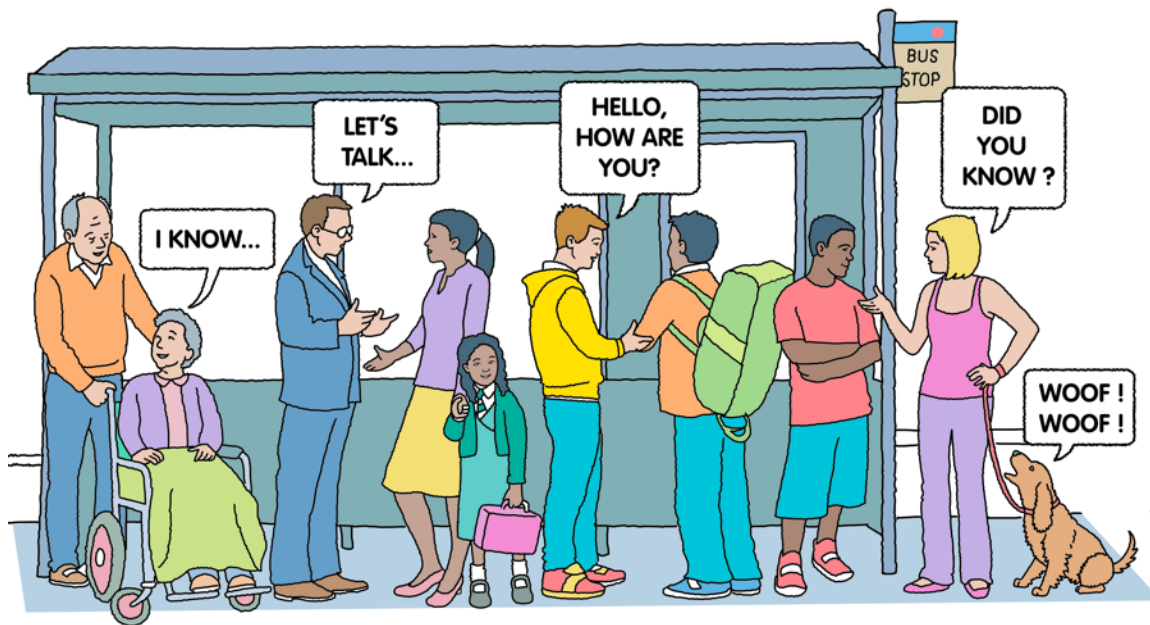


Decision-making



Everyone wants to feel that they have a strong voice in the decisions that affect their everyday lives.

Public consultation has become meaningless

Consultation is not currently enabling or facilitating active citizens. In fact, it appears to be having the opposite effect. We should have a much stronger focus on genuine dialogue and engagement as part of our changing relationship with citizens and communities across Kirklees. We need to develop continuous relationships, instead of stop-start consultations.

One size does not fit all

Citizens would like to have a menu of options for how they can get involved. Decisions shouldn't just involve "the usual suspects" – we need to value the knowledge of our citizens and be clear about who we need to hear from for each decision. We can't consult on every decision, but we can be more selective in our methods – and get better informed decisions as a result.

The how, not just the what

Democracy isn't about always being the person who wins. It's unlikely that everyone will agree with every decision, but it's important for citizens to know what's happening at every stage – whether or not they agree with the ultimate decision. It's vital for citizens to know how decisions are made, and not just what those decisions are, as this helps to build trust. We need to involve people in the whole journey.

Councillors as interpreters

Councillors can do much to explain local democracy to our citizens. They can play an important role in interpreting and sharing information about decision-making. This could help to create opportunities for citizens to engage with councillors (both online and off-line). We know that citizens of all ages want more civic awareness.

Changing our meetings culture

Our meetings should not be hard to follow or engage with. Meetings provide an ideal opportunity for the council and our councillors to engage, share and foster a wider understanding of how our local democracy works. We need to say "we're open for business and you're welcome".

Governance, accountability and decision-making

Everyone wants to feel that they have a strong voice in the decisions that affect their everyday lives. Our citizens have told us that they want our decision-making to be easier to understand, they'd like to be more involved in the process and to have more contact with decision makers. They also want decisions to be made at as local a level as possible.

