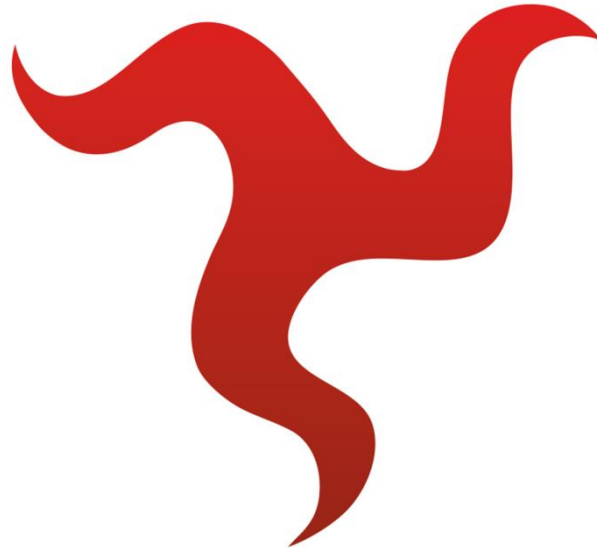


GD 2019/0032

Programme for Government

Our Island: A Special Place to live and work



Review of Committees and Quasi-Autonomous Entities

Executive Summary

May 2019



**Isle of Man
Government**

Reiltys Ellan Vannin

Foreword by Mr C C Thomas MHK, Minister for Policy and Reform

The Programme for Government seeks to inspire and drive forward action across the wide remit of the Isle of Man Public Service, which includes our valuable statutory committees and those bodies, boards, groups and forums that could be defined as quasi-autonomous entities.



As part of the Programme, the Cabinet Office undertook to complete the review of government bodies, quangos and committees and to report.

I extend my gratitude to the Cabinet Office for coordinating the review and to the Departments and the respective committees and quangos for participating so fully with the project.

The review concludes that the functions of statutory committees and quasi-autonomous organisations, and the benefits and advantages of their work, are significant and fundamental within the Isle of Man Public Service structure and makes a number of recommendations for the future.

A number of organisations were considered out of scope of the review, specifically Tribunals, Coroners, organisations and commissioners providing independent Ombudsman functions, organisations in relation to Veterans, the Sub-Committees of the Council of Ministers, and Isle of Man Government Publicly-Owned Companies.

**Hon Chris Thomas MHK
Minister for Policy and Reform**

1. Programme for Government

Theme: Inclusive and Caring Island.

Outcome: We have open and transparent Government which engages effectively with Tynwald and the public.

Action: Complete the review of government bodies, quangos and committees, providing a report to Council.

2. Introduction

The Report on the Review of Government Committees and Quasi-autonomous Entities was laid before Tynwald in July 2016 [GD 2016/0032] and included the following action:

That each sponsoring Department undertakes a structured review of the purpose, scope, structure, cost and value for money [of the committees and Quangos sponsored by them], to ensure that the organisation, as constituted, remains the most appropriate vehicle to deliver the remit and that the Cabinet Office be advised of the outcome of the Departmental reviews.

For the purposes of this review "government bodies", "quasi-autonomous entities", "quangos" and "committees", are referred to as "the organisation(s)".

3. Terms of Reference

The Terms of Reference were established by the Cabinet Office (Appendix 1).

Aims:

To establish whether:

1. The rationale for the organisation remains relevant;
2. The organisation has the capacity to deliver its functions and services more effectively and efficiently, including the identification of potential efficiency savings; and
3. The control and governance arrangements in place for the organisation comply with the established principles of corporate governance.

Outcomes:

The following outcomes be considered and a recommendation made by the sponsoring Department:

1. Retain [the organisation in its current format];
2. Retain and Reform [retain the organisation but reform the delivery model];
3. Merge [the organisation with another organisation];
4. Further consideration [a commitment given for further consideration to be undertaken to determine a definitive decision]; or
5. Abolish [the organisation].

4. Background

Those organisations that form the Committees and Quasi-Autonomous Entities Public Register, published in April 2018, were considered by the Cabinet Office, with recourse to the scope and remit of the Terms of Reference. Approximately forty organisations were included for review.

It should be noted that a number of organisations were considered out of scope of the review, specifically Tribunals, Coroners, organisations and commissioners providing independent Ombudsman functions, organisations in relation to Veterans, the Sub-Committees of the Council of Ministers, and Isle of Man Government Publicly-Owned Companies.

In relation to Tribunals and following discussion between the Appointments Commission and the Cabinet Office and on advice from the Chief Registrar, these organisations would be subject to review via a separate work stream, as the approach would need to be significantly different for these independent bodies established through statute which perform a specific dispute resolution function.

Organisations in relation to veterans would be subject to a consultation review, as a separate work stream, to consider how best the Government can continue to support and respond to the needs of Armed Service personnel, veterans and their families.

Further organisations were also considered to be out of scope:

- Coroners, of which there are four appointees, the role of which was not within the definition of a quasi-autonomous entity or committee;
- Organisations and commissioners providing independent Ombudsman functions, including the independent appeals bodies for health and care services;
- Sub-Committees of the Council of Ministers which perform policy, strategy and legislation prioritisation functions with no external representatives as members; and
- Isle of Man Government Publicly-Owned Companies defined as a company that performs functions or powers on behalf of a public authority under an Act, or a company limited by shares, more than half of which are owned by a public authority.

In light of the restructure of the Department for Enterprise and the phased launch of the Agency Model in November 2017, the four Agencies have been included within the recommendations; however the Agencies were not subject to review within this project.

5. Summary

The structured review was initiated in May 2018, co-ordinated by Cabinet Office, and led or supported by the sponsoring Department of each organisation.

