

Figure 1 provides a more comprehensive depiction of the various activities and decision making forums in local authorities and it is important to recognise all of the decision making forums in which councillors operate. Our evaluation focuses on the conduct of policy activity and standards arrangements stemming from part two and part three of the Act marked with an asterisk in figure 1 below. The many remaining decision-making forums staffed largely by non executive councillors are less affected or unaffected by the 2000 legislation. These include committees devoted to internal management arrangements like remuneration committees and committees dealing with and employment and disciplinary issues which are not part of our evaluation.

Figure 1: The decision-making forums of councillors

Regulation activity	Policy activity	Internal activity	Community Representation Activity
Planning	*Executive	Appointments	*Area Committees
Licensing	*Full Council	Tribunals	Partnerships
Enforcement	*Overview &Scrutiny	*Standards	Membership of External bodies

* Decision making forums affected by Part II and III of the Local Government Act 2000 and the focus of our evaluation

Licensing has now been added to planning in the range of regulatory committees. Our site visits drew attention to the fact that for many councillors their committee responsibilities have not changed much as their activity is directed to internal management or regulatory committees. For some members those elements of council work that have changed the least are the ones that are most rewarding. One non executive councillor pointed out to us “I’m on all the planning and licensing committees – it’s what I know”, and another echoed the point “I’m on regulatory, and I know where I am”. Add to this activity various parts of the community

representative role and one of the puzzles our data becomes easier to resolve. Councillor activity rates appear to have not gone down given the reduction in direct involvement in decision making.

Rao reports that earlier surveys indicated that councillors spent on average seventy-four hours per month on council business (Rao, 1994). Councillors in the 2003 survey were asked to specify the total amount of time they spent on council activities per month. Table 3 below shows the amount of time councillors report spending on council activities. As can be seen, a substantial minority of councillors, amounting almost to half, spent very considerable time on council duties, in excess of the (differently derived) average for all councillors in surveys of the pre-reform arrangements. The pattern of time allocation is now skewed towards the upper range, with a mean for all councillors of 82.5 hours, and a median value of 60 hours.

Table 3: Hours spent on council activities

<i>Hours spent per month</i>	<i>%</i>
35 hours or less	21
36 – 75	33
76 – 100	22
101 or over	24
(base)	(864)

Earlier surveys showed that leading councillors spent more time than non-leaders on council business. A direct comparison of the time spent by executives and non-executives on specific activities with their counterparts in earlier surveys is not possible, as the number and range of activities specified are very different. In the 1993 survey, leading councillors reporting spending 86 hours per month compared with the 65 hours spent by non-leaders. Today, although the figures are not directly comparable given their different derivation it appears that councillors in executive positions spend considerably more time (a mean of 113 hours) than non-executives (a mean of just over 73 hours).¹

¹ The figure for total time spent by councillors in the Widdicombe and subsequent national surveys was derived by aggregating figures for specified activities. In 2003, a figure for total time was separately sought and it is this that is reported here. It is likely that the form of the question affects the number of hours reported and precludes direct comparison.

In general it would appear at least safe to conclude that time spent on council activity has not gone down and indeed may well have gone up for both executive and non-executive councillors. Certainly the role of an executive councillor very demanding as anticipated. It also seems that the role of the non executive councillor appears to involve a considerable amount of time although non executive councillors report that the amount of time they spend on activities is generally 'about right' (Rao, 2004, forthcoming). This is puzzling given that the aim of the Act was to make the job of the non executive councillor less time consuming. Part of the explanation lies in non executive involvement in some of the decision making forums listed in figure 1 and not affected by the Act. In part the high average disguises a great variation both across councils and within councils. Our data shows a statistical relationship between authorities and average time commitments suggesting there are likely to be cultural expectations to the time commitments of non executives in some authorities. There is also a statistically significant link between current attitudes to reform and time commitments with those most positive spending longer per month. There is no correlation between length of service and non executive time commitment. The data on time commitments of non executives does suggest that some non executive councillors have yet to realise the potential of their new role. We shall return to reflect on this finding in the conclusion of our report. For now we move on to provide some more introductory material on where the data from this report is drawn.

1.4 Our data and methodology

We draw on five sources of information for this report. Firstly we use the nationwide baseline survey completed in the Summer of 2002². Secondly we analyse the findings from a survey of councillors, officers and stakeholders in forty authorities in the summer of 2003. The questionnaires are available in Appendix A and a methodological note on the sample and response rates in Appendix B. We distributed the councillor and officer questionnaires through the forty local authorities and we are extremely grateful for the assistance we received. We distributed stakeholder

² Details of the survey methodology and our survey findings in detail can be found in earlier reports available at www.elgnce.org.uk.

questionnaires pre-dominantly through the LSP secretariat and again we are grateful for the help we received. Overall the response rate was forty per cent which reflects the manner of distribution and compares well with other recent postal surveys. The forty authorities were picked to ensure a representative balance in terms of region, type of local authority, type of political management arrangement and political control. The questionnaire produced over 1,900 responses and is the largest survey of those involved in operating the new constitutions to date.

Thirdly we visited twenty of the authorities who assisted us in distributing the survey and spoke to all the key councillors, officers and a range of external stakeholders. Again we are very appreciative of the time and attention our hosts provided for us. The visits were primarily conducted over two days and a note on methodology and a model interview list is included at Appendix C. Fourthly before our visits we reviewed each of the twenty councils' constitutions to note arrangements for a number of key processes and clarified these in telephone interviews with monitoring officers. Finally we conducted a number of interviews with national officials and politicians.

The evidence we draw on in the following chapters therefore is a 'triangulated, mixture of factual analysis and comparisons from constitutions, softer qualitative observations based on interviews and survey data about participants' attitudes towards reform and about their changing behaviour.

1.5 Approaching the report

To understand the processes local authorities have adopted in implementing and managing the new constitutions we are interested in several features. A starting point is the formal arrangements written in council constitutions and we report where appropriate on the features and variations of key processes. These formal changes underpin and establish the way in which the different component parts of the council work together and how councillors, officers and stakeholders perceive how they should behave and act.

These formal processes are supplemented by a range of historically embedded informal understandings that also serve to provide pointers to how to act and interact with other participants in the council's business. We draw on our site visit observations and interviews to highlight some of the informal practices and understandings which work alongside the formal rules of the game. To fully appreciate the emerging practices we need to assess not only what practices occur but also the quality of the activity and the type of interaction between individuals and institutions within councils. To capture this information we examine data taken from our sample survey of the attitudes and values held by respondents, their views on the efficiency of the new processes and their changing behaviour and activities as a result of the new constitution.

Through out our report we use the focus on structures, behaviours and attitudes to guide our thinking. The report begins by looking at the processes supporting the three core components of a council's make up following the 2,000 Act, the executive, overview and scrutiny and full council³. In Chapters two and three respectively we outline two typologies to assist in making sense of the different patterns of work of executives and overview and scrutiny⁴. In Chapter four the processes of full council are the focus of attention. Chapter five discusses the internal management of policy activity focussing particularly on the budget making process. In Chapter six we look at the way that councils engage with external stakeholders and we outline the views of external stakeholders on the affects of the new arrangements. Chapter seven focuses on the new standards arrangements in local councils. Finally the conclusion weaves together the threads of our report and highlights some of the early issues which may need further investigation.

³ We are aware that 59 local authorities or 16 % of all English principal local authorities are run under the fourth option of alternative arrangements and operate a streamlined committee system. Our information here is largely focused on the remaining 84 % of authorities who do have a separate executive. We have recently produced an issue paper on alternative arrangement authorities to highlight the unique and important issues for this group. This will be available on our website www.elgnce.org.uk. Shortly.

⁴ The typologies draw on grid group theory, Appendix D provides the background and thinking behind our typologies.

2 THE EXECUTIVE

2.1 Introduction

A key aim of the legislation was that the political management systems of councils were to encourage strong leadership from a small group of politicians held to account by strong overview and scrutiny practised by a wider group of councillors. This section examines the processes through which local authorities operate their executive activities. We look initially at the key constitutional arrangements for managing processes in the eighteen leader cabinet authorities we visited this year and use our site visit material to illustrate how these operate. We then look at how the activities and behaviour of participants in the new processes are changing based on our sample survey data in forty authorities. Next we present some of the attitudinal data from the sample survey of how participants view their new roles and judge executive processes overall. In our first year report we suggested three indicators of strong leadership. To conclude this chapter we widen this analysis and explore four different characterisations of executives to offer a more nuanced description of the diverse practices and ways of organising we experienced on our visits. For each of the four characterisations we suggest constitutional, behavioural and attitudinal indicators. We hope this heuristic device will assist councils who wish to reflect on how they operate.

2.2 Constitutional Arrangements to Support Executive Activity

Our 2003 report suggested there were a wide variety of operating arrangements amongst the executives of the leader cabinet and mayoral authorities (ELG, 2003). The average size of cabinets was nine in all but the district authorities. Executives met monthly or less often and meetings were more frequent in the metropolitan authorities and less frequent in the districts. In majority councils most executives were single party. The extent to which decision making was devolved varied but there was a party effect with delegated decision making more often seen in Conservative authorities and collective decision making more often seen in Labour authorities. Through our fieldwork this year we were able to explore some of the processes supporting the work of executives in more depth.

2.2.1 The forward plan and key decisions

A key element in ensuring transparency and accountability is the requirement on local authorities operating the leader cabinet or mayoral arrangements to define key decisions and publish in a forward plan advance notice of the decisions including:

- A short description of the matter under consideration;
- When the key decision is expected to be taken;
- Who is responsible for taking the decision and how they can be contacted;
- What relevant reports and background papers are available; and
- How and when stakeholders are to be involved in the decision making process.

The forward plan is required to set out the executive's programme of work for the coming four months and is to be updated monthly on a rolling basis (paras 7.11 & 7.13 NCC Guidance). Authorities operating alternative arrangements do not have to publish a forward plan or define key decisions. One of the two alternative arrangements authorities in our sample did not use a forward plan or have key decision criteria. Some authorities use this as a management tool and organise around the requirement for a forward plan. Others have struggled to adapt existing meeting cycles, working practices and expectations that planning must operate four months in advance.

The guidance on defining key decisions leaves some latitude for interpretation by individual councils. We looked at the nineteen key decision criteria as defined in the constitutions of case study authorities. The variety of approaches taken help to indicate the different ways local authorities define and identify what might be contentious issues in the local context.

Financial Criterion

There are two criteria for identifying key decisions specified in the guidance. The first criteria for identifying a key decision is whether it involves significant expenditure or savings, having regard to the budget for the relevant function or

service. The guidance suggests that councils should set financial thresholds above which decisions are considered key (para 7.16 NCC Guidance). In three of the nineteen constitutions the wording of the guidance regarding the financial criteria was adopted and no financial threshold was identified in the constitution. In one of these a threshold was in fact in operation and in another a financial threshold was being piloted at the time of the site visit.

A more common approach to the financial criteria for key decisions was to specify in the constitution a level of savings or expenditure that would be the financial threshold for any decision. There were eight councils that took this approach. Other more complex approaches included distinguishing capital and revenue thresholds, giving different levels for savings and expenditure, applying the threshold to internal matters or trying to link the level to the size of the budget on a particular service. Overall the larger authorities had higher financial thresholds with the exception of one London borough whose financial threshold was £60 000. Figure 2 summarises the variation between constitutions.

Figure 2: Financial criteria for key decisions

Council	Financial definition of key decision
D1	£50 000
D2	<i>Revenue</i> - £100 000 (expenditure), £50 000 (saving) <i>Capital</i> – £250 000
D3	No financial threshold specified
D4	£60 000
D5	Key decisions not in use
M1	£250 000 (expenditure or income) Virement between budget heads of more than 10% for any amount exceeding £250 000
M2	£500 000
M3	£250 000
U1	£250 000

Figure 2 cont: Financial criteria for key decisions

Council	Financial definition of key decision
U2	£100 000
U3	£500 000 (income or expenditure, except where already approved) Variation of council's budget including virement and additional expenditure of more than £500 000 £250 000 (savings except where already approved)
U4	£100 000 in use, but not specified in constitution
U5	Revenue - £250 000 and outside approved revenue budget; Capital - £1 000 000
U6	£250 000 being piloted. No financial threshold specified in constitution.
C1	£500 000
C2	£1 000 000 on 'domestic decisions'
C3	Revenue - £500 000 or estimated to exceed 25% of annual revenue budget for relevant service (whichever is smaller) Capital - £1 000 000
C4	20% (expenditure or saving) of budget areas defined in Council's current Best Value performance plan. Restriction of service greater than 5% measured by reference to current expenditure (or hours of availability)
L1	£500 000
L2	£60 000 (for decisions relating to internal matters)

Key to figure 2: *D1-D5 district councils; M1-M3 metropolitan authorities; U1-U6 unitary authorities; C1-C4 county councils; L1-L2 London boroughs*

Social impact criterion

The second stage refers to the social impact of a decision. The regulations specify that a decision which has an impact in two or more wards or electoral divisions should be defined as key, but the guidance states that local authorities should treat as key any

decision that has significant impact in one ward or electoral decision unless it is impracticable to do so (para 7.20 NCC Guidance).

Of the constitutions that were examined ten simply adopt the wording of the regulations referring to impact in two wards (three out of five districts; six out of nine unitary or metropolitan authorities; and one out of four county councils). Three others included a general reference to impacts in one ward or a smaller local community (one district, one unitary and one county council). The six remaining constitutions took a variety of approaches to the social impact criteria. Clauses relating to the provision of council services (e.g. closure, externalisation, reduction/expansion, variation in charging) appeared in four definitions of key decision. One council included decisions which might have significant legal consequences, and another listed thirteen types of decision that should be treated as key. One council included impacts on geographically dispersed communities with a common interest. Finally a local authority defined key decisions by exclusion, decisions delegated to officers are not to be treated as key, and neither are those focussed on the internal workings of the council and involve expenditure of less than £60 000, responses to consultation documents (where the response are consistent with council policy).

Key decisions: general exception and special urgency

The guidance includes a provision for making key decisions in circumstances where they have not been published in the forward plan. The general exception states that a key decision that has not been published in the forward plan can be taken if it is impracticable to defer the decision for inclusion in a later forward plan, and that public notice of the decision is given three days prior to it being taken (in fact most authorities allow five days). Where the decision can not be delayed for the required number of days then the special urgency provision describes the conditions under which the key decision can be made immediately. In virtually all cases these conditions entail the decision maker gaining the agreement of the chair of an appropriate overview and scrutiny committee that the decision is urgent. The only variation in the urgency provision was one case where the group spokespeople on a scrutiny committee had to be consulted in addition to the chair and one case where the

leader or deputy leader of the council rather than a chair of overview and scrutiny was to be approached to give permission for the key decision to be taken.

Our site visits suggested there is some ambiguity over the definition and identification of key decisions. Thirteen authorities experienced no difficulty in defining key decisions. Four of our authorities felt that the wording of the legislation may lead to some politically significant decisions being left out of the forward plan and some relatively trivial decisions included. For example, one chief officer expressed concern that the definition of key decision would not pick up decisions entailing substantial financial risk and a monitoring officer at another authority echoed the view that criteria were not good at identifying decisions of political significance. Two of these authorities decided to treat all executive decisions as if they were key. And in two additional authorities some officers expressed concern that the financial threshold was too low.

The trade off for accountability in including all decisions in the forward plan is that it can be difficult for people to pick the issues that are likely to be important to them. It can also have a consequential impact on the efficiency with which executives conduct their business. Overall the larger authorities had higher financial thresholds with the exception of one London borough whose financial threshold was £60 000.

2.2.2 Scheme of delegations

A degree of delegation to council officers is required if local authorities are to meet the expectations of the new political management regime. Streamlining political management may allow council officers to devote more of their time to the effective management of the council and successful policy implementation, with clear direction from the political leadership. Our visits suggested that the introduction of the new arrangements had prompted a review of the scheme of delegations, and in many cases, an increase in those delegations to officers. In one authority the situation was described a 'delegation by exception', with the executive and officers clear about what was not delegated.

We were able to check this perception through our questionnaire to officers which asked about the powers delegated to them since the adoption of the new constitution. Nearly half of officer respondents replied that they had more delegated powers (forty-six per cent). A slightly smaller number said their powers had stayed the same (forty per cent) and only three per cent said their powers had decreased (ten per cent responded that it did not apply). Chief officers and monitoring officers were more likely to report delegations had increased and democratic services officers less likely to report increased delegations. Officers were more likely to be positive about the reforms where they had experienced an increase in delegation (John, 2004 forthcoming).

We asked councillors about their views on the extent of delegation. The table below shows responses of the generality of councillors to be equally divided, with similar numbers thinking delegation to be ‘excessive’ or ‘about right’ (Table 4). These views do not differ according to the type of constitution adopted but views on the extent of delegation are more positive amongst executive members.