Governance, accountability and decision-making are fundamentally important features of local government. Elected representatives take decisions in public on matters that directly affect local citizens. This continues to be a strength and a cornerstone of our local democracy. Yet we've learned that often our citizens don't realise that decisions are being taken in public, and many people aren't aware of the things we already do to make this process more open.

We've had the chance to hear a range of perspectives that have helped us to understand both the opportunities and challenges we face in making our culture, systems, processes and structures relevant in the 21st century.

Whilst it would have been easy for us to solely focus on structures, we have taken a broader view. We've tried to understand decision-making from both a citizen and a councillor perspective, whilst also thinking about wider issues such as the opportunities presented by digital technology, our approach to consultation, and wider engagement activities as part of the decision-making journey.

Citizen engagement

We have identified a number of themes as part of our [Public engagement events](#), through feedback from our political groups and via our survey for councillors:

- Citizens think public engagement in decision-making and policy development is often tokenistic. Many councillors also feel distanced from the process and feel they are limited in terms of their ability to influence and challenge decisions.
- The council's approach to consultation makes this problem worse.
- The council's democratic content and the way in which it is currently communicated is not helpful for citizen awareness and engagement.
- Citizens find the format of council meetings, and the supporting processes, hard to follow and engage with.
- Decisions should be taken at the most appropriate and local level.

Consultation, engagement and decision-making

We recognise that decision-making, especially in the current climate, is complex, varied and challenging. It should involve weighing up a rich mixture of data, information, intelligence and insight, with a view to taking the best decision possible. During the course of our work, participants have frequently commented on the issue of engagement and consultation as part of the decision-making process. The evidence we've received shows that we need to revisit our approach in these areas.

We know that the council is not in a position to engage or consult about every decision, but we need to consider how we can use consultation and engagement techniques effectively, selectively and proportionately as part of the decision-making process. In order to do this, it is important for us to understand the position we're starting from and the issues behind people's attitudes to consultation.

We've heard a wide range of evidence that has helped us to explore and understand the distinction between genuine engagement and consultation. We have also heard a variety of perspectives that try to diagnose the current problem.

Councillor Robert Light observed that: "the public are cynical because the council leads them to believe there are not a range of options being considered and the decision has already been made. If the role of councillors is as community leaders then they need to be in a place to put options to communities at an early stage so we can understand what they want. Citizens want to feel that there are a range of options they can influence, not be presented with a *fait accompli*. When their voice seems deliberately ignored then they will lose faith in the decision-making process."

Anthony Zacharzewski explained that: "the challenge with traditional consultation is that an audience is picked up and dropped and therefore does not build a continuous relationship involving audiences who can follow issues through... Consultation should be done earlier with a larger mix of approaches and it should be clear at the outset what the boundaries of the decision are. There needs to be a build up to consultation and account for why the decision flows from the consultation evidence. It is important to convey at the start what the strategic options would be, what the differences are and what might happen."

Our [Partner organisations](#) asked that in future the council should only carry out “real” consultations as opposed to those where there is no real choice, as this gives the impression that the decision has already been made. This view was shared by citizens at our [Public engagement events](#), who highlighted the issue of “meaningless public consultation”. Local people’s involvement is essential, but we need to do this effectively and include different people, not just the usual suspects. Citizens are keen to put their views forward and increase their engagement in decision-making. People are very interested in knowing how decisions are made, not just what those decisions are. It’s important that we help citizens to understand all stages of our decision-making processes, as this helps to build trust.

We accept this analysis and we believe it’s time to rethink Kirklees Council’s approach to consultation. We should begin to place a stronger focus on genuine engagement with citizens and local councillors. Citizens said they have an appetite for greater involvement whilst not necessarily wishing to take the decisions themselves. Citizens still acknowledge the importance of elected representatives taking those decisions.

We believe this provides an opportunity to make a virtuous connection between participatory and representative democracy. We can design new approaches that bring citizens with us as part of the decision-making journey. Democracy isn’t about always being the person who wins. It’s unlikely that everyone will agree with every decision, but our witnesses have emphasised that it’s important for citizens to know what’s happening at every stage – whether or not they agree with the ultimate decision.

