

Allerdale Borough Council

Council – 28 July 2021

Review of Council Governance Arrangements and Structure

Portfolio holder	Councillor M Fitzgerald Portfolio Holder for Policy, Governance and People Resources
Report from	Sharon Sewell, Chief Officer Place & Governance
Wards affected	All wards
Is this a key decision	No

1.0 The reason for the decision

- 1.1 On 17 July 2019 the Council agreed to instruct officers to prepare a detailed report to be considered by the Council's Constitution Working Group and a future Council meeting setting out every option for future governance structures including the committee structure, hybrid models of governance, the current model and any other option that is available to be considered.

2.0 Recommendations

That Members agree:

- 2.1.1 the actions set out in paragraph 5;
- 2.1.2 that the actions be monitored by the Constitution Working Group.

3.0 Introduction

- 3.1 On 17 July 2019 the Council agreed to instruct officers to prepare a detailed report to be considered by the Council's Constitution Working Group and a future Council meeting setting out every option for future governance structures including the committee structure, hybrid models of governance, the current model and any other option that is available to be considered.

- 3.2 On 29 September 2019 Council agreed the scoping document and terms of reference for the Constitution Working Group' review of the Council's Governance arrangements.
- 3.3 The Council requested the Local Government Association (LGA) to commission or provide support to review the Councils Governance Arrangements.
- 3.4 The LGA commissioned the Centre for Public Scrutiny to undertake a review of the current governance arrangements which took place on 11 and 12 February 2020.
- 3.5 The response and the consideration by the Constitution Working Group was delayed due to Covid-19.

4.0 Content

- 4.1 Allerdale Borough Council requested the LGA to commission or provide support to review the Council's governance arrangements. The purpose of this review was to give the Council an external perspective on how the current model as well as others could be used for enhancing councillor involvement, openness and transparency, local democracy and community participation.
- 4.2 The LGA has experience of working with different councils over a number of years to review governance arrangements and improve decision making. At the centre of these reviews is the drive for more effective and relevant governance arrangements which improve decision making locally. Given the unique positioning in the sector, the LGA has access to expert officers, members and partners who understand good governance and are familiar with the issues and opportunities presented by different governance options.
- 4.3 On 17 July 2019 the Council agreed to instruct officers to prepare a detailed report to be considered by the Council's Constitution Working Group and a future Council meeting setting out every option for future governance structures including the committee structure, hybrid models of governance, the current model and any other option that is available to be considered.
- 4.4 The Local Government Association commissioned the Centre for Public Scrutiny to undertake a review of the current governance arrangements which took place on 11 and 12 February 2020. This review built upon the feedback given as part of the Council's Corporate Peer Challenge which took place in September 2019.
- 4.5 The team observed a consensus between Members and Officers that the current approach to governance was now more open and inclusive than it was around the time of the 2019 'all out' elections when discussions about this work began. Members reported being more able to engage in decision making than they had previously. At the time of this review, an overall preference to maintain and strengthen where possible, the existing Executive – Scrutiny model was evident. This however included the wish to develop additional 'hybrid' features that would provide more opportunities for wider Member involvement.

4.6 The team did not observe or detect any consensus for a significant change in governance model at this time. Most Members spoke of a reasonable level of satisfaction with the current model. Overall Members were seeking further improvements and relatively smaller changes to the existing model to help provide enhanced inclusion, transparency and Member involvement in policy shaping and decision-making.

5.0 Delivery Arrangements

5.1 It was suggested that if the current model is to be reinforced and improved to allow greater and more inclusive member involvement, the role of Scrutiny will need to be elevated and its constructive relationship with the Executive strengthened. Allerdale Borough Council has a significant number of new and first-time councillors, who have a varied knowledge and experience of local government. Expectations of the Member role can differ considerably as individual councillors seek to represent the diverse interests of their constituents and seek to change how they wish the council to serve its residents. This can sometimes lead to additional pressures and demands on officer time given the range of member interests and expectations. Greater support for Members, through advice, guidance, training and development would help both Members and officers. A programme of further change and improvement of the existing governance model over the next 6 months would potentially deliver what Members appear to want – further inclusion, transparency and involvement in good governance.

5.2 There was a delay in LGA issuing their findings and then the Council considering the recommendations and the Constitution Working Group meeting due to Covid-19, however, officers have continued to progress the recommendations.