Table 4: Councillors’ views on the extent of delegation to officers

<i>The extent of delegation to officers is...</i>	<i>%</i>
Excessive	48
Insufficient	5
about right	46
(base)	(888)

2.3 Changing Behaviour and Activities of Executives

We wanted to investigate if the new structures were leading to new behaviours and activities. Table 5 below shows what proportion of executive councillors and officers had engaged in a variety of activities. Overall Table 6 indicates high levels of personal involvement in the policy process by councillors. There are some interesting differences however, report writing seems still to remain largely in the hands of

officers whilst executive councillors appear to own and present reports to full council. Significantly a higher proportion of officers have taken a decision alone.

Table 5: Duties undertaken by executive councillors and officers

	Executive duties undertaken %	
	Executive councillors	Officers
Written an executive report	35	89
Talked to a report at cabinet meeting	77	73
Talked to a report at full council	72	20
Initiated a significant policy review	64	65
Taken a decision alone	53	69
(Base)	(211)	(511)

2.3.1 Time commitments of executive members and officers

We were able to gather data on the time commitments involved in being a councillor – detailed results will be available in an issue paper shortly (Rao 2004 forthcoming Table 10). The mean number of hours per month of all councillors was 83 hours per month and there was a median value of 60 hours per month. For executive councillors this mean rises to 113 hours (this includes the leader, chair or mayor of the council, and executive members both with and without portfolios).

Table 6 below explores what tasks build to create this considerable time commitment for executive councillors and Table 7 for officers as a group and by role. The list of activities are not definitive but cover most of the key tasks associated with the new council constitutions. These represent averaged figures and the actual spread of time commitments is very variable. However these means provide some guide to the time allocated to tasks and the different time allocations of councillors and officers.

The greatest time for both groups is allocated to reading reports. Reading and the reflection associated with it is a crucial part of decision making. Deliberation takes place in the heads of individual decision makers as well as in meetings. When it

comes to meetings perhaps the most startling statistic from both tables is the high amount of time councillors perceive they allocate to liaising with partners as much as meetings of the executive as such. Executive councillors spent approximately equivalent amounts of time in executive directed activities as activities relating to non executive contact (overview and scrutiny, meetings with non executives and meetings with party group).

Officers spend a lot of time on report writing as well as reading. Corporate officers (chief executives and members of the corporate management team) tend to spend far more time in executive related activities (including briefing meetings) than non executive meetings or scrutiny related activity. Service heads also spend more time on executive directed activity (including briefing meetings) than on meetings with non executive members and overview and scrutiny but the overall amount and variation is not so marked. The average time commitment of democratic service officers is much more closely balanced between executive and non executive directed activity.

Executive arrangements appear to have had the effect of concentrating officer support on executive structures. It is unsurprising therefore that eight out of ten executive members are satisfied with the level of officer support – a much higher percentage than the level of non executive members satisfied with their officer support level at only fifty-four percent (Rao, 2004 forthcoming Table 17). There is a strong correlation between councillors finding delegation appropriate and level of officer support.

Table 6: Average hours per month spent on council activities by Executive Members

	Mean hours	(base)
Formal cabinet meetings	5	(170)
Informal cabinet meetings	7	(157)
Preparing for cabinet meetings	7	(166)
Liaising with overview and scrutiny committee	3	(141)
Liaising with partners	7	(146)
Writing reports	3	(111)
Reading reports	15	(165)
Meeting with non executive members	6	(153)
Meeting with party group	5	(168)

The figures in Table 6 confirm the impression from our site visits that the informal cabinet meetings, sometimes called cabinet briefing or agenda meetings can play a significant role in the executive arrangements of leader cabinet and mayoral authorities. It is often in these meetings that the debate and decision making occurs with these decisions being formalised at public cabinet meetings which usually take place a week later. As one opposition leader in a county authority commented “they can’t let us into the proper meeting because if they did they would have to have a pre-meeting”. Indeed a chief executive in a unitary stated “cabinet is a set piece and never take an unexpected decision”. In many councils the cabinet meetings are more fluid than that but in all, not surprisingly, decision-makers try to find private settings in which test out ideas and options.

Table 7: Average hours per month spent by officers on council activities

	Mean hours corporate officers	Mean hours service heads	Mean hours democratic service officers	Mean hours all officers (base)
Formal cabinet meetings	3	1	2	2 (495)
Informal cabinet meetings	3	1	2	2 (485)
Preparing for cabinet meetings	3	2	8	3 (496)
Liaising with overview and scrutiny committee	3	3	9	3 (501)
Liaising with partners	8	6	4	6 (494)
Writing reports	6	8	10	7 (520)
Reading reports	10	7	11	9 (524)
Meeting with non executive members	3	2	6	3 (502)
Briefing meetings	6	4	5	5(518)

2.4 Attitudes Towards Executive Activity

The 2000 Act sought to develop a separate political executive firstly to provide a single central source of authority and encourage efficiency, secondly to promote accountability and transparency and encourage public awareness of the locus of

political responsibility. We were able to ask for respondents' views about how far the changes to executive arrangements were meeting the aims of the reformers.

2.4.1 Views on the leadership role

We asked for respondents attitudes about what kind of powers a leader should have to explore attitudes towards the idea of a strong leadership role. Table 8 shows officers' holding more robust views about the degree to which leadership power should be exercised. However the figure for councillors as a whole masked significant party variation with Conservative councillors indicating a far greater willingness to permit leadership freedom than either Labour or Liberal Democrat councillors (Rao, 2004 forthcoming, Table 20).

Table 8: Councillor attitudes to the role of the leader

	% Respondents agreeing with statement on leadership powers	
	Councillors	Officers
Leader should decide cabinet	46	58
Leader should allocate portfolios	60	73
Leader should decide on policies	12	17

We asked whether they agreed with the statement that the role of leader had become stronger and that the leader of the council has a higher profile since the constitutional changes. Tables 9 and 10 show overwhelming agreement that the leadership role has been enhanced and strong support that the leader's role is more visible.

Table 9: Views on the statement 'the role of the leader has become stronger'

	Councillors	Officers	Stakeholders
	%	%	%
Agree	73	74	65
Neither agree or disagree	16	18	28
Disagree	11	8	8
Base	(842)	(527)	(418)

Table 10: Views on the statement ‘the leader has a higher public profile’

	Councillors %	Officers %	Stakeholders %
Agree	63	54	52
Neither agree or disagree	23	30	35
Disagree	14	16	14
Base	(842)	(527)	(417)

The individual styles of the leaders are important factors in how the political management of local authorities is working. This effect is clearest in one of our site visits where the leader of the council left the position and the style of political management changed markedly after the new leader took over. Political context is also important to how leaders approach their task. In one coalition authority the cabinet members of the larger group were appointed by their group leader, whilst the cabinet members of the smaller group were elected annually. The smaller group in the coalition was also keen to ensure that the deputy leader also had an increased public profile. We provide a more detailed analysis of leadership styles and the effect of hung authorities on political management in forthcoming issue papers.

2.4.2 Views on the efficiency of the new executives

One of the Government’s key aims for the introduction of executives was to improve efficiency. We asked councillors, officers and stakeholders whether they thought decision making was quicker under the new arrangements. Table 11 shows those involved in the process, councillors and officers, perceive efficiencies in the new arrangements. Stakeholders unsurprisingly, are less sure and more likely to reserve judgement. Amongst councillors, those in mayoral authorities were most likely to see that decision making was quicker although the small number of respondents from mayoral authorities mean this figure needs to be treated with caution (Rao, 2004 forthcoming, Table 8).

Table 11: Views about whether decision making is quicker

	Councillors %	Officers %	Stakeholders %
Agree	52	55	39
Neither agree/disagree	25	23	50
Disagree	23	22	12
Base	(825)	(531)	(396)

The reformers hoped that the establishment of smaller executives would also lead to cross cutting responsibilities and assist in ‘joining up’ policy making in local authorities. Our 2002 survey indicated that in the development of portfolios cross cutting briefs had emerged. In our 2003 survey we invited respondents to give their views on whether the council was better at dealing with cross cutting issues. Table 12 suggests respondents are less clear of the benefits of the new constitutions in this respect and with large proportions unwilling to come to a judgement at this stage.

Table 12: Views on the statement ‘the council is better at dealing with cross cutting issues’

	Councillors %	Officers %	Stakeholders %
Agree	31	46	37
Neither agree or disagree	30	34	45
Disagree	39	21	17
Base	(839)	(532)	(415)

2.4.3 Views on the transparency of the new executives

We asked councillors, officers and stakeholders a question to identify whether the new arrangements had improved the transparency of council business. We asked firstly whether they agreed or disagreed that it is easier to find out who has made specific council decisions. The results are shown in Table 13 below and suggest that officers are clearer about who makes decisions than councillors. Not unsurprisingly stakeholders are more likely to be uncertain. We then asked whether respondents

agreed that it was easier to find out about council policy as a whole. Table 14 shows these results suggesting respondents of all three groups were less positive about the extent to which transparency in communication of council policy had been achieved although a third of officers and stakeholders felt there was an improvement.

Table 13: Councillor, officer and stakeholder views that it is easier to find out who makes decisions

	Councillors	Officers	Stakeholders
	<i>%</i>	<i>%</i>	<i>%</i>
Agree	38	48	34
Neither agree or disagree	21	31	41
Disagree	41	21	25
(Base)	(841)	(533)	(417)

Table 14: Councillor, officer and stakeholder views that it is easier to find out council policy

	Councillors	Officers	Stakeholders
	<i>%</i>	<i>%</i>	<i>%</i>
Agree	27	33	36
Neither agree or disagree	30	42	47
Disagree	43	25	17
(Base)	(840)	(530)	(414)

2.5 The Variety of Executives

In this section we typologise four different styles of working that can be adopted by a council's executive. In our report last year we distinguished between strong and weak leadership councils based on the powers given to leaders in the constitution. The four executive forms described below refine that distinction. They are based on the internal characteristics of the workings of the executive abstracting away from the relationship between executive and other parts of the constitution, hence 'leader dominated' refers to the role of the leader relative to the other cabinet members, it may not follow that council policy is dominated by the leader. The question we are addressing is: how does the executive work as a collective group?

To understand the workings of executives in local authorities it is useful to look at three aspects, the formal constitutional rules and organisational structures under which the executive operates the behaviour of the executive and officers and the values and attitudes of members of the executive. Figure 3 describes a typology of executives where the three aspects of the organisation of the executive fit together. More detail about the theoretical perspective which underlies this typology and the overview and scrutiny typology (see chapter three) can be found in appendix D. For example, relatively extensive delegations to executive members written into the constitution, innovative and entrepreneurial attitudes on the part of executive members, and an executive member's work focussed more on their portfolio than on the council as a whole are mutually reinforcing aspects of the *multi-actor* executive. In any given case these three aspects of the organisation of an executive may be mutually reinforcing or alternatively there may be a tension between the different aspects. Where the three aspects of the organisation of the executive are not in accordance pressures for change can start to develop. Each mode of operating has strengths and weaknesses which we also show.

The depictions set out in Figure 3 are not based on any single authority but rather are scenarios highlighting typical features. Placing a council in a particular category is therefore an inexact science as they may have aspects of more than one scenario and may change over time. However for our site visit authorities we have identified which category they fitted best in order to show the range of modes of operating we have identified. The last row of figure 3 shows the distribution of our case study authorities across the ideal types.

Figures 4 to 8 (below) expand on the indicators shown in figure 3 (over) and provide more explanation about how we have seen executives operate in practice. The descriptions below again are not drawn from any one authority but are an 'ideal type' drawn on experiences across our case study visits.

Figure 3: Forms of Executive (not including alternative arrangement councils)

Executive form	Leader dominated: Dominated by Leader / Mayor, Cabinet members work to the leader	Multi-actor executive: Cabinet members operate with considerable autonomy from each other and leader	Team executive: Leader and Cabinet work together as a team sharing decision-making responsibility	Disengaged executive: purpose and direction undermined by lack of political capacity or officer domination
Constitutional Indicators	Individual powers of decision mainly reserved to leader or mayor, detailed description of executive	Individual powers of decision available to all cabinet members	Emphasis on whole executive or collective decision making	Full council needed to approve a large number of plans and strategies.
Behavioural Indicators	Power and visibility of leader has increased and the system is designed to certain that position: lots of bi-lateral meetings between mayor/leader and others. Mayor/ leader is default clearing point in decision making	Cabinet members develop a visibility and capacity in their portfolio areas: lots of meetings between cabinet members and relevant players in their area. Cabinet member is default clearing point in decision making	Emphasis on collective decision making. Frequent political team meetings of both informal and formal nature. Any individual decision making ultimately checked back with executive group	A sense of powerlessness pervades the decision making system. Lack of trust between political players and between politicians and officials. No clearing point for decisions, all is ad hoc and uncertain.
Value or Attitude Indicators	New system valued for its emphasis on importance of leadership and clarity of responsibility	New system seen as opportunity to innovate and give more political responsibility to a wider range of individuals	New system needs to be managed to promote team spirit and collective responsibility in decision making	New system seen as an imposition and one that does not take into account political realities or administrative Practicalities
Strengths	Low transaction cost	Development of capacity	Choosing to co-operate	Wide accountability, Strong officer corp
Weaknesses	Overload, succession	Co-ordination	Scared to delegate	No leadership, lack of direction
Case Study Authorities (18))	D1, M1, M3, U5, C1, C2, L1	D2, U2, L2	M2, U1, U3, U6, C3, C4	D4, U4

Leader dominated executives

Figure 4 Leader Dominated Executive

Constitutional indicators	Few delegations to cabinet members Leader has authority to appoint cabinet members and decide on their portfolios
Values and attitudes	Quick efficient decision making seen as of primary importance A unified line has to be presented (in this case for political reasons)
Behavioural indicators	Cabinet meets frequently Leader monitors cabinet members and removes those whose performance is weak

Leader dominated executives are often very strong when it comes to adopting and driving through a coherent agenda. Decision making flows mainly through the leader who takes responsibility for the overall direction of policy. The role of the cabinet member is to advise on policy development and to monitor the progress of policy implementation. The leader acts to remove cabinet members who do not meet performance standards.

In some cases the leader will have alternative sources of policy advice on which to draw when deciding how to proceed. Leader dominated executives however may not take into account alternative views and can become closed to new ideas. The focus on the leader as the centre of decision making means that formal and informal cabinet meetings can get clogged up in detail, they are also likely to occur quite frequently. Where cabinet meetings do not occur frequently this may be because much of the work is being done in bi-lateral meetings between leader and cabinet member.

Multi-Actor Executive

Figure 5 The Multi-Actor Executive

Constitutional indicators	Delegation highlights where cabinet member is responsible for leadership, partnership working and decision making. Some cabinet members have overarching responsibilities.
Values and attitudes	Values and attitudes stress the need for executive members to take the initiative and run with their areas of responsibility
Behavioural indicators	Cabinet meets relatively infrequently Cabinet members activity is outward facing

In multi-actor executives cabinet members will have extensive delegated powers. For each cabinet member the constitution describes what *areas* the role relates to, where the cabinet member is expected to take *leadership*, which elements of *partnership* working is the responsibility of each cabinet member, and what *decision making* powers are delegated. Cabinet meets monthly and there are private meetings between cabinet meetings which also take place monthly. Cabinet meetings in multi-actor executives are likely to be less frequent (or shorter) than in the leader-dominated model because portfolio holders have more discretion to make decisions by themselves.

One of the weaknesses that may be associated with a multi-actor executive is difficulty in developing and maintaining a corporate approach and a coherent agenda. In one of our multi-actor executives three of the portfolio holders to have responsibility for the overall direction and management of the council, the leader, the member responsible for finance and the member responsible for service improvement.

The team executive

Figure 6: A team executive

Constitutional indicators	No delegation to individual portfolio holders. Leader sees relation between delegation and fragmentation.
Values and attitudes	‘The style of current leader encourages genuine debate’ <i>Chief Officer</i> ‘The biggest challenge is to make them corporate’ <i>Leader</i>
Behavioural indicators	‘A corporate approach, not service focussed’ <i>Chief executive</i> ‘Issues can very quickly be relayed between cabinet members and officers’ <i>Leader</i> The budget process starts with the priorities. No decision made on the budget unless cabinet and chief officers are there, have a half day on budget every 6 weeks.

In a team executive delegation of decision making powers to individual portfolio holders is seen as breaking up the cohesion of the executive as a decision making body. In one authority both the leader and chief executive acknowledged, this sometimes led to relatively trivial decisions coming to cabinet meetings but both felt that this was a worthwhile trade off for the benefits of a more corporate approach. In

a different team executive a cabinet member commented “I’m happy with consensual, collegiate decision making if it takes longer then that’s what democracy is all about”. Formal and informal cabinet meetings in this form are likely to be frequent (or long), both because a lot of business which is not delegated to cabinet members has to be worked through and also because meetings are useful for keeping all members of the team up to date. One potential weakness with team styles of executive is that they can become insular as the members focus primarily on internal relationships.

