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Local Democracy Working Group Supplementary Agenda (2)

Wednesday, 18 December 2019
7.30 pm, Committee Room 4 - Civic Suite
Civic Suite
Lewisham Town Hall
London SE6 4RU

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This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

Part 1

MINUTES OF THE LOCAL DEMOCRACY WORKING GROUP
26 September 2019

Present: Cllrs Best, Bonavia, Campbell, Codd, Davis, Elliott and Kelleher.

In Attendance: Cllr Brown

Also Present: Barrie Neal (Director of Corporate Policy & Governance), Salena Mulhere (SGM Interagency, Service Development & Integration) and James Bravin (Principal Officer – Policy, Service Design & Analysis)

Apologies: Cllr Sheikh

1. Minutes Of The Meeting Held On 17 July 2019

RESOLVED: The minutes of the last meeting were agreed as a true record.

2. Declarations Of Interest

There were no declarations of interest.

3. Delivering The Recommendations Of The Local Democracy Review: Update Report

Salena Mulhere (SGM Interagency, Service Development & Integration) introduced the report and the key points to note:

- The report pulls together all the actions which have taken place since the last meeting in July as well as planned activity until the next meeting in December.
- An online form for providing feedback on reports has been created and is currently being tested. It will be included in the developing report template/guidance.
- This meeting was due to have an evaluation of Citizens' Assemblies to consider – work has been done evaluating the effectiveness of Citizens' Assemblies as an engagement and involvement mechanism looking at Camden and Lewisham's previous use of an assembly. Work is also underway to evaluate a People's Panel approach in response to a separate recommendation and, rather than review one separately from the other, both evaluations will be presented at the next meeting so the group can review the two models alongside each other and consider if either, neither or both should be recommended for use at this time.
- Culture change is one of the overarching themes of the Local Democracy Review. Some of this is being taken forward practically through the 'Lewisham Way behaviour framework that HR are developing for staff, some of it through some of the practical information and guidance being created and readied to share (report template and guidance, role profiles, comms strategy etc)

In response to questions the following was noted:

- Citizens' Assemblies and People's Panels would both have significant costs attached to them so if one or both are going to be recommended to be used it is important that the Working Group are sure that they will be a cost effective and efficient way to provide the required improvements in engagement and involvement, specifically in the context of the numerous potential ways of improving engagement and involvement that were suggested for further investigation in the recommendations of the review.

- A new report template and guidance are currently being developed by officers, overseen on behalf of the group by Cllr Kelleher. The template and guidance is taking account of all relevant Local Democracy Review recommendations and also the new accessibility legislation. They are currently being trialled with a few officers and will be introduced in the next couple of months, with the expectation that by the end of the municipal year all reports will be in the new format. Members are keen to receive clearer and more concise reports from officers across all committees.
- Kevin Flaherty has been looking at options for alterations to the format of Council meetings to trial and will be sharing some information soon.
- Cllr Bonavia has met with Trade Unions and discussed the Works Council and how it operates. The Works Council currently only needs to meet under certain conditions and doesn't meet regularly so has not met for a number of years, but a meaningful way for the unions to engage with members is needed.
- The 'councillor roles, responsibilities and relationships' area of work is considering the wide range of responsibilities that councillors have to undertake, and work is underway to quantify the time commitment for each role. From this work, a cumulative time commitment for meetings for each councillor could be estimated.

Each LDWG champion present then gave a brief overview of work in their area and next steps:

<u>Seldom-Heard Voices</u>

Cllr Campbell reported that to inform learning about better ways to engage, officers were undertaking an 'appreciative enquiry'. Healthwatch and Rushey Green Timebank have helped with the development of the enquiry approach as both have experience of carrying out appreciative enquiries in Lewisham. It is quite a long process to set up and deliver and it needs to be done on an individual level. Through open discussions, the enquiry is seeking to find out what positive experiences people have had in terms of engagement to inform learning of positives to build on and build into Council practice. Selection of groups has focused on third sector organisations and those working primarily with:

- Migrants and refugees
- BAME communities
- Single parents
- Carers (informal carers of family or friends, not paid care workers in this instance)
- People with mental and/or physical health support needs

Cllrs Bonavia and Best suggested that Speaking Up be contacted to take part in/support the enquiry as they were practiced in empowering people to be involved in decision making.

<u>Open Data & Communications</u>

Cllr Bonavia reported that he had visited Bristol with officers to learn about their Open Data approach and had also met up with Theo Blackwell. In Bristol there was a lot of focus on "Smart City", but open data is our primary focus. There is some open data on our website currently but we want to identify other data sets we can add, but will need to "walk before we can run", perhaps using the Local Democracy Review website to test out some options.

It was noted that the infrastructure in the Civic Suite made webcasting challenging, but work was ongoing to deal with the glitches.

<u>Effective Engagement</u>

Cllr Codd advised that work was underway to develop an engagement with young people. He advised that the work being done to evaluate the use of Citizens' Assemblies was very good, and he anticipated the same level of detail in the People's Panel report currently being worked on by officers.

<u>Language & Reporting</u>

Salena Mulhere advised that the report template and guidance were currently in development. Members confirmed the importance of this area in making sure a template and guidance were developed that led to improved reports, which were clear and easier to understand for both councillors and residents. Use of plain language, clear recommendations and clear implications are important so that up front in the reports members know what the key information is.

Guidance and expectation has been circulated to all officers that all decisions should now be published within two working days, as recommended. The focus has been on training and compliance. If councillors notice that they are not published, please flag it with the relevant officer and let Salena know too if there are persistent issues.

<u>Planning</u>

Cllr Davis advised she has been working closely with the relevant directors and has had meetings with planning and legal officers, and planning committees and chairs and locally interested parties. She has also visited Brent and some benchmarking of practice in other boroughs has been looked at, as well as having reviewed the website and all public facing documents relating to planning, reviewed the Statement of Community Involvement and carried out a mystery shopper exercise with further engagement planned.

Once she has pulled all of this together, Cllr Davis and officers will put together a series of recommendations. Although the Local Democracy Review planning recommendations have different timescales, delivery of them all has been grouped together as they are all interlinked and a further update will be provided at a future meeting.

<u>Place – Based Engagement</u>

See other items.

<u>Councillor Roles, Responsibilities & Relationships</u>

Cllr Best gave an update on the report that was later on the agenda regarding an audit of appointments and advised she will liaise with Kevin Flaherty regarding the necessary changes to the long list of approved duties using a form of words modelled by the Local Government Association.

Role profiles are about to be developed that will be of great use, a bit more work is needed then they will be circulated for input.

RESOLVED: To note the work undertaken to date and proposed next steps.

RESOLVED: To note the updated Programme Plan and Work Programme (Appendices A and B).

RESOLVED: To recommend officers contact Speaking up regarding taking part in the appreciative enquiry taking place as part of delivery of the "seldom heard" recommendations.

4. Delivering the Overview & Scrutiny Review: Update Report

Salena Mulhere introduced the report. The key points to note were:

- The work to date and three indicative options aimed to stimulate thought and discussion amongst councillors. The three options are not fully worked up but they are all viable based on resources and an initial legal review. Charlotte Dale has led on an outstanding piece of work to gather the detail of scrutiny structure and practice across London, Ros then did some further analysis and broke it down further by Mayoral authorities.
- Lewisham has some of the highest number of standing committees and the most meetings every year. A quantitative look at numbers does not provide evidence regarding impact and effectiveness.
- It is proposed that the three options are shared with members tomorrow for consultation during October through drop-ins and roundtables where members can share what they like and what they do not like. Option A best meets the six principles of the recommendation as it reduces the number of meetings by a quarter and reduces the time commitment for all members, enabling more members to choose where they focus primarily.

Cllr Campbell advised that under all options there was the requirement to reduce the number of select committee meetings to enable task and finish to be developed, this would also require select committees to not carry out in depth reviews as this style of work will be undertaken through task and finish. Cllr Campbell further reinforced that the consultation is not about councillors choosing A, B or C, but it is about discussing the principles of each and how they could work best.

The following was noted in discussion:

- The structures at other authorities were looked at to inform the development of potential approaches and changes to practice, but different authorities may have different views on what is "effective".
- The focus should be about what best delivers effective Council work. It should not be about what councillors are suited to.
- There is a separate recommendation (#34) about mechanisms for involving public in scrutiny.
- Cllr Brown is currently visiting other boroughs and speaking to them about effective scrutiny.
- Impact is ordinarily quantified and outlined through an annual report and an end of administration report.
- The current supporting resources could support each of the options as outlined. The level of reduction in standing committee meetings would dictate the resources available to support a task and finish approach. It is widely recognised that the level of and quality of support to scrutiny in Lewisham is at the higher end of the spectrum.

The Chair thanked the LDWG champions, Councillor Bill Brown, Charlotte Dale and other officers for their hard work on this.

RESOLVED: To note the work undertaken to date.

RESOLVED: To note the initial three options

RESOLVED: To note the timeline for consultation and decision.

5. Update on Audit of Councillor Appointments To Outside Bodies (Recommendation #52)

Salena Mulhere introduced the report. The key points to note were:

- The aim of developing role profiles is to help councillors, officers and the public understand what is expected in the different roles councillors undertake – this is true also of external appointments.
- Once audited, a view can be taken about if they are still relevant and appropriate, and updated information about the status of the organisations is also gathered.

In discussion it was noted:

- It would be good for councillors to also evaluate their experiences, to feedback what their experiences of external appointments have been, what the challenges have been and what support might be beneficial.
- It would also be good to quantify the time expectations for each individual external appointment as councillors gave examples of where the expectation of the organisation was not clear to them before undertaking the role.
- Ros will be asked to ask current appointees to feedback about the time commitment each responsibility has taken.
- Appointments are made by the Executive, the focus is on are they still relevant.
- Officers will clarify whether councillors are permitted to receive expenses from outside bodies for travel or training.
- The revised list of suggested appointments will be taken to the constitutional working party.

RESOLVED: To note the work undertaken to date and proposed next steps.

6. Improving Feedback To Members Of The Public Following Consultation & Engagement (Recommendation #33)

Salena Mulhere introduced the report. In discussion it was noted:

- A thorough piece of work has been carried out by Stewart to review all of our corporate guidance and practice.
- The LDWG champion has been impressed that there is a corporate team who provide support and oversight to consultation across the organisation.
- With a team that has some oversight, there is the ability to ensure consultations can be improved.
- Consultation leads within the corporate team work across different projects and have limited resource for the consultation work. They rely on relationships to positively influence officers across the council to follow best practice but aren't in a position to monitor everything.
- Some of the updates within this report should be highlighted on the LDR website
- It is important to remember that the use of tools such as Commonplace are to facilitate and support ongoing conversations, not just to pop up and have isolated consultations

RESOLVED: To note the improvements to consultation feedback processes and tools implemented by officers between July and September 2019.

7. Evaluation Of New Community Engagement Approaches In The Allocation Of NCIL Funding (Recommendation #38/39)

Salena Mulhere introduced the report. The key points to note in the resulting discussion were:

- Councillors felt that Commonplace could have been used more effectively with better examples and more interaction.
- It was not as clear as it could have been which stage of the process (stages one and two) that it was, and this might result in people giving comments that are relevant to a different stage which could be a risk.
- Collaborative work is be possible and ward councillors and Local Assembly officers need to work together on projects that cross Ward boundaries.
- Officers should also be allowed to put forward bids and should be encouraged to do so.

