



1. **Based on your experience could you briefly explain the key principles of good governance and decision-making?**

The standard answer here is that good governance should be based on the principles of transparency and accountability. Robust rules and procedures should be in place (in the Constitution) to specify how (for example) a local authority is governed and how decisions are made. These rules and procedures should include codes of conduct, member/officer relationship protocols, members' allowances and schemes of delegation. None of this will work however if the governance processes are not clear and accessible to the people they are meant to serve. That includes councilors as well as the public. How the process works should be clearly explained, along with how views can be expressed in advance of decisions being made and relevant documentation accessed.

2. **Kirklees currently has a Strong Leader and Cabinet model of decision making. What are your views on this model having regard to the principles of good governance? What are its strengths and weaknesses?**

This model of decision-making can provide clarity of leadership and responsibility. The public can see which members are responsible for specific services and related decisions. Accountability is therefore increased and decision-making can be quicker. It can also provide continuity and stability of leadership, facilitating longer term planning.

This model however centralises decision making to a relatively small caucus of members. Non-executive members from both the majority and opposition parties can be excluded. Processes, before and after decisions are made, need therefore to be as accessible and open as possible. Decisions taken by individual executive members should follow the same governance processes and rules as those taken by the Cabinet.

3. **Do you feel that Overview and Scrutiny provides an effective check and balance? How might this be improved?**

It can be effective, but in many cases, it is not given the opportunity to be so. ADSO has heard from many disaffected non-executive members who feel that their councils do not take scrutiny seriously and see it as a nuisance rather than an opportunity to improve services. Councils generally have the scrutiny structures that their Executives want them to have, so too often they pay lip service to the scrutiny function. Having said that, scrutiny members, in many cases, do not



take advantage of the legal and constitutional rights available to them. When asked why, they say “We wouldn’t be allowed to”. The party whip can be a hindrance to effective scrutiny. To be improved, the following needs to happen:

- Scrutiny should be seen by Council leaderships as being a valuable and positive tool in the efforts to improve council services and provide value for money
- More focus on pre-decision scrutiny to support the Executive in decision making
- Closer working between the relevant Cabinet members and scrutiny when identifying executive priorities for the year and thereby better informing the scrutiny work programme
- The link between the ward member role and that of the scrutineer should be recognised and used more effectively to engage the community and ensure that scrutiny is focusing on relevant topics
- Councils giving scrutiny the freedom (free from political control) to work in more innovative ways
- Scrutiny being valued on a par with executive members by local authorities and LGA, with proper training

ADSO recognises the political context in which authorities operate and the challenge that internal scrutiny can provide. Done well it can help with improvement and provide a safe place to consider and resolve tricky issues.

If implemented it could help address the points highlighted in 2 above.

4. **In terms of practice from elsewhere, could you share examples of effective models of governance and decision making? What are the most important features that make them effective?**

Continuing with scrutiny, it is important that relevant stakeholders are involved in reviews that affect them. ADSO has seen a number of good examples where such communities have been an integral part of a review, sitting with councils on an equal footing, discussing ways in which particular services can be improved. Providers of services have also been involved, including external organisations. Councillors have personally been involved in delivering services and seeing the impact on those who receive them.

The winner of the ADSO Team of the Year award for 2016 was Wigan Council. They made real efforts to meet communities ‘on the ground’ to discuss what the Council was doing and how it worked. “Market Place’ events and ‘Deal Days’ were opportunities for the members to meet



communities and they have proved a real success.

5. **As we look to involve the public more, how do we ensure we have decision making arrangements that are enabling, clear, co-ordinated, agile and take place at the right level?**

Good clear procedures for decision making and schemes of delegation will help achieve these objectives to a point. Within these procedures, Councils need to be able to adapt to changing circumstances, so quick and flexible decision making is important. Balancing the two can be difficult but not impossible. Practical schemes of delegation that focus councillors' decision making at a non-operational level can help. Councillors should delegate appropriately to officers. Procedures, reports and other relevant documentation, written with the public in mind rather than the Council, helps residents understand how decisions are made, the reasons for them and how they can influence them. Ensuring the balance between local and more central (corporate decision making) is also crucial with clarity as to where the decisions will be made and how they might be influenced.

Councils are becoming better at communicating governance matters via social media etc but we can do more, particularly at pre-decision stage. How many councils proactively promote their Cabinet Forward Plan which sets out the key decisions to be taken in the coming month or months? How informative and meaningful are those plans or other related information to the general public or even stakeholders? Do we want them to be meaningful?

How many councils have positively promoted the community rights to bid and challenge within the Localism Act?

The role of the ward councillor can be under-used. The focus tends to be on their representational role in regard to their residents. But they can also play a useful role in representing the council to their wards, keeping residents informed of decisions that affect them, explaining the process and supporting them in putting their views forward.

The key is to see decision making as part of the process not the inconvenient bit at the end. Where it is the public are more likely to understand it.



6. Our engagement with the public has revealed that they feel that councillors are not effectively held to account for the decisions they take. How could this be improved?

This really depends on what the public mean when they use the term 'accountable'. Ultimately councillors are accountable at the ballot box. Plus, during their terms of office, they are still accountable in a number of ways. Although they legally have a 4 year tenure, many leaders are still subject to annual elections within their party groups. Cabinet members are appointed by the Leader, but again in a number of authorities, they are subject to an annual group selection process.

Council meetings present opportunities to call Executive members to account through motions and questions (public questions in some cases). Scrutiny has the power to call executive decisions in and there is the much under utilised councillor call for action, which can be very much community led.

Many councils have some form of community based meetings when the public can attend to question and challenge.

So, all in all, we would argue that there are plenty of opportunities to hold councilors to account. The question is whether they are clear and accessible to those who wish to use them? We don't think the methods of accountability in themselves need improving. They need to be better explained and made more user friendly.

7. Our engagement with the public has resulted in a suggestion for more direct public and community involvement in decision making. What are your views on this?

Many councils do genuinely try to communicate with the public. But are the public really interested unless they are a specific interest group or the matter is something that directly affects them (closing a library for example)? That's not to say that we can't do things better and many of the points made in the above paragraphs can result in improvements. These include better use of social media, a more effective and engaging scrutiny processes, the ward councillor role and clearer communication in terms of governance processes and decisions.

A number of authorities are changing the way they operate their community based meetings to focus on smaller areas (for example just one ward as opposed to two or three) and led much more by ward members.



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This is by no means advocating the status quo but authorities are very often required to balance conflicting views. Authorities need to be honest and open, they also need to provide clarity on engagement and involvement.

We support the work undertaken by Kirklees through the commission and await the findings with interest. We are grateful for having the opportunity to contribute.

Many thanks,

John Austin, ADSO Chair
Dave Burn, ADSO Vice Chair