

GOVERNANCE ARRANGEMENTS – ADOPTION OF WRITTEN MEMBER ROLES

(Report of the Head of Legal, Democratic & Property Services)

1. Summary of Proposals

To consider the adoption of written Member Roles.

2. Recommendations

The Committee is asked to RECOMMEND that

the draft Member Roles, attached at Appendix 1, be adopted subject to any amendments or variations made by the Committee.

3. Financial, Legal, Policy, Risk and Sustainability Implications

Financial

- 3.1 There are no direct financial implications arising from the proposed adoption of written Member Roles. However, the Member Development Programme will need to take account the skills required by Members to help them to perform the various roles set out in Appendix 1 and future budget bids may need to be made to develop the Programme. Wherever possible, Officers will seek to deliver training jointly with other authorities to make the most effective use of the existing budget.

Legal

- 3.2 Under Section 111 of the Local Government Act 1972, the Council has the power to do anything which is conducive or incidental to the discharge of any of its functions.

Policy

- 3.3 The Audit & Governance Committee has recommended endorsement of the principles contained in the CIPFA/SOLACE 'Delivering Good Governance in Local Government' Framework. Principles 2 and 5 of the Framework are relevant to the adoption of

written Member Roles and more detail on these principles is set out in paragraphs 5.2 and 5.4 of the report.

Risk

- 3.4 There is a risk that by not having written Member Roles, Members, Officers, partner agencies and members of the public may not understand what the role and responsibilities of Councillors are and what the appropriate decision making processes are for the Council. This could, in the most serious instances, lead to judicial review of the Council's decisions and/or Ombudsman complaints.

Sustainability / Environmental

- 3.5 There are no sustainability or environmental issues arising from this report.

Report

4. Background

- 4.1 Governance has emerged over recent years as one of the key elements of the Use of Resources assessment and will continue to form part of the assessment for the near future.
- 4.2 In 2007, CIPFA and SOLACE produced a Framework for the delivery of good governance in local government which sets out best practice on governance and the conduct of local authority business.

5. Key Issues

- 5.1 According to the Framework, "Governance" is about how local government bodies ensure that they are :

- a) doing the right things;
- b) in the right way;
- c) for the right people;
- d) in a timely, inclusive, open, honest and accountable manner;

It comprises the systems and processes, and cultures and values. It is not "*merely bureaucracy*".

- 5.2 There are 6 core principles in the Framework:

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- Principle 1 :** Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area;
- Principle 2 :** Members and officers working together to achieve a common purpose with clearly defined functions and roles;
- Principle 3 :** Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- Principle 4 :** Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- Principle 5 :** Developing the capacity and capability of members and officers to be effective;
- Principle 6 :** Engaging with local people and other stakeholders to ensure robust public accountability.

5.3 Each main principle has a number of sub-principles, which are broken down further into specific elements which all contribute to the sub- and main principles. For example, Principle 4 has a sub-principle:

“Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs”.

5.4 The Framework also provides a series of questions for Members and Officers to ask themselves to assess how good governance arrangements in the authority are. Arising out of the self-assessment questions and consideration of the Framework by Officers, a number of gaps were identified and an Action Plan was produced, which included the adoption of written Member Roles. The adoption of written Member Roles will help the Council to demonstrate good governance by demonstrating that it is adhering to Principles 2 and 5 of the Framework by:

- a) ensuring effective leadership throughout the authority and being clear about executive and non-executive functions and responsibilities of the scrutiny function (Principle 2); and

- b) making sure that members (and officers) have the skills, knowledge, experience and resources they need to perform well in their roles (Principle 5).
- 5.5 The Council is also committed to achieving the West Midlands LGA Member Development Charter. The Charter aims to improve the performance of local authorities through the development of Elected Members. Having written Member Roles is a key element to achievement of the Charter.
- 5.6 A number of role descriptions from various other local authorities have been considered by the Member Development Steering Group and a style of role description has been identified by Members as being appropriate for this authority, based on descriptions used by Carlisle City Council.
- 5.7 The written Member Roles identify various positions on the Council, ranging from the core role of all Councillors to the role of the Council Leader. For each role, there is a description of the key duties of that role, together with suggested skills and knowledge which are likely to be helpful in enabling a Member to fulfil the role.
- 5.8 It is important to note that the written Member Roles aim to **describe** the potential range of activities which Members may find themselves undertaking in their various roles. They do not seek to **prescribe** what Members **must** do.
- 5.9 The skills and knowledge identified within the written Member Roles will be used to form the basis of the Member Development Programme.
- 5.10 Within the written Member Roles are a number of either/or options and the Committee is asked to consider which of the options it would like to put forward for adoption by Council. There are also a number of elements of the Roles shown in italics and, again, the Committee is asked to consider whether it would like to include or exclude these items in the Roles.

6. **Other Implications**

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| Asset Management | - | There are none arising directly from this report. |
| Community Safety | - | There are none arising directly from this report. |
| Human Resources | - | The Member Development Programme will include some training by Officers and |

this can be accommodated within existing resources.

Social Exclusion - There are none arising directly from this report.

7. **Lessons Learnt**

In the past, there have been occasions when the role of Members has been unclear to Members, Officers and members of the public. Having clear, written roles should be helpful in ensuring that everyone is aware of what a Councillor's role involves.

8. **Background Papers**

CIPFA/SOLACE 'Delivering Good Governance in Local Government' Framework.
Carlisle City Council Member Role Descriptors.

9. **Consultation**

This report has been prepared in consultation with relevant Borough Council Officers.

Some Members have also been consulted in a number of arenas, such as: the Constitutional Review Working Party and Member Development Steering Group.

10. **Author of Report**

The author of this report is Sue Mullins (Head of Legal, Democratic & Property Services), who can be contacted on extension 3210 (e-mail: sue.mullins@redditchbc.gov.uk) for more information.

11. **Appendices**

Appendix 1 – Draft written Member Roles.