CAMBRIDGESHIRE COUNTY COUNCIL

REVIEW OF THE COMMITTEE SYSTEM

Centre for Governance and Scrutiny (CfGS)

Ed Hammond

12 May 2023 (Draft 5)

Introduction

Cambridgeshire County Council moved from the leader-cabinet system to the committee system in 2014. At the time, the council was run by a minority Conservative administration under no overall control; the Conservatives gained majority control of the council in 2017. In the 2021 elections a joint administration took executive responsibility, with the Conservative Party remaining as the largest group but in opposition. The Joint Administration chose to make some changes to the terms of reference of committees, and the committee structure overall, at this time.

The Local Government Association (LGA) carried out a Corporate Peer Challenge exercise in 2021. It made some overall positive comments on council governance, although noting that (amongst other points):

- Some member behaviours needed to be addressed and improved;
- The council's approach to EDI (Equality, Diversity, and Inclusion) required improvement, although the LGA (Local Government Association) noted that action was being taken to address this; and
- The revisions to the committee system made in 2021 required more time to bed in before being separately assessed.

CfGS was asked to provide independent assistance on the third of these issues. We consider that, in doing so, we can also provide some assistance on the first and second.

The bulk of the work to support this review was carried out in the latter part of 2022, with the report being finalised in mid-2023. Steps have been taken to ensure that changes at the Council, since primary evidence-gathering ended, have been considered.

Objectives

The objectives of this work were to:

- Review and evaluate the effectiveness of the revised committee system introduced in 2021;
- Review and evaluate the effectiveness of committees in carrying out scrutiny work as part of the revised system, regarding the operation of health scrutiny arrangements;
- Review the way that the work of the audit and accounts committee intersects with wider member decision-making;
- In doing so, consider how the way that decisions are made and overseen can be most effectively aligned with the council's objectives on EDI; and
- Consider wider cultural and behavioural expectations around the relationships between members, and members and officers, in the governance system. In doing this we will have regard to informal arrangements for member briefing, as part of the council's wider approach to political management.

Methodology

Evidence was gathered through:

- Interviews with councillors and officers. 19 people were interviewed in total. A semi-structured approach was taken, where the review's general lines of enquiry were supplemented with discussion on matters raised by other interviewees, and other parts of the evidence-gathering process;
- Documentary analysis. There was a detailed review of agendas, minutes, and reports for meetings of policy and service committees. A review was also made of other corporate documents, including the Council constitution, and any material (such as the joint administration agreement) which we considered provides context for the operation of the committee system. In respect of committee business, we sought to understand:
  - The level of detail provided in officer reports, and in background papers, particularly in respect of the council's obligations on equality, diversity, and inclusion;
  - The nature and quality of debate in committee (judged by review of minutes, watching YouTube recordings of meetings and through interview);
  - The ability of debate in committee, and debate in other places (Spokes, for example) to lead to enhanced decisions (again, judged by minutes and interviews);
  - The ability of committees to direct and hold to account the delivery of the Council's priorities, in particular the Joint Administration's actions;
  - Committees' agendas, and the overall work programme for committees individually and collectively (including committees' ability to focus on the right things at the right time and the timing of meetings); and
  - The way in which informal discussion (for example, at Spokes, and elsewhere) feeds into the way that decisions are made formally.
- Member survey. A survey of members was carried out – 24 responses were made over the course of a two-and-a-half-month period; and
- Dip testing. A closer analysis was made of the way in which a small selection of decisions was taken through the system. This was not to review the substantive impact of those decisions or to critique the process by which they were made individually. Our intention was to get a sense of the usual process that decision-making involves – the review was therefore predominantly desk-based.

Outline of key findings

Overall, the committee system at Cambridgeshire is working effectively.

Members and officers work well together. There is a mutual understanding of the strengths and challenges of the current system. That understanding is, from both members and officers, mature and sophisticated – people are (by and large) able to step outside of their roles and understand how others perceive them and the way that they act and behave. Senior officers and leading members in the joint administration recognise that some aspects of the current system do not work as they ought and want to make improvements. Members of the opposition, meanwhile, have been frustrated by some of the changes made since May 2021 but have attempted to work within them (although the ongoing operation of "spokes" meetings presents a challenge).

People can understand others' motivations and objectives even if they do not share them. This bodes well for some of the needs for behavioural change identified by the LGA.

As with any authority there are always refinements and improvements to be made. Inevitably this report focuses more on the areas where those refinements are necessary, but this is not to say that Cambridgeshire is beset by an unusual range of challenges and problems.

