



## Governance Committee Report

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**Report of:** The Director of Legal & Governance

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**Date:** 22 February 2022

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**Subject:** Committee System Structure

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**Author of Report:** Alexander Polak, Assistant Director (Governance)

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**Summary:** This report builds on the Governance Committee's previous decisions by making recommendations for more aspects of Sheffield City Council's future governance arrangements under a committee system. The evidence compiled by the Committee to date supports a proposal which aims to prioritise pace, openness and clarity of decision-making while ensuring that the voice of the public is heard throughout Sheffield's democratic arena.

The Monitoring Officer has begun a detailed redraft of the necessary parts of the constitution based on the Committee's previous decisions and the recommendations in this paper would allow work to continue at the pace necessary to bring a complete picture to the committee's next meeting (9 March) for recommendation on to Council.

As per previous reports on this topic, it must be emphasised that this iterative approach to design – in which members are shaping the design as it emerges - has been critical both to achieve the necessary pace and to ensure that the design has been Councillor-led throughout.

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### Recommendations:

- 1. That the elements of a committee system of governance set out in this report, including 85 recommendations and Appendix 1, be agreed to inform the detailed drafting of the Constitution;*
- 2. That the Governance Committee conduct a review of the new governance system, commencing six months after implementation (November 2022) with a view to Full Council implementing any necessary changes at its AGM in May 2023. This review will:*

- a. *Use the previously agreed 'strategic aims' and 'design principles' as its success criteria*
  - b. *Actively seek and use feedback from residents, stakeholders, councillors and officers to inform its assessment against those criteria*
  - c. *Take account of any changes to the local and national context*
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**Background Papers: N/A**

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**Category of Report:        OPEN**

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## Statutory and Council Policy Checklist

<b>Financial Implications</b>
YES - Cleared by: Liz Gough
<b>Legal Implications</b>
YES - Cleared by: Gillian Duckworth
<b>Equality of Opportunity Implications</b>
NO - Cleared by: Laurie Brennan
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO:
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
NO
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
None
<b>Relevant Cabinet Portfolio Member</b>
Councillor Julie Grocutt, Deputy Leader and Executive Member for Community Engagement and Governance
<b>Is the item a matter which is reserved for approval by the City Council?</b>
NO
<b>Press release</b>
NO

## **COMMITTEE SYSTEM STRUCTURE**

### **1.0 INTRODUCTION**

- 1.1 The Governance Committee has been appointed by Sheffield City Council to lead the work which will take the Council from a 'Leader and Cabinet' model of Governance to a 'Committee' model. Building on previous decisions of the Committee and the evidence and experience gathered during the engagement and inquiry phases, this report proposes further detail about key aspects of how the Council's new Committee system should work at the point when it is launched in May 2022, so that a revised constitution can be drafted accordingly before that date.
- 1.2 The evidence compiled by the Committee to date supports the emerging proposal for a system, as described by this report, which aims to prioritise pace, openness and clarity of decision-making while ensuring that the voice of the public is heard throughout Sheffield's democratic arena.
- 1.3 This once-in-a-generation opportunity to shape a new governance system does not end with this report, or the next, or the AGM in May 2022 or 2023. Members have been clear that this is a voyage of discovery and, particularly with reference to the development of improved public participation and engagement mechanisms, this is expected to continue to develop over the coming months and years.
- 1.4 This report and members' comments on it will help build towards a set of recommendations at the Committee's next meeting (9 March) which will be referred on to an extraordinary meeting of Full Council on the 23rd March 2022 for formal agreement.
- 1.5 The outcomes of the Governance Committee debate today will steer the ongoing preparatory work including the continuing engagement and communication, constitutional redraft and design of the operating frameworks and procedures required to deliver a successful transition in May 2022.

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### 3.0 **BACKGROUND**

3.1 Since its initial meetings on [20th September 2021](#) and [27 October 2021](#) the Governance Committee has been planning and conducting a whole committee inquiry into its future governance arrangements, and then using the learning from this to build a design for an effective committee system that is right for Sheffield. Over three sessions on [30th November](#), [7th December](#) and [8th December](#) the committee used a 'select committee' approach to gather evidence from a range of witnesses, including contributions from citizens through a range of public engagement events.

3.2 As agreed by members, the inquiry included:

- a) Collation of opinion, ideas and feedback gathered through council-led engagement with stakeholders, the public, members and council officers
- b) Desktop research including review of relevant material received in the 2019 Scrutiny exercise and since, including the Big City Conversation
- c) Research into comparator authorities' experiences and recognised best practice
- d) Lessons learnt from the first few months of the active experimentation taking place within the Council's democratic arena via the Transitional Committees, Local Area Committees, Co-Chairing pilot and other Members' experiences of decision-making during the 2021/22 transitional year
- e) Updated written or verbal submissions from a range of other contributors including an open invite to the witnesses from the 2019 Scrutiny exercise to update their submissions with any new or changed information. This included e.g. representatives from the business community, officers, academics, local campaign groups etc
- f) Verbal and written submissions from Councillors and Officers from other authorities which have moved to operate a Committee System in the modern era

3.3 The Committee has previously agreed:

- Draft design principles for use when weighing up options before May 2022 and when measuring the degree of success after May 2022

- A draft governance framework for public use to support conversations with stakeholders, the public, councillors and officers about the future model of the Council's governance (this has provided a structure to the whole inquiry)
- The approach to stakeholder engagement about these principles and about the various aspects of the governance framework, throughout this period
- A plan for a several-stage process with simultaneous design and engagement informing each other as they proceeded
- Shaping that stakeholder engagement activity into two main stages:
  - Proportionate, topic-by-topic engagement with internal and external stakeholders on technical questions as they arose, including an open public invitation for participants to contribute via a stakeholder group made up of interested parties;
  - A city-wide, facilitated, representative, discursive engagement exercise, allowing more citizens' input to be more impactfully applied to the emerging model, and to shaping future ways of working within it.
    - It was agreed on [25 January 2022](#), following a round-table event with stakeholders for the purpose of planning this stage of engagement (chaired by our partner Involve) that this should take place after implementation in order to test and improve the initial implementation. The initial design at May will be informed by information already gleaned through previous public engagement activity and with reference to best practice.
- That design of the new committee governance model should take place via a whole-committee inquiry as above
- A number of specific aspects of the future structure were agreed on [25 January 2021](#), providing an outline within which this and subsequent reports can paint more detail, these included:
  - a) *Seven themed Policy Committees which will be closely aligned to the functions of the Council;*
  - b) *A Strategy & Resources Policy Committee including all Policy Committee Chairs within its membership, with overarching responsibility for the policy and budgetary framework, is chaired by the Leader of the Council;*  
*A standing Finance Committee or Sub-Committee, reporting to the Strategy & Resources Committee;*
  - c) *Provision for Full Council but not individual Committees to agree the addition of sub-committees to this structure. When sub-committees are agreed they will be time limited or at minimum will be reviewed annually at the AGM, and limits (to be defined) on the number and frequency of Task and Finish Groups carrying out detailed pre-decision scrutiny (policy development) on behalf of Policy Committees;*
  - d) *Seven Local Area Committees with a mechanism to allow for referrals between them and Policy Committees as necessary and regular informal meetings of local area committee chairs to ensure effective coordination;*
  - e) *No change to the committees referred to as Other Committees in the Governance Framework;*
  - f) *Ability for scheduled Strategy & Resources Committee meetings to take urgent decisions for the other Policy Committees if the*

