SWT Executive

Tuesday, 27th April, 2021, 6.15 pm

[**SWT VIRTUAL MEETING WEBCAST LINK**](link)

Members: **Federica Smith-Roberts (Chair), Benet Allen (Deputy Chair), Chris Booth, Ross Henley, Marcus Kravis, Richard Lees, Peter Pilkington, Mike Rigby, Francesca Smith and Sarah Wakefield**

Agenda

1.   Apologies

To receive any apologies for absence.

2.   Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

3.   Public Participation

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

Temporary measures during the Coronavirus Pandemic
Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by

the Governance and Democracy Case Manager during Public Question Time and will either be answered by the Chair of the Committee, or the relevant Portfolio Holder, or be followed up with a written response.

4.   Executive Forward Plan   (Pages 5 - 6)

To receive items and review the Forward Plan.

5.   Climate Change Delivery Partnership   (Pages 7 - 16)

This matter is the responsibility of Executive Councillor for Climate Change, Councillor Peter Pilkington.

The Council has the opportunity to create a climate change delivery partnership with Sedgemoor District Council for the benefit of both organisations.

6.   Member Training and Development Policy   (Pages 17 - 28)

This matter is the responsibility of the Leader of the Council, Councillor Federica Smith-Roberts.

To present the Committee with the Training and Development Policy for Elected Members.

7.   Access to Information - Exclusion of the Press and Public (agenda item 8 - appendix 5 only)

During discussion of the following item (appendix 5 only) it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 13 13.02(e) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Executive will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Recommend that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business (appendix 5 only) on the ground that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

8.   Anti-Fraud Framework   (Pages 29 - 66)

This matter is the responsibility of the Leader of the Council, Councillor Federica Smith-Roberts.

To present the Committee with the Anti-Fraud Framework.

9.   **Re-admittance of the Press and Public**

10. **Council Governance Arrangements Working Group Update**

This matter is the responsibility of the Council Governance Arrangements Working Group – Chair, Councillor Ross Henley.

The purpose of this report is to provide Members with an update on the work of the Council Governance Arrangements Working Group and to make recommendations as to how to proceed.

JAMES HASSETT
CHIEF EXECUTIVE

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Following Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will be live webcasting our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, but you can also access them on the Somerset West and Taunton webcasting website.

If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-
Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

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EXECUTIVE

Executive Meeting	Draft Agenda Items	Lead Officer
21 April 2021	Member Training and Development Policy	Amy Tregellas
Exec RD = 9 April	Anti-Fraud Framework	Amy Tregellas
Informal Exec RD = 16 March	Climate Change Delivery Partnership	Chris Hall
SMT RD = 3 March	Council Governance Arrangements Working Group Update	Amy Tregellas
26 May 2021	Risk Management Report	Malcolm Riches
venue =	SWT Cultural Strategy	Dan Webb
Exec RD =		
Informal Exec RD =		
SMT RD =		
16 June 2021	Single Homelessness Accommodation Strategy	Mark Leeman
venue =		
Exec RD = 4 June		
Informal Exec RD = 11 May		
SMT RD = 28 April		
21 July 2021	Belvedere Road Public Space	Chris Hall
venue =		
Exec RD = 9 July		
Informal Exec RD = 15 June		
SMT RD = 2 June		
18 August 2021	Single Homeless accommodation strategy and delivery plan	Chris Brown/Mark Leeman
venue =		
Exec RD = 6 August		
Informal Exec RD = 13 July		
SMT RD = 30 June		
15 September 2021	Public Realm Design Guide for Taunton Garden Town – Feedback	Fiona Webb
venue =	Somerset West and Taunton Districtwide Design Guide	Fiona Webb
Exec RD = 3 September		

Informal Exec RD = 10 August		
SMT RD = 28 July		
20 October 2021		
venue =		
Exec RD = 8 October		
Informal Exec RD = 14 September		
SMT RD = 1 September		
17 November 2021	Voluntary and Community Sector Grants Review	Scott Weetch
venue =		
Exec RD = 5 November		
Informal Exec RD = 12 October		
SMT RD = 29 September		
15 December 2021		
venue =		
Exec RD = 3 December		
Informal Exec RD = 9 November		
SMT RD = 27 October		

Report Number: SWT 35/21

Somerset West and Taunton Council

Executive – 27 April 2021

Climate Change Delivery Partnership

This matter is the responsibility of: Cllr Peter Pilkington Lead Member for Climate Change.

Report Author: Chris Hall – Assistant Director Climate Change, Regulatory Services and Asset Management

1.   Executive Summary

1.1   The Council has the opportunity to create a climate change delivery partnership with Sedgemoor District Council for the benefit of both organisations.

1.2   The Partnership if approved will be established with Somerset West and Taunton leading on its delivery. The employees from Sedgemoor District Council will be seconded to SWT with SDC continuing to pay the associated costs of these employees and their proportion of the projects delivered.

1.3   A Member Consultation Panel would be created to represent the needs of both councils.

2.   Recommendations

2.1   It is recommended that Executive support to Full Council:

2.2   That Somerset West and Taunton lead the creation and operation of a Joint Climate Change Delivery Partnership.

2.3   That impacted employees of Sedgemoor District Council will be seconded from Sedgemoor District Council to Somerset West and Taunton Council.

2.4   That a legal agreement is created for the partnership setting out cost and resource allocations, with delegated authority to the Director of External Operations and Climate Change, the Assistant Director for Climate Change, Regulatory Services and Asset Management, in consultation with the Climate Change portfolio holder to negotiate the final detail.

2.5   The creation of the Joint Consultation Panel with delegated authority to the Director of External Operations and Climate Change, the Assistant Director for Climate Change, Regulatory Services and Asset Management, in consultation with the Climate Change portfolio holder to create the Terms of Reference.

3.   Risk Assessment

3.1 If this Partnership is not supported, the opportunity to combine resources and share knowledge will be lost.

3.2 Consideration was given to offering this same service to other Districts, however, negotiating on wider working would likely delay the delivery options and we are very much focused on this being a climate emergency. The connectivity with Sedgemoor District Council also supports the Stronger Somerset model of two Unitary Authorities. Once up and running we will share our experience with the other Districts and the option for them to join will be considered on a case by case basis.

3.3 There is a risk that the Partnership may have its resources at Assistant Director and Programme Manager level spread to thinly in establishing this Partnership, and the ongoing running of it. It is considered that the benefits of a successful delivery partnership will outweigh any initial resourcing pressure.

4. Background and Full details of the Report

4.1 Somerset West and Taunton Council (SWT) and Sedgemoor District Council (SDC) have been in discussion at an officer level as to the potential benefits of joining up their Climate Change delivery activity.

4.2 Both Councils have approved the Somerset wide Climate Emergency Strategy and have an adopted localised action plan.

4.3 Many of the delivery ambitions are the same for both Councils and by sharing the project delivery resource creates an environment to centralise knowledge and experience, minimise duplication, and potentially deliver ambitions more quickly with the benefits of economies of scale.

4.4 The joined up service would acknowledge the sovereignty and prioritisation of both Councils as well as their independent finances. The attached governance diagram and section 5 of the report provides more detail on this.

4.5 The proposal has considered the ways of achieving financial transparency. Through this process officers have excluded the option of the seconded resourced from Sedgemoor District Council only working on SDC project delivery. This option has only limited benefits to both organisations as there would remain a segregation of the works rather than combination and removal of duplication.

4.6 The proposal is for the team to work as a whole on the delivery of the agreed actions. This enables a crossover of knowledge and skills and prevents duplication. The proposed funding mechanism would see the contribution from SDC considered as a proportion of the new total and the work across the agreed priorities is delivered with that proportion back to SDC. The proposed contribution from SDC would be for two Project Delivery employees, this combined with SWT's three would produce an allocation of 60% to SWT and

40% to SDC. This allows all resources to be shared and the benefit of the activities increase.

4.7 The proportional option is also considered to have greater benefits and clearer lines of responsibility for actions being delivered.

4.8 Under this option Somerset West and Taunton take on line management responsibilities. There would be no change to the employees' terms and conditions of employment for secondments.

4.9 This would require an increase to the Somerset West and Taunton establishment number to accommodate the secondments and other roles identified.

4.10 The SWT Climate Change Programme Manger would work with the appropriate SDC Strategic Manager to agree on the areas of focus, whilst we anticipate these will broadly be the same we see benefit in the approach as being able to flex to suit a particular authority need or interest. We further consider that this joined up service would review the two authorities exiting plans and bring them together as a central list for monitoring and review. This could be a quick win for the delivery partnership and prevent duplication of works for both authorities whilst retaining transparency.

4.11 On 29th September 2020 Somerset West and Taunton Council declared an Ecological Emergency, as part of this declaration we have committed to recruit an Ecological Strategist to enable the council to create an Ecological strategy and action plan, the post holder will also review our Carbon Neutrality Climate Resilience plan to ensure that carbon reduction or off setting measures do not inadvertently cause ecological harm. SDC as potential partners were offered the opportunity to jointly fund and receive the benefits of the new Ecological Strategist role, they see this as a further opportunity to them and have agreed to fund this SWT post on a 50/50 basis, with a 50/50 split of the work once the partnership is in place.

4.12 The work of the new joint team would be focused on the delivery of activities under their direct control as well as collation of data from delivery activities across the wider organisation. It is recognised that the action plans of   both councils have activity that is best delivered by the wider corporate team. A good example of this might be the work to council housing stock. Whilst this delivery work sits outside of the Climate Team structure the delivered actions against the CNCR plan are within the Climate teams' remit, this ensures the Council can lay claim to the positive benefits in a centralised way, but without the team taking undue credit for the delivery of works by others. The team will not interfere with the approval or governance of projects that sit elsewhere in the organisation.

4.13 Funding opportunities come up with increasing regularity, many of these are speculative and can divert attention and slow delivery of agreed priorities due to the level of information required and the uncertainty of success. The joint

team will actively engage with funding opportunities or grants where there is a direct link to an agreed priority project allocated "current" status, beyond that the team will not submit speculative bids unless additional resources are specifically provided.

4.14   Somerset West and Taunton are proposing a funding Bid Writer to focus on climate change activity as set described above, this is proposed as a pilot funded form the CNCR budget for 12 months with the aim of it becoming self-financing through successful bid activity in the longer term, if this cannot be achieved within the 12 month period then the role will not continue.

5.   The Delivery Partnership and Governance

5.1   The proposal would see Sedgemoor District Council resources seconded to SWT and fit within our existing organisational structure for Climate Change shown at Appendix A1. This allows the benefits of working together to be established early, and bring forward the connectivity of our priorities preventing duplication.

5.2   Officers from both councils recognise the importance of Member engagement within this delivery partnership. The proposal being put forward is that the Somerset West and Taunton establish a joint Member Consultation Panel with appropriate cross party representation from each Authority.

5.3   The Panel is proposed to provide a means of engaging with each authority on a more detailed level, Appendix A2 shows a diagram of the proposed governance structure both for officers and Members.

5.4   The proposed make-up of the cross party Consultation Panel would consist of the Climate Change and relevant portfolio holder from SDC and SWT and two other Member nominations as approved by Full Council of each authority.

6.   Resourcing / Employee consultation

6.1   The proposed structure is identified as Appendix A1 It combines the existing Climate Change Team for Somerset West and Taunton Council with new vacant roles that have been approved by SLT for an Ecological Specialist, a Funding Bid Writer, and a Multi District role to support the delivery of the Somerset Wide Implementation Board, in addition to the roles that would be seconded from Sedgemoor District Council.

6.2   The current Somerset West and Taunton Posts are funded.

6.3   The Ecological Specialist role is to be funded 100% by SWT until the partnership is in place at which point it will shift to 50% from Somerset West and Taunton's CNCR budget, and 50% from Sedgemoor District Council.

6.4 The Multi District Project Management role is to be funded equally by the four Districts and represent our combined needs within the Somerset wide Implementation Board and Senior Management Group.

7. Links to Corporate Strategy

7.1 Environment and Economy:

7.2 Shape and protect our built and natural environment, supported by a refreshed Local Plan and develop our heritage, cultural and leisure offer including a clear vision and delivery plan for the Taunton Garden Town

7.3 Encourage wealth creation and economic growth throughout the District by attracting inward investment, enabling research and innovation, improving the skills of the local workforce and seeking to ensure the provision of adequate and affordable employment land to meet different business needs

7. Finance / Resource Implications

7.1 A budget increase would be required to create this Partnership these new costs will be offset by the Partnership contributions received from SDC and the contributions to the Multi District Project Manager role as set out in Table 1. All costs for SWT will be met by the CNCR money as already planned.

7.2 For the period of secondments SDC will continue to pay their employees and the associated employment costs.

7.3 Our Council's existing posts are already funded.

7.4 Our Council's share of the new posts (Ecological Strategist, Multi District Project Manager, Funding Bid Writer) will be funded from our CNCR budget in accordance with the existing approval process.

7.5 Each council will continue to be responsible for funding actions within the approved list based on their location, e.g. Tree planting within SWT will be funded by SWT etc. There may be economies of scale that can be achieved and these too will be applied on the volume and geography of the work.

Table 1

Role	SWT Salary inc. oncosts budget Increase	Funding
Climate Change Project Manager	No change	100% SWT
Climate Change Project Manager	No change	100% SWT
Climate Change Project Manager	No change	100% SWT
Climate Delivery Officer	£38,790	100% SDC
Climate Change Project Manager	£48,710	100% SDC
Project Support	No change	100% SWT
Ecological Strategist	£49,752	50% SWT 50% SDC
Multi District Project Manager	£49,752	25% SWT

		25% SDC 25% MDC 25% SSDC
Funding Bid Writer	£37,523	100% SWT

8. Legal Implications

8.1   Legal advice will be sought for the creating of the agreement, this will need to set out a range of matters that include funding, governance, liabilities, exit arrangements etc.

9. Climate and Sustainability Implications

9.1   The report proposed to create a Partnership to enhance the delivery of each Authorities Climate Emergency declarations.

10.   Safeguarding and/or Community Safety Implications

10.1   There are no negative implications identified of this report.

11. Equality and Diversity Implications

11.1   There are no identified implications of this report.

12. Social Value Implications

12.1   There are no identified implication of this report.

13. Partnership Implications

13.1   Approval of this report would give authority for officers to enter into a new Partnership with Sedgemoor District Council as set out in the body of the report.

14. Health and Wellbeing Implications

14.1   There are no identified implications of this report.

15. Asset Management Implications

15.1   There are no identified asset management implications from the creation of this Partnership.

16.   Data Protection Implications

16.1   There are no identified implications from the creation of this partnership.

17.   Consultation Implications

17.1   Consultation with impacted employees will be necessary for those being seconded to Somerset West and Taunton.

18. Scrutiny Comments

18.1   Scrutiny committee heard this report on 7th April. At this meeting there was considerable debate on the content of the report and the opportunity that was

being presented. There were some concerns raised regarding the future of local government within Somerset and how any new partnership might be impacted by anticipated decision. It was clarified that this partnership, if approved, would not prejudice any decision from central government and might be consider as a head start into joining up services.
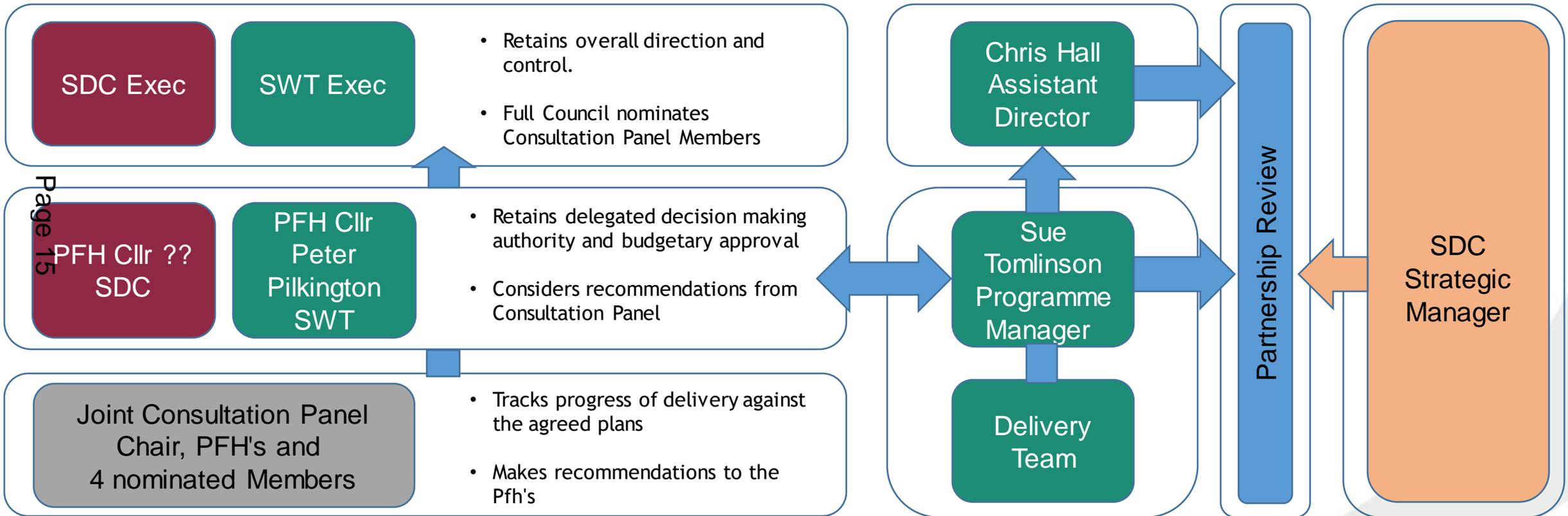
Democratic Path:

- **Executive Committee - April 21st 2021**

Reporting Frequency: One off

Contact Officers

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Climate Change Partnership Joint Governance

SDC Exec	SWT Exec

- Retains overall direction and control.
- Full Council nominates Consultation Panel Members

PFH Cllr ?? SDC	PFH Cllr Peter Pilkington SWT

- Retains delegated decision making authority and budgetary approval
- Considers recommendations from Consultation Panel

Joint Consultation Panel Chair, PFH's and 4 nominated Members

- Tracks progress of delivery against the agreed plans
- Makes recommendations to the Pfh's

Chris Hall Assistant Director

Sue Tomlinson Programme Manager

Delivery Team

Partnership Review

SDC Strategic Manager

Sedgemoor District Council

Somerset West and Taunton

Climate Change Joint Delivery Partnership
Proposal

Chris Hall Assistant Director

Sue Tomlinson Programme Manager

(Vacant) Countywide Project Manager H

Barry Hawkins Project Manager

Chris Beswick Project Manager

Jane Healy Project Manager

(Vacant) Ecological Strategist H

Anna Meares Project Delivery

(Vacant) SDC Project Manager

(Vacant) Funding Bid Writer
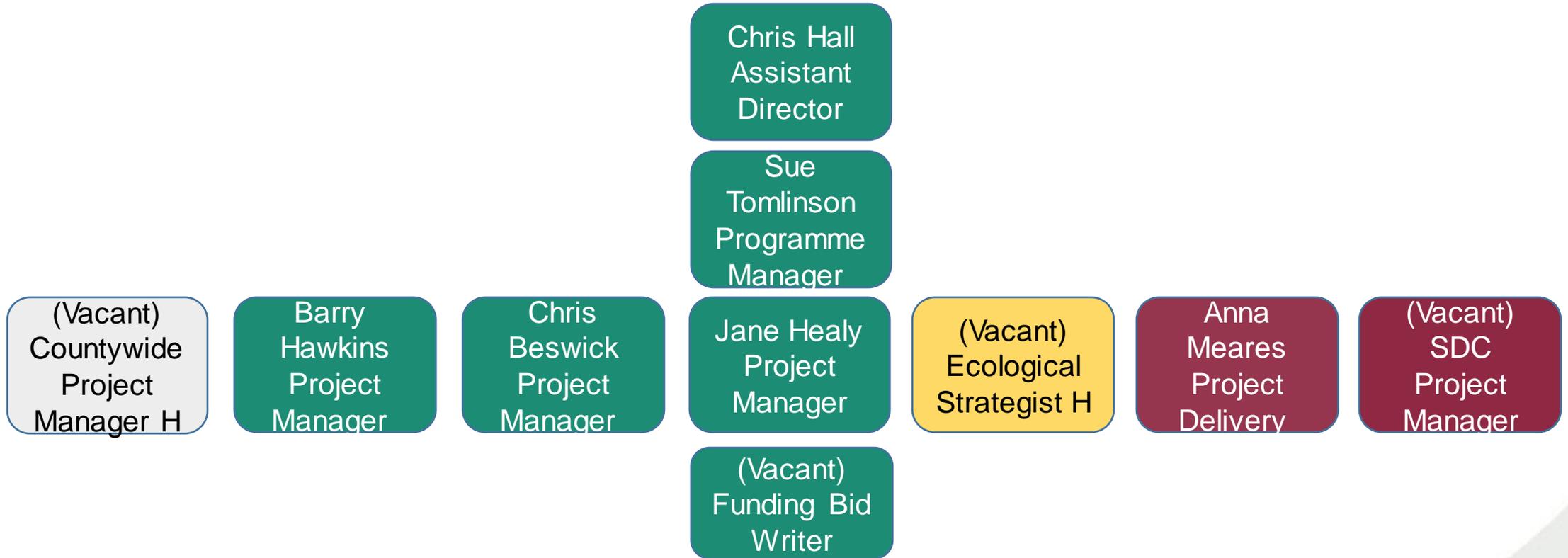
Franc Parreira Project Support

Funding Split

SWT 100%

SDC 100%

SWT & SDC 50% Each

All Districts 25% Each

Sedgemoor District Council

Somerset West and Taunton

Report Number: SWT 36/21

Somerset West and Taunton Council

Executive – 27 April 2021

Member Training and Development Policy

This matter is the responsibility of the Leader of the Council, Cllr Smith-Roberts

Report Author: Amy Tregellas, Governance Manager and Monitoring Officer

1   Executive Summary / Purpose of the Report

To present the Committee with the Training and Development Policy for Elected Members.

2   Recommendations

That the Executive:

a) Approves the Member Training and Development Policy

b) Agrees to set up a cross party Members Working Group to focus on Member Training and Development (following the Member Working Group Protocol being approved by Council on 30 March)

3   Risk Assessment

3.1   Failure to appropriately train and develop Elected Members could impact on the quality of decision-making and the way in which the Council operates.

4   Background and Full details of the Report

4.1   The Council is committed to supporting the training and development of all elected Members to enable them to perform effectively in their role and to develop to meet future challenges.

4.2   Member Training and Development is a key element of the Council's Corporate Governance framework and is one of the seven key principles within the CIPFA/SOLACE framework 'Developing the entity's capacity including the capability of its leadership and the individuals within it.'

4.3   The SWT Member Training and Development Policy (attached as Annex 1), sets out the key elements of Member Training, including Induction training, Personal Development Reviews, an annual Training and Development programme and training and development sessions.

4.4 The Policy also sets out the roles and responsibilities of individual Members, Group Leaders, the Member Training and Development Working Group, Member Champion, the Executive and the Governance Team.

5 Links to Corporate Aims / Priorities

5.1 Having appropriately trained and developed Members is a fundamental element of being a 'well managed' council

6 Finance / Resource Implications

6.1 None arising from this report

7 Legal Implications

7.1 None arising from this report

8 Environmental Impact Implications

8.1 None arising from this report

9 Safeguarding and/or Community Safety Implications

9.1 None arising from this report

10 Equality and Diversity Implications

10.1 None arising from this report

11 Social Value Implications

11.1 None arising from this report

12 Partnership Implications

12.1 None arising from this report

13 Health and Wellbeing Implications

13.1 None arising from this report

14 Asset Management Implications

14.1 None arising from this report

15 Data Protection Implications

15.1 None arising from this report

16 Consultation Implications

16.1 None arising from this report

Audit, Governance and Standards Committee Comments / Recommendation(s) (if any) – The Audit, Governance and Standards Committee considered this report and had no amendments to the recommendations.

Democratic Path:

- **Audit, Governance and Standards Committee – Yes**

- **Cabinet/Executive – Yes**

- **Full Council – No**

Reporting Frequency: Ad-hoc

List of Appendices (delete if not applicable)

Annex 1	SWT Member Training and Development Policy

Contact Officers

Name	Amy Tregellas, Governance Manager
Direct Dial	01823 785034
Email	a.tregellas@somersetwestandtaunton.gov.uk

SWT Member Training and Development Policy

Policy Statement

Somerset West and Taunton Council is committed to delivering it's mission statement "Bring the urban rural renaissance to Somerset West and Taunton, by putting our customer at the heart of everything we do, building communities in which they can thrive and making our built and natural environment the best it can be financially and sustainably."

Elected Members are integral to achieving the council's mission, the council's strategic objectives and the delivery of high quality services.

The Council is committed to supporting the training and development of all elected Members to enable them to perform effectively in their role and to develop to meet future challenges and is committed to ensuring that:

- All Members should have access to appropriate training and development activities to enable them to acquire the knowledge and skills required to be an effective SWT Member and Ward Councillor.

- A planned and structured approach to Member training and development will to be taken.

- Access to training and development activities to be transparent and equitable.

- Training and development, wherever possible, should be linked to the Member skills and knowledge framework.

- Elected Member training and development activities should be adequately resourced within the available Member Training budget.

- Elected Members are encouraged to identify their own development needs and participate fully in training and development activities.

- An agreed Elected Member Training and Development Plan will be produced each year. This plan will be linked to the Council's Strategic Plan, the roles and function of Councillors and the key changes affecting the Council's priorities.

- All Elected Members will have a Personal Development Plan that identifies current training and development needs and planned development.

1.0 Introduction

1.1 It is vital that Members of the Council are supported in all their diverse roles on the Council and this policy sets out the Councils commitment to providing a consistent and structured approach towards developing and supporting members in:
- Carrying out their existing roles efficiently, including effective community leadership;
- Preparing for future roles on an individual basis;
- Undertaking their specific duties and responsibilities;
- Contributing to improving the effective organisation of the Council;
- Keeping up to date with new legislation and changing policies

1.2 To demonstrate its commitment in recognising the potential and value of a well trained organisation, the Council proposes to work towards achieving Member Development Charter status, which adopts nationally recognised good practice guidelines in respect of Member training and development.

2.0 A Councillor's Role

2.1 Once elected a Member must represent the best interests of their residents, the Council and the District working in partnership. In performing their duties, Members will have the following roles:
- Representing the local interests of the community they are elected to serve (Ward Councillor)
- Setting and developing council policies
- Helping to shape and advise upon the policies of others (partners with whom the Council works)
- Scrutinise and investigate the Council's work and activities and the work and activities of others (statutory partners)
- Promoting and maintaining high standards of behaviour across the Council and its parishes
- Consider and determine applications for planning and licensing consents and related issues
- In addition to their roles as community representatives councillors may be appointed to:
  - The Executive
  - Scrutiny Committee
  - Planning Committee
  - Licensing Committee
  - Audit, Governance and Standards Committees
  - Outside Bodies

2.2 This policy is built around supporting all councillors in their particular roles, taking account of their diverse needs.