Disengaged executive

Figure 7: A disengaged executive

Constitutional Indicators	Limited delegation Large number of plans go to full council
Behavioural	Delegated powers rarely exercised Rare executive decision making meeting Key decisions made collectively
Values, attitudes and attributes	Lack of clarity about what is cabinet responsibility Lack of knowledge about correct procedure for making and recording decisions ‘They can’t make a decision’ – <i>Chief Officer</i>

In a disengaged executive for whatever reason, the executive as a whole has relatively little decision making capacity. There can be a lack of clarity about which elements of the political management arrangements are responsible for which decision. Where many ‘local choice’ elements of decision making are included in the policy framework the cabinet can be sidelined from the policy process. Cabinet meetings may take place relatively infrequently especially given that there is little delegation to cabinet members. If delegated decision making power exists it is likely to be very rarely used, and when it is used the correct procedures may not always be followed. It is possible for councils with this type of executive to perform well but only when direction is provided through another avenue, more often than not the council’s officers.

These four categories were developed from our case study site visits this year. As the evaluation progresses our model of the forms of executive will be refined, the list of indicators will be expanded and a more robust methodology for measuring those indicators developed. The categories of executive can then be used to track changes

over time in the nature of executive working in the local authorities being studied and the strengths and weaknesses of different styles of political management in different contexts. The framework can also be developed by councils as a reflective audit tool for understanding and assessing the workings of their own executive.

Bearing in mind the fact that the authorities we visited differ from the amalgamated depictions in our typology and may change over time we were able to identify that seven authorities fitted best in the leader dominated form, three in the multi-actor form, six in the team executive form and two in the disengaged form. We do not claim that any one of these forms necessarily brings about better results, but it is clear that the disengaged form is dysfunctional in its ability to provide political leadership.

3 OVERVIEW AND SCRUTINY

3.1 Introduction

If our second year of evaluation confirms the view that executive processes are operating fairly smoothly, our fieldwork this year also confirmed that although there is much improvement both in the scope and quality of overview and scrutiny activity there are still problems with the introduction of this activity into local authorities. The introduction of scrutiny was both experimental and aspirational. This is an entirely new activity in local government and requires different skills as well as challenging the party political norms which informed the previous system.

As with the executive material we begin this chapter by looking initially at the constitutional arrangements which support overview and scrutiny processes and we draw on our site visit material to illustrate how these operate. We then look at how the activities and behaviour of participants in the new processes are changing based on our sample survey data in forty authorities. Next we present some of the attitudinal data from the sample survey of how participants view their new roles and judge overview and scrutiny processes overall. We then explore some of the barriers to the development of more independent and effective scrutiny. Finally we proffer a typology of overview and scrutiny activities which draws together some of the constitutional, behavioural and attitudinal indicators we found on our site visits.

3.2 Constitutional Arrangements to Support Overview and Scrutiny Activities

Our 2002 report highlighted that there was a wide variation in the organisation of overview and scrutiny work and the support provided. The average number of committees was four but one in five authorities had only one and thirty-eight percent had five or more. The average number of members was twelve and chairing was predominantly allocated to the ruling group. Perhaps the most unexpected finding was that two in five authorities reported pre party meetings and one in ten that decisions were whipped. The former activity is discouraged and the latter forbidden

in the guidance. Only three in ten authorities had dedicated officer support and this was more likely to be found in the larger authorities and in Labour authorities. On our site visits this year we were keen to explore how overview and scrutiny had tackled acting as a check on executive decision making and to examine the role of party organisation in relation to overview and scrutiny activities.

3.2.1 Call-in of executive decisions

The call-in procedures in the new council constitutions make provision for members of the authority to request that a decision taken but not yet implemented be considered by an overview and scrutiny committee. Once called-in the implementation of the decision is suspended until the call-in process is completed. Overview and scrutiny has the power to recommend that a called-in decision be reconsidered by the decision maker or to recommend that the full council consider whether that person should reconsider the decision. The NCC guidance suggests effective call-in procedures should ensure:

...an appropriate balance between effectively holding the executive to account, being able to question decisions before they are implemented and allowing effective and efficient decision making by the executive within the policy framework and budget agreed by the full council. (para 3.78)

In reaching this balance the guidance notes three important limits on the use of call-in powers: decision maker should only be asked to reconsider any given decision once; call-in should not be applied to day to day management and operational decisions; there should be provision for the exemption of urgent decisions.

In most council constitutions there are three aspects to the call-in procedure:

- The call-in period - the period available after publication of a decision during which members can call-in the decision.
- The call in trigger - the method used to call-in a decision.
- Exemptions and limitations on the scope of call-in.

All of the constitutions included an urgency provision which allowed decisions to be exempted from the call-in process. In some constitutions whether a decision was urgent was a matter for the decision maker to rule on, but in about half the urgency of the decision had to be agreed by either the chair of a relevant overview and scrutiny committee, the civic mayor/chair of the council, or the chief executive. In some instances the person consulted also had to agree that the decision was reasonable in all circumstances.

A number of constitutions stated that call-in was only to be used in exceptional circumstances, for example, where there was evidence that the constitution's principles of decision making had not been followed or where the decision was outside the budget or policy framework. Three constitutions put limits on the number of call-ins in a given time period and three also put a financial threshold on the level of expenditure or savings associated with a decision before it could be called-in. Figure 8, below, shows the variety in call-in periods, call-in triggers, and the frequency of use of call-in across our twenty site visits. In some cases we weren't able to get exact figures for the numbers of call-ins, but we are able to split them into three categories, *infrequent*, *moderate*, *frequent*.

Figure 8: Call-in criteria

Council	Days available for call-in	Use of call-in	Call in Trigger
D1	6	I	Any 5 members
D2	5	I	2 members of O&S committee or any 5 members of Council
D3	5	I	3 members of O&S
D4	5	I	Chair or any 3 members of O&S Where exec decision taken by area committee, the right to call in extended to any 3 members of another area committee if they believe that decision will have an adverse affect.
D5	4	M	6 members from at least 2 political groups (or 1 group + an independent), stating reason
M1	5	I	Chair or any 3 members of the O&S board
M2	5	M	Members of scrutiny board from at least 2 political groups (or 1+ independent)
M3	3	I	1 member of O&S committee with support of 2 named members of the committee
U1	3	I	3 members of relevant O&S make request, then proper officer consults chair and vice chair of relevant committee who decide whether it is a valid call in.
U2	3	I	3 members of the Scrutiny Co-ordinating Committee (one of which must be chair of a standing forum). Must represent at least two political groups
U3	5 ⁵	I	Call in by Corporate, Community and External affairs committee
U4	5	F	Chair or any member of council, any chair/clerk of town/parish council, any 20 residents of borough

⁵ Where a key decision is made by an officer call in period is 10 days, and the decision can be called in by the chair of the Corporate, Community and External Affairs Committee, or 3 of its members.

U5	5	F	Any 5 members of council, or an O&S committee
U6	3	M	1 member call-in for executive decisions. A decision of a Development Control or Service Development Committee (O&S) can be called in by two members of the committee immediately after the vote is taken.
C1		I	Call-in by O&S committee
C2	3 ⁶	I	O&S committee
C3	5	F	Joint request from the chair and vice-chair of the relevant O&S committee; 5 members of an O&S committee (including co-optees); any 10 members of council
C4	5	I	Chair or any 3 members of O&S
L1	5	I	A member can reserve the right to call-in a decision prior to it being made. If no reservation then decision implemented immediately. If reservation is made then call in period is 5 days, decisions can then be called in by : Scrutiny chair together with 5 scrutiny members; 3 members of O&S committee (made up of scrutiny chairs); 20 % of councillors
L2	5 ⁷	I	One third of voting members of O&S committee

Table Key

Frequency of call- in:

I = Infrequent (0-5 times since May 2002)

M = Moderate (6-15 times since May 2002)

F = Frequent (more than 15 times since May 2002)

Case studies:

D1-D5 districts; M1-M3 metropolitan authorities; U1-U6 unitary authorities; L1-L2 London boroughs

⁶ Within 3 days of the Overview and Scrutiny committee meeting

⁷ Also includes a 5 day period prior to the decision being taken during which time members of relevant O&S committee can comment on a key decision. If any matter cannot be resolved then the cabinet member has the option of referring the matter to the relevant O&S committee.

Although the nature of the call-in procedure and the length of the period have some effect on the variation in the frequency with which call-in is used, the formal rules do not appear to be determinate. Other factors play a role, for example the variation in political context in different authorities or the values and attitudes of members (see section 3.6). The permissive rules for call-in are best seen as necessary but not sufficient for a high level of call-in, and tight rules for call-in as sufficient but not necessary for a low level call-in. We discuss the extent to which non executives are undertaking call in and the impact of this type of activity in the next section.

3.2.2 Party activity and overview and scrutiny

We were able to explore the extent of party organisation around overview and scrutiny arrangements by asking councillors in our sample survey whether pre party meetings were held before overview and scrutiny meetings, with thirty five percent replying that they were. This matches the numbers responding that party meetings should be held (see table eighteen below). We also asked whether the party whip applies and sixteen percent said it did. However when we asked in the site visits what the party pre-meetings were for it appears that in many instances they were just used to organise, motivate and encourage participation in overview and scrutiny activity. Party influence over non-executive councillors can be both a driver for effective overview scrutiny and a potential block. Indeed its role depends to a degree on the wider style of overview and scrutiny that operates in an authority (see section 3.6)

3.3 Changing Behaviour and Activities of Non Executive Members

Our survey allowed us to explore how behaviour had changed as a result of the new constitutions. Table 15 shows the range of overview and scrutiny activities that non executive councillors have been involved in. The high levels of involvement in most activities indicate that non executive councillors are becoming involved in different ways of working such as task and finish groups and visiting outside organisations and are able to steer the work of committees either through pushing for an item on the agenda or being involved in policy development. Our site visits suggested that overview and scrutiny activities are maturing and that authorities are managing to

achieve a better balance between the various activities associated with overview and scrutiny.

The two functions where there is least activity – achieving publicity for an overview and scrutiny activity and calling-in a decision from the executive may be less active because party loyalty is constraining these aspects of the new scrutiny role. Lack of resources may also be a factor in explaining why there had been limited success in achieving publicity.

Table 15: Duties undertaken as a non-executive member

	%
Pushed for an item to go on an Overview and Scrutiny Agenda	59
Joined a task and finish group	65
Achieved significant publicity for a scrutiny activity	25
Visited outside organisations in relation to a scrutiny activity	47
Called in a decision from the executive	29
Been involved in policy development through Overview and Scrutiny	48
(base)	(700)

It is clear in some authorities that party loyalties are either overtly or covertly in operation. One executive member said to us “call-in creates public exposure...I have no patience with the idea of scrutiny holding decision makers to account it is nonsense – the criticism of one member of the Labour party in public is not permitted”. A non executive majority party councillor in that authority said “if I see something wrong I take it away and ask in private”. A non executive majority councillor told us “scrutiny is not meant to be political but how can a member sign up to something in group and not take it into an overview and scrutiny meeting” and the whip in this authority described the process as operating through ‘peer pressure’.

3.3.1 The impact of scrutiny on executive decision making

Despite the difficulties that surround it overview and scrutiny activity has a significant impact on executive decision making. To gauge how effective scrutiny activities were in impacting on executive decision making we asked executive councillors who were

portfolio holders to indicate how often policy in their portfolio had been changed as a result of the activity of overview and scrutiny committees. Table 16 suggests that half of those (forty-nine per cent) had experienced policy change either sometimes or occasionally as a result of overview and scrutiny activity.

Table 16: Instances of policy change in respondent’s portfolio as a result of O&S committees

	Portfolio Holders %
Sometimes	15
Occasionally	33
Never (base)	51 (138)

3.3.2 Time commitments

As we reported earlier, the mean time commitment per month of all councillors was reported to be eighty-three hours, for non executive councillors the median falls to seventy three hours. We asked how much time a month non executive councillors spent in the kind of working groups associated with overview and scrutiny activity (task and finish groups) and the average was just over seven and a half hours. These figures are averages and disguise wide variation within and across councils but seem to suggest that just ten per cent of non executives’ time appears to be spent on overview and scrutiny related activity. As discussed in the introduction, we were initially surprised that the average number of hours for non-executives had not fallen and suggest this is due to the amount of time non executive councillors are spending on regulatory and licensing committees. We discuss the balance of time spent on inward and outward facing activities by non-executives further in chapters five and six.

3.4 Attitudes Towards Overview and Scrutiny Activities

We also explored councillor and officer attitudes towards the way scrutiny is organised. We have included the results for councillors as a whole and for non-executive councillors, there is very little difference on either of the questions. We asked firstly whether chairs should not be from the majority party. Table 17 shows for both groups nearly half agreed with that statement but the remaining non executive councillor responses were more ambivalent than those of officers indicating that nearly one in three councillors thought scrutiny chairs should be from the controlling group.

Table 17: Councillor and Officer responses to statement ‘Chairs of overview and scrutiny should not be from majority party’

	Agree %	Neither Agree not Disagree %	Disagree %	Base
Councillors	47	21	31	(892)
Non executive councillors	50	19	29	(701)
Officers	44	40	15	(547)

We also asked both groups if pre party meetings should be held before overview and scrutiny meetings. Party activity is discouraged in the guidance. Table 18 shows that again nearly half of both groups disagreed with the statement indicating the view that party activity should not occur in relation to overview and scrutiny in line with the guidance. However nearly a third of councillors expressed the view that pre party meetings should take place and officers demonstrated a high degree of ambivalence. These attitudes suggest that a sizeable minority of councillors still perceive the need for a party role in organising overview and scrutiny. This may mean that actual organisational practices are hard to alter in line with the guidance.

Table 18: Councillor and Officer responses to statement ‘Party meetings should be held before overview and scrutiny meetings’

	Agree %	Neither Agree not Disagree %	Disagree %	Base
Councillors	31	22	46	(884)
Non executive councillors	32	21	47	(696)
Officers	17	48	45	(545)

3.4.1 Officer support for scrutiny

As noted in Chapter two, executive members reported greater satisfaction with the level of officer support than non executive members where only just over half were satisfied with the level of officer support. We were also able to explore officers’ perceptions about the level of support for overview and scrutiny in their authority. Just over half felt the level of support was adequate (fifty-one per cent). Nearly four in ten officers felt, however, the level of support was inadequate (thirty-nine per cent) with ten per cent saying ‘don’t know’. The view of inadequacy was concentrated amongst overview and scrutiny officers (fifty-eight per cent) as opposed to the corporate group (forty per cent) and service heads (fifteen per cent).

We were also interested to explore the extent to which officers perceived that there was a problem with serving both executive and non executive parts of the authority, the so called ‘two-hattedness’ issue. Our site visits had presented a mixed picture in this respect. Some officers were clear that they could continue to serve the whole council and that it was part of their role to do so. One scrutiny officer in a metropolitan authority described his role as a ‘relationship manager’. On some visits officers mentioned that there was a perception in the authority that officers were there to serve the executive and they were trying to address these perceptions and improve ways of working with non executives. Other officers admitted that occasionally they had felt the pressure of maintaining Chinese walls.

Table 19 illustrates that overall two-hattedness was not felt to be a problem by seventy-eight per cent of officers but this masks a differential response when the rates are broken down by type of officer. Almost half of democratic service officers did identify a problem with two-hattedness, although caution needs to be given to interpreting these figures due to the small number of democratic services officers who replied. The reasons for this disparity maybe two fold. Firstly it may be that these officers experience greater tension between their position in the corporate line management structure and their functional role in supporting the scrutiny of executive decisions. However, in a sense one would expect these officers to be clearer about who they served as they are not part of the service delivery structure. It may reflect the seniority of the officers who responded. These officers are more likely to hold less senior positions whereas chief officers are more likely to have had greater experience in balancing the pressures of serving all parts of the council. For example Chief Finance Officers as Section 151 have had to wear ‘two hats’ since the Local Government Act 1972 in having the duty to advise on the robustness of budgets and briefing opposition officers at the same time as working with the ruling group to set a budget. Since the Local Government Act 2003 these reports are made to full council.

Table 19: Officer agreement that the new constitution has led to a problem of ‘two-hattedness’ in respect of officer roles

	Corporate	Service	Democratic	Total
Yes	22	16	43	23
No	78	84	57	77
Total	100	100	100	100
N	228	208	82	484

3.4.2 Attitudes toward effectiveness

Our survey asked respondents’ their perceptions of how effective their overview and scrutiny committees had been in performing a range of activities. Table 20 shows how councillors responded to these statements. It shows that judgements on the effectiveness of authorities’ scrutiny arrangements were split, with the review of service outcomes the only item in which as many as half of the respondents thought

the committees effective. On the other hand, nowhere did negative evaluations predominate. Perhaps the key finding is that for each item there is a substantial minority who appear to reserve judgement.