We think that there is scope for some change to the terms of reference, number, and frequency of committee meetings – in part to allow for more effective cross-party member oversight on delivery. If this does happen, it must be in concert with wider changes focused on culture, behaviour, attitudes, and relationships – which we cover at some length. The Council has begun to act on these needs by introducing a new strategic framework, which will assist in the management of committee workload.

What committees are for

Before evaluating the efficacy of the current committee system, it is necessary to set out what we think committees are "for." This is based on our own views, informed by the experiences of other committee system authorities, and the views express by members and officers in interviews. It is also informed by survey evidence.

Committees are spaces for councillors to:
- *Set an overall strategic direction for the relevant service area. Members set priorities, which involves making political choices. Based on the priorities and wider direction that councillors set, officers can develop proposals to deliver those priorities;*
- *Make decisions on matters of importance to the Council and the local area. While a scheme of delegation exists and is necessary, councillor decision-making needs to ensure clear member ownership of critical matters. The exact definition of matters where member input is necessary is driven as much by political judgement as it by financial thresholds and other criteria – but consistency and transparency are required; and*
- *Exercise strategic management functions. While officers are responsible for the operational, day to day management of services, members play a vital role in oversight – particularly on finance, performance, and risk issues.*

Importantly, the operation of service committees also must bear in mind the partnership dynamics within which the Council operates. Cambridgeshire has a uniquely complex governance landscape – with parish councils, district councils, a neighbouring unitary authority, the Cambridgeshire and Peterborough Combined Authority and the Greater Cambridge Partnership, not to mention community safety, health, and other partners, such as those in the important Higher Education and research sectors.

Detailed findings and recommendations

Organisational context

On its formation, the Joint Administration entered into an agreement, which provides a foundation for decision-making at the Council, and this has been further developed by the introduction of the Strategic Framework. The Framework is ambitious and wide-ranging and sits under a high-level joint administration agreement which sets out joint working arrangements between the parties forming the administration.

The management of decision-making in a committee system authority run by a joint administration is uniquely challenging. It requires organisational deftness, political maturity, continued dialogue between administration partners and strong member-officer working relationships.

There is an approach to decision making and delivery which creates an expectation that members will take a significant role in many aspects of the design, direction and delivery of services, which leads to committees' workloads looking heavy. Another concern is the time and effort taken by the Joint Administration to shepherd decisions through the committee system – in part exacerbated by the uncertain and overlapping terms of reference of certain committees, and an overly loose sense of when things ought to be "referred up" for decision at Strategy and Resources Committee, which results in inefficiency in how time in committee is used.

These trends are understandable given the political context – the need for strong member grip in a multi-party administration is important. But as things stand the balance between member and officer roles in this space could be better articulated.

We think that the Council could make a few changes to its arrangements for decision-making and oversight. These changes are focused on both structures and behaviours. Many of these are framed around the way that committee business is planned and managed on a cross-party basis. The proposal and implementation of any change should be predicated on the need for that change (and changes overall) to enhance member leadership, ownership, and scrutiny of Council business.

The presence of the Strategic Framework has provided an anchor for committee activity over the course of the last two years, particularly with the development of the Strategic Framework as part of the 2023/24 budget setting process. The administration is now at the point in its life where a renewed focus on delivery, and the management of performance, is necessary. This involves a rebalancing of committee business away from the current focus on decision-making and information sharing, towards more oversight of delivery. While we acknowledge that there have been some efforts to rebalance business in the latter part of 2022/23, more needs to be done. The Council needs to create the space for meaningful, rigorous oversight of ongoing delivery by rethinking its approach to committee working, and to agenda management.

The Strategic Framework sets the key tasks and delivery plans for the committees, so it is important that delivery is then scrutinised as part of the work programme of the committees.

This will involve monitoring the Strategic Framework and seeking to understand where action has been taken, where action is due to be taken, where delivery is ongoing and requires member oversight, and how these various required actions will be managed through the committee work programme.

Currently, meetings are lengthy because of the amount of business that needs to be transacted at each meeting which means that there is a danger that business is not considered as thoroughly as perhaps it should be.

Culture and Governance

Relationships between members is strong in the joint administration – between those members and members of the opposition, relationships are more challenging, which is to be expected.

Member-officer relationships are positive and professional; members trust officers. There is a general sense that member-officer relationships have improved and are continuing to improve.

Members want to exert a leading role in owning and directing decision-making, and oversight, at the authority. With this should come a recognition that training, and development is required to operate at a strategic level, to bring challenge to officers on matters of delivery, to understand and act on financial, performance and risk information.

