

Governance Committee

Meeting held 20 September 2021

PRESENT: Councillors Julie Grocutt (Chair), Penny Baker, Sioned-Mair Richards, Mohammed Mahroof, Mary Lea, Christine Gilligan, Dawn Dale, Mark Jones, Sue Alston and Kaltum Rivers.

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence were received from Councillor Mike Levery.

2. EXCLUSION OF PRESS AND PUBLIC

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 The minutes of the meetings held on 7 July 2021 were approved as a correct record.

5. PUBLIC QUESTIONS AND PETITIONS

5.1 There were no public questions or petitions received.

6. TERMS OF REFERENCE

6.1 The terms of reference were provided to Members of the Governance Committee in order to understand the remit of the Committee.

6.2 The Assistant Director (Governance), Alexander Polak, mentioned that the Terms of Reference for the Governance Committee were highlighted in the report at paragraph 3.1 and asked the committee if they had any comments.

6.3 Councillor Sioned-Mair Richards requested that paragraph (b) be amended by removing the wording '*as it thinks fit*'.

6.4 RESOLVED:

(1) that the committee notes the terms of reference be added to the constitution; and

(2) that the terms of reference for the Governance Committee be approved as follows;

- (a) To guide the Council's transition to a committee system of governance and to set the parameters for stakeholder engagement.
- (b) To seek input from outside the organisation, ensuring citizens are engaged and are provided with opportunities to help shape this programme of work.
- (c) To have oversight of the work carried out in the Transition to Committees programme.
- (d) To review proposals for a modern committee structure and approve the recommendations to be made to Full Council.
- (e) To keep the Council's constitutional arrangements under review and consider officers' proposals for changes to the Constitution.
- (f) To make such recommendations to Full Council as it considers appropriate for ways in which the Constitution should be amended in order to achieve the purposes of a committee system of governance.

7. PROGRAMME UPDATE

7.1 The Assistant Director (Governance) gave a programme update by presentation. The presentation covered:

- The progress made since 29th July 2021.
- What the next steps were to ensure progress continues whilst carrying out work on the Programmes, Governance and Support Models and Engagement.
- A summary of some potential risks and how to mitigate them.
- What approach will be taken to improve public engagement.

7.2 Members of the Committee raised questions and the main points to note were –

7.3 Councillor Mark Jones asked what the timeline is for finalising the Communication resource recruited and communications strategy as this programme was still in draft. The Assistant Director (Governance) responded, explaining that the meeting of the next committee will focus on this strategy in more detail, as part of a wider piece of work.

7.4 Councillor Mohammed Mahroof asked what staff resource the Council have to ensure this model was in place for May 2022. The Director of Legal and Governance, Gillian Duckworth, explained that an Assistant Director (Governance) has been employed by the Council to specifically lead on this transition. There was also a Programme Team working alongside the Assistant

Director (Governance).

7.5 Councillor Dawn Dale asked if the staff resource for this transition had been taken from other departments within the Council. The Director of Legal and Governance informed the committee that staff resources have been taken from other departments of the Council.

7.6 Councillor Kaltum Rivers asked whether different minority groups would be included in the stakeholder engagement. Councillor Sioned-Mair Richards added that the racial equality commission aspect also mustn't be lost. Laurie Brennan responded by informing the Committee that Sheffield could use a wide range of communication platforms to engage the best they can, one being the Sheffield Equality Partnership, which connects to many minority groups.

7.7 Councillor Mark Jones asked if it would be possible to request that recommendations be changed if the Committee feels that aspects of the transitioning were not meeting a sufficient standard. The Director of Legal and Governance explained that one purpose of this Committee was to shape how the new Committee System will look from May 2022. The Governance Committee can decide whether to make alterations where it sees fit. It was mentioned that this system is unlikely to be final even at May 2022 and further change is to be expected after May 2022. Further change would in fact be advisable if the Council is to continuously improve on public engagement.

7.8 **RESOLVED:** that the Committee notes the update.

DESIGN PRINCIPLES AND ENGAGEMENT APPROACH

8.

8.1 The Assistant Director (Governance) outlined that the purpose of the report was to affirm the Council's ambitions for a range of positive outcomes from the forthcoming change of governance to a committee model. The idea of having this in the form of 'design principles' would help to guide the design and review of the committee governance model at a future date.

8.2 The draft design principles will be subject to ongoing stakeholder engagement and review by the Committee.

8.3 The Assistant Director (Governance) explained in 2019, the Overview and Scrutiny Management Committee was asked by Full Council to work with the Deputy Leader to look at what should be achieved through changing the Council's decision-making model, and come up with a set of principles that should underpin both of the options that would later be put to the referendum. It was mentioned that those unchanged principles can be found in the report at 'Appendix 1'. The Committee were therefore invited to consider what changes or additions would be needed before the design principles and ways of working can be agreed as a working draft.

