Brighton & Hove City Council

Governance Committee

Title:	**Governance Committee**
Date:	**23 September 2008**
Time:	**4.00pm**
Venue	**Committee Room 3, Hove Town Hall**
Members:	**Councillors:** Mrs Norman (Chairman), Simpson, Mitchell, Mrs Brown, Bennett, Mrs Cobb, Duncan, Elgood, Mears, Oxley and Taylor
Contact:	**Mark Wall** Head of Democratic Services 01273 291006 mark.wall@brighton-hove.gov.uk

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Democratic Services: Meeting Layout

Director of Strategy & Governance	Councillor A Norman Chairman	Head of Democratic Services

Councillor Brown		Councillor Simpson
Councillor Cobb		Councillor Mitchell
Councillor Mears		Councillor Duncan
Councillor Oxley		Councillor Taylor
		Councillor Elgood

Public Speaker	Member Speaking

Public Seating

Press

AGENDA

Part One	Page
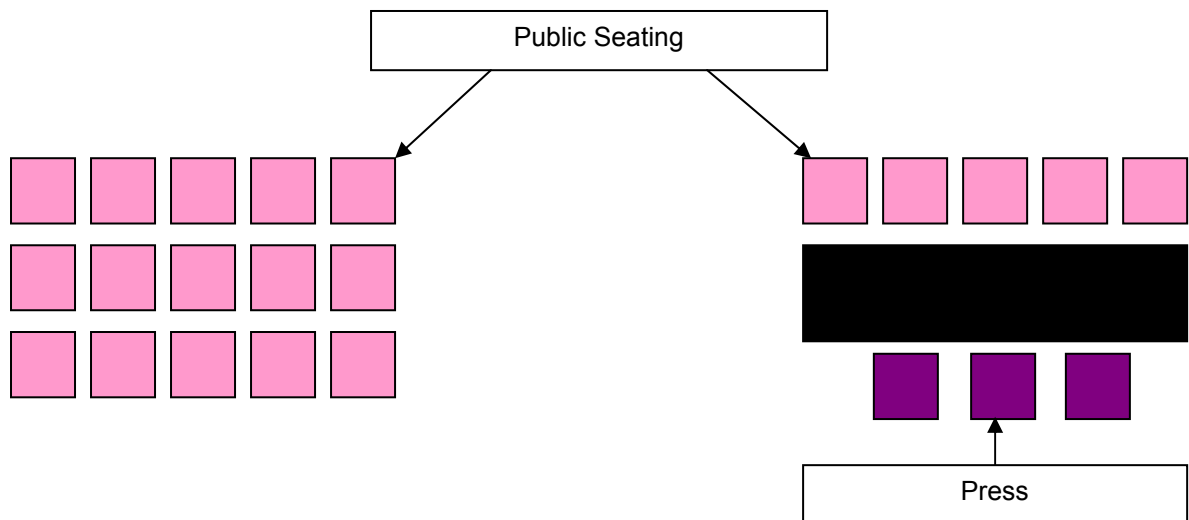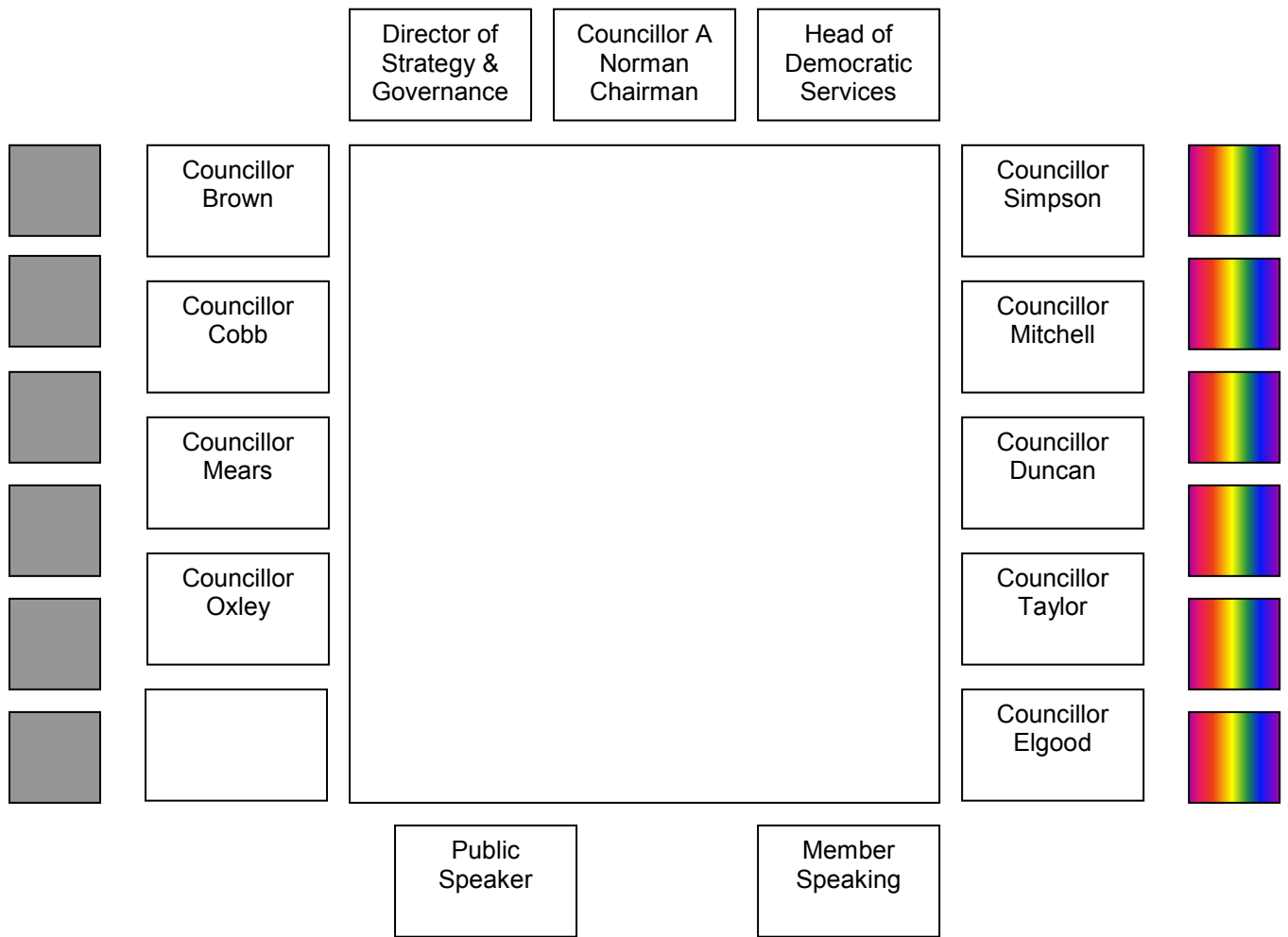
19. PROCEDURAL BUSINESS

(a) Declarations of Substitutes

Where Members of the Council who are Members of Committees or Sub-Committees are unable to attend a meeting for whatever reason, a substitute Member may attend and speak and vote in their place for that meeting. The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the relevant Committee or Sub-Committee.