3.0 Aims and Objectives

3.1 The aims and objectives of this Policy are:

- To establish a culture whereby continuous Member training and development is seen as a key component to the success of the organisation.

- To equip Members with the skills and knowledge necessary to deliver high quality services which are valued by their customers.

- To ensure that all Members, are trained to a level at least appropriate to their roles and responsibilities, recognising the importance of their roles within the Council, their ward area and on outside bodies.

- To ensure that support is available enabling individuals to acquire and develop a full range of skills to maximise their ability and capacity to deliver

- To encourage to take responsibility for their continuing professional development whilst reinforcing that they are key to enabling the Council to achieve its aims and objectives

- To clearly define roles and responsibilities in respect of Member training and development

- To identify adequate resources to meet the objectives of the learning and development programme

4.0 How we will deliver the Aims and Objectives

4.1 We will deliver the aims and objectives by:

- Providing a planned approach to Member Development
- Involving Members in their training and development, from planning the learning programme through to delivery and evaluation
- Maximising training and development opportunities for Members through partnership with other organisations and neighbouring authorities
- Ensuring that the contribution that Member training and development makes to meeting the Council's aims is evaluated and recognised
- Supporting individual training and development, valuing and recognising the skills and experiences that councillors bring with them
- Identifying individual training and development needs through an annual Personal Development Review session
- Adopting a Member Training and Development Programme with clear objectives and links to the aims of the Council, the roles and functions of members and the key changes affecting the Council's priorities
- Delivering training and development in innovative and creative ways to make the best use of the resources available to the Council and ensure value for money;
- Ensuring that every Member is empowered to take responsibility for their own training and development

- Being flexible about the delivery of training and development, taking into account the diverse needs of individual councillors

4.2 Specifically, the key strategic elements are:

Induction

4.2.1 A comprehensive induction programme of training and development for every newly elected Member, enabling them to 'fast track', learning about the organisation and supported by the following:
- An induction day to meet key people and learn more about corporate and constitutional processes
- An induction pack setting out the entitlements, support and guidance available, together with other useful information about the Council and it's processes;
- An induction booklet which Members will work their way through and complete all relevant training
- A 'buddy' from the Governance Team who will act as their point of contact for any queries
- A 1-2-1 with their Governance Team 'buddy' to discuss the support available to them and to identify any individual needs;
- A six month review (1-2-1) with their Governance Team 'buddy' to check 'satisfaction' levels and to identify any areas where more information or training is needed

Personal Development Reviews

4.2.2 All Members will be offered the opportunity to have a Personal Development Review (PDR) on an annual basis to:

- Get feedback from Members as to how things are going and to find out what is working well and what isn't working quite so well
- Identify individual training and development needs
- Check how the outcomes from previous PDRs have progressed
- Find out if their role has changed – and assist with any support or development that they require

Annual Training & Development Programme:

4.2.3 An annual training and development programme will be developed in consultation with the Member Training and Development Working Group based on:

- Identified needs from Personal Development Reviews (PDR's);
- Identification of 'mandatory' training that all Members should receive and balancing this with other training needs or requests
- The requirements of new legislation and emerging corporate themes;
- the Corporate Strategy and emerging corporate themes;
- ethical and governance requirements and changing standards;

- the impact of any scrutiny recommendations in terms of changing corporate practice;
- emerging themes or developments from partners

Training and Development Sessions

4.2.4   A wide range of training and development sessions will be available:

- Internal training and development sessions
- Member Briefings on specific topics
- Training and development videos that Members can watch at their leisure
- Mandatory training modules
- Attendance at seminars and conferences to inform learning on specific and specialist subjects, for instance as an Executive or Scrutiny Member or serving on a particular Committee;

5.0   Roles and Responsibilities

5.1   In order to ensure that Member Training and Development is embedded throughout the Council, the following groups and individuals have the following roles and responsibilities within the Council:

Individual Members

5.2   Individual Members are responsible for their own training and development by:
- All Members are expected to undertake and complete an induction process, including attendance on an induction programme and the completion of an induction booklet
- Participating in training and development activities each year, designed to assist them in their role within the Council.
- Undertaking any 'mandatory' training on areas that all Members need to have an understanding and awareness of
- Undertake training before becoming a Member (or substitute) on specialist Committees including:
  - o Planning Committee
  - o Licensing Committee
  - o Scrutiny Committee
  - o Audit, Governance and Standards Committee
- Highlighting any training and development needs through the Governance Team and via the annual Personal Development Review
- Undertaking IT training, if appropriate, to assist the Member get up to speed with how the Council works
- Providing feedback on any training and development undertaken

Group Leaders

5.3   Group Leaders will actively promote Member training and development within their group

Member Training and Development Working Group

5.4   The Member Training and Development Working Group (MTDWG) will be a cross party Executive Working Group who will oversee Member training and development on behalf of the Council and will:

- Review the Member Training and Development Policy on an annual basis to ensure that it is still fit for purpose
- Work with Officers to develop the Member Skills and Knowledge Framework
- Act as ambassadors for training and development and positively support and encourage other Councillors to identify training needs and take advantage of development opportunities.
- Ensure that a comprehensive induction programme is made available to all newly elected Members
- Ensure that all Members are encouraged to take part in a Personal Development Review (PDR) on an annual basis
- Ensure that an annual training and development programme is drafted, meeting the identified needs through the PDR process and that delivery reflects individual learning style preferences
- Explore and identify new approaches to learning and development and to encourage a culture of lifelong learning
- Evaluate the effectiveness and value for money of all learning activity by continuously monitoring feedback from Members
- Consider reports and updates from the Governance Team on the member training budget.
- Identify the critical information needs of Members and the most effective ways of communicating that information
- Promote citizenship and local democracy in the District
- Develop and maintain an Action Plan for Member training and Development
- Ensure all seminars, briefings, advice and other formal learning opportunities are designed and delivered in relation to the Council's Corporate Priorities.
- Promote mentoring support for all new councillors and those who require mentoring when changing role.
- Ensure that pre-induction materials and briefings are made available for prospective councillors in the community and an induction programme is offered to every newly elected councillor.
- Identify opportunities for sharing learning activities with officers, partners, the voluntary sector and other Councils where appropriate – ensuring that the Council is getting value for money for training

Member Champion for Training and Development

5.5   The Member Champion for Training and Development will:
- Communicate the importance of training and development to Members
- Present any reports from the MTDWG to the Executive

- Act as a sounding board and provide a critical friend challenge for matters relating to Member Training and Development

Executive

5.6   The Executive will:

- Review and approve the Member Training and Development Policy and any subsequent revisions
- Ensure that the Member Training and Development programme reflects the strategic objectives for Somerset West and Taunton Council
- Ensure that a culture of lifelong learning is developed for all Members at Somerset West and Taunton Council
- Ensure there is genuine commitment across the council to support the training and development of all Members
- Monitor the effectiveness of the Member Training and Development Policy by receiving half-yearly update reports from the Member Training and Development Working Group.

Governance Team

5.7   The Governance Team will support Member Training and Development by:

- Providing support to Members and the MTDWG for matters relating to Member Training and Development
- Providing officer support in relation to the preparation of agenda and minutes relating to meetings of the MTDWG
- Providing 1-2-1 support ('buddy' system) to newly elected members as part of their planned induction programme
- Devising and delivering in consultation with the MTDWG a programme of induction training for new Councillors
- Carry out the Personal Development Review with Members once a year
- Devising and delivering, in consultation with the MTDWG, a comprehensive annual training and development programme for all Members based on the needs identified through PDR's and other essential training
- Provide administrative support for all training and including communication with Members and provision of feedback to providers
- Managing the Member training budget in consultation with the MTDWG
- Keep a record of all Member Training including attendance logs
- Collate the feedback and evaluation from Members relating to any training and development they have received
- Advising and assisting the MTDWG in carrying out their role

Report Number: SWT 37/21

Somerset West and Taunton Council

Executive – 27 April 2021

Anti-Fraud Framework

This matter is the responsibility of the Leader of the Council, Cllr Smith-Roberts

Report Author: Amy Tregellas, Governance Manager and Monitoring Officer

1   Executive Summary / Purpose of the Report

1.1   To present the Committee with the Anti-Fraud Framework, which consists of:

- The Anti-Fraud and Corruption Strategy (Annex 1)

- Anti-Bribery Policy (Annex 2)

- Anti-Money Laundering Policy (Annex 3)

- Whistleblowing Policy (Annex 4)

1.2   To present the Committee with the confidential report on the provision of Counter Fraud and Error Services from Powys (Confidential Annex 5)

2   Recommendations

2.1   That the Executive approve the Anti-Fraud Framework and associated documents (listed as Annex 1-4 above).

2.2   The Executive note the confidential report on the Counter Fraud and Error Services (Confidential Annex 5)

3   Risk Assessment

3.1   Failure to have an appropriate Anti-Fraud Framework and these policies in place, the Council is at risk of not detecting fraud, corruption or financial irregularities. This could result in significant loss to the Council and damage its reputation.

4   Background and Full details of the Report

4.1 It is essential to have these policies in place to promote good governance and to ensure that the public services provided by the Council are delivered with both confidence and credibility.

4.2 The Council is committed to the principles of effective corporate governance as set out in the guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE), entitled 'Delivering Good Governance in Local Government (2016)'.

4.3 By having this framework of policies, the Council underpins the core principles of:

- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law.
- Developing the entity's capacity including the capability of its leadership and the individuals within it.
- Managing risk and performance through robust internal control and strong public financial management.
- Implementing good practices in transparency, reporting and audit to deliver effective accountability.

4.4 It is therefore recommended that the strategy and policies outlined in section 2.1 are approved, to ensure that the Council has a robust Anti-fraud framework in place.

5   Links to Corporate Aims / Priorities

5.1 Having effective and efficient governance arrangements and a robust Anti-Fraud framework is a fundamental element of being a 'well managed' council

6   Finance / Resource Implications

6.1 None arising from this report - Not having these documents could result in not detecting fraud, corruption or financial irregularities, which could result in a loss to the Council

7   Legal Implications

7.1 None arising from this report: Any legal requirements are embedded in the policies no new or additional implications arise

8   Environmental Impact Implications

8.1 None arising from this report

9   Safeguarding and/or Community Safety Implications

9.1 None arising from this report

10   Equality and Diversity Implications

10.1   None arising from this report

11   Social Value Implications

11.1   None arising from this report

12   Partnership Implications

12.1   None arising from this report

13   Health and Wellbeing Implications

13.1   None arising from this report

14   Asset Management Implications

14.1   None arising from this report

15   Data Protection Implications

15.1   None arising from this report

16   Consultation Implications

16.1   None arising from this report

Audit, Governance and Standards Committee Comments / Recommendation(s) (if any) – The Audit, Governance and Standards Committee did not have any comments or amendments to the recommendations in this report.

Democratic Path:

- **Audit, Governance and Standards Committee – Yes**

- **Cabinet/Executive – Yes**

- **Full Council – No**

Reporting Frequency: Annually

List of Appendices (delete if not applicable)

Annex 1	Anti-Fraud and Corruption Strategy
Annex 2	Anti-Bribery Policy
Annex 3	Anti-Money Laundering Policy

Annex 4	Whistleblowing Policy
Annex 5 (Confidential)	Confidential Report on the provision of Counter Fraud and Error Services from Powys

Contact Officers

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SWT Anti-Fraud and Corruption Strategy

Policy Statement

Fraud against Local Government is estimated to cost billions of pounds per year. This is a significant loss to the public purse. To reduce these losses Somerset West and Taunton Council is committed to:

- The highest standards of probity in the delivery of its services, ensuring proper stewardship of its funds and assets.

- The prevention of fraud and the promotion of an anti-fraud culture.

- A zero-tolerance attitude to fraud, requiring staff and Members to act honestly and with integrity at all times, and to report all reasonable suspicions of fraud.

- The investigation of a risk based response to all instances of actual, attempted or suspected fraud. The Council will seek to recover any losses and pursue appropriate sanctions against the perpetrators. This may include criminal prosecution, disciplinary action, legal proceedings and professional sanctions.

- The Local Government Fraud Strategy: Fighting Fraud Locally which means the Council will:

Acknowledge	Prevent
Acknowledging and understanding fraud risks	Preventing and detecting more fraud
■ Assessing and understanding fraud risks	■ Making better use of information and technology

1. Introduction

1.1 The purpose of this strategy is to make clear to Members, employees, the general public and other bodies, Somerset West and Taunton (SWT) Council's approach to fraud and corruption.

1.2 SWT also demands that individuals and organisations with which it comes into contact, and particularly those to which it provides finance, act towards the Council at all times with integrity and without fraudulent or corrupt intent.

1.3 The threat from fraud and corruption is both internal and external. The Council's expectation is that Members and employees at all levels will lead by example to ensure high standards of propriety and accountability are established and strictly adhered to, and that personal conduct is above reproach at all times

1.4 The Council wishes to promote a culture of honesty and opposition to fraud and corruption based on the seven principles of public life. The Council will ensure probity in local administration and governance and expects the following from all Members, employees, agency workers, volunteers, suppliers and those providing services under a contract with SWT:

- **Selflessness** – Act solely in terms of the public interest

- **Integrity** – Avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

- **Objectivity** – Act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

- **Accountability** – Be accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

- **Openness** – Act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

- **Honesty** – Be truthful

- **Leadership** – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

1.5 The Council is committed to an effective suite of anti-fraud policies, which is designed to:
- Encourage prevention
- Promote detection
- Identify a clear approach for investigation

2. Definition of Fraud

2.1 The Council defines fraud as 'any activity where deception is used for personal gain or to cause loss to another.' Fraud can be committed in one of three ways:

- Fraud by false representation – Examples include providing false information on a grant or application, staff claiming to be sick when they are in fact fit and well, or submitting time sheets or expenses with exaggerated or entirely false hours and/or expenses.

- Fraud by failing to disclose information – Examples include failing to disclose a financial interest in a company SWT is trading with, or failing to disclose a personal relationship with someone who is applying for a job at the council.

- Fraud by abuse of position – Example of staff who order goods and services through the Council's accounts for their own use.

2.2 While fraud is often seen as a complex financial crime, in its simplest form, fraud is lying. Some people will lie, or withhold information, or generally abuse their position to try to trick someone else into believing something that is not true.

3. Definition of Corruption

3.1 The Council defines corruption as the abuse of entrusted power for private gain; involving the offering, giving, receiving or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party.

4. Culture

4.1 SWT Council has a responsibility for the proper administration of public funds and wishes to emphasise the importance it places upon probity, financial control and honest administration. The Council's arrangements for the prevention and detection of fraud and corruption will be kept under constant review. Suspected irregularities will be vigorously pursued and appropriate action will be taken.

4.2 The Council anticipates that Members, employees and the public will support its approach by reporting matters of genuine concern.

4.3 Employees may report such matters to their line managers, Assistant Director or Director. Employees may also report matters to the Monitoring Officer or

Section 151 Officer. The Council assures employees raising such concerns that they will be fully supported, and they will have nothing to fear from reprisals and there will be no adverse impact on their personal situation. Where anonymity is requested, this will be guaranteed.

4.4   Members and the public may report any concerns to the Monitoring Officer, S151 Officer or the Chief Executive. Requests for confidential treatment will be honoured.

4.5   Members of the public can also make complaints through the Council's Complaints Procedure.

4.6   Where appropriate, matters may be passed to the Council's Internal Auditors, South West Audit Partnership (SWAP) for investigation of any allegations of fraud or corruption received, and does so through clearly defined procedures and standards.

4.7   Fraud and corruption are serious offences and employees and Members may face disciplinary action if there is evidence that they have been involved in these activities. Where criminal offences are suspected consideration will be given to pursuing criminal sanctions which may involve referring the matter to the police.

4.8   In all cases where the Council has suffered a financial loss, appropriate action will be taken to recover the loss.

4.9   In order to make employees, Members, the public and other organisations aware of the Council's continued commitment for taking action on fraud and corruption, details of completed investigations, including sanctions applied, will be publicised where it is deemed appropriate.

5.   The Role of Employees

5.1   Somerset West and Taunton Council expects its employees to be alert to the possibility of fraud and corruption and to report any suspected fraud or other irregularities to the officers listed in section 4.3.

5.2   Employees are expected to comply with the appropriate Code of Conduct and the Council's policies and procedures.

5.3   Employees are responsible for complying with Somerset West and Taunton Council's policies and procedures and it is their responsibility to ensure that they are aware of them. Where employees are also members of professional bodies they should also follow the standards of conduct laid down by them.

5.4   Employees are under a duty to properly account for and safeguard the money and assets under their control/charge.

5.5   Employees are required to provide a written declaration of any financial and non-financial interests or commitments, which may conflict with SWT's interests. SWT's Contract Procedure Rules specify that employees who have a direct or indirect financial interest in a contract shall not be supplied with, or given access to any tender documents, contracts or other information relating to them, without the authority of the senior manager.

5.6   Failure to disclose an interest or the acceptance, or offering of an inappropriate reward may result in disciplinary action or criminal liability. Staff must also ensure that they make appropriate disclosures of gifts and hospitality – both offered and accepted.

5.7   Managers at all levels are responsible for familiarising themselves with the types of fraud that might occur within their directorates and the communication and implementation of this strategy.

5.8   Managers are expected to create an environment in which their staff feel able to approach them with any concerns that they may have about suspected fraud or any other financial irregularities.

6.   The Role of Elected Members

6.1   As elected representatives, all Members of Somerset West and Taunton Council have a duty to act in the public interest and to do whatever they can to ensure that the Council uses its resources in accordance with statute as well as ensuring value for money for local taxpayers.

6.2   This is achieved through Members operating within the Constitution which includes the Member Code of Conduct, Financial Procedure Rules and the Contract Procedure Rules.

6.3   Members are required to adhere to the Members' Code of Conduct, which has been formally adopted by SWT. As part of the compliance with this code, Members are required to declare to the Council's Monitoring Officer when elected, and update when circumstances dictate, relevant interests. These are recorded in the register maintained for this purpose by the Monitoring Officer.

6.4   Members are required to notify the Council's Monitoring Officer of any gift or hospitality over the value of £25.

7.   Prevention

7.1   The Council recognises that a key preventative measure in the fight against fraud and corruption is to take effective steps at the recruitment stage. In particular, written references should be obtained regarding the known honesty and integrity of potential staff before employment offers are made.

7.2   The Council reviews its Constitution and Codes of Conduct on a regular basis. These place a duty on all Members and employees to act in accordance with established best practice when dealing with the affairs of the Council.

7.3   Section 151 of the 1972 Local Government Act requires that every local authority shall make arrangements for the proper administration of its financial affairs. This includes maintaining strong financial management underpinned by effective financial controls and an adequate and effective system of internal audit. The Section 151 Officer also has to produce Financial Procedure Rules for adoption by the Council.

7.4   Significant emphasis is placed on the thorough documentation of financial systems, and every effort is made to continually review and develop these systems in line with best practice to ensure efficient and effective internal controls. The adequacy and appropriateness of the Council's financial and other systems is independently monitored by both Internal and External audit.

7.5   The primary responsibility for the prevention and detection of fraud is with management. They must ensure that they have the appropriate controls in place, that they are operating as expected and being complied with. They must ensure that adequate levels of checks are included in working practices, particularly financial. It is important that duties are organised in such a way that no one person can carry out a complete transaction without some form of checking or intervention process being built into the system.

8.   Detection and Investigation

Internal Audit

8.1   Internal Audit, South West Audit Partnership (SWAP) is responsible for the independent appraisal of controls and for assisting managers in the investigations of fraud and corruption.

8.2   SWAP includes proactive fraud work in its annual audit plan, identifying potential areas where frauds could take place and checking for fraudulent activity.

Working with others and sharing information

8.3   The Council is committed to working and co-operating with other organisations to prevent fraud and corruption and protect public funds. The Council may use personal information and data-matching techniques to detect and prevent fraud, and ensure public money is targeted and spent in the most appropriate and cost-effective way. In order to achieve this, information may be shared with other bodies responsible for auditing or administering public funds including, but not

limited to, the Cabinet Office National Fraud Initiative, the Department for Work and Pensions, other local authorities, HM Revenue and Customs, and the Police.

8.4   Somerset West and Taunton Council participates in the National Fraud Initiative (NFI). This requires public bodies to submit a number of data sets (to the Cabinet Office) for example payroll, pension, and accounts payable (but not limited to these) which is then matched to data held by public and private sector bodies. Enquires are made into any positive matches (e.g. an employee on the payroll in receipt of housing benefit).

Fraud Investigation Team

8.5   Powys Council carry out Fraud Investigations for SWT in respect of Counter Fraud and Error Services

Whistle-blowing

8.6   Despite the best efforts of officers and auditors, frauds are sometimes discovered by chance or whistle-blowing and, as indicated earlier, the Council has a Whistle-blowing Policy to enable such matters to be properly dealt with.

Investigation

8.7   The Council's Disciplinary Procedures are used where any investigation indicates improper conduct on the part of staff.

8.8   Depending on the nature and extent of the allegations, Internal Audit works closely with management and other agencies such as the Police to ensure all allegations and evidence are properly investigated and reported upon.

8.9   The Council expects the Police to independently prosecute offenders where financial impropriety is discovered.

8.10   The Council is committed to the risk based investigation of all instances of actual, attempted and suspected fraud committed against the Council and the recovery of funds and assets lost through fraud.

8.11   Any suspected fraud, corruption or other irregularity should be reported to the Monitoring Officer and S151 Officer. They will decide on the appropriate course of action to ensure that any investigation is carried out in accordance with Council policy and procedures, key investigation legislation and best practice. This will ensure that investigations do not jeopardise any potential disciplinary action or criminal sanctions.

9. Training and awareness

9.1 The successful prevention of fraud is dependent on risk awareness, the effectiveness of training (including induction) and the responsiveness of staff throughout the Council.

9.2 Management will provide induction and ongoing training to staff, particularly those involved in financial processes and systems to ensure that their duties and responsibilities are regularly highlighted and reinforced.

9.3 Internal Audit will provide fraud awareness training, where appropriate and on request.

10. Policies and Procedures – Further reading

10.1 In addition to this strategy there are a range of policies and procedures that help reduce the Council's fraud risks. These include:
- Anti-Bribery Policy
- Anti-Money Laundering Policy
- Whistleblowing Policy
- The SWT Members Code of Conduct
- The SWT Officers Code of Conduct
- Disciplinary Policy
- Financial Regulations
- Contract Procedure Rules

11. Summary

11.1 SWT's Anti-Fraud Framework covers the following areas

Culture	creating a culture in which beating fraud and business
Capability	ensuring that the range of counter fraud mea the range of fraud risks
Competence	having the right skills and standards
Communication	raising awareness, deterring fraudsters, shari successes

SWT Anti-Bribery Policy

1.0 Introduction

1.1 Bribery is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage. Bribes can take a variety of forms and might include cash, gifts and hospitality, a contract award, or gaining inside information about up and coming work. They're given to someone with the intention of influencing them to act in a way that favours an individual or a company.

1.2 No-one employed by, or doing business on behalf of the Council, should ever offer, make, ask for, or accept a payment, gift or favour in return for favourable treatment, or to gain a business advantage.

1.3 Under the UK Bribery Act 2010 it is illegal to:
- offer a bribe
- agree to offer a bribe
- accept a bribe
- agree to accept a bribe
- request a bribe
- fail to prevent bribery in a commercial organisation (this means a company failing to have adequate procedures in place to prevent anyone associated with a company – employees, or anyone working on the company's behalf, such as a contractor or agent – committing offences against the UK Bribery Act).

1.4 Bribery is a criminal offence (more information in Appendix A). We do not, and will not, pay bribes or offer improper inducements to anyone for any purpose, nor will we, accept bribes or improper inducements.

1.5 To use a third party as a conduit to channel bribes to others is a criminal offence. We will not engage indirectly in or otherwise encourage bribery.

1.6 Somerset West and Taunton Council does not tolerate any form of bribery in its business and is committed to the prevention, deterrence and detection of bribery. We have zero-tolerance towards it. We aim to maintain anti-bribery compliance as "business as usual", rather than as a one-off exercise.

1.7 Somerset West and Taunton Council is determined to protect itself, its employees and the public from acts of Bribery, therefore it is unacceptable to:
- give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given

- give, promise to give, or offer a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure
- accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them
- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided in return
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
- engage in activity in breach of this policy.

2.0   Aims and Scope of this Policy

2.1   This policy provides a coherent and consistent framework to enable Council employees to understand and comply with the Bribery Act 2010.

2.2   We require that all staff, permanent, temporary and agency:
- act honestly and with integrity at all times and to safeguard the Council's resources for which they are responsible
- comply with the spirit, as well as the letter, of the laws under which the Council operates

2.3   This policy applies to all of the Council's activities. For partners, joint ventures and suppliers, we will seek to promote policies and conduct consistent with the principles set out in this policy.

2.4   This policy also applies to Members, volunteers and consultants.

3.0   This Council's commitment to action

3.1   The Council commits to:
- Setting out a clear anti-bribery policy and keeping it up to date
- Making all employees aware of their responsibilities to adhere strictly to the policy at all times
- Training all employees so that they can recognise and avoid the use of bribery by themselves and others
- Encouraging employees to be vigilant and to report any suspicions of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately
- Rigorously investigating instances of alleged bribery and assisting police and other appropriate authorities in any resultant prosecution
- Taking firm and vigorous action against any individual(s) involved in bribery
- Include appropriate clauses in contracts to prohibit bribery.

4.0   Facilitation payments

4.1   Facilitation payments are not tolerated and are illegal. They are unofficial payments made to public officials in order to secure or expedite actions.

5.0   Gifts and hospitality

5.1   Our Gifts and Hospitality policies applying to employees and Members give guidance on acceptance of gifts and hospitality.

6.0   Public contracts and failure to prevent bribery

6.1   Under the Public Contracts Regulations 2015, a company is automatically and perpetually debarred from competing for public contracts where it is convicted of an offence relating to bribery or corruption.

7.0   Staff responsibilities

7.1   The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the Council or under its control. All staff are required to avoid activity that breaches this policy.

7.2   You must ensure that you read, understand and comply with this policy. You must also raise concerns as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future.

7.3   As well as the possibility of civil action and criminal prosecution, staff who breach this policy will face disciplinary action, which could result in dismissal for gross misconduct.

8.0   Raising a concern

8.1   As a first step you should normally raise concerns with your line manager, Assistant Director or Director. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved. If you believe that management is involved, you should approach the Chief Executive, Monitoring Officer or S151 Officer.

8.2   If a Councillor(s) is involved then you should always approach the Monitoring Officer or the Chief Executive. Concerns are better raised in writing. You should set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can ask to meet the appropriate officer. The earlier you express the concern, the easier it is to take action.

