SHEFFIELD CITY COUNCIL

Governance Committee

Meeting held 28 February 2024

PRESENT: Councillors Fran Belbin (Chair), Sue Alston (Deputy Chair), Simon Clement-Jones, Dianne Hurst, Mary Lea, Mike Levery, Laura Moynahan, Paul Turpin and Ruth Milsom (Substitute Member)

1. WELCOME AND HOUSEKEEPING

1.1   The Chair Councillor Fran Belbin welcomed everyone to meeting of the Governance Committee and introduction were given.

1.2   Members of the public had been invited to attend this meeting in person and via the hybrid connection to contribute to the discussions on agenda items 7 and 9.

1.3   The Chair proposed that item 9, Member Role Profile would be taken ahead of Item 8, Governance to support partnership working with the NHS and other partners across Sheffield. It was agreed that public questions submitted by Ruth Hubbard would be taken as part of item 9, as these questions directly related to this agenda item.

2. APOLOGIES FOR ABSENCE

2.1   An apology for absence was received from Councillor Alison Norris. Councillor Ruth Milsom attended as a Substitute Member.

3. EXCLUSION OF PUBLIC AND PRESS

3.1   There were no items identified where a resolution may be moved to exclude the press and public from the meeting.

4. DECLARATIONS OF INTEREST

4.1   There were no interests declared at the meeting.

5. MINUTES OF PREVIOUS MEETING

5.1   Resolved: That the minutes of the previous meeting held on 14th December 2023, were agreed as an accurate record.

6. PUBLIC QUESTIONS AND PETITIONS

6.1   The Committee had received a set of questions prior to the meeting from Ruth Hubbard that related to Item 9, Member Role Profiles, on the agenda. It was agreed that these would be considered alongside the agenda item.

6.2   No petitions had been received for consideration at the meeting.

7. **PUBLIC QUESTIONS AND PETITIONS REVIEW: LATEST DRAFT PROPOSALS AND NEXT STEPS**

7.1 The Committee considered a report of the Director of Policy and Democratic Engagement, James Henderson regarding Public Questions and Petition Review: latest draft proposals and next steps. Laurie Brennan, Head of Policy and Partnership was in attendance to present the report to Members.

7.2 The purpose of the report was to provide the Committee with the developing draft proposals and recommendations from the review of public questions and petitions. The working draft report following the review along with the draft recommendation was provided and this had been developed with citizens and members. It was proposed that citizens were invited to provide final comments on the proposals by 6th March via the Governance Committee and the Have your Say Sheffield online engagement portal.

7.3 The finalised detailed proposals would be presented to the Committee on 27th March 2024 and subsequent approval at AGM in May 2024.

7.4 The Head of Policy and Partnership advised that the proposal would be to trial the new format from the new municipal year.

7.5 The Committee discussed the item and length and key points arising from the discussions were:-

· The constitution includes guidelines in terms of the parameters around public questions, however the General Counsel advised that clarity was needed to ensure these applied to all Committees of the Council and not just Full Council. There was a process in place that required the General Counsel and the Director of Policy and Democratic Engagement to check all Public Questions against the required parameters.

· Councillor Turpin felt the 6 working deadline was useful, but that the deadline of 30 minutes before the meeting at the Chair's discretion should be an hour or to remove 'at the Chairs discretion'.

· Councillor Turpin advised that he thought the LAC's worked well and allowed public discussion, but a triaging system was needed to allow actions to followed through.

· Councillor Milsom advised that the LAC's were another way to engage and allowed for a lot more discursive discussion. The LAC's provided a good balance with the workshop style of meeting. Councillor Misom advised that there could be more dialogue with the public before a LAC or other meeting and felt that more time should be built into the system to allow this.

· Councillor Milsom advised that there were more ways for the public to engage with the Council rather than through Public Questions and there was plenty of opportunity to create this and modernise how the Council

worked.

·   Councillor Hurst welcomed the exercise, but the system could sometimes pose barriers. It was a big deal for citizens to attend Full Council and clarity should be given on whether we can do the things we say in our answers to public questions.

·   Councillor Alston found the change in deadline would be helpful and would reduce the times the council had to say, 'we will come back to you with an answer'.

·   Councillor Alston advised that a word limit would be preferred, rather than a time limit. Councillor Alston queried why there would be an option for a written answer to a statement when it was not a question. The Council should also bear in mind that if the proposed process for public questions was not working, changes would be made, the trial would not run for the whole 12 months.

·   Ruth Hubbard found the report really positive and commented that Sheffield was the only Council in the Country to do a review on this. Ms Hubbard advised that she would like to see effort made in making it more accessible to ask a question and see much more upfront, she highlighted that SCC was committed to making the process more accessible. SCC did not see public questions as part of the system, they were dealt with separately. SCC was the only Council to get high numbers of public questions and the question was, was the Council not responsive enough to its engagement.

