

CONSTITUTION AND STANDARDS COMMITTEE

25th November 2020

REPORT TITLE:	Change in Governance Arrangements: Update on Implementation
REPORT OF:	Director of Law and Governance

REPORT SUMMARY

This report provides the Committee with an overview in respect to the implementation of the change in governance arrangements following the adoption of a new Constitution by the Council at the Annual Meeting held on the 28th September 2020.

The report is divided into three parts:

- Implementation of the Committee programme
- Training Update
- Constitution Review and Work Programme

This is not a key decision.

RECOMMENDATION/S

The Constitution and Standards Committee are invited to consider and comment on the report and are further requested to nominate Members to sit on the Governance Working Group.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Committee are requested to comment on the implementation of the new Constitution and the change in governance arrangements thus far and to agree the appointment of a Governance Working Group to consider any proposed changes/updates to the Constitution so as to enable recommendations of that Group to be submitted to future meetings of the Constitution and Standards Committee for consideration.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not to appoint a Governance Working Group at the present time.

3.0 BACKGROUND INFORMATION

- 3.1 Implementation of the Committee Programme

The demands placed on Members and Officers has not prevented thus far the implementation of a full programme of Committee meetings as approved at the Annual Council Meeting. The Policy and Resources Committee meets on a four-weekly cycle with the majority of the remaining Committees meeting on a six-weekly cycle. For each of the seven Policy Committee meetings, two briefing sessions are held for Chairs and Group spokespersons. Session A – is a general discussion on matters effecting the Committee with a view to managing the future work programme and forthcoming meetings' agenda. Session B – is an agenda meeting in advance of the publication of the Committee agenda, which is a focused meeting where senior officers are able to brief the Committee Chair and Group spokespersons and address issues arising in their draft reports.

Thus far, the first cycle of meetings has resulted in each of the Policy Committees having now met. These meetings were held in late October/early November 2020. Regulatory Committees continue to meet on the same cycle and the first meeting of the Partnerships Committee was held on the 9th November with partners actively engaged in the meeting. This is, therefore, still very much at an early stage of bedding in as a set of new governance arrangements.

In addition, the truncated municipal year has resulted in a round of workshops for Members to comment on proposals to aid the Policy and Resources Committee in formulating a Budget. These will feed into P&R workshop and the formal meeting, resulting in a draft Budget to be subject to consultation process with the public and formal comment from the Committees prior to P&R making a recommendation in February 2021.

The Coronavirus response continues to tax the resources of the staff and system, with discussions on how the Council might need to respond in terms of meetings and agenda management continuing.

These meetings have been held in remote form, which is the subject of a separate report.

3.2 Training Update

One of the key elements of the project plan for the change in governance arrangements was to implement a training programme for both Members and Officers.

Since January 2020, examples of training provided include:-

- Group briefings and all member briefings Jan – March 2020
- Two Chairs' sessions were run by the Centre for Public Scrutiny in July 2020
- Directorate sessions in October/November on Member /Officer engagement
- Committee system training sessions for officers on the Senior Leadership Team (SLT) and Corporate Management Team (CMT) in July 2020
- Two sessions on report writing in July 2020
- Directorate briefing sessions: five directorate teams briefed so far on the change in governance arrangements
- External trainers, Bethan Evans and Kirsty Cole, have been engaged to run tailored training on the committee system and constitutional requirements respectively
- Creation of a Report Author webpage with video tutorials and online training – supported by Team Around the Committee officer support
- Director of Law & Governance/Head of Democratic Services continues to provide report writing support and training sessions

Feedback from Members has been extremely positive. A number of all Member Briefing Sessions have been held in October utilising remote/virtual meeting opportunities for the Senior Leadership Team to engage with and brief Members.

