



**Council**

25 February 2014

**Matter for Decision**

Title: Evolving the Council's Governance Arrangements

Author: Mark Hall, Chief Executive

---

## 1. Introduction

- 1.1 As the Leader of the Council Councillor Boyce has committed himself, working with the Chief Executive, to try and find ways to continually improve the overall governance of the Council. More specifically to improve the way in which the Council operates in order to ensure that it is able face future challenges.
- 1.2 In order to do this and gain a greater understanding of the key issues every member was invited to share their thoughts. This was on an individual and confidential basis and focused on what members felt their role and responsibilities were as councillors. Members were also asked what could be done to make the Council work better for councillors, residents and officers.
- 1.3 The focus of these meetings tried to identify what members wanted the Council to do in order for them to be able to fulfil their role as an Oadby & Wigston Member and Ward Councillor. Twenty-one members took up the offer to be interviewed during December 2013. As a result of this a consultation paper was produced and circulated to all members in January 2013 seeking their views.
- 1.4 This report sets out the key elements and proposals for the way forward based on that work and balanced with the increasing operational pressures faced by officers particularly as the Council's finances diminish.

## 2. Recommendations

That the recommendations set out in ***bold italics*** in this report be approved.

## 3. Governance

The main issues raised by members were:

- 3.1 Members are all fully committed to the existing Committee System and none of them favour of any form of Executive, Leader or Mayoral model.
- 3.2 All members believe to one degree or another that the Committee System works well and that members' role is to govern the Council and not to get involved in operational issues. The overriding intention is also to focus officer and member energy and time on achieving outcomes.
- 3.3 There is a lack of belief that the Scrutiny function works or adds any real value to the Committee System. Members generally hold the view that each committee

effectively should and does scrutinise its own decisions as they are being debated and made in the public arena. ***It is generally accepted and therefore recommended that the Overview & Scrutiny Committee is no longer relevant and should therefore be disbanded with its work being taken on by the appropriate Committee or Working Group.***

- 3.4 The national Standards regime has also undergone a fundamental change during the last three years and to reflect this ***it is also recommended that the existing Standards Board should be disbanded with its work being taken on by the Policy, Finance & Development Committee while any investigations would continue to be carried out using the existing and established processes***
- 3.5 ***It is recommended that additional Task & Finish Working Groups (initially Waste and Customer Services/Welfare Reform) reporting direct to Council are created*** which will assist in increasing opportunities for new members to get more actively involved in taking on extra responsibility and developing services at a more informal level. This would mean that there would be closer working with other members and officers which would in turn strengthen all those relationships. This would also assist with member development and successor planning. Initial suggestions for new groups have been made as Waste and Customer Services/Welfare Reform and due to their universal nature these would report direct to Council. Other specific Working Groups could also be set up and time limited as “task and finish” by Council as and when it deems necessary.
- 3.6 ***It is recommended that this would be accompanied by a review of all existing Working Groups in order to assess their relevance,*** if they are still needed and if so to revisit and firm up their purpose, terms of reference, reporting lines, inter relationships to other groups (to prevent silo working), frequency of meetings (which would be published in the annual Calendar), and membership. Each Group would have a Work Plan and protocol for the production of Action Lists and papers in order to give them a clear structure. These Working Groups would be very focused on outcomes and not on operational management and they would have very clear terms of reference and wherever possible be time limited.
- 3.7 ***It is recommended that each Working Group/Committee should have a named officer as the primary link for that Chair*** and that they should then mutually agree and set out how that relationship will work including timetable, format and frequency of briefings etc.
- 3.8 In order to build on the strengths of the committee system and widen participation amongst members ***the following suggestion is recommended as to how the governance model could look.***

# Council

## Waste Working Group

## Welfare Reform Working Group

## Development Control

## Licensing

## Policy, Finance & Development

## Service Delivery

Policy & Strategy  
Finance & Budget  
External Audit  
Information Technology  
Standards  
Economic Development  
(Via Place Shaping Working Group)

Service Charters  
Service Delivery  
Service Performance  
Internal Audit Reports

## Working with the Community

## Working Groups

Children & Young People  
Resident Forums x 3  
Community Engagement

Health & Wellbeing Board  
Greening the Borough  
Community Safety P'ship

- a. The Policy, Finance & Development Committee has overall responsibility for setting the long term aims of the Council and moving it forward in line with them.
- b. The Policy, Finance & Development Committee sets the overarching strategic direction for the Council and the Service Delivery Committee oversees the development and performance of services within that overarching strategic direction (with the exception of those services which are the direct responsibility of the P,F & D Committee).
- c. The Policy, Finance & Development Committee agrees and sets the overall budgets for the Council and the Service Delivery Committee is responsible for all financial issues relating to its services if they are within those budgets.
- d. The Service Delivery Committee has the direct responsibility for the delivery and performance of services:
- e. The Service Delivery Committee has specific responsibility for all aspects of the Greening the Borough initiative both at a strategic and operational level
- f. The Policy, Finance and Development Committee would fulfil the Council's need for a "client" role if the Council tenders a service/contract that the Council would wish to bid for itself. That committee would agree the specification and oversee the tendering process. The Service Delivery Committee would fulfil the Council's need for a "contractor" role if the Council was to tender a service/contract that the Council wished to bid for itself. That committee would approve the bid
- g. The existing Overview & Scrutiny Committee will be disbanded and each respective committee will continue to scrutinise their own decisions as they are being debated and made in the public arena.