Table 20: Councillors' views on the effectiveness of overview and scrutiny committees

	Agree %	Neither agree nor disagree %	Disagree %	(base)
Holding decision makers to account %	32	25	43	(890)
Reviewing service outcomes %	52	24	24	(879)
Providing clear lines of accountability %	23	29	46	(872)
Ensuring local views are taken into account %	28	29	41	(881)
Exploring innovative forms of service delivery %	27	29	43	(875)
Involving external stakeholders in their deliberations %	41	26	32	(872)
Investigating non-local authority service providers %	24	33	40	(871)

Table 21 shows officers views on the effectiveness of overview and scrutiny.

Table 21: Officers' views on the effectiveness of overview and scrutiny committees

	Agree %	Neither agree nor disagree %	Disagree %	(base)
Holding decision makers to account	38	26	36	543
Reviewing service outcomes	56	23	22	539
Providing clear lines of accountability	17	37	45	539
Ensuring local views are taken into account	32	37	31	540
Exploring innovative forms of service delivery	21	33	46	538
Involving external stakeholders in their deliberations	46	29	25	541
Investigating non-local authority service providers	20	33	47	532

The views of officers and non executive councillors are very similar and as with non executive councillors responses, a substantial number indicated they neither agreed or disagreed and suggests they were reserving judgement. In fact officers indicated greater reservations than non executive councillors about the extent that overview and scrutiny had provided clear lines of accountability, ensured local views were taken into account, explored innovative service delivery or involved external stakeholders.

3.5 What is Wrong with Overview and Scrutiny

Figure 9 illustrates the types of explanation which we encountered for why the development of effective ‘value added’ overview and scrutiny was not as easy road to travel. We found issues relating to constitutional arrangements, behavioural and attitudinal factors.

Figure 9: Organisational/constitutional, behavioural and attitudinal constraints on effective overview and scrutiny activity

Organisational /constitutional	• Inadequate officer support to overview and scrutiny
	• Restrictions on call ins
	• Restricted agenda
	• Overloaded agendas
Behavioural	• Poor chairing
	• Party activity
	• Councillor capacity
	• Officers called not ‘decision makers’
Attitudinal	• Overview and scrutiny not valued by non execs
	• Overview and scrutiny not valued by execs
	• Party loyalty

3.6 The Variety of Overview and Scrutiny Arrangements

As with our executive typology, the different forms of overview and scrutiny arrangements can be categorised by looking at three aspects, the formal rules under which overview and scrutiny operates, the behaviour of members and the values and attitudes of members of committees. Figure 10 outlines a typology of four typical forms which can be taken by overview and scrutiny. More detail about the theoretical perspective which underlies this typology can be found in appendix D. These depictions are not based on a single authority but are scenarios highlighting typical features.

As with the executive typology most of the overview and scrutiny systems we looked at did not fit exactly with one of the forms identified above. Because there is a far greater number of members involved and because the political balance rules for overview and scrutiny committees means that they are normally politically mixed, overview and scrutiny is less likely than executive arrangements to fit neatly in one category. Keeping these caveats in mind we allocated our case studies to the most appropriate forms. The last row shows the distribution of our case study authorities across the ideal types.

We do not claim that any of the four forms is best. Each mode has strengths and weaknesses which we show. It is likely that scrutiny will perform differently in different political contexts and will develop over time. However, it is clear that where overview and scrutiny takes a *disengaged* form it is not fulfilling the potential which the framers of the Act envisaged. Figures 11 to 14 expand on the indicators set out in Figure 10 (over).

Figure 10: Forms of Overview and Scrutiny

Overview and Scrutiny forms	Management tool	Apolitical entrepreneurship	Opposition game	Disengaged
Constitutional indicators	Restrictive call-in procedure. May be relatively well-resourced. Majority chair.	Call-in procedure more open. May not be well-resourced. Either opposition or majority chair.	Call-in procedure relatively unrestricted. May or may not be well-resourced. Opposition chair.	Restrictive call-in procedure. Poorly resourced. Either opposition or majority chair.
Behavioural indicators	No or limited use of call-in. Agenda often set by either political or officer executive, emphasis on policy development and review rather than challenge. High overview low scrutiny.	More frequent call-in of decisions. Agenda under the control of councillors that run with issues, executive unsure about how to respond. High scrutiny high overview.	May make use of call-in or intensive policy reviews to make opposition points. Co-ordinated agenda setting in control of O&S, relations with executive tension-filled. High scrutiny low overview.	No or limited call-in. Lack of meetings, effective agenda or output, little or no activity and what there is tends to be ad hoc and unplanned. Low scrutiny low overview.
Value or Attitude indicators	O&S seen by members to be playing a constructive part in the council's management. Purpose is seen as supporting the executive.	Policy not politics. Search for innovative solutions to council issues. Aims to be robustly independent of the executive, but not automatically critical. O&S seen as an opportunity by a few 'awkward squad' councillors to take up issues .	Commitment to holding the executive to account, seen as team job and potentially as a benefit to the opposition group.	O&S seen as very second class activity, lack of commitment.
Strengths	Value added in policy making	Scrutiny champions provide example	High challenge to executive	Scope for improvement
Weaknesses	Little challenge to executive	Skills gap Not organisationally ingrained	Impedes efficiency	Little fulfilment of councillor, corporate or community goals
Case study authorities	D2, D3, M2, U1, U3, U5, U6, C2, L1	D5, C4, L2	D4, M3, U4, C3	D1, M1, U1, C1

Figure 11: Overview and Scrutiny as Management Tool

Constitutional Indicators	Some restriction in call-in Purpose is to contribute to goals of council Work plan based on cabinet policy framework
Behavioural Indicators	A lot of training for members, most are ‘increasingly skilled’ Limited call-in
Values, attitudes and attributes	Co-operative relations with executive Limited political element ‘Difficult questions in an atmosphere of mutual respect’

Where overview and scrutiny is seen as a method of contributing to the achievement of the goals of the council leadership we have labelled it *management tool*. Rather than representing a means of ‘internal challenge’ to the executive and officers overview and scrutiny’s role is to aid policy development and implementation through carrying out policy analysis. It can also be used as a method for diffusing or avoiding controversial issues. Constitution stresses overview and scrutiny should be a constructive process which avoids duplication. The work plan of *management tool* style overview and scrutiny normally follows the cabinet’s policy framework and sometimes this is written into the rules of procedure for overview and scrutiny. *Management tool* overview and scrutiny is often well resourced, with training provided for members. Emphasis is put on keeping good relations with the executive and public criticism is avoided, dissent where it exists is often communicated through the party.

Apolitical Entrepreneurship

Figure 12: Overview and Scrutiny as Apolitical Entrepreneurship

Constitutional Indicators	Dedicated officer support Chair can be from opposition or administration
Behavioural Indicators	Varying levels of call-ins Strong questioning in scrutiny reviews
Values, attitudes and attributes	Chair develops reputation for being non-partisan Willingness to change views in face of evidence Cross party support for reports – seeking cross party consensus A small group of members trying to find new ways of working Some scrutiny members developing into policy specialists

Where a critical policy orientated approach best characterises the overview and scrutiny role in a council we have labelled it *apolitical entrepreneurship*. Although also quite policy focussed this type of overview and scrutiny differs from *management tool* in that it is more likely to develop its own work programme and perhaps address issues that the council’s political and administrative leadership would rather were left in peace. However, the selection of issues to address is primarily determined by perceived importance to the council (or scrutiny members’ particular hobby horses) rather than the potential for embarrassing leadership.

Scrutiny activity is higher in this form, where call-in procedures are tight scrutiny may be displaced into policy overview work. The chair of overview and scrutiny will generally be thought to be apolitical, in one of our site visits the chair reported being careful to stay out of ‘the political punch ups’ at full council in order to maintain this reputation.

Opposition Game

Figure 13: Overview and Scrutiny as Opposition Game

Constitutional Indicators	Opposition chairs Few limits on call-in procedure which would prevent a unrestrained call-in by a single party group
Behavioural Indicators	Frequent call-ins Extensive use of policy reviews to make points about failures of performance or policy Sitting in political groups and voting with group (although technically ‘unwhipped’) Members of ruling party may not attend, or do little to contribute
Values, attitudes and attributes	May result in frustrations on all sides but can be seen as acceptable part of a adversarial political system

Where overview and scrutiny is used as a method to attack the executive we have called the system *opposition game*. Typically the call-in procedure is set up in such away that the opposition group can engineer call-ins as and when it wishes, these are primarily selected for political purposes. The political nature of the overview and scrutiny process can be underlined by members sitting in groups and voting (often in

groups) on issues. Where the process is highly politicised the executive may be less willing to respond to the policy reviews undertaken by overview and scrutiny committees.

Disengaged

Figure 14: Disengaged Overview and Scrutiny

Constitutional Indicators	Call-in procedures restrictive or little understood Little officer support
Behavioural Indicators	No policy development (role played by alternatives like policy panels) few call-ins, little sign of effective scrutiny
Values, attitudes and attributes	‘There is no energy in it, isolated and pretty dull’, (<i>Scrutiny Officer</i>)

Where the overview and scrutiny system has little influence on the decision making of the council and the scrutiny members do not understand how their roles are supposed to be played we have labelled the system *disengaged*. Call-in procedure is likely to be tight or not well understood. Even if the procedure does not effectively preclude call-in the members of overview and scrutiny are likely to show no inclination to use it.

In our site visits we found nine authorities that fitted best in to the management tool category, three that fitted into apolitical entrepreneurs, four in opposition game and four in disengaged. Four of the twenty authorities can be thought to be struggling with the overview and scrutiny role. The predominance of management tool forms of overview and scrutiny across our site visits suggests that the scrutiny function is not bedding in as well as the overview function.

4 FULL COUNCIL

4.1 Introduction

The part that full council plays in organisational life of local authorities has been affected by the introduction of the new council constitutions in leader cabinet and mayoral authorities. The responsibilities of full council as the final decision maker have been in most cases radically supplemented by the decision making capacity of a formal executive. The legislation places with full council the overall responsibility for approving the budget and policy framework. How this responsibility is enacted and how full council fits with the other decision making structures of authorities and what kind of role full council plays in the outward looking work of the council is very varied. Critically the role of full council is affected by primarily what is included in the budget and policy framework of the constitution. The ability of full council to act as a final check also is related to the executive arrangements in hung or balanced authorities. Finally the extent to which full council is seen as part of an authority's outward facing activities depends upon the extent to which innovative procedures for engaging the public have been adopted.

We begin this chapter by looking initially at the constitutional arrangements which relate to the role of full council most notably the budget and policy frameworks which they approve. We draw on our site visits to look at what additional activities are undertaken in full council in our case study authorities. We discuss some of the problems identified in these authorities in the role of full council and examine survey data on party loyalty. We conclude by presenting a figure outlining the nature of the problems facing the effective operation of full council.

4.2 Constitutional Arrangements in Respect of Full council

Our earlier census survey asked authorities the length of the meeting cycle for full council. The most common meeting cycle was six weekly with over one in four authorities holding full councils on this schedule (Stoker et al, 2002).

The meeting cycles of the twenty case study authorities ranged from the most frequent being meetings nineteen times a year (1 authority), monthly meetings (3 authorities), six weekly meetings (5 authorities), bi-monthly meetings (8 authorities) and finally quarterly meetings (3 authorities). Therefore in our case study authorities the most common meeting cycle appeared to have lengthened to bi-monthly reflecting perhaps the reduced role of full council.

However when we compared the 1997 cycles with the 2004 cycle in the nine authorities for which we had this data five reported increasing their meeting cycle for full council. Three had reduced it and in one authority it had stayed the same. Given the changed role of full council it seems surprising that in some authorities the meeting cycle has actually increased. One explanation for this might be that authorities are using full council as a way of engaging the public for example by having question times or state of the borough debates. Another explanation is that full council is seen as forum for sharing information with and engaging non executive councillors. This is an area we will explore on our further site visits and the repeat census in 2006 will provide a more comprehensive analysis of the national picture of change.

4.2.1 The budget and policy framework

The Local Government Act 2000 gives to full council the responsibility for approving the budget and policy framework. The plans and strategies that make up a council's policy framework are listed in its constitution including those that the legislation requires are adopted by the Council, those that the Secretary of State recommends should be adopted by the Council as part of the policy framework and other plans and strategies which a Council may choose to adopt as part of its policy framework. Figure 15 shows which statutory and recommended plans were included in the constitutions of the twenty site visit authorities. This suggests that not all councils had listed either the statutory or recommended plans appropriate to their authority.

Figure 15: Statutory and recommended policy plans listed in the site visit council constitutions

	District (5)	Unitary/ Met (9)	London Borough (2)	County (4)
Statutory				
Annual Library Plan	N/A	8	2	3
Best Value Performance Plan	5	9	2	4
Children's Services Plan	N/A	9	2	3
Community Care Plan	N/A	8	1	1?
Community Strategy	5	9	2	4
Crime and Disorder Reduction Strategy	5	9	2	4
Plans and alterations which together comprise the Development Plan	5	9	2	4
Early Years Development Plan	N/A	9	2	3
Education Development Plan	N/A	9	2	3
Local Transport Plan	5	9	1	4
Youth Justice Plan	5	9	2	4
Recommended				
Food Law Enforcement Service Plan	3	8	1	2
The strategy and plan which comprise the Housing Investment Programme	4	9	2	-
Local Agenda 21 Strategy	4	8	1	4
Adult Learning Plan	-	8	2	3
Quality Protects Management Action Plan	1	9	1	1
The Corporate Plan	4	6	2	1

In addition to the statutory and recommended policy plans listed in Figure 15 above, Figure 16 (over) shows the number of non statutory local choice plans and strategies

which the case study authorities have included in their constitutions. The plans are sorted by policy area. This shows a huge variation in the number of council nominated plans or strategies included in the councils' policy frameworks and therefore going to full council for policy approval. In particular three authorities have notably more business directed to full council for approval. In one district the number of additional plans and strategies going to full council may reflect the council's hung status. Both councillors and officers in this authority felt the extensive involvement of full council in decision making contributed to confusion over routing of issues. In one metropolitan authority with a very safe majority the number of additional policies going back to full council reflected the determination of the executive to involve non executives in policy making but the size of majority means that votes are not contested in full council.

Figure 16: The Number of local choice plans or strategies included in policy frameworks as defined in constitution

	D1	D2	D3	D4	D5	M1	M2	M3	U1	U2	U3	U4	U5	U6	C1	C2	C3	C4	L1	L2
Chosen by council																				
Financial			2	6	2				1		3		1	1	1			1		2
Corporate				12					3					1						
Education									1				1	3				1		
Environmental				4					5		1	1	1							
Sports and recreation			1	2										1						
Regeneration				2									1	3					1	
Equality and fairness				1							1		1	1						
Youth								1										1		
Health				2					3			1	1	1	1			1		
Other			1	4					2		1	1	1	1				2		
Total	0	0	4	33	2	0	0	1	15	0	6	3	7	12	2	0	0	6	1	2

4.2.2 Budget approval in full council

One key role for full council is to approve the executive's budget plans for the forthcoming year. This is the one key occasion in the year when full council is able to exert its constitutional power. This is particularly seen in hung and balanced authorities where considerable negotiation is required to obtain an affirmative vote, and also even in majority authorities it is a time when the executive need to ensure majority party non executives are willing to uphold their proposed council tax rate. We examine the whole budgeting process in more detail in the following chapter in section 5.4.3.

4.2.3 What else do full councils do?

Many authorities have sought to innovate the role of full council to address aims of the 2000 Act. The 2000 Act encouraged local authorities to have an outward looking focus in their policy making and improve public participation. Their full councils involve time allocated to receiving public petitions, or having a public question time and holding 'state of the borough' debates. In some cases councils have sought to use their full councils to engage their own non executives through having one-off policy debates about upcoming issues. In addition, full council has been seen in some authorities as a forum where decision makers can be expected to explain and account for their decision to encourage the accountability and transparency of decision making in the authority. Here portfolio holders are expected to report and take questions from members. All councils reported a struggle to get members of the public to participate and one leader wryly commented "the only way to engage the public is to do something controversial."

One issue facing authorities who wish to develop more public and community involvement in full council is that this involves a trade off with achieving greater efficiencies in the management of council business. It raises the issue of what the role of full council should be and the extent to which it should be a debating forum when in many cases no decision making powers are attached.

4.3 The Party Role in Full Council

We sought to check the strength of party loyalty by asking non executive councillors if they had voted against the party line or abstained in full council. Seventy one councillors had voted against the party line representing ten per cent of non executive councillors and 160 or twenty three per cent had abstained (Rao, 2004 forthcoming). This suggests that there is very little voting against the party and only slightly more abstentions and that party is still a strong binding factor in this forum.

4.4 Problems with Full Council

Our site visits highlighted a great deal of concern about the role and work of full council from both councillors and officers. There was a clear feeling of uncertainty about the part full council should play in the policy activity of the council. Some of the responses to our question how is full council operating were stark. Full council was ‘a nightmare’ said one portfolio holder; ‘not relevant to the majority of people – eight hours of silly point scoring with no-one in the galleries’ said another portfolio holder; one scrutiny officer commented ‘it’s a lions den – we know the press will be there so parties are ready to get the headlines’ and one monitoring officer said ‘if this is democracy – why bother’. Many of the difficulties related to non executive members not recognising the change in the role of full council.

