

**REPORT TO THE STRATEGY & RESOURCES COMMITTEE – 17th AUGUST 2020
AGENDA ITEM 5**

INDEPENDENT REVIEW OF GOVERNANCE

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Purpose of report:	To inform Members of the outcome of the independent review of the Council's governance conducted by the Centre for Public Scrutiny and next steps to address its findings.
Publication status:	Unrestricted
Recommendations:	That the Committee A. discusses and notes the findings of the independent review of the Council's governance; B. endorses the statement by Group Leaders as set out at section 3.2; C. requires to see a separate Implementation Plan by September 1st that addresses the review's recommendations, with dates and owners for each activity; and D. agrees to review progress against this Plan.
Appendices:	Appendix 'A' - Tandridge DC Governance review final report (Centre for Public Scrutiny)
Background papers defined by the Local Government (Access to Information) Act 1985	None

1. Background

1.1 An independent review of the Council's governance has been conducted by the Centre for Public Scrutiny (CfPS). The review was informed by:

- Interviews carried out with a selection of senior Members and Officers in January 2020;
- A detailed review of documentary evidence.

1.2 Work to complete the review was delayed by the COVID-19 pandemic: a written report setting out findings and recommendations for action has now been received by the Council.

2. Findings of the review

2.1 The report identifies four core, long-standing issues which have weakened the Council's overall governance position relating to leadership, workforce, politics and finances. The review recommends actions to support stabilisation and achieve improvement which the Council should take in relation to the following themes:

- i) beginning to build a foundation of trust on which longer-term actions can be built;
- ii) pursuing a different dynamic around attitudes, behaviours and values;
- iii) developing a clearer understanding of respective roles and responsibilities for Members and Officers;
- iv) bringing consistency and transparency on the basics of how decisions are made and how they are held to account;
- v) developing more awareness, ownership and management of risk.

2.2 The report notes that a number of recommended actions are already underway:

- the introduction of regular Group Leader meetings;
- the development of a new Strategic Plan;
- the drafting of a new set of protocols to better support policy-making and the clear identification of roles and relationships.

2.3 The report recommends technical changes to the way that processes and systems operate, including actions relating to information access and sharing. These include:

- increased provision of Member briefings;
- increased use of Member working groups;
- continuation of Group Leaders' meetings;
- re-establishment of the Standards Committee.

2.4 The report recommends changes to the remit and focus of Strategy and Resources Committee, Overview and Scrutiny Committee and full Council, including:

- i) ensuring that Strategy and Resources committee focuses on long-term improvement, ownership of the Strategic Plan and complex cross-cutting issues escalated from other committees;
- ii) revising the focus of Overview and Scrutiny Committee, with a strengthened focus on audit and cross-council financial matters;
- iii) developing opportunities for better substantive discussion of matters of local importance at full Council.

2.5 The report highlights in boxes areas where specific actions by the Council are considered to be necessary. These actions can be summarised as:

- Using the Annual Governance Statement to manage and champion the stabilisation and improvement of the Council's governance;
- Tightening up existing systems and procedures;
- Taking action to ensure that members' motivations and objectives are better understood by their peers and by officers;
- Members to sign up to the same values framework as officers;
- Creating a proportionate member development programme including training on the fundamentals of good governance (which should also be provided for officers);
- Amending rules of procedure for Full Council to reflect modern practice;
- Recasting the scrutiny committee, strengthening its audit functions and enabling scrutiny of cross-council financial matters;
- Strategy and Resources Committee to take direct ownership of the Council's long-term improvement;
- Developing a clearer understanding of members' roles, including the role of parties in opposition and ensuring that councillors lead on strategy and officers lead on operational matters;
- Making improvements to officer-level governance;
- Supporting early member involvement in policy development;
- Confirming the information about strategic council performance and corporate activity members should receive;
- Identifying a proportionate and responsive way for member queries to be addressed;
- Developing a corporate risk framework and register, with appropriate member ownership and associated training for members and officers.

3 The Council's response to the review

3.1 Briefings for all Members and senior Officers have been held, offering an opportunity to question and receive clarification from the report's author, Ed Hammond.