[Sarah Allan](#) from [Involve](#) explained that there is real space for more citizen engagement in decision-making. This involves us recognising that citizen knowledge exists, accessing it and designing the most appropriate approaches to facilitate engagement. The fact that decisions are usually issue-based provides a real opportunity to effectively engage, as participants are more likely to understand issues as opposed to processes and structures. We believe that [Involve’s 9 Steps to Getting Public Engagement Right](#) provides a helpful reference point.

[Katie Ghose](#) from the [Electoral Reform Society](#) provided us with examples from Holland and Canada. These demonstrate a more engaging, collaborative and deliberative approach which involves citizens working alongside elected representatives to work through a topic or decision in a different way. Katie also shared details about the [Citizens' Assembly](#) pilots in Sheffield and Southampton which provided another model of engagement, albeit a more resource-intensive approach. We have also heard from [Anthony Zacharzewski](#) about approaches in Scotland and Barcelona which involve “building audiences” to take on the decision-making journey, through to implementation and beyond.

In summary, we feel that the council's current approach to consultation is not helpful for citizens and councillors alike – this includes decision makers. Kirklees Council should revisit our approach. Citizens are unclear about the options and about whether there is an ongoing dialogue. This has created a real or perceived view that the decision has already been made and that the council is merely going through a tick box exercise.

We need to have a much greater focus on ongoing citizen engagement, designed in a way that takes citizens along the policy or decision-making journey. We should learn from successful practice from elsewhere. If we are serious about developing active citizens it is important that we work harder to harness the knowledge and energy they have. It is for this reason that we recommend a shift away from our current approach to consultation, towards genuine engagement. We should selectively pilot some new approaches that are relevant for our local area.

Democratic content and public awareness

Our research has shown that there are other factors to consider if we are to improve the citizen experience of decision-making. Some of these relate to our democratic content, the language we use and the extent to which we make full use of the technologies that are available to us.

In our [Kirklees Councillors survey](#) 80% of those who responded felt that improving communication about decisions and their implications would encourage more direct public and community involvement in decision-making. [Kirklees Youth Council](#) feel that the jargon used in decision-making can exclude young people from the process. The [Labour Group](#) and [Liberal Democrat Group](#) feel that we can make more use of digital technology to improve the ways in which we present and share our democratic content.

In our [Kirklees Council staff survey](#) only 10% of those who responded feel that they fully understand the council's decision-making process.

At our [Public engagement events](#) citizens said they wanted more understandable information and to be more involved in decision-making. They put forward ideas such as setting quality indicators for local-decision-making, showing where the public can make a greater contribution. Participants were also keen for us to provide more civic education and awareness. They said it would be a positive step for us to offer training to adults and young people about their rights and responsibilities in society, and to inform people about how they can get involved in local decision-making.

Our evidence has prompted us to think about how we present and communicate our local democratic content. This is not just about reports and minutes of meetings, although this is an important area. It is about the explanations we provide, the media we employ, the language we use and the ways in which we share. It is about being better at telling the local democratic story in a way that is engaging and human – and using technology to enable us to do it better and in real time.

Whilst we feel that this is a real challenge for Kirklees Council, we do have a good starting point. We are an early adopter of webcasting and we use social media to curate some of our public meetings content. We have a track record in seeking to be innovative and transparent. Whilst we recognise that we can do more, this is a strength from which we can build. We can also do more to raise awareness about the live content that we already provide.

We heard from [Catherine Howe](#) and [Professor Cristina Leston-Bandeira](#) who both provided helpful insight, particularly in light of the work that has taken place at a national government level as part of the [Digital Democracy Commission](#). Both shared some important issues for us to consider when looking at democratic content, including: adopting a multi-media approach, providing information in different formats, creating channels and opportunities for different types of audiences and thinking about the language that we use.

We should also recognise that councillors can do much to explain local democracy to our citizens. They can play an important role in interpreting and sharing information about decision-making. This could involve greater opportunities to engage with councillors as part of our decision-making processes (online and off-line). We could create opportunities for more publicly broadcast councillor debates or question time sessions on issues that are important to local citizens.

Councillors could explain what is happening as part of the democratic decision-making process in the same way that political correspondents report on significant discussions in Parliament. These points link with the notion of “civic educator” as part of a councillor’s changing role.