8.3   Although you are not expected to prove the truth of an allegation, you will need to demonstrate that there are sufficient grounds for your concern and that you believe it is substantially true.

8.4   If you have any questions about these procedures, please contact the Monitoring Officer or S151 Officer.

9.0   Policies and Procedures – Further reading

9.1   In addition to this strategy there are a range of policies and procedures that help reduce the Council's fraud risks. These include:
- Anti-Fraud Strategy
- Anti-Money Laundering Policy
- Whistleblowing Policy
- The SWT Members Code of Conduct
- The SWT Officers Code of Conduct
- Disciplinary Policy
- Financial Regulations
- Contract Procedure Rules

The Bribery Act 2010

There are four key offences under the Bribery Act 2010:
- bribery of another person (section 1)
- accepting a bribe (section 2)
- bribing a foreign official (section 6)
- failing to prevent bribery (section 7)

The Bribery Act 2010 (http://www.opsi.gov.uk/acts/acts2010/ukpga_20100023_en_1) makes it an offence to offer, promise or give a bribe (Section 1). It also makes it an offence to request, agree to receive, or accept a bribe (Section 2).

Section 6 of the Act creates a separate offence of bribing a foreign public official with the intention of obtaining or retaining business or an advantage in the conduct of business.

There is also a corporate offence under Section 7 of failure by a commercial organisation to prevent bribery that is intended to obtain or retain business, or an advantage in the conduct of business, for the organisation. An organisation will have a defence to this corporate offence if it can show that it had in place adequate procedures designed to prevent bribery by or of persons associated with the organisation.

Penalties
An individual guilty of an offence under sections 1, 2 or 6 is liable:
- On conviction in a magistrates court, to imprisonment for a maximum term of 12 months (six months in Northern Ireland), or to a fine not exceeding £5,000, or to both
- On conviction in a crown court, to imprisonment for a maximum term of ten years, or to an unlimited fine, or both

Organisations are liable for these fines and if guilty of an offence under section 7 are liable to an unlimited fine.

Is the Council a "commercial organisation"?
The guidance states that a "commercial organisation" is any body formed in the United Kingdom and "...it does not matter if it pursues primarily charitable or educational aims or purely public functions. It will be caught if it engages in commercial activities, irrespective of the purpose for which profits are made. There are circumstances in which we will be a commercial organisation for the purposes of section 7. This policy is intended to ensure that we have in place the necessary procedures to act as a defence to a section 7 offence.

What are "adequate procedures"?
Whether the procedures are adequate will ultimately be a matter for the courts to decide on a case-by-case basis. Adequate procedures need to be applied proportionately, based on the level of risk of bribery in the organisation. It is for individual organisations

to determine proportionate procedures in the recommended areas of six principles (see below). These principles are not prescriptive. They are intended to be flexible and outcome focussed, allowing for the different circumstances of organisations. The detail of how organisations apply these principles will vary, but the outcome should always be robust and effective anti-bribery procedures.

Principle 1 - Proportionate procedures
An organisation's procedures to prevent bribery by persons associated with it are proportionate to the bribery risks it faces and to the nature, scale and complexity of the organisation's activities. They are also clear, practical, accessible, effectively implemented and enforced.

Principle 2 - Top level commitment
The top-level management are committed to preventing bribery by persons associated with it. They foster a culture within the organisation in which bribery is never acceptable.

Principle 3 - Risk Assessment
The organisation assesses the nature and extent of its exposure to potential external and internal risks of bribery on its behalf by persons associated with it. The assessment is periodic, informed and documented. It includes financial risks but also other risks such as reputational damage.

Principle 4 - Due diligence
The organisation applies due diligence procedures, taking a proportionate and risk based approach, in respect of persons who perform or will perform services for or on behalf of the organisation, in order to mitigate identified bribery risks.

Principle 5 - Communication (including training)
The organisation seeks to ensure that its bribery prevention policies and procedures are embedded and understood throughout the organisation through internal and external communication, including training that is proportionate to the risks it faces.

Principle 6 - Monitoring and review
The organisation monitors and reviews procedures designed to prevent bribery by persons associated with it and makes improvements where necessary.

This Council is committed to proportional implementation of these principles.

SWT Anti-Money Laundering Policy

1.0 Introduction

1.1 Money laundering can be defined as "a process that makes money with an illegal origin appear legal so that it may be used". Legislation concerning money laundering (the Proceeds of Crime Act 2002 and the Money Laundering Regulations 2017 (as amended)) has broadened the definition of money laundering and increased the range of activities caught by the statutory framework. As a result, the obligations now impact on areas of local authority business and require local authorities to establish internal procedures to prevent the use of their services for money laundering.

2.0 Scope of the Policy

2.1 This Policy applies to all employees of the Council and aims to maintain the high standards of conduct that currently exist within the Council by preventing criminal activity through money laundering. The Policy sets out the procedures, which must be followed (for example the reporting of suspicions of money laundering activity) to enable the Council to comply with its legal obligations. Within this policy the term employees refers to all employees as well as elected Members.

2.2 Anti-money laundering legislation places responsibility upon Council employees to combat money laundering and covers a very wide area of financial transactions, including possessing, or in any way dealing with, or concealing, the proceeds of any crime. It applies to all employees involved with monetary transactions.

2.3 Under the legislation it is a criminal offence to:
- Assist a money launderer;
- *Inform* a person suspected to be involved in money laundering that they are suspected or that they are the subject of police investigations;
- Fail to report a suspicion of money laundering and;
- Acquire, use or possess criminal property.

3.0 Purpose

3.1 The legislative requirements concerning anti-money laundering procedures are extensive and complex. This Policy has been written to enable the Council to meet the legal requirements in a way that is proportionate to the risk to the Council of contravening this legislation.

3.2 The object of this policy is to make all employees aware of their responsibilities and the consequences of non-compliance with this policy.

3.3   An employee could potentially be caught within the money laundering provisions if they suspect money laundering and either become involved with it in some way and /or do nothing about it.

3.4   Whilst the risk to the Council of contravening the legislation is low, it is extremely important that all employees are familiar with their legal responsibilities: **Employees contravening the regulations can be faced with imprisonment (up to 14 years), a fine or both.**

4.0   Money Laundering Requirements

4.1   Provision of training to relevant officers and staff (or contractors' staff) on the requirements of the legislation, including the identification of suspicious transactions, identity verification and reporting procedures.

4.2   Establishment of procedures for employees to report any suspicions to the Money Laundering Reporting Officer ("MLRO") – i.e. Paul Fitzgerald, Assistant Director – Finance and S151 Officer.

4.3   Designation of an officer as the Money Laundering Reporting Officer, who will receive any report, keep records and if considered appropriate, make reports to the National Criminal Intelligence Service (NCIS) - i.e. Paul Fitzgerald, Assistant Director – Finance and S151 Officer.

4.4   Under the legislation employees dealing with money transactions will be required to comply with certain procedures.

5.0 Procedures

5.1   When do I need to identify the person I am dealing with?
- When the Council is carrying out relevant business and: -
  a) Forming a business relationship: or

  b) Considering undertaking a one off transaction

  And: -
  a) Suspect a transaction involves money laundering; or

  b) A payment is to be made for a series of linked one off transactions involving total payment of £10,000 (15,000 Euro) or more.

5.2   Not all of the Council's business is "relevant" for the purposes of the legislation regarding client identification. Relevant services as defined by the legislation include investments, accountancy and audit services and the financial, company and property transactions undertaken the council.

5.3   What Procedures do I use to identify the person?

Any employee involved in a relevant business should ensure the client provides satisfactory evidence of their identity personally, through passport/ photo driving license plus one other document with their name and address e.g. utility bill (not mobile) mortgage/building society/bank documents, card documents, pension/benefit book. Or corporate identity, this can be through company formation documents or business rates.

In circumstances where the client cannot be physically identified the employee should be aware: -
a) That there is greater potential for money laundering where the client is not physically present when being identified;

b) If satisfactory evidence is not obtained the relationship or the transaction should not proceed;

c) If the client acts, or appears to act for another person, reasonable measures must be taken for the purposes of identifying that person.

Record Keeping Procedures

5.4   Each Service of the Council and contractors working for the Council conducting relevant business must maintain records of: -
a) Client identification evidence obtained; which must be kept for five years after the end of the transaction or relationship;

b) Details of all relevant business transactions carried out for clients for at least five years from the completion of the transaction. This is so that they may be used as evidence in any subsequent investigation by the authorities into money laundering. The Money Laundering Reporting Officer, must be informed of the existence and location of such records.

5.5   The precise nature of the records are not prescribed by law, however, they must provide an audit trail during any subsequent investigation, e.g. distinguishing the client and the relevant transaction and recording in what form any funds were received or paid.

6.0   The Money Laundering Reporting Officer

6.1   The Officer nominated to receive disclosures about money laundering activity within the Council is Paul Fitzgerald (Assistant Director – Finance and S151 Officer) i.e. The Money Laundering Reporting Officer (MLRO).

6.2   The Deputy Money Laundering Reporting Officers are Amy Tregellas (Monitoring Officer) and Steve Plenty (Finance Service Manager).

7.0   Internal Reporting Procedure

7.1   Where an employee is aware, that money laundering may have taken place (or may be taking place), he or she must contact the MLRO for guidance as soon as possible regardless of the amount being offered. In such circumstance, no money may be taken from anyone until this has been done.

7.2   Any person knowing or suspecting money laundering, fraud or use of the proceeds of crime must report this to the MLRO on the form(s) as attached.

7.3   Upon receiving the report the MLRO will consider all of the admissible information in order to determine whether there are grounds to suspect money laundering.

7.4   If the MLRO determines that the information or matter should be disclosed it would be reported to the National Criminal Intelligence Service (NCIS).

7.5   At no time and under no circumstances should an employee voice any suspicions to the person(s) suspected of money laundering, even if the NCIS has given consent to a particular transaction proceeding, otherwise the employee may be committing a criminal offence of informing. Therefore, no reference should be made on a client file to a report having been made to the MLRO. Should the client exercise their right to see the file, then such a note will obviously tip them off to the report having been made and may render the employee liable to prosecution. The MLRO will keep the appropriate records in a confidential manner.

8.0   Other Procedures

8.1   The Council will establish other procedures of internal control and communication as may be appropriate for the purpose of forestalling and preventing money laundering:

- **Regular receipts** - The Council in the normal operation of its services accepts payments from individuals and organisations e.g. in relation to council tax, sundry debtors etc. For all transactions under £2,000 the Money Laundering regulations do not apply but if an employee has reasonable grounds to suspect money laundering activities or proceeds of crime or is simply suspicious, the matter should still be reported to the MLRO.

- **Cash receipts** – If the money offered in cash is £10,000 or more, then payment must not be accepted until the employee has received guidance from the MLRO or DMLRO.

- **Refunds**- Care will need to be taken especially with the procedures for refunds. For instance, a significant overpayment that results in a repayment will need to be properly investigated and authorised before payment. **Note – all refunds should be made only to the source of the payment and not a**

different account. In the event of any suspicious transactions, the MLRO will be contacted to investigate the case. The possible perpetrator should not be informed.

- **Training** – The Council will take, or require its contractor to take, appropriate measures to ensure that relevant employees are:
  a) Made aware of the provisions of these regulations, (under the Proceeds of Crime Act 2002, and the Money Laundering Regulations 2007 (as amended));

  b) Given training in how to recognise and deal with transactions that may be related to money laundering.

9.0   Money Laundering Warning Signs

9.1   The following examples could indicate that money laundering is taking place:

- Transactions or trade that appear to make no commercial or economic sense from the perspective of the other party - a money launderer's objective is to disguise the origin of criminal funds and not necessarily to make a profit. A launderer may therefore enter into transactions at a financial loss if it will assist in disguising the source of the funds and allow the funds to enter the financial system.

- Large volume/large cash transactions - all large cash payments should be the subject of extra care and before accepting cash the reasons for such payments should be fully understood. Payments should be encouraged through the banking system to avoid problems.

- Payments received from third parties - money launderers will often look to legitimate business activity in order to assist in 'cleaning' criminal funds and making payments on behalf of a legitimate company can be attractive to both parties. For the legitimate company it can be useful source of funding and for the launderer the funds can be repaid through a banking system.

9.2   Examples of tell-tale signs of organised money laundering: -
1. Use of cash where other means of payment are normal
2. Unusual transactions or ways of conducting business
3. Unwillingness to answer questions/ secretiveness generally
4. Use of overseas companies
5. New companies
6. Overpayments of Council Tax where refunds are needed.

Disclosure Form to MLRO

Please complete and return to Paul Fitzgerald, Assistant Director Finance & S151 Officer

Date of disclosure

Date of event

Officer making disclosure:

Job title of officer:

Telephone details:
_____

SUBJECT DETAILS

Title:

Surname:

Forename:

DoB:

IN THE CASE OF A LEGAL ENTITY (COMPANY)

Name:

Address:

Company Number (If known)

Type of Business:

VAT no (if known)

REASON FOR DISCLOSURE

Please provide an explanation of the activity and amounts. If you know or suspect what the offence behind the reported activity may be please provide details.

RECEIVED BY MLRO

Reference:

Date:

Signature:

SWT Whistle-blowing Policy

1.0 Introduction

1.1 Somerset West and Taunton District Council is committed to the highest possible standards of openness and accountability. In line with that commitment we expect both employees and members of the public who have serious concerns about any aspect of the Council's work to come forward and voice their concerns.

1.2 Whether you are an employee or a member of the public, you might be the first to realise that there may be something seriously wrong within the Council. This policy is intended to encourage and enable employees and members of the public to raise concerns within the Council rather than overlooking a problem.

1.3 This policy also explains how you can raise a concern without fear of victimisation, subsequent discrimination or disadvantage.

2.0 Who can use this policy?

- All members of the public
- All Employees (including Contractors, Agency and Temporary staff)
- External Contractors
- Suppliers
- Service providers

3.0 What is included in the policy?

3.1 There are existing procedures in place to enable staff to lodge a grievance relating to their own employment. This policy is intended to cover concerns that fall outside the scope of the grievance procedure. Thus any serious concern that a member of staff or a member of the public has about any aspect of service provision or the conduct of officers or members of the Council or others acting on behalf of the Council can and should be reported under this policy

3.2 This concern may be about something that is:
- unlawful
- against the Council's Standing Orders, Financial Procedure Rules and policies
- against established standards of practice
- improper conduct
- amounts to malpractice
- posing a danger to the health and safety of individuals

- likely to cause damage to the environment
- other conduct that gives you cause for concern

Please note that this is not a comprehensive list but is intended to illustrate the range of issues which might be raised under this Code.

4.0   Safeguards, Harassment or Victimisation

4.1   The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those who may be guilty of malpractice or from the Council as a whole. The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action in order to protect a person who raises a concern where they reasonably believe that the disclosure they are making is in the public interest even if they were mistaken. In addition employees have statutory protection against reprisals under the Public Interest Disclosure Act 1998 as revised by the Enterprise and Regulatory Reform Act 2013 and can refer their case to an Industrial Tribunal.

Confidentiality

4.2   As far as possible, the Council will protect the identity of any employee or member of the public who raises a concern and doesnot want his/her name to be disclosed, but this confidentiality cannot be guaranteed. It must be appreciated that any investigation process may reveal the source of the information and a statement by the person reporting the concern may be required as part of the evidence. Where an employee or member of the public has requested that their identity not be revealed, the Council will discuss the matter with them before embarking on any course of action whereby their identity will need to bedisclosed.

Anonymity

4.3   Concerns expressed anonymously will be considered at the discretion of the Council although it must be appreciated that it is inherently difficult to investigate concerns expressed this way. It is hoped that the guarantees contained in this policy will provide sufficient reassurance to staff to enable them to raise concerns in person. However, in exercising the discretion, the factors to be taken into account would include:

- The likelihood of obtaining the necessary information
- The seriousness of the issues raised
- The specific nature of the complaint
- The duty to the public.

<u>False and Malicious Allegations</u>

4.4   The Council will not tolerate the making of malicious or vexatious allegations. Acts of this nature will be treated as serious disciplinary offences. Disciplinary action, including summary dismissal for serious offences, will be taken against any employee found to have made malicious or vexatious claims.

4.5   In line with the Somerset West and Taunton Council Complaints Procedure examples of vexatious allegations are persistentlycomplaining about a variety or number of different issues, persistently making the same complaint but not accepting the findings of any properly conducted investigation, and/or seeking an unrealistic outcome.

4.6   In addition a concern which is genuinely believed may prove to be unfounded on investigation – in which case no action will betaken against the person who raised the concern.

4.7   The Council will try to ensure that the negative impact of either a malicious or unfounded allegation about any person is minimised.

5.0   How to raise a concern if you are a member of the Public

5.1   You can raise your concern(s) with any of the following officers:

- Monitoring Officer – Amy Tregellas
  a.tregellas@somersetwestandtaunton.gov.uk

- S151 Officer – Paul Fitzgerald
  p.fitzgerald@somersetwestandtaunton.gov.uk

- Director of Internal Operations – Alison North
  a.north@somersetwestandtaunton.gov.uk

If you would rather telephone – the number is 0300 304 8000

6.0   How to raise a concern if you are an employee of the Council

6.1   You should normally raise your concern(s) with your people manager or their manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. If you prefer (for whatever reason) or if you believe that management is involved, you can contact one of the individuals listed above.

6.2   Alternatively you can get confidential advice from your trade union or professional association. There is an independent charity called Public Concern at Work (020 7404 6609) www.pcaw.co.uk who have lawyers who

can give independent advice at any stage about how to raise a concern about serious malpractice at work.

6.3 You can also invite your trade union or professional association to raise a matter on your behalf.

7.0 Members of the Public and Employees

7.1 Concerns can either be raised orally or in writing. Normally it is preferable to put your concern in writing.

<u>What you need to include</u>

It would be helpful to us if you could provide the following information

- background
- the history
- reason for your concern
- names
- dates
- places

7.2 A flow diagram of the process is shown at the end of this Policy document.

8.0 How the Council will respond

8.1 The action taken by the Council will depend on the nature of the concern. Where appropriate, the concern(s) raised will be:

- investigated by senior management, internal audit (SWAP) or through the disciplinary process
- referred to the police
- form the subject of an independent inquiry

8.2 In order to protect the individual and the Council, an initial investigation will be carried out to decide whether a full investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example fraud, theft and corruption) will normally be referred for consideration under those procedures.

8.3 It should be noted that some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this would be taken before any investigation is completed.

8.4 Within ten working days of a concern being raised, the officer that you have raised your concern with will write to you:

- acknowledging that the concern has been received
- indicating how he proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response

8.5   If it is impossible for initial inquiries to be completed within ten working days, the situation will be explained in the letter of acknowledgement. Where a decision is made that no investigation will take place, the reasons for this will be provided.

8.6   The amount of contact between the officers considering the issues and you raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from the person raising the concern.

8.7   Where any meeting is arranged, you have the right to be accompanied by a union or professional association representative, relative or a friend who is not involved in the area of work to which the concern relates.

8.8   The Council will take appropriate steps to minimise any difficulties which you may experience as a result of raising a concern. For example, if an employee is required to give evidence in criminal or disciplinary proceedings, the Council will need to inform them and consider what steps are required to provide support.

8.9   The Council accepts that by raising a concern, you will need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive as much information as possible about the outcomes of any investigation.

9.0   How the Concern can be taken further

9.1   This policy is intended to provide you with an avenue to raise concerns within the Council. The Council hopes you will be satisfied with any action taken. If you are not satisfied with the outcome of your confidential allegation you can write to the Chief Executive and ask for the investigation and outcome to be reviewed. If you remain dissatisfied and you feel it is right to take the matter outside the Council, you may wish to take advice from your trade union, your local Citizens Advice Bureau, any of the external agencies listed in this policy, or your legal advisor on the options that are available to you.

9.2   Another option is that you may wish to rely on your rights under the Public Interest Disclosure Act 1998. This Act gives you protection from victimisation if you make certain disclosures of information in the public interest. The

provisions are quite complex and include a list of prescribed persons outside of the Council who can be contacted in certain circumstances. You should seek advice on the effect of the Act from the Monitoring Officer.
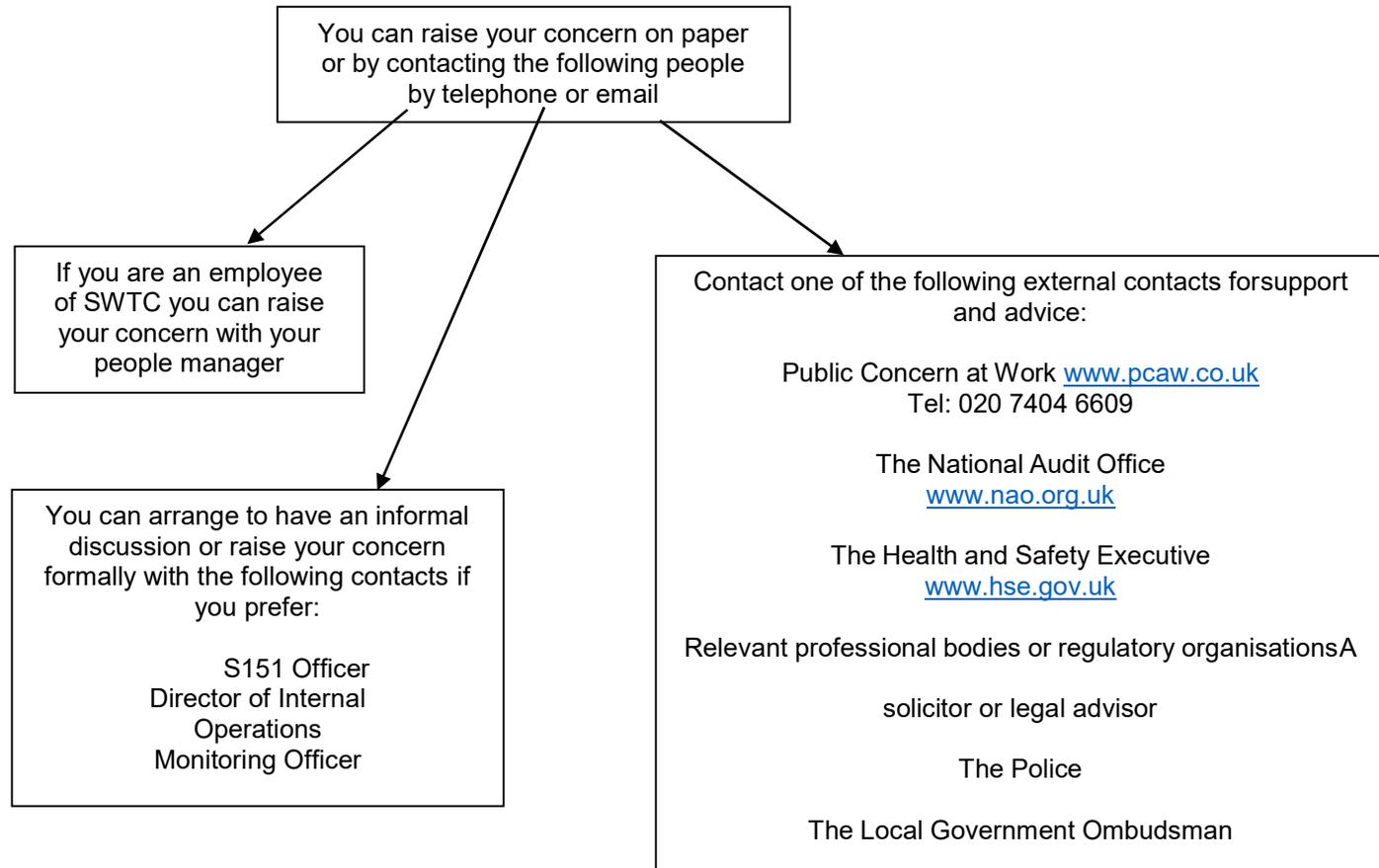
9.3   If you do take the matter outside the Council, you need to ensure that you do not disclose information where you owe a duty of confidentiality to persons other than the Council (e.g. service users) or where you would commit an offence by making such disclosures. This is something that you would need to check with one of the officers listed in "How to Raise a Concern" at the end of this Policy document.
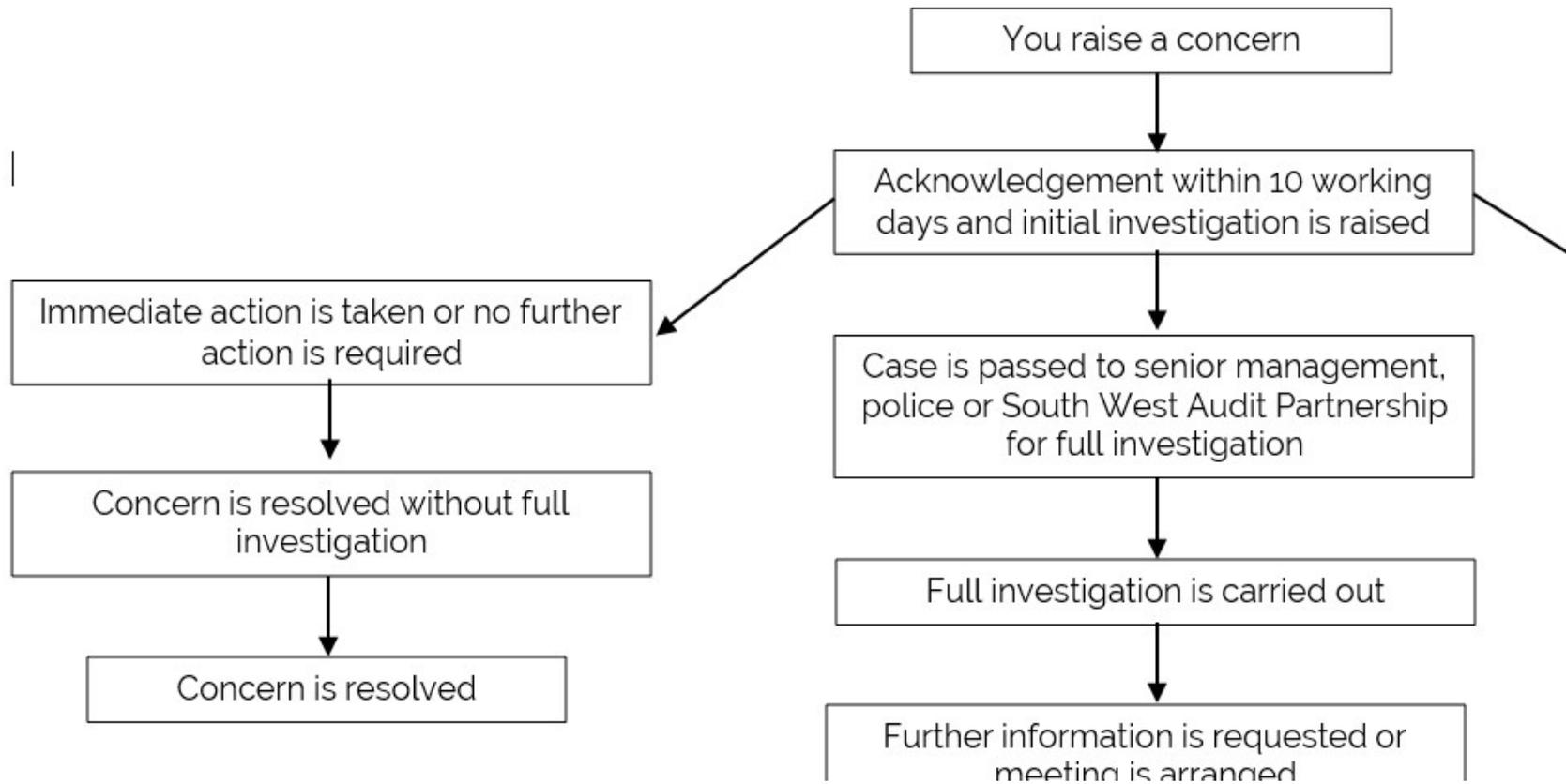
10.0   The Role of the Monitoring Officer

10.1   The Monitoring Officer is responsible for ensuring that the Council adheres to this Policy. Their contact details are documented in this policy should you have any concerns with it. The Monitoring Officer is also responsible for reporting to the Council on any findings of improper or unlawful conduct following an investigation.