The substitute Member must declare themselves as a substitute, and minuted as such, at the beginning of the meeting or as soon as they arrive.

(b) Declarations of Interest

Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.

(c) Exclusion of the Press and Public

Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

20. MINUTES OF THE PREVIOUS MEETING   1 - 8

21. CHAIRMAN' S COMMUNICATIONS

22. PETITIONS

No petitions have been received.

GOVERNANCE COMMITTEE

23. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 16 September 2008)

No public questions received by date of publication.

24. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 16 September 2008)

No deputations have been received by the date of publication.

25. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

26. LETTERS FROM COUNCILLORS

No letters have been received.

27. CALL OVER

(a) Items will be read out at the meeting and Members invited to reserve the items for consideration.

(b) To receive or approve the reports and agree with their recommendations with the exception of those items which have been reserved for discussion.

Note: Notices of Motion and Petitions will be reserved automatically.

28. NOTICES OF MOTIONS

No Notices of Motion have been received.

29. GOVERNANCE IMPLICATIONS OF COMMUNITIES IN CONTROL WHITE PAPER   9 - 28

Report of the Director of Strategy & Governance (copy attached).

Contact Officer: *Emma McDermott*   *Tel: 29-3944*
Ward Affected: *All Wards*

30. ANNUAL GOVERNANCE STATEMENT   29 - 60

Joint report of the Director of Finance & Resources and the Director of Strategy & Governance (copy attached).

Contact Officer: *Ian Withers*   *Tel: 29-1323*
Ward Affected: *All Wards*

31. PROPOSED METHODOLOGY FOR THE REVIEW OF THE CONSTITUTION 61 - 66

Report of the Director of Strategy & Governance (copy attached).

Contact Officer: *Abraham Ghebre-*   *Tel: 29-1500*
                 Ghiorghis
Ward Affected: *All Wards*

32. HOME OFFICE GUIDANCE ON CRIME & DISORDER COMMITTEE

Director of Strategy & Governance to report (verbal update).

Contact Officer: *Abraham Ghebre-*   *Tel: 29-1500*
                 Ghiorghis
Ward Affected: *All Wards*

33. MEMBER DEVELOPMENT POLICY 67 - 78

Report of the Director of Strategy & Governance (copy attached).

Contact Officer: *Caroline Banfield*   *Tel: 01273 291126*
Ward Affected: *All Wards*

34. WEB CASTING PROTOCOL 79 - 92

Report of the Director of Strategy & Governance (copy attached).

Contact Officer: *Mark Wall*   *Tel: 01273 291006*
Ward Affected: *All Wards*

35. ITEMS TO GO FORWARD TO COUNCIL.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Monday, 15 September 2008

GOVERNANCE COMMITTEE

Brighton & Hove City Council

GOVERNANCE COMMITTEE

4.00pm 1 JULY 2008

**COUNCIL CHAMBER
HOVE TOWN HALL**

MINUTES

Present: Councillor Ann Norman (Chairman); Councillor Simpson (Deputy Chairman), Councillors Davey, Duncan, Kemble, Mrs Mears, Mitchell (OS), Ken Norman, Oxley and Watkins.

In attendance: Councillor Denise Cobb.

PART ONE

ACTION

1.   PROCEDURAL BUSINESS

(A) Declarations of Substitutes

1.1   Councillors Davey, Kemble, K. Norman and Watkins declared that they were attending the meeting as substitutes for Councillors Taylor, Mrs Brown, Mrs Cobb and Elgood respectively.

(B) Declarations of Interest

1.2   There were no declarations of interest.

(C) Exclusion of Press and Public

1.3   The Committee considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in Section 100B(3) or 100 1 of the Local Government Act 1972.

2.   CHAIRMAN'S COMMUNICATIONS

2.1   The Chairman welcomed everyone to the first meeting of the Governance Committee and stated that she hoped colleagues would work together in acting as the custodian of the constitution.

3. CALLOVER

3.1   **RESOLVED –** That with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate.

4. PETITIONS

4.1   There were no petitions presented to the meeting.

5. PUBLIC QUESTIONS

5.1   The Chairman noted that no public questions had been submitted for the meeting.

6. DEPUTATIONS.

6.1   The Chairman noted that there had been no deputations submitted for the meeting.

7. WRITTEN QUESTIONS FROM COUNCILLORS

7.1   The Chairman noted that no written questions had been received from Members.

8. LETTERS FROM COUNCILLORS

8.1   The Chairman noted that no letters had been received from Members for the meeting.

9. NOTICE OF MOTIONS

9.1   The Chairman noted that no Notice of Motions had been referred from the Council.

*10. ROLE AND TERMS OF REFERENCE OF THE GOVERNANCE COMMITTEE.

10.1   The Committee considered a report of the Director of Strategy & Governance, which outlined the roles and responsibilities of the Governance Committee, which had been established by the Council under the newly adopted constitution (for copy se minute book).

10.2   The Chairman drew the committee's attention to the remit of the committee as outlined in paragraph 3.2.1 of the report.

10.3   Members of the committee noted that there was an intention to review the council's relationship with the Older People's Council (OPC) and hoped that this would enable the roles of OPC members to be more clearly defined in terms of their working relationships with councillors and officers and the decision-making process.

10.4   Councillor Mears stated that as the Leader of the Council she would welcome an opportunity to discuss matters with the OPC and for the relations between the Council and OPC to be clarified.

10.5   The Chairman noted the comments and asked that the report be noted.

10.6   **RESOLVED** – That the report be noted.

*11.   **GOVERNANCE COMMITTEE DRAFT WORK PLAN.**

11.1   The Committee considered a report of the Director of Strategy & Governance, which set out the proposed work plan for the committee during 2008/09 (for copy see minute book).

11.2   The Head of Legal & Democratic Services introduced the report and noted that a number of issues had been raised by Members as part of approving the adoption of the new constitution. It was therefore proposed that these issues should form part of the work plan for the Governance Committee during 2008/09, and having noted the comments in regard to the Older People's Council, he suggested that the review be added to the November/January cycle of meetings.

11.3   The Committee welcomed the report and acknowledged that it was an ambitious programme for the year.

11.4   Members of the Committee noted that it was intended to bring a report on the six month review of the constitution to the November meeting and queried whether there would be an opportunity to consider how that review would be undertaken.

11.5   The Director of Strategy & Governance stated that a 'light-touch' review had been agreed after the first six months with a more comprehensive review after 12 months. It was therefore appropriate to wait until a full six months had elapsed before reporting back to the committee; however he anticipated that proposals for the review would be brought back to Members for consideration in September.