In terms of our traditional democratic content, we recognise that there are a number of barriers that we need to overcome:

- The language of decision-making is difficult for people to understand and this becomes a barrier to engagement and involvement.
- The scope of a decision-making process is often unclear, and citizens don’t know what stage we are at along that journey. This can erode trust as citizens are unclear about what they can and cannot influence, and it leads to people feeling that decisions have already been made.
- Content should be based more on citizens' needs. Much democratic content is not written in this way or made available in alternative formats that citizens would find easier to access.

We aim to address all these issues through our recommendations, whilst at the same time recognising the need for the council to discharge its statutory responsibilities in terms of publicly accountable decision-making.

In the future we therefore recommend:

- **Developing of a set of democratic content standards** that we can use as a basis for all content we produce and publish as part of decision-making. We aim to do this in partnership with the wider sector.
- **Using video narratives** before and after significant issues are discussed, to help explain what’s happening. This should include independent reporting from citizen journalists.
- **Quarterly question time events** involving all group leaders, the content and agenda for which will be set by the citizens of Kirklees. These will be broadcast and allow questions to be taken online as well as in person.
- **Supporting all councillors with digital technology** so they can understand and embrace different ways of explaining the council’s governance and decision-making processes to our citizens. Commission members should pilot this approach.
- **Doing more with our webcasting technology** to make use of its full capability, beyond purely broadcasting meetings. In particular we should take advantage of the interactive technology that currently exists.

Our meetings culture

Whilst local decision-making is not all about committee meetings, it's still an important area which we want to cover. Elsewhere in this report we have shared the feedback we've received from councillors about the pressures placed on their time. One of these pressures relates to the time they spend in meetings, both inside and outside the council.

The [Conservative Group](#) have observed that it seems bureaucracy has replaced democracy, with a growth in the volume of meetings particularly during office hours. Our [Recently elected councillors](#) also highlighted the tradition for the majority of Kirklees meetings to take place during the day. This is by no means ideal for councillors who are in employment or indeed our citizens who may wish to attend public meetings. We recommend that the review of our governance arrangements takes account of these issues.

Looking beyond volume and timing, we have also considered the conduct of our meetings, our meeting culture and whether our meetings are accessible and engaging for our citizens. Whilst some of this is about our democratic content it is also about changing the tone and the story – it is about the “meeting experience”.

As part of our work we have heard about some different ways in which meetings can be run. [Peter Macfadyen and Mel Usher](#) explained the unique approach in Frome, where all meetings are café style, with councillors sitting alongside residents. This has required a different approach to chairing meetings but it has been positive in terms of making the council part of the wider community. We have also heard from [Theo Bass](#) and [Katie Ghose](#) who shared some different examples from other countries. These models make a virtue of digital technologies or adopt a more deliberative approach with citizens. We feel that we can learn from these examples.

We feel it is important for us to change the public meeting narrative in Kirklees. We need to make a positive statement that says “we're open for business and you're welcome”. Meetings provide an ideal opportunity for the council and councillors to engage, share and foster a wider understanding of how our local democracy works.

Meetings should not be something that is hard to follow or engage with. They should be something that contributes to wider civic engagement and involvement, particularly for our young citizens.

Being proactive in inviting young people to our meetings (and actively involving them) is something that we believe should be a strong feature in the future. It is for these reasons we recommend that Kirklees Council should look at the format and culture of our public meetings as part of our overall review of governance arrangements.

We also recommend that Kirklees Council should develop online and off-line interpretive information for the public relating to all of our public meetings. Such information can be used at meetings but can also be part of wider civic education about the council and our democratic processes. This fits with our approach to civic awareness.

Our governance, accountability and decision-making structures

In looking at our current governance structures we have recognised the importance of understanding our local context. The background research we received ([Governance, Accountability and Decision Making](#)) provided a thorough account of the ways in which our governance arrangements have changed over the years.

During this period Kirklees has operated both a committee system and a model of executive governance incorporating Cabinet and Overview and Scrutiny. Since 2000 we have also operated some form of local decision-making structure. There have been many changes to our structure and governance processes over the years, some of which were made voluntarily, some of which were driven by legislation. These factors explain how we got to where we are today.

