

EXTRACT FROM THE COUNCIL MEETING HELD ON 23 JANUARY 2008

8. Member Development – Recommendations of the Independent Remuneration Panel

The council's Independent Remuneration Panel, chaired by Sir Ian Mills, met on October 31 2007 to consider the paper attached to this report as Appendix A. As a result of their consideration, the Panel unanimously agreed to submit the following recommendations, as a first step in the development of a system of Councillor performance appraisal, for the consideration of the Council.

8.1 That the preparation and use of agreed formal descriptions of members' roles and responsibilities and the competencies required to fulfil those roles be agreed (as set out in Appendix 1).

8.2 Each member be required annually to prepare a brief summary (involving no more than two pages) of how they judged they had fulfilled their role as councillor and, in the light of this self-assessment of performance, an annual personal development plan (PDP).

8.3 Notwithstanding the Overview and Scrutiny Committee's power (whenever it judges it necessary) to summons the Mayor and Cabinet to its meetings on any individual performance issue, there be the submission to Overview and Scrutiny Committee by the Mayor and all Cabinet Members of an annual account of performance.

8.4 Each Overview and Scrutiny Select Committee and Business Panel submit to the Council an annual report of its activities and performance.

8.5 All the above suggested performance assessments should be provided to the Independent Remuneration Panel on an annual basis. The Panel could then have regard to such assessments in reviewing and updating the scheme of members' allowances and be able to modify and develop the performance assessment process in the light of experience.

RECOMMENDATION that the Council considers each of the proposals shown in paragraphs 8.1 to 8.5 above.

REPORT TO INDEPENDENT REMUNERATION PANEL

MEMBER PERFORMANCE

1 INTRODUCTION

- 1.1 The Independent Remuneration Panel (IRP) has been meeting for over six years and has spent most of its time focussing on the challenge of assessing and recommending appropriate levels of allowances and expenses, and pension arrangements, for all members elected to serve Lewisham on the Council. In reaching its recommendations over this period the IRP has drawn heavily on a set of regularly updated guidelines regarding levels of allowance and expenses established by the Association of London Government – now London Councils. To date, all of the IRP's recommendations have been agreed and implemented by the Council.
- 1.2 In this way, the Council has established a credible and practical system of allowances and expenses which reflects the varying degrees of responsibility exercised by members in their appointed roles. The Panel is of the view that the scheme of member allowances in Lewisham is fair and reasonable.
- 1.3 However the IRP has highlighted the need, if practicable, to establish a system of performance development and appraisal aimed at reminding members of their responsibility to give of their best, develop progressively in their roles and provide value for money.
- 1.4 Over the last few months investigations have been ongoing in an attempt to identify examples of best practice in local government in this area, drawing also on initiatives LBL is currently developing for members to develop their competencies as members, and giving account for their activity in that role.
- 1.5 Though a great deal of work has been carried out in terms of member development, progress on the preparation of this report dealing with members giving account, has been rather slow. This is partly because of the complexity of the issue, partly because there is a lack of a body of best practice on which to draw. Further the Corporate Assessment carried out by the Audit Commission in Lewisham over this summer did not report formally until 16th October. Comments on member performance and development in that report were awaited to inform this work.
- 1.6 In the Audit Commission report on the Corporate Assessment, there is reference to member training in favourable terms, with a

recognition that much has been done and an acknowledgment that there are still areas to address. The report states:

“Ethical standards are high and relationships between Councillors and officers excellent. Councillor induction and training is comprehensive and generally well thought of, and particularly strong for Cabinet members where it is tailored to individual need with a personal development plan overseen by the Mayor. But the large number of new councillors elected in 2006 means that there is a degree of inexperience that has not yet been fully addressed, including in some senior scrutiny roles”

- 1.7 Also, the Councillors’ Commission, a group established by DCLG to investigate amongst other things how to incentivise people to be councillors and how they might be facilitated to work more effectively has begun work. However at the time of writing its study is not complete, and is not anticipated before November at the earliest. Should its findings impact on the proposals in this paper a further report will be prepared if appropriate.

2 COUNCILLORS’ ROLES

- 2.1 There have always been several roles in which members of the Council operate. For example, councillors act as community representative and also as part of the corporate body that makes formal decisions in the name of the Council. Since the introduction of the Local Government Act 2000, members might also be called upon to perform the role of executive member, or to perform overview and scrutiny functions.
- 2.2 Each of these roles requires different, perhaps sometimes overlapping, skills. This paper proposes that the initial step in designing a scheme of member development and performance is to set out formally a description of these member roles, and of the competencies needed in each of them. The proposed role descriptors appear in the first column of the Table appearing at Appendix 1 with associated competencies in the second column. A development plan should then be tailored for Members to ensure they have or can acquire the skills that pertain to the roles they perform.
- 2.3 Much work was done to identify the development needs of members during 2006/7 and the Council is committed to acquiring the London Member Development Charter (LMDC) which is an externally validated programme of member learning. The programme must be cross party, councillor led and incorporate a member development and learning plan, which identifies the different forms that the member development will take.

