

DECISION-MAKER:	GOVERNANCE COMMITTEE
SUBJECT:	CENTRE FOR GOVERNANCE & SCRUTINY (CfGS) – GOVERNANCE REVIEW REPORT
DATE OF DECISION:	14 TH NOVEMBER 2022
REPORT OF:	CHIEF EXECUTIVE

<u>CONTACT DETAILS</u>			
Executive Director	Title	Chief Executive	
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STATEMENT OF CONFIDENTIALITY	
N/A	
BRIEF SUMMARY	
The Committee is asked to consider the report of the independent review of the Council's broad governance framework undertaken by the Centre for Governance and Scrutiny commissioned by the Council and the attached action plan.	
RECOMMENDATIONS:	
(i)	That the Committee receives, considers and notes the attached report on governance by CfGS and endorses the action plan and/or adds or revises the action plan accordingly
REASONS FOR REPORT RECOMMENDATIONS	
1.	The report was commissioned by the Council and matters of corporate governance fall under the Governance Committee's remit to either discharge or recommend changes to Council should that be considered necessary including any changes to the Constitution
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
2.	Realistically none given the report was commissioned by the Council
DETAIL (Including consultation carried out)	
3.	In the Autumn of 2021, following the change of Administration after the May elections, the former Chief Executive discussed with the then Leader of the Council of the new Conservative administration governance processes at the Council, not particularly the decision-making under the Council's Constitution which are either statutory or considered best or standard practice nationally but the softer processes leading up to those meetings, behaviours, ownership, structure, templates, practical application etc and the working relationship between members and officers.

4.	Part of the issue was driven, understandably, by the desire of a new administration who have not been in control for nine years to deliver on manifesto commitments quickly and before the lead into the next elections in May 2022. However, there must be adequate governance to support decisions made and clear water between elected members decision-making roles and officers' professional advice and implementation roles.
5.	After discussions with the Local Government Association, who support authorities in times of change, not least in political transitional periods when an authority changes control, the Council through the LGA, commissioned at no cost to the Council, the Centre for Governance and Scrutiny (CfGS), a nationally recognised charity which supports local authorities ensure sound governance practices are in place, and a truly independent body, to undertake a light touch review over Winter 2021/2.
6.	<p>Regretfully despite best endeavours due to various factors, not least the availability of key interviewees, the departing Chief Executive and Covid absences of key people the review did take longer to complete. The report author and his team at CfGS interviewed a cross section of members and officers and undertook a member and officer survey to ensure a broad and inclusive approach was taken. CfGS considered several case studies as listed below:-</p> <ul style="list-style-type: none"> • Lordswood Close maintenance • Northern Above Bar properties • Land at the corner of Lime Street / Evans Street • Action taken on Children's Services inspection <p>along with the Council's Constitution and pre-agenda publication procedures, the training and development offer and considered against the national picture of best practice using their considerable experience in undertaking peer reviews at other upper tier authorities with a view of providing a critical friend approach that would lead to improved joint working and recommendations for continual improvement.</p>
7.	The draft report was completed in late Spring 2022 but could not be formally tabled due to the pre-election period. It was intended to ensure the final report was presented to members after the May elections, but with further a change of political control, key members and officers, including the Director of Legal and Business Services and Interim Chief Executive, were required to concentrate on and devote significant time setting up the revised political management arrangements. In addition, new political group leaders and the incoming Administration and leading members in both groups were taking up new positions.
8.	A final draft report was presented to Group Leaders in the Summer for consideration and initial thoughts and observations. The CfGS reflected on those responses and produced the final report in September following summer leave arrangements. The attached final version has been shared with Group Leaders and a variety of comments and views have been expressed. It is not for the Council to request the author or CfGS to revise the report further given the independent nature of the report and the style it is written in, ie a "learning" report and jointly owned action plan rather than one that seeks to be either adversarial or apportion blame. The report's action plan covers behaviours, training and development, relationships between members and officers and some procedural matters.

9.	In producing their report and findings, the CfGS has highlighted the need for discussion and debate on this issue to be forward looking. The intention of CfGS was not to produce a critique of individual people's actions or decisions during a particular period, but to use an understanding of current practice to get a sense of where and how improvements might be made to reduce risks to governance, and to improve resilience.
10.	CfGS's evaluation highlights some systemic challenges faced by the Council which presented in specific ways in 2021/22. While the circumstances of the organisation have changed since evidence-gathering for the review was undertaken, CfGS note that these systemic issues, which have yet to be addressed, will still exist. They will, in CfGS's view, require both members and officers to recognise the need to take the recommended actions and to set a timescale for doing so. They will also require that members of all groups, and officers, recognise the need for individual and collective responsibility for ensuring that the governance framework is as effective as it can be.
11.	Ed Hammond, CfGS's Acting Chief Executive, who conducted the review, will be attending the Governance Committee meeting in person to take questions on these proposed actions and to contribute to discussion about the steps that the Council can put in place to ensure that governance (with a particular focus on decision-making) can be rigorous and robust.
12.	In a learning organisation, not least one under political control which can, and does change, one key matter all officers and members need to be acutely aware of are the pressures that brings, be better prepared in advance on both sides and to be more fleet-footed in delivery of manifesto commitments subject of course to adhering to the lawfulness of those proposals, their affordability at a time of great budget pressures, principles of good governance, probity and ethics.
13.	Delivery of manifesto commitments in a tight timeframe does bring pressures and challenges and these should, and will, be discussed in advance of the May elections with Group Leaders so whoever is in political control can have confidence that actions to deliver will be put in train as soon as possible. That, of course, needs to be weighed against ongoing statutory and contractual commitments, significant budget pressures and the capacity to deliver quickly in an authority that has finite, and reducing professional resources and capacity.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
14.	N/A
<u>Property/Other</u>	
15.	N/A
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
16.	S1 Localism Act 2011.
<u>Other Legal Implications:</u>	
17.	None.
RISK MANAGEMENT IMPLICATIONS	
18.	None.
POLICY FRAMEWORK IMPLICATIONS	
19.	None.

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	None
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Final Report of CfGS regarding Governance 2022
Documents In Members' Rooms	
1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
Other Background Documents	
Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	
2.	