



## Governance Committee Report

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

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**Date:** 09 March 2022

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**Subject:** Committee System Structure

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**Author of Report:** Gillian Duckworth, Director of Legal & Governance, Monitoring Officer

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**Summary:** This report is an important milestone in the cross-party Governance Committee's work to design Sheffield City Council's new committee system of governance, for agreement by Full Council. The accumulated evidence compiled by the Committee over a number of months supports this proposal, which aims to prioritise pace, openness and clarity of decision-making while ensuring that the voice of the public is heard throughout Sheffield's democratic arena.

The Monitoring Officer has begun a detailed redraft of the necessary parts of the constitution based on the Committee's previous decisions and the recommendations in this paper, once referred on to Council, would allow work to continue at the pace necessary to bring a draft constitution and associated additional commentary to Full Council on 23 March as an additional appendix to this report.

It must be emphasised that this iterative approach to design – in which members are shaping the design as it emerges with input from residents, stakeholders, partners, councillors and officers – has been critical both to achieve the necessary pace and to ensure that the design has been Councillor-led throughout, with the voice of residents at its heart.

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### **Recommendations:**

That the following be recommended to Council:

- 1. That the various elements of a committee system of governance set out in this report and its appendices, be agreed for implementation from the May 2022 AGM in line with the legally binding referendum of 6 May 2021 and subsequent resolution of Full Council on 19 May 2021;*
- 2. That the Governance Committee be instructed to conduct a review of the new governance system, commencing six months after implementation*

*(November 2022) with a view to recommending improvements to Full Council for May 2023. This review will:*

- a. Use the previously agreed 'strategic aims' and 'design principles' found at Appendix 2 as its success criteria*
  - b. Actively seek and use feedback from residents, stakeholders, partners, councillors and officers to inform its assessment against those criteria, in line with the new ways of working expected of all decision-makers within the new system*
  - c. Take account of any changes to the local and national context*
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**Background Papers: N/A**

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**Category of Report:        OPEN**

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## Statutory and Council Policy Checklist

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

## **COMMITTEE SYSTEM STRUCTURE**

### **1.0 INTRODUCTION**

- 1.1 The Governance Committee was appointed by Sheffield City Council to lead the work which will take the Council from a 'Leader and Cabinet' model of Governance to a 'Committee' model. Building on previous decisions of the Committee and the evidence and experience gathered during the engagement and inquiry phases, this report proposes all the key aspects of how the Council's new Committee system should work at the point when it is launched in May 2022, so that final drafting of a revised constitution can be completed before that date. It must be emphasised that this iterative approach to design – in which members are shaping the design as it emerges with input from residents, stakeholders, partners, councillors and officers – has been critical both to achieve the necessary pace and to ensure that the design has been Councillor-led throughout, with the voice of residents at its heart.
- 1.2 This report is an important milestone in the cross-party Governance Committee's work to design Sheffield City Council's future governance arrangements under a committee system, for agreement by Full Council. The accumulated evidence compiled by the Committee over a number of months supports this proposal, which aims to prioritise pace, openness and clarity of decision-making while ensuring that the voice of the public is heard throughout Sheffield's democratic arena.
- 1.3 This once-in-a-generation opportunity to shape a new governance system does not end with this report, or the AGM in May 2022 or 2023. Members have been clear that this is a voyage of discovery and, particularly with reference to the development of improved public participation and engagement mechanisms, this is expected to continue to develop over the coming months and years.
- 1.4 This report is for referral on to an extraordinary meeting of Full Council on the 23<sup>rd</sup> March 2022 for formal agreement, at which point it will be accompanied by key segments of a redrafted constitution and associated additional commentary. The outcomes of the Governance Committee debate today will steer the ongoing work on that revised constitution and design of the operating frameworks and procedures required to deliver a successful transition at May 2022.

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### **3.0 BACKGROUND**

3.1 On 6<sup>th</sup> May 2021, a Sheffield City Council Governance Referendum was held to determine whether the Council should be run by a leader who is an elected councillor chosen by a vote of the other elected councillors (which is how it is run now), or alternatively, by one or more committees made up of elected councillors. One result of this referendum was [a binding resolution by Sheffield City Council on 19 May 2021](#) that it will, with effect from the start of the 2022/23 Municipal Year, cease to operate executive arrangements and start to operate a committee system of governance.

3.2 On 16 June 2021 Sheffield City Council resolved to establish a Governance Committee as a politically proportionate body with the delegated authority to guide the transition to a committee system of governance and to set the parameters for stakeholder engagement during the design process.

3.3 It has not been lost on the Committee that this cross-party initiative was in effect an early pilot of the Council’s new way of working, and it has been incumbent on the members of this committee, Chaired by Cllr Julie Grocutt (Labour) and Deputy Chaired by Cllr Penny Baker (Liberal Democrat), to conduct this exercise as an exemplar of the spirit of openness, collaboration and listening which the referendum appeared to demand of its reshaped City Council. Members of all three Groups represented on the Committee have shown great willingness to partake in open and forthright

debate in private and in public, seeking and often finding consensus through deliberation and a willingness to listen to other perspectives.

- 3.4 The recommendations in this report are therefore to be recommended to Full Council with authority, not just insofar as the committee had delegated power and has conducted a well-evidenced process informed by public participation and involvement, but also insofar as Members trust the process of deliberation and negotiation by which this politically proportionate committee has produced recommendations designed to be palatable to this Council's unique political makeup.
- 3.5 Since its initial meetings on [20<sup>th</sup> September 2021](#) and [27 October 2021](#) the Governance Committee has been planning and conducting a whole committee inquiry into its future governance arrangements, and then using the learning from this to build a design for an effective committee system that is right for Sheffield. This followed on from, and somewhat mirrored in form, the exercise undertaken by the Council's Overview and Scrutiny Management Committee in 2019 when it looked at what could be achieved through changing the Council's decision-making model.
- 3.6 Over three sessions on [30<sup>th</sup> November](#), [7<sup>th</sup> December](#) and [8<sup>th</sup> December](#) the committee used a 'select committee' approach to gather evidence from a range of witnesses, including contributions from citizens through a range of public engagement events.
- 3.7 As agreed by Governance Committee members, the inquiry included:
- a) Collation of opinion, ideas and feedback gathered through council-led engagement with stakeholders, the public, members and council officers
  - b) Desktop research including review of relevant material received in the 2019 Scrutiny exercise and since, including the Big City Conversation
  - c) Research into comparator authorities' experiences and recognised best practice
  - d) Lessons learnt from the first few months of the active experimentation taking place within the Council's democratic arena via the Transitional Committees, Local Area Committees, Co-Chairing pilot and other Members' experiences of decision-making during the 2021/22 transitional year
  - e) Updated written or verbal submissions from a range of other contributors including an open invite to the witnesses from the 2019 Scrutiny exercise to update their submissions with any new or changed information. This included e.g. representatives from the business community, officers, academics, local campaign groups etc
  - f) Verbal and written submissions from Councillors and Officers from other authorities which have moved to operate a Committee System in the modern era

3.8 The main output from that inquiry is this report which, once recommended to Full Council, should represent the Committee's synthesis of all of the information gathered and their application of this knowledge to the design of a system for Sheffield.

However, along the way various other important outputs were created, all of which have informed the Committee's recommendations:

- [A summary of findings from the Big City Conversation and the Scrutiny Management Committee's investigation in 2019](#)
- [Case studies of other authorities which operate a committee system](#)
- [Relevant findings from basic mathematical analysis of various options](#)
- [Collated feedback from a number of public engagement events conducted across Sheffield and online with the support of the Centre for Governance and Scrutiny](#) including specific [proposals by local group It's Our City](#).
- [A summary of the written and verbal evidence presented by witnesses on 7<sup>th</sup> and 8<sup>th</sup> of December](#), including representatives from the business community, officers, academics, local campaign groups, national politicians and Sheffield City Councillors
- [A report of the research carried out by Cllrs Dawn Dale and Cllr Zahira Naz into the potential use and benefits of Co-chairing or job-sharing Chair roles](#).

3.9 In the course of its work, the Governance Committee has agreed:

- Draft design principles for use when weighing up options before May 2022 and when measuring the degree of success after May 2022 (see Appendix 2)
- A draft [governance framework](#) for use publicly to support conversations with stakeholders, the public, councillors and officers about the future model of the Council's governance (this provided a structure to the whole inquiry)
- An approach to stakeholder engagement about these principles and about the various aspects of the governance framework, throughout this period
- A plan for a several-stage process with simultaneous design and engagement informing each other as they proceeded
- A plan to shape that stakeholder engagement activity into two main stages:
  - Proportionate, topic-by-topic engagement with internal and external stakeholders on technical questions as they arose, including an open public invitation for participants to contribute via a stakeholder group made up of interested parties;
  - A city-wide, facilitated, representative, discursive engagement exercise, allowing more citizens' input to be more impactfully

applied to the emerging model, and to shaping future ways of working within it.

