

Subject:	Update on Implementation of Good Governance Review Recommendations
Date of Meeting:	13 July 2010
Report of:	Director of Strategy & Governance
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Wards Affected:	All

FOR GENERAL RELEASE/ EXEMPTIONS

1. SUMMARY AND POLICY CONTEXT

- 1.1 At its meeting on 12 January 2010, the Governance Committee received a report of the Audit Commission on Corporate Governance in the Council with recommendations and agreed action points. Members asked for a progress report in July 2010. This report provides the update as requested.

2. RECOMMENDATIONS

- 2.1 That Members note the Contents of this Report.

3. BACKGROUND INFORMATION

- 3.1 The Audit Commission report made recommendations for action in 7 areas (community focus, Member-Officer relations, Standards, decision-making, Overview & Scrutiny, Member capacity and partnership working). The Council's response proposed certain steps which were agreed with the Commission. The following paragraphs provide Members with a summary of the actions taken under each head since the last report.

4. Community Focus

- 4.1 The Audit Commission report suggested that, at the time the survey was done, our partners were unclear about the long term vision of the Council.
- 4.2 Since the report, the Council adopted a new Sustainable Community Strategy on 18 March 2010 that clearly sets out the shared vision and priorities for the City. The Strategy had the support of all partners and was adapted by the Council unanimously.
- 4.3 The process followed in developing the strategy was thorough, inclusive and reflected the shared aspirations of all stakeholders. The Council continues to

work with the LSP and the Public Services Board to deepen the shared ownership of the vision for the City and translate it into concrete practical steps that will make difference to the residents, businesses and visitors to the City.

- 4.4 The Council's Communication Strategy aims to achieve effective communication of the Council's vision and priorities with the wider community and, by definition, our partners.
- 4.5 The Council has therefore succeeded in bridging any perceived gaps in the understanding of the Council's visions, values and priorities.

5. Member-Officer Relations

- 5.1 Although the report made certain observations, by the time that the review was concluded, improvements had already taken place. Since then, the appointment of the new Chief Executive, coupled with key initiatives he has undertaken (including around the theme of "a Council the City Deserves") has given Members, Officers and Partners a greater sense of purpose and direction.
- 5.2 The Chief executive has worked and continues to work with Group Leaders, Cabinet Members, Groups and individual Councillors, including visiting wards. The Corporate Management Team also work closely with the Cabinet, including having joint meetings every 2 weeks. These have contributed to improving the understanding of each other's perspectives.
- 5.3 The Council made enquiries of the Audit Commission for a good practice checklist for Councillors and managers as our understanding (when the recommendations were made) was that these would be available. But we have been unable to get a copy and been supplied with the names of one or two authorities that we are considering for purposes of identifying good practice.
- 5.4 A report was submitted to the last meeting of the Standards Committee which agreed to set up a working group consisting of Councillors and Independent Members to review existing protocols on Member/Officer relations and identify areas for improvement.

6. Promoting and Demonstrating Values of Good Governance Through Behaviour

- 6.1 The Audit Commission recommended raising the profile of the Standards Committee and the Council agreed to take this forward. Since then:
 - The Annual Reports of the Standards Committee was submitted to full Council for information on 18th March 2010.
 - As part of the 12 months review of the Council's constitution, a sub-committee was established to deal with the granting of dispensations.

- Key Members of the Committee will be attending the Annual National Standards Conference in September.
- The Chairman and Independent Members have already met group Leaders and all Political Groups. It is proposed to hold similar sessions in the future.
- The complaints process is publicised through the Council's website and by making leaflets on how to complain about Member conduct available in all main offices of the Council.
- The Standards Committee is considering issuing a publication summarising its roles, the standards expected of Members and the work of the Committee for use by Members, Officers and the public.
- The Committee continues to benefit from very able leadership of its Independent Chairman and input from 2 other Independent Members.
- Training for Members of the Standards Committee on the complaints process and for Members of the Planning Committee on areas around bias and pre-determination have taken place in addition to a range of Member Development Programmes that the previous report acknowledged as excellent.

7. Taking Proper Decisions and Managing Roles

- 7.1 The Audit Commission report made a number of comments on the decision-making process with a view to making it more efficient.
- 7.2 In addition to changes that had already been implemented before the conclusion of the Audit Commission review, we have had two further detailed reviews of the constitution. The first, which was part of the 12 month review, resulted in a number of changes, including a decision to cease 2 Cabinet Member Meetings and agreement to review the others. A further report looked at meetings of full Council and resulted in agreement to implement significant changes including:
- limiting the duration of full Council by introducing an automatic closure motion;
 - limiting the number of notices of motion;
 - reducing the length of speaking times; and
 - introducing a more meaningful Member question time.

7.3 All these changes, taken together, will result in a more effective and efficient despatch of Council business as well as making Council proceedings more relevant and interesting to the people the Council represents.