*relevant Urgency Sub-Committee has been unable to meet in an appropriate timeframe;*

- g) A programme of eight meetings a year of Council and six Policy Committee including the Strategy and Resources Policy Committee, and four formal meetings a year of each Local Area Committee;*
- h) No separate scrutiny committee;*
- i) That further consideration be given to the process for Decision reviews;*
- j) A requirement for the Councillor with statutory responsibilities for children to be the Chair of the Policy Committee with responsibility for Children.*
- k) That a methodology for agreeing the size of committees be developed for the Committee's consideration, based on the need to deliver political proportionality to each committee and to the membership overall, working within the parameters of a committee size of between 8 and 11 members.*

3.4 The above decisions were made with reference to a [proposed structure diagram \(see page 18 at this link\)](#). An updated diagram reflecting the committee's amendments and some further recommendations from today's report is provided at Appendix A to this report.

3.5 Finally, Members noted at their January meeting both that an extraordinary meeting of Council was required on 23 March and that there would be a need for Council to suspend or adjust aspects of its standing orders for that meeting in order to effectively handle this business.

#### **4.0 PURPOSE OF THIS REPORT**

4.1 This report outlines further detail for a committee structure to be implemented in May 2022 based on the evidence and feedback received by the Committee and the Committee's understanding of best practice.

4.2 Building on the headline structure previously decided by the Committee (as above), the following paragraphs set out a series of more specific recommendations for Sheffield's governance system and the ways of working within it. Due to the pace of the project and the need for iterative design, this is not yet a comprehensive description of the future system. Gaps in the current paper represent areas where work is still ongoing and do not indicate any degree of relative importance.

#### **5.0 WHAT ARE WE TRYING TO ACHIEVE?**

5.1 The new Committee system of Governance is designed to complement the strategic functions of the Council to allow efficient and effective decision making for our City, maximising transparency and openly demonstrating public accountability. It is intended to meet the Council's strategic aims and design principles as agreed by the Governance Committee following public engagement in November 2021 (see Appendix 2) and it will be reviewed against these principles in due course.

- 5.2 The system relies on forward planning of decisions to ensure resources can be prioritised to achieve the ambitions of corporate plans at any given time. The Strategy & Resources committee will ensure the workplans of all of the Policy committees create a whole picture to achieve that ambition.
- 5.3 The policy committees will be given the flexibility to involve citizens in their decision making in whichever of a variety of ways best suits the circumstances, and within their terms of reference are specific requirements to take into consideration equalities and climate impacts when devising policy, evaluating service delivery and taking decisions.
- 5.4 Transparency is a key design principle requiring the publication of committee workplans and delegated decisions.

## 6.0 **THE GOVERNANCE FRAMEWORK - RECOMMENDATIONS**

- 6.1 The proposals in this report are necessarily partial. They describe the intentions for a governance system and ways of working which will primarily be codified by the constitution. This report does not set out the draft text or specific wording of any part of the constitution. In drafting the detailed constitution for Council's final approval it should be assumed that suitable fail safes, exceptions and cross-references between processes will be included so as to achieve the spirit of the recommendations in an internally consistent manner.

## 6.2 **PUBLIC ENGAGEMENT, PARTICIPATION AND COMMUNICATIONS**

- 6.2.1 A critical ambition for the new governance system is for citizens, communities and partners to be more effectively engaged, involved and listened to within the decision-making process. Decisions, and the processes used to reach decisions, should be easy for anybody to find and understand so that decision-makers are publicly accountable to everyone and the voice of residents is at the heart of decisions. This objective should be considered fundamental to every single part of this framework.
- 6.2.2 This committee has agreed a range of design principles which put more detail on this objective, and has received a series of reports on the topic of public engagement and participation including most recently on the [25 January 2022](#). A detailed account of the feedback given to the Committee from the series of public engagement events run by the Transition To Committees Project Team on behalf of the Committee can be found in [Appendix Six](#) and [Appendix Seven](#) to item 7 of the [30 November 2021 meeting](#). For the sake of brevity this report does not attempt to replicate the depth or breadth of this discussion.
- 6.2.3 Importantly, this is an area in which work is ongoing and so the recommendations in this report are known to be incomplete. In response to the views of citizens, community organisations and stakeholders in 2021, the Committee has asked Involve to work with SCC officers to review what the Council has already heard from Sheffields about what we need to do to put the voice of residents at the heart of decision-making. This will consider key learning and look at good practice examples

of where public engagement and participation in decision making has been effective in Sheffield. Involve will report this to the committee to support the developing approaches to public participation for May 2022.

6.2.4 Alongside this, citizens, stakeholders and community organisations have made clear that there needs to be a step change in SCC's approach to citizen involvement and participation which requires co-design and commitment to a longer term vision if SCC is to be genuinely in and of its communities. Building on the initial review work above, Involve will co-ordinate co-design workshops over spring 2022 with community organisations, stakeholders and SCC to build a mutually agreed engagement framework. This will form the basis for whole-system change across the organisation and become basis for further training and development to ensure that SCC has the skills and expertise to maximise citizen involvement in decisions.

6.2.5 On the specific matter of public questions to Full Council or Policy Committee there is the following consideration. With the effective replacement of each individual Cabinet member by one or more full committees, it becomes arguably more appropriate for a questioner to appear before the relevant committee, who are all decision-makers on the specific subject matter at hand, than to speak to the whole of Council in order to reach a single Cabinet Member (Co-Operative Executive Member). To this end a mechanism is proposed to support members of the public to reach the most appropriate and impactful audience for their question or petition.