RESOLVED: To note the content of the report.

Lewisham

Local Democracy Working Group

Delivering The Recommendations Of The Local Democracy Review (Programme Update Report)

Date: 18th December 2019

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Interim Chief Finance Officer

Outline and recommendations

In April 2019, Full Council agreed the 57 recommendations of the Local Democracy Review and approved the appointment of eight councillors to the retained Working Group to oversee their delivery during 2019/20. The first LDWG meeting took place in May 2019, where members agreed that the implementation of the Local Democracy Review should be managed as a single programme of work, with the recommendations clustered into eight thematic areas, each led by a LDWG Champion. A Programme Update Report (outlining work undertaken and proposed next steps across all the thematic areas) was prepared for both the second and third LDWG meetings, which took place in July and September respectively.

As work to deliver the recommendations has progressed, the various projects and activities being undertaken within each of the eight thematic areas have become more closely aligned. These thematic areas have now therefore been grouped under the three overarching themes within the Local Democracy Review's original terms of reference (openness and transparency, public involvement in decisions and effective decision-making). This Programme Update Report (for the fourth LDWG meeting) provides an overview of work undertaken and proposed next steps across these three themes. It also updates the LDWG on other work, such as briefings for members and senior managers at Cabinet, the Executive Management Team (EMT) and the recent Leadership Event and the redesign of the Local Democracy Review webpages on the Council website.

Reason for lateness and urgency

The report has not been available for five clear working days before the meeting and the Chair is asked to accept it as an urgent item. The report was not available for dispatch on 10th December 2019 because of the pre-election period. The report cannot wait until the next meeting because this was the only suitable date available in the Council calendar in advance of Christmas based on member availability and decisions are required to enable work to progress in advance of the next scheduled meeting.

1. Summary

1.1. The purpose of this report is to provide an update on work undertaken to deliver the recommendations of the Local Democracy Review since the third meeting of the 2019/20 Local Democracy Working Group (LDWG) on 26th September 2019. The report also outlines the proposed next steps for all thematic areas.

2. Recommendations

2.1. The LDWG is recommended to:

- Note the work undertaken to date and proposed next steps
- Note the updated Programme Plan (Appendix A)
- Provide guidance in relation to ongoing/planned activities, timescales and decisions required

3. Policy context

3.1. The recommendations of the Local Democracy Review are consistent with all the

Council's corporate priorities (outlined in the Corporate Strategy 2018-22) as effective decision-making underpins the delivery of every commitment within the strategy. However, the recommendations are particularly relevant under the priority of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us

4. Background

4.1. In April 2019, Full Council agreed the 57 recommendations of the Local Democracy Review and approved the appointment of eight councillors to the retained Working Group to oversee their delivery during 2019/20.

4.2. At the first LDWG meeting in May 2019, members agreed that the implementation of the Local Democracy Review should be managed as a single programme of work, with the recommendations clustered into eight thematic areas, each led by a LDWG Champion. Officers from Corporate Policy, Governance, Communications, Planning and Licensing were also allocated to support individual LDWG Champions with the delivery of projects and activities across their thematic area.

4.3. At the second and third LDWG meetings, each LDWG Champion provided an update on work undertaken in their area and proposed next steps, which were agreed by the group (see background papers).

5. Work to date and next steps

5.1. As work to deliver the recommendations has progressed, the various projects and activities being undertaken within each of the eight thematic areas have become more closely aligned. These thematic areas have now therefore been grouped under the three overarching themes within the Local Democracy Review's original terms of reference (openness and transparency, public involvement in decisions and effective decision-making).

5.2. A high-level summary of work undertaken across these three themes between October and December 2019 and planned activities up until the end of March 2020 is provided below. An updated programme plan is also attached at Appendix A.

Theme 1: Openness and transparency

5.3. Openness and transparency are key ingredients in building accountability and trust, both of which are necessary for effective local democracy. Although the recommendations within the two thematic areas below aim to increase openness and transparency in different ways (e.g. improvements to and better use of digital communication channels, ensuring that Council information is more accessible and easier to understand), their alignment under this overarching theme will allow the interdependencies between the various pieces of work to be fully exploited.

Open data and online communication (Cllr Bonavia/Cllr Davis)

Work to date (Oct-Dec)
- Development of options for a Council-wide Open Data approach, following a visit to Bristol Is Open (a joint project between Bristol City Council and Bristol University) and discussions with the Open Data Institute and the Chief Digital Officer at the Greater London Authority
- Launch of webcasting for all Mayor & Cabinet and Full Council meetings

- Ongoing development of a new Communications Strategy and Social Media Strategy for the Council (which will focus on making the best use of resources with a campaigns-based marketing system, maximising the effectiveness of our digital channels and developing meaningful engagement between the Council and its diverse communities, taking into account the specific Local Democracy Review recommendations)

Planned activities (Jan-Mar)
- Finalise options for a Council-wide Open Data approach for consideration by the LDWG
- Finalise new Communications Strategy and Social Media Strategy and provide further detail about the plans for delivery of the specific recommendations encompassed within the strategies (e.g. proposals to redesign existing 'neighbourhood' pages on the Council website
- Develop and implement a new resourcing structure to support delivery of above strategies (in the wider context of delivering the Corporate Strategy)
- Explore the viability of using existing reporting software for members to record and report their activities/attendance at events other than formal Council meetings (if suitable, then clear timescales and processes/procedures will be developed)

Language and reporting (Cllr Kelleher/Cllr Best)

Work to date (Oct-Dec)
- 'Soft launch' of new report template and practical guidance for report authors (following testing with a small group of officers). This template and guidance has also been circulated to all members (see agenda item 4A)
- Formal communication with relevant services and key officers regarding the expectation that all decisions are published within two working days (guidance note produced to assist staff in improving practice)

Planned activities (Jan-Mar)
- Formally launch new report template and practical guidance for report authors
- Implement online form on the Council website (with a link in the footer of all reports), which will enable residents to provide direct feedback on the accessibility of reports and publications
- Develop a draft set of democratic standards for officers, councillors and residents, incorporating current Council decision-making principles and the behaviours/values outlined in the refreshed 'Lewisham Way'
- Monitor compliance with new timescales for publishing all committee decisions

Theme 2: Public involvement in decisions

5.4.   The alignment of these three thematic areas under the wider theme of public involvement will provide an opportunity for the LDWG to collectively review the learning from various projects and activities which have been undertaken to date, enabling them to consider improvements to the Council's engagement approach as a whole and establish a clear position about which proposals should be taken forward.

Effective engagement, including younger and older people (Cllr Codd/Cllr Elliott)

Work to date (Oct-Dec)
- Detailed evaluation of People's Panels (a representative body of local residents who are consulted on a range of issues) and Citizens' Assemblies (a broadly representative body of residents brought together to deliberate on a

specific issue of local, regional or national importance) undertaken (see agenda items 5A and 5B)

- Engagement with young people about online communications and social media undertaken (focusing on the type of content they are interested in, platforms they currently use and how they might want to be involved in developing the Council's offer)

Planned activities (Jan-Mar)

- Complete engagement and develop proposals for a new approach to online communications and social media aimed at young people (in line with the development of the new Communications Strategy and Social Media Strategy)
- Pilot councillor question time panels in schools (as part of the development of mechanisms for increasing young people's engagement with local decision-making)
- Review the impact of changes to the Council's processes and tools for providing feedback to residents who participate in consultation and engagement activity (e.g. 'we asked, you said, we did' summaries, use of mailing list function as default, improved publicity in Lewisham Life)
- Complete review of publicly available information about Council functions and the roles/responsibilities of councillors and officers (including identifying best practice in other local authorities)

Place-based engagement (Cllr Elliott/Cllr Codd)

Work to date (Oct-Dec)

- Detailed evaluation of the Place Standard tool undertaken (see agenda item 5C)
- Use of Commonplace to help residents and councillors identify priority themes for their ward as part of the allocation of Neighbourhood Community Infrastructure Levy (NCIL) funding

Planned activities (Jan-Mar)

- Test the Place Standard tool as part of the ongoing work to allocate NCIL funding as well as within broader Neighbourhood Development initiatives (to be agreed by the LDWG)

Seldom-heard voices (Cllr Campbell/Cllr Sheikh)

Work to date (Oct-Dec)

- 'Appreciative Inquiry' undertaken with a number of local community organisations (the Front Room Club at St Luke's Church, the Calabash Centre, the Lewisham Refugee and Migrant Network's 'Women Together' project, Lewisham Speaking Up/People's Parliament, Ladywell Baby Hub/Children & Family Centre and Lewisham LGBT+ Forum) in order to gather insights and explore how we can better engage and involve these groups and individuals in decision-making

Planned activities (Jan-Mar)

- Analyse evidence gathered during the 'Appreciative Inquiry' in order to identify the key themes and learning points
- Consider how best to utilise and embed learning from the 'Appreciative Inquiry' to ensure seldom-heard voices are reflected in the Council's wider strategic approach to engagement and routinely sought in an effective way

Theme 3: Effective decision-making

5.5.   These three thematic areas are primarily focused on the structure and mechanics of Council decision-making and improving the crucial interface between officers, members and residents – again, their alignment under this overarching theme will allow the interdependencies between the various pieces of work to be fully exploited.

Planning and Licensing (Cllr Davis/Cllr Bonavia)

Work to date (Oct-Dec)
- Further engagement between LDWG Champion and members, officers and other stakeholders involved in the Planning and Licensing processes in order to develop detailed action plans for both services
- Site visit to LB Brent to look at other ways of working (Planning)
- Trial of different approaches to meeting management (Planning)
- Briefing held for LDWG Champion on statutory Licensing processes
- Review of Licensing pages on the Council website
- 'Go live' for upgrade to Assure System (Licensing), which will streamline back office functions

Planned activities (Jan-Mar)
- LDWG Champion to attend community meeting (Planning)
- Present interim report on Planning recommendations to LDWG in January 2020 (key findings/learning points and initial options for improving public communication/engagement processes and the provision of professional support to councillors responsible for decision-making)
- Present final report on Planning recommendations to LDWG in March 2020 (detailed proposals/timescales)
- Consult with stakeholders on the revised 'Statement of Licensing Principles' (from early January 2020)
- Refresher Licensing training for committee members (organised through the Institute of Licensing)
- Develop proposals for an integrated licensing page on the Council website, which will provide a 'one-stop-shop' for residents
- Complete benchmarking exercise with other London boroughs (structure and meeting scheduling approach)
- 'Go live' for public-facing elements of Assure system, which will provide an effective web based platform for the public to make applications and representations on Licensing processes and see real time updates on applications in their local areas (April 2020)

Councillor roles, responsibilities and relationships (Cllr Best/Cllr Kelleher)

Work to date (Oct-Dec)
- Development of proposals for a new Works Council approach in liaison with members and Trade Union representatives (led by the Director of HR)
- Development of draft role profiles for all member positions, each containing a role description (covering responsibilities, time requirements and key officer contacts) and a person specification (covering key skills and required learning) (see agenda item 6B)
- Ongoing development of written guidance for all active councillor appointments

Planned activities (Jan-Mar)
- Implement new Works Council approach

- Consult with members and various lead officers (including the Director of Law) and refine the draft role profiles in line with their feedback
- Finalise written guidance for all active councillor appointments to outside bodies (to be added to the final set of role profiles as an appendix)
- Review current role of councillor champions and explore best practice in other authorities
- Review current arrangements for diffusing power/delegating responsibility for decision-making

Overview and scrutiny, including Council meetings (Cllr Sheikh/Cllr Campbell)

Work to date (Oct-Dec)
- Consultation with members on options for a revised Overview & Scrutiny structure and development of initial recommendations (see agenda item 6A)
- Recommendation that the title of Chair of Council be changed to Speaker approved by Full Council
- Review of best practice/innovation in relation to the role and format of Full Council meetings undertaken

Planned activities (Jan-Mar)
- Develop final proposals for new Overview & Scrutiny structure
- Implement mechanisms for enhancing access to Full Council meetings (e.g. public viewing in the Foyer)
- Develop and test options for a more 'thematic and engaging approach' to Full Council meetings (based on review of best practice)

6.   Other activities

6.1.   Officers responsible for coordinating the delivery of the Local Democracy Review's recommendations have briefed the Mayor and Cabinet, the Executive Management Team (EMT) and presented at a recent Leadership Event in order to brief members and senior managers on progress and facilitate discussions about the strategic activities required to ensure changes arising from the review are fully embedded across the Council. The key areas covered in these discussions were organisational culture (in line with the development of the refreshed 'Lewisham Way' framework of values and behaviours), officer/member relationships and operational practice, particularly in relation to open and effective decision-making and public engagement.