- It was agreed on [25 January 2022](#), following a round-table event with stakeholders for the purpose of planning this stage of engagement (chaired by our partner Involve) that this should take place after implementation in order to test and improve the initial implementation. The initial design at May will be informed by information already gleaned through previous public engagement activity and with reference to best practice.
- That design of the new committee governance model should take place via a whole-committee inquiry as above
- A number of specific aspects of the future structure were agreed on [25 January 2021](#) and [22 February 2022](#), each time describing an increasingly detailed outline of a new governance system, leading up to this report.

3.10 The above decisions were made with reference to proposed structure diagrams found in those reports. All of these have been superseded by an updated diagram reflecting the committee's amendments, provided at Appendix 1.

3.11 Members noted at their January meeting both that an extraordinary meeting of Council was required on 23 March and that there would be a need for Council to suspend or adjust aspects of its standing orders for that meeting in order to effectively handle this business. Such a suspension was agreed at the meeting of Full Council on [2 March 2021](#), as follows:

“For the purposes of the Special Meeting of the Council scheduled to take place on 23 March 2022, and in relation to the item of business to approve new governance arrangements, each political Group may propose one amended set of governance arrangements and for the avoidance of doubt this also applies to the political party holding one seat on the Council. Voting in parts on these amendments shall not be permitted.”

3.12 This follows the precedent established for special meetings of the Council at which the budget is agreed for the financial year ahead. This is because the decision shares some similar factors and risks:

- The aspects of the governance system (and constitutional changes) to be described by the report to Full Council on 23 March are designed to hang together as a coherent whole, following months of work by a committee of this Council.
- Changes to one part of the system cannot necessarily be made without adjusting various other aspects, if the whole is to remain functional.



- Changes to the Council's governance arrangements (including its constitution) should only be made in light of legal advice and within the oversight of the Council's Monitoring Officer.
- Given the technical nature of the subject matter, it is important that amendments can be worked up with the support of professional officers so that what comes forward, if agreed as an amendment, would describe an internally consistent and lawful system.

3.13 Finally, the Governance Committee has been clear from the outset that agreement of a new system for May 2023 would only be the beginning of the change process. At the Committee's first meeting, the Leader of the Council expressed this view, acknowledging that while the system as initially designed would be unlikely to be perfect in all respects, the key thing would be for the council to adapt and correct issues quickly. The experience of other councils which have transitioned to a committee system tells us that the bedding in period will last for multiple years during which time the degree of change is likely to depend on the outcome of elections as well as the changing needs of the city. The Governance Committee has heard anecdotally how challenging it can be to run a committee system in a council which does not have a single political Group with a majority. While the 'transition to committees programme' is not expected to continue on beyond the summer of 2022, this process of ongoing review and revision will need to become part of 'business as usual' for the council.

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

4.1 This report describes and recommends a committee structure and ways of working to be implemented in May 2022 based on the evidence and feedback received by the Governance Committee and that Committee's understanding of best practice.

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

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

5.2 The system relies on forward planning of decisions to ensure resources can be prioritised to achieve the ambitions of corporate plans at any given time. A Strategy & Resources committee will ensure the workplans of all the Policy committees create a whole picture to achieve that ambition.

5.3 The policy committees will be given the flexibility to involve citizens in their decision making in whichever of a variety of ways best suits the

circumstances, and there should be a reasonable expectation that they will do so where possible and appropriate. Within their terms of reference are specific requirements to take into consideration equalities and climate impacts when devising policy, evaluating service delivery and taking decisions.

5.4 Transparency is a key design principle requiring the publication of committee workplans and delegated decisions.

## 6.0 **THE GOVERNANCE FRAMEWORK – RECOMMENDATIONS**

6.1 The proposals in this report are necessarily partial. They describe a governance system and ways of working which will primarily be codified by the constitution. This report does not set out the draft text or specific wording of any part of the constitution. In drafting the detailed constitution for Council's final approval it should be assumed that suitable failsafes, exceptions and cross-references between processes will be included so as to achieve the spirit of the recommendations in an internally consistent manner. By the time this report is received by Full Council on 23 March it will be accompanied by draft parts of a revised constitution and associated additional commentary as necessary, in line with the recommendations of the report.

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

6.2.1 A critical ambition for the new governance system is for citizens, communities and partners to be more effectively engaged, involved and listened to within the decision-making process. Decisions, and the processes used to reach decisions, should be easy for anybody to find and understand so that decision-makers are publicly accountable to everyone and the voice of residents is at the heart of decisions. This objective should be considered fundamental to every single part of this framework.

6.2.2 The Governance Committee has agreed a range of design principles which put more detail on this objective, and has received a series of reports on the topic of public engagement and participation including most recently on [25 January 2022](#). A detailed account of the feedback given to the Committee from the series of public engagement events run by the Transition To Committees Project Team on behalf of the Committee can be found in [Appendix Six](#) and [Appendix Seven](#) to item 7 of the [30 November 2021 meeting of the Committee](#). For the sake of brevity this report does not attempt to replicate the depth or breadth of this discussion.

6.2.3 Importantly, this is an area in which work is ongoing and so the recommendations in this report are known to be subject to ongoing development, but they do provide a sufficient starting point for the commencement of the new system in May 2022. In response to the views of citizens, community organisations and stakeholders in 2021, the Governance Committee asked a strategic partner called Involve to work with SCC officers to review what the Council has already heard from

Sheffielders about what we need to do to put the voice of residents at the heart of decision-making. Involve are reviewing existing practice from SCC and partners in the city, looking for examples or what has worked well and where we need to improve. Involve are also having conversations with stakeholders, VCF organisations and SCC officers to produce an independent assessment of our strengths and weaknesses. This continues to be work in progress but key messages for our future ways of working include:

- **Purpose** – have a clear purpose for engaging Sheffielders. Be honest about the rationale for engagement, and what influence Sheffielders can expect to have on the outcome
- **Who engages** – actively support Sheffield’s diverse communities to engage, particularly those who are underrepresented, underserved or who are facing disadvantages; and engage with the VCS prior to commencing engagement activities to better understand the context, what is needed and to reach underrepresented groups
- **How** – match the approach(es) to your audiences, using a diversity of methods and don’t just focus on information extraction (ie. Co-design, co-creation etc)
- **Embed engagement in all we do** – with clear, shared principles, creative approaches and at all levels in the city (neighbourhood and city level)
- **Ensure there is demonstrable impact** – involving people before decisions are made and evidence how participation has impacted on a decision
- **Support and resource** – support under-resourced and 11ccessible11d) communities to take part and contribute to decisions and invest in training and development (Members, officers).
- **Foster collaboration** – develop a culture where Sheffielders, public services and community organisations collaborate on local issues

6.2.4 Citizens, stakeholders and community organisations have made clear that there needs to be a step change in SCC’s approach to citizen involvement and participation which requires co-design and commitment to a longer term vision if SCC is to be genuinely in and of its communities. Building on the initial review work above and at Appendix 3, Involve is co-ordinating co-design workshops over spring 2022 with community organisations, stakeholders and SCC to build a mutually agreed engagement framework. This will form the basis for whole-system change across the organisation and become the basis for further training and development to ensure that SCC officers and Members have the skills and expertise to maximise citizen involvement in policy development and decisions.

6.2.5 On the specific matter of public questions to Full Council or Policy Committee there is the following consideration. With the effective replacement of each individual Cabinet member by one or more full committees, it becomes arguably more appropriate for a questioner to appear before the relevant committee, who are all decision-makers on the

specific subject matter at hand, than to speak to the whole of Council in order to reach a single Cabinet Member (Co-Operative Executive Member). To this end a mechanism is proposed to support members of the public to reach the most appropriate and impactful audience for their question or petition.

6.2.6

Recommendations:

1. Continue to work with the public, stakeholders and community groups to develop our approach to public participation and engagement over the coming months ahead of May 2022.
2. Create the framework, co-designed with communities in Sheffield, to transform our longer-term approach to involvement and empowerment
3. Development and agreement of a medium to long term, public participation and engagement strategy
4. Continue to develop Local Area Committees' role as key conduits with local places and their communities, encouraging both local engagement on strategic matters and strategic escalation or amplification of local issues of concern.
5. Public Question / petition opportunities at all new Policy Committees.
6. Petition scheme to be formalised into the constitution and reviewed to advise petitioners as to the appropriate decision-making body in the first instance. In some but not all cases this will continue to be Full Council – in others it will be a Committee but the decision remains with the petitioner. Where the appropriate threshold is met, petitioners will be entitled to a debate at Full Council as per the current petition scheme (see 'Full Council').
7. Improved signposting to a single inbox for people wishing to ask questions or present petitions to members, with a triage system to advise people as to whether their topic is on the work programme for any Policy Committee and if so providing an option to put them on the appropriate agenda or if not the option to attend another policy committee or full council.
8. Review use and application of digital engagement tools in line with our developing involvement ambitions
9. Improved provision of information online about democratic processes at Sheffield City Council and how to learn more or get involved, including to make it easier to access to information about councillors both online and in other places
10. Commitment to involvement of the public and stakeholders in the Governance Committee's six-month review of the new committee system (see 'ongoing reviews of governance')
11. Where facilities for electronic voting / electronic recording of votes are available (ie Council Chamber), this system will be used and the vote will be recorded and published online to create a public, partial voting record for each Councillor (see 'Full Council')). When or where electronic facilities are not available, the existing rules relating to recorded votes apply (individual votes are recorded in specific limited circumstances). While the technology and

associated costs of wider application of such a system are explored, initial implementation of the system is to be piloted at Full Council only. The ambition is to extend this to Policy Committees.