The one full council in the year which did not suffer from the problems arising from ambiguity about role was the annual meeting convened to consider the budget. As discussed in 5.1.2 above here full council was able to really exert its power. The opposition were comfortable with their role and certainly in authorities with small majorities or hung or balanced then outcomes were uncertain. One of the senior officers commented “before being hung the executive could ride roughshod now they have to listen”.

Figure 17 lists the institutional/constitutional, behavioural and attitudinal constraints that we found in our research and which have stymied the working of full council.

Figure 17: Institutional/Constitutional, behavioural and attitudinal constraints on the operation of full council

<p>Institutional/constitutional</p>	<ul style="list-style-type: none"> • Lack of clarity over routing of issues in legislation • Lengthy agendas • Lack of clarity over routing of issues in constitution
<p>Behavioural</p>	<ul style="list-style-type: none"> • An ‘opposition’ game • Councillors don’t understand role of full council • Lack of public involvement • Lack of press interest
<p>Attitudinal</p>	<ul style="list-style-type: none"> • No one takes it seriously • Seen as a dignified rather than ease an effective part of the constitution

5 THE INTERNAL MANAGEMENT OF POLICY ACTIVITY

5.1 Introduction

In chapters two, three and four we focussed on the separate activities of the executive, overview and scrutiny and full council. In this chapter we take an overview of the policy activities of the council as a whole. We examine some of the management issues arising from the operation and linkage of all of those arenas contributing to the policy activities of a council. Initially we look at constitutional features including how authorities have responded to the expectation that they will review their constitutions and the costs of operating the new constitutions. We also focus on how issues are routed through the council. We then discuss the process of budget making in the twenty site visit authorities as a comparative exemplar of the variety of routing mechanisms adopted. Finally, in this chapter we present some attitudinal data about three common system wide issues since the adoption of the new constitutions, the role of non executives, party activity and the encouragement of greater diversity of representation.

5.2 Constitutional Review and Changes

The guidance to the 2000 Act suggests that authorities should make arrangements to regularly review their constitutions. We asked in our 2002 census survey what plans the authority had to review the new arrangements. Nearly half (forty-eight per cent) had firm plans to review them, twenty per cent had 'in principle', ten per cent 'were considering', nineteen per cent had 'not yet considered' and at that stage only four per cent had already reviewed.

Nine of our site visit authorities had or were about to carry out formal reviews of the constitution. In two cases the standards committee was given responsibility along with the monitoring officer for monitoring and updating the constitution. One deputy monitoring officer reported that keeping the momentum of the review process going was a significant burden. Of those that had no formal process the constitution

identified the monitoring officer as responsible for tracking the performance of the constitution.

There were few examples of major reorganisation of constitutional arrangements in our case studies. Two councils made relatively minor changes to their call in mechanisms. More significant changes included a substantial redesign of the call in mechanism by one council and moves to introduce area committees with delegated powers by another. In addition three councils restructured their overview and scrutiny function. One increased the number of committees, another decreased the number of its committees, and in the third case the chairs of overview and scrutiny which had previously been allocated to opposition members were changed to roughly reflect political balance. Other minor changes included, for example, reworking the schemes of delegations.

5.2.1 The costs of reform

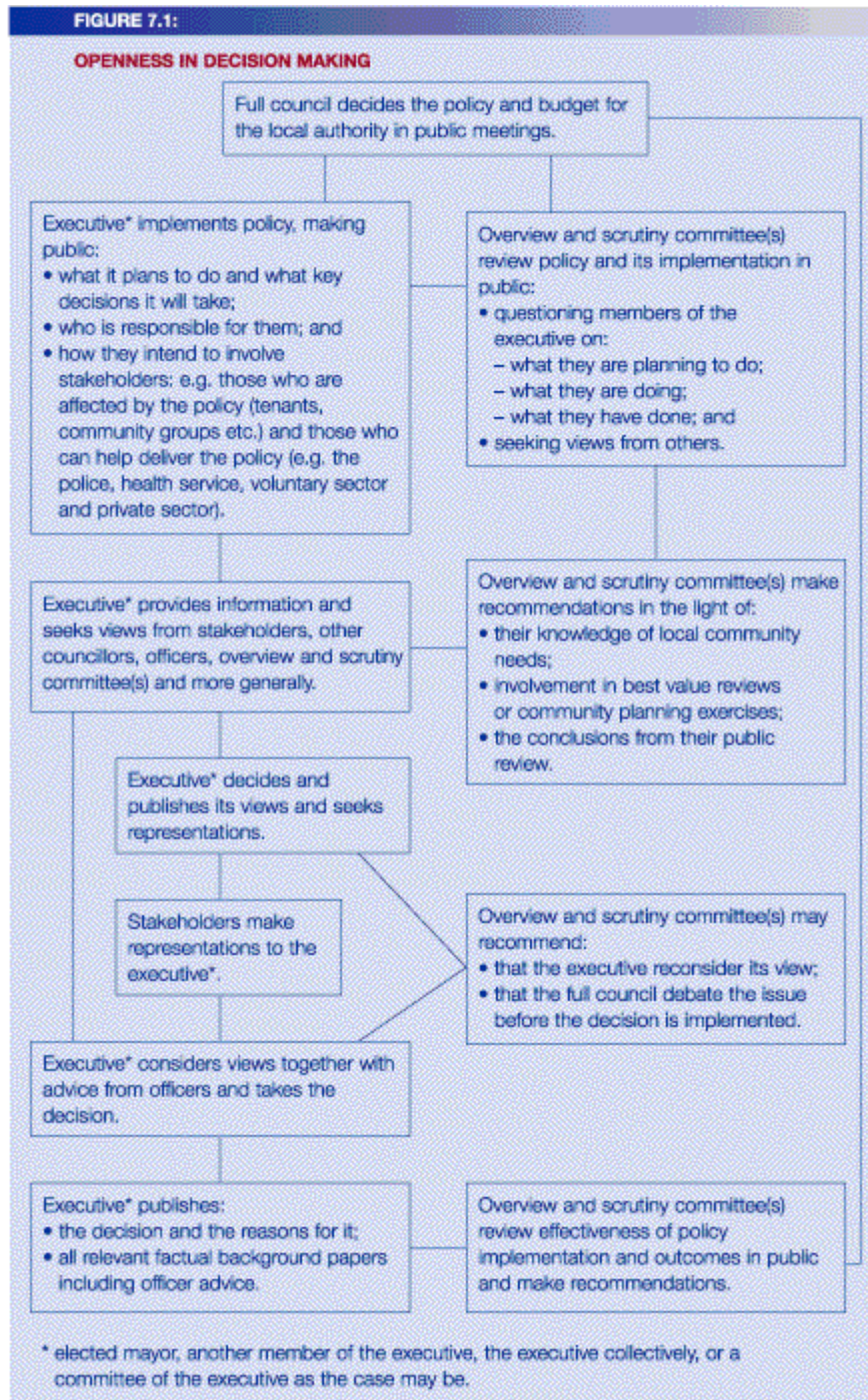
We asked the chief executive and chief finance officer in each of our twenty visits for their views on the costs of reform to the political management arrangements of the authority either directly or indirectly in terms of opportunity cost of officer time.

Only one authority was able to immediately provide actual costings of operating the new arrangements. This authority used the best value ‘cost to democracy’ guidance provided by CIPFA and was able to point to an overall reduction in those cost of democracy.

Other respondents mentioned individual identifiable areas of expenditure such as the cost of the new member allowances, the costs of staffing a scrutiny support function and training but did not have actual costings. It was the small districts who were more aware of the budgetary implications of funding scrutiny for example. Others said the cost was negligible and cited the reduction in committee support function as balancing out the type of additional expenditure outlined above. What was striking was that no authority responded to say the cost was either significant or too much. Cost was not seen to be issue in the authorities we visited.

5.2.2 Routing of issues through the councils policy making forums

Figure 7.1 from the guidance on the new council constitutions depicts a model for the routing of issues through the policy arenas of the council (NCC Guidance, para 7.4).



We asked the chief executives, monitoring officers, leaders and party whips whether they felt that all participants understood the routing of issues through the council. In some authorities interviewees were confident that this was the case and that both councillors and officers understood route issues.

In some authorities respondents were less confident that these processes were understood. This was due to a variety of reasons sometimes due to confusion about where a process should start either with the executive or scrutiny and where it should end – with the executive or with full council and how it should be routed throughout. One monitoring officer reported “routing is clear in the constitution if not in the minds of the labour group”. Another chief officer commented “scrutiny members don’t understand they need to route their recommendations to cabinet”. Another issue was that non-executive councillors still thought that officers should attend overview and scrutiny meetings not portfolio holders. Sometimes this was due to confusion about the linkages between the formal constitutional processes and the informal party processes. As one leader explained “I will never take anything of size to cabinet which hasn’t been through group first” but this is not reflected in any written procedures.

Secondly some executives deliberately sought to route politically contentious issues through scrutiny in order to gain consensus. Officers were sometimes aware that when contentious issues arose an informal party route was initially preferable to letting the issue begin with the executive.

Finally and most commonly there were issues raised about the uncertain routing of particular issues. An issue that was raised by two monitoring officers was that when Government drafted new legislation it had sometimes failed to indicate clearly whether a function should be the responsibility of the executive or full council. Similarly, when Government had carried out consultations with local authorities it had sometimes been unclear whether it was the executive or the full council that should respond. One example involved uncertainty about the process for the authority providing feedback on the boundary changes proposed in the light of the referendum on elected regional assemblies. Personnel and staffing matters were also mentioned

as being an area where there was real difficulty in determining where responsibility should lie. One chief finance officer suggested “politicians have got too much involvement in things they don’t know about and don’t understand the implications” in respect of personnel issues.

We met with whips on our site visits and asked about how party procedures interacted with the formal processes of the council. Often the party whips were knowledgeable about processes and acted like business managers in managing the flow and route of work. There is some evidence that whipping is more concerned with ensuring attendance and balance at meetings. One whip described the role as a ‘business manager’ spending time ‘explaining things rather than driving members through the lobby’. In another authority the whip indicated the role was ‘not political with a big P’. The paradoxical nature of strong party relationships is that although it may work against the spirit of scrutiny, it greatly facilitates the smooth processing of council business partly because there is a shared understanding between officers, councillors of all parties about what would go where, when and how. We examine attitudes towards the strength of party involvement in policymaking in section 5.4.4 below.

5.3 The Budgeting Process since the New Council Constitutions

We discussed the budgeting policy process on all our site visits as it provided an insight how the new council constitutions had impacted on the policy making process and a comparative insight into the variations in how policy issues are routed through authorities. Before the adoption of executive arrangements, budget negotiations would generally be held with the majority party leadership who would consult with party groups and bring a proposed budget to full council. Consultation would be held with the business community over the business tax rate. Opposition parties could put forward their own budget and receive briefings from council officers. Most of the negotiation happened after Christmas and in secret.

The Local Government Act 2000 introduced the requirement that draft budget proposals should involve wide stakeholder consultation. The intention was that overview and scrutiny should play a role in the budget making process in both

executive and alternative arrangements. In authorities with extensive political decentralisation area committees may also play a role in the development of the budget. Ultimately the executive (or relevant policy committee in alternative arrangement authorities) brings proposals to full council, full council considers these proposals in the light of relevant overview and scrutiny reports and can adopt them, amend them or refer them back. If full council amends then the executive or mayor can also object and a further full council called to make a final decision.

In fact the modular constitution sets out five variations of the budget process for leader-cabinet and mayoral authorities, and two variations for alternative arrangements authorities.

Executive variations:

1. Consultation by executive and overview and scrutiny committee conflict resolution by simple majority;
2. Executive leads process; overview and scrutiny committee involvement within executive consultation process; differential voting on disputes regarding budget and policy proposals;
3. Overview and scrutiny lead the policy and budget development process;
4. Area committees lead the policy and budget development process;
5. Discretion on overview and scrutiny committee to respond to executives proposals.

Alternative arrangements variations:

1. Programme set by strategic policy and resources committee; commissioning of policy and resources studies from overview and scrutiny committees
2. Programme set by council; area committees lead the budget and policy development process.

Of our twenty case studies fourteen described the budget making process in their constitutions. Of the other six we were unable to access the constitution from three of the websites, and could not find a description of the budget process in the other three. Of those that described the budget making process the majority adopted processes that

were closest to variation one. Executive develops proposals and they are passed on to overview and scrutiny for consultation, a number of constitutions identified a time scale for overview and scrutiny to reply, which were either four or six weeks. The only other type of process we found was variant five, where overview and scrutiny have the discretion to respond to executive proposals. The only alternative arrangements constitution we could access makes no mention of a role for overview and scrutiny in budget setting.

Our visits revealed that the introduction of the new council constitutions had sometimes had a major effect on the budgeting process. In some cases the creation of an executive with cross cutting portfolios had led budgeting to become more strategic and to a move away from an incremental approach. There was still a sense though in some authorities that budgets were just being rolled forward.

The level of public consultation had been stepped up in many cases. Consultation ranged on a spectrum from inviting comments through advert in the public or council delivered newspaper at one end to consultation meetings with local groups and public opinion surveying and focus group activity at the other. In some cases the extent of consultation was related to the political options facing the majority group. For example in one authority large metropolitan authority it was politically expedient to have as low a council tax rise as possible and so little effort was put into consultation. In one authority the finance officer felt the process was more about ticking boxes to prove the process had been undertaken than affecting how decisions were made. In another county extensive consultation was used to justify an above average rise in council tax.

In most cases overview and scrutiny had been given the opportunity to become involved in the budgeting process but how this was built into the process varied and was also linked to party politics. Some executives had tried to involve overview and scrutiny very early in the process over the summer period. This was especially the case in two authorities where difficult decisions were needing to be made about cuts in budgets. In one (mayoral) authority the opposition dominated overview and scrutiny committee concerned declined the request to assist arguing it was the

mayor's job to decide where cuts should be made. Here party politics made any effective overview and scrutiny at this early stage difficult. In a number of cases overview and scrutiny committees appeared to have taken on an advocate role for its relevant policy area. In one case the overview and scrutiny committee with responsibility for corporate governance had taken a council wide view whilst others had tried to argue the case for 'their' service.

Although in all authorities where comments had been submitted by overview and scrutiny the executive had responded and in some cases had amended its proposals one very common theme running through our visits was that the overview and scrutiny process was impeded by the desire of opposition groups to 'save their fire' or 'keep their power dry' until the debate at full council.

One other practical difficulty with involving overview and scrutiny in the process is that the timescales are extremely tight if overview and scrutiny have to see draft proposals between the authority receiving the final settlement from ODPM in mid December and ensuring the rate is set in time for the precepts to be passed on in two tier areas and for bills to be printed. One large metropolitan authority had tried to overcome this difficulty by sharing a three year financial strategy with overview and scrutiny at an earlier stage but this had led to some complaints (although in fact the overarching overview and scrutiny committee had seen the draft budget following the settlement announcement). Nearly all chief finance officers expressed a desire for an earlier settlement date to facilitate effective overview and scrutiny involvement.

In effect a picture emerged of a rational budgeting process which is lengthier, more strategic, involves more consultation and the opportunity for scrutiny in all authorities. Running alongside this was a highly political set of interactions which much more mirrored pre constitutional processes whereby majority parties were consulted at an early stage to set parameters and opposition parties see the budget debate in full council as a key forum for oppositional politics.

5.4 Attitudes towards the Policy Activity of the Council

5.4.1 Views on backbench disengagement

One issue raised during our site visits by executive members and officers with responsibility for managing the new constitutions was the difficulty they had in engaging some non executive members in the work of the council. In our sample survey we asked all respondents the extent to which they agreed with the statement that backbench members were more engaged. Table 23 indicates that amongst councillors and officers there is a widespread perception that non executive members are disengaged.

Table 23: Views on statement ‘Backbench members are more engaged’

	Councillors %	Officers %	Stakeholders %
Agreed	7	5	10
Neither agreed nor disagreed	11	17	50
Disagreed	82	76	40
Base	849	534	408

Measures taken by local authorities to deal with this issue include using full council to involve non executives, improving the type and targeting of information to non executives and raising the profile of area working. This aspect of the new council constitutional processes will be examined in the next chapter.

5.4.2 The influence of parties

We were also interested to gather views on the extent to which political parties dominate decision making. As we highlighted earlier in chapter three councillors thought parties should organise around overview and scrutiny activity, thirty-one per cent felt that pre party meetings should be held prior to overview and scrutiny meetings (table 18), and less than one in ten councillors had voted against the party whip in full council (chapter four). Our question asked whether respondents agreed

that ‘political parties dominate decision making’. Table 24 confirms that party activity is perceived to have a major influence on the policy process.

