

Local Democracy Working Group			
REPORT	Delivering The Recommendations Of The Local Democracy Review: Update Report		
KEY DECISION	No	Item No:	3
WARD	All		
CONTRIBUTORS	Executive Director For Resources & Regeneration		
CLASS	Part 1	Date:	17 th July 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 first meeting of the 2019/20 Local Democracy Working Group (LDWG) in May 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. All 57 recommendations made by the Local Democracy Review were agreed by Mayor & Cabinet and Full Council in spring 2019. Following this, officers worked to develop a proposed delivery approach, which was presented to the renewed LDWG at their first meeting on 29th May 2019.

4.2. 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.

4.3. The table below lists the LDWG Champion and second member for each thematic area, as agreed by the LDWG:

Thematic Area	LDWG Champion	Second Member
Open Data & Online Communications	Cllr Bonavia	Cllr Davis
Effective Engagement (Inc. Younger/Older People)	Cllr Codd	Cllr Elliott
Language & Reporting	Cllr Kelleher	Cllr Best
Planning	Cllr Davis	Cllr Bonavia
Seldom-Heard Voices	Cllr Campbell	Cllr Sheikh
Place-Based Engagement	Cllr Elliott	Cllr Codd
Overview & Scrutiny (Including Council Meetings)	Cllr Sheikh	Cllr Campbell
Councillor Roles, Responsibilities & Relationships	Cllr Best	Cllr Kelleher

5. Work To Date & Proposed Next Steps

5.1. Named officers within Corporate Policy and Governance have been allocated to support individual LDWG Champions with the delivery of projects and activities across their thematic area. Officers from other key services, including Communications, Planning and Licensing, have also been identified to support specific recommendations (mainly within the thematic areas of Open Data & Online Communications and Planning).

5.2. The table below summarises work to date across each of the thematic areas and proposed next steps. More detail can be found in the updated Programme Plan attached at Appendix A.

Thematic Area	Work To Date (May-July)	Proposed Next Steps (July-Sept)
Open Data & Online Communications	<ul style="list-style-type: none"> ▪ Newly appointed Head of Communications engaged with the priorities of the review – work underway to align the development of a strategic Comms strategy and Comms resourcing plans, with the delivery of both the Corporate Strategy and the LDR recommendations ▪ Lead Comms officer allocated to support the review ▪ Initial meeting between Director of IT and officer supporting the Open Data recommendation – desktop research on different approaches/mechanisms underway 	<ul style="list-style-type: none"> ▪ Update LDR website (information on the delivery of recommendations) ▪ Support the delivery of other recommendations with comms elements ▪ Develop detailed delivery timeline for Online Communications recommendations (aligned with and, where appropriate, delivered via a strategic Comms strategy) alongside a timeline for revising Comms resourcing ▪ Visit Bristol City Council to explore their approach to Open Data (including challenges and resource implications)

<p>Effective Engagement (Including Younger/Older People)</p>	<ul style="list-style-type: none"> ▪ Initial meeting between LDWG Champion/second member and officers supporting the thematic areas of Effective Engagement and Place-Based Engagement – reviewed recommendations to ensure common understanding and identification of priorities ▪ Review of the functionality and processes within Citizen Space (the Council’s online engagement portal) to improve respondent feedback underway (#32) ▪ Desktop research on engagement with children and young people (e.g. examples of best practice, approaches for various age groups, different platforms) underway 	<ul style="list-style-type: none"> ▪ Review the following: <ul style="list-style-type: none"> ○ Existing public information on how the Council works and the roles and responsibilities of councillors and officers (#4) ○ Local communication channels used in the dissemination of information to the public (#16) ○ Corporate policy and processes re: consultation feedback to respondents (#32) ▪ Undertake desk-based research on best practice in other local authorities re: <ul style="list-style-type: none"> ○ Use of council surgeries, partnership surgeries and virtual surgeries (#17) ○ Provision of consultation feedback to respondents (#32) ▪ Design and implement stakeholder consultation with councillors, officers and citizens to assess: <ul style="list-style-type: none"> ○ Levels of understanding on the role and function of the council and identify gaps in knowledge (#4) ○ Improvements to citizen access to information, councillors and officers (#16) ○ Expansion of the councillor surgeries model (#17) ▪ Complete desktop research on engagement with children and young people & develop a proposal for testing new approaches during the Young Mayor election cycle
<p>Language & Reporting</p>	<ul style="list-style-type: none"> ▪ Initial meeting between LDWG Champion/second member and officer supporting this area took place in June – developed detailed delivery plan for recommendations which have been grouped into five projects 	<ul style="list-style-type: none"> ▪ ‘Report template’ project – complete draft template and develop tools to monitor compliance ▪ ‘Reporting guide’ project – produce draft reporting guide based on research and best