SWT Council Whistleblowing Policy
How to Raise Your Concern

You can raise your concern on paper or by contacting the following people by telephone or email

If you are an employee of SWTC you can raise your concern with your people manager

You can arrange to have an informal discussion or raise your concern formally with the following contacts if you prefer:

S151 Officer
Director of Internal Operations
Monitoring Officer

Contact one of the following external contacts for support and advice:

Public Concern at Work www.pcaw.co.uk
Tel: 020 7404 6609

The National Audit Office
www.nao.org.uk

The Health and Safety Executive
www.hse.gov.uk

Relevant professional bodies or regulatory organisations A

solicitor or legal advisor

The Police

The Local Government Ombudsman

SWT Council Whistleblowing Policy

How We Will Respond to Your Concern

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                              ┌─────────────────────────┐
                              │    You raise a concern   │
                              └─────────────────────────┘
                                          │
                                          ▼
                              ┌─────────────────────────────┐
                              │ Acknowledgement within 10    │
                              │ working days and initial     │
                              │ investigation is raised      │
                              └─────────────────────────────┘
                              ↙                       │
┌──────────────────────────────┐                     ▼
│ Immediate action is taken or  │      ┌─────────────────────────────┐
│ no further action is required │      │ Case is passed to senior     │
└──────────────────────────────┘      │ management, police or South  │
                │                      │ West Audit Partnership for   │
                ▼                      │ full investigation           │
┌──────────────────────────────┐      └─────────────────────────────┘
│ Concern is resolved without   │                     │
│ full investigation            │                     ▼
└──────────────────────────────┘      ┌─────────────────────────────┐
                │                      │ Full investigation is        │
                ▼                      │ carried out                  │
┌──────────────────────────────┐      └─────────────────────────────┘
│      Concern is resolved      │                     │
└──────────────────────────────┘                     ▼
                                       ┌─────────────────────────────┐
                                       │ Further information is        │
                                       │ requested or meeting is       │
                                       │ arranged                      │
                                       └─────────────────────────────┘
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Somerset West and Taunton Council

Executive – 27 April 2021

Report of the Council Governance Arrangements Working Group

This matter is the responsibility of the Council Governance Arrangements Working Group – Chair, Councillor Ross Henley

Report Author: Amy Tregellas, Governance Manager and Monitoring Officer

1.   Executive Summary / Purpose of the Report

1.1   The purpose of this report is to provide Members with an update on the work of the Council Governance Arrangements Working Group and to make recommendations as to how to proceed.

2.   Recommendations

The Council Governance Arrangements Working Group recommends to Full Council that:

Relating to the 2022 Municipal Year

2.1   The Council moves to a Committee system of governance from the Council AGM on 10 May 2022, unless a decision is made to set up a Unitary Council for the area from 2023.

2.2   The Council proposes to the Unitary Shadow Authority that a committee system of governance is adopted, if set up as the principal council for the area.

2.3   The Council writes to the Chief Executives and Leaders of the County and Districts to request ask that they consider that the Shadow Authority governance arrangements are set up as a Committee system

Relating to the 2021 Municipal Year

2.4   That a second Scrutiny Committee is introduced from the AGM in 2021, and the name is changed to Policy and Scrutiny Committees for the 2021/22 Municipal Year with the focus being Corporate Policy and Scrutiny Committee and Community Policy and Scrutiny Committee. The split of workload for the two Policy and Scrutiny Committees (see Annex A at the end of this report) is approved

2.5   That the number of seats on both Policy and Scrutiny Committees is 15 from the start of the 2021/2022 Municipal Year

2.6 The Audit, Governance and Standards Committee is split into two separate Committees from the AGM in 2021, for the 2021/22 Municipal Year and becomes Audit and Governance Committee and Standards Committee. The Terms of Reference for both Committees (see Annex B and Annex C at the end of this report) is approved.

2.7 That the number of seats on the Audit and Governance Committee is 11 from the start of the 2021/2022 Municipal Year

2.8 That the number of seats on the Standards Committee is 9 from the start of the 2021/2022 Municipal Year

2.9 The role of Shadow Portfolio Holders is included within the Constitution as per the wording in Annex D to this report

2.10 Officers and Portfolio Holders are reminded of requirements to provide information and notifications to Ward Councillors as per the Member Officer Protocol

2.11 The Corporate Policy and Scrutiny Committee are asked to work with officers to consider a system for communicating reports to Members from representatives from outside bodies

3. Risk Assessment

3.1 The timing of a change of governance arrangements is the biggest risk.

3.2 The Localism Act 2011 states that, whilst the resolution to move to a Committee System can be taken at any point in the Municipal Year, the changes can only come into effect from the Council AGM (see section 8.1).

3.3 As outlined in later sections of this report and from professional officer advice, it is not logistically possible to move to a Committee system of governance from the AGM in 2021. No resolution has yet been made by Council, and as set out in sections 4.23 and 5, there are a number of steps to go through, once the resolution has been made.

3.4 In terms of the move to a Committee System from the AGM in May 2022 there are three main risks to consider, which are:

- Risk 1 – The move to a Committee system being superseded by the move to a Shadow Unitary Authority. As set out in section 5, the shadow unitary Council arrangements would come into effect from 1 April 2022 and would run for 12 months before the Unitary Council went live from 1 April 2023. This would mean that a change to a Committee system would be in place for one year when the Council was in the process of being wound down. Therefore recommendation 2.1 covers this potential risk stating 'The Council moves to a Committee system of governance from the Council AGM on 10 May 2022, unless a decision is made to set up a Unitary Council for the area from 2023'

- Risk 2 – A report went to Council on 30 March 2021 outlining that the Community Governance Review for the Unparished Area is the key priority task for the Governance Team in the next 12 months. This was agreed by Council. Any further key projects will mean that additional resource would need to be allocated to the Governance Team and this has a knock on financial implication.

- Risk 3 – In terms of changing the schedule of meetings and adding more meetings in, the risk to be noted is that not only does this impact on the resource of the Governance Team, it also has wider implications for officers in other directorates who would attend Committee meetings. It must also be noted that the more time the Governance Team spend administering meetings the less time they have to deliver key projects such as the Community Governance Review for the Unparished Area of Taunton.

4.   Background and Full details of the Report

4.1   The Local Government Association (LGA) and Centre for Public Scrutiny (CfPS) guidance titled '*Rethinking Governance: practical steps for councils considering changes to their governance arrangements*', when talking about the importance of good governance states:

'The difficult funding situation for local government means that councils are increasingly having to make decisions that will have profound, far-reaching implications both for the way that they and their partners deliver services, and on the lives of local people. These changes will involve a permanent shift in people's expectations of what local government does, and does not, do. They will also involve a shift in the way that councils work with others in their areas. Local people need the confidence to know that decisions made in their name are high-quality, evidence based and considered openly and accountably. This is why, now more than ever, good governance is vital. Councils have a responsibility to ensure that decision-making is as effective as it can be: decision making should critically benefit from the perspective of all councillors, but also be accountable, and involve the public.'

4.2   The Local Government Act 2000 made provision for the following governance structures:
1. Leader and Cabinet
2. Elected Mayor and Cabinet
3. Elected Mayor and Council Manager (withdrawn in 2007)

Section 31 of the Local Government Act 2000 allowed District Councils in two tier areas, with populations under 85,000 to remain as 4th option and to retain their Committee System arrangements.

4.3   The Localism Act 2011 allowed Principal Authorities to return to decision making by Committees.   Following the introduction of the Localism Act in 2011, a number of Councils have reviewed their Council Governance Arrangements and made amendments where appropriate. However, if a Council moves to a Committee structure, it cannot change its governance arrangements again for a period of 5 years.

Council Governance Arrangements Working Group

4.4   At its meeting on 7 July 2020, Full Council resolved that:

a) An all Member 'away day' was arranged to consider the items listed at section 4.5;
b) A cross party Members Working Group was established to investigate the options and to report back through the appropriate democratic pathway;
c) The Terms of Reference for the Council Governance Arrangements Working Group were approved; and

d) Seven Councillors were selected to form the Working Group along with the Portfolio Holder for Corporate Resources.

4.5   The Cross Party Working Group was set up and consisted of Councillors Henley, Lithgow, Mansell, Perry, Pugsley, Stone, Weston and Whetlor. Cllrs Henley and Whetlor were appointed as the Chair and Vice Chair, respectively, of the Working Group.

4.6   Throughout the review the Working Group used the guidance listed below:
- Local Government Association (LGA) and Centre for Public Scrutiny (CfPS) guidance titled '*Rethinking Governance: practical steps for councils considering changes to their governance arrangements*'
- CfPS guidance titled '*Musical Chairs: practical issues for local authorities in moving to a committee system*'
- CfPS guidance titled '*Rethinking Governance: A summary of council activities on governance change*' (published November 2020)

4.7   At the first meeting of the Working Group scoping of the work plan took place to consider:

- Research to gain an understanding of the models of governance to consider during the review
- Research to investigate the governance models that have been adopted by other councils
- The importance of getting the views of the wider Membership to get views on the current arrangements and further down the line to get views on the options being considered by the Working Group
- How best to get the views of the wider Membership due to the Coronavirus Pandemic preventing the holding of a Members Away Day

4.8   The decision was taken to draft a survey to send to all Members, in lieu of being able to hold a Members Away Day. The questions asked were:

1. What do you feel works well with the current governance arrangements – i.e. having an Executive system
2. What do you feel doesn't work well with the current governance arrangements?
3. What are your suggestions for improving the Council's governance arrangements?
4. Do you feel that you can influence policy and the decision-making process? Yes/No/Unsure
5. Please explain your answer to question 4

A summary of the feedback from this survey is attached as Appendix 1

4.9   The CfPS Report titled '*Musical Chairs: practical issues for local authorities in moving to a committee system*' set out a number of reasons for making the change to governance arrangements. The common themes (as set out in their report) are:

- 'The move comes from a desire for backbench members to be more actively involved in decision-making;
- There is a prevailing view that a properly designed committee system will be just as swift for decision-making as the cabinet system;
- There is a view that scrutiny is somehow ineffective and unable to alter or influence executive decisions. We should note that a wide range of evidence suggests that

this is by no means the case – in fact, scrutiny is able to demonstrate significant success in making concrete changes that affect people's lives – changes that would not otherwise have occurred;

- The move will allow all councillors to develop a detailed subject expertise, enhancing the "added value" of member decision-making;
- The move will enhance transparency and democracy in a more general sense, and will link councils, councillors and local communities closer together.'

4.10 The results from the first Member survey, echoed many of the themes above and these became the aims and objectives of the Working Group. The overarching aim of the review was to enhance democracy, improve accountability and transparency.

4.11 The next stage of the work done by the Working Group was to consider the main types of governance models in operation (which are relevant to SWT):

- **Executive Arrangements - Leader and cabinet (also known as Executive)**
  As outlined above, this system was brought in by the Local Government Act 2000 and is still the governance system that most councils operate. In some councils, individual members of the cabinet have decision-making powers; in others, decisions have to be made by the whole cabinet. Cabinet is led by a leader, who is elected by full council for a term determined by the council itself or on a four yearly basis (and will usually be the leader of the largest party on the council). These councils must have at least one overview and scrutiny committee.

- **Committee System**
  Since the Localism Act this option is now available to all councils. Previously it was available only to district councils with populations under 85,000.
  Committee system councils make most decisions in committees, which are made up of a mix of councillors from all political parties. These councils may have one or more overview and scrutiny committees but are not required to.
  The way that Committee systems are set up can vary significantly and can include:
    o The fully-fledged committee system, with significant autonomy between committees, and with little to no individual member delegation.
    o A Committee system with a strong overarching committee to deal with cross cutting issues and provide oversight.
    o A system with a more streamlined committee system that sees fewer committees, more delegation and some form of overview and scrutiny

- **Hybrid System**
  Most commonly this is a hybrid between leader/cabinet and the committee system (with such an approach usually seen legally as being a modified version of the leader/cabinet system, and therefore not requiring a formal change via the Secretary of State under the Localism Act)
  The way that Hybrid systems are set up can vary and could include:
    o Cabinet Committees which shape policy and make recommendations to the Executive
    o Policy Development Groups which shape policy and make recommendations to the Executive
    o A number of Scrutiny Committees with different areas of focus
    o Scrutiny Committees and Cabinet Advisory Groups

4.12 The Working Group then used the documents listed in section 4.6 to look at the examples of Councils that had carried out governance reviews and the models adopted by them. This included:

- Councils which considered a formal change, but decided against it and stayed with Executive arrangements
- Councils which moved from Executive arrangements to a Committee System
- Councils which moved from Executive arrangements to a Hybrid system
- Councils which moved from Hybrid system to a Committee System
- Councils which changed from Executive to Committee then back to Executive again
- Councils which moved from a Committee system to Executive arrangements
- Councils which are currently considering their governance arrangements

4.13 A total of 42 Councils were reviewed and officers then drilled down to obtain more detail for each Council. A summary of this information can be found in Appendix 2

4.14 Following this piece of work, the Working Group then put together some options of models that could be considered by the wider Membership. This included options for a Committee system and a Hybrid system either based on the SWT Corporate Priorities, Directorate areas or areas of Portfolio Holder responsibility. The Working Group discounted a number of options and narrowed the options to:

1. Executive arrangements – stay as we are
2. Executive arrangements plus (with the potential to add an additional Scrutiny Committee as an option)
3. Committee structure (to mirror the 4 Directorates)
4. Hybrid System (to mirror the 4 Directorates)
A summary of the options and costs can be found in Appendix 3

4.15 A survey was sent to all Members asking them to rank their preference of these options with 1 being their preferred option to 4 being their least preferred option. Members were also given the opportunity to provide feedback on each of the models. A summary of the survey responses can be found in Appendix 4

4.16 There was an excellent rate of response from Members with 51 responses (based on a total number of 58 Councillors – following the resignation of Cllr Martin Hill):

In terms of Member's first preference the totals are:
- Executive/Executive plus = 21
- Committee System = 28
- Hybrid System = 2
- 7 Councillors did not respond

If you remove Hybrid as the least favoured option (and consider the two Councillors second preferred option) the figures then become:
- Executive/Executive plus = 23
- Committee System = 28
- 7 Councillors did not respond

4.17 The survey showed that the preferred option of Members was the Committee System. However, the Executive/Executive plus option was a close second place.

4.18 Following the outcome of the survey results, there was a clear steer from the Working Group that it was the appropriate time to take a report through the democratic pathway and to get a resolution from Council as to which option Members wished to proceed with. The Working Group are recommending that the Council moves to a Committee System of governance from the AGM on 10 May 2022 (see recommendation 2.1).

4.19 The Working Group are also keen that the Chief Executives and Leaders of the County and District Councils are written to, to ask them to consider setting up the Shadow Authority and new Unitary Council(s) as a Committee system of governance (reflected in recommendations 2.2 and 2.3)

Process, procedure and timescales

4.20 The Terms of Reference resolved by Council in July 2020, set out the democratic pathway for the report of the Council Governance Arrangements Working Group, which is to go to the Audit, Governance and Standards Committee and Executive before going to Full Council.

4.21 The report was considered by the Working Group at its meeting on the 24 March 2021. The scheduled timetable for the democratic pathway is:
- Audit, Governance and Standards (AGS) Committee – 12 April 2021
- Executive – 21 April 2021
- Full Council – 27 April 2021 or before the AGM on the same evening (due to the fact that we cannot hold virtual meetings after the 6 May 2021 and also taking into consideration the pre-election period)

4.22 To clarify, as per the Terms of Reference signed off by Council in July 2020, the AGS Committee and Executive will consider the report and give comments. However, Full Council is the decision making body and, whilst Council can consider the feedback from AGS and Executive, the decision rests with them.

4.23 In terms of timescales once a decision has been made by Council, the following steps would need to take place (assuming that the decision is to move to a Committee System):

- Step 1 – May 2021 – End October 2021
  Design the new Committee System - Items to focus on would include:
  - What the structure would look like
  - How the structure would work
  - How decisions are made
  - Whether to keep an Overview and Scrutiny Committee
  - The roles and remit of each Committee
  - Whether the system would include delegation to individual Members
  - Ensuring that the aims and objectives for the review are fully addressed in the final structure and approach to decision making

  The Working Group and wider membership would need to be involved with this design phase (perhaps through an Away Day – Covid restrictions permitting). The Localism Act 2011 requires the council to formally publish the proposal and consult on it – considering how we can improve the way we engage with our citizens

There is also an opportunity to hold wider stakeholder focus groups to get their views on any change of system
A report setting out what the new system would look like to go through the democratic pathway for approval by Full Council

- Step 2 – November 2021 – End March 2022
Once Step 1 has been completed and there is agreement as to what the arrangements will look like and operate, the Constitution will be reviewed and amended to reflect the new governance arrangements.
This would then need to go through the democratic pathway set out in the Constitution - AGS Committee and then Council for approval, prior to the May 2022 AGM

- Step 3 – November 2021 – End April 2022
Again, once Step 1 has been completed, a review of the Members Allowances Scheme would need to be completed by the Joint Independent Remuneration Panel and signed off by Council (the timescale for this is outside of our control as it is an 'independent' review – however it normally takes at least 3 months – and this has been confirmed by the JIRP who have confirmed that they would need to work to a 5-6 month timeframe)
This would then need to go before Council for approval, prior to the May 2022 AGM

5.   Matters to draw to Members Attention

Timetable for delivery

5.1   Chapter 4 of Schedule 2 of the Localism Act 2011 requires that a change in formal governance arrangements must occur at a specified "change time", which is at the council's Annual General Meeting (AGM). Prior to the change time, the council needs to have resolved formally to make a governance change. This is as set out in the Localism Act 2011 and the legal implications section 8.1 of this report.

5.2   Whilst there is no minimum period of time between the resolution and the change time set out in legislation or the LGA and CfPS guidance, practically there does need to be enough time to deliver the steps outlined in section 4.23 above. The guidance documents set out in section 4.6 make it clear that 'getting a new system right is more important than doing it quickly' and it would be difficult to plan and deliver a new form of governance in an authority with less than six months' notice of political intent' i.e. a resolution of Council.

5.3   The Monitoring Officer has advised the Council Governance Arrangements Working Group that logistically SWT cannot bring a change of governance arrangements in from the AGM in 2021. To give due and proper consideration to the steps outlined in section 4.23 above, a timescale of at least 3-6 months in needed. Therefore, the earliest this could be brought in is from the AGM in May 2022, as the Council has not yet made a resolution as to which option it wishes to take.

5.4   Basildon Council has been quoted as an example of a Council that has changed its governance arrangements urgently and quickly. In this case, a motion was put before Council in December 2016 to go to a Committee system of governance. This was agreed and then officers had 5 months to do the design work, rewrite the Constitution and have the Members Allowances Scheme independently reviewed before the

change came into effect from their AGM in May 2017. This gave officers a timescale of approximately 5 months to implement the decision of the Council.

5.5   Whilst officers and the Working Group appreciate that a number of Members will be disappointed that the change of governance arrangements cannot come into place from the AGM in 2021, the Working Group has considered if a number of other, minor changes can be made from the AGM in 2021. These are set out in recommendations 2.4 to 2.11 and are as follows:

- That a second Scrutiny Committee is introduced from the AGM in 2021, and the name is changed to Policy and Scrutiny Committees for the 2021/22 Municipal Year with the focus being Corporate Policy and Scrutiny Committee and Community Policy and Scrutiny Committee. The split of workload for the two Policy and Scrutiny Committees (see Annex A at the end of the report) is approved

- That the number of seats on both Policy and Scrutiny Committee is 15 from the start of the 2021/2022 Municipal Year

- The Audit, Governance and Standards Committee is split into two separate Committees from the AGM in 2021, for the 2021/22 Municipal Year and becomes Audit and Governance Committee and Standards Committee. The Terms of Reference for both Committees (see Annex B and Annex C at the end of the report) is approved.

- That the number of seats on the Audit and Governance Committee is 11 from the start of the 2021/2022 Municipal Year

- That the number of seats on the Standards Committee is 9 from the start of the 2021/2022 Municipal Year

- The role of Shadow Portfolio Holders is included within the Constitution as per the wording in Annex D to this report

- Officers and Portfolio Holders are reminded of requirements to provide information and notifications to Ward Councillors as per the Member Officer Protocol

- The Corporate Policy and Scrutiny Committee are asked to work with officers to consider a system for communicating reports to Members from representatives from outside bodies

Local Government Reorganisation in Somerset

5.6   As Members will be aware, the Government is currently consulting on both the Stronger Somerset and One Somerset set proposals to move to a Unitary model of Local Government from 1 April 2023 (as per current timescales).

5.7   The Secretary of State is anticipated to make his decision by June/July 2021, meaning that SWT will likely be entering into Shadow Authority arrangements for the new Authority from 1 April 2022.

5.8   The would mean that, potentially, the Council would be starting to operate a Committee system at the same time as the District and County Councils enter into the Shadow

Authority arrangements in April/May 2022. Part of the work of the Shadow Authority will be to set out and determine the governance arrangements of the new Unitary Council.

5.9   It would also mean that SWT would only operate the Committee System for the last 12 months of its life before becoming a Unitary Council from 1 April 2023. Therefore recommendation 2.1 includes the caveat not to proceed with a Committee system of governance if the decision is made to set up a Unitary Council(s) for the area from 2023.

Organisational Culture

5.10   The guidance published by the LGA and CfPS talks about the issue of organisational culture.

5.11   The LGA and CfPS guidance titled '*Rethinking Governance: practical steps for councils considering changes to their governance arrangements*' states 'No one governance system is intrinsically better than another and no system is more or less expensive to operate; however some systems allow more members to be directly involved in voting on decisions. It is important to note that activity at committee level is not the same as member involvement in policymaking. Member involvement in policymaking is a longer-term, more involved process and can happen under any governance option'

5.12   The CfPS guidance titled '*Musical Chairs: practical issues for local authorities in moving to a committee system*' states 'some councils think that changing governance arrangements will solve organisational and/or political problems or will result in "more democratic" governance. A focus on structure risks missing opportunities to think about cultures and values. Success will depend much more on the prevailing organisational and leadership culture in the organisation than the structure that is established – but this doesn't mean that structure isn't important…CfPS's long-standing view about council governance is that no one option is necessarily "better" or "worse" than any other. Good governance is about more than structures and processes – as we outlined in our "Accountability Works" research published in 2010. Political and organisational cultures, attitudes and behaviours are what make systems successful. Authorities seeking to change governance arrangements on the assumption that such a change will automatically make services more transparent, accountable and inclusive – whether for non-executive councillors or, more importantly, for the public – are mistaken.'

6.   Links to Corporate Strategy

6.1   Having effective and efficient governance arrangements is a fundamental element of being a 'well managed' council

6.2   The governance arrangements of the Council also links to theme 2 within the SWT Corporate Strategy i.e. a transparent and customer focused council. Objective 7 - Review the Council's decision making arrangements to enable greater participation by all Councillors and the public.

7.   Finance / Resource Implications

7.1   As per recommendation 2.1, and the risks highlighted in section 3, if we do not move to a unitary authority, there would there be a very strong expectation that SWT would

move to a committee system from May 2022. Resource would be needed to complete the work, at the same time as doing the Community Governance Review. Some resilience has been built into the Governance Team budget and it is proposed that this is kept under regular review. If additional resources are needed the Governance Manager will take a business case to the Senior Management Team for consideration.

7.2   The estimated financial costs of making a change to the Governance Arrangements are set out in Appendix 3.   However, this comes with the caveat that they are best estimates only, and that finalised costs will only be available once a review of the Members Allowances Scheme has been completed by the Joint Independent Remuneration Panel. These costs would need to be factored into the budget for 2022/23

7.3   In terms of adding an additional Scrutiny Committee for the 2021/2022 Municipal Year, this would cost £4,665.

7.4   In terms of splitting the Audit, Governance and Standards Committee into separate Audit and Governance Committee and Standards Committee for the 2021/2022 Municipal Year, this would cost £2,346.

7.5   The total cost of making the minor changes for the 2021/2022 Municipal Year is £7,011.

8.   Legal Implications

8.1   The Localism Act 2011 enables Councils to return to a Committee system of Governance and Chapter 4 of Schedule 2 states the following:

'If the local authority is not currently operating a mayor and cabinet executive and the change does not provide for the local authority to operate a mayor and cabinet executive, a "relevant change time" …is a time during—
(a) the first annual meeting of the local authority to be held after the resolution to make the change in governance arrangements is passed, or
(b) a later annual meeting of the local authority specified in that resolution.'

8.2   The Localism Act 2011 states that, whilst the resolution to move to a Committee System can be taken at any point in the Municipal Year, the changes can only come into effect from the Council AGM.

8.3   However, the Localism Act also makes it clear that if a Council moves to a Committee structure, it cannot change its governance arrangements again for a period of 5 years.

9.   Climate and Sustainability Implications

9.1   None arising from this report

10.   Safeguarding and/or Community Safety Implications

10.1   None arising from this report

11.   Equality and Diversity Implications

11.1   None arising from this report

12.   Social Value Implications

12.1   None arising from this report

13.   Partnership Implications

13.1   None arising from this report

14.   Health and Wellbeing Implications

14.1   None arising from this report

15.   Asset Management Implications

15.1   None arising from this report

16.   Data Protection Implications

16.1   None arising from this report

17.   Consultation Implications

17.1   None arising from this report

**Audit, Governance and Standards Committee Comments / Recommendation(s) (if any)
–** Comments from the Audit, Governance and Standards Committee are appended to this report in Appendix 5.