6.2.   The Local Democracy Review webpages on the Council website have also been redesigned in order to provide residents with examples of the LDWG's current work and act as a platform for testing out various recommendation models and gathering feedback from local residents and community groups.

6.3.   As part of the delivery of recommendation #46, all Barriers To Politics recommendations were mapped against LDR recommendations and incorporated into the oversight responsibilities of the relevant LDWG Champion. A report outlining how these recommendations have been implemented will be presented to the LDWG in March 2020.

7.   Financial implications

7.1.   The Local Democracy Review was delivered with a budget of £10k, primarily by using existing expertise and resources within Corporate Policy. No further budget was allocated for the delivery of the 57 recommendations and there is an expectation that

implementation will be achieved within existing resources wherever possible (given the Council's ongoing budget savings process). If additional financial resources are required for the delivery of a specific recommendation, officers will provide a separate report with detailed financial implications for consideration by the appropriate decision-maker.

8.   Legal implications

8.1.   Some of the Local Democracy Review's recommendations (such as the use of infographics to convey information about Council decisions) can be implemented by the LDWG without a formal decision. If a formal decision is required for the delivery of a specific recommendation, officers will provide a separate report with detailed legal implications for consideration by the appropriate decision-maker.

9.   Equalities implications

9.1.   A full analysis of equalities implications will be undertaken for all recommendations requiring a formal decision, taking into account the priorities set out in the Council's Comprehensive Equalities Scheme (CES).

9.2.   The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.3.   In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

9.4.   It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation, or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed in the paragraph above.

9.5.   The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made, bearing in mind the issues of relevance and proportionality. The Mayor and Council must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

9.6.   The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled 'Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice'. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11, which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The

guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice
https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance

9.7.   The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty: A guide for public authorities
- Objectives and the equality duty. A guide for public authorities
- Equality Information and the Equality Duty: A Guide for Public Authorities

9.8.   The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties, and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1

10.   Climate change and environmental implications

10.1. There are no specific climate change and environmental implications arising from this report.

11.   Crime and disorder implications

11.1. There are no specific crime and disorder implications arising from this report.

12.   Health and wellbeing implications

12.1. There are no specific health and wellbeing implications arising from this report.

13.   Background papers

- Local Democracy Review: Report Of The Working Group (Spring 2019)
- Delivering The Recommendations Of The Local Democracy Review: Proposed Approach (May 2019)
- Delivering The Recommendations Of The Local Democracy Review: Programme Update Report (July 2019)
- Delivering The Recommendations Of The Local Democracy Review: Programme Update Report (September 2019)

14.   Glossary

Term	Definition
Appreciative Inquiry	An Appreciative Inquiry is an engagement mechanism which uses questions to build a vision for the future, focusing on past and potential future successes. The focus is usually on what people enjoy about an area, their hopes for the future, and their feelings about their communities.
Commonplace	An online tool to help communities plan their neighbourhoods, co-design solutions and analyse the social impact of new developments.
Corporate Strategy	Lewisham's Corporate Strategy sets out the Council's overall vision and priorities for the next four years (2018-22).
Full Council	Full Council is a meeting of all 54 Lewisham councillors. It is chaired by the Speaker, who also maintains a ceremonial role. It is run according to formal rules of debate known as 'standing orders' as set out in the Council's Constitution. Full Council's decision making responsibilities include agreeing strategies and plans, setting budgets and adopting and/or changing the Constitution. It is also a forum for debate on policy issues.
Lewisham Life	Lewisham Life is the local magazine for residents and businesses. It is distributed four times a year to every home in the borough. There is also a weekly e-newsletter.
Local Democracy Review	The Local Democracy Review was a councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
Local Democracy Working Group	The Local Democracy Working Group is a group of eight councillors who are responsible for implementing the recommendations of the Local Democracy Review during 2019/20.
Neighbourhood Community Infrastructure Levy	The Neighbourhood Community Infrastructure Levy (NCIL) is a community funding programme that uses money collected from developers.
Open Data	Open data is data that anyone can access, use and share. It should be both legally open (i.e. placed in the public domain or under minimal restriction) and technically open (i.e. published in accessible electronic formats).
Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the 'Executive'), officers and external organisations are held to account for the decisions that they make. It is led by councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.
Place Standard Tool	The Place Standard tool is a way of assessing places. It allows users to think about the physical elements of a place (for example its buildings, spaces, and transport links) as well as the social aspects (for example whether people feel they have a say in decision-making).
Programme	A programme is a set of related projects and activities, managed in a coordinated way in order to deliver an overall goal.

Term	Definition
Programme Plan	A programme plan typically outlines what work needs to be done, how the work will be done, when the work will be done, who will do the work and how much it will cost to do the work.
Social Media	Social media includes various forms of electronic communication (such as websites for social networking and micro-blogging) through which users create online communities to share information, ideas, personal messages and other content (such as videos).
Trade Union	A trade union is an organisation with members who are usually workers or employees. It looks after their interests at work by negotiating agreements with employers on pay and conditions, discussing members' concerns with employers and attending disciplinary and grievance meetings with members.
Works Council	The Works Council is a forum for consultation and negotiation between the Council and trades union officials, who represent Lewisham employees.

15. Report author and contact

15.1. If there are any queries about this report, please contact Salena Mulhere (SGM Inter-Agency, Service Development & Integration) by email (salena.mulhere@lewisham.gov.uk) or telephone (020 8314 3380).

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REF	RECOMMENDATION	THEME	STATUS (RAG+B RATING)	BARRIERS TO POLITICS RECOMMENDATIONS (ALIGNED)
1	A Local Democracy Working Group of eight councillors should be retained to oversee the delivery of the programme of work recommended within this report.	N/A	Complete	The Council should establish an ongoing working party which meets every six months to review the impact of the implementation of the recommendations of the Barriers to Politics Working Group.
2	The Local Democracy Working Group should provide the structure and support through which the recommendations are further developed and tested where appropriate. They will take account of relevant guidelines for effective local democratic processes.	N/A	On track	
3	We need to work collectively to build further trust and confidence in our democratic processes. We need to change our language and behaviour to influence a culture change that embeds the idea of the citizen at the heart of all we do. • Links to recommendations #18 and #44	N/A	On track	The Council's underlying commitment to equality in every aspect of the Council's work should be reinforced by positive messages in respect of all of the protected characteristics given out in Council material, newsletters, newspapers, radio, TV and social media
4	Clearer and more engaging ways should be explored for explaining how the Council works and the roles and responsibilities of councillors and officers. • Links to recommendations #26 and #41	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	Behind schedule (less than 4 weeks)	
5	An open data approach – sharing raw data the Council has so people can interrogate the data and draw their own conclusions – should be explored.	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	On track	
6	An improved, comprehensive and more joined-up approach to our electronic communications should be developed.	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	Behind schedule (less than 4 weeks)	
7	Young people should be actively engaged in informing the Council's wider approach to communication on social media. • Links to recommendations #15 and #40	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	Behind schedule (less than 4 weeks)	
8	The capacity and accessibility of our website should continue to be developed and improved, informed by the views and requirements of citizens, councillors and officers. • Links to recommendations #9 and #12	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	On track	The Council should explore better uses of technology to remove barriers to participation, such as online training and virtual meetings. The Council should explore ways of working which support councillors more efficiently, for example through the introduction of a single intranet page with a calendar including all meetings, events and training, key officer contact lists and guidance on responding to and categorising emails.
9	Improved ward pages and information should be developed as part of the improvement of our website. • Links to recommendations #8 and #12	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	Behind schedule (more than 4 weeks)	
10	Expanding the range of channels that people can use to access timely information about decision-making meetings should be explored. A range of methods such as webcasting, pre and post meeting 'vox pops' and an increased use of Twitter and social media should be trialled.	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	Behind schedule (less than 4 weeks)	
11	The Local Democracy Review website should be retained and used in part to test ideas and recommendations related to online communication in the first instance.	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	Complete	
12	A 'citizens' portal' approach should be investigated, through which citizens can access relevant information and receive targeted communications. • Links to recommendations #8 and #9	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	Behind schedule (more than 4 weeks)	
13	Opportunities for councillors to record and report their activities and attendance at events other than formal Council meetings should be explored and introduced.	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	Behind schedule (less than 4 weeks)	
14	Infographics should be more consistently used to effectively convey relevant information about Council performance.	*Openness & Transparency* • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	Behind schedule (less than 4 weeks)	

