

REVIEW OF COMMITTEE MEETINGS

Cabinet Member for Regulatory, Housing and Health

Date: 13 April 2021
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Key Decision? NO

Lichfield
district council

Cabinet

1. Executive Summary

- 1.1 The Committee system in local government is at the heart of the decision making process and allows all elected Members to consider, deliberate and, where appropriate decide the best for the area and people they represent.
- 1.2 Reviewing this system periodically is essential to ensuring it continues to work effectively and gives the greatest return on investment for Member and Officer resources.
- 1.3 With the exception of Planning Committee, there has not been a review of the Committee System at Lichfield District Council since 2014 when the Overview & Scrutiny Committees were reconfigured. There have been numerous changes in strategic priorities since then with the latest Strategic Plan approved in 2020.
- 1.4 The Strategic (Overview & Scrutiny) Committee created a Member Task Group to undertake the review and investigate options to ensure an effective Committee System.
- 1.5 The Task Group compiled a number of recommendations for Strategic (Overview & Scrutiny) to consider and these were agreed unanimously to be put to Cabinet for approval and recommendation to Full Council.

2. Recommendations

That Cabinet recommend to Council to approve the following updates to the committee structure:

- 2.1 That Parish Forum is removed as a constituted committee and become informal meetings to aid information flow and training.
- 2.2 The District Board is removed as a constituted committee. Any statutory function carried out by this meeting is delegated to officers and relevant plans and decisions notified to Cabinet members and committees where appropriate.
- 2.3 That the structure for Overview & Scrutiny with the four existing committees be changed to a single Overview and Scrutiny Committee.
- 2.4 That the proposed Overview & Scrutiny Committee consider items earlier in the decision making process to aid policy development and review whether stated outcomes from decisions, strategies and policies have been achieved via effective use of member task groups.
- 2.5 That mandatory training is developed for all the scrutiny committee members and additional mandatory training for chair, vice chair and task group chair roles. Gender neutral terms will be used for all Committees from this point.
- 2.6 The Leader should continue to choose the nomination for chair and consider the appointment against a clear role criteria, the vice chair role will be nominated by the leader of the leading opposition party and all task group chairs are appointed by the Chair of O & S.

- 2.7 That an Independent Review Panel (IRP) is commissioned to assess the Special Responsibility Allowance (SRA) payable to any roles affected by this review. Any findings are kept within existing budgets.
- 2.8 That an evaluation of the effectiveness of the new committee structure be undertaken after the next District Council Local Elections in 2023.
- 2.9 That the relevant sections of the Constitution be updated to reflect the new committee structure with clear but adaptable processes to support effective decision making.

3. Background

Member Task Group

- 3.1 At its meeting on the 19th November 2020, the Strategic (Overview & Scrutiny) Committee agreed to create a Member Task Group to consider the Committee structure at Lichfield District Council and investigate whether any changes should be recommended and then considered by Cabinet and then on to Council for approval.
- 3.2 The Task Group consisted of Councillors Spruce (Chairman), Norman, B. Yeates and Lax. They were supported by Head of Governance and Performance and the Overview & Scrutiny Officer and met regularly throughout December 2020 and January 2021.
- 3.3 The Task Group discussed the identified need to review Committees and agreed the key issues were the high impact on resources of the current arrangements and, especially with Overview & Scrutiny outcomes, that there was limited evidence that committees had a demonstrable outcomes on decision making and policy development. . They noted that there was a strong desire to make more effective use of Overview and Scrutiny to develop policy and engage a wider group of members in decisions at an early stage and so the Task Group focused their review work largely around O&S. The Task Group considered the following were required for effective committee meetings:
 - Welcoming and accessible meetings – less formality but clear processes
 - Clear terms of reference – reducing overlap and duplication
 - Good planning and an effective workload
 - Excellent reports and associated presentations
 - Excellent and positive relationships between committee members and officers
 - Well trained and adequately prepared committee members who are confident in their role
 - Good informed debate
 - Where the investment in officer and member time can be demonstrated as value for money
 - Good engagement with stakeholders and the public at the meetings where appropriateDiscussion adds value early in the council's processes, helps develop good policy and in turn this support effective decisions being made by Cabinet and recommendations which clearly demonstrate our strategic outcomes
- 3.4 The Task Group considered information and evidence including the cost of conducting Committees, how other authorities operate their Committee Structures and the results of a questionnaire sent to all Members to gather their views. 18 responses were received from this questionnaire and the following points gathered
 - Strong and effective Chairmanship was essential.
 - Earlier input of O&S in the process was preferred. Development and collaboration was more important than just considering final product.

- Earlier preparation of items and for meetings.
- Use of task groups would be more effective.
- There should be more training to support the use of virtual platform if this was to continue (though we know this will need to change for formal meetings from 7 May 2021).
- There should be fewer O&S Committees better timed to allow more effective topic planning.
- There should be more scoping of items going on the work programme to keep focus and ensure outcomes are optimised for the investment.
- The Strategic Plan and Delivery Plan should be based on the basis of work programmes with the ability to add in further issues if required to facilitate overview.