11.6   The Chairman noted the comments and the suggestion that the review of the working relations with the OPC be included for the November/January cycle of meetings and put the recommendations to the committee.

11.7   **RESOLVED** –

       (1)   That with the inclusion of a review of the working relations with the Older People's Council, the work plan be approved; and

       (2)   That the Director of Strategy & Governance be requested to keep the work plan updated to reflect any new items that are identified

during the year.

*12.   ESTABLISHMENT OF THE SUSTAINABILITY COMMITTEE.

12.1   The Committee considered a report of the Director of Strategy &
        Governance, concerning the proposed establishment of a Sustainability
        Cabinet Committee (for copy see minute book).

12.2   The Head of Sustainability and Environmental Policy introduced the
        report, and stated that the committee would consider issues in relation
        to the sustainability agenda and make decisions or recommendations
        to the Cabinet on matters such as the sustainability strategy and
        climate change. It was intended that the Committee would have an
        effective link with the planned City Sustainability Partnership and
        enable matters to be progressed.

12.3   The Director of Strategy & Governance stated that as part of its
        responsibility for overseeing the operation of the constitution, the
        Governance Committee was being asked to consider the proposed
        establishment of a Cabinet Committee. Should the Committee agree to
        the proposal, it was intended that the Cabinet would consider the
        matter at its meeting on the 10 July.

12.4   Councillor Duncan welcomed the intention to place a high priority on
        sustainability issues; however he was unsure as to the need of a
        separate committee from the Cabinet. He felt that the terms of
        reference outlined in the report did not give enough information to
        warrant the need for a committee and suggested that the Cabinet was
        the appropriate avenue to debate and consider matters and to work
        with the new Sustainability Partnership.

12.5   Councillor Mitchell also expressed concerns over the need for a
        separate committee from the Cabinet and the vagueness of the terms
        of reference. She believed that the new Sustainability Partnership
        would be a driver in terms of debating and raising issues around
        sustainability and would expect matters to be considered by the
        Cabinet.

12.6   Councillor Mears noted the comments and stated that she was keen to
        give sustainability issues a clear focus and felt that the establishment of
        a committee would provide this. She intended to chair the committee
        and to involve Cabinet Members and the Deputy Leader to ensure
        sustainability was prioritised. She was happy to ensure that the terms
        of reference were improved, and hoped that the committee would build
        effective working relations with the Sustainability Partnership. She also
        noted that as a committee it would meet in public and all Members
        would have an opportunity to attend and raise questions etc.

12.7   Councillor Oxley stated that the establishment of the Sustainability
        Partnership and the proposed committee was a significant step-

change, in terms of how the authority would relate to sustainability issues. He hoped to see the Partnership acting as a driving force in pushing matters forward for consideration and action and the committee would be able to take decisions and/or make recommendations to the Cabinet accordingly.

12.8   Members of the Committee noted the comments and expressed their concern over the need for the establishment of a committee as opposed to the Cabinet having direct responsibility for sustainability matters.

12.9   The Chairman noted the concern raised by some Members of the Committee and that the Leader of the Council had explained the intention behind the establishment of a Sustainability Committee and therefore put the recommendations contained in the report to the vote.

12.10   **RESOLVED** – That the establishment of a Sustainability Cabinet Committee be agreed and recommended to the Cabinet for approval.

*13.   MEMBERS DEVELOPMENT - UPDATE.

13.1   The Committee considered a report of the Director of Strategy & Governance, concerning the progress towards accreditation of the South East Employer's Charter for Member Development and on-going work in relation to Member Development (for copy see minute book).

13.2   Councillor Ken Norman introduced the report and stated that the Member Development Working Group had met regularly to review progress and consider the development needs of Members. He believed that the Member Development Programme was working effectively and that Members were making use of the opportunities offered to them. With regard to the Charter, he noted that arrangements had been made for the assessment to take place on the 25 September, which would include interviews with the Leader, Leader of the Opposition, a cross-party group of Members and officers. He hoped to be in a position to report on a successful outcome at the November meeting. He also wished to record his thanks to the officers involved in supporting Member Development.

13.3   Members of the committee welcomed the report and asked that their thanks and appreciation be reported to those officers involved in directly co-ordinating the Member Development Programme. The Committee also noted the need to promote the development programme and opportunities for learning and thanked the Member Development Working Group for leading on the programme and working towards Charter status.

13.4   **RESOLVED** –

(1) That the Charter assessment arrangements put in place for the 25 September 2008 and the work required to be completed in time for the assessment be noted;

(2)   That the Member Development Working Group be supported in encouraging Members to identify their learning needs, to participate in development activities that address those needs and to provide feedback to the Working Group on those activities could be improved on an ongoing basis; and

(3) That any new areas for development in the 2008/09 Member Development Programme be identified and raised with the Working Group.

*14.   WEB CASTING OF MEETINGS

14.1   The Committee considered a report of the Director of Strategy & Governance, which outlined the progress to date in enabling the Council to web cast some of its meetings (for copy see minute book).

14.2   The Head of Democratic Services introduced the report and outlined the proposals for the web casting of meetings during the pilot year, which would include Full Council, the Cabinet, Planning Committee and Overview & Scrutiny Committee meetings.

14.3   Members of the Committee welcomed the report and the intention to trial web casting of meetings, which it was noted had been successfully undertaken by other authorities. Members asked if it would be possible to see how the equipment would work and how a meeting looked when it was web cast and for some guidance to be prepared for Members.

14.4   **RESOLVED** –

(1) That the report be noted; and

(2) That the web casting of meetings including the Cabinet, Planning Committee, 2 x Scrutiny Committees and Full Council be undertaken as part of the trial period, as outlined in the report.

*15.   APPOINTMENT OF COUNCIL REPRESENTATIVE TO THE COASTAL ISSUES SPECIAL INTEREST GROUP.

15.1   The Committee noted that following the appointments made at the Annual Council Meeting in May, Councillor Smith had been nominated to replace Councillor Janio who had indicated that he could not undertake his role on the Coastal Issues Special Interest Group.

15.2   **RESOLVED** – That Councillor Smith be appointed as the Council's representative on the Coastal Issues Special Interest Group for 2008/09.

*16.   METHODOLOGY FOR CONSULTATION AFTER FIRST 6 MONTHS

16.1   The Head of Legal & Democratic Services informed the Committee that the initial six-month review of the constitution should be after the 15 November 2008. He stated that officers were looking at how the review could be undertaken and what/who should be included in the process and how to form the question so that it was relevant to the public. There was also a need to be mindful of what other consultation exercises were planned for the autumn and he hoped to be able to bring back an outline proposal to the September meeting.

16.2   **RESOLVED – That** the information be noted.