·   John Johnson welcomed the work in progress and would like to see the process a lot less confrontational. Mr Johnson commented that there should be a mechanism to direct a question to another committee instead of disallowing.

·   Councillor Paul Turpin advised that enabling anonymity in the public forum could be a good and a bad thing. He didn't wish for this to be used as a way for a member of the public to continue torment of a Councillor and would want to know how this would be monitored.

·   Councillor Simon Clement-Jones wanted clarity around when someone leaves or turns up to a meeting will their question be read out and provided with an answer, this was part of accessibility, should it be read out? The Chair advised that all public questions should be part of the public domain.

·   Jenny Carpenter added that allowing the public questions at the particular agenda points may allow for a better answer if the public could interact.

7.6   The Committee were broadly in agreement with the proposals put forward in the report. It was advised that all the information and comments made from this meeting would be collated together and brought back to the next meeting on

27th March 2024.

7.7   Resolved: That the Governance Committee:

1. thanks citizens and stakeholders for their contributions to the review of public questions and petitions;
2. considered and commented on the draft proposals to reform public questions and invited contributions from citizens who wished to participate in the discussions at the committee;
3. invites citizens and stakeholders to provide feedback on the current draft proposals by 6th March 2024; and
4. agrees to receive a final draft set of proposals at the next meeting of the Governance Committee on 27th March 2024.

8.   MEMBER ROLE PROFILES

8.1   The Committee considered a report of James Henderson, Director of Policy & Democratic Engagement regarding Member Role Profiles.

8.2   The purpose of the report was to set out practical actions to achieve the aim of 'Improving how we explain the system' from Action 1.3 in the Governance Review Implementation Plan. The action includes producing clearer guidance on the roles and responsibilities for Chairs, Co-Chairs, Deputy Chairs and Group Spokespersons and how officers were expected to brief and interact with these roles.

8.3   Jason Dietsch, Head of Democratic Services presented the report to the committee and advised that the profiles were an overview of skills and were not a definitive guide. The Member Development Working Group were currently working on other role profiles.

8.4   The Chair invited Ruth Hubbard to ask her public questions and the Chair provided a response following each one.

a) There is no mention anywhere of roles or responsibilities in relation to LACs or how they fit. This seems odd, particularly, as I recall, when LAC arrangements have their own section in the constitution.

The Chair advised that –

· We were producing a new role profile for the role of LAC Chair and would take the opportunity to think about the role of all councillors in relation to Local Area Committees.

· The city councillor role profile did not specifically mention LACs (or other specific committees by name). However, there was a strong emphasis on the elected members' role as representative and advocate and them building relationships with residents and other organisations in their

communities.

> *City Council Role Profiile: "Purpose/role: 1. Be a representative of your ward and an advocate for the communities within it. 2. Communicate effectively and build strong relationships with local residents, businesses, organisations and interest groups, keeping them informed about the issues that affect them and representing their views at council meetings. 3. Provide community leadership and support the Council to work in partnership with local communities and organisations to deliver better services and have a positive impact in the area. 4. Empower and enable the communities in your ward to develop solutions and work in partnership with you to deliver improvements to the local area"*

- One of the points of reference for the work was the '21st Century Councillor' which emphasized the role of councillors as being strongly rooted in their wards and communities and working in partnership across their locality.

- The role profiles were not seeking to duplicate or replace the Constitution, the relationship with the LACs was set out in the Constitution. The role profiles make links to the procedures/terms of reference set out in the Constitution and the option to refer to other committees/decision making bodies, without being specific.

- We had tried to keep role profiles independent of each other, so they remained fit for the future depending on any changes in committee arrangements.

b) There is one mention of 'equalities' (if one looks closely) but a pretty passive one alongside a bunch of things in relation to following policy. Can't, and shouldn't, we do a bit better than this?

The Chair advised that; -

- Each role profile included adherence to the Councillor Code of Conduct, the Council's equality policies and the Council's values.

- This was included as point 1 in the City Councillor role profile to emphasize its importance.

> *"Responsibilities 1. Adhere to the Council's Code of Conduct for Elected Members, equality policies and Council Values; uphold the Seven Principles of Public Life and challenge behaviour which falls below expectations."*

- The Code of Conduct was referred to in the role profiles and it included the role councillors have in relation to promoting equality and providing an environment free from harassment, discrimination, and victimisation and

bullying and by treating people with respect.

