

### Governance Committee

#### Meeting held 10 November 2022

**PRESENT:** Councillors Sue Alston (Deputy Chair), Penny Baker, Christine Gilligan Kubo, Dianne Hurst, Mary Lea, Mike Levery, Bryan Lodge and Joe Otten

#### **1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence was received from Councillors Julie Grocutt and Mick Rooney.

#### **2. EXCLUSION OF PUBLIC AND PRESS**

2.1 No items were identified where resolutions may be moved to exclude the press and public.

#### **3. DECLARATIONS OF INTEREST**

3.1 There were no declarations of interest made at the meeting.

#### **4. MINUTES OF PREVIOUS MEETING**

4.1 **RESOLVED:** That the minutes of the meetings held on 06 October 2022 were agreed as an accurate record.

#### **5. PUBLIC QUESTIONS AND PETITIONS**

5.1 The Committee received the following public questions, prior to the meeting. These questions responded to by the Head of Policy and Partnerships, as set out below:

5.2 Nigel Slack

Q1 Are the 7 themes and 15 core questions of this review manageable within current capacities (physical & financial) in the proposed timescale? SCC should avoid making this a wholesale review but choose to look in detail at priority aspects.

Answer: As we set out in the scope for the review and discussed at the last Governance Committee meeting, we recognise that we are still at the very early stages of what is a long-term change for how decisions are made in SCC. Rather

than overhauling the new model, this is about listening and learning from Members, officers and citizens about what has worked well since May and what could be improved as we look to in-build continuous improvement our governance.

Q2 Working Practices - The first 7 questions on this theme are reasonably robust and are largely for internal consideration. However, will there also be space for asking the public and stakeholder bodies whether their experience feels any different and more in line with the Nolan principles?

Answer: Yes, that we are keen to understand how the change to Committee System feels for citizens and reflects the principles and ambitions that were agreed as part of the Transition to Committees project last year.

Q3 Capacity & Resource – Questions 7& 8 are important, however, we all know in this city the dire state of the City's finances. Will this theme therefore also consider ways of working that may provide more capacity to deliver these aims for the same money?

Answer: Local Government in England is under major financial pressure and Sheffield City Council has a significant budget challenge. The budget process is ongoing and alongside this, we will look to maximise the efficiency of the new governance system to improve the experience for citizens, Members and officers.

Q4 Overall Structure – This clearly calls for a well written (plain English) and well-defined set of guidelines. I was working through this method of guidance for committee members way back in my charity management days in the 80's. This should be particularly important for Chairs, in guiding their behaviour away from the one person rules all practices of the Cabinet model. Is there or, will there be, a useful handbook for all members after this process?

Answer: We are launching the review today, looking at what has worked well, what could be improved and the solutions we could implement to improve the model for all involved. We don't want to jump straight to solutions at this stage but we'll capture your idea for later in the review.

Q5 Decision Making and Delegation – My conversations with Officers & Members suggest a lot of current decisions are being made to catch up on time lost during the last 2 years of lockdowns etc. Can we look at ways of signalling to public as well as members where this

is the case, compared to the new policy development work being undertaken?

Answer: It's likely the picture is mixed across the Policy Committees but the review help us evidence and understand what is working well within PCs, what the balance of work and activity has been, where new policy development is happening and how Members and officers are managing decisions.

Q6 Citizen & Community Engagement – (NB please avoid the use of 'customer', 'client', 'consumer' etc. - we are residents or citizens, thanks you) – With Question 13, it seems clear the proposed 'triage' system for public questions is not working effectively. It is important for the public perception of how their questions are being taken seriously that they are directed to the best committee to respond to the question. We discussed at the transition design stage that this should not be about refusing to put questions to the committee the member of the public wants but in offering advice about where that question may be most effectively asked.

In the review of this issue can a clear set of guidelines be created (flowchart?) to help committee staff to advise the public? Can it be made clear to the public at what point responsibilities move from one committee to another, i.e. Regeneration to Housing or Governance to S&R?

Answer: In the scope that is set out in Item 7, there two areas looking at Public Questions specifically and it is an issue where Members, citizens and officers would like to see improvements quickly through the review. Again, we don't want to pre-determine solutions here but the Review presents a good opportunity to reassess how the process around Public Questions works and the advice to citizens.

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Q7 Direct Citizen & Stakeholder Engagement – Although commented on in the Review Aims 2. this issue appears to have slipped through the gaps. One of the key outcomes of the transition design process was the 'Engagement Toolkit' listing some 14 or more means by which Policy Committees were expected to engage with persons other than members in their development processes. Can this review ensure that the way the toolkit has been used to date has been effective (if it has been used at all) and how to encourage Policy Committees to use the expertise of stakeholders and residents in their work?

(i.e.- How many co-opted members, invitations to give evidence, etc. have been utilised?)

Answer: Public engagement is a fundamental review, particularly looking how Committees have undertaken this to

date and how Committees can continue to develop and improve their connection to communities. There is strong interconnection here between the type of activity undertaken by Policy Committees to date.

