



Local Democracy Working Group

Delivering The Recommendations Of The Local Democracy Review: Programme Update Report

Date: 10 February 2021

Key decision: No

Class: Part 1

Ward(s) affected: All

Contributors: Assistant Chief Executive

Outline and recommendations

In April 2019, Full Council agreed the 57 recommendations of the Local Democracy Review and approved the appointment of eight councillors to the retained Local Democracy Working Group (LDWG) to oversee the delivery of these recommendations during 2019/20.

The fifth (and final) meeting of the LDWG was scheduled to take place in March 2020, but was cancelled due to the COVID-19 pandemic. It was later agreed that the duration of the LDWG should be extended so that outstanding work could be completed and a review of the impact of COVID-19 on the three overarching themes in the terms of reference (openness and transparency, public involvement in decisions and effective decision-making) could be undertaken. The LDWG met again in September 2020 and a second meeting was scheduled for December 2020, but this was postponed until February 2021 as a result of the second COVID-19 lockdown.

The purpose of this report is to provide an update on the delivery of the Local Democracy Review's recommendations. The LDWG is recommended to note the work undertaken across the review's three key themes since September 2020 (outlined in section 5) and the next steps outlined in section 6, specifically the proposal to hold a final LDWG meeting in March 2021.

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

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. The purpose of this report is to provide an update on the delivery of the Local Democracy Review’s recommendations since the last meeting of the Local Democracy Working Group (LDWG) in September 2020.

2. Recommendations

- 2.1. The LDWG is recommended to:

- Note the work undertaken across the review’s three key themes since September 2020 (outlined in section 5)
- Note the next steps outlined in section 6, specifically the proposal to hold a final LDWG meeting in March 2021

3. Policy context

- 3.1. The recommendations of the Local Democracy Review are consistent with all the

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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. In April 2019, Full Council agreed the 57 recommendations of the Local Democracy Review and approved the appointment of eight councillors to the retained LDWG to oversee the delivery of these recommendations during 2019/20.
- 4.2. The fifth (and final) meeting of the LDWG was scheduled to take place in March 2020, but was cancelled due to the COVID-19 pandemic. It was later agreed that the duration of the LDWG should be extended so that outstanding work could be completed and a review of the impact of COVID-19 on the three overarching themes in the terms of reference (openness and transparency, public involvement in decisions and effective decision-making) could be undertaken.
- 4.3. The LDWG met again in September 2020 and a second meeting was scheduled for December 2020, but this was postponed until February 2021 as a result of the second COVID-19 lockdown.

5. Work to date

- 5.1. A high-level summary of work undertaken across each of the review themes between September 2020 and January 2021 is provided below.

Theme 1: Openness and transparency

- Work is underway to deliver the short-term recommendations outlined in the open data report presented to the LDWG in February 2020, including the merger of the Council's JSNA site with the Lewisham Data Observatory and the creation of a single contextual data page (hosted on the Council website)
- The report template and practical guidance for report authors will be re-launched shortly (as the original launch date of April 2020 was impacted by the COVID-19 pandemic)
- Existing reporting software has been identified as a potential mechanism for recording and reporting the attendance of members at events other than formal Council meetings – officers are developing a proposal to implement this approach

Theme 2: Public involvement in decisions

- Building on the findings of the desktop research and Appreciative Inquiry, a clear approach has been developed (in collaboration with officers from the Council's Community Development service) for the second phase of the seldom-heard voices work, focusing on specific voluntary organisations who support seldom-heard groups and individuals, but have no existing relationship with the Council. An initial discussion took place with the Lewisham Equalities Forum in January 2021 and further engagement with the voluntary sector is planned

Theme 3: Effective decision-making

- A detailed report has been produced for the LDWG, which sets out the temporary changes introduced within the Planning service as a result of the

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COVID-19 pandemic and the proposals which have been developed following the interim report presented to the LDWG in February 2020 (see agenda item 4)

- Following a further update to incorporate COVID-related and other changes, the member role profiles have been finalised (see agenda item 5)
- Work is underway within Scrutiny to develop appropriate structures and guidance to support the practice changes associated with the Overview & Scrutiny review and prepare for the introduction of Task & Finish groups

6. Next steps

- 6.1. It is proposed that the final meeting of the LDWG be held in March 2021. A formal report outlining how the 57 recommendations made by the Local Democracy Review were developed and delivered will be presented to the LDWG at this meeting, then Mayor & Cabinet and Full Council in May 2021 (after the pre-election period and London Mayor elections). The report will also set out an approach for managing any ongoing work (such as the implementation of the Planning recommendations) and measuring the longer-term impact of the changes made as a result of the Local Democracy Review. In addition, the report will present the key learning from members regarding the impact of COVID-19 on the three overarching themes of the Local Democracy Review.

7. Financial implications

- 7.1. The Local Democracy Review was delivered with a budget of £10k, primarily by using existing expertise and resources within Corporate Policy. No further budget was allocated for the delivery of the 57 recommendations and there was an expectation that implementation would be achieved within existing resources wherever possible (given the Council's ongoing budget savings process). If additional financial resources were required for the delivery of a specific recommendation, detailed financial implications were provided for consideration by the appropriate decision-maker/s as part of a separate report. The same approach was taken for any recommendations which required a formal decision during the extension period.

8. Legal implications

- 8.1. Some of the Local Democracy Review's recommendations (such as the development of a new report template and guidance) could be implemented by the LDWG without a formal decision. Where a formal decision was required for the delivery of a specific recommendation, detailed legal implications were provided for consideration by the appropriate decision-maker/s as part of a separate report. The same approach was taken for any recommendations which required a formal decision during the extension period.

9. Equalities implications

- 9.1. Analysis of equalities implications was and will continue to be undertaken for all recommendations which require a formal decision, taking into account the priorities set out in the relevant Council policies relating to equality and diversity.
- 9.2. 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.
- 9.3. In summary, the Council must, in the exercise of its functions, have due regard to the need to:

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- 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
- 9.4. 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.
- 9.5. 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.
- 9.6. 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>

- 9.7. 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

- 9.8. 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>

10. Climate change and environmental implications

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

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report.

11. Crime and disorder implications

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

12. Health and wellbeing implications

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

13. Background papers

- [Local Democracy Review: Report Of The Working Group \(Spring 2019\)](#)
- [Local Democracy Working Group \(All Meetings\)](#)

14. Glossary

Term	Definition
Full Council	Full Council is a meeting of all 54 Lewisham councillors, which is chaired by the Speaker.
Local Democracy Review	The Local Democracy Review was a councillor-led review of local democracy in Lewisham, which made recommendations about how the Mayor and Council could enhance their openness and transparency, increase public involvement in Council decisions and promote effective decision-making.
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. It has now been extended until January 2021.
Programme	A set of related projects and/or activities, which are managed in a coordinated way in order to achieve an overall goal.

15. Report author and contact

- 15.1. 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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