12. A toolkit to be developed for each committee to use when considering its 'menu of options' for ensuring the voice of the public has been central to their policy development work. Building on the developing advice from communities and Involve, committees should make sure they have a clear purpose for engagement; actively support diverse communities to engage; match methods to the audience and use a range of methods; build on what's worked and existing intelligence (SCC and elsewhere); and be very clear to participants on the impact that engagement will have.

The list below builds on the experiences of Scrutiny Committees and latterly the Transitional Committees and will continue to develop, (including through the ongoing work with Involve). The toolkit could include (but would not be limited to):

- a. Public calls for evidence
  - b. Issue-focused workshops with attendees from multiple backgrounds (sometimes known as 'hackathons') led by committees
  - c. Creative use of online engagement channels
  - d. Working with VCF networks (eg including the Sheffield Equality Partnership) to seek views of communities
  - e. Co-design events on specific challenges or to support policy development
  - f. Citizens assembly style activities
  - g. Stakeholder reference groups (standing or one-off)
  - h. Committee / small group visits to services
  - i. Formal and informal discussion groups
  - j. Facilitated communities of interest around each committee (eg a mailing list of self-identified stakeholders and interested parties with regular information about forthcoming decisions and requests for contributions or volunteers for temporary co-option)
  - k. Facility for medium-term or issue-by-issue co-option from outside the Council onto Committees or Task and Finish Groups. Co-optees of this sort at Policy Committees would be non-voting.
13. Chairs of Policy Committees to act as the primary spokesperson on behalf of the Council for the subject area of the Committees they chair (see 'Leadership'). Group spokespersons on each committee may be expected to comment on behalf of their Groups but not the committee as a whole.
14. An expectation that reports will clearly indicate the degree and character of public engagement and participation which has been undertaken on the issue.

### 6.3

### **FULL COUNCIL**

- 6.3.1 Full Council is made up of all of the City Councillors elected by the people of Sheffield. Unless otherwise specified or highlighted for review in this or a subsequent paper its current mode of operation will continue. Full Council agrees the constitution (ie how the council operates) and decides who can make which decisions (which committees or individual officers). They steer the overall direction of the Council by setting a budget and policy framework. They appoint a Leader and agree the number and distribution of seats on committees within the rules of political proportionality.
- 6.3.2 A fundamental principle of the Committee System of governance is that day-to-day Member-level decision-making is delegated to committees, each made up of a minority of the members of the Council who come to act as informed experts on their particular subject areas, relative to other members. When sitting on these committees, Councillors are acting in their strategic capacity as Sheffield City Councillors, not just as local Ward Members. Full Council is an important arena for public political discourse and for the most strategic of decisions but it is not an effective or efficient mechanism for taking most of the Council's decisions day-to-day. It is therefore important to have mechanisms which carefully deal with the balance, and delegation, of authority between Full Council and its Committees.
- 6.3.3 It is important that, in the execution of day-to-day policy-making, only one body of the council at a time has the authority to take any particular decision. Otherwise strange or legally difficult things could happen, such as two committees taking incompatible decisions about the same matter, or a committee racing to take a decision on something before Full Council can. For this reason, when Council delegates its authority to committees, the constitution will make it clear that it has forfeited the ability to make decisions about those matters except when it specifically resolves to rescind a committee's authority on a particular matter, such as when a committee refers an issue from its own work programme to council (note S&R can refer an issue from any committee). It is likely that some council items in future will recommend both rescinding authority for something and a decision on that matter in the same report, so this process need not introduce any delay. Motions to Council may also propose rescinding authority for any decision which is on a committee's forward work programme.
- 6.3.4 It is also very important that formal decisions are only made based on proper and full consideration of the facts of a matter including, for example, financial, legal and equalities implications as well as any alternative options. The current system whereby the Monitoring Officer reviews motions to Council to ensure that they are not unlawful or unconstitutional will continue to operate, in order to ensure that motions take account of both a) whether Council has authority for the matter and b) whether a full report is available to inform any substantive decision.
- 6.3.5 While it will always remain an option for Full Council to rescind authority for any particular matter from a committee back to itself, the frequency with

which this is done should be monitored and considered in future reviews of the effectiveness of the system.

6.3.6

Recommendations:

15. Eight Full Council meetings per year – six plus a budget council and an AGM. No ‘scrutiny council’.
16. Agreement of the Council’s medium- or long-term Corporate Plans and associated annual plans to be reserved to Full Council as a key part of the Council’s Policy Framework – these will in effect set out the delivery objectives for each committee during the periods concerned.
17. By agreeing the terms of reference of the various Policy Committees and any sub-committees, Full Council defines the policy boundaries within which each committee has authority to take decisions on behalf of the Authority in pursuit of their objectives as per the Corporate Plans.
18. By agreeing its annual budget Full Council defines the budgetary envelope within which each committee has authority to take decisions on behalf of the Authority in pursuit of their objectives as per the Corporate Plans.
19. Council Procedure rules to be updated, including the following:
  - a. ‘Questions to Cabinet Members’ to become ‘Questions to Chairs’ of any committee (or to councillor nominees on outside bodies / joint ctees, including the Mayoral Combined Authority).
  - b. No exclusively ‘to note’ items.
  - c. Clearer voting practices. This also applies to Committees. Where a consensus has been reached voting may proceed by common assent (such as the Chair asking “are we all agreed” and receiving no dissent). Where there is not a consensus (and no electronic system available), the Chair will request a show of hands and clearly narrate For/Against/Abstentions. In any case the Chair will clearly announce the outcome (“that is carried/lost”).
  - d. As described above (see ‘Public Engagement’) the procedural facility for electronic voting / electronic recording of votes is to be made in the constitution in order to support the ambition for this to be extended to Policy Committees as well as Full Council.
20. The practice of ‘voting in parts’ is to be discouraged in favour of a more transparent mechanism
21. Petition scheme to be formalised into the constitution and reviewed to advise petitioners as to the appropriate decision-making body in the first instance. In some but not all cases this will continue to be Full Council – in others it will be a Committee but the decisions remain with the petitioner. Where the appropriate threshold is met, petitioners will be entitled to a debate at Full Council as per the current petition scheme (see ‘Public Engagement’)
22. Public Questions rules to be reviewed to advise questioners about the appropriate decision-making body in the first instance (see

‘Public Engagement’ and ‘policy Committees’). In some but not all cases this will continue to be Full Council – in others it will be a Committee but the decision remains with the questioner. Current expectations of advance notice will be maintained.

23. The current time limit to be carried over for the proportion of a public Council meeting used for petitions / questions from the public.
24. To ensure clarity in decision making it is recommended that the constitution restricts the ability of Council to take decisions on matters that it has allocated to a committee or delegated to an officer. However, in order to provide for circumstances in which it would be more appropriate for a decision that is due to be taken as part of a committee’s work programme to be taken by Full Council, it is also recommended that Full Council be able to rescind authority for a particular decision from a committee before going on to make that decision. This might be of its own volition; or upon the request of the committee in question or the Strategy and Resources Policy Committee (see ‘Scrutiny’)
25. Legally, all decisions must be made after consideration of all relevant information and must not be made on the basis of irrelevant information. In order that the Council is able to demonstrate that it has complied with these requirements, provisions currently within the constitution regarding decisions of the Executive (for example, that decisions must be on the basis of written reports) will need to apply going forward to decisions made by Full Council or its committees.
26. Committees (with the exception of Strategy and Resources Committee) may not refer to Full Council a matter which is properly within the remit of another Committee.

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

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



6.4.3 Policy Committee Chairs are not simply an equivalent to a Cabinet (Co-operative Executive) Member. While they will be a key point of contact and spokesperson for their Committee, and effectively the voice of the Administration on the subject matter of their committee, they cannot take or presume decisions on behalf of the committee. Where Cabinet or Co-operative Executive members were previously nominated to represent the Council on relevant regional or partnership bodies, it is likely but not necessary that Full Council will in future nominate the relevant Policy Committee Chair. They will be expected to maintain strong functional relationships with key officers across the council as well as other strategic contacts inside and outside the council. They will play a key role in reviewing and updating a draft work programme for the consideration of the committee at each meeting and exercising their discretion as to how the business of the committee will be conducted.

6.4.4 Due to the need to know the likely political composition of the Strategy and Resources Committee in order to calculate overall proportionality on this and other committees, combined with the recommendation that this committee includes in its membership the Chairs of the other Policy Committees and the Finance Sub-Committee, there is a benefit to the Chairs of the Policy Committees being agreed alongside the political proportionality item at the AGM.

6.4.5 Building on the [research carried out by Cllrs Dawn Dale and Cllr Zahira Naz into the potential use and benefits of Co-chairing or job-sharing Chair roles](#), the terms 'job-share Chair' and 'Co-Chair' are used in the recommendations below.

