

Arun District Council

REPORT TO:	Constitution Working Party – 21 October 2024
SUBJECT:	Review of the Committee System
LEAD OFFICER:	Daniel Bainbridge, Group Head of Law & Governance
LEAD MEMBER:	Cllr Gillian Yeates
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: It is the Monitoring Officer's responsibility to maintain the Constitution and to report to members on proposed changes that support sound governance and working practices that in turn underpin effective and lawful decision-making for the benefit of the district, its residents, businesses and visitors.	
DIRECTORATE POLICY CONTEXT: Responsibility for the Council's three statutory officer functions (Head of Paid Service, Chief Finance Officer and Monitoring Officer) sits within the Chief Executive's Office.	
FINANCIAL SUMMARY: There are no direct financial implications arising from the proposals in this report.	

1. PURPOSE OF REPORT

To seek the endorsement of the Constitution Working Party of a review of the Council's committee system of governance.

2. RECOMMENDATIONS

2.1 It is recommended that the Constitution Working Party:

- i) considers and endorses the Head of Paid Service and Monitoring Officer's proposed review of the committee system; and
- ii) confirms the areas of focus for the review and provides comments to the Monitoring Officer on the process and methods of engagement.

3. EXECUTIVE SUMMARY

3.1 The Council moved from a cabinet system of governance to a committee system in May 2021, involving the production of a new Constitution and new committee structure. Since that date the Council has periodically made amendments where required to its Constitution in order to address any procedural and operational issues that have arisen as decision-making has taken place under the committee system. However, no full review has been conducted of the system since its introduction.

- 3.2 This report proposes that a periodic review of the committee system is conducted at this point in time with a view to introducing any improvements and adaptations to the system in time for the 2025/26 civic year.
- 3.3 For the avoidance of doubt, it is not proposed that the Council conducts a review of its governance arrangements with a view to moving to the cabinet system of governance.

4. DETAIL

- 4.1 In May 2021 the Council moved from its previous cabinet system of governance to the 'committee system', following a resolution of Full Council in 2020. The Council as part of that move introduced a new Constitution and a new suite of service committees that replaced the previous Cabinet and Overview and Scrutiny model, to sit alongside its regulatory committees, and since then has operated under that model.
- 4.2 As reflected in the Executive Summary, the Council has periodically amended the Constitution in order to reflect procedural and operational needs and to respond to issues and suggestions as they have arisen from members and officers, and those changes have been progressed through the Constitution Working Party making recommendations to Full Council.
- 4.3 However, no comprehensive review of the system has taken place in order to examine the effectiveness of the system and how it can be further developed as the Council's decision-making and governance model.
- 4.4 Since arriving in post in July 2024, the Chief Executive has been meeting with political group leaders and chairs and vice-chairs of all committees, and as part of those meetings has been exploring with members their views on the committee system, its operation, strengths, weaknesses and areas for improvement.
- 4.5 The Monitoring Officer has, since arriving at the Council in June 2022, received a feedback from members, both in the current civic cycle and prior to the May 2023 local elections, regarding the operation of the committee system and areas for improvement – some of which have already been addressed through the Working Party and Full Council, and some of which have already been agreed by the Working Party to be addressed as part of its work programme.
- 4.6 This report brings together all of that engagement with members into one report that seeks to commence a periodic review of the committee system with a focus on key areas to examine and to develop with the aim of ensuring that the system is as effective and efficient as possible, and in order that councillors and council officers can work within the system optimally and to the benefit of the district, its residents, businesses and visitors.

4.7 The aim of the review would be to engage with all members and key stakeholder groups of officers in order to report back through the Constitution Working Party and ultimately to Full Council with a view to any developments of the Constitution being agreed by Full Council in time for the 2025/26 civic year.