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## **6. 6 MONTH REVIEW OF NEW GOVERNANCE ARRANGEMENTS**

6.1 The Committee received a report from the Interim Director of Legal and Governance.

6.2 The Head of Policy and Partnerships, Laurie Brennan introduced the report. He explained that the Governance Committee agreed an outlined scope for how the Committee would carry out the 6-month review of new governance arrangements at the last meeting. The purpose of this report was to further define that scope and approach for the review.

6.3 The proposed scope was based around 7 themes and 15 core questions which were set out in the report. The Business Change Manager, Hannah Matheau-Train gave a summary on each theme. The Committee then asked questions and made comments in respect to those themes.

### **6.4 Theme – Committee Working Practices**

- Question 1 – Are pre-meets and briefings working effectively for all members of a committee?

- Question 2 – Is the preparation for committee meetings and briefings reasonable and proportionate?

- Question 3 – Are the committees adequately supported?

- Question 4 – Have the changes that you can see so far in the committee system delivered on your expectations?

- Question 5 – Are committees undertaking the type of activities pertaining to policy and decision making that they were intended to do?

- Question 6 – Are Local Area Committees (LACs) and committees working well together? Is there anything that can be improved?

6.5 In relation to question 2, a Member of the Committee raised that in some cases, Members were not receiving Policy Committee reports on time. Therefore, it was difficult to prepare for those meetings.

6.6 A Member of the Committee referred to Mr Slack's first question. He agreed that the Council should carry out the review by looking at the

more specific parts of the Committee System that required changes, rather than a wholesale review. He added that the questions in the report were very useful to prompt Members' thinking, although there were many other aspects that were not picked up as part of the report. For example, he believed that substitutes should be allowed to sit on the Strategy & Resources Policy Committee, this was not part of the questions in the report although he hoped that it was a part of the system that the review looked into.

The Business Change Manager agreed the review should identify detailed aspects of the system. She stated that the spirit of this review was for continuous improvement and that the questions outlined in the report would hopefully lead to further detailed points. She anticipated that following the review, the Committee may recommend that specific aspects of the committee system needed a further review.

In response to the point made on substitutions, the Business Change Manager said that such specific points could be highlighted by the Committee. It did not matter if they currently did not fall within the themes or questions outlined in the report.

- 6.7 In relation to question 1 and relating to public engagement, a Member of the Committee mentioned that pre-meetings and briefings for Members might be seen as the Council not been open and transparent to the public.

The Director of Policy and Performance, James Henderson agreed there would be many aspects identified through the review, which were connected in some way. Like the comment made around pre-meetings and Committee meetings, Members should look at the balance between the two and recommend how they think the Committee System would be most effective.

- 6.8 A Member of the Committee referred to the Sub-Committee he sat on and mentioned that they had weekly briefings for the Chair, Deputy Chair and Group Spokesperson. He stated that a lot of detailed work was conducted in those briefings, although sometimes for good reason as there were confidential reports to consider.

- 6.9 A Member of the Committee explained that Group Whips recently met to review the scope of Full Council meetings, as part of their Full Council Review, tasked to them by the Governance Committee. It was mentioned that Group Whips identified an area which could be fed back into this review as part of the piece of engagement. The Member asked that when Officers were engaging with citizens, that they also asked citizens who have attended Full Council for their views and whether it had met their expectations since transitioning to a Committee System.

The Head of Policy and Partnerships agreed this was a good idea therefore would be picked up as part of the public engagement.

- 6.10 A Member of the Committee mentioned that when meetings were being put into Members diaries at short notice, it often meant that they did not have enough time to prepare.

The Head of Policy and Partnerships mentioned that standard meeting practices, and what works best for Members, could be looked at as part of the review.

- 6.11 A Member of the Committee stated that each Committee was working differently when it came to pre-meetings/briefings. Some Committees were not having whole committee briefings therefore Members do not always have all the information until they were at open committee meetings.

6.12 **Theme – Capacity and Resource**

- Question 7 – Do members and officers have the tools to support, deliver and develop in this system?

- Question 8 – How well are we mitigating the risks identified in the Equalities Impact Assessment?

- 6.13 - There were no questions or comments on this theme.

6.14 **Theme – Overall Structure**

- Question 9 – Do the Policy committees have clear remits, are they the right remits and are the links to other committee remits working?

- Question 10 – Are the roles within the committee system clear and working as intended?

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- 6.15 In relation to question 9, a Member of the Committee referred to Planning and Highways Committee which was meeting less regularly in the new system. She asked if this could be raised as part of the review.

The Interim Director Legal and Governance, David Hollis advised that if there was an impact on Policy Committees due to the Planning and Highways Committee meeting less regularly, then this should be looked at in the review.

Another Member of the Committee referred to the recent issues that arose from a previous Planning and Highways Committee. She mentioned that a discussion between Members of that Committee would be beneficial, and that outcomes may be best fed back into the

Governance Committee.

The Head of Policy and Partnerships explained that when the Council transitioned from a Leader and Cabinet Model to a Committee System, Regulatory Committees were not part of that transition and therefore were not part of this review. Although, if Regulatory Committees were impacting Policy Committees and the way they make decisions then the scope was broad enough to look at this issue. He added that a separate piece of work around the issues relating to Planning and Highways may be more practical.

