



Report to Governance Committee

Author/Lead Officer of Report: Emily Standbrook-Shaw, Policy & Improvement Officer

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Report of: *David Hollis, Interim General Counsel, James Henderson, Director of Policy & Democratic Engagement*

Report to: *Governance Committee*

Date of Decision: *6th April 2023*

Subject: *6 Month Review of Governance Arrangements.*

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? (<i>EIA 1153</i>)				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Purpose of Report:

This report seeks Governance Committee's formal approval of its final report on the 6 Month Review of Governance Arrangements, incorporating the findings of the cross-party working group on the operation of Full Council. The final report is attached at Appendix 1 and sets out the Governance Committee's findings and recommendations.

Some of Governance Committee's recommendations require a change to the Council's constitution, and therefore need Full Council approval. The report asks Governance Committee to agree to submit the final report to Full Council, seeking approval of the recommendations and agreement to the required changes to the constitution.

Recommendations:

Governance Committee is asked to:

A) Agree the final report and recommendations as attached at Appendix 1, comprising recommendations from the 6 Month Review of Governance Arrangements and from the Full Council Working group, namely:

- 1** To note that action to improve how we explain and support the Committee System is underway through the Governance Review Implementation Plan, and progress will be monitored by Governance Committee.
- 2** The role of the Strategy & Resources Committee and senior officers in early identification of cross-cutting issues and directing them to the most appropriate Policy Committee needs to be re-emphasised – including the role of Strategy & Resources Committee in maintaining an oversight of Policy Committee work programmes. Guidance on this should be produced through the Governance Review Implementation Plan.
- 3** As part of ongoing work to develop the role of LACs, consideration should be given to devolving decisions and budgets on minor local transport and highways issues to Local Area Committees. The Policy Committee should provide overall strategy within which local areas make decisions to meet local need; and remain the decision maker for strategic transport issues and major schemes.
- 4** The remit of the Education, Children and Families Policy Committee should be expanded to clarify that it includes all the functions that are the statutory responsibility of the Director of Children's Services.
- 5** Where Policy Committees are developing regulatory policies, they shall form a working group with members of the relevant regulatory committee to inform the process.
- 6** The Job Share Chair Protocol should be adhered to by co-chairs, and promoted amongst officers and members to help develop a greater understanding of the role.
- 7** Co-chairing arrangements should not be permitted for sub-committees.
- 8** Where there are co-chairs in place, only the member nominated to attend Strategy and Resources Committee should attend the Strategy and Resources briefing meetings.
- 9** Substitutes should be permitted at S&R. Where the committee member is Chair of a Policy Committee the substitute must have sufficient knowledge of their committee's work, and political proportionality must

be maintained.

- 10** Briefing practises must enable all members of a policy committee to be adequately briefed for formal decision making.
All Members should also have the opportunity to develop their knowledge and engage in policy and work programme development. Committee Members and officers should work together to identify where it is appropriate for these briefings to be all member/whole committee/Chair, deputy, group spokesperson/political group. Guidance on this should be produced as part of the Governance Review Implementation Plan.
- 11** Policy Committees should continue to meet formally 6 times a year, with informal space diarised on the month where no formal meetings take place. This should enable Committees to carry out policy development activities as per their work programmes. This should not add to Member and Officer workloads, but reduce the need for additional, ad hoc briefing sessions and workshops.
- 12** Current guidance states that Policy Committees should only operate one task and finish group at a time. This should be revised to provide a more 'enabling' approach to policy development. Policy Committees should be able to carry out work as required, subject to sufficient officer and Member capacity.
- 13** An action should be added to the Governance Review Implementation Plan, to develop and promote a 'Policy Development Toolkit' for officers and Members that sets out best practice for developing policy in a Committee System, to be used alongside the existing 'Engagement Toolkit.
- 14** Arrangements should be put in place that enable early conversations post-AGM, between Chairs, their Committees and Senior Officers, to develop work programmes that address corporate, service plan and Member priorities, resulting in a balanced programme of decision making, policy development and scrutiny & evaluation. Guidance for members and officers should be produced as part of the Governance Review Implementation Plan.
- 15** Governance Committee should continue into 2023/24 as a forum for ongoing review and maintenance of the constitution and governance arrangements, as well as Member development.
- 16** Governance Committee sets up task and finish groups to look at:
Public Questions - ensuring the process for citizens to ask public questions is clear, that public questions are triaged in a way that directs them to the most appropriate forum and that those forums are easy to access. Considering processes for responding to public questions, ensuring a consistent approach that is fit for purpose in the Committee System.
Citizen Engagement and Involvement – Consider how we can drive

