

Local Democracy Working Group Agenda

Thursday, 26 September 2019

7.30 pm,

Civic Suite, Room 1

Lewisham Town Hall

London SE6 4RU

For more information contact: Salena Mulhere (020 8314 3380)

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

Part 1

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Local Democracy Working Group Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Thursday, 26 September 2019.

Janet Senior, Acting Chief Executive
Wednesday, 18 September 2019

Councillor Chris Best	
Councillor Kevin Bonavia	
Councillor Juliet Campbell	
Councillor Patrick Codd	
Councillor Sophie Davis	
Councillor Colin Elliott	
Councillor Silvana Kelleher	
Councillor Sakina Sheikh	

MINUTES OF THE LOCAL DEMOCRACY WORKING GROUP

Wednesday, 17 July 2019 at 7.30 pm

PRESENT: Councillors Kevin Bonavia, Juliet Campbell, Patrick Codd, Sophie Davis, Colin Elliott, Silvana Kelleher and Sakina Sheikh

ALSO PRESENT: Rosalind Jeffrey and Barrie Neal (Director of Corporate Policy & Governance) and Rosalind Jeffrey (Principal Officer – Policy, Service Design & Analysis)

Apologies for absence were received from Councillor Chris Best, Salena Mulhere (SGM Interagency, Service Development & Integration) and Kath Nicholson (Director of Law)

1. Minutes Of The Meetings Held On 26 March 2019 And 29 May 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

Rosalind Jeffrey (Principal Officer – Policy, Service Design & Analysis) introduced the report and the key points to note:

- Summary of the approach for delivering the recommendations of the Local Democracy Review (as agreed by the Working Group at their previous meeting on 29 May 2019)
- Overview of work undertaken since the previous meeting and planned activities between late July and September

Cllr Bonavia then invited each LDWG Champion to provide an update on their thematic area. The following points were highlighted in the subsequent discussion:

Overview & Scrutiny (Including Council Meetings)

- A series of workshops/roundtable sessions will be arranged in order to consult with members once initial proposals for a new Overview & Scrutiny structure have been developed
- The Working Group highlighted that many elements of the current Overview & Scrutiny approach were effective – the proposals should therefore be seen as an evolution rather than a complete change

Seldom-Heard Voices

- In order to deliver recommendation #31, officers will work with community organisations to conduct an 'Appreciative Inquiry' (focusing on those who

- are able to facilitate access to less well-established local organisations e.g. Voluntary Action Lewisham) – this will enable proposals for improving engagement with seldom-heard groups and individuals to be developed
- The Working Group discussed opportunities to align these proposals with the potential development of a People’s Panel. More broadly, they acknowledged that work around seldom-heard voices was part of a longer-term recommendation

Open Data & Online Communications

- Officers are organising a visit to visit to *Bristol Is Open* (joint venture between Bristol City Council and Bristol University) to explore their approach to Open Data
- Webcasting of Council meetings has been trialled at two sessions of Mayor & Cabinet and is scheduled for a further trial at Full Council on 24 July
- Cllr Bonavia agreed to consider the feasibility of members uploading additional information to their attendance page on the Council Website to demonstrate the range of activities they undertake

Effective Engagement (Including Younger & Older People)

- The LDWG Champion has held one ‘off-site’ councillor surgery (at ‘Bring & Fix’ based in PLACE/Ladywell) – based on this experience, it would be useful to consider what practical support will be required when exploring how the current model of councillor surgeries could be expanded (recommendation #17). Any new approach to councillor surgeries should also maintain the privacy of residents, enabling them to have ‘discreet conversations’ with their ward councillor when required.

Language & Reporting

- Consideration should be given to developing offline mechanisms for members of the public to provide feedback on the accessibility of reports and publications (in addition to the online form)

Planning

- The LWDG Champion had recently attended a Centre for Cities conference with the Director of Planning – the message was that members of the public wanted to be more engaged in decision-making, but lacked trust in the Planning process. There was also a suggestion made at the conference that an audit of the local community be undertaken prior to the submission of large-scale development proposals (‘what is good should be preserved’)
- The Working Group highlighted the large number of Licensing meetings that councillors are currently required to attend – although this issue is not about public engagement (which is the focus of this thematic area), Cllr Bonavia advised this should be considered as part of the recommendations relating specifically to Planning and Licensing

Place-Based Engagement

- The LDWG Champion has initially focused on how the allocation of Community Infrastructure Levy (CIL) funds could work in practice and has also met with officers at London & Quadrant Housing Association (L&Q) to discuss their approach to delivering area-based projects

- Rosalind Jeffrey advised the Working Group that Kirklees Council have just launched a civic crowd-funding project and are keen to collaborate in this area

Councillor Roles, Responsibilities & Relationships

- Member role profiles should be linked to wider work to develop clearer and more engaging ways for explaining how the Council operates as well as the roles and responsibilities of councillors and officers (recommendation #4)

Cllr Bonavia advised that any proposals presented to the Working Group regarding the delivery of a recommendation must include resource implications. The Local Democracy Review website (www.lewishamdemocracy.com) should also be used to test ideas in relation to specific recommendations.

RESOLVED: Kevin Flaherty (Committee Business Manager) to provide Cllr Sheikh with a further update on the delivery of recommendations within her thematic area that relate to Council meetings

RESOLVED: A draft report for the Constitution Working Party in relation to changing the title of Chair of Council to Speaker (and any other relevant changes) should be presented to the Working Group at their next meeting on 26 September

RESOLVED: An update on the visit to *Bristol Is Open* should be presented to the Working Group at their next meeting

RESOLVED: Cllr Bonavia to discuss progress on recommendation #13 with officers and consider the feasibility of members uploading additional information to demonstrate the range of activities they undertake

RESOLVED: Cllr Davis to provide officers with updates for the Work Programme as appropriate (in relation to her thematic area)

RESOLVED: Issues relating to the length or frequency of Planning and Licensing meetings to be considered as part of the Planning thematic area

RESOLVED: The Working Group to consider at their next meeting whether they wish to make recommendations in relation to specific councillor appointments (once the audit is complete)

The meeting ended at 9.19PM.

Agenda Item 2

LOCAL DEMOCRACY WORKING GROUP		
Report Title	Declaration Of Interests	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 26 th September 2019

DECLARATION OF INTERESTS

Members are asked to declare any personal interest they have in any item on the agenda.

1. Personal Interests

There are three types of personal interest referred to in the Council's Member Code of Conduct:

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2. Disclosable Pecuniary Interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:

- (a) that body to the member's knowledge has a place of business or land in the borough;
- (b) and either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

3. Other Registerable Interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

4. Non-Registerable Interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

5. Declaration & Impact Of Interest On Members' Participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take not part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**

- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

6. Sensitive Information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

7. Exempt Categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

LOCAL DEMOCRACY WORKING GROUP		
Report Title	Delivering The Recommendations Of The Local Democracy Review: Programme Update Report	
Key Decision	No	Item No: 3
Ward	All	
Contributors	Executive Director For Corporate Services	
Class	Part 1	Date: 26 th September 2019

1. Purpose

- 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 second meeting of the 2019/20 Local Democracy Working Group (LDWG) in July 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 and Work Programme (Appendices A and B)
- 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 (contained within the new 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 priorities of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us
- *Building Safer Communities* – every resident feels safe and secure living here as we work together towards a borough free from the fear of crime

4. Background

- 4.1. At the first Local Democracy Working Group (LDWG) meeting on 29th 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. Named 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.

- 4.2. At the second LDWG meeting on 17th July 2019, each LDWG Champion provided an update on work undertaken in their area and proposed next steps, which were agreed by the group (see [report](#)).

5. Work To Date & Proposed Next Steps

- 5.1. The table below provides a high-level summary of work to date since July and planned activities between October and early December.

Open Data & Online Communications – Cllr Bonavia/Cllr Davis

Work To Date (July-Sept)

- Update of Council website to meet the requirements of the Public Sector Accessibility Regulations (by 23 September deadline)
- Investigation of ways for members to self-report Council-related attendance at ward events
- LDWG member briefing note prepared on Open Data (overview of what it is, what Lewisham and other local authorities are already doing and potential next steps)
- Initial fact-finding discussion with Theo Blackwall (Chief Digital Officer, GLA) in late August, visit to *Bristol Is Open* (joint venture between Bristol City Council and Bristol University) to explore their approach to Open Data (including challenges and resource implications) on 4th September and discussion with the Open Data Institute re: potential support on 13th September
- Webcasting trials of Mayor & Cabinet and Full Council in June/July 2019

Planned Activities (Oct-Dec)

- Finalise a new Communications Strategy and Social Media Strategy for the Council – focusing 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 LDR recommendations)
- Develop and implement a new resourcing structure to support delivery of above strategies (in the wider context of delivering the Corporate Strategy)
- Develop proposals to redesign existing ‘neighbourhood’ pages on Council website
- Develop proposals for a Council-wide Open Data approach
- Launch of webcasting for Mayor & Cabinet and Full Council in September/October 2019

Effective Engagement (Including Younger & Older People) – Cllr Codd/Cllr Elliott

Work To Date (July-Sept)

- Implementation of changes to the Council’s processes and tools for providing feedback to members of the public following consultation and engagement – see separate report (agenda item 6)

- LDWG member briefing note prepared on the Council's current approach to online communications and social media aimed at young people
- Meetings with Young Mayor & Advisors and Comms to discuss current approaches and plan engagement with young people
- Meeting with Director of Education re: development of councillor question time panels in schools

Planned Activities (Oct-Dec)

- Engagement with young people about online communications and social media during the Young Mayor election cycle (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), then develop proposals for new approach
- Complete review (including identifying best practice in other local authorities) of publicly available information about Council functions and the roles/responsibilities of councillors and officers
- Evaluate People's Panel approaches

Language & Reporting – Cllr Kelleher Cllr Best

Work To Date (July-Sept)

- Development of draft report template and reporting guidance
- Guidance note produced for officers to ensure all committee decisions are published within two days
- Development of online form enabling members of the public to provide feedback on the accessibility of reports and publications (see section 5.2)

Planned Activities (Oct-Dec)

- Test and refine the draft report template with a small group of officers
- Finalise reporting guidance to accompany report template
- Pilot feedback form on the Council website
- Draft democratic standards (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

Planning – Cllr Davis/Cllr Bonavia

Work To Date (July-Sept)

- Initial meetings and focus groups with officers, committee chairs and stakeholders involved in the Planning process
- Review of Planning documents (e.g. Statement of Community Involvement, Constitution) and relevant areas of Council website
- Mystery shopper exercise by LDWG Champion (focusing on online Planning portal)
- Revised 'Statement Of Licensing Principles' (five year policy) drafted

Planned Activities (Oct-Dec)

- Further meetings with officers, committee chairs and stakeholders involved in the Planning process

- Site visit to LB Brent to look at other ways of working (Planning)
- Review training provided to members
- Develop proposals to improve public communication/engagement processes within Planning
- Develop proposals to improve the provision of professional support to councillors responsible for Planning decisions
- Initial meetings with officers, committee chairs and stakeholders involved in the Licensing process
- Consult with stakeholders on revised 'Statement Of Licensing Principles' (from late September/early October 2019)
- Undertake upgrade to new Assure System (Licensing) and implement improved web interface, enabling applications and representations to be made online and streamlining 'back office' functions (from November 2019 onwards)
- Complete review of Licensing processes (in line with systems work)

Seldom-Heard Voices – Cllr Campbell/Cllr Sheikh

Work To Date (July-Sept)

- Review of local demographic data and wider desktop research on seldom-heard voices (e.g. specific challenges facing these groups, examples of good practice)
- Development of detailed plan for undertaking an 'Appreciative Inquiry' – initial contact made with 4-5 community organisations to schedule visit dates and materials (e.g. discussion topics) developed

Planned Activities (Oct-Dec)

- Complete 'Appreciative Inquiry' (October/November 2019)
- Develop proposals for improving engagement with seldom-heard groups and individuals
- Utilise learning from 'Appreciative Inquiry' to inform evaluation of People's Panel approaches

Place-Based Engagement – Cllr Elliott/Cllr Codd

Work To Date (July-Sept)

- Detailed evaluation of the Citizens' Assembly approach (see section 5.3)
- Detailed evaluation of new community engagement approaches in the allocation of NCIL funding (including Commonplace and the Place Standard Tool) – see separate report (agenda item 7)

Planned Activities (Oct-Dec)

- Ongoing work to allocate NCIL funding (led by officers within Community Services)

Overview & Scrutiny (Including Council Meetings) – Cllr Sheikh/Cllr Campbell

Work To Date (July-Sept)

- LDWG member briefing notes prepared on current approach to scrutiny, scrutiny guidance and how the community is currently involved in setting the

focus of scrutiny investigations (including what other authorities do and options for enhancing our practice)

- Desktop research on different structures and approaches to scrutiny and survey involving all London boroughs
- Development of initial proposals for new Overview & Scrutiny structure – see separate report (agenda item 4)
- Review of approaches taken by other authorities to make Full Council meetings more inclusive
- Recommendation that the title of Chair of Council be changed to Speaker incorporated in wider Constitution Working Party report

Planned Activities (Oct-Dec)

- Consult members on initial proposal options for new Overview & Scrutiny structure (October 2019) and develop final proposals for approval (by December 2019)
- Undertake a viability assessment re: the introduction of a virtual Mayor's Question Time
- Pilot different approaches to the format of Full Council meetings from November 2019 onwards
- Enhance access to Full Council meetings (e.g. public viewing in the Foyer)
- Change from Chair to Speaker of Council to be approved by Full Council in November 2019

Councillor Roles, Responsibilities & Relationships – Cllr Best/Cllr Kelleher

Work To Date (July-Sept)

- Review of the current Works Council approach in liaison with Trade Union representatives
- Audit of all current councillor appointments to outside bodies (Phase 1) – see separate report (agenda item 5)
- All relevant councillor roles (e.g. elected member, Cabinet member, committee chair, Overview & Scrutiny member) identified and template role profile developed, utilising best practice in other authorities/organisations (e.g. LGA, LB Barking & Dagenham)
- Development of tracker to monitor the delivery of the Barriers To Politics recommendations (aligned with LDR recommendations)

Planned Activities (Oct-Dec)

- Develop and finalise proposals for new Works Council approach (for approval by December 2019)
- Audit of all current councillor appointments to outside bodies (Phase 2)
- Further develop councillor role profiles (plus officer role profiles where relevant) and develop plan for engagement with officers and councillors (exploring current gaps in understanding/support)
- Review current role of councillor champions and explore best practice in other authorities
- Review current arrangements for diffusing power/delegating responsibility for decision-making
- Review of Member Code of Conduct scheduled for November 2019 – Barriers To Politics/LDR recommendations to be incorporated as appropriate

- 5.2. The online form enabling members of the public to provide feedback on the accessibility of reports and publications has been tested and refined with a small group of officers, but will need to be implemented alongside the new report template and accompanying guidance – a ‘soft launch’ for both is planned for December 2019, prior to full roll-out in early 2020.
- 5.3. A detailed evaluation of the Citizens Assembly approach and its potential use in Lewisham (including identification of a proposed topic and timescales/costs) has been completed. However, given that there is ongoing work to evaluate other strategic engagement mechanisms (particularly People’s Panel approaches) as part of the Local Democracy Review implementation, it is suggested that the Citizens Assembly report is deferred until the next meeting of the LDWG (11th December) so that matters can be considered in the round.