Table 24: Views on whether political parties dominate decision making

	Councillors %	Officers %	Stakeholders %
Agreed	50	38	43
Neither agreed nor disagreed	25	38	43
Disagreed	25	24	14
Base	841	530	418

5.5 Encouraging Diversity

One key aim of the reform process was to encourage a greater diversity and more representative group of councillors to become involved in local government. Our survey of councillors was able to update some of the previous data on councillor representation (Rao, 2004 forthcoming, annex 1). Three out of four councillors are male with just 26 per cent female rising by just one percent from 1999. Most councillors do not work full time. Just over a third of all councillors work, the great majority of them full-time, while a further third are retired. As many as 12 per cent are self-employed – compared with 18 per cent in 1999 – while just six per cent are unemployed.

Councillors remain predominantly middle aged or even elderly, with very few under the age of 35, and almost all of them white. In this survey 43 per cent of councillors had served for more than 10 years, with a small number having served more than 20 years. Almost all councillors had been elected on a party platform, and most had been party members for at least 15 years.

In our interviews we asked political leaders and whips about the mechanisms their parties were taking to encourage a greater diversity amongst candidates. We also

asked if the new council constitutions had had any impact on the ability of their party to attract and retain recruits and councillors in office. Confirming the findings from our earlier issue paper on diversity (ELG 2003) in interviews we found little support for the idea that the new structures either impeded or encouraged new entrants.

For both executive and non executive councillors the main barrier to involvement was seen to be that being a councillor is difficult with a full time job or with family responsibilities. The difficulty of getting time off from employers and the uncertainty of the position despite higher payments, were identified as being the principal reason why new recruits were difficult to attract and good councillors could not be persuaded to stay. As one portfolio holder told us “being a portfolio holder is the quintessential short term contract”.

There was evidence that parties particularly the Labour Party were seeking ways to encourage a broader diversity of entrants. In one authority partnership activity and local area working had yielded new community activists who subsequently stood for election. It maybe that over the next years of the evaluation the changes in the way of non executive working may start to impact on the recruitment and retention of new councillors. To obtain a baseline we asked for respondents views on whether the new arrangements made it easier for women or black and ethnic minority groups to become involved in council business. Table 25 and 26 indicate that both statements resulted in negative responses and very high neither agree nor disagree statements.

Table 25: Views on the statement ‘it is easier for women to become involved in council business

	Councillors %	Officers %	Stakeholders %
Agreed	15	6	11
Neither agreed or disagreed	50	66	72
Disagreed	35	29	17
Base	843	532	415

Table 26: Views on the statement ‘it is easier for ethnic minorities to become involved in council business

	Councillors %	Officers %	Stakeholders %
Agreed	14	5	11
Neither agreed or disagreed	53	69	67
Disagreed	33	27	23
Base	837	530	415

6 COMMUNITY REPRESENTATION ACTIVITY AND AREA WORKING

6.1 Introduction

One of the key aims of the reformers was that local councils should become more outward facing and encourage public and community participation in decision making through area working and partnership work. This chapter examines the outward facing activities and processes which are becoming established to meet these aims. Initially we examine developments in area working in the case study authorities. We then examine the changing behaviour and activities of non executives, executive councillors and external stakeholders in relation to area working and partnership activity and explore the balance of focus that non executives give to inward and outward facing activity. We then present some attitudinal indicators of the effectiveness of area working and partnership activity.

6.2 Area Working

Under the 2000 Act area committees can be established if an authority is satisfied that it will ensure improved service delivery and encourage efficient, transparent and accountable decision making. Any area committees can be consultative only or have delegated decision making authority. Our 2002 survey established that just over half of leader and cabinet authorities had area committees (fifty one per cent) although these bodies may have been established prior to the introduction of the new constitutions (ELG 2002 Figure 1). The number of area committees in each authority varied from just one to twelve. Districts and unitary authorities were more likely to have area structures than metropolitan authorities, and Conservative authorities more likely to have them than either Liberal Democrat or Labour authorities (ELG, 2002, Table 10 and 11). Labour authorities were also less likely to have area structures with decision making powers (ELG, 2002, table 12).

Our site visits this year suggest that area working is being developed in three of our authorities and already established in eight. A primary motive is the seek to re-engage

non executive councillors and involve them more in the decision making processes of the council. In one Labour authority these were being introduced as a way of encouraging non executive engagement and promoting democratic renewal.

6.2.1 Management of policy activity where there is area working

One issue that arises with the development of area working is the further complication to the routing of issues through the council as area committees provide another possible entry route, decision making location and forum for review. It complicates the routing of issues through the scrutiny process creating an additional set of schisms between decision making and scrutiny.

Authorities grappling with developing area working are facing long standing debates about the degree of discretion to permit area structures and the extent to which there can be a trade off between decentralisation and ensuring standards.

6.3 Changing Behaviour in Relation to Area Working

We explored what kinds of tasks associated with the new constitutional arrangements were being undertaken by non executives (table 27). This list only includes tasks associated with the new role of a non executive and does not cover other aspects of the non executive role such as attending regulatory committees.

Table 27: Average hours per month spent on key activities by non-executive members

	Mean hours	(base)
Working groups (task and finish groups)	7.53	(446)
Party meetings	6.37	(602)
Discussion with executive members	3.54	(422)
Contact with stakeholders	6.02	(396)
Communication with constituents	13.63	(600)
Area committee	18.48	(414)

These figures suggest that non executive councillors are spending a substantial proportion of their time on area working and constituency business. It is not possible to judge whether this indicates that non executives are fulfilling the ‘community champion’ role envisaged by the policy makers. Firstly because it is difficult to compare our data with earlier data as the range of activities is so different. Secondly because our question did not cover the full range of activities, for example attending full council, regulatory or licensing committees. Our figures will however provide a baseline for our follow up survey in 2005.

6.4 Changing Behaviour in Relation to Partnership Activity

We saw in chapter two on executive working that partnership activities represented the second biggest time commitment of executive councillors and officers reflecting the importance and extent of partnership activity. A more outward facing and active engagement with partners helps to engender accountable and transparent decision making. On our site visits this year we spoke to a range of external stakeholders and were able to ask them about their relationship with each local authority and how that had changed as a result of the new constitutional arrangements. In many cases partners reported the development of a pre-existing relationship. In some cases the new constitutions had given a focus to partnership activity particularly where there was an active portfolio holder with delegated decision making capacity. ‘Yes everyone knows who X is, he is seen as the responsible councillor by community groups, other agencies and organisations’ as one statutory body stakeholder puts it. In some cases portfolio holders were well known figures in their area of responsibility. In other cases stakeholders felt their primary relationship was with officers, one business stakeholder in a county authority said “I want to deal with whoever makes the decisions and that’s the officer”.

Most of our partner interviewees did not directly link the new council constitution with improved partnership activity but saw that relationship developing over time. We were interested to see what kind of activity was taking place as a result of the partnership relationships which the stakeholders had with their authorities. We asked whether they had undertaken a series of activities shown in Table 28 below.

Table 28: Stakeholder activities

Activity	Undertaken by stakeholder (% of all stakeholders)
Given evidence to an overview and scrutiny committee	22
Contributed to the development of a policy plan	53
Attended an Area Committee	18
Base	462

There were differences in how the local authority perceived its role in relation to partnership activity. In one large metropolitan authority the local councillors felt they had to lead local partnership activity. A portfolio holder told us “we are the biggest player we have the structures to organise” and a stakeholder commented “we can push our way in but it is not an automatic reflex, the democratic mandate and legal process make it a David and Goliath relationship”. In another district authority the chief executive commented “this council is just one body within a city which needs to develop its future”.

6.5 Attitudes Towards Area Working and Partnership Activity

We asked for an assessment of the effectiveness of the arrangements for area based decision making in the authority. Table 29 below suggests that where applicable both councillors and stakeholders felt that area working was effective.

Table 29: Effectiveness of area based decision making

	Councillors %	Stakeholders %
Effective	38	38
Ineffective	14	8
Not applicable	39	16
Don't know	7	38
Base	(889)	(445)

We also asked several questions designed to gather opinions about how well authorities were perceived to be doing at involving partners and the wider public in its deliberations. Firstly we asked if all respondents agreed with the statement ‘the councils relations with partners have improved’ and Table 30 indicates that stakeholders held the most positive views with seventy six per cent of those expressing a view indicating they thought the quality of partnership relations had improved.

Table 30: View on statement that ‘the council’s relationship with partners has improved’

	Councillors %	Officers %	Stakeholders %
Agreed	38	38	45
Neither agreed or disagreed	38	50	41
Disagreed	24	12	14
Base	843	527	418

We also asked those stakeholders who were members of the local strategic partnership the extent to which they agreed with the following statements (table 31).

Table 31: LSP Stakeholder views on influence of LSP

	Agree %	Neither agree or disagree %	Disagree %	Base
The LSP is leading to more inclusive local governance	54	30	17	308
The LSP is leading to more effective ways of working between partners	74	18	8	313
The LSP is influencing the way in which my organisation carries out its mainstream activities	36	34	29	305

These responses suggest that LSP stakeholders see the LSP as leading to more inclusive local governance, more effective ways of working but are less sure that the partnership is influencing the way their organisations operate.

Finally we asked a broader question of all respondents of how far there was agreement with the statement ‘the public is more involved in decision making’. Table 32 shows little support for this statement from any group.

Table 32: View on statement that ‘the public is more involved in decision making’

	Councillors	Officers	Stakeholders
	%	%	%
Agreed	13	13	19
Neither agreed or disagreed	20	34	42
Disagreed	67	53	38
Base	849	533	418

7 STANDARDS ARRANGEMENTS

7.1 Introduction

Following on from the work of the Nolan Committee the Local Government Act 2000 Act sought to improve trust in local government through the introduction of a new ethical framework. The Act had three main provisions. Firstly that each local authority should adopt a code of conduct regulating the behaviour of elected members and officers based on a model code of conduct. Secondly that each local authority should establish a local Standards Committee to advise on the code of conduct, promote high standards and monitor the operation of the local code. Thirdly the Act provided for a new Non-Departmental Public Body – The Standards Board for England – to be established to receive and investigate cases of unethical conduct by members. Although these provisions were implemented speedily there has been a delay in bringing forward supporting regulations to permit local adjudication to permit investigation at the local level which have impacted on the work of local standards committees.

In this chapter we report on the constitutional and organisational arrangements established in local authorities to support local Standards Committees, we then look at what Standards Committees do and report on the views held by Independent Members of Standards Committees on the working of the new arrangements. In conclusion we discuss the impact of the delay in bringing forward regulations for local adjudication and investigation for our research.

7.2 Constitutional Arrangements to Standards Committees

In our first report we noted that eighty five per cent of authorities responding to our survey had adopted the model code of conduct and a further fourteen per cent had adopted the model code with additional provisions. Two authorities had the model code applied by default. The membership of standards committees varied widely from two to nineteen, elected members predominated over independent members but half the committees were chaired by an independent member. The frequency of

meetings was varied and was decreased after the initial work of the committee on adopted the code and publicising it in the local authority had been completed. Authorities had not appeared to have difficulty in recruiting independent members and there was a variation in the length of tenure they had been offered with almost half of local authorities adopting the minimum two year period.

On our site visit discussions monitoring officers raised some difficulties with operating the new arrangements in respect of the declaration of interests and issuing of dispensations. In one large metropolitan authority the declarations of interests at the start of full council was adding significantly to the length of time that meeting took. If dispensations were required in order for decision making to take place then there was a significant time delay to convene a standards committee to grant dispensations. The authority was investigating ways of getting members to view the agenda and register their interests in advance to speed up the process. Another monitoring officer highlighted that the granting of dispensations under the political balance criteria was not possible as the political balance criteria related to appointments and not meetings.

Since our visits last year regulations had been brought forward to permit local adjudication. At the time of writing there have been forty four local hearings (information from the Standards Board). At the time of our visits our case study authorities were in the process of establishing procedures for local adjudication in line with the guidance shortly after the new regulations permitting local adjudication were in place. Only one authority had heard a case referred back from the Ethical Standards Authority. It was not possible to get a clearer picture at this stage of how authorities are responding in terms of the arrangements to hear adjudications for example whether the full committee or a sub group will hear the case.

7.3 The Behaviour and Activities of Standards Committees

We will update information on the frequency of Standards Committee meetings in our follow up census survey in 2006. On our site visits we noted that most of the Standards Committees were meeting on regular cycle the most common being

quarterly. Three authorities had not had a Standards Committee meeting since our last visit.

7.4 Attitudes of Independent Members of the Standards Committee

We distributed our sample survey to Independent Members of the Standards Committee in their capacity as informed local stakeholders and received 58 replies in the forty authorities concerned. As each authority must have a minimum of two members this represents a response rate of seventy one per cent. We did not ask specific questions about their standards work as at the time there was very little standards activity in local authorities. They did respond to a general question about how well they perceive the current reform and the results shown below in Table 33 suggest their views are similar to stakeholders in general in that over half of those that expressed a view saw the reforms as representing an improvement .

Table 33: Current Attitudes to Reform by All Stakeholders and Independent Members

	All Stakeholders %	Independent Members %
An improvement	49	46
Made no difference	20	26
Disadvantages/retrograde step	19	18
No Experience of previous system/don't know	12	11
(Base)	462	58

7.5 Ongoing Research Issues

Last year we spoke to monitoring officers and independent standards committee members in forty authorities and gathered information about the kinds of activities they were undertaking at this time. The delay in bringing forward the Section 66 regulations has impacted on the work of the Standards board and meant that the work of Standards Committees in terms of local investigations and local adjudications is only just beginning. Our evaluation this year has been able to add little to this

baseline information. Our evaluation brief is not to evaluate the Standards Board or the national policy making framework but consider this as one of the inputs to the environment within which local authorities have implemented their local standards arrangements. As the processes for implementing Part III of the Act are only just beginning we would like to give this aspect of our work a special focus next year. We propose to conduct national and local interviews to explore the impact of the delay in bringing forward regulations and gather more information about the processes which are being established.

8 CONCLUSIONS

What emerges two years after the formal launch of the new governance arrangements for local government is a fairly mixed picture in at least three senses. Some parts of the system appear to be working better than others, for example, executives are generally faring better than overview and scrutiny functions. Moreover some authorities are doing better than others in adapting to and working with the new arrangements to improve their standing in the community in terms of partnership and service delivery. Finally some groups seem to be happier with the new arrangements than others with executive councillors, senior officers and stakeholders more positive about the system and non-executive councillors and more junior officers working more closely with them also stronger in their doubts about the way the system is turning out.

From the perspective of the advocates of the legislation it would be difficult to conclude anything other than that implementation has been reasonably successful. Authorities have got on and put the new arrangements into operation and done so in a way that appears to enable decisions to be made on a relatively smooth and effective basis. Over the two full years since all constitutions had to be in place there have been refinements and improvements as the new arrangements bedded in. The concepts of the forward plan and key decisions although subject to a variety of interpretations, reflecting local choices and circumstances, appear to have become a normal way of conducting business in most local authorities. People still in many cases see some limitations to the transparency of the decision making under the new arrangements but there is not a widespread sense that the system is more opaque than the previous one. Indeed decision making is seen as speedier and the leadership capacity of the council is viewed as having been enhanced. From the point of view of the architects of the reform it would appear that a key aim of the reform has been made easier to achieve, councils seem better equipped to deliver better service delivery and community leadership. There remains a gap, of course, between bringing the governance arrangements into play and using them to drive improved delivery on the ground. Better local government has not yet emerged across the board but there is a widespread sense -especially among senior councillors and officers and stakeholders

in regular contact with local authorities- that the governance of local authorities now puts them in a better position to go forward. This positive view of the reforms is needless-to-say not universally held but in our site visits and in our surveys it is clear that it is a view that is quite widely held.

The complaints that people make about the operation of post-2000 Act political management arrangements in part reflect decisions or choices made by the designers of the Act. To say that non-executive councillors often feel their role has changed and they are therefore excluded from the decision making or policy processes of the council is in part simply to restate one of the purposes of the Act in a negative way. The aim was to enhance the role of political leadership and as such limit the day-to-day decision making influence of non-executive councillors. In that sense implementation has achieved that aim. Yet the position is more complex than such a bold conclusion suggests. One of the subsidiary aims of the architects of the legislation was to create new roles for non-executive councillors so that they could voice to interests that might have been overlooked and challenge the performance of their local authority. In these and other ways councillors outside the executive were to become the community leaders of their neighbourhoods. Although we found instances of the delivery of these ambitions it is clear that in our opinion and most of those associated with local government there is still a long way to go to deliver on these goals and for non executive councillors to realise the potential of their new role.

In the remainder of our research work we are left with three key tasks in the light of the conclusions drawn above. First we will need to keep monitoring the unfolding of the new governance arrangements and in that sense much of what we have produced thus far acts as a benchmark against which to judge future developments. What forms of leadership will come to dominate? What ways of developing the roles of non-executive councillors will take off?