progress in realising our ambitions for community involvement and engagement, taking learning from recent reviews including Involve, the LGA Peer Challenge, the Race Equality Commission Report. These task and finish groups will actively seek feedback from, and test proposals with, citizens and stakeholders; and report into the Governance Committee.

FULL COUNCIL MEETING OPERATION

Members Questions

- Defined purpose of Members Questions at Full Council: Accountability, transparency and representation
- A Chair should make it clear in what capacity they're responding to a question
- Members' questions to a committee chair at Full Council should not be from a member of that committee. Policy committees should include a standing item for Members' questions (from members of the committee and for issues which are not already the subject of an item of business on the Committee agenda)
- Ensure there is officer resource and time to produce quality answers to Members' Questions

Motions and Amendments

- Introduce a limit of 400 words for Notices of Motion. Amendments should not seek to add more than 250 words.
- Motions should be relevant and have a conclusion/clear requested outcome. Recognise that some Motions may be issues for debate and others might be opportunity to refer an issue to a Policy Committee
- No reduction in the number of Notices or Motion – to retain opportunity to ensure smaller groups and independent members are able to submit them
- Be more overt about what we do with Full Council outcomes referred to Policy Committees for consideration on their Work Programmes

Duration and agenda management

- Retain current duration of 3.5 hrs plus time after guillotine to formally transact business
- Give priority to public engagement items
- Proactive work programming for Council meetings: regular discussion of forthcoming items with Whips to agree priorities for Full Council consider and management of business - e.g. through temporary suspension of certain Standing Orders to make time for debate.

Frequency of meetings, days & times

- Ensure early awareness of the meeting calendar, so Members can arrange time off etc .
- A regular day and time for Full Council meetings

- Frequency of Full Council to be determined by Full Council

New standard items for Council

- Utilise existing provisions for 'Scrutiny' type items:
- CPR 5.7 (k) - "receive any presentations on matters of significant interest to the City" (to include, for example, from Strategic City Partners, SYMCA Mayor, Director of Public Health)
- See also proactive work programme for Full Council

Voting

- Principle of conducting electronic voting with appropriate pace
- Retain ability to vote in parts (CPR 18.3 refers to "in exceptional circumstances") see also word limit on Motions and Amendments
- Continue to use no dissent ('agreed') and show of hands where appropriate
- Lord Mayor announces results and we publish voting outcomes for transparency

B) Agree that Full Council is recommended to:

- 1. Approve the findings and recommendations of the Governance Review.***
- 2. Note that action is underway to implement recommendations 1,2,6,11,13 and 16, and elements of 10 and 14 through the Governance Review Implementation Plan***
- 3. Agree the necessary changes to the constitution to implement recommendations 3,4,5,7,8,9,10,12,14 and 15 and proposed changes to the operation of Full Council Meetings***
- 4. Determine whether Full Council should change meeting frequency from the current approach of 6 ordinary meetings, plus Annual General Meeting plus Budget Council; or reduce the number to 4 ordinary meetings, plus Annual General Meeting plus Budget Council.***

Background Papers:

[Report to Governance Committee – 10th November 2022 – Planning for the 6 Month Review of Governance Arrangements. Report of the Interim Director of Legal and Governance.](#)

[Report to Governance Committee – 9th February 2023 – Governance Review – Engagement Findings and Next Steps. Report of the Interim Director of Legal and Governance, and Director of Policy, Performance and Communications. Equality Impact Assessment 1153](#)