3.2 Leaders of the Council's four Groups have agreed the following statement:

As Group Leaders, we recognise that the Council is in a difficult position. The ongoing Covid-19 crisis presents us with significant difficulties which are exacerbated by the existing, deep-set issues about governance. These issues are not new and have been present in the Council for some time. The response and solution to these issues must lie with us acting collectively as leaders of each of the Council's political groups, working with the Council's senior officers. What we have in common is the desire to see local people served and supported by the work that both Members and Officers do together as a Council: we are committed to working together to address the issues.

3.3 In addition to the actions already underway outlined in section 2.2 above, the Council has also:

- i) commissioned Member development sessions, delivered by the Local Government Association, to support Members' understanding of the respective roles and responsibilities of members and officers;
- ii) commissioned a workshop for senior Members and Officers, also delivered by the Local Government Association to consider further how to work effectively in a council which is in No Overall Control;
- iii) reconvened the Standards Committee, which met on 21 July and considered, among other matters, an enhanced member development programme.

3.4 Work is currently underway to:

- i) develop a new process for development of reports for Committees which will ensure:-
 - appropriate ownership and signoff of reports;
 - advance notice of forthcoming reports via an externally-published forward plan, enabling members and the public to be appropriately involved in policy development;
 - an appropriate template for officer reports to ensure all appropriate information is included;
- ii) develop protocols for the signoff of minutes and on decision-making relating to planning (among other topics);
- iii) plan Member development sessions on:
 - the fundamentals of good governance;
 - chairing skills for Committee Chairs;
 - effective meetings for all Members;
- iv) develop a fortnightly briefing note for Members;

- v) deliver workshops for Officers on political awareness.
- 3.5 Officers will now work with Members to develop detailed plans to address all remaining recommendations of the review, including but not limited to:
- i) revised arrangements for officer-level governance;
 - ii) preparation of the Annual Governance Statement (which will be brought to members for approval in the Autumn prior to the November deadline for completion);
 - iii) further arrangements for regular briefing of Members in relation to council policy, governance, legal and financial matters;
 - iv) a range of actions to build trust between Members and between Members and Officers;
 - v) a framework which sets out the values that both Members and Officers hold in relation to the Council, which will guide their behaviour;
 - vi) arrangements for the handling of member queries;
 - vii) arrangements for member oversight of the delivery of key objectives, policies and decisions.
- 3.6 All of the actions identified above can, with the support of the Local Government Association, be delivered within existing resources and some of these actions will enable more efficient use to be made of existing resources.

4 Financial / risk implications

- 4.1 There are no direct financial implication from the matters covered in this report. The costs associated with the good governance review by the Centre for Public Scrutiny is £3,050.00. Other costs will be addressed when this Committee considers the further output and action plan implementation in due course.

5 Legal implications

- 5.1 The Council is a creature of statute and must obey legislation, act within the guidance and regulations issued and ensure probity and compliance with ethical behaviour. The report produced by CfPS highlights a number of issues of governance that demonstrate the Council has not lived up to the standards required.
- 5.2 The report contains a significant number of issues for the Council to address. Whilst many issues have been resolved there are still a small number to be concluded.

6. Equality impacts

6.1 Consideration of impacts under the Public Sector Equality Duty are as follows:

Questions	Answer
Do the proposals within this report have the potential to disadvantage or discriminate against different groups on the community?	No
What steps can be taken to mitigate any potential negative impact referred to above?	Not applicable

6.2 An increased focus on achieving good governance in the Council should ensure that, as the Council takes decisions, all potential implications and impacts on different groups in the community (positive and negative) are appropriately considered.

7. Data Protection impacts

Following the completion of a Data Protection Impact Assessment, consideration of potential data protection implications arising from this report are as follows:

Questions	Answer
Do the proposals within this report have the potential to contravene the Council's Privacy Notice?	No
Is so, what steps will be taken to mitigate the risks referred to above?	N/A

8. Conclusion

8.1 Further updates on the planning and implementation of actions to address the findings of the governance review will be reported to the Committee as part of the Corporate Improvement Plan. The Standards Committee will also take an overview of actions relating to member behaviour, member training and development and standards.

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