- 'Job share Chair' means an arrangement in which two individuals each share the duties of Chair but each undertake to do less than the normal amount of work by sharing the job. This may make the role accessible to individuals who otherwise may not be able to give up enough time to be Chair in their own right
- 'Co-Chair' means an arrangement in which two individuals share the duties of Chair but there is an expectation that both will be as busy as a 'normal' Chair. This may allow the council to boost the amount of leadership capacity across its committees and provide specific areas of focus for individual lead members within a single committee.

6.4.6

Recommendations:

27. A role (and role profile) for the Leader in the constitution, to include:
- a. Primary spokesperson for the Council and its administration,
  - b. Advocate for the city on a local, regional and national stage
  - c. Representative of the Council in regional and national networks and with Central Government
  - d. Chairing the Strategy and Resources Policy Committee
  - e. a personal role with regard to:
    - i. Core City status and associated meetings/bodies

- ii. The Mayoral Combined Authority
    - f. A key role chairing various informal Member/officer forums
28. A role profile for Policy Committee Chairs in the constitution, to include:
- g. Primary officer point of contact with regard to the committee's ongoing business, formulation of a draft work programme for the committee's consideration, and for advice about engagement with the committee
  - h. Primary spokesperson for the committee they chair (see 'Public Engagement and Comms')
  - i. In the case of the Chair of the Children's Services Policy Committee, to be the Statutory Lead Member for Children's Services
  - j. To convene and chair regular pre-agenda and pre-meeting briefings with all the Group Spokespersons from their committee
29. The Annual Meeting of the Council will agree the appointment of members to committees and the appointment of Chairs and Vice-Chairs, unless the Council decides in any instance not to do so, in which case the chair is appointed at the first meeting of the relevant committee. Should a vacancy arise in the intervening time between AGMs, the Committee will determine its new Chair as per current practice.
30. The facility for Councillors to either job-share a Chair role or to co-chair a committee, with clarity about expectations and allowances including:
- a. there should not be both a job share and co-chair on any one committee.
  - b. That the role of vice chair on a committee, where the chairs' role is divided as above, needs to be clarified, or the committee may decide there's no need for a job share role.
  - c. A maximum of 2 co-chairs in any given committee.
  - d. Where a Committee has co-chairs or two Cllrs job-sharing the Chair role then Full Council shall determine which of the co-chairs or job-sharing Chairs will sit on the Strategy and Resources Committee. If Council determines that it shall be both, then this may not be to the detriment of the political proportionality of the committee and only one may be a voting member of the committee at any one time (see 'Policy Committees')
  - e. There should be a full review of this arrangement as part of the ongoing review process after an such role has occurred for the first time.

## **6.5 INDIVIDUAL COUNCILLORS**

- 6.5.1 In the course of the Governance Committee's inquiry, various interrelated risks were raised relating to the possibility of the new committee system increasing members' workload, leaving them less time for other things (such as other aspects of their role or their own private lives). If allowed to

transpire in this way, it could have a negative impact on eg parents', carers' and full-time employees' ability to stand as a Councillor. As well as mitigating this as far as possible in the design of the committee structure, the importance of effective member support, training and development has been emphasised by the Committee. Furthermore, technology and improved channels for information and questions between councillors and officers could enable members to operate more efficiently.

#### 6.5.2

##### Recommendations:

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

## 6.6 **POLICY COMMITTEES**

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

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

- 6.6.3 A paper received by the Governance Committee at its [25 January meeting](#) dealt with this aspect of the framework in detail. In summary the Governance Committee endorsed the idea that there was a benefit to aligning Policy Committees to the corporate functions of the Council, particularly when the budgets are also aligned in accordance with the council's functional structure in this way. By aligning to functions, the system allows sufficient flexibility for political priorities to be overlaid into work plans as they change over time. The Chief Executive presented seven functional areas expected in the future organisation and these have informed the titles of the seven committees. The number of Policy Committees suggested for Sheffield makes it an outlier in terms of scale, being larger than most other committee-led authorities, and evidence was presented to show that other councils had been advised to have fewer committees. However, compared to the majority of other councils which are operating committee systems this Council is significantly larger and operating in a more complex environment as a Core City. In addition this Council has 84 Councillors, meaning that it has more capacity amongst its political leadership than most smaller councils, many of which will have around half or two thirds that number. The contention was that any risks to efficacy associated with having a number of committees which is above average were outweighed by the risks of attempting to handle too much scale and complexity through any one committee if there were fewer. It was considered that good forward planning coupled with investment in support to the Committees and member development will have more of an impact on the efficiency of the system than limiting the numbers of committees.
- 6.6.4 During its inquiry the committee explored the matter of what size its Policy Committees should be in order to find a balance between efficiency and inclusivity. Of significant concern was the risk that the new system created too much of a time burden on Councillors at the Town Hall, interfering with their effectiveness at a local level or making it harder for people to be councillors who are also parents, carers, or in full time work. The proposal below for a bracket of between 8-11 arose from a consideration of the options during the inquiry process.
- 6.6.5 The evidence and feedback received by the Governance Committee in its inquiry suggested that allowing committees to establish multiple sub-committees can result in a lack of control of the agenda and of the time Members are spending in formal meetings. Sheffield's own experience of a committee system pre-2000 included periods of time with hugely impractical numbers of committees and sub-committees in existence. Therefore measures are presented which are designed to ensure that sub-committees are always purposeful and used sparingly.
- 6.6.6 The frequency of Policy Committee meetings has a very direct impact on the scale of bureaucracy and workload of both members and officers, but must be sufficient meetings to allow for informed and efficient transaction of business. Therefore the proposal is for Strategy and Resources Policy Committee to be scheduled on alternate months to themed Policy

Committees and Full Council meetings, with each committee meeting approximately 6 times per year.

6.6.7 The schedule of committee meetings for the whole year is going to be an incredibly complicated affair. Experience tells us that Members have strong views about the timing of meetings and this has been explored several times over the past few years, including piloting different start times for Full Council meetings. Clashes between scheduled committees can be a source of significant frustration for councillors. For this reason it is important that a whole, best-fit calendar of committee meetings is agreed at each AGM if not before. Committees may then give consideration to their own individual meeting schedules within this at their first meetings, in line with common practice, and request changes to their own schedule as long as these remain compatible with the overall whole.

6.6.8 Each Policy Committee's work programme, and their standing item to consider the same, will be key to the way that committee members manage future agendas and prioritise issues. The work programming item will be of a standard format and is expected to include sections showing the current forward plan of business for future agendas, new issues arising, referrals from other committees (including LACs), and any petitions which have either not met the threshold for a full debate or which have been referred to the committee from Full Council. This is likely to be the space for other potential sources of items, such as any other public engagement activity, to be reported too. Overall the item becomes both a plan and a menu of issues which members could decide whether (and when) to schedule. Before each meeting the Chair will have worked with officers to shape it, and the committee will be able to debate this, suggest extra items which should get airtime, suggest how to prioritise their public engagement or policy development time for each item, and so on. The group spokespersons will have seen and discussed the draft work programme before it comes to committee each meeting, in their pre-agenda and pre-meeting sessions.

6.6.9

Recommendations:

38. Seven themed Policy Committees which will be closely aligned to the functions of the Council;
39. A Strategy & Resources Policy Committee including all Policy Committee Chairs and the Finance Sub-Committee Chair within its membership (where a Committee has co-chairs or two Cllrs job-sharing the Chair role then Full Council shall determine which of the co-chairs or job-sharing Chairs will sit on the Strategy and Resources Committee. If Council determines that it shall be both, then this may not be to the detriment of the political proportionality of the committee and only one may be a voting member of the committee at any one time), with cross-cutting responsibility for the policy and budgetary framework, chaired by the Leader of the Council (see, 'Leadership')
40. A programme of six meetings of each Policy Committee per year

41. Provision for Full Council but not individual Committees to agree the addition of standing sub-committees to this structure. When sub-committees are agreed they will be time limited or at minimum will be reviewed annually at the AGM.
42. Limits on the number and frequency of Task and Finish Groups carrying out detailed pre-decision scrutiny (policy development) on behalf of Policy Committees – under usual circumstances the limit will be one Task and Finish Group at a time per Policy Committee – “one in, one out”. (Note that this does not apply to one-off briefings etc);
43. Full Council to agree the size of Policy Committees at its AGM, based on best fit to proportionality. With the exception of Strategy and Resources Policy Committee, this must be within the parameters of a committee size of between 8 and 11 members.
44. A standing Finance Sub-Committee, reporting to the Strategy & Resources Committee (Chair and membership not constrained to being from the parent committee).
45. An annual exercise for Strategy and Resources Committee to develop an annual work plan with reference to the Corporate Plan and in consultation with all the other Policy Committees.
  - a. This process to also be a work programming exercise.
  - b. Each committee to keep its work programme under review at each meeting via a standing ‘work programme’ item on each meeting’s agenda. Space within this item to consider, amongst other potential sources of issues for the committee to consider, references from other committees such as eg LACs.
  - c. Strategy and Resources Committee to keep under consideration the combined Policy Committee Work Programme to ensure corporate objectives are being achieved.
46. Guillotine clause to constrain the length of all Policy Committee meetings (2 hrs + 30 mins)
  - a. An annual schedule of all council and committee meetings to be developed by democratic services in consultation with Group Leaders, for the approval of Full Council at its AGM. Committees will consider their own meeting schedule at their first meeting after the AGM and may request alterations within the constraints of the overall schedule.
47. Extraordinary meetings to need consent of the Monitoring Officer
48. Each Committee’s Terms of Reference will state that each cttee will be responsible for regular monitoring of business intelligence data including performance, financial information etc within their remit. Furthermore each committee’s Terms of Reference will include responsibility for considering climate and equality, diversity and Inclusion implications when devising policy, evaluating service delivery and taking decisions
49. Each Group on a committee to nominate a ‘spokesperson’ for their Group on that committee.

