



Local Democracy Working Group

Development Of Member Role Profiles (Recommendation #45)

Date: 10 February 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Assistant Chief Executive

Outline and recommendations

The Local Democracy Review found that a significant number of residents (and Council staff) did not fully understand what councillors did, what they were responsible for or even how to contact them. Several of the review's recommendations therefore focused on ways that councillor roles and responsibilities could be made clearer and more accessible.

This report provides a final update on the delivery of recommendation #45, which involved the development of role profiles for all member positions. Members of the LDWG are recommended to note the work undertaken to deliver this recommendation and agree the draft set of member role profiles.

Timeline of engagement and decision-making

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

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

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

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

March to April 2019 – Mayor & Cabinet and Full Council agree the report and recommendations of the Local Democracy Review Working Group

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

December 2019 – the Local Democracy Working Group receives an update report on the delivery of recommendation #45

September 2020 – the Local Democracy Working Group is extended so that it can complete its outstanding work and also consider the impact of COVID-19 on the three key themes of the review

Reason for lateness and urgency

The report has not been available for five clear working days before the meeting and the Chair is asked to accept it as an urgent item. The report was not available for dispatch on 2nd February 2021 due to officer capacity and the wider pressures of the Council's ongoing response to the COVID-19 pandemic. The report cannot wait until the next meeting (to be scheduled for March 2021) because this will be the final meeting of the Local Democracy Working Group and decisions are required to enable work to be concluded in advance so that a final report can be presented to members.

1. Summary

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

2. Recommendations

- 2.1. The LDWG is recommended to:
- Note the work undertaken to develop member role profiles (section 5)
 - Agree the draft set of role profiles (attached at Appendix A)

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3. Policy context

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

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

4. Background

- 4.1. Recommendation #45 of the Local Democracy Review is part of the 'Effective Decision-Making' theme. It sits under the thematic area of 'Councillor Roles, Responsibilities and Relationships', with Cllr Best as LDWG Champion.
- 4.2. The recommendation states that:
- 'Clarity and consensus should be developed around the roles and responsibilities, and anticipated work load, for the various responsibilities a councillor may undertake'*
- 4.3. A previous update report on the delivery of recommendation #45 was presented to the LDWG on 18th December 2019 (see section 12).

5. Development of member role profiles

Purpose

- 5.1. The main purpose of the member role profiles is to provide clarity for councillors, officers and the wider public about what is expected of each position. However, members may also wish to use the role profiles to help them decide which position/s they would like to nominate themselves for (as part of the AGM process) whilst the person specification within each profile can support them in assessing their skills and identifying areas for development.

Approach

- 5.2. The development of the role profiles took place in three stages:
- *Stage 1 (October to November 2019)* – a role profile template was created¹ and then completed for each member position using information from the Council's Constitution, committee terms of reference and the Members Information website as well as best practice from the Local Government Association and other local authorities.
 - *Stage 2 (December 2019 to February 2020)* – a detailed consultation was undertaken with all councillors and relevant lead officers. The role profiles were then updated to reflect the feedback received and were due to be presented to the LDWG, but this meeting was cancelled due to the COVID-19 pandemic.
 - *Stage 3 (December 2020 to January 2021)* – the role profiles were further updated to incorporate COVID-related and other changes, then circulated to all councillors for review.
- 5.3. Once they have been agreed by the LDWG, the final version of the role profiles will be published on the Council website and staff intranet. Officers will ensure the role profiles are regularly updated to reflect any changes to member roles and/or responsibilities.

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

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6. Financial implications

- 6.1. There are no additional costs involved in implementing this recommendation.

7. Legal implications

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

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- 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:

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

8. Equalities implications

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

9. Climate change and environmental implications

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

10. Crime and disorder implications

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

11. Health and wellbeing implications

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

12. Background papers

- [Update On The Development Of Member Role Profiles \(Recommendation #45\)](#)

13. Glossary

Term	Definition
Audit	An audit is an official examination of an organisation's accounts. However, the term can also be used more widely to mean a formal review or investigation.
Constitution	The Constitution is a written legal document that guides the Council on its decision-making processes.
Consultation	A consultation involves exchanging information and opinions about something in order to reach a better understanding of it

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Term	Definition
	or to make a decision.
Full Council	Full Council is a meeting of all 54 Lewisham councillors, chaired by the Speaker. One of its responsibilities...
Local Democracy Working Group	The Local Democracy Working Group is a group of eight councillors who are responsible for implementing the recommendations of the Local Democracy Review during 2019/20.
Mayor	The Mayor is directly elected by residents of Lewisham to lead the Council and represent the borough for a period of four years. One of their responsibilities...
Role Profile	A role profile outlines the key duties and responsibilities of a particular role as well as the skills that an individual would need to undertake the role.

14. Report author and contact

- 14.1. If there are any queries about this report, please contact Rosalind Jeffrey (Strategic Transformation & Organisational Development Business Partner) by email (rosalind.jeffrey@lewisham.gov.uk) or telephone (020 8314 7093).

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