15	Better online communications with young people should be co-designed with the young mayor and young advisors and then with wider groups of young people across schools and the borough. • *Links to recommendations #7 and #40*	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	Behind schedule (less than 4 weeks)	
16	Councillors and officers should routinely and regularly be, and provide information in, places that constituents use and meet. This includes making better use of noticeboards across the borough.	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	On track	
17	The model of councillor surgeries should be expanded to trial the benefits of Council surgeries, Partnership surgeries and virtual surgeries.	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	On track	
18	A clear set of practical democratic standards should be developed and introduced across the Council. The standards should provide clarity and consensus about the roles and responsibilities of councillors, officers and citizens in decision-making processes.	*Openness & Transparency* • Language & Reporting (Cllr Kelleher/Cllr Best)	Behind schedule (less than 4 weeks)	
19	An improved style guide and template for all officer reports should be developed and introduced to consistently improve the accessibility and standard of reports.	*Openness & Transparency* • Language & Reporting (Cllr Kelleher/Cllr Best)	Complete	The Council should ensure that councillors with disabilities are adequately supported in their role, for example ensuring that there are options for Council documents to be displayed in an accessible format. This should involve feedback from those with disabilities.
20	The report template and guidance should require a clear 'plain English' summary and a 'timeline of engagement and decision-making' to be present at the beginning of every report.	*Openness & Transparency* • Language & Reporting (Cllr Kelleher/Cllr Best)	Complete	Council officers should produce executive summaries of longer reports.
21	Underpinning the development of the improved style guide to improve the accessibility of reports, consideration should be given to utilising appropriate tools such as the Flesch Reading Ease Readability Formula, and also to seeking appropriate support and accreditations such as those offered by the Plain English Campaign and the British Dyslexia Association. This should be applied to all written and online communications.	*Openness & Transparency* • Language & Reporting (Cllr Kelleher/Cllr Best)	Complete	
22	All decisions should generally be published within two days of the decision being taken, in line with the constitutional requirements for Mayor and Cabinet decisions.	*Openness & Transparency* • Language & Reporting (Cllr Kelleher/Cllr Best)	Complete	
23	An open channel/portal should be provided for people to provide direct feedback on the accessibility of reports and publications so there is ongoing learning and improvement based on direct feedback from citizens.	*Openness & Transparency* • Language & Reporting (Cllr Kelleher/Cllr Best)	Complete	
24	A Glossary of Terms should be provided in reports where necessary to explain some of the key phrases used in local government ('jargon' shouldn't be used and reports should be plain English).	*Openness & Transparency* • Language & Reporting (Cllr Kelleher/Cllr Best)	Complete	Council officers and councillors should communicate clearly, avoid using jargon wherever possible and define acronyms and abbreviations. Where complex language is necessary, a glossary of terms should be provided.
25	Communications policies for licensing and planning need to be updated in line with the democratic standards being developed to include effective digital communication. More effective and timely use of electronic communications should be a key focus, including an improved presence on the website and the online publication of notices.	*Effective Decision-Making* • Planning & Licensing (Cllr Davis/Cllr Bonavia) • Open Data & Online Communications (Cllr Bonavia/Cllr Davis)	On track	
26	Clearer information should be provided to councillors, citizens, applicants and objectors about the role and power of planning and licencing committee and local councillors. • *Links to recommendations #4 and #41*	*Effective Decision-Making* • Planning & Licensing (Cllr Davis/Cllr Bonavia)	On track	
27	The most appropriate way to provide professional support and guidance to councillors responsible for planning decisions should be further explored.	*Effective Decision-Making* • Planning & Licensing (Cllr Davis/Cllr Bonavia)	On track	

28	A consistent, proportionate approach should be adopted to the provision of submissions and objections to planning and licensing committees. Full provision with suitable redaction should be the standard approach, with summaries also provided where appropriate.	*Effective Decision-Making* • Planning & Licensing (Cllr Davis/Cllr Bonavia)	On track	
29	Ward members should be notified of all relevant applications and decision-making processes in a timely and appropriate manner.	*Effective Decision-Making* • Planning & Licensing (Cllr Davis/Cllr Bonavia)	On track	
30	If required, the Planning Statement of Community Involvement should be reviewed in line with the democratic standards once developed, and the other relevant recommendations made within this report.	*Effective Decision-Making* • Planning & Licensing (Cllr Davis/Cllr Bonavia)	On track	
31	The Council needs to develop and improve how it attempts to actively engage with seldom-heard groups and individuals to inform decision-making that will impact on them. A further piece of work to consider how best to achieve this, and test out various mechanisms should be undertaken. In the first instance the third sector, faith groups and other public sector partners should be actively involved in shaping and informing this work.	*Public Involvement In Decisions* • Seldom-Heard Voices (Cllr Campbell/Cllr Sheikh)	Complete	The local voluntary sector should play a greater role in encouraging people to participate in local politics and become councillors. The Council should support the local voluntary sector to do this.
32	The Council needs to better manage its consultation and engagement mechanisms, systems and processes to ensure that people directly and collectively receive appropriate feedback as to the outcome of the consultation exercise they have taken part in.	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	Complete	
33	The introduction of a People's Panel should be explored reflecting the demographic of the borough.	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott) • Seldom-Heard Voices (Cllr Campbell/Cllr Sheikh)	Complete	
34	A mechanism for the community to deliberate and set the focus of select committee investigations should be explored.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	On track	
35	The Works Council should be better utilised to facilitate direct engagement between unions and councillors. • *Links to recommendation #45 and #49*	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	Behind schedule (less than 4 weeks)	
36	Mayor's Question Time should take place routinely both around the borough and virtually. This should be enshrined within the constitution.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	Behind schedule (less than 4 weeks)	
37	The purpose and aims of the current Local Assembly model should be further reviewed to improve and expand the engagement and influence over Council policy developed through any ward-based mechanism. In the interim, Local Assemblies should be provided with step by step guidance as to how to utilise their powers to place items on the agenda of Mayor and Cabinet for discussion.	*Public Involvement In Decisions* • Place-Based Engagement (Cllr Elliott/Cllr Codd)	Behind schedule (more than 4 weeks)	
38	Following on from our current model of local ward assemblies, opportunities for place-based involvement should be further explored and developed as a potential mechanism of further focusing and improving engagement with and empowerment of seldom-heard communities.	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott) • Seldom-Heard Voices (Cllr Campbell/Cllr Sheikh)	On track	
39	As part of further developing a place-based engagement and involvement approach: - Civic crowdfunding should be developed - The place standard tool should be trialled - A model of citizens assemblies should be considered, initially in relation to discussions around the allocation of Community Infrastructure Levy (CIL) funds	*Public Involvement In Decisions* • Place-Based Engagement (Cllr Elliott/Cllr Codd)	On track	
40	Effective mechanisms for engagement and involvement of younger people and older people should be co-designed with our local groups and representatives. • *Links to recommendations #7 and #15*	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	On track	

#	Recommendation	Theme / Lead	Status	Notes
41	Councillors, local schools and parent governors should work together to increase the understanding and engagement between young people and local decision-making that impacts on them. This should include the development of a structure of councillor question time panels being developed in schools. • Links to recommendations #4 and #26	*Public Involvement In Decisions* • Effective Engagement, Including Younger/Older People (Cllr Codd/Cllr Elliott)	On track	Secondary schools should give young people a broader understanding of the political system and the role of elected representatives at a local, regional and national level. The Young Mayor and Young Advisers should work with youth groups in the Borough to develop political literacy amongst young people. The Council should work with the Young Advisers Forum to ensure that young people in the London Borough of Lewisham are aware of the opportunities to engage with local politics.
42	The role and format of Full Council meetings should be reviewed where possible and a more thematic and engaging approach developed, utilising the announcements section of the formal agenda and maximising the opportunities for contributions from the public.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	Behind schedule (more than 4 weeks)	
43	When reviewing the format of Full Council meetings, further consideration should be given to ways to: - Ensure maximum possible attendance in the meeting room - Enable collective observation from an alternative venue if necessary - Explore a pre-registration process for supplementary questions to ensure more questioners have the opportunity to speak within the allotted timeframe	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	Behind schedule (more than 4 weeks)	
44	The role of all councillors, as the representative voice and champion of all of their constituents, should be secured at the heart of all Council communications and decision-making processes and outlined clearly through the democratic standards. • Links to recommendation #3 and #18	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	On track	The Council should conduct equalities monitoring of all councillors following local elections. The Council should explore the way in which it can build on the work of existing networks in the borough to increase awareness of the role of local councillors.
45	Clarity and consensus should be developed around the roles and responsibilities, and anticipated work load, for the various responsibilities a councillor may undertake. • Links to recommendation #35 and #49	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	On track	The Council should produce guidance to indicate the total number of hours per week councillors can expect to spend carrying out their role. The hours identified would not be mandatory but would give councillors and potential candidates an indication as to the expectations of the role. The Local Government Association should conduct an investigation into the role of a councillor, including an examination of the hours worked, responsibilities of councillors, employment rights and pension rights. This should include an investigation into the variance of councillor allowances, including special responsibility allowances, to ascertain whether or not the current system is fair and equitable across the country. The Council should provide more information to residents about being a councillor, for example how to become a candidate, the employment status of a councillor and a role description.
46	Building on the excellent work of the Barriers to Politics Working Group: ensuring the delivery of their recommendations should become part of the ongoing responsibilities of the Local Democracy Working Group.	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	Complete	
47	All Mayors should be limited to a maximum of two terms only.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	Complete	
48	The title of Chair of Council should be changed to Speaker.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	Complete	

49	The collective understanding of the different roles and responsibilities of officers and councillors needs to be improved. Gaps in understanding and support need to be effectively bridged in a variety of ways to improve understanding, relationships and ultimately decision-making processes. Appropriate and proportionate support for all elements of a councillor's role should be provided. • Links to recommendations #35 and #45	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	On track	The Council should review the Member Code of Conduct, including the process for reporting concerns, to ensure it is robust and reflects the findings of the Barriers to Politics Working Group. The Council should regularly remind councillors of how to deal with concerns. The Council should also provide information about escalation routes, such as those suggested in recommendation 17. The Council should provide annual equalities training to all councillors to remind them of their responsibilities surrounding equalities. This training should be mandatory. The member induction process should include mandatory training on the Member Code of Conduct and this training should be refreshed every two years. The induction process should be thorough and support councillors more broadly, for example by informing them of their right to thorough and support councillors more broadly, for example by informing them of their right to reasonable time off for public duties. The use of mentoring, and help and guidance with casework should also be explored to support newly elected councillors. All newly appointed committee chairs should be required to undertake training before commencing the role. The Council should offer more IT training (one-to-one where necessary) with follow-up support for elected members. The Local Government Association should explore establishing a national ombudsman, or similar body, to which any elected representative can refer any complaint which they feel cannot be dealt with fairly at a local level. The Council should offer an easily accessible and confidential counselling service to elected representatives. The availability of this should be communicated regularly to members. The Council should produce a detailed Equalities Analysis Assessment for consideration by members when allowances are next reviewed; this should include information on the impact of the decision on those who are in receipt of benefits.
50	The Working Group endorses the Mayor's current scheme of delegation and recommends a collegiate approach to decision-making within the Council, utilising the knowledge and talents of all 54 councillors and officers wherever possible. • Links to recommendation #51	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	Complete	
51	Opportunities for further diffusing power within the Mayoral model should be further explored through consideration of what further matters could be reserved to Full Council. • Links to recommendation #50	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	Behind schedule (less than 4 weeks)	
52	An audit of councillor appointments to outside bodies should be undertaken to ensure that they are appropriate, relevant and the responsibilities of the councillor for every appointment are clear and transparent. • Links to recommendation #55	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	Behind schedule (less than 4 weeks)	
53	A further review should be carried out to identify the best structure and approach for overview and scrutiny to increase its impact and effectiveness whilst reducing the current comprehensive time commitments for all non-executive councillors. This should be inclusive of a greater focus on policy development through 'task and finish' in-depth review work, and should give consideration to the separation of policy development from scrutiny of performance and decisions; not all non-executive councillors should be required to be on a scrutiny committee to allow a greater flexibility of approach and focus, and a fairer distribution of the workload across all councillors various roles and responsibilities. The revised structure should be ready for implementation at the Council AGM in 2020.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	On track	
54	Whilst the review of Overview and Scrutiny structure and approach is underway, Overview and Scrutiny should operate within its current constitutional arrangements but with a greater focus on early and pre-decision scrutiny and community engagement where possible.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	On track	