A process has also started to review Member Learning & Development in the wider sense. An officer group has been created led by the Head of Democratic Services and supported by the Group Officer Managers and colleagues in Organisational Development. Immediate successes over the summer included the production of a training booklet for Members detailing both internal and external training opportunities, the holding of individual 1:1 meetings and the undertaking of a pilot for the Members portal. A meeting of the Member & Development steering group is to be held on 23rd November 2020 for Members to discuss:-

- The outcomes/findings of the 1:1 sessions with Members and they can support/inform future development and opportunities
- Outcomes from the Member portal trial and next steps
- New Member induction – impact of Covid

3.3 Constitution Review

The Constitution as adopted at the Annual Meeting of Council in September 2020 took place at the same meeting as the Council moved into the Committee system form of governance. The Council's Constitution was intended to establish governance arrangements that reflected its desire to move to a streamlined committee system that it felt best met the set objectives of:

- **Accountability** – responsibilities and accountability should be clear, within the Council and to residents;
- **Credibility** – governance should assist good decision making, which involved proper and early scrutiny;
- **Transparency** – the decision making process should be more open and transparent to Members and to the public;
- **Collaboration** - decision making should be more collaborative across parties and less combative;
- **Timeliness** – decision making should be both quick and effective and, when necessary, allow for urgent decision making.

It was noted at the September 2020 meeting of the Standards and Constitutional Oversight Committee that there remained areas of the draft revised Constitution that are due or are mid-way through a process of being updated, but remain outstanding at the time of this report. These in particular are:

- (a) Member Code of Conduct – Subject of a separate report to this meeting.
- (b) Financial Regulations – These have been updated to accommodate the change to the Committee system but are due a further and complete review will be undertaken in coming months. This will seek to simplify the Financial Regulations and give consideration to shortening them, with day to day detailed material transferring to a Financial Handbook.
- (c) Contract Procedure Rules (Standing Orders) – Minor amendments have been made and updates included, such as transposing the Social Value Policy into the rules, but a full review is required in due course.
- (d) Whistleblowing Policy – This is a review, considered by the Audit and Risk management Policy, that is almost complete and a report is to come before Members shortly but has not yet been considered.
- (e) The list of appointments to outside bodies will also require a review in due course.

Members of the then Governance Working Group identified these and noted that experience is likely to highlight a number of issues that members may wish to consider in greater detail after the Annual Council meeting. Officers have also identified issues that they would like Members to give further consideration to. With

that in mind, the Constitution and Standards Committee are requested to nominate Members to sit on a Governance Working Group and further request the Director of Law and Governance to make arrangements for that group to discuss the following:-

- Public Statements – clarification in respect to speaking on non-procedural items and deadline for registering to speak
- Review of the Petition Scheme/deadline for submission
- Interruption of the meeting - clarification in respect to Standing Orders 9.1 and 15.11
- A further discussion in respect to the Media Guidelines
- Meeting times
- Substitutes for Decision Review Committee when a Member has a conflict of interest.

Members of the Committee are requested to identify and further issues that they would like the Working Group to consider.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report

5.0 LEGAL IMPLICATIONS

- 5.1 Section 9P of the Local Government Act 2000 (as amended for England) requires that a local authority must prepare and keep up to date a document (referred to in this section as its constitution) which contains—
- (a) a copy of the authority's standing orders for the time being,
 - (b) a copy of the authority's code of conduct (if any) for the time being under section 28 of the Localism Act 2011,
 - (c) such information as the Secretary of State may direct, and
 - (d) such other information (if any) as the authority considers appropriate
- 5.2 The additional requirement to comply with a Direction of the Secretary of State as to what information a constitution must contain has been repealed (for England) since the last Council Constitution was drafted. The original Direction remains a useful checklist, however, containing as it does some eighty-two items of information that should be available to the public through a council's constitution. Likewise the Guidance issued concerning the Model Constitution under the Local Government Act 2000 as enacted.
- 5.3 The Constitution therefore contains a mixture of those standing orders and requirements that are a matter of choice for the Authority and those that are mandatory, including those pursuant to the now applicable Local Authorities (Committee System) (England) Regulations 2012.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no resource implications arising directly from this report

7.0 RELEVANT RISKS

7.1 There are no risks arising from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 Member have been engaged in respect to a number of the issues outlined in this report. Members will be fully consulted on any future changes to the Constitution and the intention is to increase the frequency of meetings of the Member Learning & Development Group.

9.0 EQUALITY IMPLICATIONS

9.1 There are no equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct environment or climate implications arising from this report.

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APPENDICES

BACKGROUND PAPERS

Constitution

Member L&D Booklet

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Annual Meeting	28th September 2020