6.2.6 Recommendations:

1. Continue to work with the public, stakeholders and community groups to develop our approach to public participation and engagement over the coming months ahead of May 2022.
2. Create the framework, co-designed with communities in Sheffield, to transform our longer-term approach to involvement and empowerment
3. Continue to develop Local Area Committees' role as key conduits with local places and their communities, encouraging both local engagement on strategic matters and strategic escalation or amplification of local issues of concern.
4. Public Question / petition opportunities at all new Policy Committees (limited to substantive topics on that day's meeting agenda,).
5. Petition scheme to be formalised into the Constitution and reviewed to route petitions to the appropriate decision-making body in the first instance (see 'Full Council'). In some but not all cases this will continue to be Full Council – in others it will be a Committee.
6. Improved signposting to a single inbox for people wishing to ask questions or present petitions to members, with a triage system to advise people as to whether their topic is on the work programme for any Policy Committee and if so providing an option to put them on the appropriate agenda (otherwise, route them to Full Council).
7. Review use and application of digital engagement tools in line with our developing involvement ambitions
8. Development and agreement of a medium to long term, public participation and engagement strategy
9. Improved provision of information online about democratic

processes at Sheffield City Council and how to learn more or get involved

10. Commitment to involvement of the public and stakeholders in the Governance Committee's six-month review of the new committee system
11. Where facilities for electronic voting / electronic recording of votes are available (ie Council Chamber), this system will be used and the vote will be recorded and published online to create a public, partial voting record for each Councillor (see 'Full Council').
12. A toolkit to be developed for each committee to use when considering its 'menu of options' for ensuring the voice of the public has been central to their policy development work. For the most appropriate mechanism to be employed depending on the circumstances. This builds on the experiences of Scrutiny Committees and latterly the Transitional Committees and, subject to further consideration including the ongoing work with Involve, could include (but would not be limited to):
  - a. Public calls for evidence
  - b. 'Hackathon' style issue-focused workshops led by committees
  - c. Creative use of online engagement channels#
  - d. Working with VCF networks (eg including the Sheffield Equality Partnership) to seek views of communities
  - e. Co-design events on specific challenges or to support policy development
  - f. Citizens assembly style activities
  - g. Stakeholder reference groups (standing or one-off)
  - h. Committee / small group visits to services
  - i. Formal and informal discussion groups
  - j. Facilitated communities of interest around each committee (eg a mailing list of self-identified stakeholders and interested parties with regular information about forthcoming decisions and requests for contributions or volunteers for temporary co-option)
  - k. Facility for medium-term or issue-by-issue co-option from outside the Council onto Committees or Task and Finish Groups
13. Chairs of Policy Committees to act as the primary spokesperson on behalf of the Council for the subject area of the Committees they chair (see 'Leadership'). Group spokespersons on each committee may be expected to comment on behalf of their Groups but not the committee as a whole.

## **6.3 FULL COUNCIL**

- 6.3.1 Full Council is made up of all of the City Councillors elected by the people of Sheffield. Unless otherwise specified or highlighted for review in this or a subsequent paper its current mode of operation will continue. Full Council agrees the constitution (ie how the council operates) and decides who can make which decisions (which committees or individual officers). They steer the overall direction

of the Council by setting a budget and policy framework. They appoint a Leader and agree the number and distribution of seats on committees within the rules of political proportionality.

- 6.3.2 A fundamental principle of the Committee System of governance is that day-to-day Member-level decision-making is delegated to committees, each made up of a minority of the members of the Council who come to act as informed experts on their particular subject areas, relative to other members. When sitting on these committees, Councillors are acting in their strategic capacity as Sheffield City Councillors, not just as local Ward Members. Full Council is an important arena for public political discourse and for the most strategic of decisions but it is not an effective or efficient mechanism for taking most of the Council's decisions day-to-day. It is therefore important to have mechanisms which carefully deal with the balance, and delegation, of authority between Full Council and its Committees.
- 6.3.3 While it will always remain an option for Full Council to rescind authority for any particular matter from a committee back to itself, in order to maintain efficiency and effectiveness it is important that any decision to do this should only be taken on the basis of a full report on the matter, and in a premeditated fashion based on advance consideration of a forward plan.

6.3.3

*Recommendations:*

14. Eight meetings a year – six plus a budget council and an AGM. No 'scrutiny council'.
15. Agreement of the Council's Corporate Plans and associated annual plans to be reserved to Full Council as a key part of the Council's Policy Framework – these will in effect set out the delivery objectives for each committee during the periods concerned.
16. By agreeing the terms of reference of the various Policy Committees and any sub-committees, Full Council defines the policy boundaries within which each committee has authority to take decisions on behalf of the Authority in pursuit of their objectives as per the Corporate Plans.
17. By agreeing its annual budget Full Council defines the budgetary envelope within which each committee has authority to take decisions on behalf of the Authority in pursuit of their objectives as per the Corporate Plans.
18. Council Procedure rules to be updated, including the following:
  - a. 'Questions to Cabinet Members' to become 'Questions to Chairs' of any committee (or to councillor nominees on outside bodies / joint ctees, including the Mayoral Combined Authority).
  - b. No exclusively 'to note' items.
  - c. Clearer voting practices (no agreement by 'common assent', Chairs to clearly narrate For/Against/Abstentions and the outcome, and to request a show of hands where electronic voting is not available)
  - d. Where facilities for electronic voting / electronic recording of votes are available, this system will be used and the vote will be recorded and published online (see 'Public Engagement')

19. Petition scheme to be formalised into the Constitution and reviewed to route petitions to the appropriate decision-making body in the first instance (see 'Public Engagement'). In some but not all cases this will continue to be Full Council – in others it will be a Committee.
20. Public Questions rules to be reviewed to route questions to the appropriate decision-making body in the first instance (see 'Public Engagement' and 'policy Committees'). In some but not all cases this will continue to be Full Council – in others it will be a Committee.
21. The current time limit to be carried over for the proportion of a public meeting used for petitions / questions from the public.
22. A motion for Council brought under 'notice of motions' may propose that a report be brought to Council with a recommendation to rescind authority from a committee for a particular decision found on that Committee's work programme (ie such that the decision must then be taken by Full Council rather than by a committee). No valid motion under 'notice of motions' can itself move to rescind such authority (see 'Scrutiny')
23. Without reference to the above process, a report recommending the rescinding of authority from a committee to Full Council may be referred to Council by that committee or by Strategy and Resources Policy Committee (by simple majority) in advance of such decision appearing substantively on the relevant committee's own agenda. (see 'Scrutiny')
24. Outside of the processes above, while Committees should of course have reference to any Council resolution arising from a motion brought under 'notice of motions' which pertains to a committee decision, a motion to Council under 'notice of motions' will not be valid if it would have the effect of firmly binding the hands of a committee on a matter which falls within a committee's delegated authority, to the extent that members of that Committee would become predetermined.
25. Committees (with the exception of Strategy and Resources Committee) may not refer to Full Council a matter which is properly within the remit of another Committee.

#### **6.4 LEADERSHIP – KEY COUNCILLORS' ROLES**

- 6.4.1 While no longer able to take individual decisions after May 2022, the Leader of the Council remains critical to the direction and operation of the Council. They are the primary spokesperson for the Council and its administration, as well as being an advocate for the city and representing the Council in regional and national networks and with Central Government. They are likely to have a busier role to play in ensuring the coordination of the administration Group or Groups for the delivery of a Corporate Plan across multiple committees, where previously it required primarily the co-ordination of Executive Members.
- 6.4.2 The Lord Mayor's role remains substantially the same in the new system. They are the ceremonial 'First Citizen' representing the Council as a civic body in formal and informal public settings and promoting local causes. However, because they chair Full Council (and have a casting vote there if votes are tied) their role will be

important with regard to managing that business which does come to Full Council including any substantive issues which Council reserves to itself from time to time which might previously have been taken by Cabinet (Co-Operative Executive).