55	Further utilisation of the role of councillor champions, or individual councillor led commissions should also be considered for all councillors, alongside the development of the task and finish approach to policy development to ensure a plethora of ways in which councillors can lead the focus of the Council. • *Links to recommendation #52*	*Effective Decision-Making* • Councillor Roles, Responsibilities & Relationships (Cllr Best/Cllr Kelleher)	On track	Councillors should be encouraged and supported to establish equalities networks or become equalities champions.
56	A wider range of topics that are not part of any party programme should be debated at Full Council with the absence of the whip.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	On track	Political parties should develop more innovative ways of attracting candidates from a wider range of backgrounds. Political parties need to ensure that their procedures and systems are fair, just and transparent and based on clearly defined criteria. Political parties should support candidates who have applied for positions and are not successful, in order to help candidates understand how they may improve their chances should they wish to apply again. Political parties should look at their practice and procedures at a ward level to enable all candidates to feel comfortable with the councillor role and not feel that it comes into conflict with other essential commitments. Political parties and political advisers should offer advice to support councillors to negotiate with their employers for time off for public duties.
57	Meetings should be better planned and managed so that they conclude their agenda effectively within two hours, being extended by half an hour only in exceptional circumstances.	*Effective Decision-Making* • Overview & Scrutiny, Including Council Meetings (Cllr Sheikh/Cllr Campbell)	Behind schedule (less than 4 weeks)	

Lewisham

Local Democracy Working Group

Update On The New Report Template & Guidance (Recommendation #19)

Date: 18th December 2019

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Interim Chief Finance Officer

Outline and recommendations

This report provides the Local Democracy Working Group (LDWG) with an update on the development of a new report template and guidance, as recommended by the Local Democracy Review.

The new report template and guidance have now been produced and officers are starting to use them. Writing reports using the template and taking account of the guidance should make Council reports more consistent and easier to understand. Feedback from councillors and officers and the public will be used to improve the template and guidance further over the next few months. By April 2020, officers will be required to make sure all reports are in this new format and style.

In this report, the Local Democracy Working Group (LDWG) are asked to note the work undertaken to date and the proposed next steps for implementation.

Timeline of engagement and decision-making

May 2018 – Mayor Damien Egan promises to launch a review that will make the Council '*even more democratic, open and transparent*'

July 2018 – Full Council agrees to establish a Local Democracy Review Working Group consisting of eight councillors. They are tasked with making recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making

September 2018 to January 2019 – the Working Group gathers evidence from a wide range of residents, community groups and local councillors (including an online questionnaire completed by over 700 respondents, workshops at four secondary schools and attendance at over 40 events)

January to March 2019 – the Working Group collects their evidence into a final report, which identifies 57 recommendations for change

March/April 2019 – Mayor & Cabinet and Full Council agree the report and recommendations

April 2019 to March 2020 – the retained Local Democracy Working Group oversees delivery of the recommendations

Reason for lateness and urgency

The report has not been available for five clear working days before the meeting and the Chair is asked to accept it as an urgent item. The report was not available for dispatch on 10th December 2019 because of the pre-election period. The report cannot wait until the next meeting because this was the only suitable date available in the Council calendar in advance of Christmas based on member availability and decisions are required to enable work to progress in advance of the next scheduled meeting.

1. Summary

1.1.   This report provides the Local Democracy Working Group (LDWG) with an update on the development of a new template and guidance for Council reports.

2. Recommendations

2.1.   The LDWG is recommended to:

- Note the work undertaken to date and proposed next steps for implementation

3. Policy context

3.1.   The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (outlined in the Corporate Strategy 2018-22) as effective decision-making underpins the delivery of every commitment within the strategy. However, the recommendations are particularly relevant under the priority of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we

celebrate the diversity that strengthens us

4. Background

4.1. Recommendation #19, #20, #21, #23 and #24 of the Local Democracy Review are part of the 'Openness & Transparency' theme. They sit under the thematic area of 'Language & Reporting', with Cllr Kelleher as LDWG Champion.

4.2. These recommendations state that:

- **Recommendation 19:** An improved style guide and template for all officer reports should be developed and introduced to consistently improve the accessibility and standard of reports.
- **Recommendation 20**: The report template and guidance should require a clear 'plain English' summary and a 'timeline of engagement and decision-making' to be present at the beginning of every report.
- **Recommendation 21**: Underpinning the development of the improved style guide to improve the accessibility of reports, consideration should be given to utilising appropriate tools such as the Flesch Reading Ease Readability Formula, and also to seeking appropriate support and accreditations.
- **Recommendation 23:** An open channel/portal should be provided for people to provide direct feedback on the accessibility of reports and publications so there is ongoing learning and improvement based on direct feedback from citizens.
- **Recommendation 24**: A Glossary of Terms should be provided in reports where necessary to explain some of the key phrases used in local government ('jargon' shouldn't be used and reports should be plain English).

5. Work to date and next steps

5.1. The implementation of these recommendations has been divided into three phases:

- *Development (Autumn 2019)* – research best practice, establish Plain English and accessibility principles, test feedback processes, engage key officers and members, align template with Corporate Strategy priorities and draft report-writing guidance
- *Transition (December 2019 to March 2020)* – share new template and guidance internally, brief senior officers on key changes, pilot new approach, gather feedback from report authors and residents. The template and guidance will then be reviewed and refreshed to reflect feedback and further training will be provided to report-authors
- *Implementation (April 2020 onwards)* – the new template and guidance will become standard policy for all public reports. Public feedback will be continuously monitored and disseminated to officers in order to continuously improve the accessibility and readability of reports

5.2. The new report template includes a timeline of engagement and decision-making, a Plain English summary and a glossary explaining any technical terms used in the report. The accompanying guidance provides support for officers when drafting their report, particularly in relation to financial, legal, crime and disorder and equalities implications. Officers are also required to clearly state any climate change and environmental implications, health and wellbeing implications and social value implications (if the report is recommending an award of contract).

5.3. In addition, the report template is fully compliant with the Council's accessibility policy

whilst the guidance summarises the Plain English Campaign's 'Plain English Principles' and provides links to online 'readibility' tools.

5.4. A link to a short online form will be included in the footer of every report, which will enable residents to provide direct feedback on the accessibility of reports and publications, specifically whether they are:

- Written in plain language
- Brief and to the point
- Provides a summary of key points
- Free from jargon or technical terminology
- Clearly formatted
- Contain a glossary

5.5. Feedback will be evaluated on a regular basis and shared with report authors, Agenda Planning and DMT's to ensure learning and improvement in report writing practice.

6. Financial implications

6.1. The Local Democracy Review was delivered with a budget of £10k, primarily by using existing expertise and resources within Corporate Policy. No further budget was allocated for the delivery of the 57 recommendations and there is an expectation that implementation will be achieved within existing resources wherever possible (given the Council's ongoing budget savings process). If additional financial resources are required for the delivery of a specific recommendation, officers will provide a separate report with detailed financial implications for consideration by the appropriate decision-maker.

7. Legal implications

7.1. The Councils constitution follows the legal requirements relating to council decsion making. The new format should enable council still to produce reports that set out the rationale for its decisions in accordance with legal and constitutional requrements.

8. Equalities implications

8.1. The key driver behind the development of a new template and guidance is to improve the quality, accessibility and consistency of Council reports. This work, together with the online feedback form, will enhance residents' understanding of Council business and decision-making, thus enabling them to become more involved in local democracy.

9. Climate change and environmental implications

9.1. There are no specific climate change and environmental implications arising from this report.

10. Crime and disorder implications

10.1. There are no specific crime and disorder implications arising from this report.

11. Health and wellbeing implications

11.1. There are no specific health and wellbeing implications arising from this report.

12. Background papers

- [Local Democracy Review: Report Of The Working Group (Spring 2019)](#)

13. Glossary

Term	Definition
Local Democracy Review	The Local Democracy Review was a councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
Local Democracy Working Group	The Local Democracy Working Group is a group of eight councillors who are responsible for implementing the recommendations of the Local Democracy Review during 2019/20.
Plain English	Clear and unambiguous language, without the use of technical or difficult terms.
Jargon	Special words or expressions used by a profession or group that are difficult for others to understand.

14. Report author and contact

14.1. If there are any queries about this report, please contact Charlotte Parish (Principal Officer – Policy, Service Design & Analysis) by email (charlotte.parish@lewisham.gov.uk) or telephone (020 8314 6101).

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Local Democracy Working Group

Update On The Overview & Scrutiny Review (Recommendation #53)

Date: 18 December 2019

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Interim Chief Finance Officer

Outline and recommendations

Recommendation #53 of the Local Democracy Review is that Overview and Scrutiny in Lewisham should be reviewed with the aim of making changes to make Overview and Scrutiny even better while also making it take less time for councillors so they have more time to spend on the many other responsibilities they have.

Councillors and officers have looked at how other councils manage overview and scrutiny and how much time it takes up for how many councillors, and came up with lots of different ideas about how it could be changed in Lewisham too. Councillors have spent a lot of time talking about all the different ideas, and talking with each other about the things they think are already good and shouldn't change and the things they think could be changed so they are better.

After looking at all the information (about how overview and scrutiny works in other councils, the ideas for making changes and all the things the councillors said are good and not so good), this report gives an update of what the councillors said and suggests some changes that could be made to the way overview and scrutiny works as a result of what has been learnt.

The changes that are suggested are:

- that overview and scrutiny select committees meet less often
- that there are fewer councillors on every select committee
- that the select committees look at fewer things at each meeting but make sure they are looking only at things where they can make a difference
- that new arrangements called "task and finish groups" are introduced as well as the current select committees, and that the task and finish groups carry out topical/in-depth scrutiny

The Local Democracy Working Group is recommended to

1. Note the results of consultation with councillors.
2. Agree a task and finish group approach for in-depth/topical scrutiny, instead of in depth reviews being carried out by select committees.
3. Agree that the number of select committees should remain as they are now.
4. Agree that a task and finish approach only works if there is a balance between the number of select committee meetings and councillors on those select committees on the one hand, and the number of task and finish groups and their membership on the other.
5. Recognise that the establishment of task and finish groups is an Overview and Scrutiny function and ask officers to prepare a report on the options for doing so.
6. Agree that officers develop further detail to introduce the other suggested practice changes outlined at 6.8-6.23 in this report to improve the impact and effectiveness of scrutiny.
7. Subject to agreement of 1-6 above, to ask officers to refer their further report to the Constitutional Working Party for consideration in advance of the 2020/2021 AGM.
8. Agree that Council should be recommended to alter the Overview and Scrutiny approach broadly within the parameters of the existing structure around membership and meetings.

Timeline of engagement and decision-making

May 2018 – Mayor Damien Egan promises to launch a review that will make the Council '*even more democratic, open and transparent*'

July 2018 – Full Council agrees to establish a Local Democracy Review Working Group consisting of eight councillors. They are tasked with making recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making

September 2018 to January 2019 – the Working Group gathers evidence from a wide range of residents, community groups and local councillors (including an online questionnaire completed by over 700 respondents, workshops at four secondary schools and attendance at over 40 events)

January to March 2019 – the Working Group collects their evidence into a final report, which identifies 57 recommendations for change

March/April 2019 – Mayor & Cabinet and Full Council agree the report and recommendations

April 2019 to March 2020 – the retained Local Democracy Working Group oversees delivery of the recommendations

October 2019 – councillors are consulted through five consultation events on their views about how best to structure and potentially change the approach of overview and scrutiny to meet the recommendations, with three indicative options presented to stimulate discussion.