*17.   INITIAL REVIEW OF THE FIRST ROUND OF CABINET AND CABINET MEMBER MEETINGS

17.1   The Head of Legal & Democratic Services stated that overall the first round of Cabinet and Cabinet Member meetings had gone well and been well received by Members and members of the public. He noted that the timetabling of some meetings had already been reviewed with some Cabinet Member Meetings be moved to a quarterly schedule i.e. Finance and Central Services. It was likely that there would be further changes to the timetabling of meetings in light of the two cycles leading up to the August recess and this would be included as part of the 6-month review of the constitution.

17.2   Councillor Mears stated that she had been pleased with how the meetings and process and gone following the adoption of the new constitution and wished to record her thanks to the officers responsible for enabling the meetings to work well and run smoothly.

17.3   Members of the Committee noted the information and stated that whilst the meetings had gone well, there were still some reservations about how the Cabinet system would operate and it was likely that it would take some time before all Members were aware of how to utilise the new system effectively for their own needs.

17.4   **RESOLVED –** That the information be noted.

18.   ITEMS TO GO FORWARD TO COUNCIL

18.1   The committee considered whether any items should be submitted to the 17 July Council meeting for information in accordance with Procedural Rule 24.3a.

18.2   In having regard to the Council meeting scheduled for the 17 July, Councillor Duncan queried whether there were any implications in

terms of the meeting taking place with regard to the recently announced strike action by Unison on the 16 and 17 July and the decision in respect of item No.12.

18.3   The Director of Strategy & Governance stated that the proposed establishment of a Cabinet Sustainability Committee was an executive function and therefore came under the remit of the Cabinet. The matter had been reported to the Governance Committee as it resulted in a change to the decision-making structure but was ultimately for the Cabinet to determine and could only be reported to the council for information. In respect of the proposed strike action he stated that the dates had been noted but he was not aware of any changes to the date of the council meeting at this point in time.

18.4   Councillor Mears stated that she had been in discussion with the Chief Executive with regard to the options available and hoped to be able to make an announcement in the following few days.

18.5   **RESOLVED –** That no items be referred to Council other than those identified by the respective report of the need to be submitted to Council for approval.

The meeting concluded at 6.10pm

Signed   Chairman

Dated this   day of   2008

GOVERNANCE COMMITTEE	Agenda Item **29**
	Brighton & Hove City Council

Subject:	**Governance Implications of Communities in Control White Paper**
Date of Meeting:	**23 September 2008**
Report of:	**Director of Strategy & Governance**
Contact Officer: Name:	**Emma McDermott** Tel: **29-3944**
E-mail:	Emma.mcdermott@brighton-hove.gov.uk
Wards Affected: All	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 In July this year National Government published a White Paper titled 'Communities in Control'. The White Paper focuses on a variety of steps that National and Local Government and the voluntary and community sector could take to increase opportunities for people to influence and take control over the issues that affect their lives.

1.2 Within the White Paper and related proposed legislative changes there are several proposals which could require or enable changes to the Council's constitution or have broader implications for the governance of the city.

1.3 Consultation papers are being issued on aspects of the proposals. Papers on 'Improving local accountability' and 'The making and enforcement of byelaws' were issued in August 2008 and further consultation papers are anticipated over the coming months.

2 RECOMMENDATIONS:

2.1 (1) That the Committee notes the proposals in the White Paper that may require future changes to the Council's constitution or have broader implications for the governance of the city.

2.2 (2) That the Committee instructs officers to track the implementation of the proposals in the White Paper, including the Community Empowerment, Housing and Economic Regeneration Bill (CEHER Bill) and to report to a future meeting with full details of any proposed new legislation and relevant consultation documents.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The key proposals contained in the White Paper that have potential implications for the council's constitution are summarised below:-

- o A new duty to promote democracy and specifically practical support for Councillors including allowing Councillors to hold surgeries on council premises and allowing political parties to hire council premises for meetings and events.
- o A new duty for councils to respond to petitions, including electronic petitions, relating to local authority functions or other public services where the council shares deliver responsibilities.
- o A new power to provide incentives to promote voting.
- o A community's right of appeal should the local authority deny the development of a new neighbourhood/community council
- o The amendment of the Widdicombe rules which forbid council. workers above a salary band from being active in party politics.
- o New right to petition to hold local officers to account at public meetings.
- o Change of regulation around petitions for and frequency of referendums on elected mayors
- o Ability for members to participate in meetings, and particularly vote, remotely
- o Changes to overview and scrutiny including holding deliberative events, moving meetings out of the town hall into the community, enhancing the power of overview and scrutiny committees to require information from partners on a broader range of issues.
- o Backbench councillors with the power to make change in their wards through discretionary localised budgets

3.2 The key proposals contained in the White Paper that have potential implications for the wider governance of the city are summarised below:-

- o Extension of 'duty to involve' to cover police authorities and key arts, sporting, cultural and environmental organisations including CLG working with local bodies to identify ways to streamline consultation and engagement, with a clear role for Local Strategic Partnerships
- o Provision of information on services at local neighbourhood level and pilot more innovate approaches to sharing information with citizens, community groups and third parties
- o Production of a national toolkit on empowering people in the decisions about housing growth in their area
- o Encouragement to provide practical support to employees to take up civic roles
- o Extension of pilot community contracts and encouragement to see these developed in every neighbourhood

- o Encouragement of statutory agencies to develop and run a joint leadership development programme
- o Development of a national accreditation system for councillors
- o National review into extending redress for citizens – potential implication for council's complaints system
- o Support use of 'community justice' and piloting citizen involvement in 'community payback' including rolling out of the principle of community engagement by the courts
- o All local authorities to have some form of participatory budgeting by 2012
- o Encouraged continued use of neighbourhood management
- o Publication of guidance on the Councillor Call for Action, in order that councillors can better exercise this power

3.2 Of the proposals set out above, those which may have particular impact on the council's constitution are considered in more detail below:-

3.3 New duty for Councils to respond to petitions

3.3.1 This proposed new duty is intended to ensure that councils guarantee a response to petitions. It is proposed that petitions could call for action, participatory budgeting or a local referendum. The White Paper states that responding to a petition should not be a "tick box" exercise and that, if the relevant Overview and Scrutiny Committee decides that the response is not adequate or substantive, petitioners will be able to secure a debate at full council. In any event, if five per cent of the local population sign a petition, there will have to be a full council debate. Local Authorities will be able to set lower thresholds.

3.3.2 Brighton & Hove Council already has a long history of responding to petitions in public meetings. The proposals as set out in the White Paper go further than our current constitution in terms of giving additional responsibilities to Overview and Scrutiny Committees and requiring a full council debate in some circumstances. These proposals will require legislation to enact them and will be included in the planned CEHER Bill.