- 2.4 A key component of the LMDC is the requirement for each member to complete a personal development plan (PDP) which clearly identifies their training needs. . If necessary, those role descriptors and competencies set out in Table 1 may require slight amendment to reflect LMDC requirements, and the Panel is asked to recognise this, though it is suggested that this should not impact on how members give account for their performance
- 2.5 So that all members can be equipped to perform to the best of their ability, it is proposed that all members should be required to take responsibility for the drawing up of this PDP, with support from Governance Support, and that each individual PDP should be closely aligned to the skills set required in the member role descriptor. This should not be targeted only at Mayor and Cabinet, or chairs of committees for example, but tailored to the needs of each member to maximise their capability to perform as a councillor

3 GIVING ACCOUNT

- 3.1 There are a number of ways in which members might give account. The ultimate accountability and evaluation of a member's performance lies in the hands of the electorate, who have the power to express their satisfaction, or otherwise, with the performance of their local member, through the ballot box on election day.
- 3.2 Further, members of the Council are also members of a political party, and the quality of their political performance is a matter for the party group and not for the Council. It is not appropriate for the Council to become involved in the evaluation of the performance of councillors as political group members. Nor is it for the Council formally to try to evaluate whether the cabinet members appointed by the Mayor, and who may be dismissed by the Mayor, have performed in a politically adroit fashion.
- 3.3 There are no clear cut measures by which members can be effectively and objectively assessed. Quantitative measures such as numbers of surgeries held, or meetings attended, though perhaps useful indicators, do not necessarily shed light on the quality of contribution made at the meeting attended, or the effectiveness of the member's casework. One telling question asked may have more impact than less focussed contributions at every meeting on a wide range of matters.
- 3.4 In spite of the difficulty associated with doing so, it is still appropriate for members to give account for their actions, to promote transparency and inspire public confidence that their representatives give of their best and provide value for money.
- 3.5 There are already some measures in place in Lewisham to facilitate this. In the last year, for example "Executive Question Time"

meetings of the Overview and Scrutiny Committee have been established where members of the Mayor and Cabinet have been asked to attend to report on their work as lead member for their portfolio. The Cabinet Member for Children and Young People for example attended such a meeting on 25th July 2007 and prepared a detailed report on the previous year. The Mayor has also attended. It is a constitutional requirement in Lewisham for the Mayor and Cabinet to attend Overview and Scrutiny meetings to give account of their performance if asked to do so. This is a practice which, it is proposed, should continue.

3.6 In the third column of the Table appearing at Appendix 1, the means by which members can be assessed against the skills required are set out. New features include:-

- The requirement for all members to prepare a one page document at the end of each year as to how they have fulfilled their roles as councillor. It is proposed that these documents should be available for public inspection.
- An annual report of each Overview and Scrutiny Select committee and the Business Panel to Council
- The overall performance assessment to be reported to the IRP periodically so that it may take a view on its operation, making proposals for change should the Panel consider it appropriate to do so.

4 FINANCIAL IMPLICATIONS

Officers advise that the costs of implementing the proposals which are recommended to the Panel can be contained within existing member development budgets.

5 LEGAL IMPLICATIONS

The Council is required by law to have regard to the recommendations of an IRP in deciding on members' allowances. Though not directly on the quantum of allowances, the IRP has made it clear that this sort of regime is recommended by it to enhance public confidence in, and the capabilities of local councillors

6 RECOMMENDATION

For the reasons set out in this report, it is recommended that the role descriptors and competencies (which may require slight amendment to reflect LMDC requirements) and the system of development and assessment set out in this report and summarised in the Appendix to it, be adopted by the Council.

Sir Ian Mills- Chair
Head of Law
October 2007

APPENDIX 2

ROLE DESCRIPTOR	COMPETENCY	METHOD OF ASSESSMENT AND DEVELOPMENT
All councillors		
To represent the interests of local people in the area they were elected to serve	Good communication skills Ability to present argument persuasively	Personal Development Plan and individual annual summary
To contribute to the good governance of the authority	Knowledge of and ability to comply with decision making process appropriately	Ditto
Fulfil constitutional requirements of elected members including adherence to Member Code of Conduct	Knowledge of constitutional and ethical requirements and effective application of them	Ditto
To participate effectively as a member of the full Council, any committee, panel or member body to which the councillor is appointed	Ability to analyse information in reports, critically assess options and make reasoned decisions.	Ditto
To deal with casework through surgeries or other appropriate forums	Good communication skills and ability to assist constituents	Ditto
All Overview and scrutiny select committee members		
To assist the Council and/or Mayor with policy formulation	Ability to assess information critically, to understand factors impacting on policy	Annual report of select committee to Council
To scrutinise the decisions/actions of Mayor and	To be able to question Members and officers effectively and to	Ditto

Cabinet/officers against policy and/or over time, making recommendations as appropriate	analyse performance effectively	
In depth reviews of issue, making recommendations as appropriate	To analyse data and submissions with a view to proposing solutions	Ditto
Business Panel members		
To co-ordinate O & S Select Committee work programme	Ability to prioritise and organise workload	Annual report of Business Panel to Council
To make decisions whether to ask the Mayor to reconsider a decision made but not yet implemented	Ability to assimilate information and analysis in reports and make judgement as to whether to ask to reconsider	Ditto
Cabinet members		
To provide advice to the Mayor on matters within a portfolio allotted to the Cabinet member by the Mayor	Awareness of relevant factors affecting decisions within the portfolio	Report annually in writing and respond to questions at Executive Question Time at Overview and Scrutiny Committee
To be a spokesperson on behalf of the Council in relation to the portfolio allotted to the Cabinet Member by the Mayor and represent the Council on external bodies	Ability to present the Council's position persuasively, confidently and accurately to the public and other organisations	Ditto
To participate in such decision making as may be delegated by the Mayor in accordance with the Council's constitution	Knowledge of decision making processes and adherence to them Ability to assimilate information and critically	Ditto

	assess reports and options, with ability to reach reasoned decisions	
To provide report to Overview and Scrutiny Committee as required by the Constitution	Ability to report accurately and present confidently	Ditto
The Mayor		
All of those applying to cabinet members above and responsibility for organisational, political and community leadership	All of those applying above to cabinet members and leadership skills	Ditto and Annual report to the full Council in "State of the Nation" address