h. The existing Standards Board will be disbanded with its work being taken on by the Policy, Finance and Development Committee.

i. The groups working with the community (Children & Young People, Resident Forms x 3 and Community Engagement (previously Equalities and Diversity) will report through the Policy, Finance and Development Committee. The Health & Wellbeing Board, Greening of the Borough Working Group and Community Safety Partnership will report through the Service Delivery Committee.

j. The Place Shaping Working Group (incorporating Asset Management and Economic Development) will continue to report through the Policy, Finance and Development Committee as will the ICT Steering Group and Constitutional Task Group will

i. At some stage members will need to take a view on the number of councillors that sit on each committee and working group.

### 3.9 Community Groups

It is proposed that two existing “arms length” Community Groups, Multi Cultural and Senior Citizens are established as full community groups and that their relationship with the Council is consistent with all other community groups.

### 3.10 Proposed Basic Principals for Establishing Community Groups

a. These are Groups that members want to see continue and also want strengthening as they are popular, valued and successful.

b. They are Groups that engage directly with, and are highly valued by the community.

c. These Groups need the financial support of the Council in order for them to continue to be successful.

d. There should be member representatives from the Council on these Groups but the Groups should not be dominated by them.

e. The Groups should be seen as “Community Groups” and be imbedded into the community more than they are.

f. The Groups should not be seen or run as “Council” groups or committees.

g. That the Groups themselves should decide how they are constituted, structured and operate.

h. That the Council will provide the Groups with annual financial support, but no officer support. The Groups can then be and are seen to be completely independent of the Council.

i. That in order to receive the annual funding from the Council the Groups would have an agreement with the Council based on the premise that they will:

*“Embrace the entire community of Oadby & Wigston, be open and transparent and contribute towards making the community as a whole and residents’ individual lives better”*

***It is therefore recommended that the Senior Citizen and Multi Cultural Groups are set up on the above basis and that funding will be assessed annually by the Council and mutually agreed with those groups at a level in order that the groups are fully able to provide the services, events and activities required. The presumption will be that funding will be granted on a 3 year basis.***

## 4. Induction and Training

The main issues raised by members were:

- 4.1 Although members generally feel that they have adequate information and training opportunities it is clear that this can always be improved upon to help members both in their governance role and when supporting their constituents.
- 4.2 ***It is recommended that a more detailed and comprehensive Induction Programme is developed*** and this would not only covers how this Council works but also how Local Government fits into the wider national and local context together with other public services.
- 4.3 It was felt that it would be beneficial ***and it is therefore recommended that the Induction Programme could be supported and accompanied by the production of an easily accessible comprehensive pack of information for all Councillors that would be reviewed and reissued annually.*** It should contain details of what the Council does and how it works together with individual descriptions of front line services and the key contacts for each of those services. Signposts to and contacts for services not provided by this Council would also be helpful and should also be included.
- 4.4 ***It is also recommended that a comprehensive training and development programme should be devised for the life of the Council supported by an annual Work Plan that is incorporated within the Calendar of meetings.*** Training and development should be offered to members on particular subjects at varying levels which should reflect and accommodate the knowledge and experience of individual members. Joint training will also be carried out with officers where appropriate.

## 5. Performance

The main issues raised by members were:

- 5.1 There was a general consensus that although performance information was available that more could be done to highlight, focus, streamline and publicise it.
- 5.2 ***It is recommended that performance information should be simple, consistent in format, focused on what is important, easy to access and understand.*** A suite of Service Charters have been approved by members and contain and highlight performance information which now needs to be refined to achieve this.
- 5.3 The Service Charter Performance information will be reported on a regular basis to the Service Delivery Committee and ultimately published “live” on the Council’s website.

## 6. Member Support

The main issues raised by member were:

- 6.1 This is generally the area where members feel that more could be done to provide better support, guidance and information through having a consistent continuous

direct contact point in the Chief Executive's office. At the same time members would like to see this take some of the pressure off the Management Team who are increasingly trying to fulfil this role themselves.