We've gathered evidence so we can understand people's perceptions about the effectiveness of our current governance arrangements. We have also researched perspectives from elsewhere as part of our public inquiries and through visits to councils who have different arrangements in place.

We are grateful to the [Association of Democratic Services Officers](#) (ADSO) who explained that good governance should be based on the principles of transparency and accountability, underpinned by robust rules and procedures which should govern how decisions are made. In order to be effective, governance processes need to be clear and accessible to both the public and councillors alike. They also need to be flexible so that organisations can adapt to changing circumstances.

We have also heard from [Craig Wright](#) who provided us with information about the principles of good governance as set out in the [UK Corporate Governance Code](#). His perspectives on both public and private sector governance considerations were incredibly helpful.

We gathered local insight about the effectiveness of our current governance arrangements. As part of our [Kirklees Councillors survey](#) we asked councillors how effective they think our current model of governance and decision-making is. The response was:

4% felt it was highly effective
29% felt it was fairly effective
19% felt it was neither effective nor ineffective
27% felt it was fairly ineffective
21% felt it was highly ineffective

The overall message we've received via comments is that more councillors need to be involved. Those who commented generally feel that Scrutiny is not performing its role effectively, and needs to be more politically independent. Most comments about Cabinet imply that this system affords a relatively small group of councillors too much influence. Respondents suggested that we should move to a structure where all councillors (or all those that are interested, and have time) are involved. Councillors also noted that backbenchers currently have little influence and that this should change.

We also asked whether more decisions should be taken locally in Kirklees. 78% of those councillors who responded either agreed or strongly agreed with this.

In terms of the feedback from political groups, the [Labour Group](#) believes that the current Cabinet system means that policy decisions are taken by only a few councillors. This has removed most councillors from direct involvement in decision-making, which has resulted in many councillors feeling disenfranchised. The group advocates the development of a Cabinet-hybrid system.

The [Conservative Group](#) points to the ineffectiveness of the current model in light of the weakening of the Scrutiny role, whilst acknowledging that the answer does not lie in a return to a committee system. The overall consensus was that the correct decision-making format lays somewhere between the existing Cabinet and Scrutiny system and the old committee system. The group have a strong feeling that local councillors should take decisions on local issues. They think that Kirklees

Council's attempts at devising real local devolution to local areas or wards have been poor.

The [Liberal Democrat Group](#) believes that the Kirklees model of governance and decision-making would be more effective if we adopted the committee system. There should be a greater focus on local governance and accountability which should be built from the ground up.

The [Green and Independent Groups](#) feel that the current governance model concentrates power and responsibility in too few people and works against wider councillor involvement in decision-making. This factor is important in a hung council. The group supports a change in the governance model, for example to a committee system, which allows all councillors to have a greater say and stake in the decisions that are made. In terms of local decision-making the groups feel the current District Committee model lacks local identity and does not facilitate effective decision-making.

There is also an opportunity for us to take a strategic view of the current and potential role of Parish and Town Councils in the context of local decision-making and devolution within the borough.

For our councillors there is clearly a growing consensus that our current arrangements are misfiring, with a common theme being the lack of real or perceived opportunity for all councillors to be involved in the governance and decision-making of the council. Whilst views about the potential solutions differ, there is clearly an issue that needs to be addressed.

In terms of the structural considerations we have heard different perspectives about the merits or otherwise of differing governance models. [Ed Hammond](#) from [CfPS](#) (Centre for Public Scrutiny) explored in detail the respective strengths and weaknesses between executive governance and a model based on the committee system. Ed described the strengths and weaknesses of the committee system as:

Strengths:

- It's an opportunity for more councillors to be involved in decision-making.
- It encourages a more formal and reliable approach to business planning. The Cabinet system can result in a sloppy approach to decision-making.
- It requires officers to think more carefully about how to involve and brief councillors.

Weaknesses:

- It doesn't always deliver a consensual approach. Committee systems can still deliver dictatorial approaches, where committee chairs can continue to manage the work and the discussions.
- There's a need for a political safety valve which works against the opportunity to have a balanced decision-making system.