- 3.7 The Task Group agreed that there should be a solid return on the investment made by Members at Committee meetings and so there should be fewer reports for noting. It would also be more effective and useful to use the skills of Members earlier to feed into the development of reports rather than scrutiny taking place just before decisions are made. It was discussed that task groups could be used to achieve this goal with invites extended to interested and suitably trained Members (even if not Committee Members) with the aim of it being a more effective platform for collaboration. It was felt that this more informal setting would help get more involvement from a wider range of members with different skills and not just those confident in the formal Committee setting. It was also agreed that invites to relevant external bodies should be utilised more as the views given by these groups are often invaluable in understanding issues and potential solutions. These task groups could continue in a virtual setting which would aid accessibility from all, allow external people to participate from their workplace if required and reduce cost (and carbon emissions) in not requiring travel to meeting rooms as well as only needing one officer to host.
- 3.8 Election of Chairs (and vice chairs) to O&S Committees was considered and it believed that the Leader should continue to make the nomination for Chair and consider the appointment against a clear role criteria, with a requirement for mandated training or compensatory experience. It was clear from the survey that this was felt to be a critical issue to ensure the chairs (and vice chairs) can plan the meetings effectively as well as have suitable skills to keep control of the meetings, agendas, work programmes and deliver key outcomes. We also recommend that the requirement for a second vice chairman is removed and it is accepted that the vice chairman role will be nominated by the Leader of the leading opposition party.
- 3.9 The Task Group carried out an options appraisal of a range of scrutiny models used by other authorities. By far the best solution, considering all of the factors and issues raised by the review, is to develop a single overview and scrutiny committee that will meet regularly to maintain pace, provide a consistency in planning and use member task groups effectively to explore topics in more detail without excessive formality within the resources available. Although there will need to be a number of task groups, it would be easier to timetable and plan the work as it would not be rigidly set to committee cycles and statutory publishing requirements. The Overview & Scrutiny Committee could set these task groups up to assist in developing policy and plans, review outcomes and effectiveness, as well as dealing with overview matters, call-ins and regular scrutiny of upcoming executive decisions as set out in the forward plan. The approach must be supported by a well-planned and populated Cabinet Forward Plan, which will be an area of focus in the next municipal year.
- 3.10 This model was felt to be critical to encourage wider participation from Members and stakeholders who may be daunted by formal committees. As part of this proposal it is expected the role of Chair for the Overview and Scrutiny Committee will become more demanding. Similarly, the role of Chair for member task groups will also be a key role. Both need to be assessed to determine what if any responsibility allowance would be applicable. This would need to be undertaken by an independent remuneration panel (IRP) which will conduct their review in July 2021 to provide advice on the levels of remuneration.

- 3.11 It was noted that regulatory committees such as Planning Committee were governed by other legislation and are subject to regular review. It was felt that Parish Forum was invaluable, especially in allowing the Monitoring Officer to communicate information regarding Standards, but could operate just as effectively as an informal meeting and not a constituted Committee requiring district member attendance. This could also then continue via virtual means.
- 3.12 District Board was felt to be a vital communication tool to support liaison with key stakeholders and as a forum to discuss the Community Safety Plan and other broader areas of partnership working. However it was not felt that constituting such meetings and appointing district councillors to membership added value. Information from this committee will continue to be shared, and where necessary, key plans and strategies will be notified to the relevant officer or member for approval.

Strategic (Overview & Scrutiny)

- 3.13 The Strategic O&S Committee received the Member Task Group findings at their meeting on the 27 January 2021. The Committee unanimously agreed the proposals put forward by the Group.
- 3.14 The O&S Committee, during their debate, gave a number further suggestions to help ensure changes to the Committee structure were as effective as envisioned. It was requested that there be some flexibility written into the Constitution regarding this new structure procedures as there may be need for small adjustments if issues arise and it would prevent constant need for Council approval. It was also asked that there be clear and explicit ways of measuring the success of the new structure so a base line will be set as part of the first session of the new committee. These points were re-echoed at Full Council (in February) when the minutes were discussed so following these suggestions, another meeting of the Task Group took place to consider these useful points further.
- 3.15 The Member Task Group met again to investigate the points raised at Strategic O&S Committee and Full Council. It was agreed that the Constitution would require amendment to take into account any new Committee structure but that this should still remain as a high level document. All processes including work programme formulation, scoping documents which would be the more likely in need of tweaking, would lie below the level of the Constitution and would not need Council approval to change, however an indicative draft of the scrutiny topic selection assessment is attached at Appendix 1 to demonstrate how these issues will be captured to measure the effectiveness scrutiny and topics to be assessed. This is based on work commissioned by Centre for Public Scrutiny and LGA, relevant links of which are attached to this report.
- 3.16 The Task Group also considered how to evaluate the success of the new structure and it was felt that it would require a more quantitative approach. Feedback from all Members would be invaluable and should be considered against the questionnaire undertaken as part of the review. A meeting to gather views of Task Group Chairs would also be beneficial. Evaluation of O&S input and influence on Cabinet decisions could also take place along with what input into the Strategic Plan and Delivery Plan has been given. It was agreed that it would take time for the structure to bed-in and some task groups could be long standing or timed to fall over more than one municipal year so a review after the next Local Elections in 2023 was felt to be best timed.
- 3.17 In response to further queries regarding the transparency of the use of task groups, it is clear from the intent of the Task Group undertaking the review and the LGA guidance that all task groups should clearly reference the evidence they have considered and make that publicly available wherever possible and provide reference links to information that is already in the public domain. Concern was also raised regarding the training required to enable members to contribute effectively and this will form part of the annual member training programme for all members going forward, with specific mandatory sessions on effective scrutiny for participation in the Overview & Scrutiny Committee, its Chair, Vice Chair and the chairs of member task groups.