> *Part 2 of the Code of Conduct; "Members must promote equality and inclusion by providing an environment free from harassment, discrimination, and victimisation and bullying and by treating people with respect, regardless of their age, disability, gender, race, religion/ belief, sexual orientation or marriage/ civil partnership status…*

> *"The Equality Act 2010 places specific duties on local authorities. Councillors and co[1]opted members have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services."*

· We had considered equalities throughout the development of the role profiles and a summary of that thinking was in the Equalities Impact Assessment and the report to the Governance Committee.

· One of the purposes of the role profiles was to identify the learning and development, knowledge and skills and priority areas for member development activity and to make sure that these were incorporated in the member development programme. This included the need for all Members to have an awareness of equalities. Training and development in equalities was incorporated into the Member Development Programme and the MDWG was supporting the roll out of a level 2 equivalent certificate in equality, diversity and inclusion for elected members.

c) Scrutiny is mentioned simply as one of many responsibilities. It's my view that incorporating adequate scrutiny into the committee system is currently a weakness (and I think there is some evidence and examples that could be cited in relation to this). Should scrutiny be highlighted a little more, and.....

The Chair advised that:-

· It was acknowledged during the development of role profiles that, now the committee system was established, the responsibilities regarding scrutiny and policy development needed further work. The role profiles describe scrutiny as being part of every decision taken at a policy committee and a link to the Good Scrutiny Guide is provided for additional information and best practice guidance.

> *Role Profile – Chair of a Policy Committee: "Promote the four principles of good scrutiny (CfGS – The Good Scrutiny Guide) and encourage Committee Members to be involved in the pre- and post-scrutiny of all policies, budgets, performance and decisions relevant to the Committee, making Page 70 Appendix B evidence-based improvement recommendations as required and engaging with the public as appropriate."*

· The Committee had also begun work on a review of Policy Committee Remits and the suggested scope of that work included a review of the key responsibilities of the Policy Committees and considering whether they were being delivered effectively, including **policy review and scrutiny**, policy development and decision making.

d) ....this piece of work is mooted as being part of explaining the system to members of the public. However, nearly everyone will not plough through this level, of detail. Could thought be given to overarching or executive, short statements that might be used for basic explanatory purposes and emphasise the most important points? E.g. something like "Councillors are elected to represent their ward areas. They liaise widely with local people, communities and groups or stakeholders, play an important role in council decision-making, and oversee, scrutinise and review council proposals and decisions." (Or something pithier.)

The Chair advised that: -

· As part of the Governance review implementation plan (GRIP), we were doing some work to review information on the Council Website which explained how the committee system works. We aimed to include a short summary of councillors' roles as part of the review and rewriting of those pages.

· As pointed out, there was a lot of information in the role profiles and the Constitution about councillors' roles. The aim of the role profiles was to add clarity and detail to what those roles entail in practice whilst avoiding duplicating existing information.

e) One of the complaints of people out on three streets of Sheffield when It's Our City! were out and about across the city was that when they contacted cllrs they received no reply - or even that when they went to a councillor surgery the councillor was not there. I note the emphasis on communicating with, and responding to, members of the public and a variety of contact methods is mentioned. I know councillors can be extremely busy but I am concerned about over-promising and under-delivering which just fuels scepticism and discontent. This isn't necessarily a suggestion for the role profiles but can I make a plea, in practice at least, that councillors have at least one very reliable method of contact (whatever that is) perhaps over and above imagining they might be able to be everywhere doing everything all the time in relation to public contact?

The Chair thanked Ms Hubbard for making the point and advised that:-

· Each councillor had methods of contact on their webpage, which included email, a surgery or other type of appointment and preferred phone contact.

· We also had a telephone point of contact for all councillors, which was based in the Town Hall 0114 273 5380. We acknowledge that this could be better promoted/advertised as methods of contact.

8.5 Members discussed the report at length and key points to note were:-

- Clarity was provided around the Health Scrutiny Sub-Committee Chair profile and what its purpose was and that it should be recognised as part of the Committee system.
- It was advised that the Spokesperson and Deputy Chairs needed to be consistent.
- Time needed to be spent developing and scrutinising and that members should consider not voting on matters if they felt the matter had not been looked in detail.
- It was noted that members should be supported in developing skills.

8.6 The Head of Democratic Services advised that a skills audit in the questionnaire would discover talents and would assist us in focussing member development and addressing the needs of new councillors.