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: <i>Matthew Ardern</i>
		Legal: <i>Andrea Simpson</i>
		Equalities & Consultation: <i>Ed Sexton</i>
		Climate: <i>N/A</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	SLB member who approved submission:	<i>James Henderson & David Hollis</i>
3	Committee Chair consulted:	<i>Cllr Julie Grocutt</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Emily Standbrook-Shaw</i>	Job Title: <i>Policy & Improvement Officer</i>
	Date: <i>29th March 2023</i>	

1. PROPOSAL

- 1.1 In May 2022, Sheffield City Council moved to a Committee System of Governance. As part of this transition, Full Council agreed that *“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 provide Full Council with insight into what has worked well, alongside any recommendations.”*
- 1.2 Between November 2022, and March 2023, members of the Governance Committee carried out the review, drawing on the collective insight of Members, Citizens and Officers to understand how the new system was working, and what improvements can be made.
- 1.3 During the same time period, a parallel piece of work was undertaken by a cross-party working group, led by the Whips, to improve the operation of Full Council. The recommendations from this working group have been incorporated into the Governance Committee’s final report.
- 1.4 The final report of the Governance Committee’s Review of Governance Arrangements is attached at Appendix 1 for the Committee’s formal approval. The report describes how the review was carried out, and sets out the findings and recommendations for formal approval by the Committee.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The transition to a Committee System represented a huge change to the way the Council operates, and it was recognised from the start that we would not get everything right first time. Embedding and refining the model, and how we work within it, will take time. The recommendations from this review are a starting point for building on the progress made to date, and for realising our ambitions for the Committee System to be democratic, open and trustworthy, include all Councillors, listen to everyone, and be forward looking and keep improving.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 Hearing the views of Citizens, Members and Officers was a key part of the review process. Section 2.2 of the Committee’s final report details the Engagement Activity undertaken.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

4.1.1 Equality, Diversity and Inclusion was a specific theme in the scope of the review (see section 6 of Appendix 1 of the final report for full engagement findings). Several areas for improvement were identified through the engagement:

- Consider how we can improve the quality of reports to Policy Committees, including accessibility, and timely publication.
- Ensure the Impact Assessment process is robust, transparent, and applied consistently.
- Ensure Members and Officers are signposted to wellbeing support services that are available through the Council.
- Consider how we can improve the accessibility and readability of reports to policy committees, and ensure they are published in a timely and accessible way.
- Consider how we can make it easier for citizens to a) know what is happening in Policy Committees and b) get involved.

Actions to address these issues are underway through the Governance Review Implementation Plan (see appendix 2 of the Final Report).

Retaining the job-share Co-Chair function, with an improved understanding of the role, will make leadership roles more accessible to a wider range of members.

Work planned for the Governance Committee for 2023/24, looking at public questions and citizen engagement and involvement will improve our approach to inclusive participation.

A summary review of the Transition to Committees EIA is attached at appendix 2. This will be kept under review as the Governance Review Implementation Plan progresses.

4.2 Financial and Commercial Implications

4.2.1 The recommendations in this report will be undertaken within existing resources. Activity to implement the recommendations will be prioritised factoring in organisational capacity.

4.3 Legal Implications

4.3.1 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 Secretary of State 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. The constitution must be available to the public and, under the Local Government Transparency Code 2015, be published on the Council's website.

- 4.3.2 Under the Children Act 2004 the Council must appoint a “director of children’s services” with responsibility for various statutory functions relating to children’s education, social care (including care leavers), wellbeing, and early childhood services, and must designate a “lead member for children’s services” in connection with the discharge of those functions. The appointment of the statutory Director of Children’s Services is recorded in the list of Statutory and Proper Officers at Part 7A of the Constitution and the Chair of the Policy Committee with responsibility for Children’s Services is designated the Lead Member for Children’s Services in Part 2 at Article 7. The proposed amendments to the remit of the Education Children and Families Policy Committee will make it clear that the committee has oversight of these statutory functions and thus strengthen political accountability for them.

4.4 Climate Implications

- 4.4.1 The review recognised the need to strengthen our approach to Climate Impact Assessments in reports coming to Policy Committees. There is an action in the Governance Review Implementation Plan to “*Ensure the Impact Assessment process is robust, transparent, and applied consistently*”.