4.8 The feedback from members through the Chief Executive and Monitoring Officer can be summarised into the following key areas, themes and suggestions:

1. Service committees are not aligned with the Council's operational model, with functions spread across multiple committees.
2. Too many service and regulatory committees, with some committees having lighter workloads and committees could be reduced/combined in order to increase the quality of work at each committee and reduce acute workloads upon Committees team.
3. Responsibilities for Functions should be reviewed for each committee. Financial decisions should rest with Policy & Finance Committee as financial decisions that impact the Medium Term Financial Plan are not always appreciated or taken into account by the other service committees.
4. Too many reports contain 'to note' recommendations rather than seeking input from members.
5. Increase use of member briefings in order to reduce 'update' and 'to note' reports coming through committees.
6. Reports should more often present options for members in order for them to better debate options rather than a single option that can often lead to a lack of debate and a feeling of fait accompli.
7. Better use of Chairs of service committees as lead members in their committees' areas of responsibility in order to better brief the committees ahead of meetings.
8. All chairs of service committees to sit on Policy & Finance Committee
9. Lack of identified scrutiny function within the service committees or as a separate scrutiny committee.
10. Lack of a call-in/recovery system that can operate in practical terms.
11. Level of debate can be lacking, and some debates suffer from members not having read papers in advance.
12. Review the reliance on working parties and task & finish groups, which should be less necessary in a committee system.

13. The quality of debate and management of meetings can be variable, and a focus on ongoing member development in areas of procedure and chairing of meetings would help to raise the quality of debates and meetings generally.

4.9 Feedback to the Chief Executive regarding the quality of officer reports and presentations has generally been good, and with thanks for the support that officers provide to members in advance of and at committee meetings. Nevertheless, some of the above points identify areas where the pre-briefing of members can be improved in order to better equip members for decision-making at committee and Full Council meetings.

4.10 If endorsed, the Monitoring Officer would conduct the review through the following engagement channels:

1. All-member survey
2. Meetings with group leaders, chairs and vice-chairs to further refine their constructive views on developments
3. Meetings with key officer stakeholder groups, including Corporate Leadership Team, Senior Leadership Team, specific teams such as Committee Services, Finance, Legal Services, HR and report writers
4. Review and introduction of best practice from other authorities, the LGA, Lawyers in Local Government, Centre for Government Scrutiny
5. Reports back to the Constitution Working Party to propose changes to the committee structure, procedures and Constitution generally for recommendation to Full Council
6. Reports back to the Constitution Working Party for any recommendations to other committees, such as Standards Committee regarding any specific member development.

4.11 It is proposed that this work would take place with the aim of final recommendations being made to a Full Council meeting in May 2025.

5. CONSULTATION

5.1 The Constitution Working Party is responsible for monitoring and reviewing the operation of the Constitution to ensure the aims and principles of the Constitution are given full effect. The Working Party reports directly to and makes recommendations to Full Council for decision.

5.2 The proposed review will include consultation and engagement with all members and key stakeholder groups of officers in order to develop proposals for development of the committee system, with reporting back via the Working Party which will make any recommendations to Full Council.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 The Chief Executive and the Monitoring Officer have identified this as an area of the Council's governance arrangements that should be reviewed. It is clear from the conversations with group leaders and chairs and vice-chairs that members identify areas where the committee system works well, but also where it can be improved.
- 6.2 Not conducting a periodic review is not considered a viable option, as this would miss the opportunity to ensure the system is working as effectively as possible.
- 6.3 This report is not a pre-cursor to a review of the Council's governance arrangements – i.e. it is not intended as a move to the cabinet system of governance.

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 7.1 None associated with this report.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1 None associated with this report.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 9.1 These comments are all contained within the body of the report. It is essential that the Council keeps its governance arrangements under review in order to ensure they operate effectively and lawfully for all who take part in and engage with the Council as a decision-making body.

10. HUMAN RESOURCES IMPACT

- 10.1 None associated with this report.

11. HEALTH & SAFETY IMPACT

- 11.1 None associated with this report.

12. PROPERTY & ESTATES IMPACT

- 12.1 None associated with this report.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 13.1 None associated with this report.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

14.1 None associated with this report.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 None associated with this report.

16. HUMAN RIGHTS IMPACT

16.1 None associated with this report.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 None associated with this report.

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BACKGROUND DOCUMENTS:

None.