8.7 Resolved: - that the Governance Committee:-

1. reviews and provides final comments on the four role profiles of the City Councillor, Policy Committee Chair, Policy Committee Deputy Chair and Group Spokesperson;

2. adopts the four role profiles and recommends to Full Council that Article 7 in the constitution be updated as set out in Appendix B, Role of the Policy Committee Chair;

3. requests the Director of Policy & Democratic Engagement, in conjunction with the MDWG, identify the priority areas for member development activity arising from the content of the role profiles and to ensure that these are incorporated in the member development programme;

4. identify any further roles where city councillors perform for which role profiles might be developed in the future and to ask the Director of Policy & Democratic Engagement, in conjunction with the MDWG, to produce those role profiles for future consideration by the Governance Committee;

5. notes that the Independent Remuneration Panel will undertake a review of Members' Allowances and to request that the panel:
   a) have regard to the new role profiles when reviewing the allowances; and
   b) considers whether the role of Group Spokesperson should be awarded a Special Responsibility Allowance.

9. GOVERNANCE TO SUPPORT PARTNERSHIP WORKING WITH THE NHS AND OTHER PARTNERS ACROSS SHEFFIELD

9.1 The Committee considered a report of Greg Fell, Director of Public Health regarding Governance to support partnership working with the NHS and other partners across Sheffield.

9.2   Joe Horobin, Director of Integrated Commissioning was in attendance to present the report.

9.3   The report outlined the outcome of the Task and Finish Group established by the Governance Committee at its meeting on 12th October 2023 to consider appropriate Sheffield City Council membership of the Health and Care Partnership Board, the forum that supported the joint SCC and NHS Commissioning and planning through a pooled budget under Section 75 of the NHS Act 2006, as well as broader joint working that did not require pooled budgeting.

9.4   The report asked the Committee to consider and endorse a proposal for appointing Elected Member to the Board.

9.5   Councillor Paul Turpin advised that the time commitment would be at least 16 hours and there has been no mention of an SRA for this.

9.6   Councillor Ruth Milsom advised that this was an exciting space and was important for Community Health base creation.

9.7   Councillor Sue Alston thanked those who were part of the Task and Finish Group as the proposals were really useful.

9.8   Councillor Paul Turpin asked if an SRA could be considered for the role. It was advised that SRA's had to be agreed at the AGM. There were no SRA's for any external appointments at the moment and these would need to apply as a whole, not just for one appointment. Councillor Turpin put this proposal forward, however members of the committee were not in agreement.

       Resolved: that the Governance Committee: -

9.9
       1. endorses the proposal that places for Elected Members on the Health and Care Partnership should be added to the list of appointments to be made by Full Council (usually at the Annual General Meeting), guided in the first instance by the discussion set out in the report;

       2. agrees to receive a further report setting out revised Terms of Reference for the Health and Crae Partnership, following work to review these later in 2024, with a view to these guiding appointments to the HCP Board in the future;

       3. endorses the development of a Role Description for Elected Members taking up places on the HCP Board, based on the points set out in the report;

       4. Endorses the proposal that Council officers should work with NHS colleagues to develop an appropriate induction process for Elected Members who are appointed to the HCP Board, and develop a broader development package for Elected Members targeted at building

understanding of the NHS and the Council's relationship with it;

5. endorses the proposal that Officers should consider the best supporting arrangements for Elected Members based on the comments of the Task and Finish Group, building in capacity to develop these to reflect future learning.

10.   WORK PROGRAMME

10.1   The Committee considered a report of the Head of Policy and Partnerships concerning its work programme.

10.2   The Policy and Improvement Officer (Alice Nicholson) gave an update on the programme and highlighted the key areas for Members attention.

10.3   Members of the committee made comments and suggestions relating to the work programme, as follows:

10.4   The Chair advised that arrangements for the Citizen Participation Group would come back to the March meeting of the Governance Committee. Suggestions had been made regarding appropriate people to be involved and meeting were currently taking place with those people.

10.5   Councillor Paul Turpin proposed that SRA's for external body appointments should be included on the Committee's work programme. The Chair advised that a discussion would be had regarding this at the next pre-meeting.

10.6   Councillor Mike Levery requested a review of the role of Finance Committee, this was not currently on the work plan. The General Counsel advised that this could be picked up as a discrete constitution change as this was in the Governance Committee's remit.

10.7   It was also suggested that the review of LAC's should be added to the programme. The Chair agreed that this would be discussed in the next pre-meeting.

10.8   Resolved:

1) that the Committee's work programme , as set out in Appendix 1 to the report be agreed, including any additions and amendments or items to be confirmed identified in Part 1;

2) the Committee notes the progress and indications of items which need more intensive work (eg. Citizen involvement, task and finish groups, policy review and development work) and consider implications for prioritisation of Governance Committee's forward workplan;

3) the Committee considers any further issues to be explored by officers for inclusion on the future iteration of the work programme.

11.   DATE OF NEXT MEETING

11.1   The next meeting of the Governance Committee was scheduled to take place on 27th March 2024.

This page is intentionally left blank