

Local Democracy Working Group			
REPORT	Delivering The Recommendations Of The Local Democracy Review: Proposed Approach		
KEY DECISION	No	Item No:	3
WARD	All		
CONTRIBUTORS	Executive Director For Resources & Regeneration		
CLASS	Part 1	Date:	29 th May 2019

1. Summary

- 1.1. The purpose of this report is to outline the proposed approach for delivering the recommendations of the Local Democracy Review, which includes a draft programme plan and suggested resources.

2. Recommendations

- 2.1. The Local Democracy Working Group is recommended to:

- Note the work undertaken by officers during April and early May 2019
- Agree the proposed delivery approach
- Agree the LDWG Champion and second member for each area
- Note the suggested resources 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. The report of the Local Democracy Review (including findings and recommendations) was presented to Mayor & 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 (Recommendation 1).

4.2. During April and early May 2019, officers worked to draft a proposed approach for delivering the recommendations of the Local Democracy Review, which is outlined in section 5 of this report. Officers also discussed the outcomes of the review with the council’s Executive Management Team (EMT) and are also speaking to all four Directorate Management Teams (DMT) in order to ensure awareness and readiness to support delivery of the recommendations across the organisation at a senior level.

5. Proposed Approach

5.1. It is proposed that the implementation of the recommendations of the Local Democracy Review be managed as a single programme of work, which translates the recommendations into a number of related projects and activities. A draft programme plan has been developed to support this process (see Appendix A). It categorises each of the recommendations according to their recommended delivery timeframe (either short-term i.e. 0-3 months, medium-term i.e. 4-9 months or longer-term i.e. 9+ months) and sets out the anticipated high-level tasks required for completion as well as identifying where recommendations could be grouped together. Officer leads (at assistant director level) have also been identified for each recommendation, who will be accountable for operational progress.

5.2. To ensure democratic accountability of the work delivery of the recommendations will entail, the recommendations have been clustered into eight thematic areas and it is suggested that a member of the Working Group acts 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. A (second member) is suggested as co-lead to provide support and resilience:

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

5.3. As outlined in Recommendation 46, the recommendations of the Barriers to Politics Working Group have also become part of the ongoing responsibilities of the Local Democracy Working Group. These recommendations have therefore been mapped against the Local Democracy Review recommendations (see Appendix A) and will be included in the oversight responsibilities of the relevant ‘LDWG Champion’.

5.4. A schedule of LDWG meetings has been added to the Council Calendar (see dates below) – and a template for a draft work programme aligned to the meeting schedule is attached at Appendix A, which will be developed to align

project/activity milestones with the meeting schedule and identify decisions and updates required for each meeting:

- Wednesday 29th May 2019
- Wednesday 24th July 2019
- Thursday 26th September 2019
- Thursday 21st November 2019
- Tuesday 14th January 2020
- Thursday 19th March 2020

6. Suggested Resources

- 6.1. Named officers within the Council's Corporate Policy, Service Design and Analysis Team will be responsible for coordinating and managing the programme of work, including the provision of support to the Working Group (both collectively and individually in relation to their LDWG responsibilities).
- 6.2. In addition to overall coordination, management and support, dedicated officer time will also be required to lead and/or support the delivery of specific projects and activities within the programme of work. It is likely that some further resources can be allocated from the Corporate Policy Team, but other services (such as Communications, Legal, Governance, Planning and IT) will also need to identify officer resources with capacity to fully participate and provide lead responsibility to some recommendations.
- 6.3. There is also a need for ongoing engagement in order to achieve and embed the required practical and cultural changes across the organisation – in the first instance, this is likely to involve regular officer updates at EMT and DMT. More detailed mechanisms for member-led engagement (with members of the public and community groups as well as staff) will also be developed.
- 6.4. A number of the recommendations will likely require identification of additional financial resources to deliver. Whilst the resource requirements will be outlined in further specific reports, it is worth noting that delivery of the recommendations will be in the context of an ongoing cuts requirement to the Council of £10million in 2019/20 so delivery of recommendations within existing resources is suggested as the preferred course of action where possible.

7. Legal & Equalities Implications

- 7.1. Any changes to the Council's constitution which are required to deliver the recommendations of the Local Democracy Review will be the subject of a further report/s to Full Council.
- 7.2. 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 and financial implications set out in a formal report for consideration by the appropriate

decision-maker. Where this is the case, officers will need to provide full reports at the appropriate time and legal advice will be given in that context.

- 7.3. 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.
- 7.4. 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
- 7.5. 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.
- 7.6. 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.
- 7.7. 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>

- 7.8. 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
- 7.9. 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. Financial Implications

- 8.1. There are likely to be additional financial implications associated with the delivery of some recommendations; when this is the case, these implications will be set out in a formal report for consideration by the appropriate decision-maker (together with legal and service implications).

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 – Draft Programme Plan and Draft Work programme