As is common in many councils there is some difference of opinion on the delegation of decisions. The Joint Administration is keen to keep strong control, and member ownership, of its policy agenda – these feeds through into a will to bring decisions to committee by default. That said, the scheme of delegation as it stands is not unusually restrictive and does provide the opportunity to reset the understanding of what decisions are made by officers, when and how.

We understand the democratic needs for members to be "front and centre" in decision-making, especially in the committee system. This is not a matter of officers not being trusted. Visible member accountability for decisions is important, especially for a joint administration where collective responsibility and consensus are important principles. However, it can serve to make the governance system top-heavy, funnelling business through committee where that is not strictly necessary, and leading to a situation where most of the time cannot be spent on the most critical issues. We consider it unlikely that significant changes need to be made to the scheme of delegation – we think that the issue is more to do with ensuring there is clear understanding of both the principles that underpin it, and a practical understanding of how and where members (and which members) will be consulted when officers use their delegated powers.

The quality of officer reports is variable. Some of this relates to the volume of work happening at committee. This places a particular burden on officers to produce large volumes of material to support member decision-making.

Signoff arrangements for officer reports also feel, in some cases, unclear.

When reports do come, some material is "for information." The Joint Administration, and senior officers, have yet to alight on a straightforward, streamlined way for information to be shared between officers and members. There does not appear to be meaningful, regular briefing of members on key topics between meetings. If committee meetings are the first and only place where members learn about what the Council is doing, and what local people need, it provides little space for meaningful debate.

The drafting of officer reports could be improved to provide clarity on their purpose/objective and the exact decision or direction members are being asked to deliver. The content of officer reports should be informed by members' objectives (i.e. those of the Joint Administration). There will usually be a need for earlier legal and financial awareness of

reports coming through the system, and more explicit ownership of reports by individual officers who have specific responsibility for ensuring they meet certain standards.

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) Development of a guide of officers on report writing

Work Programming and agenda management

Enhanced decision making will require better management and member direction of committee agendas, and work programmes, across the piece. Currently this done through Chairs and Vice Chairs and Spokes meetings which act as pre-meetings for the committee meeting.

Currently Spokes meetings are focussed on discussion of agenda items for the next meeting. This is potentially a wasted opportunity and could be a space where they are briefed on emerging issues. Many items that appear "for information" could be directed into Spokes for discussion in a less formal environment or into briefings for all Members. This is already in their terms of reference so is simply a matter of refocussing the meetings.

This would assist senior officers and members of the administration could work to identify politically sensitive issues ahead of time, and to think more proactively about what future items are moving through the committee/briefing process and how they should be dealt with.

Chairs and senior officers should come together in advance of individual committee meetings for operational discussion of the technical aspects of those meetings. Chairs and Vice Chairs meetings would be retained in this model but would be focused on the operational planning/management of individual committee meetings.

There will be a clear need to ensure that Spokes are well connected back into the individual political groupings.

Making these changes would make it easier to balance and control committee business in a more consistent and streamlined way.

> **Recommendation 2:**
>
> **(a) Refocus Spokes meetings to be briefing sessions about key issues for the committee and 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 planning.**
> **(c) Reinstate Members' Seminar programme to deal with information items that do not require a decision.**

Working groups provide an opportunity for councillors to come together, cross-party, outside of the confines of committee meetings, to work through complex policy issues.

The use of informal working groups in both committee system and leader-cabinet authorities is not uncommon. They can be particularly useful in finding opportunities for consensus between groups.

The Council currently has more than 40 member working groups and it would be sensible to review these to ensure that they are focussed on policy rather than operational decision making.

> **Recommendation 3:**
>
> **Review and rationalise current Member Working Groups**

The operation of individual committees

Committee business is dominated by decision-making and (often unproductive) information-sharing. Overall, this means that some committee agendas are very heavy indeed. The regular convening of daytime meetings that can last all day (in some cases up to eight hours) is not normal and is a practice that needs to be addressed. Challenges with agenda management hinge on the limited effectiveness of "spokes" meetings as identified above.

Expecting both members and officers to prepare for, and then actively engage in, long and complex meetings is unreasonable, and risks that certain issues and items will not be treated with the concentrated attention they deserve. It also places an unreasonable burden on officers, especially staff tasked with committee administration. Furthermore, there is a risk that members have a false sense of security, feeling that they have reviewed or taken ownership of a given issue where actually their treatment of the matter in question may only have been superficial. This is exacerbated by the inconsistent approach to information sharing and report-drafting that we have raised elsewhere in this paper.

As things stand, business planning and agenda management feel opaque. There is a lack of clear and obvious ownership of committee agendas. The joint administration plan provides direction on the act of decision-making, but committees have other tasks, and there is not consistent prioritisation across all committees.