Ed was very clear that neither model is necessarily better than the other, as it strongly depends on leaders, councillors and the culture within particular authorities. He explained that it is not possible to draw conclusions on a national basis, but more important to place an onus on councillors and communities to determine what will work in a particular council. Ed advised that it would not be possible or advisable for Kirklees Council to switch over to an approach that may work elsewhere without first considering what will work locally. The most important thing is for councils to reflect on what they do. This will force thinking on wider issues about democracy and decision-making. It is only at this point that councils should then think about structures, processes and models. We are supportive of this point, which is reflective of the approach that Kirklees Council have taken in developing the Democracy Commission.

[Rob Vincent](#) provided us with an insight into governance models by sharing his experience as a Chief Executive. Rob explained that, based on that experience, the Cabinet model has on the whole been better for Kirklees. Rob observed that the committee system has a "complexity and fuzziness" in terms of responsibility, with committees referring the majority of decisions to Council.

Looking to the future, [Councillor Sir Stephen Houghton](#) provided a different perspective when he explained to us that governance models are likely to be more diffuse. Increasingly, services will be delivered either in partnership, by community groups or by other private providers, which will mean that our methods of governance will change. This will require a careful balance between tight and loose governance arrangements, particularly where councillors will be looking to community groups to play a more proactive and prominent role. There needs to be a balance between good and proportionate governance, whilst not stifling innovation.

This is an issue that our [Partner organisations](#) have also raised. They agree that it's important for us to move to a more collaborative model of decision-making in light of the challenges faced by both the council and our partners. This should build on the democratic mandate, which should not be a barrier.

We visited the [London Borough of Kingston-Upon-Thames](#) where we had the opportunity to speak with senior councillors and officers who explained how (and why) they moved from a Cabinet model to a committee system. The main reason for change was a growing feeling amongst backbench councillors that they were not involved in decision-making. This is also an issue for many councillors in Kirklees. The first stage of the process involved a move to a hybrid system, followed by a full blown committee system. This includes four strategic committees and four neighbourhood committees. In terms of the impact, we found that fewer decisions are now being made by councillors as more decisions are being delegated to officers, and some operational functions are being transferred to outside organisations through commissioning arrangements.

Having considered all of the evidence, our conclusions are:

- Our current governance arrangements are not working to the satisfaction of the majority of our councillors. This is an issue across the political groups. Whilst this is not the same as a rejection of the current model, it is nevertheless an issue.
- By its nature the Cabinet model concentrates decision-making in the hands of the few. This has strengths, although the real or perceived lack of opportunity for councillors to genuinely become involved and influence decision-making is a consistent theme and a real issue in a hung council.
- Our findings show that Scrutiny isn't proving to be fully effective in engaging councillors in decision-making. This is an important issue, particularly if Kirklees Council chooses to retain a Cabinet model of decision-making.
- The public and councillors alike want to see more decisions taken locally. It appears that current models of "double devolution" have not fully satisfied that need, particularly in terms of citizens feeling they have real influence.
- Our overall focus should not be on structures but on the outcomes that we want to achieve, the culture we are seeking to develop and our local context.

With the last point in mind we will not be focussing on structures and processes as part of our recommendations. Our work has shown that there is no perfect model to be plucked off the shelf. We need to develop the perfect model for Kirklees and this requires detailed consideration. We believe that our role is to set a series of design principles that should be used as a basis for a full review of our governance and decision-making structures and processes. This review need not be a long process as we have already carried out much of the preparatory work.

Our design principles for governance and decision-making are:

Be open and engaging – we should start by saying “we’re open for business and you’re welcome”. Our decision-making should be open and transparent, and we should be encouraging and welcoming to citizens.

Actively involve all our councillors – we should make sure that all councillors have the opportunity to participate – to influence and inform decisions at an early stage. Councillors have responsibility for understanding the processes of decision-making, engaging constructively and representing their communities effectively. They should be sensible and responsible contributors to the governance of the council. There is a responsibility on the decision makers to share information as early and openly as possible, to listen and not to come with a closed mind.

Based on dialogue, not consultation – we should make decisions in a way that focusses on dialogue and engagement with citizens and councillors, rather than on consultation.

Built around the needs of the citizen – we should take decisions at the most appropriate, relevant and sensible level. This should include decisions delegated to officers as well as decisions at a more local level within Kirklees.