6. Other Work

Culture Change

- 6.1. The review concluded that an overarching culture change was needed in the way officers, councillors and residents work together. This culture change will be integrated with the development and delivery of the refreshed ‘Lewisham Way’ framework, which outlines the Council’s vision, values and ways of working.
- 6.2. In order to support this, a summary of the review evidence and all 57 recommendations have been mapped against the three desired behaviours set out in the framework (Resident Focus, Ambitious To Improve and One Council). The Director of HR & Organisational Development has recently briefed officers who are supporting individual LDWG Champions on the refreshed ‘Lewisham Way’ and they are working to identify practical opportunities to embed the new behaviours and values outlined in the framework across each of the thematic areas.

Local Democracy Review Website

- 6.3. The [Local Democracy Review website](#) (created in October 2018 to provide members of the public with additional information about the review and access to the online consultation) is being redesigned as a portal to demonstrate how the ongoing delivery of the LDR recommendations is changing the Council. It will also host trials of various recommendation models, such as Open Data platforms and place-based crowdfunding projects.

7. Legal Implications

- 7.1. Some of the recommendations (such as retaining the Local Democracy Review webpage) can be implemented without formal decision. Others are likely to need detailed consideration with full service, corporate, financial, equalities and constitutional implications set out in a formal report for consideration by the appropriate decision-maker. Where this is the case,

officers will be required to provide a separate report at the appropriate time and legal advice will be given in that context.

8. Equalities Implications

- 8.1. 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).
- 8.2. 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.
- 8.3. 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
- 8.4. 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.
- 8.5. 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.
- 8.6. 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>

8.7. 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

8.8. 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>

9. Financial Implications

9.1. It is likely that additional financial resources will be required to deliver a number of the 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.

10. Crime & Disorder Implications

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

11. Environmental Implications

11.1. There are no specific environmental implications arising from this report.

If there are any queries about this report, please contact Salena Mulhere (SGM Inter-Agency, Service Development & Integration) on x43380.

Appendices

Appendix A – Programme Plan

Appendix B – Work Programme

REF	RECOMMENDATION	TIMESCALE	LEAD MEMBER	LEAD OFFICER	KEY ACTIVITIES	RESOURCES	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.	Short-Term	Cllr Bonavia	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> Support the Working Group directly in the development and delivery of a large programme of work across the organisation/borough Support the Working Group members collectively and individually through the provision of policy, research and administrative support Support the Working Group to engage with members of the public, community groups and local councillors Represent the Working Group across the organisation, borough and beyond as required 	<ul style="list-style-type: none"> Corporate Policy support (SM/RJ) 	<ul style="list-style-type: none"> 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.	Long-Term	Cllr Bonavia	Director Of Corporate Policy & Governance	See #1	<ul style="list-style-type: none"> Corporate Policy support (SM/RJ) 	
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	Long-Term	Mayor	Chief Executive/EMT	<ul style="list-style-type: none"> Confirm planned activities/timescales for development of the 'Lewisham Way' Present paper to LDWG/agenda item (opportunities to align LDR recommendations regarding the need for an overarching culture change with the development of the 'Lewisham Way') 	<ul style="list-style-type: none"> Corporate Policy support (SM/RJ) Strategic HR/Comms support (TBC) 	<ul style="list-style-type: none"> 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
Theme 1 – Openness & Transparency							
<i>Creating a culture of openness, trust and partnership</i>							
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	Medium-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Director Of Strategy & Communication	<ul style="list-style-type: none"> Review existing information on how the Council works and the roles and responsibilities of councillors and officers Design and implement stakeholder consultation plan to gauge current levels of understanding and identify preferred communication channels Develop and test options for explaining role and function of the Council 	<ul style="list-style-type: none"> Corporate Policy support (SWS) 	
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.	Long-Term	LDWG Champion - Open Data & Online Communications	Executive Director For Resources & Regeneration	<ul style="list-style-type: none"> Identify what data the Council holds and the type of information that citizens want (e.g. service-based, demographics, FOI responses) Explore how current systems (Council website/iCasework) could enable an open data approach Review best practice in other authorities/sectors (including management of risk) Develop, test, sign-off and implement proposals for an open data approach 	<ul style="list-style-type: none"> Corporate Policy support (JB) 	
<i>Using appropriate communication channels</i>							
6	An improved, comprehensive and more joined-up approach to our electronic communications should be developed.	Medium-Term	LDWG Champion - Open Data & Online Communications	Director Of Strategy & Communication	<ul style="list-style-type: none"> Identify and review all current mechanisms for electronic communication (including Council website, email and service-based systems) Explore best practice in other authorities Develop and test ideas for improving/aligning electronic communication within the organisation Sign-off and implement proposals (as part of a strategic comms improvement plan) 	<ul style="list-style-type: none"> Operational Comms support (LH?) 	
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	Medium-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Director Of Strategy & Communication	<ul style="list-style-type: none"> Identify and review all current social media channels (including Facebook, Twitter) Explore best practice in other authorities/sectors Develop and test ideas for improving the Council's approach to communication on social media with different groups of young people Sign-off and implement proposals (as part of a strategic comms improvement plan) 	<ul style="list-style-type: none"> Corporate Policy support (JB) 	
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	Long-Term	LDWG Champion - Open Data & Online Communications	Director Of Strategy & Communication	<ul style="list-style-type: none"> Gather additional insights from citizens, councillors and officers about the Council website (with a particular focus on functionality, accessibility, 'look and feel' etc) Agree a strategic plan for the future development of the Council website Prioritise, develop and test ideas for improvement with a 'feedback panel' Sign-off and implement proposals (as part of the ongoing redesign of the Council website) 	<ul style="list-style-type: none"> Operational Comms support (LH?) 	<ul style="list-style-type: none"> 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	Long-Term	LDWG Champion - Open Data & Online Communications	Director Of Culture & Community Development	<ul style="list-style-type: none"> Review the current ward pages and information Explore best practice in other authorities Develop and test ideas for improving the ward pages and information ('one stop shop') with a 'feedback panel' Sign-off and implement proposals (as part of the ongoing redesign of the Council website) 	<ul style="list-style-type: none"> Operational Comms support (LH?) 	
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.	Medium-Term	LDWG Champion - Open Data & Online Communications	Director Of Corporate Policy & Governance & Director Of Strategy & Communication	<ul style="list-style-type: none"> Review the range of channels available to access information about decision-making meetings Explore best practice in other authorities Develop, test and evaluate new approaches, such as webcasting, pre and post meeting 'vox pops' and increased use of social media (via the LDWG website) Sign-off and implement proposals (where success has been evidenced) 	<ul style="list-style-type: none"> Operational Comms support (LH?) 	
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.	Short-Term	LDWG Champion - Open Data & Online Communications	Director Of Strategy & Communication	<ul style="list-style-type: none"> Develop the LDWG website as the online focus and hub of Working Group activities, ensuring alignment with the Council website and mod.gov Provide solutions to enable testing of various online methods of communication re decision-making and engagement 	<ul style="list-style-type: none"> Operational Comms support (LH?) 	

12	A 'citizens' portal' approach should be investigated, through which citizens can access relevant information and receive targeted communications. • <i>Links to recommendations #8 and #9</i>	Long-Term	LDWG Champion - Open Data & Online Communications	Executive Director For Resources & Regeneration	<ul style="list-style-type: none"> Gather insights/requirements from citizens regarding the functionality of a 'citizens' portal' Review current/potential systems and existing approaches (including links with the ward pages on the Council website/online LBL account) Explore best practice in other authorities Develop and test potential options Sign-off and implement 'citizens' portal' (as part of the ongoing redesign of the Council website) 	Operational Comms support (LH?)		
13	Opportunities for councillors to record and report their activities and attendance at events other than formal Council meetings should be explored and introduced.	Medium-Term	LDWG Champion - Open Data & Online Communications	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> Review the functionality of current/potential systems Explore best practice in other authorities Develop and test options Sign-off and implement proposal 	Operational Comms support (LH?)		
14	Infographics should be more consistently used to effectively convey relevant information about Council performance.	Medium-Term	LDWG Champion - Open Data & Online Communications	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> Identify and review all current mechanisms for conveying information about Council performance Explore best practice in other authorities Develop a framework/guide for the use of infographics and test with services (pilot project) Evaluate, refine, sign-off and implement new approach across the organisation 	Operational Comms support (LH?)		
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. • <i>Links to recommendations #7 and #40</i>	Medium-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Executive Director For CYP & Director Of Strategy & Communication	<ul style="list-style-type: none"> Identify and review all current mechanisms for online communication with young people Explore best practice in other authorities/sectors Develop and test ideas to improve online communication with young people (Young Mayor's Team) Further develop and test ideas with wider groups of young people Sign-off and implement proposals (as part of a strategic comms improvement plan) 	Corporate Policy support (JB)		
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.	Medium-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Executive Director For Community Services	<ul style="list-style-type: none"> Identify what local communication channels exist for the dissemination of information Design and implement stakeholder consultation to gather insights and requirements from councillors, citizens and officers Develop and test options for improving citizen access to information, councillors and officers 	Corporate Policy support (SWS)		
17	The model of councillor surgeries should be expanded to trial the benefits of Council surgeries, Partnership surgeries and virtual surgeries.	Long-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Executive Director For Community Services	<ul style="list-style-type: none"> Explore best practice in the use of Council surgeries, partnership surgeries and virtual surgeries Design and implement stakeholder consultation to gather insights and requirements from councillors, citizens, officers and partner organisations 	Corporate Policy support (SWS)		
<i>Democratic standards: language and reporting</i>								
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.	Medium-Term	LDWG Champion - Language & Reporting	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> Gather insights/requirements from local councillors, citizens, officers and partner organisations Explore best practice in other authorities Develop, test, sign-off and implement new approach 	Corporate Policy support (CP)		
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.	Medium-Term	LDWG Champion - Language & Reporting	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> Identify and review all current style guides/templates Explore best practice in other authorities Develop a new style guide/template and test with services (pilot project) Evaluate, refine and implement new approach across the organisation (following agreement by Head of Law) Monitor compliance via agenda planning and administration of reports sign-off process 	Corporate Policy support (CP)	• 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.	Short-Term	LDWG Champion - Language & Reporting	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> See #19 	Corporate Policy support (CP)	• 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.	Medium-Term	LDWG Champion - Language & Reporting	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> See #19 (plus specific work to evaluate the appropriateness and cost of potential accreditations) 	Corporate Policy support (CP)		
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.	Short-Term	LDWG Champion - Language & Reporting	Director Of Corporate Policy & Governance & Director Of Planning	<ul style="list-style-type: none"> Develop and implement consistent working practice standards for all public meetings and decisions (including Planning and Licensing) Provide training and support where required (e.g. use of mod.gov) Monitor compliance (and take action as appropriate) 	Corporate Policy support (CP)		
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.	Short-Term	LDWG Champion - Language & Reporting	Director Of Strategy & Communication	<ul style="list-style-type: none"> Review the functionality of current/potential systems Explore best practice in other authorities Develop, test, sign-off and implement new approach (including an ongoing mechanism for disseminating and utilising feedback) 	Corporate Policy support (CP)		
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).	Short-Term	LDWG Champion - Language & Reporting	Director Of Strategy & Communication	<ul style="list-style-type: none"> See #19 	Corporate Policy support (CP)	• 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.	
<i>Democratic standards: planning processes</i>								
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.	Medium-Term	LDWG Champion - Planning/LDWG Champion - Open Data & Online Communications	Director Of Planning & Director Of Strategy & Communication	<ul style="list-style-type: none"> Identify and review all current communications mechanisms for Planning and Licensing (face-to-face, paper-based and electronic) Explore best practice in other authorities Develop and test ideas for improving/updating communications mechanisms (with citizens, local councillors and officers) Sign-off and implement proposals (as part of a strategic comms improvement plan) 	Strategic and operational support from Planning/Licensing (TBC), plus support from Comms (LH?)		

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. • <i>Links to recommendations #4 and #41</i>	Short-Term	LDWG Champion - Planning	Director Of Planning	<ul style="list-style-type: none"> • Gather insights from different groups about their current levels of understanding/specific gaps in knowledge • Develop and test different ways of providing information about roles and responsibilities in relation to Planning/Licensing (based on insights) • Sign-off and implement proposals (potentially as part of a wider civic learning programme) 	• Strategic and operational support from Planning/Licensing (TBC)		
27	The most appropriate way to provide professional support and guidance to councillors responsible for planning decisions should be further explored.	Short-Term	LDWG Champion - Planning	Director Of Planning & Director Of Law	<ul style="list-style-type: none"> • Gather requirements from local councillors who are responsible for planning decisions • Explore best practice in other authorities (including legal compliance/risk management) • Develop and test ideas for improving the provision of professional support and guidance • Refine, sign-off and implement proposals 	• Strategic and operational support from Planning/Licensing (TBC)		
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.	Medium-Term	LDWG Champion - Planning	Director Of Planning & Director Of Law	<ul style="list-style-type: none"> • Review the current approach for providing submissions and objections to planning and licensing committees • Explore best practice in other authorities • Develop a new approach (full provision with suitable redaction) and test with specific committees (pilot project) • Evaluate, refine, sign-off and implement new approach across the organisation 	• Strategic and operational support from Planning/Licensing (TBC)		
29	Ward members should be notified of all relevant applications and decision-making processes in a timely and appropriate manner.	Medium-Term	LDWG Champion - Planning	Director Of Planning	<ul style="list-style-type: none"> • Review the functionality of current/potential systems for notifying ward members about relevant applications and decision-making processes • Explore best practice in other authorities • Develop and test options • Sign-off and implement proposal 	• Strategic and operational support from Planning/Licensing (TBC)		
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.	Long-Term	LDWG Champion - Planning	Director Of Planning	<ul style="list-style-type: none"> • Review the Planning Statement of Community Involvement (following the implementation of above recommendations) • Consult with citizens, local councillors and officers regarding any changes • Sign-off and implement changes (as part of a revised statement) 	• Strategic and operational support from Planning/Licensing (TBC)		
Theme 2 – Public Involvement in Decision-Making								
<i>Reaching and empowering seldom-heard groups</i>								
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.	Long-Term	LDWG Champion - Seldom-Heard Voices	Director Of Culture & Community Development	<ul style="list-style-type: none"> • Further develop the recommendation in collaboration with a wide range of individuals, community organisations and public sector partners • Define project scope and agree shared definitions/terminology • Establish a small 'co-design group' to: <ul style="list-style-type: none"> ◦ Identify all current engagement mechanisms ◦ Gather specific insights/requirements ◦ Explore best practice in other authorities/sectors ◦ Develop and test ideas for improving engagement • Refine, sign-off and implement proposals 	• Corporate Policy support (LB)	• 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.	Medium-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> • Review feedback functionality on Citizen Space • Review corporate policy and processes re: consultation feedback • Explore best practice in other local authorities • Develop and test options for improving the provision of feedback 	• Corporate Policy support (SWS)		
33	The introduction of a People's Panel should be explored reflecting the demographic of the borough.	Long-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)(LDWG Champion - Seldom-Heard Voices)	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> • Explore opportunities and review similar models in other authorities/sectors • Undertake a feasibility study (including potential benefits and costs) • Develop a business case • Present the business case to Mayor & Cabinet/Full Council for agreement • Establish a People's Panel (pilot project) and evaluate its effectiveness • Embed approach across the organisation (if successful) 	• Corporate Policy support (SWS/LB)		
34	A mechanism for the community to deliberate and set the focus of select committee investigations should be explored.	Medium-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> • Review current mechanisms for community involvement in select committee investigations • Consider in relation to recommendation #54 for this current year, and recommendation #53 for next year and future years • Explore best practice in other authorities • Develop and test options with citizens and local councillors • Refine, sign-off and implement proposals 	• Governance support (CD)		
35	The Works Council should be better utilised to facilitate direct engagement between unions and councillors. • <i>Links to recommendation #45 and #49</i>	Short-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Organisational Development & Human Resources	<ul style="list-style-type: none"> • Review current operation of the Works Council • Explore best practice in other authorities • Present paper to LDWG (including any recommendations for change) 	• Corporate Policy support (RJ)		
36	Mayor's Question Time should take place routinely both around the borough and virtually. This should be enshrined within the constitution.	Short-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Strategy & Communication	<ul style="list-style-type: none"> • Present paper to LDWG (including any recommendations for change) 	• Corporate Policy & Governance support (SM/KF)		
<i>Developing a place-based approach to public engagement</i>								
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.	Medium-Term	LDWG Champion - Place-Based Engagement	Director Of Culture & Community Development	<ul style="list-style-type: none"> • Circulate guidance to all Local Assemblies regarding their current powers • Revisit improvement recommendations from Local Assemblies Review (2018) • Explore best practice in other local authorities • Design and implement stakeholder consultation to gather insights and requirements from councillors, officers and citizens • Identify opportunities to expand role of Local Assemblies and other ward-based mechanisms within Council policy development 	• Corporate Policy support (SWS)		