6.4.3 Policy Committee Chairs are not simply an equivalent to a Cabinet (Co-operative Executive) Member. While they will be a key point of contact and spokesperson for their Committee, and effectively the voice of the Administration on the subject matter of their committee, they cannot take or presume decisions on behalf of the committee. Where Cabinet or Co-operative Executive members were previously nominated to represent the Council on relevant regional or partnership bodies, it is likely but not necessary that Full Council will in future nominate the relevant Policy Committee Chair.

6.4.4

*Recommendations:*

26. A role (and role profile) for the Leader in the constitution, to include:
  - a. Primary spokesperson for the Council and its administration,
  - b. Advocate for the city on a local, regional and national stage
  - c. Representative of the Council in regional and national networks and with Central Government
  - d. Chairing the Strategy and Resources Policy Committee
  - e. a personal role with regard to:
    - i. Core City status and associated meetings/bodies
    - ii. The Mayoral Combined Authority
  - f. A key role chairing various informal Member/officer forums
27. A role profile for Policy Committee Chairs in the constitution, to include:
  - g. Primary officer point of contact with regard to the committee's ongoing business, formulation of a draft work programme for the committee's consideration, and for advice about engagement with the committee
  - h. Primary spokesperson for the committee they chair (see 'Public Engagement and Comms')
  - i. In the case of the Chair of the Children's Services Policy Committee, to be the Statutory Lead Member for Children's Services
  - j. To convene and chair regular pre-agenda and pre-meeting briefings with all the Group Spokespersons from their committee
28. Committees to appoint their own Chairs on an annual basis as per current practice.
29. The facility for Councillors to either job-share a Chair role or to co-chair a committee, with clarity about expectations and allowances.

## 6.5 **INDIVIDUAL COUNCILLORS**

6.5.1 In the course of the Governance Committee's inquiry, various interrelated risks were raised relating to the possibility of the new committee system increasing members' workload, leaving them less time for other things (such as other aspects of their role or their own private lives). If allowed to transpire in this way, it could have a negative impact on parents', carers' and full-time employees' ability to stand as a Councillor.

As well as mitigating this as far as possible in the design of the committee structure, the importance of effective member support, training and development has been emphasised by the Committee. Furthermore, technology and improved channels for information and questions between councillors and officers could enable members to operate more efficiently.

6.5.2

*Recommendations:*

30. Launch of modern.gov app to support digital ways of working
31. Refresh of Member Development Strategy and annual Member Development and Induction Plan
  - a. To include enhanced training on eg finance, audit, safeguarding responsibilities for the wider group of members involved in decisions of this sort
  - b. To include specific training on working effectively within a committee system, including content on 'how to disagree effectively' or the art of effective negotiation and compromise within committee settings
32. Independent Remuneration Panel to consider the strength of the Scheme of Allowance's support for parents, carers and people in full time work
33. Ongoing consideration of options for use of hybrid and remote meeting options, subject to the legislative context
34. Implementation of improved Member newsletter
35. Implementation of improved arrangements for member questions (casework)
36. Creation of job-share option for Chairing roles (see 'Leadership – Key Councillors' Roles)

## 6.6 **POLICY COMMITTEES**

6.6.1 The new decision-making committees organised by themes will be called Policy Committees. They are set up by Full Council which can change their number and the division of delegated decision-making authority between them. They can only make decisions on issues which sit inside their own allocated budget and policy framework (their Terms of Reference plus any specific delegations), as agreed by Full Council. Like any standard committee of the Council, their membership is politically proportionate to the size of each political Group on Full Council.

6.6.2 The Strategy and Resources Policy Committee is a special kind of Policy Committee dealt with separately below. Any issue which is wider than any one of the Policy Committee's remits (budget or policy) goes instead to Strategy and Resources. S&R may opt to either take the decision itself or to dictate which individual Policy Committee will take the lead for the issue by ensuring it gets the necessary one-off delegation to do so. (See, Strategy and Resources Policy Committee).

6.6.3 A paper received by this committee at its [25 January meeting](#) dealt with this aspect of the framework in detail, which does not require repeating here.

6.6.4

*Recommendations:*

37. *Seven themed Policy Committees which will be closely aligned to the functions of the Council;*
38. *A Strategy & Resources Policy Committee including all Policy Committee Chairs within its membership, with cross-cutting responsibility for the policy and budgetary framework, chaired by the Leader of the Council;*
39. *A programme of six meetings of each Policy Committee per year*
40. *Provision for Full Council but not individual Committees to agree the addition of sub-committees to this structure. When sub-committees are agreed they will be time limited or at minimum will be reviewed annually at the AGM.*
41. *Limits (to be defined) on the number and frequency of Task and Finish Groups carrying out detailed pre-decision scrutiny (policy development) on behalf of Policy Committees;*
42. Full Council to agree the size of Policy Committees at its AGM, based on best fit to proportionality. With the exception of Strategy and Resources Policy Committee, this must be within the parameters of a committee size of between 8 and 11 members.
43. A standing Finance Sub-Committee, reporting to the Strategy & Resources Committee (Chair and membership not constrained)
44. An annual exercise for Strategy and Resources Committee to develop an annual work plan with reference to the Corporate Plan and in consultation with all the other Policy Committees.
- a. This process to also be a work programming exercise.
  - b. Each committee to keep its work programme under review at each meeting.
  - c. Strategy and Resources Committee to consider the combined Policy Committee Work Programme every other meeting to ensure corporate objectives are being achieved.
  - d. Space within this item to consider references from other committees – issues raised by eg LACs
45. Guillotine clause for all Policy Committee meetings (2 hrs + 30 mins)
- e. Policy Committee Meetings to start at 10am on weekdays by default (note that eg Local Area Committee meetings tend to take place in the evenings)
46. Extraordinary meetings to need approval of the Monitoring Officer
47. Consideration to be given to a corporate approach to the provision and use of business intelligence data and other regular, corporate items (corporate plan, finance etc)
48. Each Group on a committee to nominate a 'spokesperson' for their Group on that committee.
49. A mandated system of briefings for Chair/Vice Chair and Group Spokespersons. For each meeting of the committee there will be a:
- f. Pre-agenda briefing to discuss and agree agenda items and approach to items (and to briefings about items). Looking ahead at the committee's forward plan. Opportunity for all spokespersons to relay early information to their own Groups.
  - g. Pre-meeting briefing to discuss published papers on the agenda and the process for the meeting itself.  
Spokespersons to brief their own Groups as necessary to

ensure informed and organised discussions in committee.

50. Consideration to be given to the option of ensuring that decisions cannot be overturned via a normal decision process within a certain period, to support a degree of stability.

51. Policy Committees to have responsibility for monitoring the performance of services. Strategy and Resources Committee to have responsibility for considering the overall performance of the Authority as well as the performance of individual Policy Committees eg with regard to delivery against the Corporate Plan (see Strategy and Resources Policy Committee).