### ***Member Enquiry System***

- 6.2 Overall members see the value of the centralised Member Enquiry System that was introduced last year. The vast majority of members use it and report that it works well for general enquiries. It still requires some refinement and it is essential that the information is provided within the agreed timescales and in a helpful format.
- 6.4 There are two specific areas where it is felt that the general Member Enquiries System does not provide members with the information that is needed:

#### ***a. Residents' Issues***

When members are approached direct by residents it tends to be on a more specific and/or urgent point than the present Member Enquiries System is capable of dealing with. In some circumstances members have found themselves then caught in difficult situations and with sensitive knowledge of particular residents which puts them in a position of personal responsibility and liability.

In order to try and prevent this situation from occurring and members being exposed to these personal risks it has been suggested and ***is therefore recommended that the comprehensive information pack provided to members as part of the induction programme should also enable members to immediately identify which service and who at the Council the resident needs to contact. The member can then provide the resident with that information on the spot at the time so that they can make that direct contact themselves.*** This will then take any liability or risk away from the member, who will still be kept abreast of the progress of the issue and, who will always have the ability to pursue it at any time on behalf of their constituent.

#### ***b. Urgent Issues - Out of hours***

In the unlikely event that anything operational occurs outside of normal office hours that members are made aware of then the member should contact the Council's "Out of Hours" service to report it and it will be dealt with by the appropriate "on call" staff. If it is something that is more urgent and important then members have the contact details of the Management Team and should phone or text one of them.

### ***Members' Central Office Support***

- 6.4 The lack of resource and capacity in the Chief Executive's Office to provide adequate member support was of a general concern and now considered to be a false economy with Management Team increasingly having to provide more administration, coordination and communication themselves in its absence.
- 6.5 Members also highlighted that they would like a greater level of consistency and continuity from this support. ***It is therefore recommended that at least one full time permanent employee will be dedicated to support members and the Management Team, including the Mayor, in the Chief Executive's office.*** This person will be the consistent and constant communication point of contact for all

members. This person will have a full appreciation and understanding of all activities across the Council and will be in the best position to be able to provide a comprehensive level of information to members. This will also include a review to improve communications with members including the content of the Green/White papers etc. It will be their responsibility to proactively communicate with members particularly on any up and coming ward issues including coordinating periodic "Ward Walks" and any liaison that is necessary with other officers.

## **7. Member/Officer Protocol**

- 7.1 From the discussions with members ***the key points of agreement and recommendations are:***
- 7.2 ***That the member's role is to govern the council, review performance, represent the Council and fulfil their ward based roles.***
- 7.3 ***That the officers' role is to implement member decisions made at committee, deliver council services professionally and in accordance with statute and to provide professional unbiased advice for members.***
- 7.4 ***Members and officers should always be supportive of each other and treat each other with mutual courtesy and respect and act accordingly at all times.***
- 7.5 ***It is not in the role of, or expected of members, that they be involved in the day to day operation of council services or day to day staffing issues.***
- 7.6 ***That this opportunity is taken to reiterate the following protocols:***
  - There is no embargo on members and officers talking.
  - All members are welcome at the Council Offices and Depot at anytime. Members must sign in as this is a security and health & safety requirement. Member will not be expected to wait as other visitors do.
  - The first point of contact for members should be a member of Management Team, a Head of Service or a member of the Chief Executive's Central Office Support, as above. If appropriate these officers will then identify and agree with that member if there is another specific officer who is better placed to deal with that member's issue and the officer will organise that.
  - The Members' Room will be kept as a dedicated space for members to be able to meet with officers. This will also ensure a confidential setting which will be free from interruptions.
  - Members should not "office surf" and should not involve themselves in operational issues or by trying to give instructions or influence officers, particularly junior staff. To do this will cause potential problems for the member (open to possible accusations of manipulating Council procedures to further personal or political interests) and officers (causes confusion, undermines the management structure and compromises Council processes).
  - Officers need to be more aware and sensitive of the issues that may affect councillors and their residents and therefore communicate with members earlier and more pro actively.

- The specific relationship that will need to be forged between a Chair and the appropriate link officer is covered under the Governance Section of this paper.

**7.7 That on this basis the Constitutional Task Group be requested to review the Member and Officer Protocols as set out in the Council's Constitution.**

Email: **mark.hall@oadby-wigston.gov.uk** Tel: 0116 257 2600

**Background Papers:- None**

<b>Implications</b>	
Financial (PL)	There is a likely requirement for further budget consideration once a decision has been made as to the future of these new governance arrangements.
Risk (PL)	CR1 – Decreasing Financial Resources; CR6 – Regulatory Governance
Equalities (KG)	Officer consultation is still yet to be undertaken for the finalisation of the Member Officer protocol, in accordance with the direction given by Senior Management Team
Legal (KG)	The timescales of implementing these changes (2 months) is challenging owing to the governance and constitutional changes required especially ahead of a new municipal year