Democratic Path:

- **Audit, Governance and Standards Committee – Yes** (12 April 2021)

- **Executive – Yes** (21 April 2021)

- **Full Council – Yes** (27 April 2021)

List of Appendices (background papers to the report)

Appendix 1	First Member Survey feedback
Appendix 2	Review of other Council Governance Arrangements
Appendix 3	Options and costs for governance models
Appendix 4	Member survey feedback on the governance model options
Appendix 5	Feedback and amended recommendations from the Audit, Governance and Standards Committee meeting on 12 April 2021

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Policy and Scrutiny Committees

It is suggested that the workload for the Corporate Policy and Scrutiny Committee and Community Policy and Scrutiny Committee are split as follows:

Corporate	Community
Matters relating to the Internal Operations Directorate, including: • Finance • Revenues and Benefits • Income Control • Procurement • Communications (Internal & External) • HR and People • Health & Safety • Payroll • Business Continuity • Internal Change • Information Technology • Governance • Business Intelligence	Matters relating to the External Operations & Climate Change Directorate, including: • Climate Change • Emergency Planning • Coastal Protection • Asset Management • Parks & Open Spaces • Major contracts • Street Scene • Environmental Services • Regulatory Services • Commercial Services • Public Health & wellbeing
Matters relating to the Development and Place Directorate, including: • Regeneration capital projects • Taunton Garden Town • Commercial Investment Portfolio • Heritage • Hinkley • Strategic Place Planning • Development Management • Economic Recovery & Economic Growth	Matters relating to the Housing and Communities Directorate, including: • Housing Revenue Account 30 year Business Plan • Tenancy Management • Sheltered and Extra Care Housing Service • Housing Options, Homelessness and Homefinder • Rough Sleepers • Safeguarding • Community resilience and engagement • Community grants • Housing Property (including repairs and maintenance, voids, safety compliance) • Housing development and regeneration (affordable housing, projects such as North Taunton

	Woolaway Project and low carbon homes)
Performance Indicators relating to the areas under this Committee	Performance Indicators relating to the areas under this Committee
Budget Monitoring relating to the areas under this Committee	Budget Monitoring relating to the areas under this Committee
	Crime and Disorder Committee (as per S19 of the Police and Justice Act) with responsibility for scrutinising crime and disorder

AUDIT AND GOVERNANCE COMMITTEE

Membership and Meetings

The Audit and Governance Committee will be composed of:

- 11 elected Councillors, except any councillor who is a member of the Executive;

The Quorum for the Audit and Governance Standards Committee shall be 4 voting members of the Committee.

The Committee will normally meet on a quarterly basis.

Scope

The Audit and Governance Committee will have overall responsibility for governance and audit matters as set out in the terms of reference.

Terms of Reference

The Audit and Governance Committee will have the following roles and functions:

A. Corporate Governance

1. Oversee the Council's use of risk management.

2. Approving the Local Code of Corporate Governance.

3. Approving the Annual Governance Statement.

4. Considering and approving the Council's Risk Management Statement and Strategy.

5. Monitor and review the Council's internal and external audit functions.

6. Monitor and review the Council's systems of internal control

7. To make recommendations to the Council regarding any suggested major changes to the Constitution.

8. Monitoring and reviewing the operation of the Council's Constitution, particularly in respect of financial procedures and protocols, procurement procedures and guidelines.

9. Reviewing any corporate governance issue referred to the Committee by the Chief Executive, the Section 151 Officer or the Monitoring Officer, the Leader/Executive or any other committee of the Council.

10. Considering the Council's arrangements for corporate governance and necessary actions to ensure compliance with best practice, together with any relevant issues referred by the Leadership Team or Statutory Officers.

11. Considering the Council's compliance with its own and other published standards and controls.

12. Considering the annual report regarding complaints about the Council referred to the Local Government Ombudsman.

13. Approving payments or other benefits of a value greater than £5,000 arising from complaints to the Local Government Ombudsman.

14. Monitoring the effectiveness of the Council's policies and procedures that ensure sound governance arrangements, including:

    a) whistle-blowing procedure;
    b) anti-fraud and corruption policy;
    c) anti-bribery policy and procedure;
    d) complaints procedure;

    and making appropriate recommendations to the Executive.

15. Monitoring and auditing of the Council's equalities and diversity policies.

B. Audit and Accounts

1. Agreeing the internal and external audit plans and monitoring delivery of the plans.

2. Review and challenge any significant issues and the action plans arising in the annual audit report and management letter for the Council.

3. Monitoring the implementation of significant audit recommendations.

4. Raising the profile of internal control within the authority.

5. Reviewing and approving the annual Statement of Accounts and Narrative Statement.

6. To regularly review the effectiveness of overall governance arrangements for the Hinkley Point Project and receive both internal and external audit reports including those undertaken by EDF.

7. Considering reports dealing with the management and performance of the providers of the internal audit function.

8. Considering reports from internal audit on recommendations agreed with service leaders as a result of an internal audit review which have not been implemented within a reasonable timescale.

9. Considering specific reports submitted by the internal or external auditors.

10. Commenting on the scope and depth of external audit work and ensuring that it gives value for money.

11. Considering any other matter referred by the Section 151 Officer.

Annual Report

The Audit and Governance Committee must report annually to the Full Council on its work undertaken during the year, its future work programme and amended working methods if appropriate.

STANDARDS COMMITTEE

Membership and Meetings

The Standards Committee will be composed of:

- 9 elected Councillors, except any councillor who is a member of the Executive;
- 2 Independent co-opted persons who are not Councillors or officers of the Council (independent members);
- 2 co-opted members of any town/parish councils in the Council's area (town/parish members).

The Chair and Vice-Chair of the Committee shall be Councillors. Where a lead Councillor is appointed as a member of the Committee, they shall not be elected Chair or Vice-Chair.

The co-opted independent members and town/parish members will not be entitled to vote at meetings Standards Committee or any of its Sub-Committees.

The Quorum for the Standards Committee shall be 3 voting members of the Committee.

The Committee will normally meet on a quarterly basis.

Scope
The Council shall establish a Standards Committee to carry out its functions relating to ethical matters under the Localism Act 2011. The Standards Committee will have overall responsibility for ensuring probity, propriety and ethics in the organisation.

Terms of Reference
The Standards Committee will have the following roles and functions:

1. Promoting and maintaining high standards of conduct by Councillors and co-opted members.

2. Assisting Councillors and co-opted members to observe the Councillors' Code of Conduct.

3. Advising the Council on the adoption or revision of the Councillors' Code of Conduct.

4. Monitoring the operation of the Councillors' Code of Conduct.

5. Advising, training or arranging to train district, town and parish Councillors and any co-opted members on matters relating to the Councillors' Code of Conduct and wider propriety issues, including issuing guidance where appropriate.

6. Granting dispensations to Councillors and any co-opted members from requirements relating to interests set out in the Councillors' Code of Conduct or delegating such power to a sub-committee, who will be authorised to determine such dispensations based on principles agreed by the Committee.

7. Advise on the management of statutory and other registers of interest and gifts/hospitality received.

8. Advise the Council on possible changes to the Constitution in relation to the key documents and protocols dealing with members' conduct and ethical standards.

9. Determining, by delegating such power to a sub-committee or by way of a hearing, those allegations of misconduct by district, town or parish councillors within Somerset West and Taunton or co-opted members where a formal investigation has found evidence of failure to comply with the Code of Conduct and where a local resolution has not been agreed.

10. Determining, by delegating such power to a sub-committee or following a hearing, on action to be taken against any Councillor or co-opted member found to have failed to comply with the Code of Conduct.

11. Making recommendations, by delegating such power to a sub-committee or following a hearing, to any town or parish council in the Council's area on action to be taken against any Councillor or co-opted member of that town or parish council found to have failed to comply with that Council's Code of Conduct.

12. Implementing, monitoring and reviewing the operation of the Code of Conduct for staff.

13. Considering any other matter referred by the Monitoring Officer.

Hearings Sub-Committee

The Hearings Sub-Committee shall conduct local hearings on misconduct allegations against Councillors and co-opted members of the district council or town or parish councils within Somerset West and Taunton. These hearings shall be conducted in accordance with the Arrangements for Dealing with Standards Allegations.

The Hearings Sub-Committee shall be politically balanced and comprise of 3 voting members of the Standards Committee. The composition of the Sub-Committee shall be determined by the Monitoring Officer after consultation with the Chair of the Standards Committee. A Chair shall be elected from among the voting members.

The Independent Person must be present when misconduct complaints against councillors and co-opted members are being considered by the Hearings Sub-Committee.

At least one co-opted town/parish member of the Committee and one independent member, together with the Independent Person, must be present when misconduct

complaints against members or co-opted members of Town/Parish councils are being considered by the Hearings Sub-Committee.

Following on from a Hearing, the Hearings Sub-Committee may make a decision including the use of the following actions/penalties:

- Reporting its findings to Council (or to the Town/Parish Council) for information;

- Recommending to the Councillor's Group Leader that a Councillor be removed from any or all Committees or Sub-Committees of the Council;

- Recommending to the Leader of the Council that a Councillor be removed from the Executive, or removed from particular Portfolio responsibilities should the complaint refer to a Portfolio holder;

- Instructing the Monitoring Officer to (or recommend that the Town/Parish Council) arrange training for a Councillor;

- Removing (or recommend to the Town/Parish Council that a Councillor be removed) a Councillor from all outside appointments to which he/she has been appointed or nominated by the authority (or by the Town/Parish Council);

- Withdrawing (or recommend to the Town/Parish Council that it withdraws) facilities provided to a Councillor by the Council, such as a computer, website and/or email and Internet access;

- Restricting contact to named officers or requiring contact be through named officers;

- Excluding (or recommend that the Town/Parish Council exclude) a Councillor from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings;

- Publish its findings in respect of the Councillor's conduct

- Issue a formal letter of advice as to future conduct to the Councillor;

- Request that the Councillor tender an apology to such persons as were aggrieved by his or her actions; or,

- Where the Monitoring Officer and the Independent Person are not satisfied that the Councillor has tendered the apology described above or completed such training as arranged above, then the Monitoring Officer shall report the matter to the Chair of the Audit, Governance and Standards Committee who shall cause a meeting of the Hearings Sub-Committee to take place with the purpose of resolving to apply an alternative sanction.

Shadow Portfolio Holders

It is recommended that the following is added to the Roles and Responsibilities section of the Constitution:

Shadow Portfolio Holder

Purpose of Role:

To assist the Leader of the majority opposition group by providing informed comment and advice in respect of their particular shadow portfolio and with regard to the work being undertaken by the current Portfolio Holder.

Duties and responsibilities (in addition to those of a Ward Councillor):

a) To provide constructive challenge to the policies of the administration.

b) To assist in shaping the policy of the opposition group with regard to its shadow portfolio.

c) To liaise and work with other shadow portfolio holders on cross-cutting areas of responsibility.

d) To receive briefings at regular intervals from senior officers of the Council as required. These briefings may be held together with the Executive Members if this can be agreed, or separately if it cannot. Service officers will alert Shadow Executive Members to issues of importance affecting their shadow portfolio.

e) To participate effectively as a member of the Shadow Executive by becoming thoroughly conversant with the area of expertise relevant to their specific portfolio

Member Survey Feedback

The questions asked were:
1. What do you feel works well with the current governance arrangements – i.e. having an Executive system
2. What do you feel doesn't work well with the current governance arrangements?
3. What are your suggestions for improving the Council's governance arrangements?
4. Do you feel that you can influence policy and the decision-making process? Yes/No/Unsure
5. Please explain your answer to question 4

Question 1. What do you feel works well with the current governance arrangements i.e. having an Executive system

Responses:
- Resource efficient – both in terms of officer time and cost

- Not working in silos

- Nothing. It's outdated, cumbersome, and undemocratic

- I think the best is having the current system – the executive style as it goes, to me, gets results.

- I have nothing to compare this with as it was in existence when I became a Cllr. I do feel, however, that there is not enough opportunity for back benchers to be quite so involved.

- I believe that the present of Executive system is more cost effective and a better use of members and officers time than the committee system

- Our governance system is AWFUL. The only things that work semi-ok in the current system are the bits that are not influenced by the Exec ie the regulatory committees but even they have been subject to a bit of top down tinkering re chair/vice chair nominations which was horrible. See also my comments re Q5. I had an open mind as to governance structures when I joined the Council. I would say it only took 6 months if that to grasp how bad an executive system is in terms of hoarding power, questionable decisions being made because of lack of democratic engagement and involvement, failing to utilise breadth of knowledge and expertise across councillor body, this awful 'us and them' culture. Even if we have only a couple of years left as an authority we need to ditch this rotten system and have modern, democratic replacement ready for next spring.

- I feel the current system works well and I personally wouldn't want to see a fundamental change

- I think the Member briefings are good

- Not much. It may allow the council to make some decisions more quickly in some circumstances where needed, but other systems can allow for this too. It provides figureheads to be quoted in the press, but that is possible under other systems too and in ways that are more representative of the whole council.

- I do not personally like Executive Systems and I would prefer the Committee structure, where all members feel equal. However, during the current pandemic crisis, I believe the Executive System has worked extremely well, to the benefit of local residents and tax payers. I also believe the Council should give more delegated power to the Leader in the event of an emergency, however this must always be transparent with a small time limit. I love the Newsletter, an excellent idea.

- Having great members of staff who are willing to help out as much as they can!

- No I don't think it works well. As a new member I didn't know what to expect but quickly realised that there was little point being a Councillor unless you were on the Exec. So we have 50+ Councillors the majority of whom are only able to contribute occasional comments. It's an awful waste of people's time.

- The current governance arrangements fall short of expectation. The exec system is, as far as I am concerned undemocratic. There is a complete lack of engagement with back benchers and this can lead to unsound decisions. Rather than embracing the views of other councillors it is very much a "do as we say approach". Regulatory committees work better and of course are made up with cross party mixture of councillors however, there is a sense recently that these are being subject to influence from the Exec. However, I consider that Scrutiny is purposely overloaded so that members do not have the time to properly scrutiny an item and often officers in attendance are not fully up to speed on the particular matter and thus cannot answer questions, promising follow up in writing. This often does not materialise and then has to be followed up. I do not consider that any part of the current governance system works well at all and this leads to bad decision making.

- Very little, The Scrutiny Committee is one of the most efficient committees whereby thus far, party politics does not interfere in the decision making process. Unfortunately the work of the Scrutiny Committee is rarely able to influence the executive policy. I have worked in private sector most of working life and most decisions were based on communicating and interacting with colleagues in a proactive way. I always encouraged good ideas by allowing colleagues the freedom to follow their passions and thinking with their heads. This culture is not possible with the current governance. Politicians of all persuasions must be closer to the decisions/actions as decision makers in local government or else, it is a pointless exercise. Consulting with council executives seems to be hard; we all should be working through the logic of their decisions, which makes managing politicians much easier, they hope! With current system there is no room for improvement. We should be looking for guidance from both the public and private sectors on some decisions. If your idea does not resonate with the member of executives or the leadership, you can spend many months or years to convince

them otherwise, this is not acceptable in today's world. This model of governance is the death nail in the coffin of democracy.

- I do not think that the Executive system involves the views of all councillors. We are able to comment but decisions have already been made.

- Seems to work reasonable well if you are in the controlling party. If you outside the executive of another party, whether governance is working is a bit of a mystery.

- The current system allows for quick decision making when this is required eg during the Initial lockdown of the Covid crisis. However this is not sufficiently democratic. Backbench councillors are not consulted about many decisions that are made by the Exec.

- With the possible exceptions of Licensing and Planning, both of which are quasi-judicial frankly not much. The "Strong Leader" model does and always will, fail to engage with anything other than a small number of "Hand-picked" Executive members. Whilst I personally do not agree, it could be argued that the "Strong Leader" model permits fast decision making. To my mind, this is a false positive. It only provides a thin veil of transparency and leaves most backbenchers feeling left outside the decision-making process. It does allow the Officers a simpler route to decision making. However, we must not lose sight of the old adage "Officers advise, but, members decide"

- Fair to say that it works in an operational sense and in a very few urgent situations it can deliver quick decision-making

- Every system has to have a balance, as we are currently using a Executive system it works as well as it can do when the political balance is titled in one direction. This enables policies to be pushed through but makes the "other" members somewhat not involved in the day to day operations.

- I think this works well to the extent that it is effective and able to make firm and swift decisions to enable responses to crises like COVID and Brexit be effectively managed. I am aware that it seems to exclude backbench councillors in some decisions but when I was a backbench Cllr at work I did not have time to do more than I did in keeping up with decisions and actions and reading Cttee Agendas and minutes.

- The cycle of Scrutiny before Exec before Full Council works well in most instances but often it feels that decisions come to us already worked up so it's difficult to say no to them, or to have a really informed debate about them. I think the briefing sessions work really well as it's very much open discussion and information-giving without pressure to push something through. Having Exec portfolio holders in a sense relieves ordinary councillors from a degree of burden of responsibility as it's the PHs who take the rap when the things go wrong, as well as receiving the public's ire, which is sometimes unreasonable and uninformed. The Exec. also carry the workload. It is my impression that some members don't appreciate the hours and commitment put in by the Executive

members. I do appreciate it. Having an Executive possibly makes decision making easier and faster as there are fewer individuals to reach consensus but of course they are acting on behalf of the larger councillor group, so the decisions should be made democratically. I like the way in which officers do the communicating with councillors and give guidance on process as I feel their neutrality and professionalism work as a useful buffer where there might be political differences or personality clashes. Cross-party committees to my mind are working really well. The political balance is helpful and most members think independently and work collaboratively. Having a specialist area in which you can become more knowledgeable and skilled at decision-making (eg Planning) is helpful.

- Planning and Licensing are cross party and their decisions are transparent, although by the nature of the services, not always received well by everyone. One can argue that the decision making process is quicker under a strong leadership model, but this must be weighed against whether the decisions prove to be good ones or not. In recent times our Council is making decisions about investment of very large sums in various projects. Would a specific economic development/ investment committee with cross party membership with the relevant experience not be serving us better in these circumstances? From an officer perspective, having to persuade just one portfolio holder or 10 Exec members of a course of action is much easier than a cross party committee, but is this a good thing ?

- The Executive system is sub-standard, concentrates too much strategic decision making in a small group and lacks true transparency. I suppose there are some inherent benefits in terms of swift decision making etc, but hard to muster a significant number of positives.

- As a new councillor, I perhaps do not have as much as others to compare with, however, I have been surprised at how little really I am consulted or asked queries. Particularly when it comes to matters that impact the community I represent. The briefings are a positive for me, and have enabled a greater understanding of the delivery of the council. Training when it has happened has been good, and I have always felt the officers have genuinely done their best on at times tricky issues. I have found the IT and IPAD system to work well and can see there is good sense in many of the ways things are done. I know to start with the change was a challenge for some councillors but most have embraced it. I do wonder whether there may need to be an assertive outreach approach to councillors who struggle more with the technology, as I worry it impacts their ability to contribute at times. I am not always the most assertive person often choosing to sit back and observe, and consider my response. Sometimes other more vocal councillors have had quite some table time and I am not sure this is always great. But I know officers and executives are aware of this and make efforts to ensure all are heard. Certainly on a number of occasions I have been very grateful to James for allowing space for questions/comments to be heard and answered.

- I'm happy with the current system.

- I feel that I must give the same answer to both questions, the decisions which go before full council are made by the Portfolio Holder and Officers with little or no input from members. The first time members see them it is normally at a members briefings, by which time its to late to add or remove anything. Member Briefings in my opinion are no more than questions and answer sessions, where the Portfolio Holder and Officers are only interesting in justifying their decisions and not listening to general members. If an item does manage to get to scrutiny it's normally too late to make major changes before the item gets to the Full Executive and Full Council, as the three meetings come very close together.

- It is easier to make urgent decisons with the current system and the pfh is accountable when making a decision

- Expedited decision-making, no endless committee discussions, easy for public to identify a single member-level point of contact, easier for the ruling group to implement their manifesto,

- Having Briefing sessions to give us some information.

- The decision-making process is clear, simple and relatively speedy. Exec members can make decisions themselves where possible. It doesn't require much evening attendance or endless committee meetings.

- I don't know how it works behind the scenes but perhaps portfolio holders have the opportunity to explore what mutually beneficial, or possible unintended consequences for each other's areas of responsibility might arise from their respective proposals in ways that a committee system might not easily allow. Officer briefings are an important aspect of the current arrangements, but could presumably be continued under a committee system.

Question 2. What do you feel doesn't work well with the current governance arrangements?

Responses:
- Could be improved with addition of Policy Advisory Groups

- Most things, it is undemocratic

- Knowing who to contact and having to use the member support through the Jess McVie team

- I personally feel there is too much responsibility given to too few people

- No system is perfect but cannot see any obvious improvements.

- Currently under the Executive system: Only a small handful of councillors (9) are involved in formulating policy and shaping decisions. We have 59 elected members who have a wealth of experience, knowledge and expertise but this is not utilized. That's a waste and carries the risk of flawed policy making through ignoring relevant insights and expertise. I can tell my colleagues 'oi I used to work

for the Disability Rights Commission and worked on the Equality Act when it was going through parliament and you are trampling all over the Equality Act by not making provision for blue badge holders whose impairment necessitates parking really close to key services' they are not listening, that expertise is apparently irrelevant, not needed, not welcome GRRRRRR!!!! There is a democratic deficit. Power is concentrated in far too few hands. This creates an unfortunate arrogance frankly. A small coterie only hold power, they can then impose a line on the rest of their political group (with threats of disciplinary action if you deviate) and that group has an inbuilt majority. Thus matters brought to full council tend to be foregone conclusions rather than be debated and decided on their merits. There is insufficient scrutiny and challenge - there is just one scrutiny committee so they don't have time to examine everything and their recommendations can simply be ignored by the Executive. In addition I feel that ordinary councillors are not provided with enough information to be able to assess different policy options because officers see themselves as serving the exec so there are behind the scenes discussions and we get a 'version' but not the full whammy. Also I feel members of the public are often made to feel like a nuisance and not accorded enough time to have their say or even enough respect. They have no opportunity to put decision makers really on the spot. Some processes allow for no public involvement - eg SWT can extend leases with no public engagement process. Too much power is delegated to officers. The lack of any directory of staff creates the impression that the machine wants to keep us at arms length! I think we can be trusted not to be plonkers and treat officers with respect and if we don't we would get taken to the cleaners anyway. Local ward members are not routinely consulted on decisions affecting their ward. There is a culture of secrecy - what happened to the BID vote? Are we actually buying commercial properties? Where is that 600 page document commissioned with public money under last administration setting out business case for a new Brewhouse?

- Scrutiny has a real value and maybe the one Committee is somewhat overloaded

- I feel the current system works well and I personally wouldn't want to see a fundamental change

- There is a lack of clarity. Who is taking decisions and accountable – officers or portfolio holders? Some PHs seem more confident in their roles than some who appear mostly led by officers and look like they barely know what they are doing. There is a big lack of involvement for other political groups, apart from the one group making up the administration. Scrutiny is little substitute for being involved in policy development and deciding on project implementation. There is a lack of opportunities for involvement of backbench councillors, especially those not in the largest group. It is known that the administration has regular group meetings to discuss policy and decisions, which are held behind closed doors and give extra access for those in that one group to the executive and PHs. With a committee system that type of group meeting should be OK, but with an executive/cabinet model it just further excludes those in other groups.

- I believe it fails to include all members at all times. Also, there is definitely a divide between Taunton and West Somerset, something which could take years

to overcome, if ever. Only time will tell. Mind you, the current Covid 19 crisis has put a lot of extra pressure on the system, which has worked well. Also, I would rather attend a meeting in person, then do a meeting with zoom, which I find very impersonal.

- Having to go around the houses instead of being able to go direct to the department/officer concerned. Not knowing who does what. We should have a directory of officers to be able to contact either by phone or email. Having to go to one person and then wait a few days or a week or more is not ideal when the public want answers there and then.

- I'm not impressed with the system of local government. It's very slow and time consuming- but much of that time is wasted as decisions are made by few and presented to Full Council as fait a complete.

- Power is concentrated in the hands of the few and decisions are rarely challenged. Some councillors are fearful of challenging matters as they feel they may be victimised/ bullied. Within the entire councillor group there are many specific skill sets but these are untapped. This is inefficient. I also find the treatment of the public who bother to attend FC to be astonishing as they are not afforded time to state their particular case nor receive an adequate response to their issue. It is almost as if they are a nuisance. I consider too many matters are discussed behind closed doors. This culture of secrecy is not helpful in a body which is publicly accountable. I accept that some commercially sensitive decisions may have to be kept secret but there is a feeling that just about every item is deemed "confidential". Ward councillors are not always consulted on specific ward matters. This causes conflict in our communities as people expect answers from their councillors. Member briefings are more frequent and are merely a means to advise members of a conclusion rather than engagement in an inclusive consultation. Most councillors would like more engagement, more concise reports and that both PH and officers clearly show they have grasped the issues which they are presenting and willingly answer questions

- The failure of the current system to even listen to, let alone respond to community concerns is a major problem. Decisions are made and then the councillors and public have to accept them. As local authorities gain more autonomy through reduced central government funding, council executives/leaders will be increasingly held to account for progress against expectations. This is unfair. They will be accountable for all decision making, understanding and taking action on the voice of the public and translating central government policy at a local level is often challenging. If it does not enjoy the support of cross party it will turn possible advocate to outright opposition both within the council and in the public, which cannot be sustainable.

- A feit acompli

- Transmission to all members.

- The present system is divisive, with two groups within a governing party ie Exec and non Exec. The Exec have considerably more interaction with council officials

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and because they are seen as the important Executive Councillors officials will also be far more proactive when dealing with them. Officials are not in contact with ward councillors like myself on matters the Exec are dealing with. They also fail to be in contact on other local issues that impact on the ward I represent. The culture discourages contact. It is bizarre that I have even got the impression that councillors should keep officers at arms length and not even contact them. The lack of any directory of staff with a list of officers and phone numbers was an early sign of this approach. A committee system would be more democratic and use the experience and the abilities of all councillors eg business and financial. I am a member of the Licensing Committee but it has only had a few meetings since May last year. Officials obviously make nearly all the decisions.

- The current Scrutiny processes do not really add value, no matter how much it suggests alterations to the Executive all those suggestions can and are dismissed in short order unless they are very minor. This system does not allow or even listen to the ideas or questions from Councillors from all walks of life and many with great experience in the world of business. This leaves Councillors who are not members of the Executive frustrated and disillusioned in their backbench roles. It is also incredibly wasteful of an enormous and varied pool of talent. Genuine concerns from the communities we represent should be catered for not brushed aside. Members Briefings are mostly used to TELL Councillors of decisions that have already been made. This engenders a feeling of disenfranchisement in backbenchers of all parties or none. The local member should be informed of any important or contentious issues in their ward as they will have to help sell the idea to their residents.