The Department review reports provided background information and the considerations taken in respect of rationale and relevance, scope and structure, corporate governance principles and value for money. The information has been used to inform the Executive Summary Report.

Broad reforms of relevant legislation are being considered across all areas of Government, including the remuneration of organisation members through honoraria, attendance and mileage allowances, within a wider update of the Payment of Members' Expenses Act 1989.

6. Findings

6.1 Rationale and Relevance

The rationale and relevance of each organisation has been provided, which shows that they perform a wide range of functions within Government.

These functions include independent advice and scrutiny, liaison and partnership with external professional sectors and the development, promotion and implementation of policy, legislation and strategy.

The review has demonstrated that the organisations have been established through statutory provisions in legislation, which in many cases sets out the structure, remit and scope of the organisation, through delegated authority from the relevant Department, or by Council of Ministers direction.

6.2 Costs, Funding Models and Value for Money

The overarching essence of value for money is the optimal use of resources to achieve the intended outcome. The three principles are economy, efficiency and effectiveness.

The review has demonstrated that there are a wide variety of funding models in use across the organisations, such as from within the sponsoring Department's budget, a specific annual budget, funding from the organisations revenue or from the Lottery Fund; and expenses, allowances and honoraria are provided to members of the organisations, in line with legislation, in some cases.

The review has demonstrated that, in the majority of cases, the Departments consider that the organisations represent value for money in delivering the functions and services effectively and efficiently.

6.3 Corporate Governance

Corporate Governance is the system by which Government directs and controls its functions.

The Isle of Man Corporate Governance Principles and Code of Conduct apply to all "designated bodies" and "Departments of Government" within the meaning of the Treasury Act 1985.

The three fundamental principles of corporate governance are integrity, openness and accountability.

The review has demonstrated that, in the majority of cases, there is a clear understanding between the organisation and the Department in respect of responsibility and accountability through the establishment of terms of reference, well-defined appointment procedures for membership, and regular reporting and monitoring processes.

6.4 Outcomes

Forty-one organisations have been subject to consideration, review and recommendation.

Twenty-three are recommended to be retained in the current format, with eighteen being recommended as having the potential to be reformed or abolished.

The following organisations have undergone change and reform, being re-established with modified structures and remits during the review period:

- Health Services Consultative Committee was considered as part of the National Health and Care Service Act 2016 and within the Independent Review of the Isle of Man Health and Social Care System undertaken by Sir Jonathan Michael;
- Local Research Ethics Committee was dissolved in February 2018, with the Isle of Man Research Ethics Committee having been constituted shortly after that to review any proposed health and social care research involving human participants, tissue or data and to protect the dignity, rights, safety and wellbeing of all actual or potential research participants;
- Primary Care Prescribing and Therapeutic Committee was combined with the Hospitals Drugs and Therapeutic Committee to become the Medicines Optimisation Committee to facilitate the delivery of safe, economic and effective prescribing and use of medicines; and
- Safeguarding Children Board and the Safeguarding Adults Partnership were brought together in statute as the Safeguarding Board for the purposes of safeguarding, promoting and protecting the welfare of children and vulnerable adults.

The recommendation to abolish, through clear decommissioning processes, has been proposed for five organisations. The Tynwald Advisory Council on Disabilities and the Children's Services Partnership were abolished during the review period.

The Children, Adults and Communities Strategic Commissioning Board, the Enterprise Advisory Body and a consultative body for Planning are to be established in the future.

7. Conclusion and Recommendations

The Cabinet Office, having co-ordinated the review in line with the Programme for Government objective, concludes that the functions of statutory committees and quasi-autonomous organisations, and the benefits and advantages of their work, are significant and fundamental within the Isle of Man Government structure.

The Cabinet Office recommends that:

- 1.** The Executive Summary is published.
- 2.** The Committees and Quasi-Autonomous Entities Public Register is updated and published, at least annually, which will provide an audit of the progress of the identified reforms.
- 3.** The following organisations are retained in the current format:

Advisory Council on the Misuse of Drugs
Agricultural Marketing Committee
Business Isle of Man
Court of Inquiry
Digital Isle of Man
Finance Isle of Man
Firearms Consultative Committee
Independent Adjudicators (Prison)
Independent Monitoring Board (Prison)

Isle of Man Research Ethics Committee
Isle of Man Scallop Management Board
Legal Aid Committee
Manx Heritage Foundation t/a Culture Vannin
Manx Industrial Relations Service
Manx National Development Forum
Manx Nature Conservation Forum
Medicines Optimisation Committee
Mental Health Commission
Public Services Commission
Safeguarding Board
Visit Isle of Man
Wildlife Committee
Work Permit Committee

- 4.** The following organisations are retained with a commitment by the relevant Department to reform the delivery model, legislation, remit, structure or governance:

Advocates Fees Committee
Criminal Justice Board
Isle of Man Arts Council
Isle of Man Sport

- 5.** The following organisations are subject to a commitment by the relevant Department to further consideration being undertaken in relation to the delivery model, legislation, remit, structure or governance:

Agricultural Marketing Society
Agricultural Wages Board
Learning Disability Partnership Board
Health Services Consultative Committee
Parole Committee
Planning Committee
Road Transport Licensing Committee
The Age Well Partnership Board
Minimum Wage Committee

- 6.** The following organisations are to be abolished by the relevant Department with well-defined frameworks and timescales for the decommissioning process:

Education Act Religious Education Committee
Education Council
Gaelic Broadcasting Committee
Police Advisory Group
Police Consultative Forum

- 7.** In respect of all those organisations reviewed, Departments are encouraged to identify and progress reforms and efficiency savings, and determine clear timescales for delivery of reforms and decommissioning.
- 8.** Departments should to continue to review corporate governance arrangements to ensure a consistent framework, clearly linked to the overarching principles, is in place for each organisation.