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.	Long-Term	LDWG Champion - Place-Based Engagement	Director Of Culture & Community Development	<ul style="list-style-type: none"> Explore a wide range of place-based engagement mechanisms in other sectors and local authorities: <ul style="list-style-type: none"> - Develop civic crowdfunding - Trial Place Standard tool - Consider use of Citizen Space or Common Place for the allocation of CIL funds Undertake a feasibility study for each mechanism, including cost/benefits Develop a business case for each approach (where required) and present to M&C for approval Pilot each approach and evaluate its effectiveness 	<ul style="list-style-type: none"> Corporate Policy support (SWS) 	
39	As part of further developing a place-based engagement and involvement approach: <ul style="list-style-type: none"> - 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 	Long-Term	LDWG Champion - Place-Based Engagement	Director Of Culture & Community Development	See #38	<ul style="list-style-type: none"> Corporate Policy support (SWS) 	
Young people and older people							
40	Effective mechanisms for engagement and involvement of younger people and older people should be co-designed with our local groups and representatives. <ul style="list-style-type: none"> • Links to recommendations #7 and #15 	Medium-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Director Of Corporate Policy & Governance & Director Of Strategy & Communication	<ul style="list-style-type: none"> Identify and review all relevant engagement mechanisms Explore best practice in other authorities Agree composition of 'co-design group' (involving a wide range of local organisations representing younger/older people) Develop and test ideas to improve engagement and involvement Sign-off and implement proposals 	<ul style="list-style-type: none"> Corporate Policy support (JB) 	
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. <ul style="list-style-type: none"> • Links to recommendations #4 and #26 	Medium-Term	LDWG Champion - Effective Engagement (Including Younger/Older People)	Executive Director For CYP	<ul style="list-style-type: none"> Gather insights/requirements from a wider group of young people, local councillors, schools staff and co-opted parent governors (CYP Select Committee) Develop and test different ways of increasing young people's understanding of local decision-making Support local councillors to engage with schools and identify specific opportunities for engagement (focused on decision-making) Sign-off and implement proposals (potentially as part of a wider civic learning programme) 	<ul style="list-style-type: none"> Corporate Policy support (JB) 	<ul style="list-style-type: none"> 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.
Council meetings							
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.	Medium-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Law	<ul style="list-style-type: none"> Review current role and format of Full Council meetings (including the impact of recent challenges) Explore best practice in other authorities Develop and test potential proposals with citizens and local councillors Refine, sign-off and implement proposals 	<ul style="list-style-type: none"> Corporate Policy & Governance support (SM/KF) 	
43	When reviewing the format of Full Council meetings, further consideration should be given to ways to: <ul style="list-style-type: none"> - 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 	Medium-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Law	See #42	<ul style="list-style-type: none"> Corporate Policy & Governance support (SM/KF) 	
Theme 3 – Effective Decision-Making							
Putting councillors at the heart of decision-making: roles							
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. <ul style="list-style-type: none"> • Links to recommendation #3 and #18 	Long-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Corporate Policy & Governance	See #3	<ul style="list-style-type: none"> Corporate Policy support (RJ) 	<ul style="list-style-type: none"> 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. <ul style="list-style-type: none"> • Links to recommendation #35 and #49 	Medium-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> Create a list of all councillor roles (e.g. committee chair, O&S member) Explore best practice in other authorities/organisations (e.g. LBBD, LGA) Develop a template role profile Populate template for each role (in conjunction with Governance/Legal) 	<ul style="list-style-type: none"> Corporate Policy support (RJ) 	<ul style="list-style-type: none"> 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.	Long-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> Collate progress to date for each Barriers To Politics recommendation and incorporate into the oversight responsibilities of the relevant LDWG Champion 	<ul style="list-style-type: none"> Corporate Policy support (RJ) 	
47	All Mayors should be limited to a maximum of two terms only.	Long-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Law	<ul style="list-style-type: none"> Present recommendation to the Constitution Working Party for discussion Make required amendments to the Constitution Communicate change to citizens, local councillors and officers 	<ul style="list-style-type: none"> Corporate Policy & Governance support (SM/KF) 	
48	The title of Chair of Council should be changed to Speaker.	Short-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Law	<ul style="list-style-type: none"> Present recommendation to the Constitution Working Party for discussion Make required amendments to the Constitution Communicate change to citizens, local councillors and officers 	<ul style="list-style-type: none"> Corporate Policy & Governance support (SM/KF) 	
Putting councillors at the heart of decision-making: relationships							

49	<p>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.</p> <ul style="list-style-type: none"> • Links to recommendations #35 and #45 	Long-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> • Create a list of all relevant officer roles (e.g. Director, SGM) • Explore best practice in other authorities/organisations • Develop a template role profile • Populate template for each role (in conjunction with Governance/HR) • Undertake engagement with councillors and officers to explore current issues (focusing on gaps in understanding/support) and future opportunities • Present paper to LDWG (including signing-off councillor/officer role profiles and proposals for 'bridging the gap') 	• Corporate Policy support (RJ)	<ul style="list-style-type: none"> • 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. • The Council should ensure that councillors are adequately supported, both financially and practically, to balance home life and their work as a councillor. This should involve feedback from those with caring and other support commitments. • The Council should review the impact of a councillor allowance on state benefits and consider what support is necessary to ensure that councillors on benefits are not adversely affected when the Council reviews remuneration arrangements.
<i>Putting councillors at the heart of decision-making: responsibilities</i>							
50	<p>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.</p> <ul style="list-style-type: none"> • Links to recommendation #51 	Long-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Law & Director Of Strategy & Communication	<ul style="list-style-type: none"> • Review current arrangements for diffusing power/delegating responsibility for decision-making • Explore the approach taken by other authorities with directly elected Mayors • Present paper to LDWG (including recommendations for change) 	• Corporate Policy support (RJ)	
51	<p>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.</p> <ul style="list-style-type: none"> • Links to recommendation #50 	Medium-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Law	See #50	• Corporate Policy support (RJ)	
52	<p>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.</p> <ul style="list-style-type: none"> • Links to recommendation #55 	Short-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Law	<ul style="list-style-type: none"> • Create a list of all councillor appointments to outside bodies/Mayoral appointments (c.45 organisations) • Develop template to capture key responsibilities for each appointment • Complete template with each organisation (and confirm information with relevant councillor) • Present paper to LDWG (including any recommendations for change) • Finalise templates and incorporate into role profiles 	• Corporate Policy support (RJ)	
53	<p>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.</p>	Long-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> • Define the scope of the review as outlined in the recommendation (impact, effectiveness, reduced time commitment, policy development through task and finish, consider separation of policy development from scrutiny of performance and decisions) • Review current best practice, statutory guidance, structural options and resource requirements in other similar authorities • Develop proposals for a revised scrutiny structure that meets the scope of the review • Consult OSC & OSBP on suggested structure • Finalise structure, agree and refer to Constitution Working Party and Full Council • Sign-off and implement recommendations 	• Governance support (CD)	
54	<p>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.</p>	Short-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> • Develop practical proposals for ensuring a greater focus on early and pre-decision scrutiny/community engagement in the delivery of 2019/20 work programmes • Liaise with OSBP to implement proposals 	• Governance support (CD)	
55	<p>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.</p> <ul style="list-style-type: none"> • Links to recommendation #52 	Medium-Term	LDWG Champion - Councillor Roles, Responsibilities & Relationships	Director Of Law & Director Of Strategy & Communication	<ul style="list-style-type: none"> • Review current role of councillor champions and explore best practice in other authorities • Present paper to LDWG (including opportunities for further utilisation) 	• Corporate Policy support (RJ)	• Councillors should be encouraged and supported to establish equalities networks or become equalities champions.
56	<p>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.</p>	Medium-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	N/A	TBC		<ul style="list-style-type: none"> • 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.	Short-Term	LDWG Champion - Overview & Scrutiny (Including Council Meetings)	Director Of Corporate Policy & Governance	<ul style="list-style-type: none"> • Develop and implement consistent standards for planning and managing all public meetings • Provide training and support where required (e.g. to committee chairs) • Monitor compliance (and consider changes to the Constitution as appropriate) 	• Corporate Policy & Governance support (SM/KF)	
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THEMATIC AREA	WORK PROGRAMME - AGENDA ITEMS											
	29-May		17-Jul		26-Sep		11-Dec		14-Jan		19-Mar	
	Decisions	Updates	Decisions	Updates	Decisions	Updates	Decisions	Updates	Decisions	Updates	Decisions	Updates
Overall Programme	• Proposed approach for delivering the LDR recommendations			• Programme update (all thematic areas)		• Programme update (all thematic areas)		• Programme update (all thematic areas)		• Programme update (all thematic areas)		• Programme update (all thematic areas)
Open Data & Online Communications							• Proposals for a Council-wide Open Data approach					
Effective Engagement (Including Younger/Older People)						• Improving feedback to members of the public following consultation & engagement	• Evaluation of People's Panel approaches		• Proposals for new approach to online communications and social media aimed at young people		• Expanding the model of councillor surgeries	• Improving citizen access to information
Language & Reporting							• Sign-off report template and reporting guidance		• Sign-off democratic standards (officers, councillors and residents)			
Planning												
Seldom-Heard Voices									• Proposals for improving engagement with seldom-heard groups and individuals			
Place-Based Engagement						• Evaluation of new community engagement approaches in the allocation of NCIL funding	• Evaluation of Citizens Assembly approach	• Piloting the Place Standard tool	• Proposal for piloting Civic Crowdfunding			• Improving ward-based influence over council policy
Overview & Scrutiny (Including Council Meetings)						• Update on Overview & Scrutiny review (including initial proposals)	• Overview & Scrutiny review - final proposal and onward referral to CWP and Full Council					
Councillor Roles, Responsibilities & Relationships						• Update on audit of councillor appointments to outside bodies	• Proposals for new Works Council approach	• Update on councillor role profiles and engagement with officers and councillors (exploring current gaps in understanding/support)				

LOCAL DEMOCRACY WORKING GROUP		
Report Title	Delivering the Overview and Scrutiny Review: Update Report	
Key Decision		Item No: 4
Ward		
Contributors	Executive Director for Corporate Services	
Class	Part 1	Date: 26 th September 2019

1. Purpose

- 1.1. The purpose of this report is to provide an update on work undertaken to deliver a review of the Overview and Scrutiny structure and approach, as agreed by recommendation of the Local Democracy Review. The report outlines three initial potential options for changing scrutiny and a timeline for consultation, decision and implementation.

2. Recommendations

- 2.1. The LDWG is recommended to:

- Note the work undertaken to date
- Note and provide feedback on the initial three options
- Note and provide feedback on the timeline for consultation and decision.

3. Policy Context

- 3.1. The recommendations of the Local Democracy Review are consistent with all the Council’s corporate priorities (contained within the new 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 priorities of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us
- *Building Safer Communities* – every resident feels safe and secure living here as we work together towards a borough free from the fear of crime

4. Background

- 4.1. Council has agreed 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 would be delivered has been 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. As a result three initial potential options have been developed for further discussion and consideration with the working group and wider members. The three options are not exhaustive and the input of the working group and wider members will help to inform the further development of the appropriate way forward for scrutiny in Lewisham.

5. Proposals - Three Initial Options

- 5.1. To deliver the requirements of the recommendation any proposed future approach and structure needs to demonstrate how it leads to:
 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
- 5.2. The three initial options (See Appendix A) all meet the requirements of the recommendation to greater or lesser extent. Within the appendix the structure of all three options is outlined, along with the potential number of meetings and the extent of involvement. Some further explanation of each of the key elements of the structures is also provided, along with some further information about potential changes in approach and increased individual responsibilities that underpin some of the potential changes and are in line with the spirit of the wider recommendations of the LDR. The finer details in relation to all options would influence the level to which they meet the criteria as outlined in the recommendation and could be adopted, subject to legal and financial parameters.

- 5.3. The development of three initial options is 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. A programme of consultation has been scheduled for October to engage widely with members about the options, and the advantages and disadvantages of each approach.

6. Timeline & Proposed Next Steps

- 6.1. A schedule of consultation has been planned to provide all members with the opportunity to review the three initial options identified and share their views. The LDWG champion and/or the second LDWG member and the Chair of OSC will be available to members at each of these times, along with one of the officers leading on supporting this work to answer questions and take note of comments and suggestions:

Drop-Ins

- Wednesday 2 October, 5.30pm – 7pm
- Wednesday 23 October, 11am – 1pm
- Tuesday 29 October, 6-7pm

Scrutiny Roundtables

- Thursday 10 October, 7-9pm
- Friday 18 October, 11am – 1pm

- 6.2. After the consultation period all members views will be considered alongside the learning gathered to date and a final proposal will be recommended to the Working Group in December 2019 before submission to Full Council for approval and introduction to the Council constitution from the AGM in 2020. Officers will provide financial and legal implications in relation to the proposed structure to inform decision making.

7. Legal Implications

- 7.1. 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'
- 7.2. 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.

- 7.3. 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
- 7.4. All three initial options set out in Appendix A appear to be viable, subject to legal requirements, some of which are summarised above. A more detailed analysis will be available in due course.

8. Equalities Implications

- 8.1. 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).
- 8.2. 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.
- 8.3. 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
- 8.4. 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.

- 8.5. 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.
- 8.6. 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>

- 8.7. 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
- 8.8. 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>

9. Financial Implications

- 9.1. 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.

10. Crime & Disorder Implications

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

11. Environmental Implications

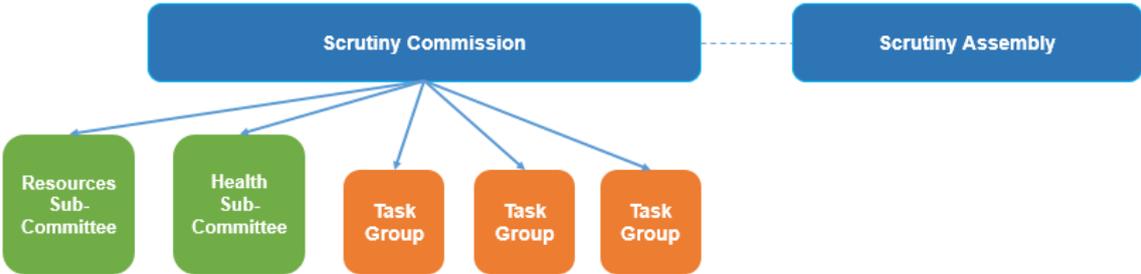
11.1. There are no specific environmental implications arising from this report.