	<p>(report template, reporting guide, feedback mechanism, democratic standards and publishing decisions)</p> <ul style="list-style-type: none"> ▪ Meetings held with officers in Communications and Governance teams in early July to establish their involvement in Language & Reporting projects ▪ Background research into each of the five projects is underway ▪ ‘Publishing decisions’ project – guidance note produced for officers 	<p>practice, then test guide and template with a small number of officers</p> <ul style="list-style-type: none"> ▪ ‘Feedback mechanism’ project – develop and test options for feedback mechanism ▪ ‘Democratic standards’ project – draft standards and gather feedback from stakeholders ▪ ‘Publishing decisions’ project – implement new process and develop mechanisms to monitor compliance (providing training where necessary)
<p>Planning (Including Licensing)</p>	<ul style="list-style-type: none"> ▪ Initial meeting held between LDWG Champion/second member and senior officers within Planning and Licensing – high-level plans for delivering the recommendations have been developed ▪ Review of Planning documents and processes underway (to provide a baseline assessment of current ways of working/engagement mechanisms) ▪ Review of Licensing processes underway (to provide members with a briefing about how the service currently works) 	<ul style="list-style-type: none"> ▪ Arrange further meetings and focus groups with officers, councillors and stakeholders involved in the Planning process ▪ Organise site visit to look at other ways of working – LDWG Champion and officers also attending a conference on best practice re: public engagement in the Planning process (mid-July) ▪ Arrange meetings between the LDWG Champion and officers undertaking Licensing functions ▪ Undertake public consultation on the Licensing Policy review (July-September) ▪ Progress system update – improved web interface from which citizens can engage with the Licensing process (e.g. making applications and representations online)
<p>Seldom-Heard Voices</p>	<ul style="list-style-type: none"> ▪ Initial meeting between LDWG Champion and officer supporting this area took place in June – scope and delivery plan developed ▪ Review of Lewisham data re: seldom-heard groups and wider desktop research (e.g. specific challenges facing these groups, examples of good practice) underway 	<ul style="list-style-type: none"> ▪ Complete data review/desktop research ▪ Develop proposals for undertaking an appreciative enquiry (including focus, structure, participants etc)

Place-Based Engagement	<ul style="list-style-type: none"> ▪ Initial briefing note prepared for LDWG Champion/second member profiling People’s Panel (Citizen’s Panel) (#33) 	<ul style="list-style-type: none"> ▪ Undertake desk-based research on best practice in other local authorities re: People’s Panel models (#33)
Overview & Scrutiny (Including Council Meetings)	<ul style="list-style-type: none"> ▪ Initial meeting between LDWG Champion/second member and officer supporting Overview & Scrutiny (recommendations #34, #53, #54) took place in June – developed detailed project plan ▪ Notes being finalised on 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, what other councils do and options for enhancing our practice ▪ London Scrutiny Network members advised that LBL are carrying out a survey on scrutiny structures ▪ Desktop research on different structures and approaches to scrutiny underway ▪ Development of delivery plan for Council meetings (recommendations #36, #42, #43, #47, #48, #57) underway 	<ul style="list-style-type: none"> ▪ Complete desktop research on scrutiny structures ▪ Undertake visits/meetings/observations ▪ Hold a workshop with scrutiny members ▪ Undertake a viability assessment re: the introduction of a virtual Mayor’s Question Time (involving IT, Facilities Management and Property Services) ▪ Undertake a review of comparative arrangements for Council meetings (potentially via the Association of Democratic Services Officers) ▪ Draft report to Constitution Working Party (CWP) recommending the title of Chair of Council be changed to Speaker
Councillor Roles, Responsibilities & Relationships	<ul style="list-style-type: none"> ▪ Initial meeting between LDWG Champion/second member and officer supporting this area took place in June – developed detailed delivery plan for recommendations (grouped into five projects) ▪ ‘Barriers To Politics’ project (#46) – all Barriers To Politics recommendations mapped against LDR recommendations (with progress updates where appropriate) and incorporated into the oversight responsibilities of the relevant LDWG Champion. RECOMMENDATION COMPLETE 	<ul style="list-style-type: none"> ▪ ‘Councillor Appointments’ project (#52 and #55) – complete template with each organisation (and confirm information with relevant councillor) ▪ ‘Councillors & Officers - Bridging The Gap’ project (#35, #45 and #49) – complete review of the Works Council and develop recommendations for change; develop draft councillor role profiles ▪ ‘Delegation & Decision-Making’ project (#50 and #51) – initiate review of arrangements for diffusing power/delegating responsibility for decision-making

	<ul style="list-style-type: none"> ▪ 'Councillor Appointments' project (#52 and #55) – list of all councillor appointments to outside bodies/Mayoral appointments created and template developed to capture key responsibilities for each appointment 	
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5.3. As a result of this activity, the Work Programme (which is intended to align project/activity milestones with the meeting schedule and identify updates and reports required for each meeting) has been further developed (see Appendix B).

5.4. More broadly, officers responsible for coordinating and managing the whole programme of work have had initial discussions with the Director of Strategy & Communications and the Director of HR & Organisational Development regarding the work required to embed the necessary practical and cultural changes across the organisation. A separate report covering this area will be presented to the LDWG at their next meeting on 26th September 2019.

6. Legal Implications

6.1. 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.

7. Equalities Implications

7.1. 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).

7.2. 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.

7.3. 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
- 7.4. 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.
- 7.5. 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.
- 7.6. 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>

- 7.7. 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
- 7.8. 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:

8. Financial Implications

- 8.1. 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.

9. Crime & Disorder Implications

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

10. Environmental Implications

- 10.1. 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