



The Role of Councillors in a Representative and Participatory Democracy

Purpose and Context

This paper seeks to provide a narrative to allow the Kirklees Democracy Commission to undertake its enquiries from a starting position of shared knowledge and context. This core theme relates to the changing role of the councillor and forms the basis of the information that will be used as part of consultation, engagement and dialogue with expert witnesses.

Background

Kirklees was established under the Local Government Act 1972 on 1 April 1974 by a merger of:

- The county boroughs of Dewsbury and Huddersfield
- The municipal boroughs of Batley and Spensborough
- The urban districts of Colne Valley, Denby Dale, Heckmondwike, Holmfirth, Kirkburton, Meltham and Mirfield.

Kirklees currently has a population of just over 425,000 and is bordered by Leeds, Halifax and Bradford to the north, Greater Manchester to the west, Wakefield and the M1 to the east and Sheffield and Barnsley to the south.

Between 1974 and 2004 Kirklees was split into 24 wards, each represented by three councillors - 72 in total. Following a boundary review in 2004 the number of wards was reduced to 23 and the number of councillors to 69. Since 1999 no one political group has had overall control of the council. The political balance on the council following the district elections in May 2016 is as follows:

Labour – 34 seats
Conservative – 20 seats
Liberal Democrat – 9 seats
Green Group – 3 seats
Valley Independent – 2 seats
Independent – 1 seat

Between 1974 and 2000 Kirklees operated a committee system model of governance and decision making, although latterly incorporated an early approach to

scrutiny. Councillors were principally remunerated through a scheme of attendance allowance. As a result of the Local Government Act 2000 Kirklees adopted executive arrangements resulting in the development of a Cabinet model alongside Overview and Scrutiny arrangements. Kirklees also introduced area / locality governance arrangements at the same time. These have evolved over the last 16 years. Since 2000 councillors have received allowances, based on the recommendations of the Members Allowances Independent Review Panel (MAIRP), based on a series of role profiles.

The Changing Role of Councillor – A Brief Overview

Inevitably the role of councillor has evolved over the period Kirklees Council has been in existence. Over time, and in general terms, there has been an acknowledged increase in the complexity of the role alongside an increase in expectations, nationally, regionally and locally. This is borne out by national research and work that has taken place locally, most recently the full review of the Kirklees Members Allowances Scheme.

Whilst there have been many changes in respect of the role over the last 40 years the Local Government Act 2000 provides a significant milestone for change. The then Labour Government set out a radical framework for reform in its White Paper *Modern Local Government: InTouch with the People*. Whilst the proposals were multi-faceted they specifically provided significant changes to the role of the councillor within the context of local governance and community leadership.

Such changes were based on the general premise that political management structures (i.e. the committee system) were confusing and inefficient, with very few councillors having influence over decisions despite spending a great deal of their time in council meetings. The subsequent Act proposed models of political management that separated out the executive role from the backbench role. The intention was to clarify and make visible decision making, reduce the meeting culture and free up backbench councillor time in order to allow them to have a much greater focus on the community leadership role within their wards.

From a Kirklees, and a councillor, perspective these changes were incredibly significant. In 1998/99 Kirklees, like most Councils, had a large, diverse and fragmented system of committees and sub committees whose membership were principally made up of the 72 councillors. The post- 2000 changes (see above) fundamentally changed the landscape for Kirklees councillors in terms of their roles within the council and the expectations placed on them with regards to their relationship with the communities they represent. In addition this period onwards is strongly characterised by an increasing focus on partnership working both locally and regionally, all of which have implications for the changing role of the councillor in terms of expectations, time, ability, capability and capacity.

All of the above has been increasingly carried out in a developing digital age where the expectations placed on councillors have increased both in terms of visibility, accessibility and responsiveness. Such technologies have also proved to be enablers in the context of participatory democracy. Communities, interest groups and single issue groups are able to mobilise and influence on a scale that has not

been seen before, often bypassing elected councillors. Such circumstances present both opportunities and threats to the representative role of the councillor.

Contextually the austerity agenda has, and will continue to have, implications for the role of the councillor. Much of the preceding period was characterised by the ability for councillors to have a more paternalistic relationship with the communities they represent, one based on an ability to use resources to solve problems and get things done. As the council is faced with dwindling resources and a move towards communities beginning to do more for themselves the role of the councillor in that relationship is one that is changing.