8.4 The Assistant Director (Governance) advised that he had suggested two changes to the governance principles recorded in 'Appendix 1'. The proposed changes can be found in the report at paragraph 3.10.1 and 3.10.2. The Committee were

informed that they could also suggest any other changes.

Members of the Committee raised questions and the main points to note were –

8.5 Councillor Dawn Dale asked how would Committees and citizens of Sheffield
8.6 scrutinise, and call-in decisions made by officers? The Assistant Director (Governance) explained that options on how urgent decisions have the appropriate oversight by elected members will be brought to a future meeting for members to agree. There were current Schemes of Delegation that allow officers to make urgent decisions which the Assistant Director (Governance) expects would remain in the new system in an adapted form.

8.7 Councillor Mary Lea stated that Cabinet Members would have been consulted in an officer's decision therefore would that be the same in the new system? The Assistant Director (Governance) mentioned that the system was yet to determine what checks should be in place when officers were dealing with urgent decisions.

8.8 Councillor Mark Jones asked why the Assistant Director (Governance) suggested to remove the word '*Scrutiny*' from 'Governance Principle 4'. The Assistant Director (Governance) explained how it can be seen as misleading, as the term '*Scrutiny*' was often used in a technical sense to refer to '*Overview and Scrutiny*', as well as having a common dictionary meaning. While there was no objection to the common dictionary meaning, it was felt that its inclusion may appear to pre-determine the committee's later choices about how to treat Overview and Scrutiny in the new system.

8.9 Councillor Mark Jones suggested amending principle 15 by adding 'and review' to the paragraph.

8.10 Councillor Sioned-Mair Richards suggested amending principle 16 by adding 'why and' to the paragraph.

8.11 Councillor Sioned-Mair Richards suggesting adding another principle to reflect 'listening, arguing and conflict resolution'.

8.12 Councillor Dawn Dale suggested amending principle 16 by adding wording that reflects how members of the public are engaged in a two-way process and have information relayed back to them.

8.13 Members of the Committee agreed the two suggested changes to the design principles proposed by the Assistant Director (Governance) and agreed that authority be delegated to the Director of Legal and Governance in consultation with the Chair/Vice Chair of the Committee, to make amendments to reflect the wishes of the Committee.

8.14 **RESOLVED:** that approval be given to:-

(1) delegate authority to the Director of Legal and Governance in consultation with the Chair/Vice Chair of the Committee, to make amendments to the Critical Ambitions, Governance Principles and How we do Business sections set out in

Appendix 1 to reflect the wishes of the Committee as expressed in the meeting and to publish the update with the minutes;

(2) the recommendations to change governance principles 4 and 7 as set out at 3.10.1 and 3.10.2 in the report;

(3) that the Critical Ambitions, Governance Principles and How we do Business are adopted as a working draft as follows:

Critical ambitions

- Sheffield City Council is a trusted organisation where decisions are taken in an open and transparent way, and accountability is clear
- Sheffield City Council is a council where all councillors are involved in and able to influence decision making
- Sheffield City Council engages, involves and listens to citizens, communities and partners
- Sheffield City Council has a modern and responsive approach to governance which reflects the increasingly complex policy making environment
- Sheffield City Council is a reflective council that is committed to continuously improving governance

Governance Principles

1. A commitment to openness and transparency must run through our decision-making structure.
2. Comprehensive forward planning of decisions – being clear about what decisions we are planning to take, when they will be taken, who will be taking them.
3. Clear reports from officers that set out the relevant information in an accessible way, and are clear about the reasons for a decision being made.
4. Mechanisms for holding decision-makers and other parts of the wider partnership landscape to account should be strengthened in any future decision-making structure – we must be held accountable for the decisions that we take, and embrace challenge to ensure we're getting the best outcomes for Sheffield.
5. Our governance should be underpinned by a commitment to the highest ethical standards as set out in the Nolan Standards on Public Life.
6. Our decision-making structure should be designed in a way that creates channels for all 84 Councillors to be involved in, and influence decision making.
7. Our decision-making structure should be underpinned by effective ways of working with local communities, including through development of the role and use of Local Area Committees, informed by the Big City Conversation and other, ongoing engagement with Sheffielders.
8. We are a member-led authority, where accountability lies with elected

councillors. Our decision-making structure must reflect this, and not inappropriately increase delegations to officers.