- 1. The majority of councillors in both the ruling group and opposition parties feel excluded from meaningful participation in policy-making and decision-taking. The result is disaffection and disillusionment among clllrs who were keen to stand for election but lack the time or possibly skills to be a member of the Exec. 2. Portfolio Holders have very heavy workloads, the equivalent of a near full-time job in some cases. Many cllrs cannot give this commitment but would still more involvement in SWT work than they currently have. 3. The existence of a small Exec group encourages secrecy and unnecessary use of confidentiality. This excludes and alienates many other cllrs. Officers tend to treat the Exec as "real" cllrs and the rest of us as nuisances.

- When the political balance is titled in one direction as is the case currently suggestions made by those member not in the political majority tend to be looked on with distrust and general discounted those ideas. We loses the sight of the fact that good ideas are not limited to those of the majority party or if fact other people. This enables policies to be pushed through but makes the "other" members somewhat not involved in the day to day operations.

- There is clearly deep misgivings amongst Cllrs about this Strong Leadership system from both those who have experienced a Cttee system in the past and from some, like me, who have never experienced it. People feel excluded from decision making and despite regular briefings and group meetings they still do not feel fully part of the process and so are alienated by it. The issue has become increasingly difficult for both members and Executive and in my view

needs to be addressed urgently. I suspect that the SMT also prefer to deal with an Executive but I do not feel that is a justification for keeping it.

- As stated in my previous answer, some decisions come to us already worked up and it feels as if we are heavily persuaded to vote them through or there would be negative consequences. I don't doubt that these are usually the right decisions and I trust on the whole the judgement of both the Executive and the officers, (as a new councillor I often feel I'm making decisions within areas outside my skill-set and specialist knowledge, despite training) but it doesn't always feel democratic. The current system also requires us to be a "jack of all trades" and sometimes members are voting on issues they don't know a great deal about.

- The Executive system concentrates decision-making and power in the hands of a few members. This is a poor arrangement as it does not make use of the abilities and knowledge of the majority of cllrs. Exec members, and especially the Council Leader, are often overloaded with information and decisions while the skills of other members are neglected. The scrutiny process does not work. However constructive and positive the discussions at scrutiny the impact on decisions is usually marginal or negligible. By the nature of the Scrutiny process, it has to deal with a very wide range of issues and policies across the Council, and sometimes beyond, but with a very limited say in the actual policy. This is a very inefficient and ineffective process which takes up a lot of members time but with little impact on policy. The ineffectiveness of the process is a source of frustration for Scrutiny members as well as other cllrs. It is not just opposition members that feel that the process does not allow a better decision-making process, many members of the majority group also feel disenfranchised. Members briefings have become more frequent and are often a means of telling us what has been decided and why, rather than a real attempt of consultation. Council meetings are often too long, partly as a result of members not having had a chance to make their key points previously. Councils under a strong leadership model are more likely to make disastrous mistakes as the experience and benefits of collective decision-making can be ignored. The enormous cost of the recent so-called transformation process is an example. The extremely costly decision to allow all officers to claim redundancy payments is perhaps a good example of a basic mistake which would surely have been picked up by a committee process.

- Too much decision making in too small a group. Scrutiny is effectively "after the fact" and therefore limited in power to influence. Large numbers of members not part of it, and therefore not representing the views of electorate. Broadly (currently) urban dominated. Would be equally bad if it were rural dominated by the way. The system needs to reflect the spectrum of the community. Currently drives too much focus towards Taunton. Does not effectively capitalise on the broad wealth of experience across the elected membership. People could contribute more. Officers are accountable to Executive but can be unresponsive to other members, with little consequence.

- It seems that some portfolio holders embrace the role, but others there is a lack of communication and consultation. It surprises me that with the broad spectrum of experience in elected councillors this is not tapped into more. I have acted as a shadow portfolio since being elected but have not been given any opportunity

to deliver on this, despite pushing both the portfolio holder and lead officer. It feels like there is a closed shop on this from some in the leading party. Though I know colleagues have had a very different experience so assume some of this is down to individual traits. However, if there were a formal expected system this would reduce this, and I think allow for more collaboration and broader spectrum of opinion. While I appreciate it may slow decision making down at times, I think also think a better engagement with councillors earlier on in issues might help and make officers jobs easier in coming to a good decision, though appreciate this could make processes long. It would be useful to have a full list of working groups/task&finish etc. I have offered to help in a number of different ways but not heard anything back. I have also found it hard to engage with some of the existing processes. I have tried to attend Planning Training as a substitute. But on a number of occasions training for this has happened at a time not defined, in or around the end of the planning committee. I don't think this worked well and should have been at a different set time. While planning members were there they were often tired after a meeting or for those not there had no way of knowing the right timing, and on one occasions despite following all that was asked of me it still went ahead at a different time.

- If you mean the officers in the governance team, then I think they do a good job, particularly under the current Covid restrictions.

- I feel that I must give the same answer to both questions, the decisions which go before full council are made by the Portfolio Holder and Officers with little or no input from members. The first time members see them it is normally at a members briefings, by which time its to late to add or remove anything. Member Briefings in my opinion are no more than questions and answer sessions, where the Portfolio Holder and Officers are only interesting in justifying their decisions and not listening to general members. If an item does manage to get to scrutiny it's normally too late to make major changes before the item gets to the Full Executive and Full Council, as the three meetings come very close together.

- It can stifle debate and be seen as a system that's not very inclusive.

- Heavy load of Exec/Full Council meetings though, given the size of the programme, understandable. Would be worse with a committee system though. Maybe greater delegation to PHs? A second scrutiny committee would help with their workload. Maybe also split off Audit as a separate committee.

- Confidential agenda items not being available on the mod gov site or given directly to Cllrs

- Some Councillors don't understand the democratic path of Group, Exec, Scrutiny, FC - this does seem to vary widely and it could be explained simply for each paper. As a result, some councillors feel left out of the process, simply because they don't understand it.

- It doesn't enable 'back-bench' councillors across all groups to contribute their knowledge and ideas in a deliberative process of policy development. Cllrs

represent a range of communities and have many different areas of experience, expertise and perspectives that can enrich the process and outcomes.

Question 3. What are your suggestions for improving the Council's governance arrangements?

Responses:
- Could be improved with addition of Policy Advisory Groups

- Bring in a Committee system, and a Scrutiny Committee that does not have a majority membership that reflects the majority on the Council. Scrutiny needs to be able to halt a Council, with a political majority, running roughshod over the whole Council.

- Members being able to contact officers direct when they need to

- We should revert back to the Committee system so that Cllrs could be involved in a more specific topic rather than expected to be "masters of all".

- No system is perfect but cannot see any obvious improvements.

- SWT should abandon the Executive /'strong leader' model and adopt a modern, democratic committee system so that power is dispersed, consensus is the goal and every Councillor can have a real voice and contribute their insight and expertise to public policy and decision making. This would be pretty much cost neutral in terms of allowances (chairs replace exec members etc); ideally one would build in some extra policy/ democratic services capacity. Doubtless there will be training needs. My feeling is anything spent on getting a more robust, open, democratic system is money well spent and will save money by preventing ropy decisions. You would still have a leader elected by full council who can represent us externally and provide leadership internally. The executive would go. You could have around 7 -8 committees with places (11 councillors) allocated in proportion to political group representation each with a Chair and Vice Chair(of different political persuasions). I would go for something along these lines:
  Strategic Committees:
  - Policy and resources committee - responsible for overall strategic direction and budget, resource planning and allocation, emergency planning, equality and human rights, economic development, anything that doesn't fit neatly under another committee, made up of chairs/ vice chairs of cttees or nominated reps from political groups. Leader of Council would Chair. This cttee I would have responsible for commercial investment decisions (see below)
  - Climate change and environment - climate strategy, tackling ecological emergency, coastal protection, active travel and green transport, parks and green spaces, biodiversity, waste and recycling (to feed through reps into Somerset waste partnership board - currently there is insufficient democratic input I feel)
  - Housing and Planning - strategic planning, local plan, HRA, council house building programme, estate regeneration, housing standards, hmo licensing,

regulation of private sector housing, building control, heritage (another option is have cttee devoted to Housing and have one dealing with Planning and transport)

- Internal services/ operations - finance, IT and HR, assets
- External services/ operations (Kingston calls theirs 'Community and Engagement,) - communications, public engagement, crematorium, arts and culture, leisure, electoral services , voluntary sector grants and partnerships

Regulatory type committees:
- Development control
- Licensing
- Plus Audit, Governance and Standards Committee(could this be incorporated in internal services?)

All committees need to have a focus on equalities and inclusion and carbon neutrality. The new member/officer working group on Equalities should continue and have a link into Policy and Resources and be a resource for all committees. Obviously Full Council would continue to meet regularly to debate key issues, approve policies and strategies, decide the budget in feb, to appoint councillors to outside bodies with provision for petitions, motions etc as now. I think members need more opportunity to have things on agenda that matter to their constituents. So Modern Committee System that's the really big and most important change we need. In addition: I think delegation schemes need reviewing. Even in pandemic scenarios there can and should be more elected member control over decisions. Re the leisure services contract by the time we got a say our hands were effectively tied by decision of CEO to begin shovelling money Everyone Active's way. I want to see modern committee system where in between meetings there can be dialogue and involvement ongoing through email etc and mechanism for urgent things to be voted on remotely when necessary by whole committee.

I will be in a minority no doubt but I still find it completely and utterly shocking that a tiny coterie gets to decide massive commercial investments - it's just beyond my comprehension. Appalling. Decision to buy gaumont went through full council rightly so - all the stuff about oh we need to be fleet of foot is a distraction, we managed to consider that purchase (gaumont) utilizing the democratic process. In new committee system I would run these decisions through policy and resources and if time the full council.

New protocol for consulting and informing ward councillors about decisions affecting our ward. I was incandescent when a fun fair turned up in my park at the end of August with no prior notification and in the middle of a pandemic – should have been blatantly obvious this was sensitive and should have been guided by political steer from elected members not officer just deciding.

More transparency across the board. The commercial investment strategy should never have been debated in secret. I will never recover from the horror of that, never. Shocking. When there are genuinely confidential matters fine discuss in camera but at least give us all the full info - too often I feel people are sticking their hands up willy nilly for stuff they don't understand which is the opposite of good governance.

I really wish there was a provision against party political whipping in local government - I have come to despise that with avengeance. Carry people with you but accept the fact there will be divergent views would be a more mature approach. It is totally inappropriate in my view – a lot of decisions are not political

they are business decisions so people should be allowed to use their professional judgment, in any case our first duty is to our communities not party. Unfortunately I expect this will be left up to political groups and without scope of review.

- I do wonder if a policy advisory group for each portfolio holder might be a good idea.

- Maybe a group of 4 people cross party who could discuss in a private forum ideas with the Portfolio Holder and lead officers to help steer policy in a cohesive way. I would see this as being led by Portfolio Holder and the topics for discussion coming mainly from them or lead officers

- I think the briefings are good

- Switch to a committee system, with representation in relation to group size and committee chairs to speak on behalf of the committee. I don't think Scrutiny would be needed as there would be a greater spread of views on the committees, which should improve decision-making and result in scrutiny being undertaken at the same time on the committees. There would be a committee with a co-ordinating and strategic role, including for developing the annual budget.

- As the Council is coming to an end within the next two years, I would personally leave the Council's governance arrangements alone. It would be a waste of time and money to charge things now.

- Go to Committee working. Have a dedicated person in each department who can answer councillor's questions.

- Fewer Councillors! Committees that are cross party, trained, with working parties to inform decision making by dedicated Councillors.

- The current system should be disbanded and a modern committee system introduced. This gives every councillor a voice, regardless of their political beliefs. This system would work across parties, members could focus on matters which interest them and for which they have experience. It would streamline council meetings making them more efficient. A committee system would also ensure that a full democratic process is respected. It is likely to be cost neutral. There will still be a Leader for external representation and internal leadership. The remainder of the Exec would be abandoned and 6-10 committees could be formed with members and a Chair and Vice Chair of different political persuasions. I would like to see political neutrality across the whole regime. I would also like a position where dialogue and involvement can take place at short notice for specific urgent matters. Covid has taught us we need to be more agile and remote voting etc is wholly acceptable in certain situations

- We need a change from strong leader cabinet model to a more open, transparent and democratic committee system, whereby positive and productive contributors are encouraged-not discouraged. We should capture

the best local knowledge and expertise in order to come up with solutions to future challenges that lies ahead, one that bubbles from the community, a bottom up strategy, not a top down one. We need to be able to work effectively and proficiently/profitably with external suppliers and delivery partners. Flexibility, agility, proper decision-making process and expert project management will be prized skills in the new-look future new authority, where it is vitally important to reach out to all parties.

- A committee system which involves more councillors in decision making.

- Wider communication

- We need to abandon the undemocratic, strong leader cabinet model in favour of a more open and accountable committee system. The local knowledge and expertise of all councillors should be valued far more. Committee debate will allow many good alternative ideas to develop.

- An immediate change to a modern Committee system. There would be no loss of power to the majority group because the Executive Councillors would simply move over to become Chair of the Committee (with casting vote) the majority group would have under political proportionality rules a majority on each Committee. All these new Committees would attract members from all parties or none with either knowledge or interest in each subject. When the decisions have been made and if required, go onto Full Council for ratification then those items are going with the support of the Committees recommending them to Full Council. This will allow for smoother Full Council meetings negating the rehash of old arguments. The membership of Committees should be no more than 11 members, with political proportionality. The members of any Committee would have more engagement with Officers advising that Committee and would therefore be fully engaged with the process. There should be a minimum of two Scrutiny Committees. There should be two regulatory Committees Licensing and Planning/Development Control. A Climate Committee. A Council Property Committee dealing with all Council-owned assets. A strategic Committee and both an External and an Internal operations Committees. There should be an overarching Policy & Resources Committee chaired by the Council Leader and having all the Committee Chairs as members.

- Move to a Committee system which the provision for each chair to be able to take quick pre-emotive decisions if the need arises.

- To engage member that are not involved in the portfolio level, it should be about taking suggestions/ideas no matter where the come from and not those used for council business aimed at capital political gain.

- As a matter of urgency we should divide the Scrutiny Committee into 2 committees as was previously the case and set up a Town Council for Taunton. This should happen without delay. I should like to see a report on what Committees would be needed to run a Council under the Committee

system and that the Full Council should get an opportunity to review and vote on these proposals in time for them to be implemented in April 2021.

- I would certainly like to explore different models of a committee system to see what the implications would be and how things would change. I understand that one criticism of the committee system is that councillors will be expected to attend more meetings and attendance is crucial. I can see this may be a problem but recently I seem to be spending most weekday afternoons and evenings attending meetings or briefings anyway (and weekends reading the documents)!   I think that greater ownership of decisions would reduce cross-party conflict and indeed between members of the ruling group. But I do want to know the downsides.

- The establishment of a modern committee system is essential. This would have the following advantages :-
  1) Cross party membership would be a democratic consensual approach to decision making.
  2) Members would be able to focus their efforts on subjects in which they are particularly interested or have particular skills or knowledge.
  3) All members would feel involved, be able to influence actual decisions within a system of proportional party representation and cooperation.
  4) Full Council meetings would be likely to be shorter and an affirmation of policies in which all has had the chance to participate.
  5) The Chair of each committee would be in a position to take all views into account and come to Full council in the knowledge that the democratic process has been respected.
  6) Members of all parties and none would have better access to officer advice and be likely to send time seeking information which they feel they need to take decisions.
  Some changes to the way committees have operated in the past at the two Councils should be considered. Some of these might be :-
  1) Two stage reports to committees, an initial report outlining the proposal with a relatively short report which can either be approved as is or members may feel that more info was required and ask for a second more comprehensive report before deciding.
  2) The number of members on each Committee could be reduced to 13 or 11 perhaps, depending on the nature of the committee.
  3) The time each member is allowed to speak could be limited in some way if the Chair felt it necessary. We all know that sometimes members can take to long to get to the point! A limit of 5mins on each item might be appropriate.
  4) There would be some sort of overall Policy and Resources committee, chaired by the Leader and having Chairs of committees but with a proportional representation. This would enable the Leader to focus on the big issues and co-ordination of Council policy.
  There may be other ways of modifying the committee system to make it as relevant as possible to present day circumstances and further discussion on this would be welcome.

- Like many others, a Committee system would seem to address the core issues of centralisation of decision making and lack of reference to full council.

- I would suggest a skills audit of councillors would be useful to identify possible strengths and supports that could be utilised in working with officers. This I understand could be utilised if a committee system were in place. I also think this would support better decisions as often there is a lot of complex information and if only a few analyse then crucial detail may be missed. When first elected I also put myself forward to be a councillor trustee for an organisation in the community, and this was from a list of councillor representations. However, I have never been asked to report back on this, or given a template/process to do so. This feels like a vital part of the council having a sense of its community and a lost opportunity. I also think a briefing on this would be useful, in terms of how councillor trustees etc might make best endeavour of this.

- We have direct lines into the team, what we need is direct dial numbers to a contact in each department to gain better responses for those we represent.

- A committee system would allow the views and ideas of members to be put forward and fully debated before any decisions are made and they go to full council. I for one would feel that I would be able to put my views across one way or another. It also removes the danger of a strong willed officer pushing through ideas that a weaker Portfolio Holder may be willing to accept. Also as committees would be made up of cross party members the decisions would reflect the views of the whole council

- A hybrid version of the current system

- Heavy load of Exec/Full Council meetings though, given the size of the programme, understandable. Would be worse with a committee system though. Maybe greater delegation to PHs? A second scrutiny committee would help with their workload. Maybe also split off Audit as a separate committee.

- More reports from non committees through there stages of working. Effectively more info of what is going on behind the scenes ,not just the final report .

- Some Councillors don't understand the democratic path of Group, Exec, Scrutiny, FC - this does seem to vary widely and it could be explained simply for each paper. As a result, some councillors feel left out of the process, simply because they don't understand it.

- A Committee system along with officer/expert briefings and, where appropriate/desirable, utilising well worked out methods of public consultation.

Question 4. Do you feel that you can influence policy and the decision-making process?

Yes	8
No	13
Unsure	8
No response	2

Question 5. Please explain your answer to question 4

- Political balance of Council

- Whilst a member of the Council might feel they can make suggestions, some of which could be taken into account, the "ruling party" can/could become dictatorial

- Working with other Councillors to do so. For my part too, being an Executive member is advantageous

- Councillors should work together to get the best results. When they do things certainly seem much better.

- Every member has the chance to influence policy through speaking at Full Council, Executive and Scrutiny. Whether the ruling group will act on good suggestions from opposition members is another matter but always has been and always will be

- No but there have been exceptions, as a rule though, no. In general the exec system especially when combined with political whipping make for a sorry situation where most councillors just feel like window dressing – ' oh look this is democratic we have elected members in the room' but the power lies with senior officers primarily followed by the Exec. By the time we get a look in it is often too late to change trajectory or there is unwillingness to take a different approach, things have been largely stitched up. I think exec feels it needs to defend its line rather than listen and adjust and change (although there have been examples of enlightened exec members occasionally going with councillors' view, ok actually only one I can think of!) Exceptions:- when cross party committees/groups are involved at the beginning of a process, eg scrutiny during initial development and scoping of climate change strategy I felt our input actually did some good and was heeded as the post holder and officer concerned were very open to suggestions. Ditto Local Plan member steering group – chaired by opposition member, good old mix of people, it feels like we are all equal and can contribute and again, because we were involved at the beginning it was worth the effort writing and submitting pages of notes!

- I feel I can influence decisions via our group meetings primarily. Where groups complain about lack of info I don't think that the council is to blame for that it is a group issue

- Barely at all. I sat on a working group intended to be involved in developing policy and recommending this to the Council for decision. However, the process was poorly managed, so that policy discussions were nearly non-existent. We had presentations when officers, in effect, told us what policy would be and seemed to have little interest in our views. Only the views of Portfolio Holders seemed to count, which were presumably given at other times elsewhere. This gives the appearance of the real policy making being a secretive process hidden from most councillors. The only effective opportunities to contribute to policy appeared to be when allowed to submit comments on draft papers. However, it appeared officers then decided on what went in the final version and there was NO cross-party or wider debate or discussion on different options or possibilities. It appears that having Portfolio Holders can stifle other forms of policy making and encourages officers to look to work with them. It can then depend on the characteristics and abilities of the Portfolio Holder whether others may be involved. Some seem able and willing to listen to others. Some appear to lack what would be needed to fulfil the role in this way. There is no official role for shadow PHs, which, possibly, might allow a small improvement, but moving to a committee system should be far better.

- As an individual elected member I believe I have very little influence on policy, this is because the Council is political. Where the winner takes all, under the current decision-making process, at this present time we have a Liberal Democrats administration in control. Who knows, in two years' time it could well be a Conservative administration or another group. All top appointments are made to the Cabinet System from the winning party. Not a very inclusive system, especially if you are an independent elected member not affiliated to any political group.

- Decisions are made by ??? I am not sure who does make the decisions and therefore would have no idea if I could influence them or the policies of the council.

- If I was willing and able to devote more time, and eg get on the Exec or Chair a Committee then maybe it would be possible to influence policy, but I'm not! Consequently my skills and experience and decision making ability are not utilised.

- Generally not as often feel totally ignored. Councillors are often consulted at a late stage where a decision has effectively been made by the exec. Some of these decisions are fine but there are some which have been found to be lacking. Often we are subjected to the "closed mind syndrome". It is in fact quite demoralising to have to listen to some unsound decisions being voted through for various reasons but often because of a lack of member's understanding, sometimes because briefings recommendations do not cover the bigger picture and are rushed through with limited time for consideration.

- NO, I fear the executives have the monopoly on most important decision-makings and any influence to change the policy will take years, unless it has executives support and it is inline with their thinking. Most executives have their own priorities and are influenced by officers and are not professionally/adequately

equipped to bring the rest of the councillors on board from the start. As we have witnessed with overseeing the transformation that has taken a few years and yet to function effectively, we are still taking the necessary steps to fill some skill gaps. We need a good mix of knowledge/expertise to complement and guide officers for the best outcome. One thing that is lacking within the executives is commercial mindset as it will be a top priority in years to come for the team and as the local councils will shrink, along with, project management skills, flexibility, a clear vision and digital expertise to combat future challenges. Tapping in to the expertise that we have across party politics will help and support future decision-making.

- It seems to be a done deal by the Executive

- As a member of the minority party I don't feel I have any influence on council activity.

- Generally no with a few exceptions. I feel the Executive have a monopoly on many decisions and often other councillors are unaware of the issue or the decision. Consultation with ward councillors is inadequate by the Exec and council officials. On a few occasions I have been completely unaware of issues that affect my ward and didn't know about meetings arranged to deal with these issues.

- The material decisions are seemingly made before they reach the Committee and the current Executive appear to defend the decisions rather than discuss any potential for an alternative, possibly even better outcome for the people we serve. We must be seen to be responsive to our electorate after all, without their votes we would not be Councillors.

- Only through informal means such as lobbying and relying on friendships among cllrs. It needs to be hard-wired into the system. Let me give an example; I'm a councillor very interested in Ec Dev. Where is the routine opportunity for me to influence policy in this area? Marcus K does a good job as PH but there is no Cllr group or working party around him, just the relevant officers. So beyond bending Marcus's ear on an informal basis, what am I supposed to do.   I could table issues at LD group meetings, but what about the 29 or so cllrs who are not Lib Dem's?

- Unfortunately, where an unbalance situation exists there is a tendency to marginized any help offered as coming from other motives particularly those coming from outside the current majority party. This does a disservices to not just other members but also to the public at large not just those who voted for them or not.   It is very difficult in these circumstances to influence policy and the decision-making process; a good example of how this is played out in practice is the make up of the members on the investment board. Initial discussions made it clear the make up of the board would not include any members outside the Executive although this by far one of the most important functions of this council. However after a lot of lobbying a concession was made to have a non-voting member included on the board but they were not able to vote - why,? It was make clear that any member outside the Executive was not trusted to vote in line with

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the other members and concerns maybe raised by the non-exe member and delay the proceedings consequently although an outside the Executive could attend the board they could not vote. This attitude does not encourage engagement in the policy and the decision-making process hence the lack of participation.

- Yes. I do to some extent but I am part of the Executive. When I was a backbencher I did not really understand how the Council worked or how decisions could be influenced and made but that is clearer to me now. Were I to be campaigning or particularly passionate about a particular issue or matter I think that my path to get that issue dealt with would, as a backbencher, be far more difficult notwithstanding that I am in the majority party for the time being. I think some experienced Cllrs were used to dealing directly with officers of the previous Council and that they feel much less effective with new officers that they do not know. I think that this has compounded the problem of disaffection with the current system.

- I haven't answered question 4 because none of the answers really fit for me. I can influence the decision-making process in that, as part of the ruling group, I can vote in Group meetings, and of course I can vote in Full Council. However, there will be times when my vote will be influenced by Group loyalty. There have been times when I have shaped policy but on the whole I feel more as if my role is one of scrutinising decisions that come to me fully formed. I have made suggestions which have not been taken up but I am well aware that too often members push for their own areas of interest without awareness of the big picture.

- Comments as follows:
  1) If decisions are taken by a few Exec Councillors why would I want to be a Councillor?
  2) How can I represent those who elected me if I have so little say in the decisions of the Council?
  3) As a democrat, I wish to see members of all parties and none have some meaningful say in the decisions of the Council.
  4) Why should I support the Council's decisions if I have had no meaningful involvement in them?
  5) Why should I have to spend so many hours listening to debates about details of Council activities in which I have little interest and which are not relevant to those who elected me, and yet not have say in those issues which do ?
  6) I would like the time I spend on Council work to be relevant to those issues which are most relevant to me and my electorate and make my contribution effectively and efficiently, preferably on issues about which I have some expertise.
  The current system does not do that

- Not enough. As per answers above, the Executive system puts too much emphasis on the few and does not empower the rest. This permeates into the whole organisation and results in an authority that does not always respect the importance of those democratically elected yet not at the top table.

- Yes but not as much as I would like. I have found the briefings provided to councillors a great benefit and grateful to James/others from introducing these. I do my best to attend all, and the timings of these are good. Sometimes I wonder if a greater range of options might need to be presented at these briefings though, as sometimes it feels like a decision has already been made and therefore we are just being told what has been done/is going to happen. I also feel that again if there were a committee system more input to come to the right decision could be achieved. I am often surprised at some of the comments statements that happen in Full Council when those ideas and details could have perhaps been addressed in an earlier stage. With regard to my earlier suggestion of a skills audit and interests audit I think this would also allow for councillors to really contribute in key areas they have knowledge and interest. Though recognising there will always be less interesting areas that will still need councillor time, and we cannot all be deployed on the key areas. Overall I think there could be more collaboration which would I think bring about more ownership from councillors.