Regional devolution provides further context that needs to be borne in mind. The ongoing discussions in respect of the proposed Leeds City Region “Devolution Deal” pose serious considerations for the future role of the councillor in Kirklees. The Government requires that in exchange for devolved powers and funding, there will be a need to establish new governance arrangements of a Mayoral Combined Authority with a directly elected Mayor, as provided for in the 2016 Cities and Local Government Devolution Act, which would build on the existing West Yorkshire Combined Authority. At the meeting of Council on 23 March 2016 it was resolved that *“Council would reluctantly consider devolution with an Elected Mayor as long as governance arrangements are sound, preferably through an Elected Assembly.”* It will be important that the Democracy Commission considers the emerging implications for the local representative in the context of wider governance change.

Whilst all of the changes, past and planned, are significant it is important to recognise the ongoing work to support councillors in responding to change over time as it forms an important part of the story which explains where we are today. This is summarised in the information that follows.

Defining and Remunerating the Role

Since 1999 Kirklees has developed a nationally recognised approach to defining and remunerating the role of councillor. The Members Allowances Independent Review Panel has met at least annually for the past 17 years. During that period it has been responsible for developing an Allowances Scheme that has sought to keep pace with the dynamic nature of local government and the changing role of the councillor as part of it.

Kirklees was at the forefront of developing profiles for all of the roles carried out by a councillor. Such roles have been developed with the national, regional and local context in mind. The ward role has always been the building block upon which the scheme has been built, a principle that continues today. The profiles set out the expectations placed on the holder of any particular role, especially in terms of responsibility. This is then used as a basis for determining the level of remuneration specific roles receive.

It is important to emphasise that the Panel has continually taken a holistic approach to scheme design. Its work has been evidence based, inclusive and proactive in the context of the ongoing issues and challenges facing councillors. As part of its work

the Panel has considered workloads, responsibilities, work / life balance, personal development, recruitment and retention, the diversity of Kirklees as a borough, information technology, support for councillors and overall the general considerations of being a councillor in Kirklees. Over many years the Panel has overseen significant change and has produced a series of reports which will assist the Commission as part of its inquiries.

Internally the council has also established a cross party Members Commission comprising six councillors. An important part of the Commission's work has been to look at the changing role of the councillor in a time of austerity. This has involved totally redefining the role of the Kirklees councillor in a way that recognises the need for a changing relationship with both officers and local communities. This has resulted in strategic pieces of work designed to both support councillors (The New Councillor Programme) and redefine how they will work differently with officers in the future (Working Together Effectively).

Supporting the Changing Role

In the same way that the role of the councillor has evolved, so too has the way in which the council has supported its councillors both collectively and individually. The purpose of this section is not to document in detail the changing models of support, but provide an overview of the significant developments and milestones that provide a flavour of the work that has taken place. The main focus of this section relates to the work that has taken place following the changes arising from implementing the requirements of the Local Government Act 2000.

Historically the council has always provided dedicated support to its governance structures be this under a committee system or as part of executive / scrutiny arrangements. The balance, focus and model of such support have changed over the last 16 years. Established committee support developed into a model that moved towards specialist support for the Cabinet, Overview and Scrutiny, Area Committees and Partnership bodies. Budget challenges faced by the council have meant that, following a service review, the support model has been scaled back and principally operates in a more generic way, although some specialist areas of support have been retained. This particular area is covered in more detail in the narrative entitled "Governance, Accountability and Decision Making".

Councillor support in its broadest terms has historically been a blend of administrative support, dedicated support for political groups and councillor development. The level of support has varied in volume and focus over time. Overall the level of such support has reduced over recent years. Significant changes include:

- A reduction in the level of dedicated support to political groups with a greater focus on generic administrative support for all 69 councillors.
- A scaled down model of support for the Leader and Cabinet, with a primary focus on diary management and administrative support.
- A changing approach to councillor development, which has seen a move away from a dedicated function. It is important to note that Kirklees has been a

national exemplar in the field of Councillor Development. Most recently work is underway to introduce a different approach, in partnership with the Local Government Association (LGA), to deliver our New Councillor Programme.