If there are any queries about this report, please contact Salena Mulhere (SGM Inter-Agency, Service Development & Integration) on x43380.

Appendix A –Three Initial Options

OPTION A

Description: A completely new structure and approach with 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. Meetings potentially reduced by almost a third.



Key Points

- Core number of dedicated members take lead responsibility for scrutiny to free up more members to focus on other key responsibilities
- Strong focus on policy development through flexible task and finish groups
- Reduced time commitment for Members and officers
- Scrutiny Lead Member roles on the Commission to ensure nothing ‘falls through the gaps’ – escalating issues as required

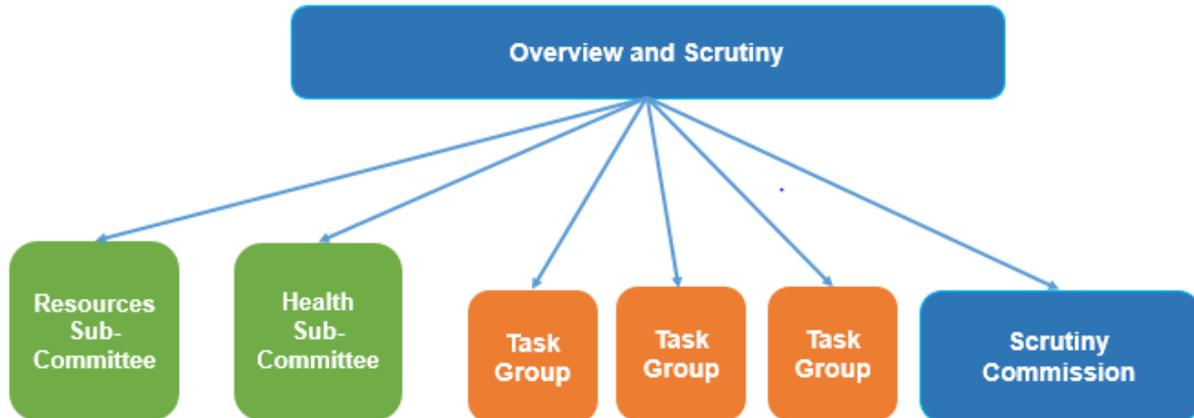
Approximate number of meetings per year:

Body	Number Of Meetings	Likely Number Of Members
Commission	16 (10)	10
Resources Sub-Committee	6	5 (plus chair drawn from Commission membership)
Health Sub-Committee	6	5 (plus chair drawn from Commission membership)
Up to three task groups at any one time	Up to 16 (in total) ¹	3-5 per task group (plus chair ordinarily drawn from Commission)
Assembly	4	43 (All non-exec members)
Total:	48 (42) [32 (26) excluding task and finish]	20 core members plus as many as want to take part in task and finish (excluding scrutiny assembly)

¹ Task and finish groups often work predominately outside of formal meetings, gathering evidence and engaging widely. Formal meetings may be as few as two per task group: once to set the group up and agree approach, timeline and roles and responsibilities and once to review the evidence gathered and agree the final report and recommendations, however this would not reflect the volume of work anticipated outside of formal meetings.

OPTION B

Description: New approach with task and finish but a full OSC takes direct responsibility for managing scrutiny business. Overall number of meetings potentially reduced by almost a quarter but less flexibility and more onerous for more members than Option A



Key Points

- Decision making role for all Scrutiny Members
- Focus on policy development through task groups
- Number of meetings reduced from current numbers, however all non-exec members will be required to attend 8 meetings a year as a minimum.
- Scrutiny Lead Members to ensure nothing ‘falls through the gaps’ – escalating issues as required
- Potentially less space for all O&S members to focus on pre-decision scrutiny through M&C Q&A, as all engaged in deciding and managing scrutiny business which may become onerous

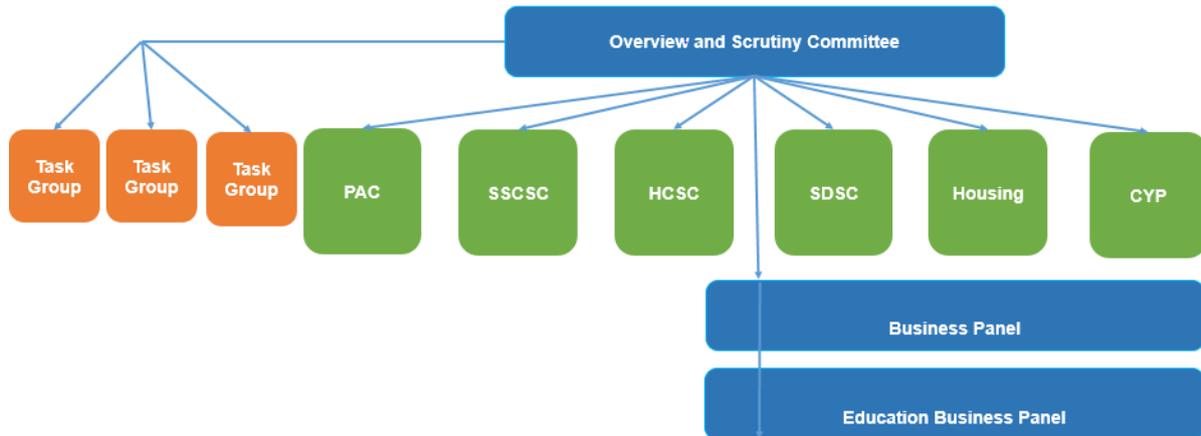
Approximate number of meetings per year:

Body	Number Of Meetings	Likely Number Of Members
Overview and Scrutiny Committee	8	43
Scrutiny Commission	16 (10)	10
Resources Sub-Committee	6	5 (plus chair drawn from Commission membership)
Health Sub-Committee	6	5 (plus chair drawn from Commission membership)
Up to three task groups	Up to 16 (in total)	3-5 per task group (plus chair ordinarily drawn from Commission)
Total:	52 (48) [36 (30) excluding task and finish]	43 core members responsible for managing all business, 20 of those further responsible for call in (commission) and standing committees plus as many as want to on task and finish

OPTION C

Description: Retain current structure and system, modified to include task & finish groups. Requires a reduction in membership and frequency of select committee's to enable total number of meetings to remain the same at 68.

Would require Select Committees to meet 6 times a year (instead of 8) to create capacity for task and finish group meetings. Introduces 3 task and finish groups which can meet less often than in options A and B as the existing standing committees remain. Maximum of 12 task group meetings a year in total (so overall number of meetings does not increase).



Key Points

- Very comprehensive (complicated?) system, potentially less effective and less impactful.
- Large time commitment for Members and officers
- Lack of clarity between the Terms of Reference of the Select Committees and Task and Finish Groups with likely duplication

Approximate number of meetings per year:

Body	Number Of Meetings	Likely Number Of Members
OSC	4	43
PAC	6 (currently 8)	6 (currently 10)
SSCSC	6 (currently 8)	6 (currently 10)
HCSC	6 (currently 8)	6 (currently 10)
SDSC	6 (currently 8)	6 (currently 10)
Housing	6 (currently 8)	6 (currently 10)
CYP	6 (currently 8)	6 (currently 10)
Up to three task groups	12 (in total)	3-5 per task group
Business Panel/Education Business Panel	16	10
Total:	68 (same as current overall numbers with reduction in select committee meetings to make space for task and	Significant time consuming role(s) for all non-executive members before addition of task and finish groups

	finish group meetings) [56 excluding task and finish]	
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The Scrutiny Commission

Under **Option A**, it is envisaged that the Scrutiny Commission would operate as follows:

- **Membership**

The Commission would be led by the Chair and Vice Chair of Scrutiny with 8 other Members (10 Members in total). The five statutory Education Representatives (3 parent governor representatives and two diocesan representatives) would also sit on this committee (but would only participate and vote on CYP/Education matters).

- **Number of meetings**

The Commission would have 16 scheduled meetings a year (see information on call-in below) but business could only be scheduled to 10 of them. The remaining 6 meetings would then only go ahead should the Commission decide to look further at any of the Executive decisions considered at the preceding Mayor & Cabinet meeting (or any recent delegated key decisions taken by Executive Directors).

- **Managing Business**

The Commission would be responsible for the co-ordination and agreement of the overall scrutiny work programme, including:

- * Devising and agreeing its own work programme
- * Agreeing the work programmes devised by the two standing sub-committees
- * Devising and agreeing the focus, terms of reference and work programmes of any task and finish groups.

- **Statutory Scrutiny**

The Commission would be responsible for the statutory scrutiny of matters relating to crime and disorder and flood prevention.

- **Other scrutiny**

The Commission would be responsible for the scrutiny of any issues that do not fall within the remit of the Health or Resources standing sub-committees. To ensure that nothing “falls through the gaps” a system of “Lead Scrutiny Members” could operate (see below). Lead Scrutiny Members could escalate issues as required and the scrutiny of matters relating to these areas would take the form of agenda items at Commission meetings or dedicated, time-limited task and finish groups.

- **Call-in**

This body would lead on post-decision scrutiny holding the statutory responsibility of call-in. Meetings of the Commission would be scheduled for after each Mayor & Cabinet meeting to allow Members to consider any key decisions taken at that meeting, should they wish to. However, 6 meetings of the Commission could have no business scheduled to them other than the consideration of recent Executive decisions (including delegated decisions) and would only go ahead should the Commission elect to look at any of the decisions.

- **Education Representatives**

Consideration would need to be given to ensuring that the five statutory education representatives are not required to sit through non-CYP related scrutiny business. This could be achieved by the ordering of the work programme and agendas so that only certain meetings consider CYP business and so that that CYP business is always considered at the start of the meeting. The Education representatives would not be expected to attend meetings where no CYP business is transacted or remain at a meeting once the CYP business has concluded. Alternatively, a constitutional arrangement similar to the one that separates the current Business Panel into a Business Panel and Education Business Panel could be considered.

Under **Option B**, the Scrutiny Commission would operate as above, *apart from* not being responsible for co-ordinating and agreeing the overall scrutiny work programme (including the Commission's work programme; the work programme for the two sub-committees; and the focus and terms of reference of any task and finish groups). Under Option B, this duty would fall to the Overview and Scrutiny Committee. The Commission would still require the same number of scheduled meetings so it could meet its call-in duties.

The Assembly

Under **Option A**, it is envisaged that the Scrutiny Assembly would operate as follows:

- Leads on pre-decision scrutiny (with some performance monitoring scrutiny)
- Holds Question and Answer sessions with the Mayor and all Cabinet Members to fulfil this duty
- Membership made up of all non-Executive Members
- Has a “Scrutiny Update” at the start of each meeting to keep all non-Executive Members updated on scrutiny work
- Meets 4 times a year.

Under **Option B**, the Overview and Scrutiny Committee would be retained in place of a Scrutiny Assembly (and the Scrutiny Commission would be one of its sub-committees alongside the Health and Resources sub-committees, and the task and finish groups). It would operate as above, but would also be responsible for co-ordinating and agreeing the overall scrutiny work programme (including the Commission’s work programme; the work programme for the two sub-committees; and the focus and terms of reference of any task and finish groups). It would require 8 meetings a year to carry out its Executive questioning role and its managing scrutiny business role.

Health Sub-Committee

- 6 Members
- Meets 6 times a year (dependent on number of substantial variations proposed)
- Responsible for statutory scrutiny relating to Health

Finance and Resources Sub-Committee (Performance monitoring)

- 6 Members
- Meets 6 times a year
- Responsible for budget monitoring
- Main vehicle for performance monitoring (although all scrutiny bodies will do this to some extent)

Time-Limited Task & Finish Groups (policy development)

- Between 4 & 6 members
- Remit/TOR and time frame agreed by Scrutiny Commission/OSC dependent on option
- Expectation that each one lasts between 3-12 months depending on scope
- Maximum of 3 in operation at any one time
- Maximum of 16 meetings a year (across all task groups) or less if added to current structure (Option C)
- Main vehicle for policy development

Ensuring nothing “falls through the gaps”

Under Options A and B, there would be fewer ‘topic based’ standing sub-committees and fewer non-executive Members involved in core scrutiny business. If either of these options are taken forward, it would be important to consider how to ensure that nothing “falls through the gaps” and that all non-executive Members are able to be informed and engaged.

Lead Scrutiny Members

One way of giving scrutiny members the confidence to focus on a smaller number of key issues in depth, all closely aligned with council and community priorities, is a “Lead Scrutiny Member” approach. Some, or all, Members of the Commission could be designated as “Lead Scrutiny Members” for specific areas. This would allow Members to retain oversight of key issues and developments without using up limited committee meeting time. Lead Scrutiny Members would be in a position to intervene “by exception” when their consideration of matters suggests that there may be an issue and where scrutiny’s involvement can specifically make a difference. For ease, and to ensure comprehensive coverage, the Lead Scrutiny Member remits could shadow Cabinet Member remits.

Illustrative example:

Membership of the Commission:

1. **Chair of Scrutiny** [shadows the Mayor]
2. **Vice Chair of Scrutiny and Lead Scrutiny Member for the Community Sector** [shadows Cabinet Member for Community Sector]
3. **Chair of Finance and Resources Sub-Committee** [shadows Cabinet Member for Finance and Resources]
4. **Chair of Health Sub Committee** [shadows Cabinet Member for Health and Adult Social Care]
5. **Lead Scrutiny Member for CYP** [shadows Cabinet Member for School Performance and Children’s Services]
6. **Lead Scrutiny Member for Housing** [shadows Cabinet Member for Housing]
7. **Lead Scrutiny Member for Crime and Disorder** [shadows Cabinet Member for Safer Communities]
8. **Lead Member for Democracy and Accountability** [Shadows the Cabinet Member for Democracy, Refugees and Accountability]
9. **Lead Member for the Environment and Sustainable Development** [Shadows Cabinet Member for Environment and Transport and the Mayor (planning and regeneration aspects only)]
10. **Lead Member for the Economy** [Shadows Cabinet Member for Culture, Jobs and Skills]

Lead Scrutiny Members could be tasked with:

- Keeping up to date with matters in their allocated area:
 - Meeting regularly with the Cabinet Member they are shadowing and relevant senior officers
 - Receiving regular briefing notes and reports (including on matters that previously, would have been considered by the relevant Select Committee)
- Escalating issues of concern to the Commission (where they feel that scrutiny of the issue could add value and make a difference.)
- Reviewing Mayor and Cabinet reports relating to their area and proposing decisions for call-in as required
- Presenting/Chairing Commission agenda items relating to their area
- Chairing relevant task groups (although the membership and chairing of any task group would be open to all non-executive Members)
- Engaging with non-executive Members in relation to their remit by contributing to the Chair of Scrutiny's quarterly emailed bulletin and through participation in the Assembly's regular "Scrutiny Update" item.

Ensuring all Non-Executive Members are informed and engaged

The Assembly / Overview and Scrutiny Committee

All non-executive Members would retain a key role in pre-decision scrutiny and performance monitoring through their membership of the Scrutiny Assembly which would be responsible for questioning the Mayor & Cabinet. In addition, each meeting of the Assembly would open with a "Scrutiny Update" item which would serve to keep them informed of recent and planned scrutiny activity.

Under option B, this work would take place at the Overview and Scrutiny Committee which would have the additional responsibility of co-ordinating and agreeing the overall scrutiny work programme.