52. Time-limited space for public questions and petitions (which must relate to substantive agenda items on that day's agenda) on every Policy Committee agenda (see 'Public Engagement')

**6.7 STRATEGY AND RESOURCES POLICY COMMITTEE (AND FINANCE SUB-COMMITTEE)**

6.7.1 Members have agreed the need for a committee with responsibility for considering corporate, overarching, cross-cutting or particularly strategic issues. Over time this committee will develop proposed budget and policy frameworks, including corporate plans, with input from all of the other committees. These it recommends to Full Council. This defines the remits of the various policy committees which can then take decisions on issues within their own budgetary and policy remits without reference to the Strategy and Resources Committee except to share their work programmes in advance and to be held to account on delivery (eg of the Corporate Plan).

6.7.2 This section should be read with regard to the 'Scheme of Delegations' section below, which further specifies some of the functions of these committees.

6.7.3 *Recommendations:*

53. *A Strategy & Resources Policy Committee including all Policy Committee Chairs within its membership, with overarching responsibility for the policy and budgetary framework, is chaired by the Leader of the Council;*

54. No substitutes can attend for members of this committee

55. A standing Finance Sub-Committee, reporting to the Strategy & Resources Committee;

56. Ability for scheduled Strategy & Resources Committee meetings to take urgent decisions for the other Policy Committees but only in extremis - if the relevant committee's Urgency Sub-Committee has been unable to meet in an appropriate timeframe (see 'urgent decisions');

57. Strategy and Resources Committee to have responsibility for considering the overall performance of the Authority as well as the performance of individual Policy Committees eg with regard to delivery against the Corporate Plan. In instances where there is a serious performance concern, they have the ability to refer this concern to Full Council for consideration (see 'Scrutiny').

58. Any issue which is wider than any one of the Policy Committee's

remits (budget or policy) is within the remit of the Strategy and Resources Policy Committee..

59. Any issue identified as being of significant strategic importance or financial risk to the organisation is considered to be by its nature cross-cutting and therefore within the remit of the Strategy and Resources Policy Committee
60. In the case of any issue falling within the remit of S&R as above, this committee may opt to either take the decision itself or to dictate which individual Policy Committee will take the lead for the issue by ensuring it gets the necessary one-off delegation to do so.
61. Finance Sub-Committee has within its remit:
  - a. Strategic financial overview
  - b. Property decisions
  - c. Accountable Body decisions
  - d. Corporate Revenue & Capital monitoring
62. Strategy and Resources Policy Committee, alongside the Finance Sub-Committee, to conduct regular revenue and capital budget monitoring.

## **6.8 URGENT DECISIONS**

- 6.8.1 In the processes of any democratic institution there is a tension between pace and inclusivity. This was illustrated very well by many of the debates around the referendum last May. At the level of day-to-day decision-making it is periodically necessary to take decisions within a particular, short timeframe in order to secure an important benefit or to avoid a serious issue. Reasonably common examples include applying for a suddenly-announced grant scheme or responding to a serious local incident. In these cases, if a scheduled committee meeting will not be taking place within the necessary timeframe, swifter options need to be available.
- 6.8.2 The first principle has been to say that an urgent decisions protocol should aim for Member decisions to be taken by Members wherever possible. The second principle is that these should be well-informed Members as far as possible, ie members of the appropriate Committee. Thirdly, where any compromise is needed in order to ensure that the decision is taken swiftly enough, there must be a mechanism for reporting the decision, and that compromise, to Members and the public.

### 6.8.3 *Recommendations:*

63. Urgency sub-committee for each policy Committee including S&R
  - a. Quorum of 3 members, which must include Chair or Vice Chair.
  - b. All parent committee's members and their named substitutes (where applicable) may act as substitute members of an urgency sub-cttee
64. Consideration to be given to clear criteria for different degrees of urgency (including 'emergency') to be defined in the constitution along with processes and procedures applicable to each
  - a. Including officers taking urgent decisions as last resort – will require at least an attempt to consult with the Chair first and reporting back to committee

- b. Examples of different scales of urgency might be:
  - i. Too urgent to wait until next scheduled meeting of Committee
  - ii. Too urgent to wait until an extraordinary meeting of an urgency sub-committee

65. Ability for scheduled Strategy & Resources Committee meetings to take urgent decisions for the other Policy Committees but only in extremis - if the relevant committee's Urgency Sub-Committee has been unable to meet in an appropriate timeframe. Will require at least an attempt to consult with the Chair first and reporting back to committee

## 6.9 **LOCAL AREA COMMITTEES**

6.9.1 There are seven Local Area Committees across the city, which were set up in 2021 as part of the Council's response to feedback from residents. They are made up of all of the elected Councillors from the local area. This means that they are politically proportionate to the local electoral outcomes, not proportionate to Sheffield City Council as a whole. Every single Councillor is necessarily on one of the Local Area Committees.

6.9.2 Local Area Committees are formal committees with some decision-making authority, but many of their important roles do not require any particular authority (eg facilitating, brokering, listening, amplifying). Nevertheless they do take certain operational decisions with local impacts, within the scope agreed by Full Council.

6.9.3 There is a commitment from the organisation to work with and learn from our communities through Local Area Committees. The proposed structure therefore retains the 7 Local Area Committees in their current form including the range of decisions delegated to them.

6.9.4 *Recommendations:*

66. *Seven Local Area Committees with a mechanism (via work programme standing items on each Policy Committee's agenda, giving committees the opportunity to note the referral and to plan the matter more substantially into their work programme if they wish) to allow for referrals between them and Policy Committees as necessary and regular informal meetings of local area committee chairs to ensure effective coordination;*

67. The Policy Committee with responsibility for Communities will have a special role in monitoring what is referred to all other committees by Local Area Committees and looking for patterns, in liaison with the LAC chairs, and to oversee the Communities/Localism strategy within which the LACs are operating.

68. Note that the Monitoring Officer will be responsible for the review of all referrals to ensure they are going to the appropriate body in the first instance.