In terms of digital and information technology Kirklees has a strong track record in terms of being innovative and forward thinking. The council was selected as a pilot authority by the DCLG to progress the recommendations of the Councillors Commission. This formed the basis of its 21st Century Councillor project which had a strong focus on the opportunities for councillors in the context of digital and social media. A significant majority of our councillors have embraced social media as a tool to support their councillor role.

In terms of information technology the council's approach has continued to evolve over time. It has been an important enabler for councillors since 2000 when the first IT provision was made available. Since then a conscious effort has been made to provide IT in a way that acknowledges the diversity and uniqueness of the councillor role. A blended approach to IT provision is in place which recognises that all councillors will work differently. This has meant that councillors can access the hardware that most effectively facilitates the way they wish to work. This has a strong focus on mobile and tablet technology. As part of the New Councillor Programme further work is planned review and refresh the current offer.

Key Line of Enquiry

The Commission's key lines of enquiry for this theme have been developed with the above mentioned context in mind. They form the basis of the key issues that will need to be explored further in order for conclusions and recommendations to be developed which will determine the future role of the councillor in Kirklees. The key lines of enquiry are as follows:

- *How do we understand and resolve the tensions and opportunities that potentially exist between representative and participatory democracy?*
- *How do we improve the representative role whilst facilitating and enabling wider participation?*
- *What is the role of the councillor in the context of communities doing more for themselves?*
- *How does local party politics and political parties relate to local people?*
- *How do we attract the next generation of councillors?*
- *How should councillors be supported in order to be effective representatives, advocates and enablers?*
- *How do we make a virtue of the opportunities presented by digital and mobile technologies to help councillors do democracy differently and better?*
- *What is the role of the councillor in the context of the wider devolution arrangements, the Combined Authority and the emerging Mayoral Model?*

- *How many councillors do we feel most effectively represents the needs of Kirklees and its communities and citizens?*
- *How many electoral wards should there be, having regard to the representative and geographical implications?*

Supporting information:

- Report of the Members Allowances Independent Review Panel November 2015
<https://democracy.kirklees.gov.uk/documents/s10096/8.%20MAIRP%20Council%2023%20March%202016.pdf>
- Members Allowances Scheme 2016/17
<http://democracy.kirklees.gov.uk/documents/s10601/Councillors%20Allowances%20Scheme%20April%202016.pdf>
- Suite of revised role profiles
- Members Commission Terms of Reference and work programme
- Working Together Effectively
<http://intranet.kirklees.gov.uk/getattachment/349640d9-0c34-4263-94c1-ce0ed2f255b1/Protocols%20Summary.aspx>
- Councillors Commission – Final Report
<http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/localgovernment/pdf/583990.pdf>
- Councillors on the Frontline (LGiU Summary)
<http://www.lgiu.org.uk/wp-content/uploads/2013/01/Councillors-on-the-frontline-a-select-committee-report.pdf>
- Corporate Plan 2016/17
<https://democracy.kirklees.gov.uk/documents/s9906/Corporate%20Plan%202016-17.pdf>
- E Panel findings
- Cllr Pulse survey
- New Councillor Programme
- Flat Pack Democracy – Magazine Article by Mel Usher:
<http://www.flatpackdemocracy.co.uk/wp-content/uploads/2014/03/Articels-by-Mel-Usher.pdf>

- Proof That Local People Power Can Get Things Done
<http://www.theguardian.com/local-government-network/2012/aug/03/richard-vize-local-government-independents-for-frome>
- The Final Piece of the Jigsaw: Elected members, everyday politics and local democracy in Scotland
<http://www.apse.org.uk/apse/assets/File/The%20final%20piece%20of%20the%20jigsaw%20%20Elected%20members%2C%20everyday%20politics%20and%20local%20democracy%20in%20Scotland%20web%20version.pdf>
- In Defence of Councillors (video from Notwestminster) – Colin Copus
<https://notinwestminster.wordpress.com/notwestminster-2016/lightning-talks-2016/in-defence-of-councillors/>
- Changing the Narrative: A New Conversation Between the Citizen and the State
<http://thestaffcollege.uk/wp-content/uploads/2016/07/Changing-the-Narrative-complete.pdf>