5.3 The Council's Constitution Working Group have met on 2 occasions and considered the suggested steps, the changes already put in place and the ways in which further improvement can be achieved. The Group have suggested the action plan set out below.

5.4 Suggested steps

5.4.1 The Council recognises that there are more new members with specific mandates and expectations to serve their residents. Therefore, further investment in member support and guidance to assist them to fulfil their roles may be necessary. It will also need members to develop their relationship with officers and grow their knowledge and understanding of what can be achieved and how that is managed within a democratic process.

The Chief Executive has engaged the LGA to provide support to members through support and training offered through their groups and to members as a whole.

Virtual training has been provided on roles and responsibilities and the Member/Officer Protocol has been regularly communicated.

A comprehensive Induction Programme was provided for the 5 newly elected members in May 2021.

Action: The Member Development Working Group to review the Member Training and Development Programme taking into consideration the members Personal Development Plans and ensure delivery of a comprehensive programme for 2021/22.

- 5.4.2 Develop and agree an appropriate Officer-Member-Cabinet protocol which sets out a framework of how roles, responsibilities, expected behaviours, information, communication and other cultural and organisational matters work. This may help to increase clarity and strengthen working practices and understanding. There are several good examples which could be drawn and adapted from other similar councils.

The Member Officer/Protocol was reviewed in 2019 and has been frequently communicated to Officers and Members.

The Chief Executive meets with each group separately and with the Group Leaders to ensure a consistent approach on framework, responsibilities, expected behaviours, information and communication.

Action: The Constitution Working Group to review other Council's protocols and consider whether there are other protocols/guidance/training which could enhance the Councils current protocols.

- 5.4.3 Continue to build and strengthen the communication and collaborative cross-party working through structured meetings and briefings.

The Chief Executive meets the Group Leaders to assist in building and strengthening communication and collaborative cross-party working.

This continues to be a priority for the Executive, this approach has proved successful in terms of Local Government Re-organisation where a communication plan was agreed to include structured meetings and briefings to ensure meaningful engagement across the membership. A similar approach is being taken with GDF.

- 5.4.4 Consider creating a policy advisory member group that works collaboratively with Cabinet Members to consider, discuss and help inform policy development. This could further increase participation and allow Members the opportunity to constructively influence policy and strategy.

The Assistant Chief Executive has created a cross party policy group who meet and consider and discuss strategic issues, emerging strategic documents and draft documents that tend to be in the early stages of policy development before it gets into the scrutiny domain. The group has met a number of times during the course of the last 12 months and will continue to meet and a review will take place to assess whether any changes are required to enhance the group.

Action: The Assistant Chief Executive to review the approach with the current group and consider any further improvements which could improve engagement.

5.4.5 At the same time to build the role of Scrutiny to engage more 'up-stream' in the policy and decision-making process where it is able to provide greater input and value. This will essentially require additional support and a council-wide collective response to allow it to happen. This should bring additional council benefits by introducing greater focus to Cabinet forward plans through pre-decision scrutiny. It would also enhance the impact and value of scrutiny and give more Members greater access to help shape and influence.

Overview and Scrutiny consider the Executives Forward Plan at every meeting and agree where they could provide greater input and value.

The Senior Management Team and Executive consider the forward plan at informal meetings and will identify where they consider Scrutiny could provide greater input and value.

Action: Executive and the Scrutiny Co-Chairs to discuss where they consider Scrutiny could provide greater input.

5.4.6 The Council has used Task and Finish (T&F) groups through its Scrutiny committee to focus on specific issues and areas of interest to Members and communities. While T&Fs are highly demanding on time and resources, their impact and value can justify the investment in them. There is scope to make T&F more useful and effective by ensuring that they are limited to only 3 per year, are clearly scoped and time limited. They should also have agreed goals which support council corporate objectives and produce a useable outcome or 'product' which delivers quality insight and recommendations that have measurable impact.

5.4.7 Officers should consider with members how to support, assist and advise Scrutiny to achieve greater alignment with the council's corporate plan and current key objectives. Often this can be a discussion to help scope scrutiny plans to ensure that scrutiny has the right information to perform its task. Reports to scrutiny may need to be reassessed in light of this and new ways of providing evidence or background to address scrutiny needs might also be explored as a result.