This may feed into the worry that some hold about the current operation of the committee system is that it does not provide sufficient opportunity for members to hold the administration to account on performance and delivery matters, or to hold partners to account.

Moving meetings from monthly to quarterly may have been intended to reduce the burden of the committee cycle but it may have had the opposite effect. Although decision-making has been managed, less frequent meetings do risk problems around resilience and effectiveness, especially when a quick turnaround on some decisions may be needed. We do not think that a return to monthly meetings for every committee is proportionate but there is probably a middle ground.

Delivery is important and the Council needs to increase capacity in committees for managing performance/policy development/scrutiny.

The Strategic Framework sets the key tasks and delivery plans for the committees, so it is important that delivery is then scrutinised as part of the work programme of the committees.

Currently, meetings are lengthy because of the amount of business that needs to be transacted at each meeting which means that there is a danger that business is not considered as thoroughly as perhaps it should be. The Council could create additional capacity within the meeting schedule to accommodate this, which could be addressed in several ways.

The use of reserve dates will assist. The Council could also consider use of remote non-decision-making meetings and focussed working groups "task and finish" where appropriate which will allow for more room within the work programmes of each committee for oversight and policy development work.

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.**

Strategy and Resources Committee

Strategy and Resources Committee (S&R), holding responsibility for delivering the Council's overall strategy and budget needs to be able to focus more on performance management, delivery, and risk of that programme. It should also be leading on the Council's key strategic partnerships. To allow focus on key strategic performance and delivery issues, it will be necessary to move some of the current workload to a new committee.

There are concerns about divorcing high level strategy (Strategic Framework) from finance, performance, and risk as it potentially dilutes and reduces accountability. It is recognised that there is too much substance on the S&R agenda (particularly assets and procurement) which prevent a sufficient level of scrutiny, so it is suggested that decisions relating to assets and procurement are passed to a new committee which will enable these decisions to be examined more fully. Key strategic relationships should remain with S&R.

S&R should be a space focused on the council's strategic direction. To a significant extent it is, but there is a degree of confusion about its overlap with other committees (in particular Communities, Social Mobility, and Inclusion Committee (COSMIC)).

S&R also carries out duties relating to the council's financial management, including detailed financial monitoring.

Uncertainty about the duties of S&R and how those duties connect to the role of COSMIC means that there continues to be a significant degree of cut-across between the work of both bodies. Similarly, there is cut across on financial oversight, where the connection between S&R's role on financial monitoring, oversight and direction is insufficiently clear as far as it connects with the role of Audit and Accounts Committee (A&A).

There is merit in retaining A&A in its current form particularly with the addition of independent members underway.

> **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) /MTFS/performance at a corporate level/risk associated with these.**
> (b) **Establish a new Assets and Procurement Committee to rebalance the way that councillors direct and oversee policy in this critical area of council finances.**

Communities, social mobility and inclusion (COSMIC)

COSMIC, too, has experienced problems with focus and workload. Inclusion and support of communities is an understood focus of the Joint Administration and there was a clear logic underpinning the revisions to the Communities and Partnerships Committee but, because the administration rightly sees inclusion as cutting across a wide range of other policy areas, there is the risk that this committee duplicates and overlaps with others – especially S&R. There is no clear, defined rationale underpinning where and how decisions are submitted for decision at S&R, COSMIC or other committees. This means that business at S&R can also be difficult to predict, with S&R (which notionally, under this model, ought to be holding responsibility for the overall management of the council's business, and delivery) becoming preoccupied with the churn of decision-making. It is difficult to see how COSMIC, as currently organised, can continue to be fit for purpose under the current model.

We have sought to understand whether there is a way to maintain COSMIC, or a committee like it, in a new model. There is significant strength in having a cross-cutting committee (like Adults and Health Committee) able to embed the Joint Administration's focus on inclusion as a central priority. Simply seeking to "abolish" COSMIC, and redistributing its responsibilities amongst other, existing, committees, would be very unwise. It would hinder the council's approach to inclusion and its ability to keep tabs of delivery across a complex policy agenda.

Community partnerships sit at the heart of the strategic direction of the council so there is value in having the time to consider these in a dedicated committee space which would complement the work of Strategy, Resources and Performance Committee – but in doing so, there needs to be recognition that the agendas of the two committees will require close co-ordination. There is benefit in retaining some form of communities committee to manage the following areas and avoid overloading the Strategy, Resources and Performance Committee

agenda. This presents a rebalancing and refocusing of COSMIC, with its more obviously strategic functions sitting elsewhere.