Second we need to identify the connection between changes in governance arrangements and impact of the ground in terms of better service delivery and community leadership. We suggested that in our first report that excellent CPA performance is correlated to strong leadership and scrutiny constitutional or structural

attributes. In this report we have fleshed out the working of the new arrangements with behavioural and attitudinal data. In future work we need to find some way of assessing which sets of structural arrangements, behaviours and attitudes work best and in which contexts. In this report we have not been able to report any great boost in stakeholders views about the effectiveness of partnership stemming from the governance arrangements. To be sure they are generally much more positive about the new arrangements than not, but it does not appear that governance change alone has improved the partnership atmosphere in their areas; it seems to be one among several factors. As for the views of the wider public about the reform, these remain to be explored in our future work.

The third evaluation task that will be delivered in future work is to explore more what is driving the changes we are observing and the different patterns of implementation that are a feature of our study. Why have some authorities gone in one direction, and others in another direction and what are the consequences of these choices? Will a set or dominant pattern of implementation begin to emerge or will diversity still be a powerful characteristic in any assessment? Are some interests consistently winning out in the introduction of the new governance arrangements? Beyond these general questions there lies a multitude of others that we will seek to address.

For now we conclude that the dire warnings of chaos of some who opposed the 2000 Act have not come to fruition. Local government has proved itself yet again to be capable of implementing a complex change in a manner that reflects well on its basic administrative and managerial competence.

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Appendix A – Questionnaires to councillors, officers, and stakeholders



Questionnaire to Local Stakeholders

Guidance on completion and return of questionnaire

Thank you for participating in this survey. This questionnaire is intended to collect the views of local stakeholders on how Townsville Council is operating the new council constitutions. Please do not fill in this questionnaire if you are a councillor or officer of Townsville Council, or if you are a councillor or officer of another local authority.

The questionnaire will take you only a few minutes to complete, in most cases by placing a tick in the box that most closely matches your circumstances or views. A self addressed envelope is enclosed which you can use to return the survey. We should be grateful if you would return the survey as soon as possible and at the latest **15 September 2003**.

All information provided will be treated as confidential, and will only be used by researchers working on the evaluation of the Local Government Modernisation Agenda. The detailed results of the research will be provided to ODPM and are likely to be widely disseminated. However, no information will be passed on from the researchers to ODPM or any other party which would divulge the identity of individual respondents or of individuals discussed in the responses. Furthermore, the identity of your organisation will not be divulged in any report or publication, unless you expressly give permission for this to occur.

The results of the survey will make a valuable contribution to the current debate, and will provide an assessment of how councillors, officers and stakeholders respond to and view the new council constitutions.

If at any stage you have a query about either the questionnaire or the process, please contact our help-line on 0161 275 1472. You can also email us on elgnce@man.ac.uk.

With many thanks in advance.

QUESTIONNAIRE TO LOCAL STAKEHOLDERS

About your Relationship with Townsville Council

1. Job Title
2. Organisation
3. Are you a member of a Local Strategic Partnership that works with Townsville council?

TICK ONLY ONE

Yes **Please answer question 4**
No **Please go to question 6**

4. What is the name of the Local Strategic Partnership of which you are a member?
5. What is the basis of your membership of the Local Strategic Partnership of which you are a member?

TICK ALL THAT APPLY

Representing a public sector organisation

Representing a private sector umbrella group, private business or trades union

Representing a community group or faith organisation

Representing a voluntary organisation

Representing another partnership

As a private individual

Other (please specify).....

6. Are you currently a co-opted or independent member of a Townsville Council Committee?

- Yes [] Please answer question 7
No [] Please go to question 8

7. Please indicate which committees you sit on

TICK ALL THAT APPLY

Independent member of:

- The Standards Committee []
The Remuneration Committee []

Co-opted member of an:

- Overview and Scrutiny Committee that oversees education []
Overview and Scrutiny Committee that oversees social services []
Co-opted member of another Overview and Scrutiny Committee []

Other (please specify).....

8. What other relationships do you have or have you had in the past with Townsville council?

TICK ALL THAT APPLY

- As a member of another partnership body []
As a contractor or provider of services to or on behalf of the council []
Regular informal contact with members or officers []
Service user []

Other (Please specify).....

9. Have you undertaken any of these activities with respect to Townsville Council since May 2002?

TICK ALL THAT APPLY

- Given evidence to an overview and scrutiny committee []
Contributed to the development of a policy plan []
Attended an area committee []

10. Since May 2002 and aside from LSP or council committee meetings, have you met any of the following decision makers to discuss council business?

TICK ALL THAT APPLY

- The mayor or leader of Townsville council []
Portfolio holders or executive members of Townsville council []
Officers of Townsville council []

Effectiveness of the New Arrangements

11. Following the implementation of the Local Government Act 2000, does Townsville Council operate:
- A directly elected mayor and cabinet executive
 - A directly elected mayor and council manager
 - A leader and cabinet executive
 - Alternative arrangements
 - Don't know
12. What was your own view when the new executive models were first proposed?
- I strongly favoured the proposals
 - I favoured the proposals
 - I was indifferent to the proposals
 - I opposed the proposals
 - I strongly opposed the proposals
 - Don't know
13. Which of the statements below most closely matches your own view about the working of the new arrangements at Townsville council? (Please tick only one)
- The new system is a significant improvement
 - The new system is to some extent an improvement
 - The new system has made little difference
 - The new system has some disadvantages
 - Introducing the new system was a retrograde step
 - Don't know
14. How effective are the arrangements for area based decision-making in your authority (for example area committees)?
- Effective
 - Partially effective
 - Ineffective
 - Area committees are consultative only
 - No such arrangements
 - Don't know

15. Compared to the situation before the new constitutional arrangements were adopted, with which of the following statements would you agree characterise Townsville council?

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
Decision making is quicker	[]	[]	[]	[]	[]
The role of leader has become stronger	[]	[]	[]	[]	[]
The leader of the council has a higher public profile	[]	[]	[]	[]	[]
It is easier to find out who has made specific council decisions	[]	[]	[]	[]	[]
The public is more involved in council decision making	[]	[]	[]	[]	[]
The council is better at dealing with cross cutting issues	[]	[]	[]	[]	[]
The council's relations with partners has improved	[]	[]	[]	[]	[]
It is easier to find out about council policy	[]	[]	[]	[]	[]
Backbench members are more engaged	[]	[]	[]	[]	[]
Political parties dominate decision-making more	[]	[]	[]	[]	[]
It is easier for women to become involved in council business	[]	[]	[]	[]	[]
It is easier for ethnic minorities to become involved in council business	[]	[]	[]	[]	[]

If you are not a member of a Local Strategic Partnership, thank you for completing the survey, please return it in the envelope provided.

If you are a member of a Local Strategic Partnership please answer question 16

Your views on the Local Strategic Partnership

16. Finally, we would like to ask your views on the LSP. How far do you agree with the following statements about the LSP?

TICK ONE RESPONSE FOR EACH STATEMENT

	Strongly Agree	Agree	Neither Agree nor disagree	<i>Disagree</i>	Strongly Disagree
I am clear about the purpose of the LSP	[]	[]	[]	[]	[]
We have an LSP in this area primarily because the government requires it.	[]	[]	[]	[]	[]
We have an LSP in this area primarily because the local partners want it	[]	[]	[]	[]	[]
The LSP is creating better understanding and trust among partners	[]	[]	[]	[]	[]
The LSP is leading to more efficient use of resources	[]	[]	[]	[]	[]
The LSP is leading to more inclusive local governance	[]	[]	[]	[]	[]
The LSP is leading to more effective ways of working between partners	[]	[]	[]	[]	[]
The LSP is enhancing the capacity of partners to learn from shared experience	[]	[]	[]	[]	[]
The LSP is influencing the way in which my organisation carries out its mainstream activities	[]	[]	[]	[]	[]
The LSP is leading to organisational and cultural change within my organisation	[]	[]	[]	[]	[]
The effectiveness of the LSP is hampered by tensions and conflicts among local partners	[]	[]	[]	[]	[]
The effectiveness of the LSP is hampered by tensions and conflicts between local partners and national priorities	[]	[]	[]	[]	[]

Thank you very much for your help, please return this form in the SAE provided to:

**ELG Questionnaire
Department of Government
University of Manchester
Manchester
M13 9PL**



Questionnaire to Local Authority Councillors

Guidance on completion and return of questionnaire

Thank you for participating in this survey. This questionnaire is intended to collect the views of members of local authorities on their council's new constitution.

The questionnaire will take you only a few minutes to complete, in most cases by placing a tick in the box that most closely matches your circumstances or views. A self addressed envelope is enclosed for you to return the survey. We should be grateful if you would return the survey as soon as possible and no later than the **6 October 2003**.

All information provided will be treated as confidential, and will only be used by researchers working on the evaluation of the Local Government Modernisation Agenda. The detailed results of the research will be provided to ODPM and are likely to be widely disseminated. However, no information will be passed on from the researchers to ODPM or any other party which would divulge the identity of individual respondents or of individuals discussed in the responses. Furthermore the identity of your organisation will not be divulged in any report or publication, unless you expressly give permission for this to occur.

The results of the survey will make a valuable contribution to the current debate, and will provide an assessment of how councillors, officers and stakeholders respond to and view the new council constitutions.

If at any stage you have a query about either the questionnaire or the process, please contact our help-line on 0161 275 1472. You can also email us on elgnce@man.ac.uk.

With many thanks in advance.

QUESTIONNAIRE TO LOCAL AUTHORITY COUNCILLORS

You and your council

1. Please give the name of your authority Council

2. For how many years *in total* have you served as a councillor, including service on this and other authorities? [] years

3. How many hours in a typical month do you spend on council related activities?
[] hours

4. Please indicate your current roles and the date you took on each role, (tick all that apply).

	Role	Date Mnth/Yr)
Leader of the council	[]	[]
Chair/Mayor of the council	[]	[]
Executive member with portfolio	[]	[]
Executive member without portfolio	[]	[]
Overview and Scrutiny committee chair	[]	[]
Overview and Scrutiny committee member	[]	[]
Member of standards committee	[]	[]
Party leader	[]	[]
Member of regulatory committee	[]	[]
None of these	[]	[]
Other committee member (Please state)	[]	[]
.....		

5. Immediately prior to the introduction of the new arrangements were you...

TICK ALL THAT APPLY

Leader of the council	[]
Member of policy committee	[]
Committee Chair	[]
Committee Vice Chair	[]
None of these	[]
Was not a councillor	[]

6. Leader of opposition group []
When you were last elected to the council, did you stand as a...

- Conservative Party candidate []
- Labour Party candidate []
- Liberal Democrat Party candidate []
- Independent candidate []
- Other (please state) []
-

7. If you stood as a party candidate, how long have you been a member of that party? [] yrs

Effectiveness of the new arrangements

8. What was your own view when the new executive models were first proposed?

- I strongly favoured the proposals []
- I favoured the proposals []
- I was indifferent to the proposals []
- I opposed the proposals []
- I strongly opposed the proposals []
- Don't know []

9. Which of the statements below most closely matches your own view about the workings of the new arrangements in your authority? (Please tick only one)

- The new system is a significant improvement []
- The new system is to some extent an improvement []
- The new system has made little difference []
- The new system has some disadvantages []
- Introducing the new system was a retrograde step []
- No experience of the past system []

10. Do you consider the time councillors currently spend on the following activities under the new arrangements to be too much, too little or about right?

	Too Much	Too little	About right	Not applicable
Attending meetings of the executive	[]	[]	[]	[]
Preparing for meetings of the executive	[]	[]	[]	[]
Representing the council on outside bodies	[]	[]	[]	[]
Attending meetings of area committees	[]	[]	[]	[]
Preparing for meetings of area committees	[]	[]	[]	[]
Representing constituents	[]	[]	[]	[]
Attending overview and scrutiny committees	[]	[]	[]	[]
Preparing for overview and scrutiny committees	[]	[]	[]	[]
Attending regulatory committees	[]	[]	[]	[]
Preparing for regulatory committees	[]	[]	[]	[]

11. Under the new arrangements, is the extent of delegation of decision-making powers to officers excessive, insufficient or about right?

Excessive	[]
Insufficient	[]
about right	[]

12. How far do you agree with the following statements about the role of the leader of the council?

	Agree	Neither agree or disagree	Disagree	Not applicable
Leader should decide who is in cabinet	[]	[]	[]	[]
Leader should allocate portfolios to cabinet members	[]	[]	[]	[]
Leader should decide on policies	[]	[]	[]	[]

13. How far do you agree with the following statements about the role of the overview and scrutiny in your authority?
- | | Agree | Neither agree
or disagree | Disagree | Not
applicable |
|-----------------------------------------------------------------------|-------|------------------------------|----------|-------------------|
| Chairs of overview and scrutiny should not be from the majority party | [] | [] | [] | [] |
| Party meetings should be held before overview and scrutiny meetings | [] | [] | [] | [] |

14. How effective are the arrangements for area based decision-making in your authority?

- | | |
|---------------------------------------|-----|
| Effective | [] |
| Partially effective | [] |
| Ineffective | [] |
| Area committees are consultative only | [] |
| No such arrangements | [] |
| Don't know | [] |

15. How far do you agree that in your authority overview and scrutiny committees have been effective in....

- | | Agree | Neither agree
nor disagree | Disagree | Not
applicable |
|--------------------------------------------------------|-------|-------------------------------|----------|-------------------|
| Holding decision makers to account | [] | [] | [] | [] |
| Reviewing service outcomes | [] | [] | [] | [] |
| Providing clear lines of accountability | [] | [] | [] | [] |
| Ensuring local views are taken into account | [] | [] | [] | [] |
| Exploring innovative forms of service delivery | [] | [] | [] | [] |
| Involving external stakeholders in their deliberations | [] | [] | [] | [] |
| Investigating non local authority service providers | [] | [] | [] | [] |

16. Compared to the situation before the new constitutional arrangements were adopted, with which of the following statements would you agree characterise the council?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
Decision making is quicker	[]	[]	[]	[]	[]
The role of leader has become stronger	[]	[]	[]	[]	[]
The leader of the council has a higher public profile	[]	[]	[]	[]	[]
It is easier to find out who has made specific council decisions	[]	[]	[]	[]	[]
The public is more involved in council decision making	[]	[]	[]	[]	[]
The council is better at dealing with cross cutting issues	[]	[]	[]	[]	[]
The council's relations with partners has improved	[]	[]	[]	[]	[]
It is easier to find out about council policy	[]	[]	[]	[]	[]
Backbench members are more engaged	[]	[]	[]	[]	[]
Political parties dominate decision-making more	[]	[]	[]	[]	[]
It is easier for women to become involved in council business	[]	[]	[]	[]	[]
It is easier for ethnic minorities to become involved in council business	[]	[]	[]	[]	[]

17. How satisfied are you with the officer support for your role?

- Satisfied []
- Neither satisfied nor dissatisfied []
- Dissatisfied []

18. Have you had any training to aid you with your current council role?

- Yes []
- No []

19. How do you think the new reforms will affect your career prospects as a councillor?

- | | |
|-------------------------|-----|
| Will help me get on | [] |
| Will make no difference | [] |
| Will hold me back | [] |

The Work of Executive Members

NON EXECUTIVE MEMBERS PLEASE GO TO QUESTION 24

20. Please indicate which of the following you have performed as part of your executive role.

TICK ALL THAT APPLY

- | | |
|---------------------------------------|-----|
| Written an executive report | [] |
| Talked to a report at cabinet meeting | [] |
| Talked to a report at full council | [] |
| Initiated a significant policy review | [] |
| Taken a decision alone | [] |

21. Approximately how many hours a week do you have spend meeting with the council's senior management to discuss council business? [] hours

22. About how many hours in a typical month do you spend on the following:

- | | |
|-----------------------------------------------|-----|
| Formal cabinet meetings | [] |
| Informal cabinet meetings | [] |
| Preparing for cabinet meetings | [] |
| Liasing with overview and scrutiny committees | [] |
| Liasing with partners | [] |
| Writing reports | [] |
| Reading reports | [] |
| Meeting with non executive members | [] |
| Meeting with party group | [] |

23. If you are a portfolio holder, how often has policy in your portfolio been changed as a result of the activity of O&S committees?

- | | |
|------------------------|-----|
| Sometimes | [] |
| Occasionally | [] |
| Never | [] |
| Not a portfolio holder | [] |

Non Executive Council Members

EXECUTIVE MEMBERS PLEASE GO TO QUESTION 28

24. Please indicate which of the following you have performed as part of your council role

TICK ALL THAT APPLY

- Pushed for an item to go on an Overview and Scrutiny Agenda []
Joined a working group (e.g. task and finish group) []
Achieved significant publicity for a scrutiny activity []
Visited outside organisations in relation to a scrutiny activity []
Called in a decision from the executive []
Been involved in policy development through Overview and Scrutiny []

25. Are party meetings held prior to overview and scrutiny committees, and are party whips applied?

- | | Yes | No | Not applicable |
|-------------------------|-----|-----|----------------|
| Party meetings are held | [] | [] | [] |
| Party whip applies | [] | [] | [] |

26. During the past year have you voted against party line, or abstained, in full council?

- | | | | |
|--------------------------|-----|------------------------|-----|
| Yes, voted against party | [] | On how many occasions? | [] |
| Yes, abstained | [] | On how many occasions? | [] |
| No, neither | [] | | |
| Not applicable | [] | | |

27. About how many hours in a typical month do you spend on the following:

- | | |
|----------------------------------------------|-----|
| Working groups (e.g. Task and finish groups) | [] |
| Party meetings | [] |
| Discussion with executive members | [] |
| Contact with stakeholders | [] |
| Communication with constituents | [] |
| Area committee | [] |
| Reading / preparation | [] |

About yourself

Finally, we would be grateful if you would give us some personal information about yourself.