50. A mandated system of briefings for Chair/Vice Chair and Group Spokespersons. For each meeting of the committee there will be a:
  - a. Pre-agenda briefing to discuss and agree agenda items and approach to items (and to briefings about items). Looking ahead at the committee's forward plan. Opportunity for all spokespersons to relay early information to their own Groups.
  - b. Pre-meeting briefing to discuss published papers on the agenda and the process for the meeting itself. Spokespersons to brief their own Groups as necessary to ensure informed and organised discussions in committee.
51. There will be no rule preventing councillors from overturning recent decisions via a normal decision process within a certain period (eg six months), but this should be monitored and given consideration as part of the six-month review.
52. Policy Committees to have responsibility for monitoring the performance of services. Strategy and Resources Committee to have responsibility for considering the overall performance of the Authority as well as the performance of individual Policy Committees eg with regard to delivery against the Corporate Plan (see Strategy and Resources Policy Committee).
53. Up to thirty minutes for public questions and petitions on every Policy Committee agenda (see 'Public Engagement')
54. Where currently individual members are appointed 'champions' for certain issues (for example there is currently a 'heritage champion') this will be included in the ToR of the relevant Policy Committee. If that committee then wishes to nominate an individual (this may be the Chair) to liaise with partners or stakeholders it may do so, but the committee as a whole, as decision-maker, should retain collective responsibility and accountability for the matter.

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

- 6.7.1 Governance Committee Members have heard the need for a committee with responsibility for considering corporate, overarching, cross-cutting or particularly strategic issues. It's important to remember that Members will collectively be managing a business with a turnover in excess of £1 billion. Over time this committee will develop proposed budget and policy frameworks, including corporate plans, with input from all of the other committees. These it recommends to Full Council. This helps define the remits and objectives of the various policy committees which can then take decisions on issues within their own budgetary and policy remits without reference to the Strategy and Resources Committee except to share their work programmes in advance and to be held to account on delivery (eg of the Corporate Plan).
- 6.7.2 The Governance Committee has heard and expressed concern that such an arrangement might be considered to be 'a Cabinet by another name'. Other evidence and feedback received disputed this notion on the basis that such a committee has oversight and responsibility rather than all of the

decision-making power, which remains distributed amongst various politically proportionate policy committees and, in a crucial difference to a cabinet, is politically proportionate itself. It should be noted that the membership of this committee will include members of all Groups on the Council, including members who are not chairs of a Policy Committees, because membership must reflect the Council's overall political proportionality.

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

6.7.4

Recommendations:

55. A Strategy & Resources Policy Committee including all Policy Committee Chairs and the Finance Sub-Committee Chair within its membership, with overarching responsibility for the policy and budgetary framework, to be chaired by the Leader of the Council;
56. No substitutes can attend for members of this committee
57. A standing Finance Sub-Committee, reporting to the Strategy & Resources Committee (whose membership is not limited to members of Strategy and Resources Committee);
58. Ability for scheduled Strategy & Resources Committee meetings to take urgent decisions for the other Policy Committees but only in extremis – if the relevant committee's Urgency Sub-Committee has been unable to meet in an appropriate timeframe (see 'urgent decisions');
59. Strategy and Resources Committee to have responsibility for considering the overall performance of the Authority as well as the performance of individual Policy Committees eg with regard to delivery against the Corporate Plan. In instances where there is a serious performance concern, they have the ability to refer this concern to Full Council for consideration (see 'Scrutiny').
60. Any issue which is wider than any one of the Policy Committee's remits (budget or policy) is within the remit of the Strategy and Resources Policy Committee.
61. Any issue identified as being of significant strategic importance or financial risk to the organisation is considered to be by its nature cross-cutting and therefore within the remit of the Strategy and Resources Policy Committee
62. In the case of any issue falling within the remit of S&R as above, this committee may opt to either take the decision itself or to dictate which individual Policy Committee will take the lead for the issue by ensuring it gets the necessary one-off delegation to do so. All Committees' ToR to include having authority for (and responsibility to deliver) anything referred to it in this manner by S&R, even if it is a matter which would otherwise go outside of that Cttee's remit. In the case of individual committees leading on cross-cutting issues, an expectation of suitable communication between Chairs and committees may be assumed.
63. Finance Sub-Committee has within its remit, inter alia:



- a. Strategic financial overview
  - b. Property decisions
  - c. Accountable Body decisions
  - d. Corporate Revenue & Capital monitoring
64. Strategy and Resources Policy Committee, alongside the Finance Sub-Committee, to conduct revenue and capital budget monitoring in order to ensure this takes place with sufficient regularity.

**6.8 URGENT DECISIONS**

6.8.1 In the processes of any democratic institution there is arguably a tension between pace and inclusivity. This was illustrated and discussed during many of the debates around the referendum last May. At the level of day-to-day decision-making it is periodically necessary to take decisions within a particular, short timeframe in order to secure an important benefit or to avoid a serious issue. Reasonably common examples include applying for a suddenly-announced grant scheme or responding to a serious local incident. In these cases, if a scheduled committee meeting will not be taking place within the necessary timeframe, swifter options need to be available.

6.8.2 The first principle has been to say that an urgent decisions protocol should aim for Member decisions to be taken by Members wherever possible. The second principle is that these should be well-informed Members as far as possible, ie members of the appropriate Committee. Thirdly, where any compromise is needed in order to ensure that the decision is taken swiftly enough, there must be a mechanism for reporting the decision, and that compromise, to Members and the public.

- 6.8.3 Recommendations:
- 65. Urgency sub-committee for each policy Committee including S&R (size to be determined by the AGM in light of political proportionality requirements)
    - a. Quorum of 3 members, which must include Chair or Vice Chair.
    - b. All parent committee’s members and their named substitutes (where applicable) may act as substitute members of an urgency sub-cttee
    - c. Monitoring Officer in consultation with the Chair has to confirm that the decision could not have been foreseen and to delay taking the decision to the next scheduled meeting of the relevant Committee would seriously prejudice either the Council’s or the public’s interests before an urgency committee can be scheduled
  - 66. Ability for scheduled Strategy & Resources Committee meetings to take urgent decisions for the other Policy Committees for reasons of efficiency but only in extremis – if the relevant committee’s Urgency Sub-Committee has been unable to meet in an appropriate timeframe.

- 67. Ability for urgent decisions to be taken by specified senior officers in consultation (wherever practicably possible) with the Chair where, in the opinion of the Monitoring Officer in consultation (wherever practicably possible) with the Chair, it would not be possible to convene an Urgency Sub-Committee Meeting or take the decision to a scheduled strategy and Resources Committee meeting within a timescale that would not seriously prejudice either the Council's or the public's interests
- 68. Where consultation with the Chair is required, consultation to be permitted, in the absence of the Chair, with the Vice Chair or, in the absence of the Chair and the Vice-Chair, with the Leader of the Council.
- 69. Provisions currently contained in the Leader's Scheme of Delegations to allow specified officers such as the Chief Executive, Executive Directors, the Director of Legal and Governance and the Director of Finance and Commercial Services to take decisions without consultation in cases of Emergency/Extreme Urgency to be replicated within the constitution with the necessary amendments made to reflect the move to a committee system e.g. the reference to Executive decisions to be amended to refer to all decisions.
- 70. A requirement that all decisions taken in accordance with urgency provisions to be reported back to the committee at their next scheduled meeting. Use of urgency provisions overall should be monitored and considered in future reviews of the effectiveness of the system.

**6.9 LOCAL AREA COMMITTEES**

- 6.9.1 There are seven Local Area Committees across the city, which were set up in 2021 as part of the Council's response to feedback from residents. They are made up of all of the elected Councillors from the local area. This means that they are politically proportionate to the local electoral outcomes, not proportionate to Sheffield City Council as a whole. Every single Councillor is necessarily on one of the Local Area Committees.
- 6.9.2 Local Area Committees are formal committees with some decision-making authority, but many of their important roles do not require any particular authority (eg facilitating, brokering, listening, amplifying). Nevertheless they do take certain operational decisions with local impacts, within the scope agreed by Full Council.
- 6.9.3 There is a commitment from the organisation to work with and learn from our communities through Local Area Committees. The proposed structure therefore retains the 7 Local Area Committees in their current form including the range of decisions delegated to them.