Task and Finish Groups

It is envisaged that task groups would consist of 4-6 members, interested and committed to the subject being scrutinised. There would be a maximum of three task and finish groups in operation at any one time, with each one lasting between 3-12 months depending on the scope. Dependant on the final structure and approach agreed, it is envisaged that a total of 16 task and finish group meetings could be supported each year, with the expectation that a lot of work would be done outside of formal meetings (visits, consultation, research etc.). Task and finish groups would be the main vehicle for policy development.

Lead Scrutiny Members

Non-Executive Members would be encouraged to raise issues of concern with the relevant Lead Scrutiny Member. Lead Scrutiny Members would be expected to:

- Discuss the issue with the relevant cabinet member
- Raise the issue at the next Scrutiny Commission meeting if appropriate - the non-executive member could be invited to attend and address the meeting.

Standing Sub Committee Chairs would be expected to:

- Discuss the issue with the member concerned
- Raise the issue at the next Sub-Committee meeting if appropriate - the non-executive member could be invited to attend and address the meeting.

Quarterly Bulletin

In addition to keeping up to date on scrutiny activity via the Assembly's "Scrutiny Update" item, Non-Executive Members could also stay informed by receiving a quarterly email bulletin, with segments covering the work of the Commission, the two standing committees and the Lead Members.

Agenda Item 5

LOCAL DEMOCRACY WORKING GROUP		
Report Title	Update On Audit Of Councillor Appointments To Outside Bodies	
Key Decision	No	Item No: 5
Ward	All	
Contributors	Executive Director For Corporate Services	
Class	Part 1	Date: 26 th September 2019

1. Purpose

- 1.1. The purpose of this report is to update the Local Democracy Working Group (LDWG) on the audit of councillor appointments to outside bodies (recommendation #52).

2. Recommendations

- 2.1. The LDWG is recommended to:

- Note the work undertaken to date and proposed next steps

3. Policy Context

- 3.1. The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (contained within the new 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 priorities of:

- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us
- *Building Safer Communities* – every resident feels safe and secure living here as we work together towards a borough free from the fear of crime

4. Background

- 4.1. Recommendation #52 of the Local Democracy Review sits within the 'Councillor Roles, Responsibilities & Relationships' thematic area (with Cllr Best as LDWG Champion) and states that:

'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'

5. Work To Date & Next Steps

- 5.1. The implementation of recommendation #52 has been divided into three phases:

- **Phase 1 (August/September 2019)** – review information in the Constitution and on the Council website to identify ‘active’ and ‘non-active’ appointments, complete audit template for all ‘active’ appointments (see Appendix A)¹ and develop a set of proposed actions (including whether specific appointments should continue) for consideration by the LDWG and agreement by Full Council and the Mayor
- **Phase 2 (October-November 2019)** – develop written guidance for each ‘active’ appointment, focusing on the role of the councillor within the organisation and their individual responsibilities. This guidance will be in line with the overarching guidance for members regarding appointments to outside bodies set out in Appendix 5 of the Member Code of Conduct (Part V of the Constitution)
- **Phase 3 (December 2019 onwards)** – use the audit template to capture information about any potential new appointments (requested either by councillors or individual organisations), ensuring that decisions about their suitability are evidence-based, consistent and rigorous. The written guidance for all appointments will also be used by councillors to help them decide whether they would like to be nominated to represent a particular organisation.

5.2. It is intended that the delivery of Phases 2 and 3 will be closely aligned with the development of member role profiles (recommendation #45) and the review of how councillor champions can be further utilised (recommendation #55), which are also part of the ‘Councillor Roles, Responsibilities & Relationships’ thematic area.

5.3. The table below outlines the proposed actions from Phase 1.

Organisation	Current Status	Proposed Action
Ackroyd Community Centre – Management Committee	No appointment made since 2017, but appears on the list of Approved Duties (Schedule 2 of the Constitution)	Remove from list of Approved Duties
Adoption & Permanency Panel	Appointment made by the Mayor for 2019/20, but the panel no longer exists – adoption cases are now considered by the new Adopt London South Adoption Panel in Southwark	No further appointments to be made – remove organisation from list of Approved Duties and Council website
Age Concern Lewisham & Southwark	No appointment made since 2013, but appears	Remove from list of Approved Duties

¹ The audit template has been sent to 24 organisations (of whom, 7 have responded to date). Templates for the remaining 17 organisations are currently being completed using their existing Terms of Reference (if internal), Constitution and other governance documentation or information held by Companies House and the Charity Commission.

	on the list of Approved Duties	
Age Exchange (Reminiscence Arts)	Appointment made by Full Council for 2019/20	Complete audit template
Albion Millennium Green Trust	Appointment made by Full Council for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Beckenham Place Park Working Party	No appointment made since 2016, but appears on the list of Approved Duties and as an outside body on the Council website	Clarify whether Working Party should be re-established – if not, remove from list of Approved Duties and the Council website
Blackheath Halls	No appointment made since 2013, but appears on the list of Approved Duties (Blackheath Halls is now a wholly owned subsidiary of Trinity Laban Conservatoire of Music and Dance)	Remove from list of Approved Duties
Blackheath Joint Working Party	Appointment made by Full Council for 2019/20	Complete audit template
Brent, Lewisham, Southwark IT Committee	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Catford Regeneration Partnership Ltd	Appointment to this organisation is the responsibility of the Executive (as outlined in the Constitution), but no councillor appointment made at AGM (appears on the list of Approved Duties). Two officers currently appointed as Directors (Selwyn Thompson & Ralph Wilkinson) – councillor appointment/s for 2019/20 likely to be made.	Update the Council website once councillor appointment/s made

Children & Young People's Stakeholders Forum (VAL)	Appointment made by the Mayor for 2019/20 (does not appear on the Council website as an outside body)	Complete audit template and update the Council website
Children & Young People's Strategic Partnership Board	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties)	Complete audit template and update Approved Duties
Community Operations Service For Mental Health	No record of councillor appointments, but appears on the list of Approved Duties	Remove from list of Approved Duties
Corporate Parenting Group	Appointment made by the Mayor for 2019/20	Complete audit template
Deptford Challenge Trust	Appointment made by Full Council for 2019/20	Complete audit template
Ladywell Centre (formerly Dressington Day Centre)	No appointment made since 2017, but appears on the list of Approved Duties	Remove from list of Approved Duties
EqualiTeam Lewisham	Organisation no longer exists, but appears on the list of Approved Duties	Remove from list of Approved Duties
Governor Of Sedgehill School	No record of councillor appointments, but appears on the Council website as an outside body	Remove from the Council website
Greater London Provincial Council	No record of councillor appointments, but appears on the list of Approved Duties	Remove from list of Approved Duties
Green Chain Joint Committee	No appointment made since 2013, but appears on the list of Approved Duties	Remove from list of Approved Duties
Groundwork London	No appointment made since 2017, but appears on the list of Approved Duties (see below)	Remove from list of Approved Duties
Groundwork London – Local Authority Strategic Input Board	Appointment made by the Mayor for 2019/20. N.B. The Local Authority Strategic Input Board appoints four local authority members to the Groundwork London Board via an electoral process – Lewisham's	Complete audit template

	Mayoral appointee to the Local Authority Strategic Input Board has been appointed to this body	
Health & Wellbeing Board	Appointment made by the Mayor for 2019/20	Complete audit template
Housing Joint Partnership Board	No appointment made since 2013, but appears on the list of Approved Duties	Remove from list of Approved Duties
Intercultural Cities – Group Spokesperson	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Joint Street Lighting Committee	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Lewisham Citizens Advice Bureau – Management Committee	Appointment made by Full Council for 2019/20	Complete audit template
Lewisham Community/Police Consultative Group	Organisation no longer exists, but appears on the list of Approved Duties	Remove from list of Approved Duties
Lewisham Disability Coalition	Organisation no longer exists, but appears on the list of Approved Duties and as an outside body on the Council website	Remove from list of Approved Duties and the Council website
Lewisham Environment Trust	Organisation no longer exists, but appears on the list of Approved Duties	Remove from list of Approved Duties
Lewisham Health & Care Partners (LHCP)	Appointment to this organisation is the responsibility of the Executive (as outlined in the Constitution), but no appointment made in 2019/20 – appears on the list of Approved Duties. N.B. LHCP is a partnership of the main health and care commissioners and providers in Lewisham (NHS Lewisham)	Executive and Director of Law to advise whether councillor appointments are required – if so, update the Council website

	Commissioning Group, Lewisham Council, One Health Lewisham Ltd GP Federation, South London and Maudsley NHS Foundation Trust and Lewisham and Greenwich NHS Trust) rather than a specific organisation	
Lewisham Homes Board	Appointment made by the Mayor for 2019/20	Complete audit template
Lewisham Local	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Lewisham Local Education Partnership Board	Appointment to this organisation is the responsibility of the Executive (as outlined in the Constitution), but no appointment made in 2019/20 – appears on the list of Approved Duties	Executive and Director of Law to advise whether councillor appointments are required – if so, update the Council website
Lewisham Local History Society	Appointment made by Full Council for 2019/20	Complete audit template
Lewisham Pensioners' Forum – Management Committee	Appointment made by Full Council for 2019/20	Complete audit template
Lewisham Safer Neighbourhood Board	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Lewisham Schools For The Future Holdings Ltd (HOLDCO)	Appointment to this organisation is the responsibility of the Executive (as outlined in the Constitution), but no appointment made in 2019/20 (appears on the list of Approved Duties). Officer currently appointed as Director (Selwyn Thompson)	Executive and Director of Law to advise whether councillor appointments are required – if so, update the Council website
Lewisham Schools For The Future SPV Ltd	Appointment to this organisation is the	Executive and Director of Law to advise whether

	responsibility of the Executive (as outlined in the Constitution), but no appointment made in 2019/20 (appears on the list of Approved Duties). Officer currently appointed as Director (Selwyn Thompson)	councillor appointments are required – if so, update the Council website
Local Authorities Action For South Africa – National Steering Committee	Appointment made by the Mayor for 2019/20	Complete audit template
Local Government Association – General Assembly	Appointment made by the Mayor for 2019/20	Complete audit template
Local Government Association – High Ethnicity Special Interest Group	Appointment made by the Mayor for 2019/20, but the LGA have confirmed that this group is no longer operational	No further appointments to be made – remove organisation from list of Approved Duties and the Council website
Local Strategic Partnership	Organisation no longer exists, but appears on the list of Approved Duties	Remove from list of Approved Duties
London Councils – Children, Young People & Families Forum; Community Safety & Policing Forum; Culture, Tourism & 2012 Forum; Housing Panel	No longer active London Councils committees, but appear on the list of Approved Duties and as outside bodies on the Council website	Remove from list of Approved Duties and Council website
London Councils – Leaders' Committee; Grants Committee; Greater London Employment Forum; Transport & Environment Committee	Appointments made by the Mayor for 2019/20	Complete audit template and update Approved Duties (to reflect name changes)
London Road Safety Council (previously London Accident Prevention Council)	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties under new name)	Complete audit template and update Approved Duties (to reflect name change)
London South East Flood Risk Partnership (Strategic Flood Partnership)	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties or the Council website)	Complete audit template and update Approved Duties and Council website
London Youth Games	Appointment made by Full Council for 2019/20	Complete audit template

Marsha Phoenix Memorial Trust	Appointment made by Full Council for 2019/20	Complete audit template
New Cross Gate Trust	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
New Deal For Communities Board	Organisation no longer exists, but appears on the list of Approved Duties	Remove from list of Approved Duties
Newable (Greater London Enterprise)	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties under new name, but is on the Council website as an outside body)	Complete audit template and update Approved Duties (to reflect name change)
Joint Health Overview & Scrutiny Committee – Our Healthier South East London (OHSEL)	Appointment made by Full Council for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Phoenix Community Housing Association	Appointment made by the Mayor for 2019/20	Complete audit template
Positive Ageing Council Steering Group	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Reserve Forces & Cadets' Association	Appointment made by the Mayor for 2019/20	Complete audit template
Safer Lewisham Partnership	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
Silwood SRB Management Board	Organisation no longer exists, but appears on the list of Approved Duties	Remove from list of Approved Duties
Joint Health Overview & Scrutiny Committee – SLAM Mental Health Of Older Adults	Appointment made by Full Council for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties

	website as an outside body)	
Social Services (Access to Personal Files) Panel	No appointment made at Council AGM, but appears on the list of Approved Duties and as an outside body on the Council website	Remove from list of Approved Duties and Council website
Social Services Complaints & Representations Panel	No record of councillor appointments, but appears on the list of Approved Duties and the Council website as an outside body	Remove from list of Approved Duties and the Council website
Social Services Fostering Panel	Appointment made by the Mayor for 2019/20 (does not appear on the list of Approved Duties, but is on the Council website as an outside body)	Complete audit template and update Approved Duties
South East Enterprises Ltd	No appointment made at Council AGM, but appears on the list of Approved Duties and as an outside body on the Council website	Remove from list of Approved Duties and the Council website
South East London Combined Heat & Power (SELCHP)	Appointment made by the Mayor for 2019/20	Complete audit template
South East London Transport Strategy Group	Appointment made by the Mayor for 2019/20, but the current councillor appointee has advised that this group may no longer be operational	No further appointments to be made – remove from list of Approved Duties
South East London Waste Disposal Group	Appointment made by the Mayor for 2019/20, but RB Greenwich have confirmed that this group has never met (originally a collaborative group set up to support the development of SELCHP; now functions as an SLA between Greenwich and Lewisham that details payment mechanisms between the two authorities regarding the running of the transfer	No further appointments to be made – remove from list of Approved Duties and the Council website

	station and waste transport costs)	
St Mary's Centre – Management Committee	No record of councillor appointments, but appears on the list of Approved Duties	Remove from list of Approved Duties
Standing Advisory Council for Religious Education (SACRE)	Appointment made by the Mayor for 2019/20 (appears twice on the list of Approved Duties)	Complete audit template and update Approved Duties
Thames Gateway London Partnership	Appointment to this organisation is the responsibility of the Executive (as outlined in the Constitution), but no appointment made in 2019/20 – appears on the list of Approved Duties	Executive and Director of Law to advise whether councillor appointments are required – if so, update the Council website
The Albany 2001 – Management Committee	Appointment made by Full Council for 2019/20	Complete audit template
Trinity Laban	Appointment made by Full Council for 2019/20 (does not appear on the list of Approved Duties)	Complete audit template and update Approved Duties
Urban Renaissance In Lewisham SRB Board	Organisation no longer exists, but appears on the list of Approved Duties (Urban Renaissance In Lewisham regeneration programme completed in 2010)	Remove from list of Approved Duties
Voluntary Action Lewisham	Appointment made by the Mayor for 2019/20	Complete audit template
Voluntary Services Lewisham (previously Voluntary Service Association; Forest Hill and Sydenham Voluntary Service Association)	Pending appointment by Full Council for 2019/20 (appears on the list of Approved Duties under previous name)	Complete audit template and update Approved Duties
Wide Horizons Education Trust	Organisation no longer exists, but appears on the list of Approved Duties	Remove from list of Approved Duties
Works Council	Appointment made by the Mayor for 2019/20	To be incorporated into delivery of LDR recommendation #35

6. Legal & Equalities Implications

- 6.1. All legal and equalities implications are outlined in the main LDWG Programme Update Report.

7. Financial Implications

- 7.1. All financial implications are outlined in the main LDWG Programme Update Report.

8. Crime & Disorder Implications

- 8.1. There are no specific crime & disorder implications arising from this report.

9. Environmental Implications

- 9.1. There are no specific environmental implications arising from this report.