Action: Training is being arranged to assist Members and Officers on the role and function of Scrutiny, to develop understanding on what is good and effective Scrutiny with a longer term view on building a support programme for Scrutiny Co-Chairs and Members.

5.4.8 Scrutiny and Cabinet should aim to work collaboratively but remain independent of each other. Regular communication and meetings to discuss each other's work programmes to enable scrutiny greater visibility on where best to train its resources to ensure good, objective and quality scrutiny.

An Executive/Scrutiny Protocol was agreed and Scrutiny Co-Chairs are invited to attend Informal Executive meetings.

Action: The Executive and Co-Chairs to review the arrangements and agree any further improvements as and when required

5.4.9 Members often see meetings of the full Council as an opportunity to raise important issues or community concerns, through questions, motions and debate. This appears to be appreciated by Members and should be maintained.

The Council has maintained the Portfolio Holder Update reports in the Council agenda, detailed reports continue to be provided and questions are answered and responded to at Council. Follow up responses are provided in writing to all Councillors if not provided in the meeting and the Executive have offered Councillors to send any queries in to them which they will respond to ASAP.

Action: To maintain this approach

5.4.10 While gaining interest and participation by the public is often a challenge for councils, it is important to provide good access, openness and transparency. Providing as many channels as possible and practical for public engagement will require further effort and innovation. Members of the public can already submit questions, but there is more that could be considered. We recommend that more and new options for engagement are explored, such as holding meetings (Cabinet, Scrutiny etc) in public places around the Borough, exploring affordable webcast or video recording and use of social media channels to encourage members of the public to raise issues or questions.

All meetings are open to the public and all agenda papers, reports and decisions made by the Council are published on the Council's website together with details of forthcoming consultation exercises, surveys and public meetings, except those determined as exempt from publication.

The Council was successfully running virtual meetings since June 2020 due to Covid-19. The meetings were broadcast live on the Allerdale Borough Council YouTube page and the Council received much larger viewing numbers than when meetings were held in Allerdale House. The Council is now running meetings in person in accordance with the relevant legislation but has continued to look to continue the live broadcast of meetings and continue to promote its open and transparent agenda.

Venues will also be explored however, at present the options are restricted by the safety measures required in accordance with the Council's risk assessments and other venues' risk assessments.

The Council has continued to develop its digital communication tools, particularly important over 2020-21 in light of the Covid-19 restrictions on in person contact. The Council introduced a new series of email newsletters which provide information direct to the inboxes of local residents. These have proved to be extremely popular

with over 6,000 subscribers and a high engagement rate which remains above the average rate for the top-20% of local councils. Regular email contact has improved the delivery of information about issues such as the coronavirus outbreak, and business support. The Council has also enjoyed good levels of engagement on its social media channels, has started a new Facebook group for business, has paid-for posts to target key sectors of our communities, and has just started delivering messages via the Nextdoor platform which can be used to target messaging down to a very local level.

Action: The Constitution Working Group to consider best practice (including new practices post Covid-19) in relation to options for public engagement.

6.0 Implications and Impact

6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

Clearly defines roles/responsibilities and enhances accountability.

6.2 Finance/Resource implications

Travel / subsistence would be met from existing budget provision.

6.3 Legal and governance implications

Clearly defines roles/responsibilities and training and development enhances accountability.

6.4 Risk analysis

A scored and mitigated risk log

Risk	Consequence	Controls required	Mitigated score
The actions are not implemented	The identified improvements such as councillor engagement and understanding of roles & responsibilities are not realised	Quarterly monitoring by the Constitution Working Group	1

6.5 Increasing satisfaction and service

None directly from this report

6.6 Equality impacts

The Equality duty has been considered

6.7 Health and Safety impacts

None directly from this report

6.8 Health, wellbeing and community safety impacts

None directly from this report

6.9 Environmental/sustainability impacts

None directly from this report

6.10 Other significant implications

None

Appendices attached to this report

Appendix number	Title of appendix
N/C	

Background documents available

Name of background document	Where it is available
Scoping document and Terms of Reference for Constitution Working Group	Council and Democracy webpage

Report author(s) and contact officer(s):

Sharon Sewell

Chief Officer Place and Governance – Monitoring Officer

sharon.sewell@alldale.gov.uk

Tel no. 01900 702887