## **6.10 SCRUTINY (INCLUDING STATUTORY SCRUTINY)**

- 6.10.1 This is one of the most important changes when moving from a Cabinet and Leader model to a committee system. Overview and Scrutiny Committees were originally invented as a mitigation to a perceived weakness in the Cabinet and Leader model. In a committee system there is no legal requirement for separate Scrutiny Committee(s) now that cross-party check and challenge (and cross-party policy development) is built into every decision-making committee and Full Council.
- 6.10.2 Some statutory scrutiny responsibilities remain and must be effective, including Health, Crime and Disorder and Flooding.
- 6.10.3 There is no requirement for any kind of post-decision review mechanism akin to Overview and Scrutiny's 'call-in' procedure, in the committee system. As above, this is because the issue which it was designed to address no longer exists in the committee system (ie there are no decision-makers – such as a Cabinet or an individual councillor – able to take decisions without all parties being proportionally involved). At its 25 January 2022 meeting this Committee nevertheless considered a recommendation for a 'dissent' mechanism which would have allowed for a form of post-decision review by a separate body of Councillors. The proposal was for this to happen if a significant minority (40%) of the decision-making committee voted within 5 days to escalate the issue for a second look by Strategy and Resources Policy Committee (or by Council, if S&R was the original decision-maker). Members rejected this proposal and asked for further work to be carried out.
- 6.10.4 Further review of comparator authorities has shown that only a minority of committee-led authorities have provision for any form of 'dissent' or 'call-in'. Wirral, which had a system in place when it first moved to the committee system, experienced some significant delays to decision-making as a result of this process and a recent government inspection recommended that it delete the mechanism, on the basis that it was not clear how it added value for a decision to be moved from one politically proportionate committee to another. The decision is presumably going to be identical since the political balance remains static in the two settings. During the inquiry members heard about one authority which allowed the public to 'call in' decisions if a certain petition threshold is met in a very short space of time post-decision.
- 6.10.5 Some key ideas behind the proposal below are:
- Pace is important
    - avoiding the need for a 'call-in period' after a decision during which decisions can't yet be implemented
    - avoiding 'making the 'same decision twice'
  - Respecting the autonomy of committees, within their delegated remits
  - Learning from the experience of 'scrutiny' under the cabinet model, that pre-decision scrutiny in the form of effective cross-party involvement in policy development is a better way to influence the outcome of a decision than call-in (post-decision review).
  - The public and stakeholders should have opportunities to make their views known to and through councillors, and to influence issues, in advance of a decision being taken.

6.10.6

*Recommendations:*

69. *No separate scrutiny committee;*

70. Statutory Scrutiny functions to be written into the Terms of Reference of the appropriate Policy Committees

- a. Eg Health Scrutiny as part of the Adult Health and Social Care Policy Committee remit or as a standing sub committee

71. No mechanism which allows for committees to overturn legitimate committee decisions once they have been made

72. A strong mechanism by which Strategy and Resources Committee or Full Council can recommend to Council in advance of a decision being made that Full Council rescind that Committee's delegated authority with regard to a specific decision on their Work Programme.

- b. A motion for Council brought under 'notice of motions' may propose that a report be brought to Council with a recommendation to rescind authority from a committee for a particular decision found on that Committee's work programme (ie such that the decision must then be taken by Full Council rather than by a committee). No valid motion under 'notice of motions' can itself move to rescind such authority (see 'Full Council')

- c. Without reference to the above process, a report recommending the rescinding of authority from a committee to Full Council may be referred to Council by that committee or by Strategy and Resources Policy Committee (by simple majority) in advance of such decision appearing substantively on the relevant committee's own agenda. (see 'Full Council')

73. Strategy and Resources Policy Committee will have a role to hold the other Policy Committees to account on their delivery against the Corporate Plan. In instances where there is a serious performance concern, they have the ability to refer this concern to Full Council for consideration (see 'Strategy and Resources Policy Committee')

## **6.11 OTHER COMMITTEES**

6.11.1 The change in Governance can be effected without any change to the non-policy-making committees such as the regulatory committees of Planning and Licensing, Audit & Standards and Employment Committees. These continue to serve their current functions.

6.11.2 As there will be a significant organisational shift required to mobilise the Policy Committees, the proposal here is not to make any substantive changes to these Committees at this stage.

6.11.3 This proposal includes the retention of a Governance committee to oversee the operation of the new system and to consider all matters of governance including the Council's Member development strategy. This Committee should include senior Member representation. This Committee should report to Full Council in a similar way to the Audit and Standards Committee.

6.11.4

*Recommendations:*

74. No substantive changes to the committees referred to as Other Committees in the Governance Framework
75. Various partnership bodies etc will need to have members nominated where previously the Cabinet Member (Co-Operative Executive Member) would have gone. In general it is assumed that the relevant Chair(s) or Vice Chairs of Policy Committees will be nominated by Full Council instead.

**6.12 SCHEMES OF DELEGATION**

6.12.1 All decisions previously made by the Co-Operative Executive. will be made at one of the new Policy Committees in the normal course of events. Decisions previously made by Individual Executive members are generally of a less strategic nature and could either be made by a policy Committee or an individual officer if this is considered a more suitable route. Where decisions are made by officers, the thresholds and circumstances around this, and mechanisms for transparency and holding decision-makers to account must be clear.

6.12.2 Analysis reaching back over the past three years shows between 60-80 individual executive member decisions per year, of which up to 20 are urgent decisions taken by the Leader which may ordinarily have been Cabinet-level decisions. On reviewing this list, it was found that a significant number relate to contracting and procurement which is often combined with commissioning and purchasing decisions. A principle for the Committee system of governance should be that the mandate or commission for a requirement comes from the policy committee and then officers deal with the operational procurement and contracting element of the work. A number of decisions were property related as this level of delegation covered financial values of £150 - £500K. The chief property officer has asked the committee to consider raising the threshold for officer delegations to £250K as this limit is more realistic when considering property prices within the city. This would leave all property decisions exceeding £250K with committees. The proposal is for Strategy & Resources Committee to take decisions relating to the council's real estate in order to deliver its recently agreed asset management strategy. Grants is another area that needs special consideration especially where bidding and accepting grants results in liability for the Council

6.12.3

*Recommendations:*

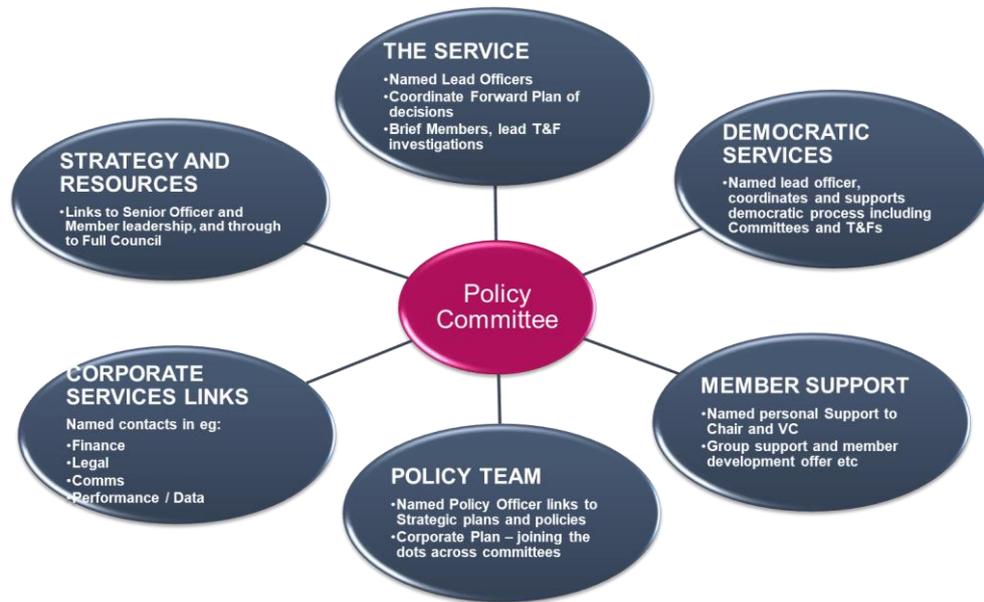
76. The current, standard approach to continue, whereby Councillors take any decision explicitly reserved to Full Council or a Committee, except in specifically defined urgent or emergency circumstances.
77. All levels of decision currently identified as Individual Executive Member decisions will be taken by a committee unless good reasons are proposed and accepted as to why it is more appropriate for the type of decision to be taken by an officer
78. Procurement and contracting decisions are taken by officers once a committee has agreed the commission or purchasing decision and the budget on any given requirement
79. All property related decisions of a value of £250K or more shall be

