What principles should any future decision-making structure include?

- The speed of decision making

There are views that the cabinet style of decision making brings speedier decisions than the committee system, although as systems are not run in parallel to each other in the same council, it is harder to show this on a scientific and comparable basis. There is probably a relationship between the inclusivity of a system and its speed.

- Schemes of delegation

Irrespective of the type of decision-making structure, the pace of decision making and what is brought for councillors to decide is a key element. In some functions it can be easier to make comparisons on the delegation scheme, for example in planning and development control, as this data is published. In other areas it is not so straightforward. Committees and cabinet can be clogged up by a delegation scheme which is out of kilter with how the council wishes to operate, if insufficient volumes of decisions are not delegated. Ideally members would be deciding on issues which are the most strategic or present the most risk, in accordance with agreed parameters. But it is up to councillors, working with officers, to determine what the most appropriate level of delegation is for Sheffield, and then to reflect this in the constitution.

- Strategic decision making

Irrespective of the structure, decisions need to be made in a joined up way, and at a strategic level. This means councillors not getting too embroiled in the details. It can be argued that this is easier to achieve under a Cabinet system because there are leading councillors with clearly identified specialisms, and may be perhaps be more of a challenge for the committee system when councillors are in more generalist roles and are expected to know a bit about everything. A consideration needs to be therefore how will a committee system ensure that decisions are made on a strategic rather than narrow basis?

- Cross-party member involvement

Those in favour of a committee system would tend to argue that it allows for more cross-party involvement although much depends on the political balance of the council and how the numbers on each committee is calculated, which in turn is dependent on what you put into your constitution. Where there is a small political opposition those members can feel they are very stretched in a committee system because there are simply fewer of them to go around. Although councillors may feel involved at the point of decision making, arguably the strongest influence may come from those with the largest numbers, and thus the majority group.

There is also an issue about involvement, how councillors irrespective of role and seniority engage with each other needs to be facilitated and actively thought about irrespective of the type of system. Otherwise the default can be the Full Council meeting as the only formal part of the system where everyone has the opportunity to engage together. If that is the case, then the agenda and approach for that meeting should also be considered. Councillors should be considered as a valuable resource with finite amounts of time, and how to get the best out of them is important.

- Openness, transparency & accountability

Critics of a committee system would say that it produces less accountability than a cabinet system, simply because the latter has fewer individuals whereas a committee is likely to include large numbers of people present when the decision is made. In some councils individual cabinet members make delegated decisions and it is clear therefore who made individual decisions.

Transparency is not wholly about when or where the decision is made. Consideration needs to be given to how stakeholders can find out what the council is planning to do, and how they can engage in meaningful dialogue to share their views.

- Scrutiny & checks and balances

Irrespective of the type of arrangements, councils are expected to undertake scrutiny activity. This is often clearer in a cabinet system due to the requirement to have a clear executive/non-executive split. In committee structures how this is undertaken can sometimes be more opaque, as depending on the size of the committees there is potential for councillors to be involved in making a decision and then also scrutinising it, which could be regarded as marking one's own homework.

Scrutiny activity can add value to policy making if councillors are actively involved in considering what is proposed, researching it with others and making recommendations. But this activity should be clearly defined and accessible to the public.

- Forward planning of decisions

In accordance with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 ("the Regulations" which came into effect on 10 September 2012), the council must give notice of intention on key decisions that it intends to make. The notice period is 28 clear days.

Councils are no longer statutorily required to publish a Forward Plan. Some councils still broadly abide with the principles of the Forward Plan, including sometimes the decisions which will be made by cabinet, individual cabinet members and officers. It could be argued to be good practice to do this anyway, as it provides further opportunities for people to engage with the council.

- Cost

All systems will involve a degree of cost, in not only the straightforward cost of meeting rooms and providing democratic services support to run the meetings. If the council's meetings are still largely paper-based, then there is also the environmental cost of paper, printing and delivery to consider.

There is also the cost of officers' time in developing papers for meetings, and attending those meetings, irrespective of the system. Opportunity cost also needs to be considered: are you able to make the best use of officers' time, so the duplication of their efforts is minimised? Care needs to be given to ensuring that duplication is minimised, so that the same people are not turning out for the same meetings, without decisions being made: this applies to both councillors and officers.

The broad principles that any decision-making structure should consider:

- Make it right for everyone, irrespective of personalities or current arrangements or political parties
- You could consider also explore what others are doing on hybrid arrangements, such as executive advisory committees
- Think about how easy (or not) it is for stakeholders to engage with the council and its councillors, and whether your current and proposed structures allow for this
- The quality of member-officer relationships member-member relationships and clarity of understanding of respective roles/responsibilities
- Arrangements (process and culture) in place to ensure timely scrutiny, challenge and performance management – including Overview and Scrutiny
- Arrangements for reviewing and refreshing the governance essentials (e.g. constitution, scheme of delegation scheme, procurement, code of conduct, and other operating policies/procedures)

- Staff engagement mechanisms and internal communications
- Leadership development – including member development/support to members in key roles and management training and development

Judith Hurcombe, Programme Manager, LGA, November 2019

This page is intentionally left blank