Overall, this committee could hold policy and delivery for the following services:

- Adult careers information and guidance
- Adult skills
- Anti-poverty
- Learning services including online
- Community learning
- Libraries
- Archives
- Cultural Services
- Registration Service
- Coroner Service
- Trading Standards
- Community safety (including domestic abuse and sexual violence)
- Community development and resilience
- Prevent and hate crime
- Homelessness prevention

Reflective of the administration's priorities, and the need to rebalance the focus of Adults and Health Committee (see below), the Council should consider bringing certain matters relating to social care policy to this new committee, to integrate an awareness of personal support to adults with the wider support to, and from, the community.

Recommendation 6:

Create a Communities Committee to replace COSMIC but remove strategic partnerships so they come withing the remit of the new Strategy, Resources and Performance Committee.

Adults and Health Committee

The Adults and Health Committee has terms of reference that are too broad. Drawing together these two areas provides vital clarity to the integration agenda and the logic of having done so is extremely sound – however, it results in very lengthy agendas that struggle to do justice to the importance of issues under the committee's purview. It is important to note that the decision to conjoin these two functions was not necessarily an error at the start. It could have worked, and indeed does in other councils but the model is not right for Cambridgeshire.

The current chair has made several innovations to better plan the agenda – consciously setting aside time for more strategic thinking and planning, and dividing the agenda so that health, and social care, issues are effectively balanced. There is no doubt that these actions will have made the operation of the committee more effective but in our view, there is no straightforward way to manage a workload which is likely to increase with the development by the NHS of further plans for change to services, further to the Integrated Care System (ICS) agenda. This is compounded by widespread member discussion and consideration of matters which are quite operational in nature.

As things stand the committee does not have the capacity to embark on meaningful health scrutiny activity. Councils' health scrutiny powers – although they are expected to change soon – are still significant and need to have the time and space to be managed properly. Alongside this, the Council needs a way to properly highlight and act on public health issues. Now, these feel buried within the weight of other work.

A split between "Adults" and "Health" was something suggested by several interviewees, and something which appears attractive from a committee management point of view. However, there is not the appetite on the part of many members for such a change – in part because of the recognised need for cross-cutting member thinking and direction across the health and care space. Instead, more careful agenda management and the movement of certain functions

We have considered the possibility of passing public health functions to the Health and Wellbeing Board. Although we recognise that this poses logistical challenges (we understand that its meetings are conjoined with those of the ICP) we consider that the need to integrate public health into wider health system decision-making are such that the organisation of these meetings should be replanned to provide for public health matters to be considered by the HWB.

The terms of reference of other bodies (including the Children and Young People Committee) would remain the same.

On balance we are not recommending the establishment of a separate scrutiny committee. Oversight and scrutiny of Council activity will be adequately dealt with, we think, through the Strategy, Resources and Performance Committee, and through more focused agenda management in other committees.

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.

Audit and Accounts Committee

While the operation of the Audit and Accounts Committee does not technically sit within the service committee system, it is adjacent to and supports the business that policy and service committees carry out.

Audit Committee roles are stipulated by detailed Chartered Institute of Public Finance and Accountancy guidance. The regulatory functions of Audit are recognised as being vitally important – the Council has taken steps to improve its approach to the audit function, and its intersection with the wider governance framework. This is evidenced through the most recent Annual Governance Statement.

The Audit and Accounts Committee's role and function intersect with those of policy and service committees in several ways. For our purposes, the most important relate to financial management and oversight, and risk.

The Council has a new risk management framework. In the past, risk issues do not appear to have been raised and considered at committees other than Audit and Accounts Committee. Members do have different, less consistent, ways to talk about and decide on corporate risks – but this needs to be formalised, and made more consistent, in how service committees operate, with the treatment of risk being seen as central to service committees' more robust review of ongoing delivery as discussed elsewhere.

There is a recognition that there needs to be an increased focus by members on financial issues. The coming months and years will be challenging ones for the organisation from a financial perspective and proper member direction and oversight is needed to steer the authority through this period.

Other committees

For other committees problems are less obvious, although weight of agendas and a lack of direction on the content of agendas is a common feature. At the right time we think there might be scope to explore changes to the terms of reference of some other committees, but this wider work is not urgent.

We have looked at the operations of the Corporate Parenting Sub-Committee and recognise that there are workload issues present. Given the ongoing importance of corporate parenting, and children's services issues, we do not recommend rolling the responsibilities of this committee into those of the wider children's services committee. However, we consider that members and officers consider later in the year if changes ought to be made to this part of the committee model, considering the success of the other changes we describe in this section.