If there are any queries about this report, please contact Rosalind Jeffrey (Principal Officer – Policy, Service Design & Analysis) on x47093.

APPENDIX A – Audit Template

AUDIT OF COUNCILLOR APPOINTMENTS TO OUTSIDE BODIES

About Your Organisation

1. What is the purpose of your organisation?

2. What is the legal status of your organisation?

- Company
- Trust
- Charity
- Unincorporated association
- Other

If other, please state below:

3. Please briefly describe your organisation’s governance and decision-making arrangements (including the management of risk).

4. Does your organisation currently have any contracts with or receive any grants from the Council?

- Yes
- No

If yes, please provide details below:

5. Does your organisation currently give grants, awards or other funding to the Council?

- Yes

No

If yes, please provide details below:

6. In what capacity are councillors appointed to your organisation?

- Committee Member
- Trustee
- Company Director
- Representative
- Governor
- Observer/Advisor
- Other

If other, please state below:

7. Are councillor appointments required by law or your organisation's governing instrument (e.g. constitution; trust deed, memorandum and articles of association)?

- Yes
- No

8. What are the key responsibilities of councillors appointed to your organisation?

9. Please outline the frequency, timings and location of meetings.

10. What kind of induction/support is provided to councillors who have been appointed to your organisation?

11. What is the extent of your organisation's insurance/indemnity cover for your members (including councillors)?

12. Does your organisation pay allowances or expenses to councillors?

Yes

No

If yes, please provide details below:

13. Do you have any other comments/feedback about the role of a councillor within your organisation?

Yes

No

If yes, please provide your comments/feedback below:

Please attach a copy of your organisation's Code of Conduct, governing instrument and last annual report/accounts.

Agenda Item 6

Local Democracy Working Group			
REPORT	Improving consultation feedback		
KEY DECISION	No	Item No:	6
WARD	All		
CONTRIBUTORS	Executive Director for Corporate Services		
CLASS	Part 1	Date:	26 September 2019

1. Summary

- 1.1. The purpose of this report is to update the Local Democracy Working Group (LDWG) on changes made to the council's processes and tools to improve feedback on public engagement (**Recommendation #33**).
- 1.2. For the purposes of this report, engagement is being used as an umbrella term, which includes all consultation activity.

2. Recommendations

- 2.1. The Local Democracy Working Group is recommended to:
 - Note the improvements to consultation feedback processes and tools implemented by officers between July and September 2019.

3. Policy context

- 3.1. The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (contained within the new Corporate Strategy 2018-22). Effective decision-making underpins the delivery of every commitment within the strategy and we will continue to work closely with our residents to understand the differing needs of our diverse community. However, the recommendations are particularly relevant under the priorities of:
 - *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us
 - *Building Safer Communities* – every resident feels safe and secure living here as we work together towards a borough free from the fear of crime

4. Background

- 4.1. The report of the Local Democracy Review was presented to Mayor and Cabinet and Full Council in spring 2019. All 57 recommendations were agreed by both bodies and Full Council approved the appointment of eight councillors to the retained Local Democracy Working Group, to oversee delivery of the recommendations during 2019/20.
- 4.2. In June 2019, the LDWG agreed that the implementation of the recommendations of the Local Democracy Review be managed as a single programme of work, which translated the recommendations into a number of related projects and activities.
- 4.3. To ensure democratic accountability, the recommendations were clustered into eight thematic areas with a member of the Working Group acting as a ‘Local Democracy Working Group (LDWG) Champion’ for each area, leading on oversight of the work to deliver the recommendations within their area in between meetings.

LDWG Champion	Open Data & Online Communications
LDWG Champion	Effective Engagement (Inc. Younger/Older People)
LDWG Champion	Language & Reporting
LDWG Champion	Planning
LDWG Champion	Seldom-Heard Voices
LDWG Champion	Place-Based Engagement
LDWG Champion	Overview & Scrutiny (Including Council Meetings)
LDWG Champion	Councillor Roles, Responsibilities & Relationships

- 4.4 Recommendation #33 of the Local Democracy Review, sits within the ‘Effective Engagement’ thematic area (LDWG Champion is Cllr Codd) and states that:

“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”

5. Current process for public engagement

- 5.1 The council needs to engage with service users, residents and other stakeholders on a regular basis.
- 5.2 To ensure that all parties get the most from this public engagement each directorate has an Engagement Lead to provide them with support, advice and best practice guidance. This includes signposting them to the council’s corporate [Engagement guidance 2019](#) and relevant [Intranet](#) pages.
- 5.3 In all instances of public engagement, officers are required to make contact with their Engagement Lead to discuss their proposals and to complete a

[consultation approval form](#). This form details the intended approach to their engagement with the public and helps to ensure that corporate guidelines are being adhered to.

- 5.4 The Engagement Lead adds each new consultation to a Forward Planner to provide collective oversight of engagement activities being undertaken by the council at any given time. The Forward Planner also tracks when consultations are due to close and the anticipated date that feedback will be available to respondents.
- 5.5 Information provided in the consultation approval form is used to create a new consultation on Citizen Space, the dedicated [consultation hub](#) on the council's website.
- 5.6 Citizen Space is a one-stop-shop for profiling all of the council's engagement activity. It is primarily used for online surveys, but can also promote offline activities such as public meetings, exhibitions, drop-in sessions, workshops etc.
- 5.7 Citizen Space is set up to automatically display a message to the public once a consultation has closed and the results are being analysed and reported. The content of this message is customised and relies upon the officer leading the engagement to identify what the next steps will be and describing how the respondent's feedback will be used.
- 5.8 In addition, Citizen Space enables officers to complete the feedback loop with respondents via the "*We asked, you said, we did*" function. This succinctly summarises what the consultation was about (*we asked*), the key feedback received from the public (*you said*), and what the council has done as a result of this (*we did*).
- 5.9 The provision of this feedback can be linked to each closed consultation in Citizen Space. A full set of results can also be added to each closed consultation within Citizen Space by means of a file upload, web link, or free text description.

6. Corporate assurance

- 6.1 Regular oversight of the public engagement process is provided by the directorate Engagement Leads who meet bi-weekly with the Service Group Manager, Policy Development (Policy and Governance). The aims of this meeting are to:
 - a) Review updates to the Forward Planner and discuss all new engagement activities across directorates.
 - b) Enforce corporate standards regarding public engagement activities.
 - c) Share lessons learned and revise corporate guidelines accordingly.

- d) Refresh the council's engagement processes and tools in response to the latest internal and external best practice.
 - e) Liaise with other internal stakeholders (e.g. Communications, Information Governance and Local Assemblies) to ensure a joined-up and compliant approach.
 - f) Identify engagement issues for escalation to the Strategy, Performance and Communications Board (SPCB), Directorate Management Teams (DMT) or the Executive Management Team (EMT).
- 6.2 SPCB meets every six weeks and is chaired by Kevin Sheehan, Executive Director for Customer Services and the council's Lead Officer for engagement. SPCB receive regular reports on engagement issues, including performance reports. Directorate-specific versions of these reports are also presented to DMTs.
- 6.3 The Cabinet Members with responsibilities for public engagement are Cllr Bonavia and Cllr Slater. They are both provided with regular briefings on a bi-weekly or monthly basis by the Director of Corporate Policy and Governance and the Service Group manager, Policy Development (Policy and Governance). These briefings provide an opportunity to discuss issues relating to public engagement, including any concerns regarding feedback processes or tools.

7. Improvements to feedback processes and tools

- 7.1 The critical importance of feedback following public engagement activity is rightly acknowledged in Recommendation #33 of the Local Democracy Review.
- 7.2 Feedback on the outcome of consultations is a valuable way to cement trust with consultees and demonstrates that their contributions are worthwhile and influential. Closing this feedback loop on a routine basis is also likely to result in higher response rates to subsequent consultations
- 7.3 Whilst processes and tools are already in place to encourage the routine 'closing of the loop' on public engagement, there are certainly opportunities for improvement. With this in mind the following 12 changes have been identified and are currently being implemented:
- i. **Annual revisions to corporate policy guidelines** – The Council's Engagement Guidance is updated annually to take account of the latest best practice. The 2019 edition places greater emphasis on the critical importance of feeding back the outcomes of public consultations to respondents and the wider public (see below):

STAGE 7 – Provide feedback

Key Questions	Considerations
Have you provided feedback to everybody that took part?	Make sure that everyone who took part gets to see the feedback – uploading the results onto <i>Citizen Space</i> is the most basic way of doing this. You should also think about how you might feedback your findings to the wider community (e.g. through Lewisham Life , or other community newsletters).
Have you been clear about how their views have been used?	<p>Show that you've listened and provide accessible feedback both on the results of the consultation and how they have been used. Where possible try to be explicit about the way in which people's views have influenced decisions. Where you weren't able to take some views on board try to explain why not.</p> <p><i>'We asked, you said, we did'</i></p> <p>It is essential for all services to provide a short update on the outcome of their consultation. This is published via <i>Citizen Space</i> once the consultation has closed. It summarises what the consultation was about ('We asked'), the feedback that we received ('You said'), and the action that was taken as a result ('We did').</p> <p>Your Engagement Lead will contact you to ensure that this step is completed. By closing the loop in this way, it helps build trust with our consultees and demonstrates that their feedback was worthwhile. This will encourage future participation in council consultations.</p>

- ii. **Revised 'Consultation approval form'** – The 'Consultation approval form' has been completely refreshed and completion is now required online via *Citizen Space*. This has enabled additional emphasis on the importance of feedback. This will be discussed between the relevant Engagement Lead and the officer planning the consultation, in advance of it going live:

What happens next?

Citizen Space is set up to automatically display a message to the public once a consultation has closed and the results are being analysed and reported. It's useful for interested respondents to know what your plans are and when they can expect to learn how the information they submitted will be used.

Please add the 'What happens next?' text in the box below:

[Public consultation feedback form](#)

Once the consultation has closed, your directorate Engagement Lead will email you the [Public consultation feedback form](#) for completion. This standardised form summarises key information about your consultation, including what the results have told us and what happens next. This completed form will then be uploaded onto *Citizen Space* for the public to view.

- iii. **Updated Forward Planner** – The Forward Planner is used by Engagement Leads, DMTs and SPCB to gain oversight of all current or forthcoming engagement activity across the council's directorates. It

acts as a tracking tool to ensure that key process steps are adhered to by officers planning public engagement. The Forward Planner has been updated to ensure that feedback on completed engagement activity is undertaken. This includes the identification of offline feedback and feedback via existing channels outside of Citizen Space (e.g. School's Mailing List). This will be reviewed by Engagement Leads at their bi-weekly meetings, with follow-ups to relevant officers whenever feedback has not been communicated to publicised timelines:

Service Area	Main Contact	Consultation Title	Consultation Description	Approval Form	Start Date	End Date	Duration	Predicted Response	Actual Response	Reporting to (inc. date)	Public consultation feedback form uploaded to	Completion of "We asked, you said, we did" on Citizen Space	Public feedback via other channels, including offline
Adults Joint Commissioning	Cheryl Reynolds	Healthwatch and the NHS Complaints Advocacy Service	This consultation is about involving the public in the design, commissioning and delivery of health and care services. It aims to capture the views of residents and stakeholders in order to shape a new service specification for a Healthwatch and NHS Complaints Advocacy Service.	Y	01/07/19	10/08/19	6 weeks	30	18	Associate Director of Joint Commissioning (14 Aug 2019)	04/09/19	04/09/19	N/a

- iv. **Enforcement of “We asked, you said, we did”** – The simplest and quickest way of providing feedback to respondents and the wider public is the completion of the “We asked, you said, we did” section within Citizen Space following a completed engagement activity. To date this functionality has not been used to full effect. The revised policy guidance, consultation approval form and Forward Planner will all be used to enforce completion by officers. Completion rates will be monitored by Engagement Leads and reported to both DMTs and SPCB on a quarterly basis. An example of this being used in practice can be seen below with a recent Joint Commissioning consultation:

We Asked

This consultation was about involving the public in the design, commissioning and delivery of health and care services. It aimed to capture the views of residents and stakeholders in order to shape a new outline for a Healthwatch and NHS Complaints Advocacy Service.

The current contract for the provision of a local Healthwatch and Complaints Advocacy Service is due to expire on the 31st March 2020. Before a new contract is awarded, we asked for your views on the current service and the ways in which it might be improved.

You Said

In total there were 18 responses to the survey which included the following suggested improvements to the existing service:

- Wider advertising for the services that Healthwatch provides.
- Strengthening of verbal communication by Healthwatch.
- Better engagement with the public so that their views are reflected in the development of health-related services.
- Increased funding for Healthwatch.
- More outreach support.
- Improved availability of support from Healthwatch.

We Did

Feedback to all questions within the survey has now been shared with the Associate Director of Joint Commissioning and the suggestions for improvement have influenced the 'service specification', a key document that will inform the re-procurement of the contract.

- v. **Introduction of a ‘Public consultation feedback form’** – following the end date of a public consultation the directorate Engagement Lead will forward the ‘Public consultation feedback form’ to the relevant officer for completion. The completed form will then be uploaded to Citizen

Space. This will ensure that there is a standardised set of key information available to the public on all closed consultations.

Public consultation feedback form

<p>1. What was the title of this consultation? Enter the title of the consultation as it appeared to the public.</p>
<p>2. Why were we consulting? Briefly state the reason that we were consulting with the public on this issue.</p>
<p>3. When did we consult with you? State the period during which the consultation took place.</p>
<p>4. How did we consult? List all the different methods that were used to consult.</p>
<p>5. How many responses did we receive to this consultation? Enter the total number of responses that were received to this consultation. Provide a demographic breakdown of respondents whenever this data has been captured.</p> <p>Where there have been organisational responses then list these separately. <i>Example - We received 500 responses in total, 3 of which were organisational responses from the following:</i></p> <ul style="list-style-type: none"> • Charity A • Community group B • Local business C
<p>6. What did the responses tell us?</p> <ul style="list-style-type: none"> • Provide a summary of the results for each question, in the same order that they were asked in the consultation. • Summary should include statistical results for all quantitative or 'closed' questions and a summary of the most common themes from any qualitative or 'open' questions. Where results graphs for quantitative questions are available from Citizen Space then these should be used for clarity. Speak with your directorate Engagement Lead for assistance if needed. • Responses from the public should always remain anonymous. However if there has been an obvious campaign or lobbying action to influence responses, then this should be noted. If there have been written responses from organisations outside of the main consultation method(s), then these should also be noted.
<p>7. What happens next?</p> <ul style="list-style-type: none"> • Which decision-makers will these consultation results go to and on what date? • What specific decision will these consultation results influence and to what extent? • If these consultation results are not going to formal decision-makers then how will they be used and by whom? • How can the public find out how this consultation has made a difference i.e. what has changed as a result of their feedback?

- vi. **Enable 'Mailing List' function on all consultations** – Online survey consultations provide the option for respondents to opt-in to a mailing list once they have completed their response. This mailing list can be used to keep respondents informed about the progress of the consultation, for example when results are published. This function will be enabled on all consultations, so that results can be emailed directly to respondents once they are available.

Receipt (optional)

If you provide an email address you will be sent a receipt and a link to a PDF copy of your response.

Email address:

Please tick this box if you would like to be alerted when the results of this consultation are published.