Reason for lateness and urgency

The report has not been available for five clear working days before the meeting and the Chair is asked to accept it as an urgent item. The report was not available for dispatch on 10th December 2019 because of the pre-election period. The report cannot wait until the next meeting because this was the only suitable date available in the Council calendar in advance of Christmas based on member availability and decisions are required to enable work to progress in advance of the next scheduled meeting so that any changes can be effective from the next AGM.

1.   Summary

1.1.   This report provides the Local Democracy Working Group (LDWG) with an update on the consultation with members, and presents the recommended next steps in making changes to the Overview and Scrutiny structure and approach as set out in recommendation #53 of the Local Democracy Review (LDR).

2.   Recommendations

2.1.   The LDWG is asked to:

1.   Note the results of consultation with councillors.

2. Agree a task and finish group approach for in-depth/topical scrutiny, instead of in depth reviews being carried out by select committees.

3. Agree that the number of select committees should remain as they are now.

4. Agree that a task and finish approach only works if there is a balance between the number of select committee meetings and councillors on those select committees on the one hand, and the number of task and finish groups and their membership on the other.

5. Recognise that the establishment of task and finish groups is an Overview and Scrutiny function and ask officers to prepare a report on the options for doing so.

6. Agree that officers develop further detail to introduce the other suggested practice changes outlined at 6.8-6.23 in this report to improve the impact and effectiveness of scrutiny.

7. Subject to agreement of 1-6 above, to ask officers to refer their further report to the Constitutional Working Party for consideration in advance of the 2020/2021 AGM.

8. Agree that Council should be recommended to alter the Overview and Scrutiny approach broadly within the parameters of the existing structure around membership and meetings.

3.   Policy context

3.1.   The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (outlined in the Corporate Strategy 2018-22) as effective decision-making underpins the delivery of every commitment within the strategy. However, the recommendations are particularly relevant under the priority of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us

4.   Background

4.1.   Recommendation #53 of the Local Democracy Review is part of the wider 'Effective Decision-Making' theme. It sits under the thematic area of 'Overview and Scrutiny and Council meetings (with Cllr Sheikh as LDWG Champion). It states that:

'*A further review should be carried out to identify the best structure and approach for overview and scrutiny to increase its impact and effectiveness whilst reducing the current comprehensive time commitments for all non-executive councillors. This should be inclusive of a greater focus on policy development through 'task and finish' in-depth review work, and should give consideration to the separation of policy development from scrutiny of performance and decisions; not all non-executive councillors should be required to be on a scrutiny committee to allow a greater flexibility of approach and focus, and a fairer distribution of the workload across all councillors various roles and responsibilities. The revised structure should be ready for implementation at the Council AGM in 2020*'

4.2.   As advised in July, a detailed project plan as to how the recommendation will be delivered was developed. The approach involved initially reviewing the submissions to the LDR review and the current approach to scrutiny; scrutiny guidance (what does it say, what things could we consider adopting); and how the community is currently

involved in setting the focus of scrutiny investigations.

4.3. The next step was to review in detail what other councils do and options for enhancing our practice. Desktop research into different structures and approaches to scrutiny was carried out and detailed information about all London boroughs scrutiny structures and approach gathered, analysed and reviewed at length. This key information was further interrogated to understand the approach at other Mayoral London Boroughs and in the context of the aspirations of the LDR recommendation.

4.4. The recommendation was broken down into six key principles which would be required in any potential structure and approach to fulfil the delivery of the recommendation:

1. **Increased impact** of scrutiny
2. **Increased effectiveness** of scrutiny
3. Ensuring a **reduced time commitment** for members
4. Promoting **policy development through task and finish**
5. Considering the **separation of policy development from the scrutiny of performance and decisions**
6. **Not all non-exec councillors required** to be on a scrutiny committee

4.5. Three initial potential options were then developed for further discussion and consideration. The development of three initial options was designed to instigate and support wider, focused discussion as to the key elements, principles and priorities for members when agreeing changes to improve the impact and effectiveness of scrutiny in Lewisham. These were presented to the Working Group for in September before a period of consultation with Councillors in October and November.

5. Consultation with members

5.1. There was much discussion and debate at five member consultation events. There were strong views put forward for making changes by some, and by others for maintaining much of the status quo in terms of structure and approach. The pros and cons of the three outline options provided for consultation purposes, were robustly debated and some clear preferences and challenges requiring further thought began to emerge. The responses to the consultation are summarised below under each of the six principles.

1. **Increased impact** of scrutiny
Examples of scrutiny having an impact within the current structure were put forward. Measurement of impact is acknowledged as being challenging to quantify in a qualitative way, with annual reports ordinarily outlining the variety of ways and issues that scrutiny has influenced. Influencing the timely development of policies of the council, highlighting issues and suggesting evidence based improvements as well as providing a channel of engagement for the community were highlighted as three key ways in which scrutiny has a big impact. To increase the impact of scrutiny it was broadly accepted that fewer of the activities which don't have a direct impact (e.g. noting information reports, receiving standard updates at select committees) are needed and priority should be given to the opportunities for scrutiny to do work that leads to change and improvement across the Council and the borough.

2. **Increased effectiveness** of scrutiny
Whilst the overall effectiveness of scrutiny is subjective and intrinsically linked to impact, many members spoke about it in the context of the effective use of time and of influence. Some members also outlined which particular parts of the structure they

felt currently had an impact and which particular areas of focus of some select committees provided evidence of effective scrutiny. In depth reviews were seen as a real positive highlight, and consistently engaged and enthusiastic members of some committees were also seen as key in effective scrutiny. The challenge was put forward that changes needed to strike the right balance between keeping an eye on everything versus proactively focusing on making an active difference in developing policies and improving practice in key areas: "quality versus quantity".

3. Ensuring a **reduced time commitment** for members
There was much debate about the time commitment for scrutiny, and it was also discussed in the context of the balance with members' other responsibilities. Whilst some felt that all being on two select committees wasn't onerous, many recognised that members "making up the numbers" were a current feature of some select committees and that a smaller number of members were shouldering the responsibility for preparing for meetings and driving the scrutiny focus and agenda at and outside of meetings. The provision of more "space" for members to make more choices about how and when they execute their councillor duties, inclusive of scrutiny, and importantly freeing up time for essential work within the community and valuing that community time was commented on. The impact on coverage of all matters with fewer select committees was a concern for some members when considering potential reductions in the current scrutiny structure of meetings.

4. Promoting **policy development through task and finish**
The principle of the introduction of task and finish groups was almost universally welcomed. Discussion focused on the level to which task and finish as an approach should "replace" current select committee approaches, or "augment" them. There was a strong preference for a task and finish approach amongst newer members who recognised the development opportunities and more flexible time management perhaps offered by a task. The mechanics of a process to set task and finish groups up was discussed: with much debate about which body of councillors should have that responsibility.

5. Considering the **separation of policy development from the scrutiny of performance and decisions**
There weren't strong views put forward about the separation of the two, although implicit in the welcoming of a task and finish approach was the acknowledgment that less "being advised" and "just noting" current performance would be required, and mechanisms to ensure nothing "fell through the gaps" would be required in revised practice. A strong approach to keeping abreast of current performance and issues would be required and needed to be factored in to any changes. The scrutiny of decisions through OSBP in the current manner was not a point of contention for any members.

6. **Not all non-exec councillors required** to be on a scrutiny committee
This point was tied very much to the reduced time commitment discussions. It was perhaps generally accepted that not every single non-exec member should be required to take part in a standing select committee if they had other responsibilities. There was broad agreement that all non-exec members should have the opportunity to take part in scrutiny via the full OSC, and that task and finish provided a more flexible way for members to participate in ways and at times and on topics that better suited them. This could provide councillors with some means to better balance their councillor responsibilities and wider responsibilities.

5.2. When all of the views put forward in the consultation period are reviewed, it can be concluded that there is the most appetite amongst members for retaining the existing select committee structure, adding in a task and finish group approach for in-

depth/topical scrutiny and also making some changes in practice to enable select committee time to be used more effectively.

5.3.   It is widely accepted, and reconfirmed in recent statutory guidance, that scrutiny must be a member-led process. If after extensive discussion there is consensus amongst Lewisham councillors that is an important consideration when aiming to improve the effectiveness of scrutiny, within the legal parameters set out for effective governance arrangements.

6.   Suggested changes

6.1.   Three potential options were identified as previously reported.

6.2.   Option A would be a completely new structure and approach. The option potentially has the ability to meet all of the criteria set out in the recommendation with a flexible task and finish approach and lead scrutiny members within the Commission. This option makes the greatest reduction in the number of meetings, reducing them potentially reduced by almost a third. As a result, it also provides the most capacity for task and finish groups.