- We started off well post election, lots of working together etc. Now this has lessoned considerably. Involvement of the opposition parties is important. We have some excellent councillors, their opinions and ideas should be sought.

- As above in question 1/2 all I done at present is to vote on decisions put forward by executive and officers with no input at all and very little chance to challenge the decisions I feel are weak or not in the best interests of the people that elected myself. I have over the last year questioned why am I wasting my time being a councillor if no one is prepared to listen or take notice. It's not always wise to go with those that shout the loudest be they councillor or officer.

- I feel I know how to ask the right questions and can approach pfh s direct with ideas

- I know who to speak to on any issue.

- Most unlikely - Being a member of a minority group

- Democratic path offers plenty of opportunity for involvement of members.

- If you're not part of a deliberative process, but are presented with limited choices already determined by vote within the ruling group there are limited opportunities to have an impact on decisions.

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
Plymouth City Council (Unitary)	No Change – operate Executive arrangements. Have cabinet of 10, 4 Scrutiny Committees and other Committees, Boards and Panels	57 Councillors – 30 Labour, 17 Conservative & 10 Independent	Didn't change. Review design principles were open and transparent, accountable, responsive, inclusive, clear, flexible and best for Plymouth. Decided that Strong Leader Model was the most efficient for decision making. Decided to develop the Executive model instead of changing arrangements.	262,100	Urban Unitary Council Area of 30.82 sq miles (79.83 sq km)	No
Lancashire County Council	No Change – operate Executive arrangements. Have a Cabinet of 8, 4 Scrutiny Committees and other Committees Have Cabinet Committees and Working Groups, 5 x Champions (Older People, Young People, Parishes, Disabled People and Armed Forces and Veterans) and 5 x Lead Members (Young People, Health & Adult Services, Highways and Transport, Cultural Services and HR & Property)	84 Councillors – 44 Conservatives, 30 Labour, 5 Independents and 4 Liberal Democrats Currently have 1 vacancy	Didn't change. A Working Group gathered evidence and presented three options to the Council in December 2014 – these were Cabinet Model, Hybrid Model and Committee Model. The presented the advantages and disadvantages of each model. The Working Group felt there was a significant issues in relation to the Committee system of balancing the need to keep decision making efficient and streamlined, and yet to ensure there were sufficient meetings in the calendar. A motion was put to the Council by the Leader to retain the Cabinet system. However the Working Group was retained and a report went to AGM in May 2015 to consider changes to the governance arrangements.	1,219,799	Area of 1,187 sq miles (3,075 sq km) Covers Blackburn with Darwen, Blackpool and Lancashire	Yes
Derby Council (Unitary)	No Change – operate Executive arrangements. Have a cabinet of 8, Scrutiny Boards and Scrutiny Review Boards and other Committees. Also have Neighbourhood Boards, Neighbourhood Forums and Ward Committees	51 Councillors – 19 Conservatives, 4 Independent, 2 Labour & Co-operative, 13 Labour, 8 Liberal Democrat and 5 Reform Derby	Didn't change. Local news reported a heated debate on the subject at the Council meeting in January 2020. Administration pushed through decision to remain with Executive arrangements as the Working Group couldn't reach a decision after two years work on alternative arrangements.	257,302	Urban Unitary Council Area of 30.13 sq miles (78.03 sq km)	Yes
Isle of Wight (Unitary)	No Change – operate Executive arrangements. Have a Cabinet of 10, 4 Policy and Scrutiny Committees and other regulatory Committees and Boards	40 Councillors – 24 Conservatives, 8 The Island Independents Group, 2 Liberal Democrats, 2 Independent Members Group, 2 Island Independent Network and 2 Independent	Didn't change. The motion for reviewing the governance arrangements was tabled by a Councillor in the run up to an election (March 2017) so the Council decided not to consider it. Felt it was more appropriate for the matter to be considered after the election – doesn't appear to have been re-tabled yet. The issue appears to have been the Executive model not being designed for a 'no overall control' Council	141,771	Unitary Council Area of 146.80 sq miles (380.20 sq km)	Yes
North Somerset (unitary)	No Change – operate Executive arrangements. Have a Cabinet of 10, 6 Policy and Scrutiny Panels and Regulatory Committees	50 Councillors – 16 Independent, 13 Conservative, 11 Liberal Democrat, 6 Labour and 3 Green Currently have 1 vacancy	Didn't change. In 2012 a Councillor laid a motion for a change from Cabinet to Committee system but it was defeated.	215,052	Unitary Council – mostly rural in nature Area of 144.30 sq miles (373.80 sq km)	Yes

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
Thanet District Council	No Change – operate Executive arrangements. Cabinet of 5, 1 Overview and Scrutiny Committee, Regulatory Committees and a number of Advisory Groups and Working Groups	56 Councillors – 25 Conservative, 18 Labour, 7 Thanet Independents, 3 Green and 2 Independents. Currently have 1 vacancy	Didn't change. A motion was put to Full Council on 10 July 2014 but the Council voted not to debate it.	141,922	Area of 39.90 sq miles (103.30 sq km)	No
Chelmsford City Council	No Change – operate Executive arrangements. Cabinet of 5 plus 5 Cabinet Deputies (support Cabinet Members with specific areas of responsibility. Have 10 members of a Shadow Cabinet (from two opposition groups) Have 1 Overview and Scrutiny Committee and Regulatory Committees	57 Councillors – 30 Liberal Democrats, 21 Conservatives, 5 Chelmsford Independents Group Currently have 1 vacancy	Didn't change. A motion went to Council on 16th July 2019 requesting that the Council went back to a Committee system. The reasons argued were that it widened decision making and was a constructive and transparent way to get things done. Other speakers suggested that the Cabinet system could take several different forms and be just as inclusive as a Committee system. An amendment was put and the resolution made was 'This Council will have a more open governance system where all councillors will input into formulating both key decisions and strategic policies of the City Council, and the Officers of the Council will take most of the day to day decisions about the running of the Council and provision of service. Any other proposals for amending the governance system will be brought to the Governance Committee.' No discussions appear to have taken place at the Governance Committee since this meeting	178,388	Area of 130.80 sq miles (338.80 sq km)	No
Cambridge City Council	No Change – operate Executive arrangements. Executive of 8, 4 Scrutiny Committees and Regulatory Committees. They also have 4 Area Committees which are made up of the relevant Ward Councillors and they make decisions about local issues	42 Councillors – 25 Labour, 12 Liberal Democrats, 1 Independent Currently have 4 vacancies	Didn't change. Considered a report and resolved to take no action	124,798	Area of 15.71 sq miles (40.70 sq km)	No
West Sussex County Council	No Change – operate Executive arrangements. Executive of 9, 5 Scrutiny Committees and a number of Regulatory Committees. Also have 11 County Local Committees covering Ward patches – aim of involving the public in decision making	70 Councillors – 51 Conservatives, 8 Liberal Democrats, 4 Labour, 4 Independents and 2 Independent Conservatives Currently have 1 vacancy	Didn't change. A motion was put before Council but was defeated	863,980	Area of 769.00 sq miles (1,991.00 sq km)	Yes

Appendix 2 – Review of other Council Governance Arrangements

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
Fenland District Council	No Change – operate Executive arrangements. Cabinet of 10, 1 Scrutiny Committee and a number of Regulatory Committees	39 Councillors – 25 Conservatives, 10 Independent, 2 Liberal Democrats and 1 Green Currently have 1 vacancy	Didn't change. Motion put forward by one Councillor and it was heavily defeated due to the Council having more important priorities to address	101,850	Area of 211.00 sq miles (546.50 sq km)	No
Cornwall County Council	No Change – operate Executive arrangements. Cabinet of 10, 6 Overview and Scrutiny Committees, a number of Regulatory Committees and a number of Scrutiny Inquiries and Task and Finish Groups	123 Councillors – 43 Conservatives, 34 Liberal Democrats, 32 Independent, 4 Labour, 4 Mebyon Kernow, 3 Independent Alliance and 2 Non aligned Currently have 1 vacancy	Didn't change. Governance arrangements were considered when Cornwall became a Unitary Council. Established an independent governance commission which looked at the proposals in more detail. This has resulted in adopting an informal approach which looks more like a hybrid system – Cabinet plus.	569,578	Area of 1,369 sq miles (3,546 sq km)	Yes
Bristol City Council (Unitary)	No Change – operate directly elected Mayor plus Executive arrangements. Cabinet of 10, a number of Scrutiny Commissions, Committees and Boards. Have a number of Regulatory Committees. Also have 6 Area Committees and a Member Forum Committee.	Mayor plus 70 Councillors – 36 Labour, 14 Conservatives, 11 Green and 9 Liberal Democrats. Currently have 1 vacancy	A referendum for a directly elected Mayor was held. Some Councillors were hopeful of a 'no' vote enabling a move back to a Committee system. However the result of the referendum was 'yes'.	463,377	Area of 42.40 sq miles (109.70 sq km)	No
London Borough of Sutton	Committee System – 5 Committees plus two Boards, 1 Scrutiny Committee, number of Regulatory Committees and 6 Local Committees	54 Councillors – 33 Liberal Democrats, 18 Conservatives and 3 Sutton Independent Residents	To enable a consensual approach to policymaking with a greater number of Councillors to be involved with policy formulation and assessment over a wider range of responsibilities than under the Executive system.	206,349	Area of 16.93 sq miles (43.85 sq km)	No
Nottinghamshire County Council	Committee System – 6 Committees, 1 Scrutiny Committee and a number of Regulatory Committees	66 Councillors – 32 Conservatives, 22 Labour, 6 Ashfield Independents, 4 Mansfield Independents, 1 Liberal Democrat and 1 Independent The Council is currently governed by a coalition of the Conservative Party and Mansfield Independents	Moving to the Committee system was a manifesto commitment of the Conservative party	332,900	Area of 28.81 sq miles (74.61 sq km)	Yes
Brighton and Hove City Council (Unitary)	Mayor plus Committee System – 5 Policy Committees, 1 Overview and Scrutiny Committee for Health, several Regulatory Committees.	54 Councillors – 19 Green, 18 Labour, 13 Conservative and 4 Independents	Had problems with an Executive system due to no overall control and the largest minority party making most of the key decisions. Moved back to Committee system in 2012 as felt to be the most open, democratic and accountable system for the political makeup – despite the	290,885	Area of 31.97 sq miles (82.79 sq km)	No

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
			decision making process being too slow and sometimes agreements being hard to reach. Currently considering reviewing it again as there is a view that the Council's committee system is not fit for purpose and doesn't allow for timely decision making.			
London Borough of Barnet	Mayor plus Committee System – 8 Committees, 3 Area Committees, 1 Health Overview and Scrutiny Committee and a number of Regulatory Committees	63 Councillors – 38 Conservatives, 24 Labour and 1 Independent.	To enable Members to shape Council policy and to be more inclusive	395,869	Area of 33.49 sq miles (86.75 sq km)	No
Hartlepool Borough Council (Unitary)	Committee System – 5 Policy Committees, 2 Neighbourhood Forums and a number of Regulatory Committees. From May 2013 has operated as a Committee system with a Leader and Ceremonial Mayor	33 Councillors – 6 Hartlepool Independent Union, 6 Independents, 6 Labour, 4 Conservatives, 4 Socialist Labour Party, 2 Putting Seaton First, 1 For Britain Movement and 1 Veterans and People's Party Currently has 3 vacancies	A petition was submitted requesting a referendum to remove the executive Mayoral role – local people approved a move to a Committee System	93,663	Area of 36.12 sq miles (93.56 sq km)	No
Reading Borough Council (Unitary)	Committee System – 4 Committees and 2 Sub-Committees and a number of Regulatory Committees	46 Councillors – 26 Labour, 10 Conservatives, 4 Green, 4 Labour and Co-operative and 2 Liberal Democrats	Concerns with how the Scrutiny of the Council was working therefore wanted to reinstate a form of Committee system. Requirements were that it didn't cost any more than the Executive system, must be more transparent and allow the public to better engage with the Council. They did not wish to reintroduce the old style of Committee system but a committee structure that was fit for purpose	161,780	Area of 15.60 sq miles (40.40 sq km)	No
London Borough of Kingston upon Thames	Committee System – 6 Strategic Committees, 4 Neighbourhood Committees and 3 Neighbourhood Sub-Committees, 1 Scrutiny Panel and 1 Health Overview and Scrutiny Panel and a number of Regulatory Committees. Whilst they have Committees they still have a Leader and 8 Portfolio Holders	48 Councillors – 37 Liberal Democrats, 9 Conservatives and 1 Green Currently have 1 vacancy	Introduced Committee system in 2012. Felt that some aspects of the old Committee system had worked relatively well in the past so wanted to move to Committee arrangements. The Council had called for a more democratic style of decision making which would increase the involvement of Councillors.	177,507	Area of 14.39 sq miles (37.26 sq km)	No
Cambridgeshire County Council	Committee System – 8 Policy and Service Committees, Health Scrutiny Committee and a number of Regulatory Committees	61 Councillors – 35 Conservatives, 16 Liberal Democrats, 6 Labour, 2 Independent and 2 St Neots Independent Group	Wished to change to encourage more open democracy and to allow more Councillors to participate in the debate. The effectiveness of the new arrangements were reviewed in 2014 and the feedback was that it had transformed decision making, enabling the diverse viewpoints and needs of their communities to	653,537	Area of 1,310.00 sq miles (3,390.00 sq km)	No

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
			be more involved in the detail and the way decisions are made. The 2015/16 business plan has been developed with "closer and stronger cross party political engagement"			
Wirral Metropolitan Borough (Unitary)	Committee System – 8 Policy and Services Committees, 1 Health and Wellbeing Board and a number of Regulatory Committees	66 Councillors – 31 Labour, 20 Conservatives, 6 Liberal Democrats, 3 Independents and 2 Green. Currently have 4 vacancies The Council is governed by a minority Labour administration	Members wanted to adopt a "more democratic" model of governance and to weaken the power of the Council's Leader and Cabinet. Opposition Councillors suggested that bad decisions were being made without proper Scrutiny. The ruling administration did not vote in favour of this change but were outnumbered by the opposition groups. Conservative Group leader felt that the Cabinet arrangements did not endear people to work collaboratively Council faced some negative press coverage over the potential financial cost of between £70,000 and £200,000 of implementing the change of structure	324,011	Area of 60.60 sq miles (157.00 sq km)	No
Basildon District Council	Committee System – 6 service committees, 4 Sub-Committees and 3 Regulatory Committees Moved to Committee System in May 2017	42 Councillors – 20 Conservatives, 15 Labour, 4 Independent Group, 2 Wickford Independents and 1 Non aligned Independent	Wanted most decisions on Council functions to be dealt with by politically balanced committees subject to the general oversight of the Council. No individual Member of the Council has decision making powers – collective decision making.	187,199	Area of 42.50 sq miles (110.00 sq km)	No
Arun District Council	Currently operating as a Cabinet System but resolved to move to a Committee System from May 2021 (15th January 2020). Latest draft suggests that there will be 6 Service Committees and 4 Regulatory Committees	54 Councillors – 21 Conservatives, 18 Liberal Democrats, 7 Independents, 2 Arun Independent Group, 2 Greens, 2 Independents and 1 Labour Currently 1 vacancy	Changes due to go live in May 2021. Contentious decision where some Councillors felt that it was being rushed and didn't have enough information or assurance as to how the new system would operate. Wanted to make their decisions better for residents and giving councillors a greater say in those decisions. Strengthen the link between residents and their local Councillors. Feeling that cabinet members had been able to hide at distance from the local community. It was also suggested that the council's culture was wrong rather than the organisation.	160,758	Area of 85.30 sq miles (220.90 sq km)	No
Worcester District Council	Committee System – 3 Committees and a number of Regulatory Committees	35 Councillors – 16 Conservatives, 15 Labour, 3 Green and 1 Liberal Democrat	A motion was carried in November 2016 to change to the Committee system, citing the Council's political contestability and suggesting that the Committee system would make it easier to manage a Council over no overall control	101,222	Area of 12.85 sq miles (33.28 sq km)	
Stroud District Council	Committee System – 6 Committees which also incorporate the Regulatory functions	51 Councillors – 20 Conservatives, 15 Labour, 9 Green, 2 Liberal Democrat, 1 Conservative (no Group) and 3 Independents. Currently 1 vacant seat.	The current Leader and Executive model had excessive delegation and decisions were made by only a few Members. He wanted more Members to be engaged in the decision making process and more public involvement	119,964	Area of 177.90 sq miles (460.7 sq km)	Yes

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
		Council is led by a cooperative alliance of the Labour, Green and Liberal Democrat parties	eg by watching the webcast, attending meetings or submitting questions.			
Newark and Sherwood District Council	Committee System – 4 Committees and 4 Regulatory Committees	39 Councillors – 27 Conservatives, 7 Labour, 3 Independents and 2 Liberal Democrats	In 2012 the Council was no overall control and this caused problems with decision making hence the decision to move back to a Committee structure.	122,421	Area of 251.50 sq miles (651.30 sq km)	Yes
Great Yarmouth Borough Council	Committee System came into effect from May 2016. 4 Committees and 4 Regulatory Committees	39 Councillors – 20 Conservatives, 15 Labour, 3 Independents and 1 UKIP	There were debates about switching to Committee system and the costs involved so they were keen to fit the system to the budget. Reason for change was two examples of where back bench Members felt that decisions had been made without debate relating to a local ice rink and the sacking of the previous CEO. Non Executive Members felt this would not happen under a Committee system.	99,336	Area of 67.40 sq miles (174.50 sq km)	No
Kent County Council	Hybrid – Have Executive plus model. Executive of 10, 6 Cabinet Committees which shape policy and make recommendations to the Executive, 1 Scrutiny Committee plus 4 health related Overview and Scrutiny Committees and a number of Regulatory Committees. Also have a number of Select Committees that arise from the work of the Scrutiny Committee	81 Councillors – 65 Conservatives, 7 Liberal Democrats, 5 Labour, 1 Independent, 1 Green, 1 Independent Swanscombe and Greenhithe Residents Association and 1 Swale Independents	It was felt that Members skills and knowledge acquired from vocational and life experience was not fully utilised under Executive arrangements. Hybrid arrangements proposed to strengthen policy development, more robust decision making and greater accountability of decision makers. Key outcome to make decision making process more open and transparent. Cabinet Committees will provide an important contribution to policy development. Key objectives were to: • Streamline the committee infrastructure • Make the decision making process more robust and accessible • Provide non-executive Members with the opportunity to shape policies and major decisions • Ensure the impact on the Member's Allowances scheme is cost neutral	1,581,555	Area of 1,443.00 sq miles (3,738.00 sq km)	No
Oxfordshire County Council	Hybrid – Have Cabinet plus model. Cabinet of 10, 2 Scrutiny Committees and a number of Regulatory Committees. Also have 3 Cabinet Advisory Groups which examine topics selected by	Councillors – 29 Conservatives, 13 Liberal Democrats, 11 Labour, 3 Independents (part of Conservative Independent Alliance), 3 Independent non grouped, 3 Labour and Co-operative and 1 Green	A motion was put before the Council by the opposition to bring about greater engagement and savings. More like traditional leader-Cabinet model. Cabinet establishes a range of time limited "advisory groups" to provide advice and guidance on developing policy.	691,667	Area of 1,006.00 sq miles (2,605.00 sq km)	No

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
	the Cabinet which align to the Corporate Priorities	Operate with a Conservative Independent Alliance				
Sevenoaks District Council	Hybrid – Cabinet plus model. Cabinet of 6 plus 6 Advisory Committees as per the Cabinet Portfolios (undertake work on policies and submit recommendations to Cabinet) Also have 1 Scrutiny Committee and a number of Regulatory Committees	54 Councillors - 46 Conservatives, 3 Independents, 3 Liberal Democrats, 1 Labour and 1 Ungrouped	Concerns around the lack of inclusion in policy initiation and development. Opted for this model to improve this	120,750	Area of 142.50 sq miles (369.20 sq km)	Yes
Tunbridge Wells Borough Council	Hybrid – Executive plus model. Executive of 5, 3 Cabinet Advisory Boards, 1 Overview and Scrutiny Committee and a number of Regulatory Committees	48 Councillors - 28 Conservatives, 9 Liberal Democrats, 4 Labour, 4 Tunbridge Wells Alliance and 2 Independent Currently have 1 vacancy	The change was made in April 2012. It stemmed from the Leader of the Council being concerned that the current Cabinet structure: • Provided for a disconnect between Cabinet Members and the wider membership of the Council • Led to a reduction in open discussion of key decisions and reduced transparency • Led to an over emphasis on post decision scrutiny • Increased distrust with the public and the local media • Created a confusing system of member working groups that were not transparent and open What were the aims of the review? • Greater involvement of non-executive members in the development of Cabinet decisions • Basic principle that all key decisions will be discussed and developed by the relevant Advisory Board prior to a decision by Cabinet • Provide for greater participation and greater ownership of Council decisions • Reduce the number of call-ins	118,724	Area of 127.90 sq miles (331.30 sq km)	Yes
London Borough of Wandsworth	Hybrid – Executive plus model. Executive of 9, 6 Overview and Scrutiny Committees and a number of Regulatory Committees	60 Councillors – 33 Conservatives, 26 Labour and 1 Independent	To increase Member involvement in shaping policy.	329,677	Area of 13.23 sq miles (34.26 sq km)	No
York City Council (Unitary)	Hybrid – Executive plus model. Executive of 10, 6 Policy and Scrutiny Committees, a number of Scrutiny Review Task	47 Councillors – 21 Liberal Democrats, 17 Labour, 3 Green, 2 Conservative, 2 York Independent Group and 2 Independent	The Council used the change of Legislation in the Localism Act 2011 to consider its arrangements and how decisions are made. Local people need to be confident that such decisions are evidence based and considered openly and accountably.	210,618	Area of 105.00 sq miles (271.90 sq km)	No

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
	Groups, and a number of Regulatory Committees. They also have 21 Ward Committees and Executive Member Decision Making Sessions which are public meetings and formally minuted		Wanted Members to more involved in aspects of policy development.			
Guildford District Council	Hybrid – Executive plus model. Executive of 8, 2 Executive Advisory Boards, 1 Overview and Scrutiny and a number of Regulatory Committees	48 Councillors – 17 Guildford Liberal Democrats, 16 Residents for Guildford and Villages, 4 Conservatives, 4 Conservatives Independent Group, 3 Guildford Greenbelt Group, 2 Labour and 1 Independent. Currently have 1 vacancy	The council considered change options by way of a scrutiny review, which also involved an independent person. The review took evidence in public, including from a local campaign group. It recommended the adoption of hybrid arrangements. The review highlighted the value of increased councillor involvement in decisions. The need for increased public awareness of both the Council's governance arrangements and the role of councillors was called for. However the review group was against a formal change from a leader and executive model.	148,998	Area of 104.60 sq miles (270.90 sq km)	No
London Borough of Richmond upon Thames	Hybrid to Committee – 5 Committees, Policy and Performance Review Board and a number of Regulatory Committees	54 Councillors – 39 Liberal Democrats, 11 Conservatives and 4 Green	Felt that Executive arrangements were not involving Members in shaping policy and the decision making process. In May 2018 they adopted a hybrid style pre-decision arrangement where a new set of committees was set up to mirror council directorates and consider decisions before they came to be made by Cabinet. In May 2019 moved to Committee System following a motion.	198,019	Area of 22.17 sq miles (57.41 sq km)	No
Cheshire East (Unitary)	Hybrid to Committee? Currently they have a Cabinet of 10, 4 Overview and Scrutiny Committees and a number of Regulatory Committees	82 Councillors – 32 Conservative, 24 Labour, 17 Independent Group, 4 Liberal Democrats, 2 Real Independents and 2 non grouped	The council resolved to adopt a committee system form of governance in May 2019. The original plan was to adopt the committee system from May 2020, but this was delayed following detailed study of the issues by the Council's constitution committee. Members and officers continue to consider the final design of a new system in detail.	384,152	Area of 450.00 sq miles (1,166.00 sq km)	Yes
South Gloucestershire (Unitary)	Committee then back to Leader-Cabinet. Have an Executive of 8, Health Scrutiny Commission and a number of Regulatory Committees	61 Councillors – 32 Conservatives, 17 Liberal Democrats and 11 Labour. Currently have 1 vacancy	Early adopter of moving to Committee structure in 2012 but moved back to the Executive arrangements after the 5 years had passed in 2017. It was felt that Executive arrangements better reflect the political reality of a majority council.	285,093	Area of 191.90 sq miles (496.90 sq km)	No

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
			The operation of executive arrangements provides an opportunity for more streamlined and efficient decision making.			
Norfolk	Committee then back to Leader-Cabinet. Cabinet of 10, 1 Scrutiny Committee, and a number of Regulatory Committees. They also have 3 Select Committees	84 Councillors – 54 Conservatives, 16 Labour, 9 Liberal Democrats, 3 Independents and 1 non-aligned Independent. Currently have 1 vacancy	Early adopter of moving to Committee structure in 2012 but moved back to the Executive arrangements after the 5 years had passed in 2019. Looks like the changes were made following a peer review and due to moving from no overall control to a Conservative majority.	907,760	Area of 2,080.00 sq miles (5,380.00 sq km)	Yes
Melton Borough Council	Committee to Executive - Cabinet of 5, Scrutiny Committee and a number of Regulatory Committees	28 Councillors – 20 Conservatives, 6 opposition and 2 Independents	Moved from the old style Committee System to Leader and Cabinet Model to support the Council's ambitions and to become a more agile and commercial council. This is a key component of realising the Council's commercial and wider ambitions to have a quick and efficient decision making process.	51,209	Area of 185.90 sq miles (481.4 sq km)	Yes
Swale District Council	Under consideration Currently operating Executive arrangements. Cabinet of 7, 1 Scrutiny Committee, a number of Regulatory Committees and 4 Area Committees	47 Councillors – 16 Conservatives, 11 Labour, 10 Swale Independent Alliance, 4 Independents, 3 Liberal Democrats, 2 Green and 1 UKIP	The Council has considered a change in governance alongside a wider constitutional review. Changes to area committees were taken forward, but further discussion of future governance models was deferred after having been discussed by councillors in July 2019. Discussing the objectives of a constitutional review, councillors considered that clear lines of demarcation, involving more Members in decision-making; timeliness of decision-making; working more effectively with the public; the additional burden on officer time and the costs of a new system were all of importance. They also considered that maintaining a strong role for scrutiny was important.	150,082	Area of 144.60 sq miles (374.5 sq km)	No
York City Council (Unitary)	Under consideration – see above	See above	Currently operating Hybrid arrangements (see above). In September 2019 the Council's Cabinet decided to undertake a full review of the Council's formal governance arrangements. However, the Coronavirus pandemic has resulted in no further updates being submitted to the Cabinet.	210,618	Area of 105.00 sq miles (271.90 sq km)	No
Uttlesford	Under consideration Currently operating Executive arrangements. Cabinet of 6, 1 Scrutiny Committee and a number of Regulatory Committees. Also have 2 Cabinet	39 Councillors – 22 Residents for Uttlesford, 5 Liberal Democrats, 4 Conservatives, 2 Greens, 2 Independents and 2 Thaxted and Eastons Independent Group.	A report was presented to Council in July 2019 to establish a member working group, to consider options relating to governance change. The Council's leadership considered that it would be possible to make changes to come into force in May 2020.	91,284	Area of 247.60 sq miles (641.20 sq km)	Yes

Appendix 2 – Review of other Council Governance Arrangements

Name of Council	System/Structure of Governance	Political Makeup	Reasons for change	Population size	Demographics	Sparse Member?
	Committees and a number of Cabinet Working Groups	Currently have 2 vacancies	Later in the year, the Working Group resolved that, instead of proposing changes for May 2020, instead a (non-public) "shadow committee" should be established to experiment with cross-party working and decision-making, evaluated through comparison with the authority's existing governance arrangements.			