3.4 Directly Elected Mayors

3.4.1 The White Paper includes proposals to make it easier for people to demand a move to establishing a directly elected mayor through a referendum. The proposals include:-

- Consulting on permitting on-line petitioning as well as traditional paper petitions to demonstrate support for a referendum;

- Consulting on reducing the threshold for a petition to trigger a mayoral referendum from 5% of voters to perhaps 2, 3 or 4 per cent;

- Removing the current timing restrictions so that a new referendum may be held after four years if a referendum is lost.

3.4.2 Again these proposals, if progressed, are planned to be included in the CEHER Bill, although the White Paper is clear that there will be consultation in advance.

3.5 A new right to petition to hold local officers to account.

3.5.1 The aim of this new right is to increase the visibility of local public officers so that they are all open to public scrutiny and questioning from local communities. The White Paper envisages strengthened overview and scrutiny powers to achieve this. In particular it sets out the proposal that if enough people served by a local service or agency sign a local petition then senior officers working for a local public body should be required to attend a public hearing.

3.5.2 If these proposals are enacted, they will go further than the Council's current powers in relation to Overview and Scrutiny of outside bodies, meaning that representatives from other agencies could be required to attend meetings. The requirements on attendance are currently limited to the Council and its Health partners. A new procedure would be needed to facilitate the type of meeting envisaged in the White Paper which would require further consultation with this Committee once the proposals are progressed.

3.6 Support for Councillors

3.6.1 The measures to increase support for Councillors include enabling the use of information and communication technology to enable councillors to participate in meetings and vote remotely. This proposal would require legislation and the CEHER Bill has again been identified as the potential vehicle for this. If the proposal goes ahead and the Council wished to make use of the new powers, new constitutional provisions would be needed.

4. CONSULTATION

4.1 No consultation has been carried out specifically on the proposals in the White Paper. However, as part of the development of the Community Engagement Framework a wide range of organisations, groups and partnerships have been asked what works well in the city with regard to community engagement, what doesn't and how could it be improved.

4.2 The consultation for the Framework finished on 5th September. The results will be used to shape the final document which will include priority projects to be pursued wither by the Stronger Communities

Partnership or individual organisations within the Partnership including the council.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

The 2008/09 budget for Democratic Services is £1.786m, of which Members' allowances accounts for £1.057m and staffing costs for Democratic Support Staff a further £392k.

The proposals in the White Paper may have potential impact on staff time within this service, and possibly require extra resources to achieve. More precise financial comments can be made to the Committee when progress of the Paper is known.

Finance Officer Consulted: Peter Francis   Date: 9 September 2008

Legal Implications:

As set out in the body of the report, many of the proposals in the White Paper, and in particular those that will either enable or require changes to the Council's constitution, will need new primary legislation to bring them into force. The Community Empowerment, Housing and Economic Regeneration Bill is the key piece of legislation proposed to bring into force many of these changes. It will be important to follow the progress of this Bill to be clear which of the White Paper's proposals are enacted.

Lawyer Consulted: Elizabeth Culbert   Date: 18th August 2008

Equalities Implications:

Any new activity instigated as a result of the white paper or future legislation will be equality impact assed in line with the council's policy and procedure. The white paper was equality impact assessed by CLG.

Sustainability Implications:

The development of the any new activity is likely to have a direct link to the achievement of one of the four priorities in the UK's Sustainability Plan - sustainable communities using engagement and partnership to reduce poverty and environmental degradation.

Crime & Disorder Implications:

Any new activity instigated will be planned and delivered to ensure it meets the council's obligations under section 17 of the Crime and Disorder Reduction Act 200X

Risk and Opportunity Management Implications:

The white paper presents opportunities to help the council achieve one of its five corporate priorities: open and effective city leadership. However, there are associated risks in terms of likely resource implications and organisational change.

Corporate / Citywide Implications:

Future implementation of any of the actions will have corporate and citywide implications as they are directly related to the governance of the council and how the council works with its partners to deliver its vision for the city.

SUPPORTING DOCUMENTATION

Background Documents

1. Communities in Control: Real People, Real Power, CLG, July 2008
http://www.communities.gov.uk/publications/communities/communitiesincontrol

2. Unlocking the Talent of our Communities, March 2008 (a precursor to the White Paper)
http://www.communities.gov.uk/publications/communities/unlockingtalent

3. Communities in Control: Real People, Real Power. Improving local accountability – Consultation, CLG August 2008
http://www.communities.gov.uk/publications/communities/localaccountability

4. The making and Enforcement of byelaws – Consultation, CLG August 2008
http://www.communities.gov.uk/publications/localgovernment/byelaws

5. Communities in Control: Real People, Real Power. Local Petitions and Calls for Action – Government response, CLG July 2008
http://www.communities.gov.uk/publications/communities/petitionscallsgovernmentresponse

6. The Government's Response to the Councillors Commission report 'Representing the future' - CLG July 2008
http://www.communities.gov.uk/councillorscommission/publications/communities/representingthefutre

7.   Participatory Budgeting: a draft national strategy. Giving more people a say in local spending - Consultation, CLG March 2008
http://www.communities.gov.uk/publications/communities/participatorybudgeti
ng

Appendix 1

CLG Summary of the White Paper Communities in Control

Summary

1. *Communities in control: real people, real power* aims to pass power into the hands of local communities. We want to generate vibrant local democracy in every part of the country, and to give real control over local decisions and services to a wider pool of active citizens.

2. We want to shift power, influence and responsibility away from existing centres of power into the hands of communities and individual citizens. This is because we believe that they can take difficult decisions and solve complex problems for themselves. The state's role should be to set national priorities and minimum standards, while providing support and a fair distribution of resources.

3. A vibrant participatory democracy should strengthen our representative democracy. The third sector – through charities, voluntary organisations and social enterprises – has much to offer from its traditions of purposeful altruism and selfless volunteering. Equally, we believe that political activity is a worthwhile and essential part of British life, and we want to restore people's faith in politics.

4. In the White Paper, we address seven key issues which we treat from the perspective of individual citizens: being active in your community; access to information; having an influence; challenge; redress; standing for office; and ownership and control.

We have done a lot so far…

5. Over the last decade, the Government has modernised the democratic system with devolved administrations in Scotland, Wales and Northern Ireland; a London assembly and directly-elected mayors in England; electoral reform for European Parliament elections; and an end to the hereditary principle in the House of Lords.

6.   There have been equally important changes in our participatory democracy, with communities helping to shape regeneration programmes through New Deal for Communities, local elections to NHS Foundation Trusts and a stronger role for petitions. Local councils have become more visible and accountable, with greater devolution of power to local neighbourhoods. New partnerships and agreements have helped to strengthen accountability.

… but we need more reform

7.   Yet power still remains too centralised and too concentrated in government. The division between what should be decided at the centre and what is best decided locally remains blurred.