Create opportunities for young citizens – we should create opportunities for active engagement with young people and aim to foster a wider understanding of decision-making in a local democracy.

Has effective checks and balances – we should make sure we have effective ways of scrutinising decisions. If we continue the Overview and Scrutiny function we need to change our approach, culture and the profile of Scrutiny within the council. This is an issue for officers and councillors alike. We should have a greater focus on the scrutiny of strategic priorities, early dialogue as part of the decision-making process and much greater citizen involvement in the scrutiny process. This should build on the current scrutiny co-optee arrangements, which are a strength.

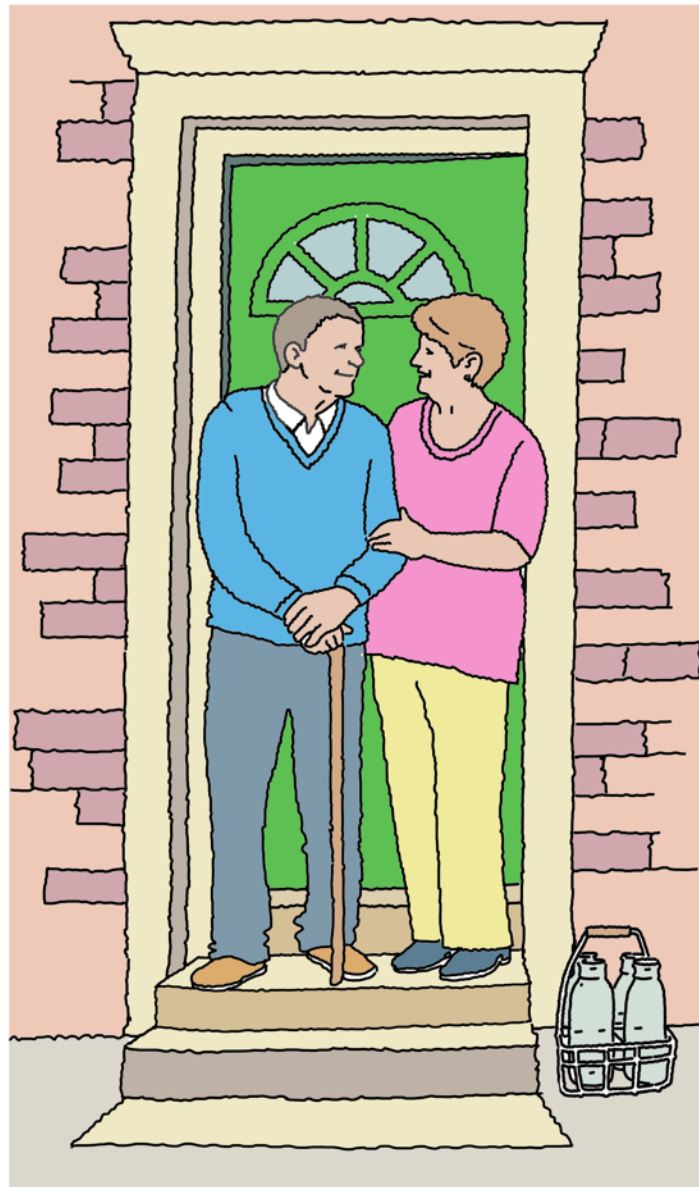
Lightens the load – we should aim to reduce the pressures on councillors as part of governance and decision-making. Any new arrangements should aim to make the role of the councillor easier and free up time from attending meetings.

Makes the most of regional devolution – we should make sure that our governance and decision-making arrangements are aligned in a way that allows Kirklees Council and our communities to fully realise the opportunities and benefits of regional devolution.

"This report is telling us that we need to change the culture of how this council operates... I'm not saying our democracy is broken, but it's got some pretty big cracks in it."

Cllr Robert Light

In coming to these conclusions we are strongly aware of the importance of the officer and councillor relationship, which is at the heart of effective governance and decision-making. For any new arrangements to be effective it is crucial that this partnership is a strong one, where both understand each other's context and contribution. This is a cultural issue for Kirklees Council, which requires different officer and councillor relationships from those that we have now.



Kirklees Democracy Commission

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“By 2020 Kirklees is an informed citizen-led democracy with accountable elected representatives who enable communities to influence and affect decisions governing their lives”