Note:
As a point of reference the area of Somerset West and Taunton is 459 sq miles (1,188 sq km)

Options for Governance Arrangements

	Option 1 - Current arrangements – Executive Arrangements	Option 2 - Current arrangement (Executive Arrangements) plus minor changes	Option 3 – Committee system (links to Directorate Structure)	Option 4 – Hybrid (links to Directorate Structure)
Structure	Council Executive of 10 Scrutiny Committee (15) Regulatory: Audit, Governance and Standards Committee (11) Planning Committee (15) Licensing Committee (15)	Council Executive of 10 Policy & Scrutiny Committee (Corporate) Policy & Scrutiny Committee (Community) Regulatory: Audit & Governance Committee Standards Committee Planning Committee Licensing Committee	Council Strategy and Resources Committee Internal Operations Committee External Operations and Climate Change Committee Development and Place Committee Housing and Communities Committee Regulatory: Audit, Governance and Standards Committee Planning Committee Licensing Committee	Council Executive (max 10) Scrutiny Committee Internal Operations Policy Development Group (PDG) External Operations and Climate Change PDG Development and Place PDG Housing and Communities PDG Regulatory: Audit, Governance and Standards Committee Planning Committee Licensing Committee
Political make up	All Committees except the Executive are politically balanced	All Committees except the Executive are politically balanced	All Committees are politically balanced	All Committees except the Executive are politically balanced
Democratic pathway and decision-making	As currently – decision making bodies are Executive and Council	As currently – decision making bodies are Executive and Council	Committees and Council	PDG consider and shape policy and then make recommendations to the

	Option 1 - Current arrangements – Executive Arrangements	Option 2 - Current arrangement (Executive Arrangements) plus minor changes	Option 3 – Committee system (links to Directorate Structure)	Option 4 – Hybrid (links to Directorate Structure)
				Executive (and Council if appropriate)
Special Responsibilities	• Chair & Vice Chair appointed by Council annually. • Leader appointed every 4 years • Leader selects Executive Members • Chair of Scrutiny appointed by Council annually • All other Chairs and Vice Chairs appointed annually at first meeting of Committee after AGM (by the Committee Members)	• Chair & Vice Chair appointed by Council annually. • Leader appointed every 4 years • Leader selects Executive Members • Chairs of Scrutiny appointed by Council annually • All other Chairs and Vice Chairs appointed annually at first meeting of Committee after AGM (by the Committee Members)	• Chair & Vice Chair appointed by Council annually. • Leader appointed every 4 years • All other Chairs and Vice Chairs appointed annually at first meeting of Committee after AGM (by the Committee Members)	• Chair & Vice Chair appointed by Council annually. • Leader appointed every 4 years • Leader selects Executive Members • Chairs of Scrutiny appointed by Council annually • All other Chairs and Vice Chairs appointed annually at first meeting of Committee after AGM (by the Committee Members)
Number of Committees	6	8	9	10
Number of staff	4	5	6	6
Cost of Governance Model	£539,087 See spreadsheet for breakdown	£575,675 See spreadsheet for breakdown	£575,246 See spreadsheet for breakdown	£607,625 See spreadsheet for breakdown

	Option 1 - Current arrangements – Executive Arrangements	Option 2 - Current arrangement (Executive Arrangements) plus minor changes	Option 3 – Committee system (links to Directorate Structure)	Option 4 – Hybrid (links to Directorate Structure)
Difference in cost to current arrangements	£0	£36,588	£36,159	£68,538
Comments	N/A	The addition of an extra Scrutiny Committee would require an additional member of staff to be able to carry out the Committee Support and also the Scrutiny Officer function There would also be additional costs for the Chair of Scrutiny and Chair of Standards	With a Committee system it is likely that the JIRP would include an SRA for the Committee Chairs and also Committee Vice-Chairs For 9 Committees anticipating that 6 members of staff would be needed.	If the size of the Executive was reduced to Leader plus 5 that would save £30,060 from the cost listed above For 10 Committees anticipating that 6 members of staff would be needed. Assumed that PDGs would meet every 2 months i.e. 6 meetings a year. Anticipated SRA allowance to be the same as AGS and Licensing Chairs. If meetings are more regularly e.g. monthly then likely the SRA for Chairs would be the same as Planning & Scrutiny i.e. £4,665

	Option 1 - Current arrangements	Option 2 - Current arrangement plus minor changes	Option 3 – Committee system (links to directorate structure)	Option 4 – Hybrid (links to directorate structure) 4 PDGS
Basic Allowance	£297,596.00	£297,596.00	£297,596.00	£297,596.00
SRAs:				
Chair of Council	£4,665.00	£4,665.00	£4,665.00	£4,665.00
Vice-Chair of Council	£2,346.00	£2,346.00	£2,346.00	£2,346.00
Leader of the Council	£15,889.00	£15,889.00	£15,889.00	£15,889.00
Portfolio Holders	£67,635.00	£67,635.00	N/A	£67,635.00
Chair of Scrutiny	£4,665.00	£9,330.00	N/A	£4,665.00
Regulatory:				
Chair Planning	£4,665.00	£4,665.00	£4,665.00	£4,665.00
Chair AGS	£2,346.00	£0.00	£2,346.00	£2,346.00
Chair Licensing	£2,346.00	£2,346.00	£2,346.00	£2,346.00
Chair Audit & Governance	£0.00	£2,346.00	£0.00	£0.00
Chair of Standards	£0.00	£2,346.00	£0.00	£0.00
Committee Chairs	£0.00	£0.00	£37,575.00	£9,384.00
Committee Vice Chairs	£0.00	£0.00	£11,730.00	£0.00
Staffing	£136,934.00	£166,511.00	£196,088.00	£196,088.00
Total cost	**£539,087.00**	**£575,675.00**	**£575,246.00**	**£607,625.00**

Council Governance Arrangements Working Group
Governance Options Survey feedback

	Option 1 Executive	Option 2 Exec Plus	Option 3 Committee	Option 4 Hybrid
Councillor 1	-	-	1	-
Councillor 2	-	-	1	-
Councillor 3	4	2	3	1
Councillor 4	-	-	1	-
Councillor 5	-	-	1	-
Councillor 6	2	1	-	-
Councillor 7	-	-	1	-
Councillor 8	-	-	1	-
Councillor 9	1	2	4	3
Councillor 10	1	2	4	3
Councillor 11	-	-	1	-
Councillor 12	-	-	1	-
Councillor 13	1	2	4	3
Councillor 14	2	1	-	-
Councillor 15	2	1	-	-
Councillor 16	2	1	-	-
Councillor 17	1	2	4	3
Councillor 18	-	-	1	-
Councillor 19	2	1	4	3
Councillor 20	-	1	-	-
Councillor 21	-	-	1	2
Councillor 22	3	2	1	4
Councillor 23	-	-	1	-
Councillor 24	-	-	1	-
Councillor 25	2	1	4	3
Councillor 26	4	3	1	2
Councillor 27	-	-	1	-
Councillor 28	3	2	4	1
Councillor 29	-	-	1	-
Councillor 30	-	-	1	-
Councillor 31	3	2	1	4
Councillor 32	-	-	1	-
Councillor 33	-	-	1	-
Councillor 34	-	-	1	-
Councillor 35	-	-	1	-
Councillor 36	2	1	3	4
Councillor 37	1	2	3	4
Councillor 38	1	2	4	3
Councillor 39	-	-	1	-
Councillor 40	2	1	-	-
Councillor 41	-	-	1	-
Councillor 42	2	1	-	-

	Option 1 Executive	Option 2 Exec Plus	Option 3 Committee	Option 4 Hybrid
Councillor 43	2	1	-	-
Councillor 44	1	-	-	-
Councillor 45	1	-	-	-
Councillor 46	4	3	1	2
Councillor 47	-	-	1	-
Councillor 48	-	-	1	-
Councillor 49	1	2	4	3
Councillor 50	1	2	4	3
Councillor 51	-	-	1	-
Councillor 52				
Councillor 53				
Councillor 54				
Councillor 55				
Councillor 56				
Councillor 57				
Councillor 58				
TOTAL	10	11	28	2

Note* - As Cllr Hill has resigned with immediate effect the number of SWT Cllrs is 58 The listing above has been done in a random order so as to ensure that responses are anonymous.

In terms of Member's first preference the totals are:
- Executive/Executive plus = 21
- Committee System = 28
- Hybrid System = 2
- 7 Councillors have not yet responded.

If you remove Hybrid as the least favoured option (and consider the two Councillors second option) the figures then become:
- Executive/Executive plus = 23
- Committee System = 28
- 7 Councillors have not yet responded.

In terms of the option that people classed as their least favourite i.e. score of 4, the figures are, as follows:
- Executive/Executive plus = 3
- Committee System = 10
- Hybrid System = 4
- 34 Cllrs declined to rank an option as their least preferred option.
- 7 Councillors have not yet responded.

Comments

General

My last choice would be to go back to the old Committee system, a time consuming Committee process which would not expedite decision making. The third choice (Hybrid) although more expense could I believe bring some benefits in decision making and understanding.

I have also sent in the circulated form for completeness. However I wish that the attached be registered with all members of the working group as my survey response.

As we are the life support stage of SWT, I think that option 1 and 2 are the most pragmatic taking on board external issues and public perception.

My ultimatum view is a compromise of systems, albeit I am wary of the implications on staff time. If the constitution can be amended to allow the constitution to be changed anytime in the year, i.e. on governance arrangements, my preference of options remain. However, if this is not the case and the change of system would need to be voted on by May, which for me would be vastly inadequate preparation time, I would switch my first and second preference around. The crucial flaw in Option 3 is a lack of leadership.

My vote is for The third choice with Committee system it allows greater involvement by all councillors. I'm not saying the current system is no good but that personally we could do better I don't see any value in the fourth option to me it just appears bureaucratic

I think in an ideal world I'd be supporting a hybrid system, but based on the costs shown I think that's a non starter. I would also theoretically support an additional Scrutiny committee as our current agendas are regularly over burdened. However, as there are only two years left for the lifespan of this Council I see no benefit in changing the current system and will therefore support that option. I believe this whole exercise has been unnecessary and has needlessly used valuable resources in your governance team.

I am mindful that in order for Council decisions to have a proper basis which cannot be legally challenged, the system that gives rise to them has to be grounded in a formally adopted Constitution. Members have to accept that they cannot adopt a new system on the hoof, but that the Constitution will have to be changed and adopted first before any new system can operate; and we have to accept that as a process that cannot be rushed. The elephant in the room remains FOLGIS. It seems to me a monumental waste of Officer time and resources to be making changes that might only last for a few months.

Final comment. As unitary appears to be Central Government's preferred option in just over 2 years I find this whole operation pointless and a waste of officer time.

Expensive change shortly before moving to a new Unitary Council(s) is an unwise use of resources.

Sorry am not bothering to rank – option 3 all the way - none of the other options have ANY merit. If we are going to do governance reform, as we must, let us do it properly. I would not underestimate the urgent need for change – many of us new

councillors feel completely disillusioned, we feel we are prevented from doing our jobs effectively in serving our communities by the rotten governance system where a group of 9-10 hog power and ignore the rest. The democratic deficit is appalling!!!!

I appreciate we've been asked for to rank the options, however the only option I would choose is option 3. To rank the remaining options would be misleading, as I wouldn't vote for them. My only concern is the cost of changing systems (officer time) with Unitary becoming a reality in May next year.

The existing arrangement seems on the face of it to be the preferred option, it does suffer from the closing down and stifling of discussion from the majority party particularly if the Council Chair is from that same party. It would seem to me that any change at the current time would bring unnecessary expensive change on the very eve of moving to a new Unitary Council(s) a complete waste of money and time.

Option 1 – Executive arrangements i.e. staying as we are

As we are the life support stage of SWT, I think that option 1 and 2 are the most pragmatic taking on board external issues and public perception.

I do not like the Exec system because it favours political parties by allowing a small cabal of Councillors in a ruling group to dominate a Council and stifle debate. Under the Exec system backbench and opposition Councillors have little opportunity to get involved and are little more than voting fodder.

Too little engagement with wider membership on key decisions, resulting in limited perspectives and narrow decisions.

I believe that having an executive does allow for simple representation for the different functions for the public and press. It also allows for Mundane or emergency decisions to be made more easily. However it can mean decisions that would interest councillors and the public in ways that are unexpected can be decided without consultation.

The current system is not democratic. Many members feel disenfranchised and unable to be involved in the decisions which affect the electorate who put their trust in them to act on their behalf.

We can't stay as we are

The present system doesn't allow non-Exec councillors enough influence in decision making. Officers and the Executive decide on proposals and then present to Full Council, often without sufficient notice, and the chance to amend and fully understand what is being proposed. There aren't enough committees and one committee, Licensing, rarely ever meets.

In my view the current arrangements are the most efficient and accountable so far devised to run a Political Authority (which SWAT is likely to remain).

We should move away from any option involving a one-party Executive or Cabinet. Having a one-party Executive is a hindrance to the fair and efficient operation of the council. It compounds the problems of the unfair first past the post voting system by allowing a minority to run the council. These tensions increase in councils, such as SWT, where the largest group hold a small majority of the seats. More groups and councillors should be genuinely involved in decisions, which is likely to lead to more factors being taken into account and better decisions taken. The Executive system has many other problems, including a lack of transparency and a blurring of accountability between officers and portfolio holders, with many decisions apparently being taken behind closed doors. Because Portfolio Holders are firstly chosen because of their party colours, some appear to lack competency in doing the job, which is bad for the council and the communities we serve

Best option

This simply is not getting the best out of elected councillors and their knowledge of their community's and their own expertise and skills.

Don't feel this is working as well as it might. Insufficient buy in from councillors.

Although as a party we would like a committee system I don't think this is practical in the time left before unitary so I would be willing to stay as we are.
I personally think we should just leave things as they are. We have more than enough to deal with right now without having to waste officers' time on this when who knows what will be happening later this year and into next.

I think option 1 has served the council very well.

Being this close to a new kind of administration ie unitary we should be focusing our time money and officers on the future of democracy not on changing something that may only be in existence for 1 year

This would be completely unacceptable. Lib Dems took control of SWT on basis of a manifesto which committed to introducing a modern committee system. The current arrangements mean councillors outside the Executive are little more than 'window-dressing'/ 'useful idiots' rather than able to exercise any real power or involvement and this in turn impacts on the quality of decisions and public policy interventions. Anything that retains powers in the hands of Leader and handpicked bods is a NO GO in my book.

This arrangement is fairly effective and agile but it has led to complaints about the joint audit & governance scrutiny being overworked.

The system has only got to last 2 years until unitary, it is cheap and all understand how it works. To change to any other system will be more expensive and take at least a year to get it to run smoothly.

The only viable option in my view is the introduction of a Full Committee system no later than April 2021. The Executive arrangement is not working for most Councillors

and should be terminated as soon as possible and the Committee system introduced with immediate effect.

The current system needs updating to make sure All councillors views are taken into consideration.

The current system is not sustainable, whereby an individual makes a decision and the rest have to follow.

It's hard to keep most cllrs motivated and engaged when they feel so excluded from policy-making and decision-taking.

This arrangement is clearly not working and is not sufficiently transparent. Back bench councillors' views are totally disregarded

Option 2 – Executive arrangements with an extra Scrutiny Committee and splitting the Audit, Governance and Standards Committee into two – Audit & Governance Committee, Standards Committee

Support this as a hybrid model due to the life expectancy of the council

Pointless. Seems like it will fall between the gaps.

The one scrutiny committee which we have is largely ignored by the Executive and they simply argue against almost all recommendations which scrutiny make. There would simply be 2 scrutiny committees which would be ignored.

This is not much different to the current system

I don't believe this would make any difference. Scrutiny doesn't have much teeth anyway.

I feel that there is little to be gained, but if it helps create greater member engagement, pragmatically it might be worth doing.

We should move away from any option involving a one-party Executive or Cabinet, for reasons given above (option 1).

Cannot see much advantage

This still does not address the involvement issues as referenced in comments on 1.

I think this would be an improvement on the current system and hope we can bring it in for the beginning of the next municipal year.

My preferred option is option 2 - Wonder if at all relevant now we are probably going to unitary in some form in a years time

The previous council had two scrutiny committees, corporate and community which looked at items relevant to those titles. This enabled councillors who were interested in certain subjects to sit on or attend and be involved in the debates and recommendations. Having the two committees also involved more councillors and there was more time for different subjects to be covered. I was unhappy during the transformation and said so that the council was only having one scrutiny committee and the reason was to save costs.

The current system with informal policy advisory groups (PAG) would enable back bench members to be involved in discussions and also allow officers to bring ideas informally for discussion

Bit pointless. This would be moving deckchairs around when the deck has rotted. An extra scrutiny committee would just be an extra committee for the Exec to ignore so more time wasted for councillors.

This arrangement presents the best way forward in my mind, by maintaining a working Executive and providing more scrutiny committees where needed.

I think staying as we are is fine but 2 gives a little more balance for scrutiny which I think is reasonable given the volume of work

The current system with two committees (AG & Standards) is frankly a non starter and offers nothing new or useful.

Scrutiny is only advisory and the Executive can ignore any recommendations made.

What is the point, scrutiny committee has no teeth, and they are advisors

Changes are too small to address issues above i.e. It's hard to keep most cllrs motivated and engaged when they feel so excluded from policy-making and decision-taking.

This would appear to be particularly burdensome

Option 3 – Committee System designed on the Directorate Structure

If SWT was not coming to an end and we had far more information on this, i would review it further as to full cost, time and impact on working arrangements eg when will the committees meet, how long does a decision take, who would decide on evictions in housing portfolio, how do curveball events get dealt with, what is cost of set up etc

This seems a fairer way to enable and ensure the widest participation in decision making. The ruling group would still control committees but it would allow a much wider involvement for all Councillors.

In the absence of proper discussion, which committees would bring, we are left with the chaotic scenes we have witnessed in recent Full Council meetings. Committees will enable all members to have an input into issues in which they have some skills, knowledge or interest at any early stage when these are most needed, rather than at a late stage when any changes will be blocked.

A Committee Structure would allow all councillors to be more involved and encourage a 2 way process of engagement. It would allow councillors to chose and focus on a committee they are interested in with some knowledge or expertise. Councillors would have more confidence in Full Council proposals and feel that the minor details have also been adequately scrutinised.

In my view this is the least desirable option: slow, less focussed, and - as I have pointed out to others - it is likely to have to be more tightly politically whipped and therefore (counterintuitively perhaps) is the option where backbenchers will have least room for manoeuvre.

This is by far the best option. It is very important to give all groups a greater say and to give more members a greater opportunity to be involved in developing policy and taking decisions through committees, especially in areas in which they have an interest. A committee system should allow a greater variety of voices to be genuinely taken into account in council decision making, so being better for the council and the communities we serve.

Delayed decision making

This option allows for all councillors to be involved and does not cause the financial cost to go up as significantly as option 4.

I like the idea of linking with the Directorate structure, a logical move so that officer/budget implications, etc are in line. Pleased this does not involve significant extra costs.

 I think if we could have another year or two to design and work out the details plus train Cllrs how it would work then this might be the best option but in view of unitary coming I do not think we should attempt to make this change now

My vote would be for option three the committee system as hopefully this would give greater representation based on the make up of the council than the current system

I believe this is the only viable option.

Committee system worked in the past and will work now and therefore should be introduced as soon as possible

This would be a retrograde move for the council, it would slow down decision making. Councillors who are not members of the existing committees do not attend other committees so I wonder if there will be the interest or commitment to fill lots of different committees. The current council is nearing its end if unitary moves forward and setting up and changing the whole system of the council is an unnecessarily

time consuming operation. It also increases costs to the council which is already working hard to maintain standards of services for the residents of the area. Officers should be spending their time working on a review of the unparished area rather than on the system of governance of the council which has worked exceptionally well during a pandemic and post transformation.

Very strongly support this option for which there is a DEMOCRATIC MANDATE from electorate. I want this introduced for next municipal year. Finally ALL councillors would actually have a meaningful role and we would see more consensus-based policy and decisions. YES!!!! Have been having a close look at our existing constitution in preparation for serving on Constitution working group and comparing with committee system local authority decision structures and constitutional arrangements. Change would not be difficult to implement from that point of view.

I would like to have it noted that I strongly believe number 3 is the way to go, so I am all for the committee system.

This is a recipe for slow and difficult decision making, where every single decision is the result of late-night horse-trading and requiring a huge input of time from both committee members and officials. As originally envisaged, it would also have handed significant power away from the ruling group.

I feel this is the only option that would work well to enable very one to have their say. Much fairer system.

3 is definitely not ok in my opinion. It's very cumbersome and not responsive. Presumably if all Committees are politically proportionate then the ruling group could take all the chairs and vice chairs as you couldn't stipulate anything other than the ruling group taking those positions. I think the opposition parties would find this very irksome!!

The Committee System is in my view the only viable option as it allows Councillors with an interest or competence to sit on the committees that interest them and allows a much more collegiate and consensual approach to be made before going onto Full Council for ratification.

This is the most viable option and ideas/expertise can be used to the benefit of the committee.

The only viable option, whereby councillors with interests and expertise can choose which committee they can sit on to add value, debate/discuss issues in a proactive way rather than a chaotic ways that we have witnessed in recent full council meetings that goes on for ever!

Optimum system if we were not facing major time constraints due to re-organisation

Yes this is the only option I have voted for as I do not support any of the other option. Committee system would provide a more collaborative and transparent regime. A more modern and democratic government in these modern times.

This is the only viable option, it's more democratic than all of the others. I also believe that the number of Chairs should be handled in the same way as members of Committees. In that if one group has 51% of the Members on the Council, they should be allocated 51% of the Chairs, and 51% of the Deputy Chairs. Another group with 25% of the Members they should get 25% of the Chairs, and 25% of the Deputy Chairs.

Option 4 – Hybrid system designed on the Directorate Structure

If SWT was not coming to an end and we had far more information on this, i would review it further as to full cost, time and impact on working arrangements eg when will the committees meet, how long does a decision take, who would decide on evictions in housing portfolio, how do curveball events get dealt with, what is cost of set up etc

Any hybrid scheme will involve two sets of decision-making bodies and this will continue, or perhaps even accentuate, the conflict within the Council. This is the last thing we need.

This is too similar to the current system

A hybrid system is preferable to leaving the system as it is but is inadequate when compared to the Committee system.

I think this could offer the best of both world in keeping the accountability and speed of the Executive system but giving. Members a real sense of influence and engagement over Policy at all stages of its creation.

We should move away from any option involving a one-party Executive or Cabinet, for reasons given above (under option 1).

Most expensive

Creates a much bigger burden of cost, and I think will result in conflict between the old model and new with issues arising should executive move in a different direction to the committees.

Expensive.

I don't know enough about this and would have to find out more about how it would or could work before opting for it. Again I do not think we have enough time left before unitary to make this change.

Will not cut the mustard

This would again be moving deckchairs around when the deck has in fact rotted. Policy development committees would have no real power and just be extra committees for the Exec to ignore so more time wasted for councillors.

This is likely to set the policy development groups against the executive. It seems to combine the worst features of both systems into one gigantic bear-pit.

4 is ok

The Hybrid System is just a fudge which will make the whole decision making process more complicated and less inclusive leaving even more back bench councillors feeling left out of the process entirely and should not be considered for that reason alone.

A Hybrid will lead to going back to the old way of working.

The current system is not working; any hybrid will have a tendency to revert back to its original structure.

Best available short-term improvement

This looks unworkable and is likely to be very cumbersome and could course delays in decision making

Appendix 5 - Update from the discussions at the Audit, Governance and Standards Committee on 12 April 2021

The Council Governance Arrangements Working Group Report was considered by the Audit, Governance and Standards Committee at their meeting on 12 April 2021. Changes were proposed to recommendations:

2.1 – take out the wording '*unless a decision is made to set up a Unitary Council for the area from 2023.*'

2.4 – take out the word Policy from the names of the Committee i.e. call them Corporate Scrutiny Committee and Community Scrutiny Committee

2.5 – as per recommendation 2.4 take out the word Policy

2.11 – as per recommendation 2.4 take out the word Policy

Therefore the amended recommendations from the Audit, Governance and Standards Committee would read as follows:

<u>Relating to the 2022 Municipal Year</u>

2.1   The Council moves to a Committee system of governance from the Council AGM on 10 May 2022.

2.2   The Council proposes to the Unitary Shadow Authority that a committee system of governance is adopted, if set up as the principal council for the area.

2.3   The Council writes to the Chief Executives and Leaders of the County and Districts to request ask that they consider that the Shadow Authority governance arrangements are set up as a Committee system

<u>Relating to the 2021 Municipal Year</u>

2.4   That a second Scrutiny Committee is introduced from the AGM in 2021, with the focus being Corporate Scrutiny Committee and Community Scrutiny Committee. The split of workload for the two Scrutiny Committees (see Annex A at the end of this report) is approved

2.5   That the number of seats on both Scrutiny Committees is 15 from the start of the 2021/2022 Municipal Year

2.6   The Audit, Governance and Standards Committee is split into two separate Committees from the AGM in 2021, for the 2021/22 Municipal Year and becomes Audit and Governance Committee and Standards Committee. The Terms of Reference for both Committees (see Annex B and Annex C at the end of this report) is approved.

2.7   That the number of seats on the Audit and Governance Committee is 11 from the start of the 2021/2022 Municipal Year

2.8   That the number of seats on the Standards Committee is 9 from the start of the 2021/2022 Municipal Year

2.9   The role of Shadow Portfolio Holders is included within the Constitution as per the wording in Annex D to this report

2.10   Officers and Portfolio Holders are reminded of requirements to provide information and notifications to Ward Councillors as per the Member Officer Protocol

2.11   The Corporate Scrutiny Committee are asked to work with officers to consider a system for communicating reports to Members from representatives from outside bodies