8.   There has been a growing disenchantment with formal political mechanisms. Turnout at elections has been declining. Political parties that once had 3.5 million members now have barely half a million between them. People locally don't feel they have an adequate say in the running of local services. And a majority do not think councillors represent their views.

9.   But while people want to have a greater say, they need also to be convinced that their involvement will make a difference. If they speak up, they want to know that their voices will be heard. This is what **empowerment** is all about – passing more and more political power to more and more people through every practical means.

10. And the evidence suggests the quality of decision-making is improved as government actions more closely match the wishes of their citizens. In this way, empowerment can revive civic society and drive improvements in the NHS, police, justice system and local councils.

Local councils remain crucial

11. Councils remain at the heart of local democracy. The Government has given them a 45 per cent increase in real-terms funding since 1997, and has cut central targets. At the same time, accountability through the Audit Commission has seen a big improvement in quality, with only a handful of councils now in the Commission's weakest categories.

12. But many councils should do more to promote participation. So, we will introduce a new **'duty to promote democracy'** to help councils promote involvement through clearer information, better trained staff and more visible councillors in the community. We will also extend the existing **'duty to involve'** local people in key decisions, which will come into effect in April 2009, and will cover police authorities and key arts, sporting, cultural and environmental organisations. We will **support frontline staff** in responding to individual needs with a new task force. We will also set up an **Empowerment Fund** of at least **£7.5m** to support national third sector organisations turn key empowerment proposals into practical action.

Supporting you in becoming a more active citizen or volunteer

13. Britain has a rich tradition of voluntary activity. Three-quarters of British people volunteer in some way. The government has supported volunteering, particularly for young people and the socially excluded, for example, through the **v** charity, Volunteering for All and Goldstar. The Department for Work and Pensions are exploring how **those on benefits can be supported** in taking up volunteering opportunities and the Office of the Third Sector will invest **£2m in opportunities for people with disabilities** to volunteer. We are working closely with the Prime Minister's Council on Social Action on **extending mentoring and befriending**.
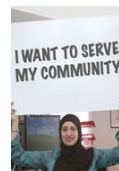
14. Learning about citizenship helps to develop skills in young people and adults. The **citizenship curriculum** is important in schools and we will also be supporting a **pathfinder programme (Take Part)** for adults which will offer training and information about how to be an active citizen. We will encourage and **support innovative programmes to help young people from diverse backgrounds to become effective leaders**.

15. Community development workers can help citizens to shape their own areas. We are keen to encourage other frontline workers to do community building. Independent multi purpose community led organisations can also play a vital role in empowering local people and we are establishing a **£70m Communitybuilders** scheme to help them become more sustainable. Grassroots Grants, developed by the Office of the Third Sector, offer small sums of money from an £80m fund – in addition there is a £50m community endowment fund – to help locally-based groups to survive and thrive.

16. Many tens of thousands of people are motivated by their faith to provide services to local communities. But their contribution hasn't always been fully appreciated. We intend to **remove the barriers to commissioning services from faith-based groups** and carry out a national survey of third sector organisations, including faith based organisations, to understand the difficulties they face.

17. We will support community effort in tackling **climate change**. A 'Green Neighbourhood' scheme has been launched which will demonstrate how communities can take action to adopt low carbon lifestyles.

18. Local events provide a great way for communities to come together and encourage people to get involved in local activities. We will **support local communities in developing local events** such as litter picks, painting community centres, street parties or fairs in local parks.

Providing you with more access to information

19. Citizens often feel powerless because of a lack of information. Too much jargon can alienate, confuse and frustrate. More accessible and open information is a pre-requisite to community empowerment. Despite freedom of information and more 'Plain English', people feel less well-informed about their local council today than they did a few years ago.

20. The Internet offers huge opportunities and we want to encourage public bodies to authorise the re-use of information. We are **improving the information available to local citizens** and service-users. But there is a correlation between social and digital exclusion. We will ensure all sections of society can enjoy the benefits of the Internet, and other methods of communication.

21. Local authorities, public service providers and websites set up by citizens are helping us to ensure that more widespread up-to-date local data is published. NHS hospital data will help patients make more informed choices about their care. Parents will soon know more about their children's progress, behaviour and homework.

22. We want people to have access to information on what is happening in their own areas. We will **increase access to information available** at a local level and explore new and innovative approaches to sharing information both with citizens and with third parties. We will open up further elements of the Places Database.

23. A strong independent media is a vital part of any democracy. We will continue to support a range of media outlets and support innovation in community and social media. We will pilot a mentoring scheme in deprived areas on using the Internet.

Making sure your petitions are heard – and acted upon

24. Petitions have become easier through the Internet, with more than 8 million people signing petitions on the No 10 Downing Street petitions website to date.

25. To make it easier to influence the agenda at a local level we will introduce a **new duty for councils to respond to petitions**, ensuring that those with significant local support are properly debated. Local authorities should respond clearly to petitions, for example those dealing with empty properties, transferring the ownership of a building to the community, or participatory budgeting. If people are not satisfied with a response to a petition, they could ask for it to be debated in full council. Councils will also act as **community advocates for petitions related to the Primary Care Trust**.

26. Petitions should be taken into account in decision making in public services. We will work with key inspectorates to encourage them to ensure **petitions are important pieces of evidence to determine when inspections should be triggered**.

Increasing your chance to influence council budgets and policies

27. Citizens should have a greater say in how local budgets are spent. **Participatory budgeting** – where citizens help to set local priorities for spending – is already operating in 22 local authorities. We want to encourage every local authority to use such schemes in some form by 2012.

28. Local authorities should do more to **promote voting** in elections, including working with young people through citizenship lessons. We will give councils the power to provide modest **incentives for voting** – perhaps an entry into a prize draw – as a way of engaging people.

Giving you more say in your neighbourhood

29. We want to encourage **more neighbourhood councils**. So we will build on the existing 8,900 parish and town councils by encouraging new village, neighbourhood and community councils, particularly in urban areas. We will introduce a right of appeal where a community's proposal for a local council is denied by the local authority.

30. A quarter of local councils use **neighbourhood management** to join up local services including health and transport and help tackle problems in deprived communities. The recent Flanagan review of policing recommended that neighbourhood policing should be part of this process. The third sector also has a unique ability to articulate the views of citizens and drive change, and we will work with them to develop principles for their participation in Local Strategic Partnerships.

31. Local authorities must engage more people in **commissioning local goods and services**. Citizens should have a say in how services are delivered, to improve decision-making and value-for-money.

32. We want witnesses and the victims of crime to feel that the system is on their side. We support the use of **'community justice'** giving local people the chance to decide, for example, what tasks offenders on work orders should undertake. The Ministry of Justice will work with the Local Government Association and the Association of Chief Police Officers to agree **pilot projects for citizens to discuss 'community payback'** and local community safety priorities.

