

Governance Review – Implementation of Recommendations

To:	Constitution and Ethics Committee
Meeting Date:	13 September 2023
From:	Service Director of Legal and Governance
Outcome:	Following Full Council's consideration on 18 July 2023 of some of the recommendations set out in the Centre for Governance and Scrutiny's Review of the Committee System, the committee is asked to consider and implement the remaining recommendations in order to help the Council achieve its outcomes through improved governance and scrutiny.
Recommendation:	<p>The committee is recommended to:</p> <ul style="list-style-type: none">a) Note the arrangements for Member and officer training set out in Sections 2.2.1 and 2.2.2 of the report;b) Ask the Constitution Working Group to review the Member/Officer Protocol and Members' Code of Conduct before being presented to the full committee for consideration;c) Agree the Terms of Reference attached at Appendix 2 for Spokes meetings;d) Agree the arrangements for Chair/Vice-Chair briefing meetings at Section 2.3.3 of the report;e) Advise officers on how best to manage the reinstatement of the Members' Seminar programme;f) Ask Spokes to review the advisory groups and panels relating to their area and recommend to the relevant policy and service committee whether they should continue;g) Ask Spokes to consider the actions relating to Recommendation 4 set out in Section 2 of the report;h) Keep under review what aspects of social care decision-making can be moved to Communities, Social Mobility and Inclusion Committee; andi) Request the Chair of Adults and Health Committee hold health scrutiny meetings on the reserve dates for Adults and Health Committee.

Officer contact:

Name: Michelle Rowe
Post: Democratic Services Manager
Email: michelle.rowe@cambridgeshire.gov.uk
Tel: 01223 699180

1. Background

1.1 At its meeting on 20 June 2023, the committee considered and commented on the Centre for Governance and Scrutiny's (CfGS) report on the review of the Council's committee system, attached at Appendix 1 to this report.

1.2 The committee recommended the following proposed changes to the constitution:

1.2.1 Recommendation 1:

(a) Officer training on the following:

- Member/Officer roles
- Political awareness
- Report Writing

(b) Member training on the following:

- Member/Officer roles
- Work programming and prioritisation
- Questioning skills
- Skills in interrogating and understanding data and evidence
- Councillors' corporate parenting responsibilities
- Councillors' and councils' obligations and opportunities regarding equality, diversity, and inclusion.

(c) Review of the Member/Officer Protocol.

(d) Introduction of report writing guide.

1.2.2 Recommendation 2:

(a) Refocus Spokes meetings to be briefing sessions about key issues for the Committee and relevant directorate, and less focussed around reports going directly to committee. They should be led by the Executive Director and meet every month or six weeks.

(b) Retain Chairs and Vice-Chairs meeting to focus on meeting/agenda planning.

(c) Reinstate a Members' Seminar programme to deal with information items that do not require a decision.

1.2.3 Recommendation 3:

Review and rationalise current Member Working Groups.

1.2.4 Recommendation 4:

(a) Remote meetings/workshops/task and finish groups for enhanced scrutiny and policy development which give capacity on decision making agendas.

- (b) Spokes to consider diverse ways of disseminating information items to all Councillors to avoid them being included on agendas.
- (c) Proactive use of reserve meetings.
- (d) The current scheduling should remain with four programmed meetings a year and four reserve meetings.

1.2.5 Recommendation 5:

- (a) Create a Strategy, Resources and Performance Committee to replace Strategy and Resources Committee to provide strategic direction and be responsible for strategic partnerships/budget (and budget monitoring) / Medium Term Financial Strategy / performance at a corporate level/risk associated with these.
- (b) Establish a new Assets and Procurement Committee to reduce the workload of Strategy and Resources Committee.

1.2.6 Recommendation 6:

Create a Communities Committee to replace the Communities, Social Mobility and Inclusion Committee, but remove strategic partnerships so they come within the remit of the new Strategy, Resources and Performance Committee.

1.2.7 Recommendation 7:

As referred to above, move aspects of social care decision-making to the new Communities Committee.

Move consideration of public health to the Health and Wellbeing Board.

Reserve meetings of Adults and Health Committee to be used to focus on scrutiny of health.

- 1.3 Members were informed that only Recommendations 5, 6 and 7 would require constitutional changes to be approved by Council, and it was agreed to recommend these changes. A member seminar was held on 5 July 2023 to consider the impact of these recommendations only before the Council meeting on 18 July 2023.

- 1.4 At its meeting on 18 July 2023, the Council approved the following:

- (i) the draft terms of reference for the revised Strategy, Resources and Performance Committee;
- (ii) the establishment of a new Assets and Procurement Committee and its terms of reference;
- (iii) the draft revised terms of reference for the Communities, Social Mobility and Inclusion Committee;

- (iv) to maintain the current position in relation to statutory public health functions for the reasons set out in Section 2.3.3. of the report to Council.

2. Main Issues

- 2.1 The committee is asked to consider how the remaining recommendations 1, 2. 3. 4, and 7, which do not require constitutional changes, should be implemented.

2.2 Recommendation 1:

- 2.2.1 The Monitoring Officer and the Democratic Services Manager will work with the Learning and Development team to prepare officer training on the following:

- Member/Officer roles
- Political awareness
- Report Writing

- 2.2.2 The Monitoring Officer and the Democratic Services Manager will arrange internal or external training, if appropriate, on the following:

- Member/Officer roles
- Work programming and prioritisation
- Questioning skills
- Skills in interrogating and understanding data and evidence
- Councillors' corporate parenting responsibilities
- Councillors' and the Council's obligations and opportunities regarding equality, diversity, and inclusion.