- 6.9.4 Recommendations:
  - 71. Seven Local Area Committees with a mechanism (via work programme standing items on each Policy Committee's agenda, giving committees the opportunity to note the referral and to plan the

matter more substantially into their work programme if they wish) to allow for referrals between them and Policy Committees as necessary and regular informal meetings of local area committee chairs to ensure effective coordination;

72. The Strategy & Resources Policy Committee will have a special responsibility to monitor what is referred to all committees by Local Area Committees and to look for patterns and lessons, in liaison with the LAC chairs.

73. The policy committee with responsibilities for communities will have a role to oversee the Communities/Localism strategy within which the LACs are operating.

74. Note that the Monitoring Officer will be responsible for the review of all referrals to ensure they are going to the appropriate body in the first instance and the Chair of the referring committee to be notified where any referral pathway is changed.

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

6.10.1 This is one of the most important changes when moving from a Cabinet and Leader model to a committee system. Overview and Scrutiny Committees were originally invented as a mitigation to a perceived weakness in the Cabinet and Leader model. In a committee system there is no legal requirement for separate Scrutiny Committee(s) now that cross-party check and challenge (and cross-party policy development) is built into every decision-making committee and Full Council.

6.10.2 Some statutory scrutiny responsibilities remain and must be effective, including Health, Crime and Disorder and Flooding.

6.10.3 There is no requirement for any kind of post-decision review mechanism akin to Overview and Scrutiny's 'call-in' procedure, in the committee system. As above, this is because the issue which it was designed to address no longer exists in the committee system (ie there are no decision-makers – such as a Cabinet or an individual councillor – able to take decisions without all parties being proportionally involved). At its 25 January 2022 meeting the Governance Committee nevertheless considered a recommendation for a 'dissent' mechanism which would have allowed for a form of post-decision review by a separate body of Councillors. The proposal was for this to happen if a significant minority (40%) of the decision-making committee voted within 5 days to escalate the issue for a second look by Strategy and Resources Policy Committee (or by Council, if S&R was the original decision-maker). Members rejected this proposal and asked for further work to be carried out.

6.10.4 Further review of comparator authorities has shown that only a minority of committee-led authorities have provision for any form of 'dissent' or 'call-in'. Wirral, which had such a system in place when it first moved to the committee system, experienced some significant delays to decision-making as a result of this process and a recent government inspection

recommended that it delete the mechanism, on the basis that it was not clear how it added value for a decision to be moved from one politically proportionate committee to another. The decision is presumably going to be identical since the political balance remains static in the two settings. During the inquiry, members of the Governance Committee heard about one authority which allowed the public to ‘call in’ decisions if a certain petition threshold was met in a very short space of time post-decision.

6.10.5 Some key ideas behind the proposal below are:

- Pace is important
  - avoiding the need for a ‘call-in period’ after a decision during which decisions can’t yet be implemented
  - avoiding ‘making the ‘same decision twice’
- Respecting the autonomy of committees, within their delegated remits
- Learning from the experience of ‘scrutiny’ under the cabinet model, that pre-decision scrutiny in the form of effective cross-party involvement in policy development (which will naturally be enhanced in the new committee system) is a better way to influence the outcome of a decision than call-in (‘post-decision review’).
- The public and stakeholders should have opportunities to make their views known to and through councillors, and to influence issues, in advance of a decision being taken.

6.10.6

Recommendations:

75. No separate scrutiny committee;

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

- a. Health Scrutiny to be delivered via a standing sub-committee of the Adult Health and Social Care Policy Committee. The expectation is that its membership should include councillors from both the parent committee and the Policy Committee with responsibility for Children’s services.

77. No mechanism for immediate post-decision suspension of implementation pending reconsideration of a decision (ie no equivalent of the old ‘call-in’ mechanism)

78. A strong mechanism by which Full Council can rescind *in advance* a Committee’s delegated authority with regard to a specific decision on their Work Programme, in order that Full Council will take the decision instead (see ‘Full Council’)

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

## 6.11 OTHER COMMITTEES

6.11.1 The change in Governance can be effected without any change to the non-policy-making committees such as the regulatory committees of Planning

and Licensing, Audit & Standards and Employment Committees. These continue to serve their current functions.

- 6.11.2 As there will be a significant organisational shift required to mobilise the Policy Committees, the proposal here is not to make any substantive changes to these Committees at this stage.
- 6.11.3 This proposal includes the retention of a Governance committee to oversee the operation of the new system and to consider all matters of governance including the Council's Member development strategy. This Committee should include senior Member representation. This Committee should report to Full Council in a similar way to the Audit and Standards Committee.

- 6.11.4 

<p>Recommendations:</p> <ul style="list-style-type: none"><li>80. No substantive changes to the committees referred to as Other Committees in the Governance Framework</li><li>81. Various partnership bodies etc will need to have members nominated where previously the Cabinet Member (Co-Operative Executive Member) would have gone. In general it is assumed that the relevant Chair(s) or Vice Chairs of Policy Committees will be nominated by Full Council instead.</li></ul>
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## **6.12 SCHEMES OF DELEGATION**

- 6.12.1 All decisions previously made by the Co-Operative Executive will be made at one of the new Policy Committees in the normal course of events. Decisions previously made by Individual Executive members are generally of a less strategic nature and could either be made by a policy Committee or an individual officer if this is considered a more suitable route. Where decisions are made by officers, the thresholds and circumstances around this, and mechanisms for transparency and holding decision-makers to account will be clear.
- 6.12.2 Analysis reaching back over the past three years shows between 60-80 individual executive member decisions per year, of which up to 20 are urgent decisions taken by the Leader which may ordinarily have been Cabinet-level decisions. On reviewing this list, it was found that a significant number relate to contracting and procurement which is often combined with commissioning and purchasing decisions. A principle for the Committee system of governance should be that the mandate or commission for a requirement comes from the policy committee and then officers deal with the operational procurement and contracting element of the work. A number of decisions were property related as this level of delegation covered financial values of £150 - £500K. The chief property officer asked the Governance Committee to consider raising the threshold for officer delegations to £250K as this limit was considered more realistic when considering property prices within the city. This would have left all property decisions exceeding £250K with committees. The Governance

Committee did not agree this recommendation, option to keep the threshold at the current level of £150k.

6.12.3 The proposal is for Strategy & Resources Committee to take decisions relating to the council's real estate in order to deliver its recently agreed asset management strategy. Grants is another area that needs special consideration especially where bidding and accepting grants results in liability for the Council

6.12.4 To allow for the uninterrupted continuation of the council's operational delivery a provision will need to be made for the continuing validity of delegations from cabinet or cabinet members to officers from decisions which took place before the move to a committee system.

6.12.5

**Recommendations:**

82. The current, standard approach to continue, whereby Councillors take any decision explicitly reserved to Full Council or a Committee, except in specifically defined urgent or emergency circumstances.
83. All levels of decision currently identified as Individual Executive Member decisions will be taken by a committee except in limited specific circumstances – for example, mandates or commissioning will continue to sit with Members but the actual contracting and procurement decisions (in line with the political mandate or commission) will sit with officers.
84. Procurement and contracting decisions are taken by officers once a committee has agreed the commission or purchasing decision and the budget on any given requirement
85. All property related decisions of a value of £150k or more shall be reserved to the Strategy & Resources Policy Committee,
  - a. Ongoing review of this threshold to be within the Governance Committee's terms of reference
86. A standing sub-committee of the Strategy & Resources Committee be established to deal with the any decision which is to be taken by the Council in its role as a charitable trustee
87. All Capital allocations and monitoring to be reserved to the Strategy & Resources Committee and may be discharged by its Finance Sub Committee.
88. All member-level decisions on bids for grants to be reserved to the finance sub-committee to ensure financial commitments are considered when applying for and accepting grants
89. Provision for the continuing validity of delegations from cabinet or cabinet members to officers from decisions which took place before the move to a committee system.