33. Equally, we want local people to have more of a say in the planning system so we will provide more funding to support **community engagement in planning** and we will ensure planners develop stronger skills in working with communities.

34. Up to 750,000 people are on a **tenants'** group or committee, making decisions about their homes and estates. Subject to Parliamentary approval, a new body, the Tenant Services Authority will soon be responsible for protecting all social housing tenants. We are giving tenants a greater say through local compacts, choice-based lettings and tenant co-operatives.

Giving older and young people a stronger voice

35. It is important that older people can shape local services and in June 2008 the Government launched a **review of older people's engagement with government**.

36. Most young people don't vote and many seem disaffected with traditional politics. Yet 67 per cent of 18-24 year olds say they are interested in local issues – and young people are often willing to volunteer. So we must do more to engage them.

37. Young people need genuine influence over local services and decision making. The Department for Children, Schools and Families (DCSF) has established a Youth Sector Development Fund to support good third sector organisations expand their capacity to deliver good quality provision to young people. **250 trained young advisors** are already helping public bodies to develop policies and plans in ways that meet the needs of young people. Some areas also have a youth mayor elected by young people locally. We will establish **direct access for young advisors to the Secretary of State for Communities and Local Government and set up a programme for young people to 'shadow' government ministers and elected mayors.** DCSF are establishing a £6m national institute for youth leadership which will work with us to develop **internships for young people with councillors.**

Enabling you to hold those with power to account

38. We will **raise the visibility of the overview and scrutiny function** in local government, which is similar to Select Committees in Parliament. **Public officials will become more visible**. A key part of the role of a chair or chief executive of a public body should be that they face a regular public hearing. We will consult on a new right to petition to hold local officers to account at public meetings.

39. We are increasing the **accountability of local police and health services**. Through consultation on the NHS Constitution Primary Care Trusts are being asked to consider how they can strengthen their direct engagement with the public. The forthcoming Policing Green Paper will set out how police forces will be made more accountable, including through direct elections.

40. We want more visible and accountable local leaders. We support the directly-elected mayor model, already in operation in 12 towns in addition to the high-profile London Mayor. We want to see more **mayors directly elected** and will consult on making it easier for local people to demand a referendum and on reducing restrictions on the frequency of referendums.

41. New independent assessments of services in local areas are being introduced from April 2009. This **Comprehensive Area Assessment** will include evaluation of the quality of public engagement.

Providing you with redress when things go wrong

42. When public services fall short of the highest standards, citizens should be able to **complain and seek redress**.

43. One in five adults complains to their local council each year and a larger proportion is dissatisfied about the quality of local services. People who want to complain often don't know how to go about it. Nearly two-thirds of those who do complain to the council are dissatisfied with how their complaint is handled. Even so, there is also a growing belief that the quality of local services is improving.

44. Public services are becoming more accessible through services such as Directgov and Consumer Direct. The Audit Commission and the Local Government Ombudsman both provide advice on how to complain about poor services. We are **reviewing the Local Ombudsman's jurisdiction** to make sure all matters are covered.

45. However, it is important that every local authority has **a system of accessible, interactive contact** for citizens to raise concerns. Such systems should be developed with clear principles and a proper understanding of what redress or compensation may be available where that is appropriate. Where people just want things put right, they should be kept informed of what has been done following their complaint.

46. Rights and powers should be balanced by responsibilities and duties. We will extend pilot **Community Contracts** which agree priorities between councils, police or the NHS with local residents, who in turn agree to play their part. We would like to hear from local areas interested in running a **community pledgebank** where individuals pledge a small amount of resource if others do the same.

47. We will commission a **review into extending redress for citizens**. The review will report in early 2009.

Making it easier for you to stand for office

48. The proportion of councillors who are women, under-25 or from black and minority ethnic backgrounds is far lower than their proportion of the population. We want to see **a wider range of people standing for election** to their local council. A taskforce chaired by Baroness Uddin is working to help more black and minority ethnic women become councillors. Programmes such as Operation Black Vote are using a shadowing scheme to encourage more black people to become councillors, magistrates and school governors. We will **amend the Widdicombe rules** which forbid council workers above a certain salary band from being active in party politics.

49. We will give **backbench councillors more powers** to make changes in their ward with discretionary localised budgets that they can target on ward priorities. We will support authorities in enabling councillors with caring responsibilities and others to participate in meetings and vote remotely.

50. We want people to serve in a range of civic roles. Councillors, magistrates, school governors and others are already entitled to request reasonable **time off work for their public duties**. Working with employers, we will consult on extending that right to people serving on a range of other important public boards such as members of court boards or boards of housing associations.

51. People may be prevented from standing for public office because they are afraid of losing their job if they are elected. Employers often overestimate the time involved and underestimate the skills acquired in a civic role. So we are working with employer organisations on an **employers' information pack**.

52. Many councillors would like to see **a formal qualification** that recognised their work. We will review existing qualifications and modules to develop a system of formal accreditation at different skill levels. We will encourage councils to use their existing powers **to create Aldermen from experienced former councillors and enable the use of the new title of 'Alderwoman'**.
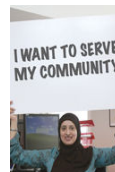
53. We want to make it easier for people wishing to serve on local committees, boards or school governing bodies to know what the role involves and how to go about applying for vacancies. We will make it easier for people to find information on the range of ways they could be active in civic roles in their communities. This will involve directing people to further information, and also allow those running community websites to present relevant information to their local community.

Ownership and control

54. We want to see an increase in the number of people helping to run or own local services and assets, and to transfer more of these assets into community ownership. These assets might include community centres, street markets, swimming pools, parks or a disused school, shop or pub. A new **Asset Transfer Unit** will provide information, research and good practice.

55. Local authorities should ensure that information on the assets they own or manage is clearly up to date.

56. Community Land Trusts (CLTs) are independent organisations which own or control land for the benefit of the local community. We will **consult on a national framework for Community Land Trusts**. We are supporting fourteen pilot CLTs.

57. We want to see more people involved in starting and running social enterprises, where the profits are ploughed back into the community or reinvested in the business. A new Social Enterprise Unit is being set up in Communities and Local Government to recognise the social enterprise contribution to the department's objectives. We will also **encourage local authorities to ensure social enterprises are able to compete fairly for contracts**.

Scope and consultation

58. In developing the White Paper, we spoke to a wide range of stakeholders who fed their comments and suggestions into policy development, and we are very grateful for their help.

59.	The policies in the White Paper largely cover England only. Where proposals cover the United Kingdom, this is explicitly stated in the full text. We will engage with all devolved administrations in implementation, issue by issue.

Conclusion

60.	Unless we give citizens similar choices in our democratic system to those they have in their everyday lives – and the same rights to demand the best – we will see a further erosion of trust and participation in democracy. There are no limits to the capacity of the British people for self-government, given the right platforms, mechanisms and incentives. Empowering citizens and communities is an urgent task for us all.