- reserved to the Strategy & Resources Policy Committee,
80. A standing sub-committee of the Strategy & Resources Committee be established to deal with the Council's Charitable Trusts
81. All Capital allocations and monitoring to be reserved to the Strategy & Resources Committee or its Finance Sub Committee
82. All bids for grants to be reserved to the finance sub-committee to ensure financial commitments are considered when applying for and accepting grants

## **6.13 STAFFING, RELATIONSHIPS AND CASEWORK**

- 6.13.1 The Council will need to adapt or replace a significant number of formal or informal processes, procedures and practices which have hitherto underpinned the relationship between Co-Operative Executive Members and officers. This includes the extremely varied processes by which ideas progress through officer and member checkpoints over a period of weeks, months or years on their way to becoming a public issue or decision. This encompasses the network of officers and whole teams which currently form a loose constellation around each Individual Executive member and the Co-Operative Executive as a whole. This will need to be re-aligned appropriately to serve whole committees as well as their Chairs, Vice Chairs and Group Spokespersons.
- 6.13.2 The Council currently provides secretarial services to members in key leadership positions in order to facilitate the effective and efficient discharge of their responsibilities. There is a need to redefine this offer for the new arrangement.
- 6.13.3 Members are aware that the Council has been giving consideration to its Democratic Services capacity, and the way that this is organised, in light of the transition to a committee system and a change process is now underway affecting members of that team in order to adapt to fit the new model and provide a sufficient level of capacity to support the structure described in this report. Given that this is an operational matter it is not appropriate to consider the detail of this change process further in this public report.
- 6.13.4 These are not matters for formal recommendations at Governance Committee, but some key actions underway on this front are:
- An appropriate degree of personal support (diary management etc) to be provided to 'Lead Members'. Lead Members defined as:
    - Leader and Deputy
    - Lord Mayor and Deputy
    - Chairs of Policy Committees (and to a lesser extent Vice Chairs)
    - Leaders of Political Groups (in effect, secretary function for the Group)
  - Officer training programme is in delivery / development, to include BAU induction of senior managers etc in future
  - Member Development Strategy and associated Member Development and Induction plan is under final stages of development, with booking of external facilitators underway for key specialist training pre- and post- transition

- The Council to convene a ‘Virtual Team Around each Policy Committee’ comprising eg:



## 6.14 ONGOING REVIEWS OF GOVERNANCE

- 6.14.1 There is no such thing as a perfect system, and it can be expected based on feedback from other local authorities that Councillors’ experience of working within the system will lead to very rapid refinement of that system in the early months and years. Therefore it is important to build in regular reviews.
- 6.14.2 The Full Council has the ability at any time to call for an amendment to any optional part of the structure that is implemented over the 10 year period that the Council is required by law to operate under this system of governance (and beyond), however it is helpful to allow time for any structure to be properly tested.
- 6.14.3 This committee’s engagement activity has helped to confirm the importance of seeking and acting on direct feedback from residents and stakeholders across the City when aiming to understand the perceived health of the local democratic environment.

- 6.14.4 *Recommendations:*
83. A specific committee should have named responsibility for, amongst other things, ongoing review and maintenance of the constitution and the governance system it describes.
  84. That Committee’s Terms of Reference should specify their commitment to direct engagement and participation of the public and stakeholders in their ongoing consideration of the health of Sheffield’s democratic environment.
  85. A standalone Governance Committee will continue to hold this responsibility in 2022/23.
  86. The Governance Committee shall conduct a review of the effectiveness of the new system, commencing six months after implementation (November 2022) with a view to Full Council

implementing any necessary changes at its AGM in May 2023. This review will:

- a. Take account of any changes to the local and national context
- b. Include the previously agreed 'strategic aims' and 'design principles' in its assessment criteria
- c. Actively seek and use feedback from residents, stakeholders, councillors and officers to inform its judgements against those criteria

## **7.0 NEXT STEPS**

- 7.1 Work will continue apace to address constitutional issues not agreed here. At its next meeting on 9 March the Committee should expect to see a complete proposal at approximately the level of detail presented here with the ambition of presenting a revised constitution at Full Council on 23 March. It is anticipated that further informal workshops with Committee Members will be required between now and then.
- 7.2 As noted publicly by the Committee at its 25 January 2021 meeting, in order to avoid critical risks that could arise were the Council to either fail to agree a system in March or to agree a system which was not lawful or internally coherent, it is to be proposed to the intervening Full Council meeting that a partial suspension or adaptation of the Council's Standing Orders is employed for the 23 March meeting, mirroring the approach taken to the Council's February budget meeting. In effect this would allow for each Group to propose a single comprehensive amendment to the Committee's recommendation if they wish to, having been supported by officers in advance to ensure that each of these is internally consistent and legally compliant, with no facility for agreement in part.

## **8.0 LEGAL, FINANCIAL AND EQUALITY OF OPPORTUNITY IMPLICATIONS**

- 8.1 There will be significant legal implications to the Governance Committee's final recommendations to Full Council in March 2022. At this point the committee's decision is not yet complete and takes the form of an interim position to allow for a steer while the complete version is worked up. The recommendations in this paper are consistent with the legal framework within which the Council must operate from the date of its AGM in May 2022 and for at least 10 years thereafter.
- 8.2 There are likely to be direct and indirect financial implications to the Governance Committee's final recommendations to Full Council in March 2022. Whether positive or negative, some of the financial impacts will be quantifiable in advance and others, such as the overall impact if any on the capacity of the Council's officer leadership corps, will only become clear once the system has been in operation. At this point the committee's decision takes the form of an endorsement of the framework within which the detailed constitutional work will be conducted, and so the work to model potential financial impact of these options, insofar as this is possible, continues alongside this process. The recommendations in this paper are designed to be consistent with the committee's agreed principle that the new committee system "...should not be overcomplicated or costly" however the full picture of any costs will not be clear until closer to that Full Council decision. The current budget for the

officer teams which directly support the functioning of committees and members is £1.2m. Early structure models indicate that the level of support required to manage the new committee system could cost more than the current budget.