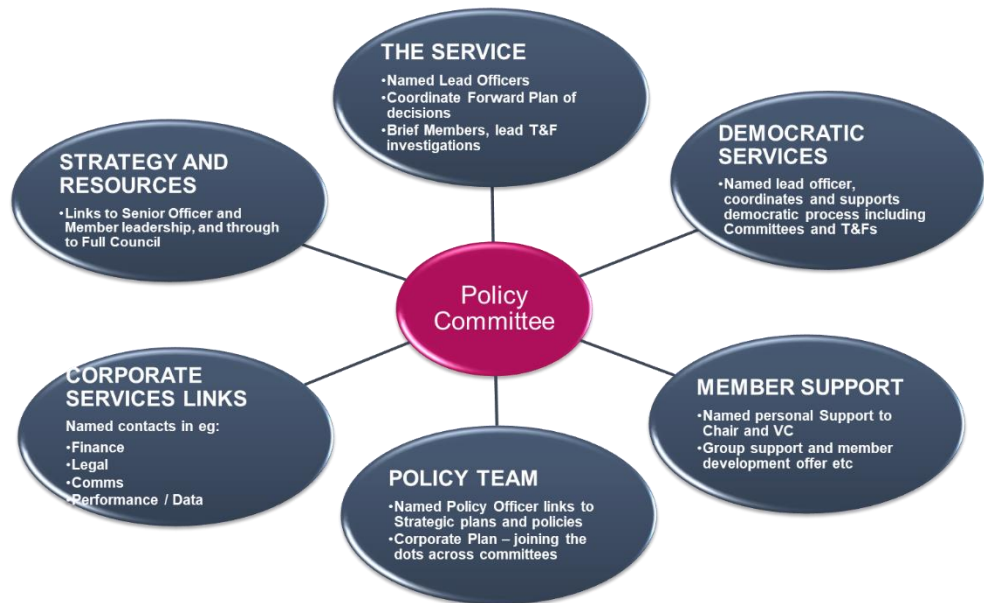
**6.13 STAFFING, RELATIONSHIPS AND CASEWORK**

6.13.1 The Council will need to adapt or replace a significant number of formal or informal processes, procedures and practices which have hitherto underpinned the relationship between Co-Operative Executive Members

and officers. This includes the extremely varied processes by which ideas progress through officer and member checkpoints over a period of weeks, months or years on their way to becoming a public issue or decision. This encompasses the network of officers and whole teams which currently form a loose constellation around each Individual Executive member and the Co-Operative Executive as a whole. This will need to be re-aligned appropriately to serve whole committees as well as their Chairs, Vice Chairs and Group Spokespersons, and work to do this is underway.

- 6.13.2 The Council currently provides secretarial services to members in key leadership positions in order to facilitate the effective and efficient discharge of their responsibilities. There is a need to redefine this offer for the new arrangement.
- 6.13.3 Members are aware that the Council has been giving consideration to its Democratic Services, Member Support and corporate Policy capacity, and the way that this is organised, in light of the transition to a committee system and a change process is now underway affecting members of these teams in order to adapt to fit the new model and provide a sufficient level of capacity to support the structure described in this report. Given that this is an operational matter it is not appropriate to consider the detail of this change process further in this public report, however as noted below in the 'financial implications' section, the costs of those changes to staffing arrangements in support of the new structure are not yet known.
- 6.13.4 These are not matters for formal decisions by Members, but some key actions underway on this front are:
- An appropriate degree of personal support (diary management etc) to be provided to 'Lead Members'. Lead Members defined as:
    - Leader and Deputy
    - Lord Mayor and Deputy
    - Chairs of Policy Committees (and to a lesser extent Vice Chairs)
    - Leaders of Political Groups (in effect, secretary function for the Group)
  - Officer training programme is in delivery / development, to include BAU induction of senior managers etc in future
  - Member Development Strategy and associated Member Development and Induction plan is under final stages of development, with initial dates circulated to members for key specialist training pre- and post- transition

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



## 6.14 ONGOING REVIEWS OF GOVERNANCE

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

- 6.14.4 Recommendations:
90. A standalone Governance Committee will continue into 2022/23.
  91. The Governance Committee should have named responsibility for, amongst other things, ongoing review and maintenance of the constitution and the governance system it describes.
  92. The Governance Committee’s Terms of Reference should specify their commitment to direct engagement and participation of the public, stakeholders and partners in their ongoing consideration of the health of Sheffield’s democratic environment.
  93. Ongoing assessment, via survey activity and community-based conversations at LACs (and, initially, Involve’s ongoing work) of the



degree to which the public feel they understand the way decisions are made and are able to influence those decisions.

94. The Governance Committee shall conduct a review of the effectiveness of the new system, commencing six months after implementation (November 2022) with a view to Full Council implementing any necessary changes at its AGM in May 2023. This review will:

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

## **7.0 NEXT STEPS**

7.1 Work will continue apace to draft the final version of the constitution and to design the operational detail and delivery of the systems described by this report. Recruitment to key posts in the new officer structures is likely to be needed. Most importantly, the ongoing work on public participation and engagement will continue through the Spring. Preparation for the six-month review is already underway with support of the Transition to Committees project team, so that once this project resource is removed after May the new teams are as equipped as possible to carry out an effective review.

## **8.0 LEGAL IMPLICATIONS**

8.1 The Local Government Act 2000 Part 1A prescribes permitted forms of governance for local authorities in England. Following a referendum carried out under this Part Sheffield City Council resolved at its Annual Meeting in May 2021 to operate a committee system of governance, which must conform with any relevant provisions in the Act, from the date of its Annual Meeting in May 2022.

8.2 The Council is required under section 9P to prepare and keep up to date a constitution containing its Standing Orders (Procedure Rules), its Code of Conduct under s 28 of the Localism Act 2011, such information as the Secretary of State may direct and such other information as the authority considers appropriate. The constitution of a committee system authority must also contain a statement as to whether the authority has resolved to have an overview and scrutiny committee. The SoS has not directed that any other information should be included, but it is good practice for the constitution to describe the arrangements made by the Council under LGA 1972 s101 for the discharge of its functions, the appointment of its committees under s102 of that Act and the way that it meets other statutory requirements concerning governance arrangements. Once operating a committee system the Council is no longer required to comply with and/or include within its constitution those legislative requirements that apply specifically to Council's operating Executive arrangements.

- 8.3 Where specific proposals in this Report have been recommended in order to comply with a specific legal obligations this is indicated in the relevant section of the Report.
- 8.4 Having held a governance referendum, the Council may not change its governance arrangements without a further referendum, and may not hold such a referendum earlier than 10 years from the date of the first referendum. It may however review the way that it operates its committee system and revise its constitution accordingly.
- 8.5 The recommendations in this paper are consistent with the legal framework within which the Council must operate from the date of its AGM in May 2022.

## **9.0 FINANCIAL IMPLICATIONS**

- 9.1 The Council's transition to a committee system is mandatory, following a binding referendum in May 2021. The proscribed decision taken at that time had financial implications but these were not yet knowable. Much of the work done since then has helped the Council towards understanding the potential costs of delivering a committee system suitable for a Core City on the scale of Sheffield. The Chief Executive in her evidence to the Governance Committee in December 2021 observed that while the design principle of avoiding a 'costly' system (see Appendix 2) was important, the democratic environment must nevertheless be sufficiently resourced to ensure the Council's ongoing success.
- 9.2 There are direct and indirect financial implications to the Governance Committee's final recommendations to Full Council. Some of the financial impacts can be defined in advance (such as revised staffing costs in the new 'virtual team around a committee') and others, such as the overall impact, if any, on the capacity of the Council's officer leadership corps, will only become clear once the system has been in operation.
- 9.3 The recommendations in this paper are designed to be consistent with the committee's agreed principle that the new committee system "...should not be overcomplicated or costly" however there is further work to be done to conclude the final staffing structure, job descriptions and grades.
- 9.4 It should be noted that there is not a simple, direct, causal relationship between eg the number of Policy Committees in the proposed structure and the cost of the changes to officer support. This cost includes changes to the whole way of working of these member support services, including things like consolidating the funding for democratic support of Local Area Committees, provision for the degree of continuous training, development and briefing which will be required to ensure that the wider pool of councillors making decisions are suitably skilled and informed, and administration of an effective system which coordinates a pipeline of

decisions amongst a more complex (and more public) decision-making environment than a cabinet.

- 9.5 There is also an unknown cost of members' allowances in the new world. All Councillors receive a basic allowance and councillors undertaking roles with 'special responsibility' receive an additional amount on top of this. In line with the relevant legislation the Council must periodically convene an independent panel of laypersons (the 'Independent Remuneration Panel' or IRP) to review the Council's scheme of allowances and expenses and make recommendations to Full Council for any changes deemed necessary. Due to the significant changes to members' roles in the new system, an IRP has been convened and is underway to give consideration to the whole allowances scheme. After giving consideration to benchmark authorities and the specifics of Sheffield's new system, they are expected to make recommendations by May 2022 for an appropriate level of remuneration both for the basic allowance and for the various special responsibilities. Until that point the financial implications of this aspect of the change will not be able to be fully understood.

## **10.0 EQUALITY OF OPPORTUNITY IMPLICATIONS**

- 10.1 The Public Sector Equality Duty in the Equality Act 2010 requires that public authorities, in the exercise of their functions, must have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is connected to protected characteristics and prohibited by or under this Act
  - Advance equality of opportunity between those who share a relevant protected characteristic and those who do not
  - Foster good relations between those who share a relevant protected characteristic and those who do not.
- 10.2 The move to a committee system of governance represents a great opportunity to reinforce our equality duties and the city's Equality Objectives in our decision making<sup>1</sup>. It is vital that equality, diversity and inclusion considerations are designed into the committees' Terms of Reference as set out above and that they will run through the responsibilities of all decision-makers. Equality, diversity and inclusion is a key consideration in the design and implementation of the Council's Committee System and wider public engagement programme within which this decision-making environment should function. The Council is committed to ensuring that the development of our governance is inclusive, with involvement from all communities and Sheffielders with protected characteristics.
- 10.3 As part of the Transition to Committees Programme, we have been developing and updating an Equalities Impact Assessment (EIA) which can

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<sup>1</sup> Sheffield Equality Objectives 2019-23 <https://www.sheffield.gov.uk/home/campaigns/equality-objectives.html>

be found at Appendix 4. A later version of this will be included in the proposals that are presented to Full Council on 23<sup>rd</sup> March 2022. EIA 1153 is a live document and we will continue to update and develop the content over the coming months and as the new committee system is implemented, listening and learning from citizens, staff and Members to ensure that we identify and mitigate any discrimination or barriers that the committee system model may create. The recent meetings of the Governance Committee and the recommendations that have been approved have enable us to focus the EIA considerations around those proposals and the potential shape of the committee system from May 2022.