8. Overview & Scrutiny Arrangements

8.1 The Audit Commission report made comments and recommendations about continuing improvements to the scrutiny function. Much progress has taken place since then, including the following:

- The Overview & Scrutiny Team is now fully staffed and resourced. A review of good practice from other authorities was undertaken and its recommendations implemented.
- Tripartite meetings between Scrutiny Committee Chairs, Cabinet Members and Directors have been implemented to improve flows of information between Scrutiny and the Executive.
- The budget scrutiny has been improved from 2008/9 to 2009/10. Draft proposals were published over a month earlier, 5 scrutiny committees considered the proposals which resulted in changes to the final budget proposals presented to Cabinet.
- Challenge to Executive decisions has increased with 4 call-in meetings between February 2009-February 2010. The number of member requests/questions/letters to scrutiny has also increased.
- The number of items for noting at scrutiny committees has been significantly reduced. Meetings are more focused with items placed on the agenda where their consideration will add value.
- The number of items being tabled at O&S Committees in draft form has increased providing an opportunity for pre-decision input and comment.
- The selection of topics for scrutiny panel review has become more sophisticated with Members understanding the need to target interventions.
- Responding to the need to become more place-based and externally focused a protocol has been agreed with the LSP. The Chair of the LSP has attended and answered questions at the Commission and the LSP and its themed groups will play an important role in developing the future work programme for scrutiny reviews. Relationships with individual partner organisations are developing and can be seen in the engagement of partners in the work of scrutiny panels.

- External expertise is informing scrutiny work with co-option of experts onto scrutiny panels and the use of expert witnesses in all investigations. Co-opted members have chaired scrutiny panels, for example Prof Gordon MacKerron from the University of Sussex is chairing the Climate Change Adaptation review.
- OSC has agreed that an annual trawl for suggestions for scrutiny panels, this will give OSC an increased coordinating role in agreeing a panel programme for all committees.
- Performance reports are presented to all committees and are increasingly being used to inform future priorities and areas of investigation.
- Seven scrutiny panels have completed their reviews during 2009/10, the vast majority of recommendations being accepted by the Executive. A further 8 panels are currently undertaking or have completed work. The full list of panels is:
 - Dual Diagnosis of mental health and substance misuse issues
 - Students in the Community
 - GP Led Health Centre Procurement
 - Older People and Community Safety
 - Children and Young People Alcohol Related Harm
 - Dignity at Work
 - Street Access Issues
 - Climate Change Adaptation
 - Environmental Industries
 - School Exclusions
 - 20 miles per hour speed limits
 - Support services for victims of sexual Violence
 - Staff Disabilities
 - Cultural Provision for Children
- Scrutiny is showing it can respond to important events and residents concerns. Following criticisms of the Council's response to severe winter weather a single all day meeting was held to look at how to improve the Council's Winter Service Plan.
- All O&S Committees now have cross party pre meetings two weeks before the actual meeting. This allows for agendas to be refined, all parties to raise concerns and ongoing work-planning to occur.

- Member training on scrutiny is being offered on a 1-2-1 basis. Additional training from the Centre for Public Scrutiny has been provided to some Committee Chairs and Deputies.

8.2 It is clear from the above that the scrutiny function in the Council is in a much stronger and improved position.

9. Developing the Capacity and Capability of Councillors

9.1 The Council has a Member Development Programme that has received the South East Employers Charter. The Cross-Party Member Development Working Group, chaired by a Cabinet Member, co-ordinates Member development supported by a Senior Officer. The development programme enables individual training needs to be identified and a mixture of development opportunities offered.

9.2 The Council is working towards the Member Development Plus Standard which would involve performance management.

9.3 There is a plan to make some core training (such as code of conduct and rules regarding planning) compulsory, but relying on working with the Leaders, Groups and Individuals to keep levels of attendance high. This however has to be seen in the context of the number of development activities, the variety of such activities and the targeting. The more programmes are included the more selective Members have to be which means it would be neither practicable or desirable to have 100% attendance on all sessions.

10. Partnership Working and Engaging with Stakeholders

10.1 The issue about ensuring the Community is better informed about the Council's priorities and performance is begin taken forward as part of the Corporate Communications Strategy. The adoption of the Sustainable Communities Strategy will also contribute to the understanding of the shared vision and priorities.

10.2 The Council launched a Community Engagement Framework in 2008, which is shared with our partners, and it is already showing results in influencing the way that we consult and engage with communities.

10.3 A report looking at existing community engagement arrangements was submitted to the Governance Committee on 12 March and a further review is being undertaken with a view to reporting back in September.

10.4 The Council has robust arrangements governing all the partnerships it is involved in. They range from formal, contractual legal agreements (such as

the ones with Health partners) to looser, less formal arrangements with smaller voluntary organisations.

11. General

- 11.1 Overall, the Council has excellent governance arrangements that ensure legality, high standards of conduct, clear decision-making processes, clear vision and priorities and effective partner, stakeholder and community engagement.
- 11.2 The Council has adopted a Code of Corporate Governance, updated recently, and publishes an Annual Governance Statement which is approved by the Audit Committee and reported to the Governance Committee and full Council for information.
- 11.3 There is a process for continually reviewing all the component parts of our governance arrangements to ensure that we maintain the highest standards of conduct and governance and reflect best practice.
- 11.4 The progress update given above is not intended to be exhaustive, but to give Members a broad indication of the progress made.

12. CONSULTATION

- 12.1 The Chair of the Governance Committee and relevant Officers were consulted on any comments incorporated.

13. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 13.1 This report is for information only and there are no financial implications arising directly from this report.

Finance Officer Consulted: Anne Silley

Date:30/06/2010

Legal Implications:

- 13.2 There are no legal implications arising from this report.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Date: 30/06/2010

Equalities Implications:

- 13.3 None arising from this report.

Sustainability Implications:

- 13.4 None arising from this report.

Crime & Disorder Implications:

13.5 None arising from this report.

Risk and Opportunity Management Implications:

13.6 None arising from this report.

Corporate / Citywide Implications:

13.7 None arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents In Members' Rooms

1. None

Background Documents

1. Report to Governance Committee and Minutes of Meeting of 12 January 2010.