- 6.16 In relation to question 10, a Member of the Committee asked if the role of Group Spokesperson will be defined as part of the review.

The Head of Democratic and Member Services, Jason Dietsch explained that the Independent Remuneration Panel (IRP) was looking at the allowances for Group Spokesperson. They were currently gathering evidence around the role of Group Spokespersons. Once the IRP had made some recommendations, it would be reported to Full Council.

- 6.17 In relation to question 10, a Member of the Committee suggested that the Committee may need to re-visit the role of Co-Chairs and whether they had been operating as intended.

- 6.18 In relation to question 9, a Member of the Committee stated that Licensing polices now came under the Waste and Street Scene Policy Committee. Therefore, the mechanics of this needed to be picked up as part of the review.

The Interim Director Legal and Governance explained that specific licensing polices were always approved by Full Council although policies were passed through Licensing Committee for comment before doing so. Since the transition to the Committee System, licensing policies were now a matter for the relevant Policy Committee which was Waste and Street Scene Policy Committee. He added that whether this process was retained, was something that the Governance Committee could look at as part of the review.

- 6.19 A Member of the Committee asked whether support had been retained when for people transitioning from child to adult services. It was important for those Committees to work together to provide the best possible support for those transitioning.

The Director of Policy and Performance agreed that Committees which shared the same interest needed to have a good working relationship. He mentioned he would explore this further.

- 6.20 The Chair mentioned that the use of task and finish groups and additional sub-committees were not being used to their full potential

in the new system. These cross-cutting issues may be better dealt with through those working groups or sub-committees.

6.21 **Theme 4 – Decision Making & Delegation**

- Question 11 – Are decisions being made effectively and efficiently?

6.22 A Member of the Committee explained the Council's intention when designing the Committee System was to have pre-scrutiny take place in Committees so that Members did not have to scrutinize once a decision was made.

The Interim Director Legal and Governance mentioned there was a cross over between pre-scrutiny and policy development although it was important that issues relating to that came to policy committees, either through briefings or in committee meetings, at the earliest stage possible.

Following a discussion around reviewing policies and decisions, the Committee reflected on question 5 of the report. The Committee agreed to include 'policy review' therefore question 5 would be amended as follows 'Are committees undertaking the type of activities pertaining to policy, decision making and policy review that they were intended to do?'

6.23 **Theme – Citizen and Community Engagement in the Work of Committees & Formal Participation Routes**

- Question 12 – What is working well in terms of engagement for the public with the committee system and are there any gaps?

- Question 13 – What is the volume and nature of public questions and petitions?

- Question 14 – How effective are we at responding to questions and petitions?

6.24 In relation to question 13, the Chair stated that in order to get the most out of that question, then they needed to look at public questions and petitions that go to all committees including Full Council.

6.25 **Theme – Equality, Diversity & Inclusion, Communication & Information Availability**

- Question 15 – How accessible are the committees and the committee outputs?

6.26 A Member of the Committee raised the importance of the quality of the Council's website and ensuring that was accessible to users.



6.27 **Theme – The Constitution**

6.28 A Member of the Committee stated that Members used to have the opportunity to review minutes of meetings through Full Council. He asked if this function should be considered again. This was due to amount of repetition through Members' Questions, if Committee minutes were available for all Members to view, then this could reduce some of that repetition.

The Chair explained that Group Whips, who were tasked with reviewing Full Council operations, could look at this aspect and feedback their views into this Committee.

The Head of Policy and Partnerships agreed he would look back and what was discussed by the Committee previously, and feed that back as part of evidence gathering at a future meeting.

6.29 The Business Change Manager referred to a separate document, which were circulated to Members prior to the meeting. This outlined the key dates of different pieces of work for the review.

6.30 The Business Change Manager explained what work would be carried out following the meeting, and in the build up to the Annual Meeting of the Council in May 2023. This included how Officers intended to engage with Members, Officers, Citizens and Stakeholders through this review.

6.31 A Member of the Committee asked if they needed to put forward a proposal, to ensure that questions relating to Full Council, be picked up as part of the piece of the engagement.

The Interim Director Legal and Governance stated there did not need to be a formal proposal, it just needed to be picked up as part of that engagement work.

6.32 A Member of the Committee asked if that when the survey went out the Members, would there be a deadline and some form of tool that ensured responses were provided by a fair representation of Members.

The Business Change Manager explained there would initially be a deadline to the survey although they would continuously check that responses were coming from a variety of Members from different parties and who had different roles in the Committee System.

6.33 Th Chair mentioned that there could be an opportunity to engage with citizens through the round of Local Area Committees in January 2023.

- 6.34 The Interim Director Legal and Governance thanked Officers for the work they had put into shaping this review.
- 6.35 RESOLVED: That Governance Committee (1) approves the scope and research framework for the review subject to an amendment to question 5 of the report, as outlined at paragraph 6.22 of these minutes; and (2) formally launch the 6-month review of governance and commission officers to put in place the necessary arrangements to carry out the review.

**7. DATE OF NEXT MEETING**

- 7.1 It was noted that the next meeting of the Committee would be held on 08 December 2022.