

Assembly and Executive Review Committee Call for Evidence: Summary of NILGA Response

1. Whether the statutory link between Westminster and Northern Ireland constituencies should be removed and the implications of removing or retaining this link

Whatever the final decision, it must be easily understood by, and well communicated to, the public. An additional system of boundaries specific to the Assembly would add a layer of complexity to existing arrangements. Continued alignment with the Westminster boundaries will have the effect of reducing the number of MLAs, which may find some public support, but could also impact negatively on the involvement of smaller parties in the Assembly's mechanisms.

A potential alternative solution could be to align with the post-reform council boundaries, and allocate an appropriate number of MLAs in each of the 11 new areas. This would also enable a dynamic relationship between the two tiers of elected members.

The representational role of the politician needs to be pivotal. Nothing is gained by having a small political institution that can run itself functionally, but where members are too remote from their public. An overly managerial approach to review is not appropriate. There is a direct and necessary case to populate each tier of government based on what it has to do.

2. The implications of the forthcoming reduction via the Parliamentary Voting System and Constituencies Act 2011, and any further reduction in the number of MLAs.

If the forthcoming reduction from 108 to 96, and the further reduction being considered were to take place, participation issues may arise if the current Department and Assembly Committee arrangement is to be maintained and some streamlining of processes may be required. Thought should be given to a rationalisation of the committee structures and departments, and therefore a significant reduction in their back office demands and functions.

Such a reduction must also pre-suppose the transfer (with full business and resource planning) of powers from the Assembly to councils, and a New Burdens Doctrine – as exists in England between central and local government – could assist this extensively, providing a template to enable formal transfer of functions to be completed in terms of a partnership of consultation, assessment of risk, determination of business rationale, implementation and resource management.

3. The reduced number of MLAs required ensuring that the effectiveness of the Assembly in delivering its key functions is maintained, consistent with the safeguards on inclusivity.

The decision regarding the number of constituencies and MLAs will require a detailed political discussion and agreement between the NI Executive and the political parties. The final numerical assessment must permit effective operation of the Assembly as a legislative and scrutiny body, and ensure that inclusivity is safeguarded.

It is important when looking at issues such as size, to consider also factors such as:

- A business case approach to the resources needed to fulfil the required roles.
- Assurances in regard to equality of representation and opportunity for elected members to play a full part in decision making.
- The instigation of integration, collaboration, co-operation, innovation, improvement, and efficiency practices, ensuring a value for money ethos at the core of operations.

NILGA would propose that an independently commissioned and delivered efficiency audit is completed, in addition to a full and thorough analysis of the existing and proposed suite of functions to be delivered by the departments, the councils and the private sector/social economy. The European Charter of Local Self-Government should be taken into consideration in this exercise.

The ratio of service provision between the Assembly and councils is particularly high for the contemporary and stable society we now inhabit. NILGA will be happy to commit constructively, objectively and impartially to an evidence-based discussion with the Assembly and Executive Review Committee on this issue.

4. Proposals to mitigate the impact of reducing the number of MLAs on the effectiveness of the Assembly in delivering its key functions, including in particular, proposals to ensure a robust and effective committee system

NILGA does not have any detailed comment to make on the potential for any further reduction regarding the number of MLAs, except that the final outcome must permit the effective operation of the Assembly as a legislative and scrutiny body with inclusivity safeguarded. Any reduction in the number of departments should also lead to a reduction in the number of committees.

5. The reduction in the number of NI Government departments and associated re-allocation of functions which will ensure the effectiveness of the Executive functions is maintained.

The overarching structure of all changes to public service should be a full focus on the needs of the citizen.

Devolution has offered the Northern Ireland Executive the opportunity to make changes in public administration, but this opportunity has only been partly utilised. It is vital that we ensure that delivery of services mirrors local needs.

NILGA would highlight to the Committee that ten principles were set out in 2002 by the panel of independent experts as being essential to the Review of Public Administration. It is recommended that the Review Committee should formulate a set of principles, similar to or building on these original 10 RPA guidelines (outlined in our full response).

On examining systems elsewhere, NILGA would note the following:

- Government departments and ministerial portfolios are often based on the priorities of the governmental programme, and designed around families of issues, or cross-cutting issues.
- **There is a need to emphasise delivery.**

NILGA would therefore pose the questions: *Should our departments, and therefore the scrutiny committees, be based on scrutiny of the current individual departments, OR should they be designed to scrutinise the implementation of the Programme for Government, using a themed approach?*

If the focus of the Assembly is to ensure the departments are delivering the Programme for Government, then one option would be for our departments to be designed around that Programme, refocusing along the five priorities that are the building blocks of the PfG, (with an example arrangement given in our full response).

A second option is to look at 'families of services', and to explore whether the families of services that are grouped together currently in our departments are a suitable grouping for effective working.

An additional issue to consider is the potential to make more use of the 'junior minister' system as evidenced in Scotland. This would enable an individual focus on important portfolios and delivery, while permitting an integrated themed ministerial 'team' approach to PfG priorities, and thus avoiding increasing the number of committees or burden the wider Assembly membership. It would also have the positive impact of increasing developmental elected member capacity. Although it would be desirable to rationalise and save money as part of this exercise, there is also an opportunity to look at cross-cutting issues such as external affairs, local government, and sustainable development.

In conclusion, if form is to follow function, the Programme for Government allows an overhaul based on apolitical determinants, customer focus, and the development of a new approach to public service provision, promoting greater use of local authorities and a culture of self help in the communities we serve, respect and represent, whether councillor or MLA.

NILGA would be pleased to offer further evidence through a task and finish team, as determined by the Committee, should this be deemed appropriate.