10.4 As emphasised throughout the Governance Committee's work, the system in place from May 2022 will be the starting point and we'll have to learn as we go. But, the EIA process and engagement with stakeholders and citizens has helped to identify a range of issues we need to consider as we implement the Committee System. We'll reflect learning and citizen voice in the EIA and the mitigation we take as we move forward from May.

10.5 In addition to the learning from citizens and stakeholders to date, we are also talking to the Sheffield Equality Partnership (SEP) and seeking challenge and ideas from community organisations about our thinking on the EDI implications of the new governance system for Sheffield.

10.6 Headline summary of EDI implications

The EIA assesses implications for people who share protected characteristics (citizens, Members and staff) and there are a number of consistent themes which have been identified and need to be considered in the final proposals for Sheffield's Committee System:

- **Equality, diversity and inclusion running through our decisions** – it is clear from the EIA that the move to a committee system has implications – positive and negative – for people who share protected characteristics in Sheffield, including citizens but also Members and officers in SCC. The most significant opportunity here is to ensure that EDI is fully embedded in our decision making across the new Committee structure and that Members and officers have the knowledge and access to training and development to make decisions which understand and reflect our diverse communities and advance equality of opportunity. Involvement and engagement is a vital part of this but also that officers support the committees with EDI data, intelligence and insight to make high quality decisions.
- **Involvement and engagement** – ensuring that people who share protected characteristics in Sheffield have an equal opportunity to engage in the city's decision-making is vital to democratic decision making.
  - This is partly about the committee meetings themselves which can create barriers to people (Members and citizens) fully participating. These barriers include the timing of the meetings, the physical location and accessibility, the formal

nature of meetings which can be imposing for citizens which potentially impact on communities in terms of race, religion, disability, sex and age. Committees will need to fully consider appropriate approaches to engage communities in their work (eg. Menu of options, communicating to citizens on future agendas, meeting times etc). We should also ensure that we can accommodate any reasonable adjustments that people need in order to fully participate.

- More broadly, it also about how Sheffield City Council connects to different communities and considers their needs and aspirations as part of the development of proposals, strategy and decisions. Local Area Committees, stakeholders, voluntary, community and faith organisations, networks such as the Sheffield Equality Partnership and the developing co-design engagement vision and framework being undertaken with Involve will be vital to ensuring that communities have a strong voice in Sheffield's decision making and strategy development.
- **Physical meetings** – current legislation ensures that all formal meetings must be in-person and the committee system proposal potentially increases the number of formal physical meetings that take place. This does create potential barriers for citizens and Members who share protected characteristics, including those with caring responsibilities, disabled people, and people across age groups (younger, working age, older). We use 37caccessible's access guides to provide advice to citizens about the accessibility of venues in the city ([Town Hall guide here](#) – as it is intended for committee meetings to take place). The implementation and further expansion of virtual and hybrid technology (as demonstrated during the Covid-19 pandemic) will create greater opportunities for citizens, partners and Members with protected characteristics to engage in the city's decision making, recognising that digital channels are not a solution for all.
- **Time demands and wellbeing** – this is an issue that should be assessed in the 6 month review of the committee system but there is a risk that if there is a considerable increase in meeting time demand and as a consequence, activity to prepare for and undertake actions agreed that those meetings, that this will increase pressure on the time that individuals (officers and Members) have to undertake their work outside of meetings, managing workloads and work/life balance. We will need to consult Members and staff on the impact on their workloads as this may have implications for health and wellbeing. As part of the proposals, we have included options for Committee Chairs to have job share arrangements, providing more flexibility for Members (eg. Those with caring responsibilities). This may also apply to voluntary, community and faith organisations, stakeholders and communities of interest who may find the new

arrangements complex and more demanding to connect to multiple committees across different policy areas.

- **Accessible and inclusive communication** – ensuring that we enable all communities to have access to information about the committee system (how it works, how to participate etc) and the work and decisions those committees are involved in. We will need to ensure that our communications channels are inclusive and accessible and that through clear forward plans, all communities have access to the information about issues that interest and affect them, how and when they can get involved and what impact that involvement will have. We also need to ensure the SCC website meets accessibility standards. An Equality Impact Assessment is underway to support the final decision and is being kept under review as a ‘live document’.

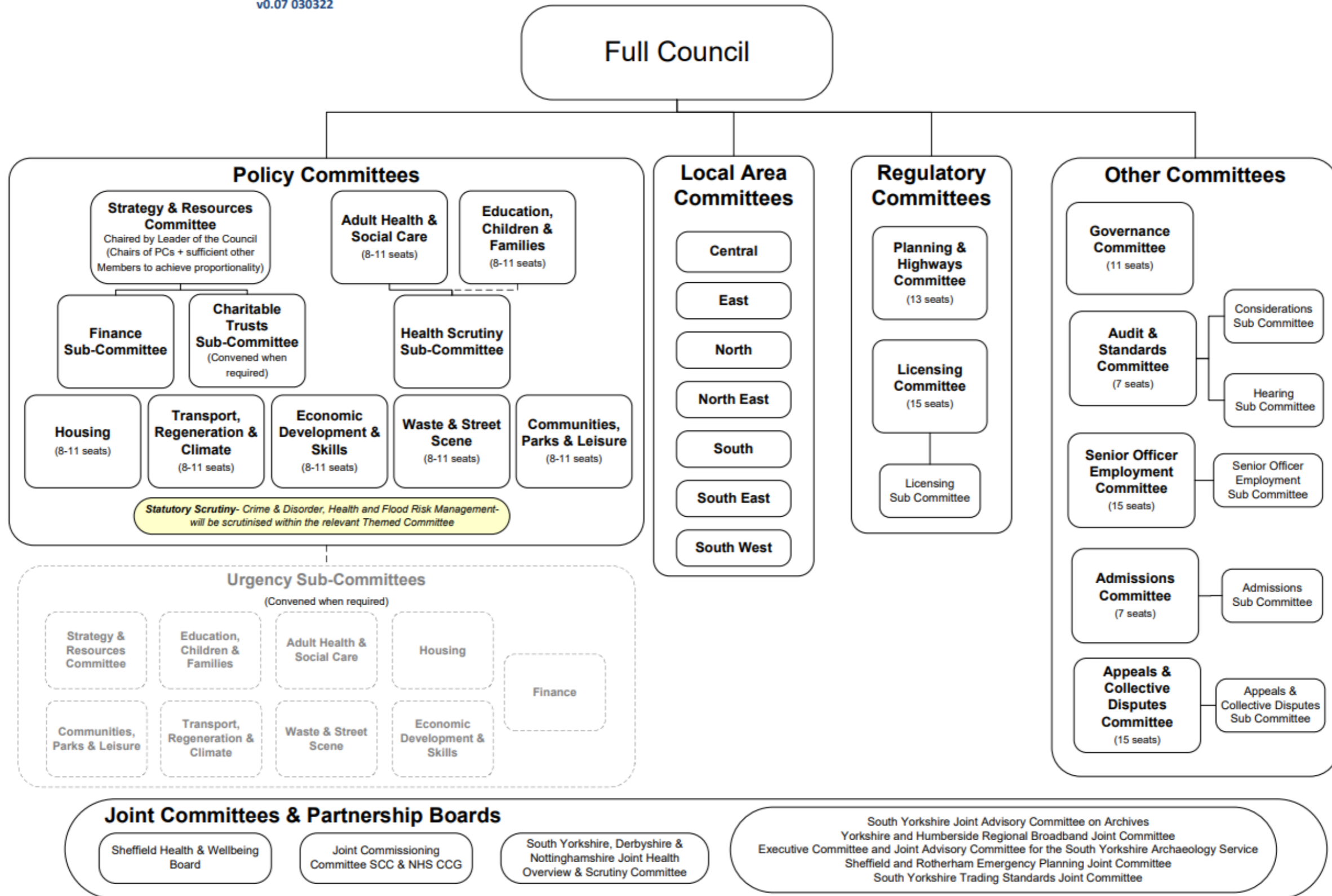
## **11.0 APPENDICES**

- Appendix 1 – Proposed Governance Arrangements May 2022 (diagram)
- Appendix 2 – Design Principles
- Appendix 3 – Working draft: Strengths and weaknesses in Sheffield City Council’s approach to public participation in decision-making
- Appendix 4 – Draft Equality Impact Assessment (EIA1153)

*Alexander Polak - March 2022*

Proposed Governance Arrangements May 2022

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## **Appendix 2**

### **Design Principles**

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

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

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

### **Top five principles**

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

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

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

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

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

**Engagement Principles:**

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

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