- vii. **Lessons learned reported to SPCB quarterly** – As part of their bi-weekly meetings, the directorate Engagement Leads will identify examples, both strong and weak, of closing the engagement feedback loop with respondents and the wider public. These examples will be collated and reported back to SPCB on a quarterly basis in the form of lessons learned.
- viii. **Revised focus in quarterly updates to DMTs** – A quarterly consultation dashboard is currently presented to each DMT. In addition to lessons learned (see above), the dashboard will also be updated to include the number of consultations for which results have been published and the volume of “*We asked, you said, we did*” updates on Citizen Space.
- ix. **Better use of Lewisham Life** – The Lewisham Life e-newsletter is widely distributed to Lewisham residents. Going forward the e-newsletter will be used more frequently to profile closed consultations and the impact that respondent’s feedback has had on decision-making and service development. This will include links to new “*We asked, you said, we did*” updates on Citizen Space.

The magazine edition of Lewisham Life is published quarterly and sent to every household in the borough. Engagement Leads will identify highly topical, innovative or long-running consultations that can be profiled in the magazine. These will be collated and sent to lewishamlife@lewisham.gov.uk as appropriate.
- x. **Regular attendance by Comms at Engagement Leads meeting** – A representative from the Communications Team will be invited to permanently join the Engagement Leads meeting to help identify innovative and effective ways of feedback on engagement activity to a wider public audience.
- xi. **More robust monitoring of dedicated inbox**– The email address consultation@lewisham.gov.uk has been set up to provide members of the public with a direct channel to contact the directorate Engagement Leads. To ensure that this email inbox is regularly monitored and that responses to the public are provided in a timely manner, a weekly rota has been set up with named accountability for performing this task. Any emails regarding insufficient feedback on closed engagement activities will be escalated accordingly:

Contact

Policy, Service Design and Analysis

Telephone:  020 8314 7148

Email:  consultation@lewisham.gov.uk

- xii. **Annual review meeting with Delib** – Citizen Space is provided by Delib. Engagement Leads now meet with the Delib account manager on an annual basis to review our use of the tool, identify areas for improvement and share requests for new or improved functionality. An annual report on the council's use of Citizen Space is also provided by Delib. This highlights good practice and also provides data on the number of results published within Citizen Space and the number of times '*We asked, you said, we did*' has been used. This review also provides us with an opportunity to learn how other organisations using Citizen Space are feeding back effectively to respondents and to a wider audience.

7.4 A summary of these changes can be seen in the table below:

Improvements to engagement feedback processes and tools			
Stage	Frequency		
	Weekly/Monthly	Quarterly	Yearly
Pre-engagement	<ul style="list-style-type: none"> Updated Forward Planner Revised Consultation approval form Regular attendance by <u>Comms</u> at Engagement Leads meeting 		<ul style="list-style-type: none"> Revisions to corporate policy guidance
Post-engagement	<ul style="list-style-type: none"> More robust monitoring of dedicated inbox Better use of Lewisham Life Enforcement of "<i>We asked, you said, we did</i>" Introduction of Public consultation feedback form Enable 'mailing list' function on all consultations 	<ul style="list-style-type: none"> Revised focus on feedback in DMT updates Lessons learned reported to SPCB 	<ul style="list-style-type: none"> Annual review meeting with Delib

8. Legal & equalities implications

- 8.1. 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.
- 8.2. 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
- 8.3. 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.
- 8.4. 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.
- 8.5. 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>
- 8.6. 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

8.7. 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>

9. Financial implications

9.1. There are no specific financial implications arising from this report.

10. Crime & disorder implications

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

11. Environmental implications

11.1. There are no specific environmental implications arising from this report.

If there are any queries about this report then please contact Stewart Weaver-Snellgrove (Principal Officer, Policy, Service Design and Analysis) on x49308 or email stewart.weaver-snellgrove@lewisham.gov.uk.

Local Democracy Working Group			
REPORT	Stakeholder engagement in the Neighbourhood Community Infrastructure Levy process		
KEY DECISION	No	Item No:	7
WARD	All		
CONTRIBUTORS	Executive Director for Community Services		
CLASS	Part 1	Date:	26 September 2019

1. Purpose

- 1.1. The purpose of this report is to update the Local Democracy Working Group (LDWG) on the proposed approach to stakeholder engagement in support of the Neighbourhood Community Infrastructure Levy process.

2. Recommendations

- 2.1. The Local Democracy Working Group is recommended to:
- Note the contents of this report.

3. Policy context

- 3.1. The recommendations of the Local Democracy Review are consistent with all the Council's corporate priorities (contained within the new Corporate Strategy 2018-22). Effective decision-making underpins the delivery of every commitment within the strategy and we will continue to work closely with our residents to understand the differing needs of our diverse community. However, the recommendations are particularly relevant under the priorities of:
- *Open Lewisham* – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us
 - *Building Safer Communities* – every resident feels safe and secure living here as we work together towards a borough free from the fear of crime

4. Background

- 4.1. The report of the Local Democracy Review was presented to Mayor and Cabinet and Full Council in spring 2019. All 57 recommendations were agreed by both bodies and Full Council approved the appointment of eight councillors to the retained Local Democracy Working Group, to oversee delivery of the recommendations during 2019/20.
- 4.2. In June 2019, the LDWG agreed that the implementation of the recommendations of the Local Democracy Review be managed as a single programme of work, which translated the recommendations into a number of related projects and activities.

4.3. To ensure democratic accountability, the recommendations were clustered into eight thematic areas with a member of the Working Group acting as a ‘Local Democracy Working Group (LDWG) Champion’ for each area, leading on oversight of the work to deliver the recommendations within their area in between meetings.

LDWG Champion	Open Data & Online Communications
LDWG Champion	Effective Engagement (Inc. Younger/Older People)
LDWG Champion	Language & Reporting
LDWG Champion	Planning
LDWG Champion	Seldom-Heard Voices
LDWG Champion	Place-Based Engagement
LDWG Champion	Overview & Scrutiny (Including Council Meetings)
LDWG Champion	Councillor Roles, Responsibilities & Relationships

4.4 Recommendations #38 and #39 of the Local Democracy Review, sits within the ‘Place-Based Engagement’ thematic area (LDWG Champion is Cllr Elliott) and state that:

“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”

And

“As part of further developing a place-based engagement and involvement approach.....a model of citizen assemblies should be considered, initially in relation to discussions around the allocation of CIL funds”

5. Community Infrastructure Levy (CIL)

5.1 CIL is a levy that local authorities can choose to charge on new development in their area, enacted through the Community Infrastructure Levy Regulations 2010 (as amended) (‘the Regs’).

5.2 Local authorities must spend the levy on a wide range of infrastructure needed to support the development of their area such as schools, hospitals, roads, open space and leisure facilities, though not affordable housing. CIL funding is primarily intended to fund new infrastructure rather than to remedy pre-existing deficiencies.

5.3 Details of how priorities should be identified and CIL spent are not outlined in the CIL Regs, however Planning Practice Guidance (‘the PPG’) has been published which accompanies the Regs and provides further guidance on the Government’s expectations.

5.4 In line with the Regs and the PPG, the following was proposed and [agreed](#) by Council (24 July 2019) on the functioning of the neighbourhood CIL (NCIL) within Lewisham:

“That the council uses the structures, processes and capacities that exist within the current local assemblies and member structure, with a process for identifying local priorities with communities that occurs every four years, a project bank of suitable projects identified every 1-2 years, with allocations to individual projects occurring on an annual basis.”

6. Neighbourhood CIL (NCIL)

- 6.1 NCIL funds must be used ‘to support the development’ of an area through:
- a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - b) anything else that is concerned with addressing the demands that development places on an area.
- 6.2 The amount of NCIL collected since implementation of the CIL regime in Lewisham is £1,393,099 (15% of CIL for the financial years 2015/16, 2016/17, and 2017/18).
- 6.3 The council does not perform any projections of future CIL receipts since payment of the levy is made upon commencement of development, and this is not something that is monitored by the council. However, given the levels of residential growth projected in Lewisham over this coming years, coupled with the proposals to increase the rate of CIL charged, it is likely that there will continue to be a sustained level of CIL receipts over the medium-term.
- 6.4 It has now been agreed by council that 25% of CIL will be allocated to neighbourhoods in Lewisham (up from the current 15%). Allocating 25% will allow for greater local involvement in a meaningful way, as well as providing communities with sufficient resources to address the local impacts of development in a more comprehensive manner.
- 6.5 Wards will be used as the neighbourhoods for the purposes of CIL. This aligns with the government’s guidance to use existing community consultation and engagement processes, and enables the council to build on the existing competencies, local capacities, local assemblies’ process, and the political representation that exists through elected members.
- 6.6 It is recognised that the function of ward assemblies will need to change significantly from their current role to form part of the NCIL process. In regards to this, the council will be working with assemblies and the wider population of residents within each ward (levering the communication tools at the council’s disposal) to enable the process to be suitably engaging and far reaching and accessible, and will explore more detailed options for the use of different mechanisms and platforms to achieve this.
- 6.7 It has been agreed by council that some form of financial redistribution be undertaken, recognising that the impacts of development are not restricted to the administrative boundary of wards, that diverse communities function across ward boundaries, and that to address the local impacts of development it is often necessary to develop more comprehensive projects and programmes at a greater scale.
- 6.8 Council has agreed that a redistributions strategy be implemented (based on a 25% allocation to NCIL) with distribution of: 50% collected in ward retained by the ward, 25% allocated by reference to rankings of wards by the Indices of Multiple Deprivation, and 25% allocated to a borough wide fund. Please note that the IMD rankings may need to be reviewed in more detail before a final allocation is made.
- 6.9 The process proposed is set to a medium-term financial strategy and 4 year cycle, and considers the financial and legal constraints applied to CIL. Each financial year once CIL receipts are known for that period, the council would publish updated figures and send a briefing note to all local assemblies and members on remaining funds, projects approved, completed, and in progress.

7. NCIL funding allocation – key process stages

7.1 The following six-stage process in the allocation of NCIL receipts has now been agreed by council:

- i. STAGE 1: **Priority setting** – Ward priority ‘themes’ set by community through local assemblies with members.
- ii. STAGE 2: **‘Open call’ for projects** – project proposals identified by communities, local assemblies and members which are submitted directly to the Council website.
- iii. STAGE 3: **Evaluate projects and publish long-list** – council officers assess, filter and group projects from the open call into a long-list which is published by the council.
- iv. STAGE 4: **Develop ‘project bank’** – prioritisation of long-list by the community via local assembly with members, which is then published by the council.
- v. STAGE 5: **Allocate and delivery** – all projects allocated through PID process via Regeneration and Capital Delivery Board for the ward-level fund and through Mayor and Cabinet for the borough-level fund, in accordance with available CIL receipts.
- vi. STAGE 6: **Monitoring, evaluation and reporting** – yearly monitoring to take place by means of the Annual Monitoring Report.

7.2 Further details on each of these six stages can be found in Appendix A (p10), with borough fund and ward fund framework criteria outlined in Appendix B (p12).

8. Local assemblies and member involvement

8.1 The council is seeking to put communities at the centre of the NCIL process. The use of wards and local assemblies will help to facilitate this engagement and the functioning of the NCIL process since the structure of wards aligns to the system of elected members and relates to existing political and administrative structures of the council.

8.2 This approach also aligns to the CIL Regulations 2010 (as amended) and the government’s Planning Practice Guidance on CIL which states that councils should:

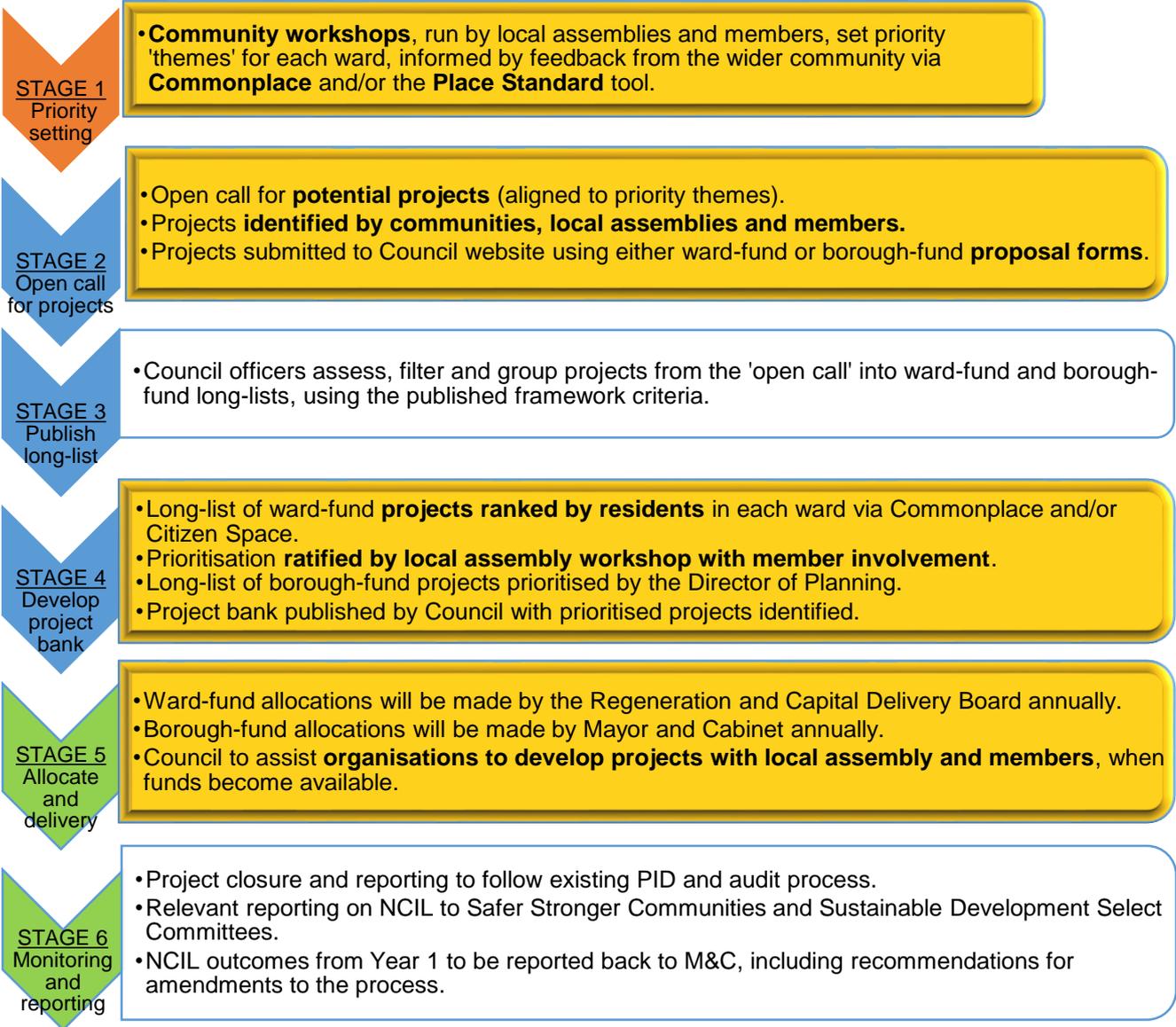
- Set out clearly and transparently an approach to engaging with neighbourhoods using their regular communication tools.
- Using existing community consultation and engagement processes.
- Be proportionate to the level of levy receipts and the scale of the proposed development to which the neighbourhood funding relates.
- Ensure that the use of neighbourhood funds should match priorities expressed by local communities, including priorities set out formally in neighbourhood plans.

8.3 By developing the role of the local assemblies to include working to facilitate the NCIL process with the council and more widely with communities, the council will build on the existing competencies and local capacities of assemblies and the assemblies’ team, as well as leveraging the political representation that exists through elected members. Alongside this at all stages the engagement process will be implemented so as to reach out to diverse communities and use a variety of accessible platforms.

