

CONFIDENTIAL

Cabinet Office



Terms of Reference

Council of Ministers - Operational Performance Board

1. Purpose

- 1.1 The two-fold purpose of the Board is derived from the recommendations of the Beamans review of the role and remit of the Chief Secretary (now Chief Executive, Isle of Man Government), and a commitment by Council of Ministers in response to that report to establish an Operational Performance Board ('the Board').
- 1.2 The purposes are:
 - i) to provide high-level oversight of operational performance across Government, and:
 - ii) to provide enhanced support and governance to the Chief Executive, Isle of Man Government ('CEO')
- 1.3 The Board will provide the necessary support structure for the CEO to carry out their duties effectively, efficiently and to the highest standard. In turn the CEO will raise standards of governance, accountability, line management and performance among Chief Officers, and report progress in these areas directly to the Board.
- 1.4 The Board will form part of the CEO's reporting and accountability framework in respect of monitoring progress in the management of Chief Officers, and delivery of the high-level performance reporting required by the Board, as set out at 4.2.

2. Background

- 2.1 In May 2022 the Chief Minister commissioned an independent, external report from Beamans into the role and remit of the [then] Chief Secretary.

- 2.2 Beamans concluded that change was required to meet the challenges facing Government and the wider public service, citing the overly wide span of control of the Chief Secretary, being then responsible for the functions of Cabinet Office and as leader of the Civil Service. The report concluded 'that the accountability and management bandwidth was too great for one person.'
- 2.3 The report recommended that the new role of Chief Executive Officer (Isle of Man Government) with a redefined remit should replace that of Chief Secretary. An additional role of Chief Operating Officer, Cabinet Office would have operational responsibility for the Cabinet Office, freeing the CEO's capacity to manage and lead Chief Officers.
- 2.4 The report noted a lack of formal objectives for the [then] Chief Secretary and the need for greater clarity on how the post holder's performance is gauged; creation of the Operational Performance Board delivers on a theme highlighted throughout the report, that improved management and organisational arrangements are required to support the Chief Executive.
- 2.5 Concerns highlighted in the Beamans report about oversight of Chief Officers' performance and accountability, and the impact this may have on departmental performance overall, were addressed by the commitment to create a new Board with Government-wide oversight.

3. Membership

- 3.1 The Operational Performance Board is comprised of the following members:

Political members:

Chief Minister (Chair)
Deputy Chief Minister
Chair of the Public Services Commission

Officers:

Chief Executive Officer (Isle of Man Government)
Chief Operating Officer, Cabinet Office
Executive Director, Office of Human Resources
Executive Director, Government Technology Services
Executive Director, Internal Audit, Treasury

Non-executive directors:

Two non-executive directors, preferably one with expertise in digital modernisation and / or transformation

- 3.2 The Board shall be considered quorate when the Chair and another political member are present.

- 3.3 The Chair may invite individuals or groups to attend the Board from other areas of Government and seek input from other stakeholders as appropriate.

4. Scope

- 4.1 The Board will act as an assurance and advisory body designed to assist the effective delivery of government operations.
- 4.2 Oversight to include routine reporting by the CEO on departments' progress, productivity and performance in achieving the Government's agenda.

The CEO is to report to the Board on the following areas:

- i) Senior Executive vacancies and proposals for replacement
 - ii) Vacancy levels across Government
 - iii) Sickness / absence levels
 - iv) Progress on annual reviews
 - v) Efficiency & productivity proposals
 - vi) Whistleblowing / bullying and/or performance management
 - vii) Notable Achievements by individuals or departments
 - viii) GTS performance
 - ix) OHR performance
 - x) A summary of the intentions and priorities of the CEO in the coming quarter
 - xi) A summary of achievements / progress over the previous quarter
 - xii) Organisational risks
- 4.3 The Board will provide support, guidance and governance to the CEO and may advise the post-holder of any issues of concern. While the CEO is ultimately accountable to the Chief Minister, management of their performance reporting and appraisals is outside the remit of the Board.¹
- 4.4 The Board will monitor the effectiveness of the portfolio and programme management (PPM) structure in providing a systematic, Government-wide performance reporting framework; the PPM will assist the CEO in their reporting to the Board.
- 4.5 The Operational Performance Board is not a decision-making body, but may recommend policy development, noting that policy will need the appropriate Ministerial, Council of Ministers or Public Services Commission approval.

5. Governance

¹ Proposals for enhanced accountability and performance management of the CEO, IOMG are set out in the Council of Ministers response to the Beamans review:
<https://www.tynwald.org.im/spfile?file=/business/opqp/sittings/20212026/2022-GD-0098.pdf>

- 5.1 The principle of establishing an Operational Performance Board was proposed by the Council of Ministers in its December 2022 response to the review by Beamans into the role of the Chief Secretary.
- 5.2 The OPB was included in a revised structure of Council Oversight Boards approved by the Council of Ministers on 26 January 2023.

6. Collective responsibility

- 6.1 All political members of the Board are required to abide by collective responsibility.
- 6.2 Department Members attending in place of a Minister shall have in place the appropriate delegation from the respective Minister.
- 6.3 Ministers (or their delegated Members) should take particular care to avoid any perceived conflicts of interest and declare this.

7. Lead officer Group and sub groups

- 7.1 The Board will be supported by a Lead Officer Group which comprises the senior officers represented on the Board.
- 7.2 The Lead Officer Group is directed by the Board and will ensure appropriate actions are carried out and information provided to the Board.
- 7.3 The establishment of a sub group of the Board will be permitted subject to the approval of the Board, where there is a clear and agreed work stream.
- 7.4 Sub groups of the Board shall be expected to report into the Board quarterly and where appropriate, more frequently.
- 7.5 Proposed sub group shall forward draft terms of reference to the secretariat for consideration by the Board. Sub group proceedings shall observe confidentiality as at paragraph 8.6.
- 7.6 Sub Group meeting minutes shall be forwarded to the secretariat for distribution to the Board.

8. Meetings, minutes and secretariat

- 8.1 The OPB will meet as a minimum quarterly.
- 8.2 Meeting agendas will be confirmed by the Chief Minister or the Chair in the absence of the Chief Minister, and administered by the Executive Office, Cabinet Office. Requests for agenda items should be made to the Chief Minister via Executive Office.

- 8.3 Agenda and papers will be provided to the Board at least one week before each scheduled meeting.
- 8.4 Draft minutes will ordinarily be circulated for out of committee approval within 10 working days of the meeting, with a date requested for return. Once approved, they will be submitted to the Council of Ministers for information.
- 8.5 Minutes will be prepared in accordance with the [Minute Taking Guidance](#) prepared by Cabinet Office.
- 8.6 All documentation issued in relation to the Board including proceedings and papers, is subject to the same statutory confidentiality as applies to the meetings and procedures of the Council of Ministers.
- 8.7 Secretariat will be provided by the Executive Office, Cabinet Office.

9. Reporting

- 9.1 The Operational Performance Board will report to the Council of Ministers by provision of its minutes, alongside other sub-committees.