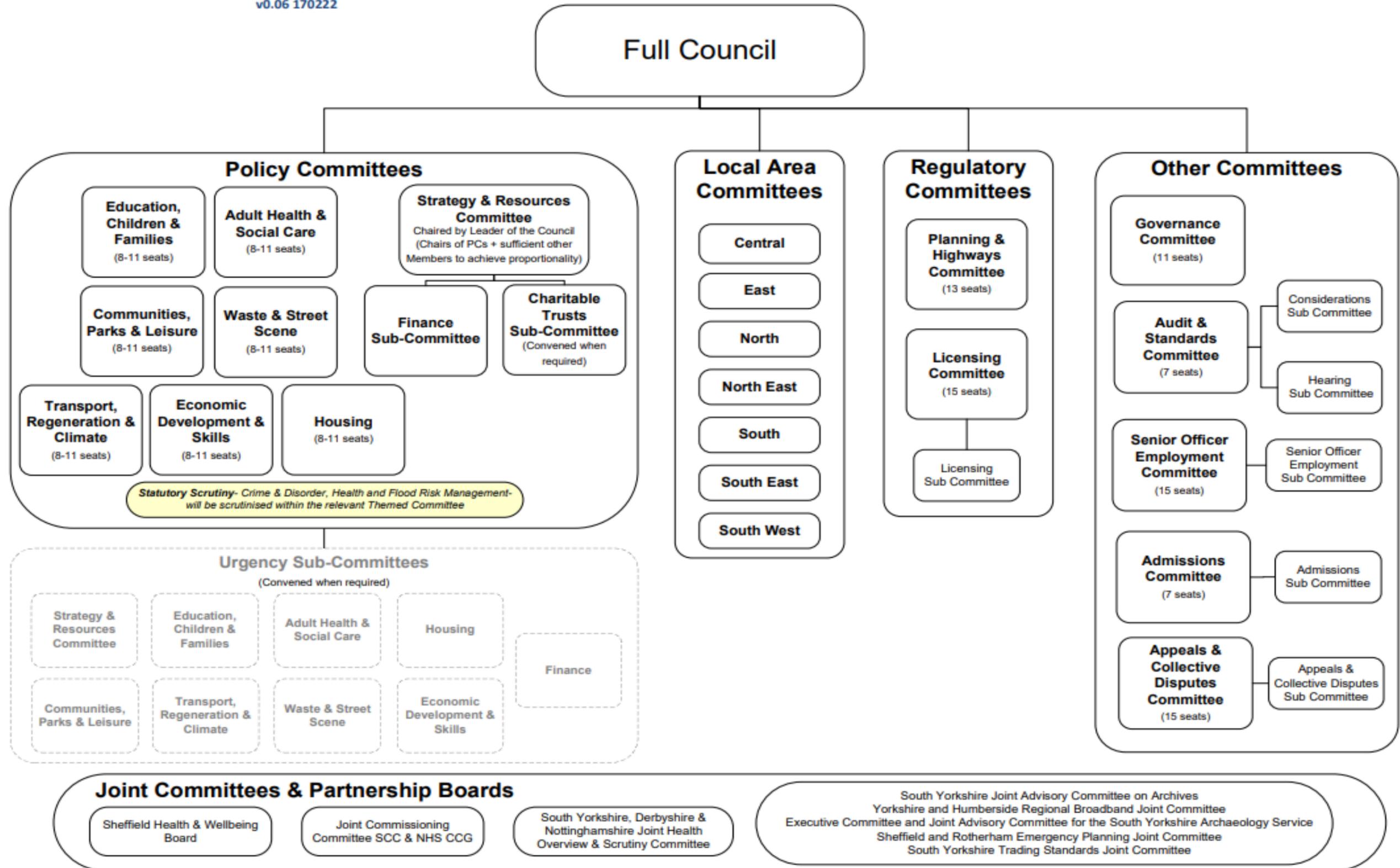
8.3 The issue at hand in this report represents a great opportunity to reinforce our equality duties and the city's equality objectives. It is vital that equalities considerations are designed into the committees' Terms of Reference as set out above and that it will run through the responsibilities of all decision-makers. There are no immediate equalities implications to this report. Equalities will be a key consideration in the design and implementation of the Council's wider public engagement programme within which this decision-making environment should function. The Council is committed to ensuring that the development of our governance is inclusive, with involvement from all communities and Sheffielders with protected characteristics. An Equality Impact Assessment is underway to support the final decision and is being kept under review as a 'live document'.

## 9.0 APPENDICES

- Appendix 1 – Proposed Governance Arrangements May 2022 (diagram)
- Appendix 2 – Design Principles

# Proposed Governance Arrangements May 2022

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## **Appendix 2**

### **Design Principles**

In May 2022 Sheffield City Council is changing the way decisions are made. The new way of doing things is called a committee system.

This is a list of 'design principles' which were agreed by Councillors when they were planning for this change. The principles say how the council would like to make decisions in future.

Councillors have agreed to keep these principles in mind when they design the new committee system. Then, once it is in place, they have agreed to use these principles to check how well it is working.

### **Top five principles**

**When it comes to the way it makes decisions, Sheffield City Council aims to...**

- A. ....be democratic. Sheffield City Council is committed to local democracy
- B. ...be open and trustworthy. Make decisions publicly, so people can tell who is responsible for what
- C. ...include all Councillors. Show what decisions everyone's local councillors are involved in
- D. ...listen to everyone. Have the voice of residents at the heart of our decisions
- E. ...be forward looking and keep improving. Respond to the fast-changing world by trying new things and checking often whether it's working

### **The new Committee System...**

- 1. ...should not be over-complicated, or costly
- 2. ...should include Full Council meetings which are time well spent
- 3. ...should make sure people in each part of the system know what's happening in the other parts, and that they all work together
- 4. ...should make it easy to know what decisions will be made, and when
- 5. ...should make it easy to know what decisions have been made and why (and what they mean)
- 6. ...should show the evidence for decisions, and what options were considered
- 7. ...should make it clear who is allowed to decide what, and why they have that power.
- 8. ...should hold decision-makers to account
- 9. ...should allow urgent decisions to happen quickly, without having to compromise on the other things in this list
- 10. ...should help Councillors from all parties to find the things they can agree on, and not let disagreements become blockages

11. ...should seek out and listen to all voices from across the city, valuing them equally
12. ...should show how Councillors took people's views into account when they made each decision
13. ...should help the Council work well with others locally and nationally
14. ...should make it easier for people to find information about how the City works, and how they can get something done through the Council
  
15. ...should have high expectations of Councillors' behaviour
16. ...should allow councillors to balance their time between local work, formal meetings and their own careers and families
17. ...should include support and training for councillors

### **Engagement Principles:**

When we are engaging with people through this process, we will value:

18. ...Transparency - we will communicate in a way that easy for everyone to understand
19. ...Diversity – We will consider everyone's backgrounds, interests and needs
20. ...Inclusive participation – We will provide lots of opportunities for people to get involved in a way that suits them
21. ...Equality – Everyone's ideas will be equally encouraged and treated with respect
22. ...Responsiveness – We will listen, and use what we hear to help us take decisions