6.3.   However it would also be the biggest shift from the way scrutiny is currently managed and places greater responsibilities on a smaller number of members through the "scrutiny commission", and potential "lead members", which was outlined as similar in size and responsibility to the current Overview and Scrutiny Business Panel
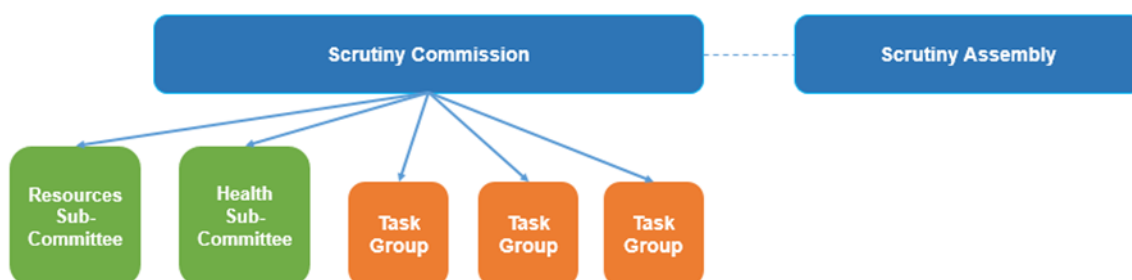
6.4.   Option B is similar to option A but the full Overview and Scrutiny Committee takes direct responsibility for managing all overview and scrutiny business, inclusive of the set-up of task and finish groups. With this option, although the overall number of meetings could potentially be reduced by almost a quarter, it would be more onerous for more members and there would also be less flexibility around the setting up of task and finish groups.
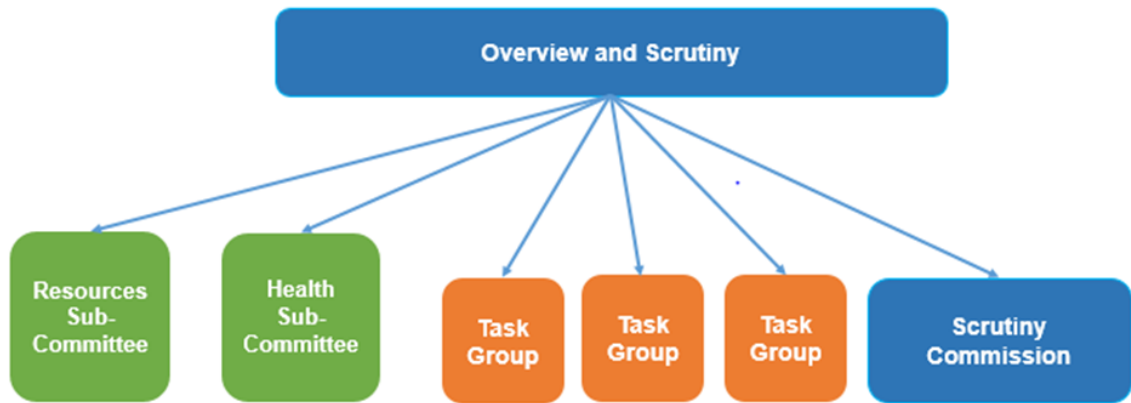
6.5.   Option C is based largely on retaining the current structure with the addition of task and finish groups alongside reduced meetings of the existing select committees. To work it would require a reduction in membership and frequency of select committee's to enable total number of meetings to remain the same at 68. It is a very comprehensive, perhaps complicated system to manage and understand and will present a large time commitment for members and officers.
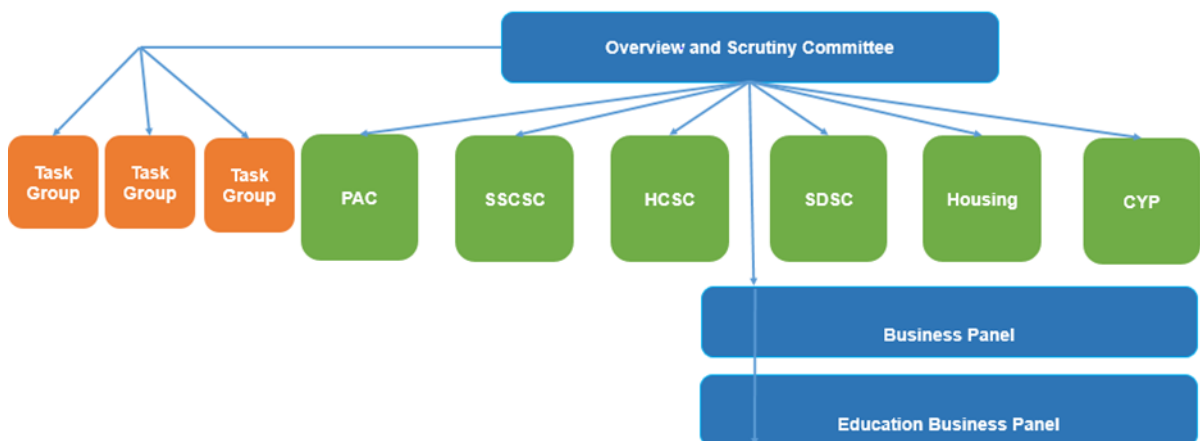
6.6.   Any of the three options would be possible and legal, but C is the option that was most supported by members in the consultation. In light of the research and analysis undertaken and the extensive engagement with members, it is suggested that the working group recommend to Council that it retain the existing select committee structure, with some reductions in membership and changes in practice, to enable the addition of a task and finish group approach for topical/in-depth scrutiny.

6.7.   Below are some key ways in which this can be achieved, focusing firstly on structures (select committees and task and finish groups) and then more on approach and practice. The two if implemented together would hopefully increase the impact and effectiveness of scrutiny in Lewisham, having been directly informed by member consideration of what they value about current and alternative approaches.

6.8.   **Reduction in the membership of each select committee.** The constitution states that select committees should have between 7 and 11 Members. It is suggested that this is reduced to between **5 and 7**. Further consideration may be desired for CYP

Select Committee where there are also 5 statutory voting parent governor and diocesan representatives. A minimum of 8 elected members might be more appropriate for that committee.

6.9. The minimum number of scrutiny members required to fill standing select committees would range from **33** (8 members on CYP, 5 members per other committee with 6 select committees) and **43** (8 members on CYP, 7 members per other committee with 6 select committees).

6.10. **Reduction in the number of meetings of each select committee.** The constitution states that "there will be at least 1 meeting of the main overview and scrutiny committee per year, and generally at least 3 meetings of the select committees per year". Current practice is for each select committee to meet 8 times a year. Practice could be changed to schedule between **4 and 6** meetings a year with a possible constitutional maximum which may only be exceeded in exceptional circumstances. Changes to practice in managing issues and agendas (task and finish groups instead of in depth reviews, no reports to note or information items) should make this feasible and ensure enough meeting time for formal consideration of matters that would benefit from scrutiny challenge and review. The numbers of standing select committee meetings could be reduced to between **16** (four committees meeting four times a year) and **36** (six committees meeting six times a year). Currently the number of select committee meetings per year is **48** (6 select committees meeting 8 times a year).

6.11. Adding in the status quo of OSC and OSBP (and OS(Ed) BP) of 4 and 16 meetings respectively would bring the total number of scrutiny meetings per year before the addition of task and finish groups to between **36** and **56**. (Currently the total number of scrutiny meetings ordinarily scheduled every year is 68).

6.12. **Task and Finish Groups.** The constitution states that the Council may wish to appoint time limited select committees to examine particular issues in depth. Time limited select committees are effectively task and finish groups. There was almost universal agreement amongst members that a task and finish approach being introduced would be positive. Further consideration should be given to developing a clear process for setting up scrutiny task and finish groups, which sets out the way in which a task and finish approach is delivered as a function of overview and scrutiny. Task and finish groups would be the main vehicle for policy development and the select committees would no longer conduct in-depth reviews.

6.13. The capacity for task and finish groups depends directly on the extent to which the number of meetings of the standing select committees are reduced. There is potentially capacity for a maximum of 6 task and finish groups a year, with 3-4 task and finish groups in operation at any one time dependent on the minimum number of select committees and meetings per select committee agreed. However, to reduce members' time commitment, the number of formal task and finish group meetings would need to be below this level. It is anticipated that, as is currently the case with in-depth reviews, much of the evidence gathering activity would take place outside of formal meetings. The table below shows how the reductions in standing select committees directly relates to the capacity for task and finish groups:

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Potential numbers of members and meetings and resultant T&F capacity					
Number of standing SC	Number of members (5-7 and 8 on an assumed CYP)	Number of meetings per SC per year	Total number of meetings	Maximum capacity for T & F meetings per year based on having the **same number** of meetings as now	Maximum number of T&F groups per year (with a maximum of 3-4 in operation at any one time)
6	33-43	4	24	24	6
6	33-43	5	30	18	4
6	33-43	6	36	12	3
Current arrangements below for comparison					
6	60 (at 10 per SC)	8	48	N/A	N/A
In addition each year in current and proposed approaches there will be a further 20 scrutiny meetings as outlined below					
OSBP		16			
OSC		4			
Making a total of 68 meetings per year – the same number of meetings as currently is the case, unless maximum T&F Capacity not utilised					

*It is suggested that between **4 and 7 members** sit on each task and finish group.*

6.14. In order to further reduce the time commitment for members and maximise the potential impact and effectiveness of scrutiny at select committee meetings, it is suggested that further consideration is given to the practice changes outlined below:

6.15. **No information reports.** Reports to note are arguably a waste of committee time and are not effective scrutiny. Reports or briefings for information could be emailed to committee members and any questions could be collated and put to the report author via the scrutiny manager. Very important issues that are for information only could be dealt with via a special in-person briefing for committee members if required, or an all-member briefing should the issue warrant this.

6.16. **All meetings to conclude within two hours,** to be reiterated in the constitution. Each select committee should aim to conclude its business within 2 hours. Meetings over 3 hours, late in the evening, are not effective - it is hard for everyone to maintain concentration and make valuable contributions.

6.17. **Agendas should have 2 or 3 substantive items only.** Looking in depth at 2 or 3 items per meeting is more effective than "skimming the surface" of 4 or 5. Chairs and committees should consider only adding items to work programmes if they are certain their consideration and evaluation of the matter will make a real and tangible difference.

6.18. **Statutory Scrutiny Guidance**. The statutory scrutiny guidance published earlier this year was not very prescriptive and it recognised that authorities approach scrutiny in different ways and have different processes and procedures in place, and that what might work well for one authority might not work well in another. We are generally compliant with all of the guidance. Nevertheless, it makes a few suggestions that members might wish to consider adopting whilst considering making changes to practice to increase the impact and effectiveness of scrutiny.

6.19. **Membership.** The guidance suggests that *"When selecting individual members to*

serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve". This is in line with the aims and recommendations of the Democracy Review. The selection of members to sit on select committees and task and finish groups is a matter for individual parties.

6.20. **Co-optees and technical advisors.** The guidance suggests that Councils might wish to consider co-option and the appointment of technical advisers. The Council currently has 3 parent governor representatives and 2 diocesan representatives sitting on the Education Business Panel and the Children and Young People Select Committee and expert witnesses are regularly invited to present at all select committee meetings. Save for the Safer & Stronger Communities Select Committee, the Council's arrangements for overview and scrutiny do not currently provide that co-optees may be appointed to its overview and scrutiny committee, its select committees or Business Panel.

6.21. **Information and performance reporting.** The guidance states that scrutiny should have access to key information about the authority particularly with regard to performance, management and risk. A regular information digest might be one way of ensuring that scrutiny members receive regular, timely information to assist in keeping abreast of all matters and also assist in the prioritisation of items for scrutiny.

6.22. **Focused recommendations.** The guidance suggests that Scrutiny should make fewer recommendations, and that they should be SMART (Specific, Measurable, Achievable, Realistic, Time bound). *"Committees should bear in mind that often six to eight recommendations are sufficient to enable the authority to focus its response, although there may be specific circumstances in which more might be appropriate.*

6.23. **Scrutiny- Executive engagement.** The guidance notes that effective scrutiny involves looking at issues that can be politically contentious and that, at times, the executive will disagree with the findings or recommendations of scrutiny. It suggests that councils should take steps to predict, identify and act on disagreement between scrutiny and the executive, possibly via an 'executive-scrutiny protocol' which can help define the relationship between the two and mitigate any differences of opinion before they manifest themselves in unhelpful or unproductive ways.

7. Next steps

7.1. If the working group agree the recommendations officers will prepare a further report on the issues contained within this paper for referral directly for consideration by CWP with a view to implementation in 2020/21.

7.2. Further guidance will also be developed about the way in which task and finish groups should be rolled out and managed in practice, and how to take forward and embed the suggested practice changes to improve the impact and effectiveness of scrutiny.

8. Financial implications

8.1. It is likely that additional financial resources will be required to deliver a number of the Local Democracy Review recommendations. Whilst these resource requirements will be outlined further in separate reports, it is worth noting that the implementation of the Local Democracy Review takes place in the context of ongoing Council budget savings (£10million in 2019/20), so delivery of recommendations within existing resources is therefore suggested as the preferred course of action wherever possible.

8.2. It is anticipated that all of the suggested practice changes in this report can be delivered within existing resources, although remuneration for time limited select committee chairs may be a consideration for the independent remuneration panel.