8.4 As elected ward representatives members are central to the NCIL process and will be involved in setting local priorities and developing project proposals. The involvement of members will also be essential in assisting communities in considering how NCIL projects could support the wider work of the council in delivering on key corporate priorities.

9. Stakeholder engagement

9.1 The **bolded text** in the graphic below highlights the key opportunities for stakeholder engagement throughout the six-stage NCIL process:



9.2 Stakeholder engagement is embedded throughout the NCIL process. Whilst the intention is to utilise existing mechanisms where possible, there are also opportunities to trial new approaches in an effort to involve a more diverse and comprehensive range of local voices within current budgetary restraints.

9.3 Suggested new approaches include:

- Use of **Commonplace**, an online platform, to help stakeholders identify priority themes (NCIL Stage 1) and also to rank or prioritise the ward-fund projects from the long-list (NCIL Stage 4). Use of the Commonplace platform will help us to:
 - Broaden our reach with more diverse views and a balanced understanding of community needs.
 - Real time community feedback allowing us to focus resource, inform plans, and simplify reporting.
 - Build trusted relationships with stakeholders by engaging early and openly to set out and shape plans with maps and visuals.
- Use of **Place Standard** tool (paper or online), to help stakeholders identify priority themes (NCIL Stage 1). It provides a simple framework, consisting of 14 questions which cover both the physical and social elements of a place. Results show at a glance, the areas where a place is performing well and where there is room for improvement.
- Reaching and empowering **seldom-heard groups** and **young people** (13yrs+) in the NCIL decision-making process through newly co-designed and improved engagement mechanisms (see LDR Recommendations #31 and #40).

9.4 The table below provides further detail on stakeholder engagement at the relevant stages of the NCIL process, including the corresponding engagement outputs:

NCIL stage	Frequency of engagement	Engagement purpose	Ward or borough level?	Stakeholders for engagement	Engagement method(s)	Engagement outputs
1	Annual or biennial or in response to ward boundary changes	Setting priority 'themes' for each ward	Ward	<ul style="list-style-type: none"> • Residents • Businesses • Community groups • Seldom-heard * • Young people (13yrs+)** • Local assemblies • Ward members 	Use of Commonplace and/or the Place Standard tool to seek wider community feedback (Step 1) Community workshop facilitated by local assembly (Step 2)	Ward priorities identified, agreed and published.
2	Annual or biennial	Open call for potential NCIL projects in alignment with priority themes	Borough and ward	<ul style="list-style-type: none"> • Residents • Businesses • Community groups • Seldom-heard * • Young people (13yrs+)** • Local assemblies • Ward members 	Proposal form submitted via Citizen Space on Council website	Long-list of ward-fund and borough-fund projects
4	Annual or biennial	Prioritisation of NCIL ward-fund projects	Ward	<ul style="list-style-type: none"> • Residents • Businesses • Community groups • Seldom-heard * • Young people (13yrs+)** • Local assemblies • Ward members 	Use of Commonplace and/or Citizen Space to rank long-list projects (Step 1) Community workshop facilitated by local assembly (Step 2)	Prioritisation of ward-fund projects from long-list
5	Annual	Development of NCIL projects once funds available	Borough and ward	<ul style="list-style-type: none"> • Project-owners within local communities 	Council assistance with PID completion with local assemblies and ward members	PIDs submitted and NCIL fund allocations made

* Learning from LDR Recommendation #31 will be adopted to improve engagement with seldom-heard groups

** Learning from LDR Recommendation #40 will be adopted to improve engagement with young people (13yrs+)

9.5 Whilst Recommendation #39 of the Local Democracy Review indicated that “a model of citizen assemblies should be considered, initially in relation to discussions around the allocation of CIL funds”, upon further exploration it has been determined that this will not be a cost-effective approach. Citizen assemblies are resource-intensive and to replicate these at a ward-level would not be financially feasible. Whilst a citizen assembly could be used to prioritise the long-list of projects for the borough-level

NCIL fund, this activity has already been attributed to the Director of Planning with ratification by Mayor and Cabinet, as part of the NCIL process agreed by council on 24 July 2019.

- 9.6 However, the use of citizen assemblies in Lewisham will still be considered but in relation to other complex and challenging issues rather than in support of the NCIL process (see separate LDWG agenda item).

10. Legal implications

- 10.1 Regulation 59 of the Community Infrastructure Levy Regulations 2010 requires that a charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. Section 216 of the Planning Act 2008 defines infrastructure as including—
- (a) roads and other transport facilities,
 - (b) flood defences,
 - (c) schools and other educational facilities,
 - (d) medical facilities,
 - (e) sporting and recreational facilities, and
 - (f) open spaces
- 10.2 Regulation 59F provides that where all or part of a chargeable development is in an area which is not a parish council then a charging authority, which in this instance is the council, may use or cause to be used the CIL which would have had to have been passed to a parish council, to support the development of the area by funding:
- the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - anything else that is concerned with addressing the demands that development places on an area.
- 10.3 As there is no parish council in Lewisham this applies to its entire area.
- 10.4 The CIL receipts that would have had to be passed to the council if there was a parish council are as set out in Regulations 59A and 59B. This amounts to 25 per cent of the relevant CIL receipts in England, either where all or part of a chargeable development is within an area that has a neighbourhood development plan in place or where all or part of a chargeable development -
- (a) is not in an area that has a neighbourhood development plan in place; and
 - (b) was granted permission by a neighbourhood development order made under section 61E or 61Q (community right to build orders) of TCPA 1990, and 15 per cent elsewhere.
- 10.5 The relevant CIL receipts are the proportion of CIL received in relation to a development equal to the proportion of the gross internal area of the development that is relevant development in the area, and the total amount of CIL receipts passed shall not exceed an amount equal to £100 per dwelling in the area of the local council multiplied by IA in each financial year
- 10.6 Currently as there are no neighbourhood plans in place the broader power to apply CIL in accordance with the provisions of Reg 59F is limited to 15 per cent of receipts.

- 10.7 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 10.8 In summary, the council must, in the exercise of its function, have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) foster good relations between people who share a protected characteristic and persons who do not share it.
- 10.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 10.10 The Equality and Human Rights Commission has recently 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/publication-download/technical-guidance-public-sector-equality-duty-england>
- 10.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 10.12 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>

11. Crime and disorder implications

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

12. Equalities implications

- 12.1 The council's Comprehensive Equality Scheme for 2016-20 provides an overarching framework and focus for the council's work on equalities and helps ensure compliance with the Equality Act 2010.
- 12.2 An equalities analysis was undertaken as part of the preparation of the council's existing CIL charging schedule. In accordance with the Equality Act 2010, the analysis considers the potential impacts of the charging schedule on those groups identified within the Act as having protected characteristics.
- 12.3 The Council needs to be mindful that the NCIL funds are allocated and spent fairly and equally across different types of infrastructure and the geography of the borough.
- 12.4 The stakeholder engagement process underpinning NCIL also needs to ensure that a diverse and comprehensive array of voices participate in the project submission, prioritisation and decision-making processes. This must include those considered to be seldom-heard.

13. Environmental implications

- 13.1 Environmental issues are at the heart both of the planning process and the delivery of supporting infrastructure. Although the proceeds from NCIL do not have to be specifically spent on environmental projects, it is fair to assume that over time environmentally beneficial infrastructure projects will receive funding from NCIL following stakeholder engagement.

14. Financial implications

- 14.1 The increase of CIL allocation to the NCIL process (from 15% to 25%) increases the funds available at a borough and ward level. As the council does not perform any projections of future CIL receipts since payment of the levy is made upon commencement of development, it is not possible to quantify the value of the additional funding that will flow through the NCIL process.
- 14.2 The increased responsibilities of officers, local assemblies and ward members in supporting the NCIL process will place additional demands on existing resources that need to be considered, as will the requirement to develop and test new mechanisms to improve stakeholder engagement activities.
- 14.3 If utilised, the Place Standard tool is free of charge. The Council has also procured a corporate license for the use of Commonplace and so this will not be an additional cost.

15. Conclusion

- 15.1 The Local Democracy Working Group is recommended to note the contents of this report.

If there are any queries about this report then please contact Stewart Weaver-Snellgrove (Principal Officer, Policy, Service Design and Analysis) on x49308 or email stewart.weaver-snellgrove@lewisham.gov.uk.

APPENDIX A – NCIL allocation process

<p>STAGE 1: Priority Setting (four year cycle) - Ward priorities ‘themes’ set by community through the local assemblies with members</p>
<ul style="list-style-type: none"> • Organised by ward, using local assembly and member structure • council published guidance on NCIL process and expectations • member and local assembly briefings • Publish background/contextual information for each ward (Corporate Strategy 2018-2022, relevant evidence bases, Local Plan policies, council capital programme etc.) • Publish financial information on available NCIL amounts per ward • Priority ‘themes’ for each ward set at workshop with community run by local assembly and members (with council support) • Inclusion of Neighbourhood Plan priorities within process (where applicable, including across wards if neighbourhood plans are cross boundary) • Priorities required to be broadly consistent with Corporate Plan 2018-2022, and Local Plan
<p>OUTCOME: Ward priorities identified, agreed and published – to cover four year period</p>

<p>STAGE 2: ‘Open call’ for projects (biennial or annual process – ward assembly to decide) - ‘Open call’ for projects directly submitted to council’s website</p>
<ul style="list-style-type: none"> • Open call for project proposals • Submissions via online NCIL project proposal Form A (for ward fund) or Form B (for borough fund); for ward fund applicant must be resident in that ward, for borough fund applicant must be Lewisham resident • Proposals to ‘ward fund’ to address NCIL framework criteria: <ol style="list-style-type: none"> 1. Meet the CIL Regulations (Reg 59 and/or 59F) ‘to support the development’ of an area through: <ol style="list-style-type: none"> A. the provision, improvement, replacement, operation or maintenance of infrastructure; or, B. anything else that is concerned with addressing the demands that development places on an area. 2. Provide evidence of how they address a local priority from the priority setting workshop 3. Provide evidence of a benefit to a Lewisham community 4. Offer value for money • Additional information for borough fund applications submitted to cover: <ol style="list-style-type: none"> 5. Reflect priorities identified in: <ul style="list-style-type: none"> ○ The Corporate Strategy 2018-2022 ○ The Local Plan ○ The Infrastructure Delivery Plan (IDP) ○ Capital Programme ○ Other key council plans 6. Project funding 7. Project delivery • Proposals to ‘borough fund’ to address NCIL framework criteria: <ol style="list-style-type: none"> 1. Meet the CIL Regulations (Reg 59 and/or 59F) ‘to support the development’ of an area through: <ol style="list-style-type: none"> A. the provision, improvement, replacement, operation or maintenance of infrastructure; or, B. anything else that is concerned with addressing the demands that development places on an area. 2. Align with a priority within the Corporate Strategy 2018-2022 3. Will make a significant contribution to two or more wards and/or have significant borough wide value

<ul style="list-style-type: none"> 4. Will make a significant contribution to addressing issues of deprivation (where necessary taking into consideration the Indices of Multiple Deprivation) 5. Offer value for money • Additional information for borough fund applications submitted to cover: <ul style="list-style-type: none"> 6. Project funding 7. Project delivery • Projects submitted direct to council via online form
OUTCOME: Potential projects identified by communities, local assemblies and members

STAGE 3: Evaluate projects and publish long-list (biennial or annual process – ward assembly to decide) - council officers assess, filter and group projects from the open call into a long-list
<ul style="list-style-type: none"> • Evaluate project proposals against published ‘framework criteria’ identified above • Proposals scored ‘met’/‘not-met’ against each criteria (scores do not assess merits of application and are only used to ensure that the council is meeting its legal obligations as set out in the CIL Regulations 2010 (as amended), and that any proposed spending of CIL meets the council’s finance and accounting obligations) • council to publish long-list of projects
OUTCOME: Long-list published by council

STAGE 4: Develop ‘project bank’ (biennial or annual process – ward assembly to decide) - Prioritisation of long-list by the community via local assembly with members
<ul style="list-style-type: none"> • Prioritisation of long-list projects for the ward fund via a public vote of residents in each ward, ratified by the ward assembly with member involvement at a workshop • Projects for the borough fund prioritised by the Director of Planning • Where NCIL funds are not sufficient to deliver the top priority projects, ward assemblies to decide if they will fund lower priority projects, part of a project, or wait until further funding becomes available • council to publish project bank with prioritised project list
OUTCOME: Project bank published by council with prioritised projects identified

STAGE 5: Allocate and delivery (annual process) - All projects allocated through PID process through Regeneration and Capital Delivery Board (RCDB) for the ward fund, and Mayor & Cabinet for the borough fund
<ul style="list-style-type: none"> • Allocation process to follow existing PID process for finance and legal audit • council to assist organisations to develop projects with local assembly and members as projects and funds are available (CIL funding information updated annually) • Allocations set through PID process to either ward fund or borough fund; when funding is available ward allocations will be made annually by RCDB, and borough allocations by Mayor & Cabinet annually • Project delivery to follow existing finance and legal audit process
OUTCOME: PIDs submitted and allocations made aligned to available CIL receipts

STAGE 6: Monitoring, evaluation and reporting (annual)
<ul style="list-style-type: none"> • Project closure and reporting to follow existing PID reporting and audit process • Reporting incorporated into existing AMR process • Relevant reporting on NCIL/AMR to Safer Stronger Communities Select Committee and Sustainable Development Select Committee • Review mechanism (year one only); NCIL outcomes from year one to be reported back to M&C including any recommendations for amendments to the process
OUTCOME: Yearly monitoring through AMR

Appendix B – NCIL framework criteria

1. **Ward fund framework criteria** - All projects must demonstrate that they:

- Meet the CIL Regulations ‘to support the development’ of an area through:
 - the provision, improvement, replacement, operation or maintenance of infrastructure; or,
 - anything else that is concerned with addressing the demands that development places on an area.
- Provide evidence of how they address a local priority from the priority setting workshop.
- Provide evidence of a benefit to a Lewisham community.
- Offer value for money.

Proposals that are identified in an adopted Neighbourhood Plan will still have to complete a project proposal form, however they will not have to address criteria two on local priorities, as they will have already been subject to a referendum.

To facilitate the process of prioritising projects applications will also have to provide additional information on the corporate priorities the project addresses, and details on project funding and project delivery. These will not be scored, however they will assist communities in better understanding proposals, and in determining priorities for NCIL spending.

All projects must provide additional information to demonstrate how they reflect priorities identified in:

- The Corporate Strategy 2018-2022
 - The Local Plan
 - The Infrastructure Delivery Plan (IDP)
 - Capital Programme
 - Other key council plans
- Project funding
- Project delivery

2. **Borough fund framework criteria** - The borough fund is a fund that the council will allocate to projects that will benefit two or more wards, or the entire borough. As such all projects must demonstrate that they:

- Meet the CIL Regulations ‘to support the development’ of an area through:
 - the provision, improvement, replacement, operation or maintenance of infrastructure; or,
 - anything else that is concerned with addressing the demands that development places on an area.
- Align with a priority within the Corporate Strategy 2018-2022.
- Will make a significant contribution to two or more wards and/or have significant borough wide value.
- Will make a significant contribution to addressing issues of deprivation (where necessary taking into consideration the Indices of Multiple Deprivation).
- Offer value for money.

Additional information is required for applications to the borough fund that will not be scored. This information will assist the council in better understanding proposals, and in determining priorities for NCIL spending. All projects must provide additional information to demonstrate project funding and project delivery.