Alternative Options	Members can choose not to change the number or format of committees, frequency of meetings or their effectiveness and the status quo would remain.
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	Current O&S work programmes and Committees are not aligned to the strategic plan and currently operate in silos which can only be managed via regular co-ordination meetings. This limits officer capacity to support legal and governance functions and creates additional budget pressures. It will also continue to limit capacity of senior officers reporting to formal committee structures and meeting date availability generally.
Consultation	Member Questionnaire, Member Task Group, Strategic O&S Committee
Financial Implications	An independent remuneration panel (IRP) will need undertake an assessment of any recommendations to roles attracting special responsibility as a result of the proposed structural changes. Given the proposed reduction in standing O&S committees and roles from 4 to 1, there could be a saving of £7095 and if proposed to pay an SRA to task Group Chairs an amount of £50 per meeting, this would allow for 141 task group meetings per year and be within existing budgets. However there would be an expectation that the SRA for the main O&S Chair and Vice-Chair increase to reflect the greater responsibilities. There would also be a saving in the removal of Parish Forum as a Committee and the current £52 per meeting SRA for the Chair. In the meantime, provisional rates will be adopted based on the existing allowances and adjustments made after the review.
Contribution to the Delivery of the Strategic Plan	A revised Committee Structure will ensure that LDC will be considered a good Council through ensuring effective use of its resources and decision making processes and supporting our strategic ambitions.
Equality, Diversity and Human Rights Implications	None from undertaking the review and adopting the recommendations. Effective scrutiny will enable earlier and wider consideration of issues that will allow for more consultation and participation.
Crime & Safety Issues	None from undertaking the review.
Environmental Impact	There could be a number of positive impacts from changing the way that Committees are structured and conducted. Continuing with remote meetings in any capacity would reduce carbon admissions from vehicles traveling to the Council House. There would also be less emissions from heating and running electrical appliances for meetings e.g. lighting. However this may be lessened with the number of electrical IT devices being used.
GDPR/Privacy Impact Assessment	None from undertaking the review. Transparency in task groups will be achieved via clear reports submitted by the chair of such groups to Overview and Scrutiny and publication or referencing of evidence considered.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Outcomes of the review are not achievable within existing resources	The review has been led by ensuring all solutions are deliverable within existing resources	Green Impact med, likelihood low
B	Virtual meetings are not legally permitted beyond May 2021	Consider alternative solutions based on either outcome – reduce the number of formal meetings which must be physically attended	Yellow Impact high, likelihood Med
C	Member recommendations do not ensure effective meetings	Options have been explored and best practice considered and developed into	Yellow Impact high, likelihood low

		supporting processes. These need building into the constitution.	
D	Member recommendations undermine the purpose of meetings and our statutory obligations	Wide range of considered and relevant advice sought.	Green Impact high, likelihood low
E	Perception that task groups are less transparent and do not allow participation of all members and groups.	That recruitment to task groups are drawn from across all members and ensure effective representation. All task group work is reported through the main committee to ensure transparency and wherever practicable task groups should include public feedback.	Yellow Impact high, likelihood low

Background documents

The Constitution <https://democracy.lichfielddc.gov.uk/ieListDocuments.aspx?CId=190&MId=304&Ver=4&info=1>
<https://democracy.lichfielddc.gov.uk/documents/s9618/Committee%20Review%20Strategic%20OS%20Report%20v3.pdf>

Relevant web links

<https://local.gov.uk/pas/pas-support/planning-committee-support/planning-committee-review>
https://www.local.gov.uk/sites/default/files/documents/11%2064_Scrutiny%20for%20councillors_03_1.pdf
<https://www.cfgs.org.uk/wp-content/uploads/2020-06-10-const-review-flyer2.pdf>
[Tipping-the-Scales.pdf \(cfgs.org.uk\)](#)