28. Are you:

Male

Female

29. And how old were you on your last birthday?

18-34 years

35-54 years

55-64 years

65 or over

30. Do you consider your ethnic origin to be:

White

Black – Asian

Black – Caribbean

Black – African

Chinese

Other (please state)

.....

31. Please indicate below any school or educational qualifications you may have

Degree/higher degree

Professional qualification

Higher National Certificate/Diploma

GCE 'A' level/Scottish Higher Grade

Ordinary national certificate/Diploma

GCSE/ 'O' level/school certificate

CSE (above grade 1)

Other (please specify).....

No school or educational qualifications

32. At present are you:

- In full-time paid employment (30 hrs weekly or more) []
- In part-time paid employment (less than 30 hrs weekly) []
- Self-employed []
- Unemployed []
- Retired []
- Permanently sick or disabled []
- Looking after a home/family []
- Not working for some other reason []

Thank you very much for your help, please return this form in the SAE provided to:

**ELG Questionnaire
Department of Government
University of Manchester
Manchester
M13 9PL**



Questionnaire to Local Authority Officers

Guidance on completion and return of questionnaire

Thank you for participating in this survey. This questionnaire is intended to collect the views of local authority officers on their new council constitution.

The questionnaire will take you only a few minutes to complete, in most cases by placing a tick in the box that most closely matches your circumstances or views. A self addressed envelope is enclosed for you to return the survey. We should be grateful if you would return the survey as soon as possible and no later than **15 September 2003**.

All information provided will be treated as confidential, and will only be used by researchers working on the evaluation of the Local Government Modernisation Agenda. The detailed results of the research will be provided to ODPM and are likely to be widely disseminated. However, no information will be passed on from the researchers to ODPM or any other party which would divulge the identity of individual respondents or of individuals discussed in the responses. Furthermore the identity of your organisation will not be divulged in any report or publication, unless you expressly give permission for this to occur.

The results of the survey will make a valuable contribution to the current debate and will provide an assessment of how councillors, officers and stakeholders respond to and view the new council constitutions.

If at any stage you have a query about either the questionnaire or the process, please contact our help-line on 0161 275 1472. You can also email us on elgnce@man.ac.uk.

With many thanks in advance.

QUESTIONNAIRE TO LOCAL AUTHORITY OFFICERS

You and your council

1. Please give the name of your authority Council
2. For how many years *in total* have you served as an officer, including service with this and other authorities? [] years
3. Please indicate your current roles and the date you took on each role, (please tick all that apply)

	Role	Date (Mnth/Yr)
Chief Executive	[]	[]
Council Manager	[]	[]
Chief Officer	[]	[]
Monitoring Officer	[]	[]
Head of Human Resource Management	[]	[]
Other Member of Corporate Management team	[]	[]
Service Head	[]	[]
Scrutiny Officer	[]	[]
Democratic Service Officer	[]	[]
Other (Please specify)	[]	[]
.....		

Your role under the new constitution

4. Since the adoption of the new constitution in your authority have the powers delegated to you:

Increased	[]
Decreased	[]
Stayed the same	[]
Not applicable	[]

5. Since the adoption of the new constitution in your authority has the level of contact you have with elected members:

Increased	[]
Decreased	[]
Stayed the same	[]

6. In your opinion is the level of officer support for overview and scrutiny:

- | | |
|------------|--------------------------|
| Adequate | <input type="checkbox"/> |
| Inadequate | <input type="checkbox"/> |
| Don't know | <input type="checkbox"/> |

7. On which of the following have you had training:

TICK ALL THAT APPLY

- | | |
|----------------------------------------------|--------------------------|
| The new council constitution | <input type="checkbox"/> |
| Working to the executive | <input type="checkbox"/> |
| Working to the Mayor | <input type="checkbox"/> |
| Working to the new arrangements for scrutiny | <input type="checkbox"/> |
| Standard arrangements | <input type="checkbox"/> |
| No training is provided | <input type="checkbox"/> |

8. How do you think the new reforms will affect your career prospects as an officer?

- | | |
|-------------------------|--------------------------|
| Will help me get on | <input type="checkbox"/> |
| Will make no difference | <input type="checkbox"/> |
| Will hold me back | <input type="checkbox"/> |

9. In your opinion has the council's new constitution led to the problem of 'two-hattedness' in respect of officers' roles?

- | | |
|-----|--------------------------|
| Yes | <input type="checkbox"/> |
| No | <input type="checkbox"/> |

The work of officers

10. Please indicate which of the following you have performed as part of your officer role.

TICK ALL THAT APPLY

- | | |
|---------------------------------------|--------------------------|
| Written an executive report | <input type="checkbox"/> |
| Talked to a report at cabinet meeting | <input type="checkbox"/> |
| Talked to a report at full council | <input type="checkbox"/> |
| Initiated a significant policy review | <input type="checkbox"/> |
| Taken a decision alone | <input type="checkbox"/> |

11. Approximately how many hours a week do you spend meeting with the Mayor/Leader and other portfolio holders to discuss council business? hours

12. About how many hours in a typical month do you spend on the following:

- | | |
|----------------------------------------------|-----|
| Formal cabinet meetings | [] |
| Informal cabinet meetings | [] |
| Preparing for cabinet meetings | [] |
| Liasing with overview and scrutiny committee | [] |
| Liasing with partners | [] |
| Writing reports | [] |
| Reading reports | [] |
| Meeting with non executive members | [] |
| Briefing meetings | [] |

Effectiveness of the new arrangements

13. What was your own view when the new executive models were first proposed?

- | | |
|------------------------------------|-----|
| I strongly favoured the proposals | [] |
| I favoured the proposals | [] |
| I was indifferent to the proposals | [] |
| I opposed the proposals | [] |
| I strongly opposed the proposals | [] |
| Don't know | [] |

14. Which of the statements below most closely matches you own view today about the working of the new arrangements in your authority? (Please tick only one)

- | | |
|--------------------------------------------------|-----|
| The new system is a significant improvement | [] |
| The new system is to some extent an improvement | [] |
| The new system has made little difference | [] |
| The new system has some disadvantages | [] |
| Introducing the new system was a retrograde step | [] |
| Don't know | [] |

15. How far do you agree with the following statements about the role of the leader of the council?

	Agree	Neither agree or disagree	Disagree	Not Applicable
Leader should decide who is in cabinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leader should allocate portfolios to cabinet members	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leader should decide on policies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. How far do you agree with the following statements about the role of overview and scrutiny in your authority?

	Agree	Neither agree nor disagree	Disagree	Not applicable
Chairs of overview and scrutiny should not be from the majority party	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Party meetings should be held before overview and scrutiny meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. How far do you agree that in your authority overview and scrutiny committees have been effective in....

	Agree	Neither agree nor disagree	Disagree	Not applicable
Holding decision makers to account	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reviewing service outcomes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Providing clear lines of accountability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensuring local views are taken into account	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exploring innovative forms of service delivery	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Involving external stakeholders in their deliberations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Investigating non local authority service providers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. How effective are the arrangements for area based decision-making in your authority?

- Effective
- Partially effective
- Ineffective
- Area committees are consultative only
- No such arrangements
- Don't know

19. Compared to the situation before the new constitutional arrangements were adopted, with which of the following statements would you agree characterise your council?

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
Decision making is quicker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The role of leader has become stronger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The leader of the council has a higher public profile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is easier to find out who has made specific council decisions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The public is more involved in council decision making	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The council is better at dealing with cross cutting issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The council's relations with partners has improved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is easier to find out about council policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Backbench members are more engaged	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Political parties dominate decision-making more	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is easier for women to become involved in council business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It is easier for ethnic minorities to become involved in council business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Thank you very much for your help, please return this form in the SAE provided to:

**ELG Questionnaire
Department of Government
University of Manchester
Manchester, M13 9PL**

Appendix B – Methodological Note

The Panel Authorities

We distributed questionnaires to members, officers and stakeholders in 40 authorities in the summer of 2003. The 40 authorities are evenly spread regionally and within each region one of each type of authority is included. The sample also reflects national proportions in terms of political control.

We have included 30 leader cabinet authorities, 6 mayoral authorities and 4 alternative arrangements. This means we are over sampling the mayoral and under-sampling (slightly) the alternative arrangement authorities. We took the view that this was appropriate as the degree of change in the mayoral authorities was far greater and more important to understand.

Overall 1927 responses were received with an overall response rate of 40%. This reflected the difficulty of chasing indirectly via a third party. It is however likely to be a slight underestimate and is affected by some very poor individual response rates. The rates for each of the forty authorities and overall are shown on Table A. Where a questionnaire was completed but the name of the authority was missing or unintelligible the questionnaire was labelled missing. In 6 cases a questionnaire was returned with no data as a deliberate act and these cases were labelled other. These cases are added into the overall response rate but not the individual totals.

The Panellists – Councillors, Officers and Stakeholders

We distributed questionnaires to all the councillors in the forty authorities through a named contact for distribution via members services or equivalent. This allows us to make some judgements about the views of councillors as a whole and yet will also allow us to further pick representative sub-samples for analysis by authority. Our response rates varied authority by authority and overall was 39%. The number of councillor questionnaires returned was 912.

We contacted each authority to ask for the number of officers fitting the following definition “chief officers, service heads and any officer with managerial responsibility for managing, working to or amending the constitution”. We then provided the appropriate number of questionnaires to the named contact in each authority with a copy of the definition and a response rate request form asking them to let us know how many were distributed. On receipt of this information some authorities revised downwards their planned distribution and in most cases informed us using the response rate request form. However in 17 cases details of the number of questionnaires distributed and therefore the response rates couldn’t be confirmed and therefore the response rates are likely to be underestimates. There was huge variation in the response rates between individual authorities with one or two poor authorities bringing down the overall rate to 45%. The number of officer questionnaires returned was 551.

Finally to obtain the views of key local stakeholders we provided an anticipated number of questionnaires to the named contact in the authority for independent members of the standards or remuneration committees and co-opted members of overview and scrutiny committees. Again we provided the requested number and asked for confirmation of actual distribution which was not received from 18 authorities. We also distributed questionnaires to executive or board members (except officers or councillors of the authority) of the authorities’ local strategic partnership (LSP) via the LSP secretariat. We asked for confirmation of anticipated numbers which was not received in 16 cases. In three authorities the LSP was either not established or so newly established that it was not possible to distribute via the LSP and so substitute lists of key local stakeholders provided by the authority were used instead. In these cases distribution was done directly by the research team. In one case there was no county wide LSP and so two local district LSP executives were contacted instead. Again response rates were variable with several very poor rates bringing down the overall response rate to 38%. A total of 464 stakeholder questionnaires were received.

Table A – Distribution Numbers and Response Rates – ELG Sample Survey 2003

Authority	No. Members Q's Distributed	No. Officers Q's Distributed	No. Stakeholder Q's Distributed	No. Member Responses	No. Officer Responses	No. Stakeholder Responses	Member Response Rate %	Officer Response Rate %	Stakeholder Response Rate %	Overall Response Rate %
1	42	11	30	17	6	11	40	55	37	44
2	90	29	30	26	18	14	29	62	47	46
3	33	23	27	10	12	2	30	52	7	30
4	59	54	38	19	11	12	32	20	32	28
5	52	15	23	21	9	8	40	60	35	45
6	24	14	22	12	4	2	50	29	9	29
7	51	38	47	22	22	25	43	58	53	51
8	39	28	27	13	16	14	33	57	52	47
9	40	8	23	19	6	11	48	75	48	57
10	66	58	27	35	27	12	53	47	44	48
11	54	30	29	22	24	13	41	80	45	55
12	48	30	66	17	18	16	35	60	24	40
13	48	50	31	13	19	13	27	38	42	36
14	54	18	17	27	12	6	50	67	35	51
15	78	36	44	40	20	16	51	56	36	48
16	99	20	22	33	8	6	33	40	27	33
17	56	40	31	15	12	14	27	30	45	34
18	59	35	27	14	5	8	24	14	30	23
19	77	13	30	32	10	15	42	77	50	70
20	99	26	50	26	8	25	26	31	50	36
21	99	15	22	34	7	4	34	47	18	33

Authority	No. Members Q's Distributed	No. Officers Q's Distributed	No. Stakeholder Q's Distributed	No. Member Responses	No. Officer Responses	No. Stakeholder Responses	Member Response Rate %	Officer Response Rate %	Stakeholder Response Rate %	Overall Response Rate %
22	47	12	35	12	5	14	26	42	40	36
23	51	23	40	16	11	16	31	48	40	40
24	60	25	20	29	13	10	48	52	50	50
25	61	15	19	14	5	10	23	33	53	36
26	43	16	29	14	5	13	33	31	45	36
27	74	70	36	27	16	17	36	23	47	35
28	67	42	24	27	29	7	40	69	29	46
29	70	40	41	31	20	12	44	50	29	41
30	56	40	24	21	18	11	38	45	46	43
31	45	48	22	16	25	8	36	52	36	41
32	51	31	26	27	14	14	53	45	54	51
33	63	27	23	22	9	11	35	33	48	39
34	59	17	29	27	7	2	46	41	7	31
35	76	57	36	35	26	6	46	46	17	36
36	59	41	35	16	16	15	27	39	43	36
37	52	30	32	24	14	9	46	47	28	40
38	62	11	20	31	5	1	50	45	5	33
39	37	24	18	9	8	6	24	33	33	30
40	47	60	65	23	27	33	49	45	51	48
Missing				21	3					
Others				3	1	2				
TOTALS	2347	1220	1237	912	551	464	39	45	38	40

ELG Year Two Process Evaluation

Interview schedule and suggested timings

Last year on our visits we looked at the implementation of the new constitution. This year we would like to look at the **operation** of the new council constitutions.

We would therefore like to discuss this with the following officers, members and stakeholders. Approximate timings are suggested - obviously we can be flexible if necessary. The order is not important although if possible it would be helpful to speak to the Chief Executive first. We expect to need to visit for two consecutive days and therefore early evening appointments are possible. Our website – www.elgnce.org.uk - has details of the project and the findings so far.

We would be most grateful if you could also suggest some names of external stakeholders who we may be able to approach to talk to, one from a business organisation, one from the voluntary sector and one from another statutory organisation.

Officers

Chief executive

Service head and finance director

Scrutiny officer and monitoring officer

Members

Leader / Mayor and Portfolio Holders

Majority party whip or whips from NOC/coalition parties

Members of scrutiny including opposition members

Stakeholders

Voluntary organisation or CVS

Business (for example chair of chambers of commerce.)

Statutory service

ELG Team Autumn 2003

Appendix D: Grid Group Theory and Leadership and Scrutiny Typologies

The process evaluation sets us the challenge of exploring how local authorities have responded to various aspects of the implementation of the 2000 Act. Using the grid-group typology to inform our thinking gives an opportunity to explore in a systematic way the different paths that could potentially have been taken by local councils.

Grid- group cultural institutional theory argues that in the organisation of collective life certain patterns of co-ordination can be regularly observed. These are patterns that become institutionalised and become part of an accepted way of working. They reflect different responses reflect to two questions: to what extent are the rules that govern imposed and how great are the solidarities within the group expected to be? Or to put the questions in another way: What should I do? Who am I?

Where rules are imposed and expectations of group solidarity are high then a hierarchical form of social relation is likely to emerge. Where again individuals perceive that rules are imposed from on high but that they lack a sense of solidarity and feel alienated and isolated then a form of fatalism is likely to dominate social relations. When rules are present but open to buy in and a sense of voluntary ownership but where group solidarity is relatively weak then a more market or individualist form of social relations is likely to dominate. Where the rules are negotiated but there is a strong sense of solidarity then a more communitarian or fellowship mode of organisation is likely to characterise social relations.

Of course any one social setting is unlikely to display a pure version of any one of the social forms described above. For example in a bureaucracy hierarchy is likely to be the dominant force that but that does not mean that elements of fellowship, individualism or even fatalism are absent. Equally any one individual is unlikely to act in the same way in their various social relations, so a mix is to be expected again. The aim of the grid-group typology is to provide an aid to thinking and a way of making systematic our understanding.

Hierarchy, fatalism, individualism and fellowship are four patterns of social organisation that can be observed in many settings and they provide a useful template against which to examine the operation of both executive and non-executive relations in the context of the new political management structures.

An application of the typology to the operation of political executives under the 2000 Act is provided in Figure 3.

Figure 10 presents a similar set of option when looking at the way that overview and scrutiny is organised.