- 2.2.3 As part of the Member Induction Programme, following the election in May 2021, training was held for Members, as follows:

- each Policy and Service Committee had a briefing session on the role and responsibilities of its members;
- a corporate parenting training session was held;
- numerous Local Government Finance sessions were held as well as a session on Risk and Performance Management;
- a session on Fair and Inclusive Decision Making was held as well as a Local Government Association webinar (Introducing and implementing social value – a councillor's guide), which was open to all members.

- 2.2.4 Further to the recommendation in the CfGS report to review the Member/Officer Protocol, the recent statutory guide for best value authorities "Best Value Standards and Intervention" published by the Department for Levelling Up, Housing and Communities (DLUHC) states in its section on governance that codes of conduct and HR processes should be to sector standard. An indicator of potential failure is that Member/officer codes of conduct and arrangements for reviewing standards complaints, are not regularly reviewed. It is therefore proposed that the working group proposed in Agenda Item 3 (Annual Review of the Constitution), review both the Member/Officer Protocol and the Members' Code of Conduct to align them with the Local Government Association Model Code of Conduct.

2.2.5 The Democratic Services Manager will prepare a report writing guide, for approval by the Monitoring Officer, which can be circulated to officers.

2.3 Recommendation 2:

2.3.1 Draft terms of reference, attached at Appendix 2, have been prepared to refocus Spokes meetings to be briefing sessions about key issues for the committee and relevant directorate, and less focussed around reports going directly to committee. These meetings will be led by the Executive Director and operated in accordance with the terms of reference, regardless of when the next committee meeting is scheduled. It is proposed that separate sessions should be held for the Joint Administration Spokes and Conservative Spoke unless it is the wish of all Spokes to meet together.

2.3.2 Article 7 (The Council Leader, Chairs and Vice-Chairs of Committees and Spokes) in the constitution refers to Spokes as follows, although it is not considered necessary to change this section to reflect the proposed new terms of reference:

7.05 Spokes

Each of the Council's political groups may designate one of their group members as spokes for each Policy and Service Committee.

The Chief Executive, executive directors, and directors shall hold briefing meetings with their relevant Policy and Service Committee chair and vice-chair to plan the agenda for future service committee meetings and consider any other issues the officer may think appropriate. They will also hold one briefing meeting with all spokes to brief them on the agenda for future service committee meetings and consider any other issues the officer may think appropriate. All these meetings will be confidential subject to any relevant legal requirements to the contrary.

Spokes shall also be entitled to individual private and confidential briefings from executive directors and service directors on any relevant policy matter within the remit of that director. Information shall be provided at these briefings on a confidential basis in accordance with the Guidance on Confidentiality attached to the Members' Code of Conduct. Requests for such briefings must be reasonable in extent and number, as determined by the Chief Executive in consultation with the relevant group leader, in accordance with paragraph 7.9 of the Protocol on Member/Officer Relations in Part 5 of the Constitution. Such requests will only be considered for items not covered by a briefing meeting.

2.3.3 Meetings involving the relevant Chair and Vice-Chair only to focus on meeting/agenda planning will take place after agenda publication and before the meeting. They will be attended by the relevant Democratic Services Officer. Ad hoc meetings can be arranged as required.

2.3.4 The committee is asked to consider how the Members' Seminar programme to deal with information items that do not require a decision should be reinstated. At the moment, briefing sessions are held on an ad hoc basis over the lunch period for about an hour and half maximum when needed. Many Members work full-time, so it would be difficult to run

the previous Members' Seminar programme which was held in person once a month for two hours on a Friday morning, before Policy and Planning Panels. Therefore, Members are requested to identify a process which would work, be accessible and attract good attendance, including remote and recorded options.

2.4 Recommendation 3:

2.4.1 The proposed changes to the Spokes system and the establishment of a new Assets and Procurement Committee provide an opportunity to review and rationalise current Member Working Groups. There are currently 44 Internal Advisory Groups and Panels. It is therefore suggested that Spokes should review the groups and panels relating to their area and decide, for committee approval, which should continue and which can be incorporated to the work of the Spokes meetings.

2.5 Recommendation 4:

2.5 It is proposed that Spokes should be asked to consider the following:

- Remote meetings/workshops/task and finish groups for enhanced scrutiny and policy development which give capacity on decision making agendas.
- Consider diverse ways of disseminating information items to all Councillors to avoid them being included on agendas.
- Proactive use of reserve meetings.

2.6 Recommendation 7:

2.6.1 It is not clear which aspects of social care decision-making can be moved to the Communities, Social Mobility and Inclusion Committee. It is therefore proposed that the Constitution and Ethics Committee keeps this proposal under review.

2.6.2 The CfGS report states that "Reserve meetings of Adults and Health Committee to be used to focus on scrutiny". The committee is asked to consider whether to ask the Chair of Adults and Health Committee to hold health scrutiny meetings on the reserve dates for Adults and Health Committee. External Health Scrutiny training is taking place on the same day as the September reserve date.

3. Appendices

3.1 Appendix 1 – CfGS Review of the Committee System

3.2 Appendix 2 – Spokes Meetings – Role and Purpose

4. Source Documents

4.1 [Constitution and Ethics Committee - 20 June 2023](#)

4.2 [Council - 18 July 2023](#)

4.3 [Council Constitution - Cambridgeshire County Council](#)