9. Legal implications

9.1. Whatever option is eventually settled upon, the provision of the Local Government Act 2000 as amended would need to be complied with. This includes the statutory requirements for the role of Overview and Scrutiny in relation to:

a) 'call in' i.e. the power of referral of an executive decision made but not implemented back to the decision maker for reconsideration
b) the provision for Overview and Scrutiny to make responses and recommendations to the executive and/or Council
c) Consideration of matters raised under the 'councillor call for action'

9.2. There must also be an Overview and Scrutiny body which has responsibility for overview and scrutiny of crime and disorder matters and health bodies. It is also important to bear in mind that overview and scrutiny bodies are subject to the requirements of the Local Government Housing Act 1989 in relation to political balance. Though this is academic currently, constitution provisions remain in force notwithstanding any change of political complexion arising from local election results, unless and until the constitution is changed.

9.3. There are statutory provisions relating to changes to political governance arrangements. These are reflected currently in our constitution. Some are subject to public consultation and/or Mayoral consent. Mayoral consent is not required for changes to overview and scrutiny arrangements. However some proposed changes to overview and scrutiny arrangements would be subject to public consultation. Article 6.10 of the Constitution sets out when such consultation would not be required:

a) the number of scrutiny select committees in total would fall to less than four, or rise to more than ten;
b) the number of places on any select committee would fall to less than five;
c) the terms of reference and or composition of the Business Panel(s) would change in a manner other than to effect a change which, in the opinion of the Monitoring Officer, is minor

10. Equalities implications

10.1. As noted above, a full analysis of equalities implications will be undertaken for all recommendations requiring a further formal decision, taking into account the priorities set out in the Council's Comprehensive Equalities Scheme (CES).

10.2. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

10.3. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

▪ Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

10.4. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation, or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed in the paragraph above.

10.5. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made, bearing in mind the issues of relevance and proportionality. The Mayor and Council must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

10.6. The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled 'Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice'. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11, which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice
https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance

10.7. The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty: A guide for public authorities
- Objectives and the equality duty. A guide for public authorities
- Equality Information and the Equality Duty: A Guide for Public Authorities

10.8. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties, and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1

11. Climate change and environmental implications

11.1. There are no specific climate change and environmental implications arising from this

report.

12. Crime and disorder implications

12.1. There are no specific crime and disorder implications arising from this report.

13. Health and wellbeing implications

13.1. There are no specific health and wellbeing implications arising from this report.

14. Background papers

- Local Democracy Review: Report Of The Working Group (Spring 2019)
- Delivering the Overview and Scrutiny Review: Update Report (September 2019)

15. Glossary

Term	Definition
Full Council	Full Council is a meeting of all 54 Lewisham councillors. It is chaired by the Speaker, who also maintains a ceremonial role. It is run according to formal rules of debate known as 'standing orders' as set out in the Council's Constitution. Full Council's decision making responsibilities include agreeing strategies and plans, setting budgets and adopting and/or changing the Constitution. It is also a forum for debate on policy issues.
Local Democracy Review	The Local Democracy Review was a councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
Local Democracy Working Group	The Local Democracy Working Group is a group of eight councillors who are responsible for implementing the recommendations of the Local Democracy Review during 2019/20.
Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the 'Executive'), officers and external organisations are held to account for the decisions that they make. It is led by councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.

16. Report author and contact

16.1. If there are any queries about this report, please contact Salena Mulhere (SGM Inter-Agency, Service Development & Integration) by email (salena.mulhere@lewisham.gov.uk) or telephone (020 8314 3380).

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Local Democracy Working Group

Update On The Development Of Member Role Profiles (Recommendation #45)

Date: 18th December 2019

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Interim Chief Finance Officer

Outline and recommendations

Recommendation #45 of the Local Democracy Review stated that '*clarity and consensus should be developed around the roles and responsibilities, and anticipated work load, for the various responsibilities a councillor may undertake*'. As a result, draft role profiles (incorporating a role description and person specification) have been developed for each member position (see list in section 5.3). These draft role profiles will now be circulated to members and various lead officers (including the Director of Law) for feedback, then presented to the LDWG. Once formally agreed, the role profiles will provide clarity for councillors, officers and the wider public about what is expected of each different role that a councillor undertakes. They will also be used to support councillor's development and with their choices about the different roles they may want to undertake.

In this report, the Local Democracy Working Group (LDWG) are asked to note the three phases of work outlined above. They are also asked to agree to the inclusion of written guidance for all active councillor appointments to outside bodies as an appendix to the final set of role profiles, bringing together the two pieces of work around councillor roles and responsibilities.

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Timeline of engagement and decision-making

May 2018 – Mayor Damien Egan promises to launch a review that will make the Council '*even more democratic, open and transparent*'

July 2018 – Full Council agrees to establish a Local Democracy Review Working Group consisting of eight councillors. They are tasked with making recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making

September 2018 to January 2019 – the Working Group gathers evidence from a wide range of residents, community groups and local councillors (including an online questionnaire completed by over 700 respondents, workshops at four secondary schools and attendance at over 40 events)

January to March 2019 – the Working Group collects their evidence into a final report, which identifies 57 recommendations for change

March/April 2019 – Mayor & Cabinet and Full Council agree the report and recommendations

April 2019 to March 2020 – the retained Local Democracy Working Group oversees delivery of the recommendations

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Reason for lateness and urgency

The report has not been available for five clear working days before the meeting and the Chair is asked to accept it as an urgent item. The report was not available for dispatch on 10th December 2019 because of the pre-election period. The report cannot wait until the next meeting because this was the only suitable date available in the Council calendar in advance of Christmas based on member availability and decisions are required to enable work to progress in advance of the next scheduled meeting.

1. Summary

1.1. This report provides the Local Democracy Working Group (LDWG) with an update on the development of member role profiles (recommendation #45).

2. Recommendations

2.1. The LDWG is recommended to:

- Note the work undertaken to date and proposed next steps
- Agree to inclusion of written guidance for all active councillor appointments to outside bodies as an appendix to the final set of role profiles

3. Policy context

3.1. The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (outlined in the Corporate Strategy 2018-22) as effective decision-making underpins the delivery of every commitment within the strategy. However, the recommendations are particularly relevant under the priority of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us

4. Background

4.1. Recommendation #45 of the Local Democracy Review is part of the 'Effective Decision-Making' theme. It sits under the thematic area of 'Councillor Roles, Responsibilities & Relationships', with Cllr Best as LDWG Champion. The recommendation states that:

> '*Clarity and consensus should be developed around the roles and responsibilities, and anticipated work load, for the various responsibilities a councillor may undertake*'

5. Work to date and next steps

5.1. The implementation of recommendation #45 has been divided into three phases:

- *Phase 1 (October to November 2019)* – develop and populate a role profile template[1] for each member position (see list below) using information from the Council's Constitution, committee terms of reference and the Members Information website as well as best practice from the Local Government Association (LGA) and other local authorities
- *Phase 2 (December 2019 to February 2020)* – consult with members and various lead officers (including the Director of Law) and refine the role profiles in line with their feedback. A review of how councillor champions can be further utilised (recommendation #55) will also be undertaken during this phase, which will inform the development of a specific role profile
- *Phase 3 (March to April 2020)* – present the final set of role profiles to the LDWG. It is intended that the final set of role profiles will contain written guidance for all active councillor appointments to outside bodies as an appendix (recommendation #52 – see background papers)

5.2. The main purpose of the role profiles will be to provide clarity for councillors, officers and the wider public about what is expected of each position. However, members will also be able to use the role profiles to help them decide which position/s they would like to put themselves forward to undertake whilst the person specifications within each profile will also support them in assessing their skills and identifying areas for development.

5.3. A full list of the member role profiles is provided below:

- Elected Member
- Mayor
- Deputy Mayor
- Cabinet Member
- Speaker/Deputy Speaker
- Chair/Vice Chair – Overview & Scrutiny Committee
- Overview & Scrutiny Committee Member
- Chair/Vice Chair – Select Committee
- Select Committee Member

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[1] The role profile template contains a role description (covering responsibilities, time requirements and key officer contacts) and a person specification (covering key skills and required learning).

- Business Panel/Education Business Panel Member
- Joint Health Overview & Scrutiny Committee Member
- Chair/Vice Chair – Planning/Strategic Planning Committee
- Planning/Strategic Planning Committee Member
- Chair/Vice Chair – Licensing Committee
- Licensing Committee Member
- Chair/Vice Chair – Other Committee/Panel/Working Group
- Appointments Committee Member
- Audit Panel Member
- Constitution Working Party Member
- Council Urgency Committee Member
- Elections Committee Member
- Health & Safety Committee Member
- Pensions Investment Committee Member
- Public Transport Liaison Committee Member
- Standards Committee Member

6. Financial implications

6.1. Any specific costs involved in implementing the final set of member role profiles will be identified in a further report to the LDWG, scheduled for March 2020.

7. Legal implications

7.1. The Local Government Act 2000 sets out the differentiation between executive and non-executive functions and the establishment of clear role profiles for members should underline this legal requirement. There are also other key factors in relation to various roles played by councillors and these will be highlighted in the specific role profiles.

8. Equalities implications

8.1. The key driver behind this recommendation is to provide clarity and consensus about what is expected of each different role that a councillor undertakes. Whilst the role profiles will primarily be used by members and officers, they will also enhance residents' understanding of Council business and decision-making, thus enabling them to become more involved in local democracy.

9. Climate change and environmental implications

9.1. There are no specific climate change and environmental implications arising from this report.

10. Crime and disorder implications

10.1. There are no specific crime and disorder implications arising from this report.

11. Health and wellbeing implications

11.1. There are no specific health and wellbeing implications arising from this report.

12. Background papers

13. Glossary

Term	Definition
Cabinet Member	Cabinet Members are appointed by the Mayor. They provide collective and individual leadership as part of Mayor and Cabinet (the 'Executive') and also have lead responsibility for a specific portfolio of services.
Constitution	The Constitution is a written legal document that guides the Council on its decision-making processes.
Full Council	Full Council is a meeting of all 54 Lewisham councillors. It is chaired by the Speaker, who also maintains a ceremonial role. It is run according to formal rules of debate known as 'standing orders' as set out in the Council's Constitution. Full Council's decision making responsibilities include agreeing strategies and plans, setting budgets and adopting and/or changing the Constitution. It is also a forum for debate on policy issues.
Local Democracy Working Group	The Local Democracy Working Group is a group of eight councillors who are responsible for implementing the recommendations of the Local Democracy Review during 2019/20.
Mayor	The Mayor is directly elected by residents of Lewisham to lead the Council and represent the borough for a period of four years. They provide political leadership and strategic direction for the entire Council, chair meetings of Mayor & Cabinet and are responsible for all decisions which are not reserved to Full Council or any of its committees.
Overview & Scrutiny	Overview and scrutiny is the way in which Mayor and Cabinet (the 'Executive'), officers and external organisations are held to account for the decisions that they make. It is led by councillors who are not members of the Executive. They also influence policy development and investigate issues of local concern, making recommendations for improvement.
Role Profile	A role profile outlines the key duties and responsibilities of a particular role as well as the skills that an individual would need to undertake the role.

14. Report author and contact

14.1. If there are any queries about this report, please contact Rosalind Jeffrey (Principal Officer – Policy, Service Design & Analysis) by email (rosalind.jeffrey@lewisham.gov.uk) or telephone (020 8314 7093).