9. Our decision-making structure needs to reflect the practical demands on councillors' time. Need to find a balance between time spent in formal decision-making meetings in the Town Hall against working with and in communities. Time demands shouldn't prohibit people with working/caring commitments from being a Councillor.
10. The issues people care about are often local in nature. Our decision-making structure needs to include channels through which people, communities and partners can work with local councillors about what is important to them. We need to strengthen locality arrangements based on the findings of the Big City Conversation and ensure that these arrangements work effectively alongside, and feed into, citywide decision-making processes.
11. Our decision-making structure must avoid silo working both within and outside of the City Council, and enable a joined up approach to tackling issues which need the involvement of a number of organisations in the city
12. Our decision-making structure needs to have a mechanism for making urgent decisions openly, transparently and effectively engaging elected councillors.
13. Our decision-making structure needs to strengthen our ability to work with our partners in a complex local, sub-regional and national policy environment, and enable us to take a lead on key issues facing the city and the citizens of Sheffield.
14. We need to be clear about what we are trying to achieve through our governance arrangements, and build in measures to assess whether it is working
15. We need to identify a forum that enables us to reflect and review, on an ongoing basis, on whether our governance systems are working as anticipated, and if changes need to be made.

How we do Business (Ways of Working)

16. We need to take a more creative approach to communication between residents and the Council, including about what decisions are being made and why, what they mean to residents and what they mean for the city. This needs to be supported by effective communication and information about how decision-making works.
17. Role of Full Council – should be reviewed in the light of changes following the referendum – consider how we could make it a more meaningful forum.
18. Ensure that the appropriate support, training and skills development is continuously available for councillors so they can take full advantage of the opportunities under the new structure.
19. We need to build a culture in which political disagreement is handled constructively and where members are supported to develop the listening, debating, chairing and committee-membership skills needed for this to happen.

20. We must ensure that a commitment to meaningful engagement, involvement and consultation runs through the organisation. We should renew a commitment to our Consultation Principles, and reflect on how the council's Engagement Standards which are currently in development can improve practice throughout our work.
21. We need to constantly demonstrate how engagement activity is shaping decision making, and be honest about the impact it is having, so communities and partners can understand how their views have been responded to.
22. We need to make it as easy as possible for people to engage with us – the starting point for this should be clear, consistent, accessible communication about what the Council is doing, what decisions we are planning to take and how to get involved.
23. We need to improve the information we provide about how decision making happens across the City as a whole and how partnerships and structures interconnect.
24. We need to establish a process of continuous engagement so that Members, partners and citizens can give a view on how the system is working.

(4) That these design principles be used as the basis for immediate stakeholder engagement as per recommendation 5;

(5) That these design principles are kept under review throughout the planned cycles of stakeholder engagement and design up to and beyond May 2022;

(6) That the immediate commencement of design work for the new committee governance model on the basis of these design principles is endorsed (noting that early design work may need to retrospectively take account of any future revisions to the design principles);

(7) That the immediate commencement of stakeholder engagement activity is endorsed along the following lines:

- a. Topic-by-topic engagement with internal and external stakeholders on technical questions as they arise for the Committee's consideration, including via an open public invitation for participants to contribute via a stakeholder group made up of interested parties;
- b. A city-wide, facilitated, representative, discursive engagement exercise in the new calendar year, by which time more citizens' input could be more impactfully applied to the emerging model, and to shaping future ways of working within it.
- c. Continuous review of this approach, with further detail to return to this Committee in October for consideration.

TRANSITIONAL COMMITTEE BRIEFINGS

9.

- 9.1 The Assistant Director (Governance) outlined that the purpose of the report was to provide a briefing about the intended role of the Transitional Committees and how they fit within the Council's governance arrangements.

- 9.2 Councillor Sue Alton asked what oversight will the Governance Committee have of Transitional Committees? The Director of Legal and Governance mentioned that the Governance Committee's role was to focus on the mechanisms of how the Transitional Committees operate and the lessons that can be learned from this and not to oversee what decisions were being made at those Committees. The Assistant Director (Governance) mentioned there will be a number of ways that Transitional Committees feed back to the Governance Committee, the main way will be through Chairs/Vice Chairs of the Transitional Committees as they're members of the Governance Committee. This will give the Governance Committee the ability to reflect on what mechanisms were and were not working well within the Transitional Committees.
- 9.3 The Committee discussed the advantages of Chair/Vice Chairs holding sessions with members of their respective Committees and then feeding back that information to the appropriate Committee.
- 9.4 **RESOLVED:** that the Committee noted the Transitional Committee briefing.

10. DATE OF FUTURE MEETINGS

- 10.1 The date of the next meeting will be held on the 27th October 2021 at 2.00 p.m. in the Council Chamber.