GOVERNANCE COMMITTEE	Agenda Item **30**
	Brighton & Hove City Council

Subject:	**Annual Governance Statement**
Date of Meeting:	**23 September 2008**
Report of:	**Director of Finance & Resources and Director of Strategy & Governance**
Contact Officer: Name:	**Ian Withers** Tel: **29-1323**
E-mail:	Ian.withers@brighton-hove.gov.uk
Wards Affected: All	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 The City Council has a statutory duty under the Accounts and Audit Regulations 2003 (amended 2006), to publish an Annual Governance Statement.

1.2 The Audit Committee of the Council at its meeting on 26 June considered and approved the Annual Governance Statement. However, given the fact that it impacts on overall governance, it is being reported to the Governance Committee for Information.

2. RECOMMENDATIONS:

2.1 That the annual assessment of the City Council's corporate governance arrangements be noted;

2.2 That the Annual Governance Statement for inclusion with the Statement of Accounts be noted; and

2.3 That the City Council's continuing improvements on governance arrangements be noted.

3. BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The Accounts and Audit Regulations 2003 (amended in 2006) introduced a requirement for local authorities to publish a statement on internal control as part of their annual statement of accounts. From 2007/08 this statutory duty has been superceded by the requirement to produce an Annual Governance Statement.

3.2 The City Council's Code of Corporate Governance (approved by Council in March 2008) provided the principles against which the effectiveness of the City Council's corporate governance arrangement is measured.

3.3   2007/08 is the first year that the Annual Governance Statement has been required. The Chief Executive and Leader sign the Statement which is published with the Statement of Accounts.

3.4   Robust corporate governance arrangements are essential for the sound management of Brighton & Hove City Council and public confidence. It will also be an important factor in achieving a high score in the Comprehensive Performance Assessment (CPA) for the Use of Resources.

3.5   The review of corporate governance arrangements was carried out using guidance provided by the Chartered Institute of Public Finance & Accountancy (CIPFA) and Society of Local Authority Chief Executives (SOLACE), to ensure it complies with best practice. Where applicable comparison was also made with corporate governance arrangements of other local authorities.

3.6   The Annual Governance Statement contains an action plan for where further improvements can be made to the City Council's governance arrangements.

3.7   Core Principle 2 of the Assessment (Common Purpose) and Core Principle 4 (Scrutiny and Risk Management) touch on issues relating to the constitution and governance generally. These and the Annual Governance Statement (Appendix 2) do not raise any major issues. It should however be noted that this covers the municipal year 2007/8. The current governance arrangements will be reflected in the next Annual Governance Statement.

4.   CONSULTATION

4.1   Internal consultation has been carried out with relevant officers and in particular the Officers Governance Board.

5.   FINANCIAL & OTHER IMPLICATIONS:

5.1   Financial Implications:

Sound corporate governance and proper systems of internal control are essential to the financial health and reputation of the council.

Finance Officer Consulted: Ian Withers   Date: 02/09/08

5.2   Legal Implications:

The production of the statement meets the requirements of the Accounts and Audit Regulations 2003 (Amended 2006) and Comprehensive Performance Assessment.

Lawyer Consulted: Abraham Ghebre-Ghirorghis   Date: 02/09/08

5.3   Equalities Implications:

There are no direct equalities implications arising directly from this report

5.4   Sustainability Implications:

There are no direct sustainability implications arising from this report.

5.5   Crime & Disorder Implications:

There no direct implications for the prevention of crime and disorder arising from this report.

5.6   Risk and Opportunity Management Implications:

The preparation of the Annual Governance Statement has been explicitly linked to the risk management framework of the City Council.   One of three principles of good governance is "taking informed, transparent decisions and managing risk".

5.7   Corporate / Citywide Implications:

Robust corporate governance arrangements are essential to the sound management of the City Council and the achievement of its objectives as set out in the Corporate Plan.

SUPPORTING DOCUMENTATION

Appendices:

1.   Assessment of Corporate Governance Arrangements 2007/08

2.   Annual Governance Statement 2007/08

Background Documents

1.   Brighton & Hove City Council's Code of Corporate Governance

2.   CIPFA/SOLACE Delivering Good Governance in Local Government Framework 2006

3.   Accounts & Audit Regulations 2003 (Amended 2006)

Audit & Assurance Services

Brighton & Hove City Council

Assessment of Corporate Governance Arrangements 2007/08

(Compliance with City Council's Code of Corporate Governance)

Prepared by: Ian Withers
Head of Audit & Assurance

Date: June 2008

(A002/2009)

CORE PRINCIPLE 1: COMMUNITY FOCUS
Focusing on the purpose of the City Council and on outcomes for the community, and creating and implementing a vision for the local area

The functions of governance is to ensure that local authorities, other local government organisations or connected partnerships fulfil their purpose and achieve their intended outcomes for citizens and service users and operate in an effective, efficient, economic and ethical manner. This concept should guide all governance activity.   Local government bodies need to develop and articulate a clear vision of their purpose and intended outcomes for citizens and service users that is clearly communicated, both within the organisation and to external stakeholders.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
1. Exercising strategic leadership by developing and clearly communicating the City Council's purpose and vision and its intended outcome for citizens and service users	1.1 Develop and promote the City Council's purpose and vision	- Vision, purpose and values - Corporate Plan - Sustainable Community Strategy - Local Area Agreement - Local Strategic Partnership - Departmental Development Plans - Team Plans - Team Plans	The Corporate Plan (three year) containing the Corporate Priorities was not updated in 2007/08 due to change in the council's administration. Currently being updated and due to go to Cabinet for approval and publication in June 2008. A new business planning process was developed in 2007/08, one objective of which is to improve alignment of resources to objectives. This is going live in 2008/09.
	1.2 Review on a regular basis the City Council's vision for the local area and its implications for the its governance arrangements	- Sustainable Community Strategy - Local Strategic Partnership - Annual review of constitution - Local Area Agreement including monitoring of delivery	Compliant
	1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners.	- Partnership protocols - Code of Corporate Governance - Local Area Agreement - Local Strategic Partnership - Sustainable Community Strategy	Completion of Section 75 Agreement

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	1.4 Publish an annual report on a timely basis to communicate the City Council's activities and achievements, its financial position and performance	▪ Annual Report ▪ Statement of Accounts ▪ Annual Audit & Inspection Letter ▪ Comprehensive Performance Assessment (CPA) ▪ Annual Internal Audit Report ▪ External Auditor's Audit and Inspection Letter	Annual Report and Statement of Accounts produced for 2007/08 but contained principally financial information. Consideration being given to expanding the scope to include greater performance information. Improved access to tools and training for Financial Management.
2. Ensuring that users receive a high quality of service whether directly, or in partnership, or by commissioning	2.1 Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available.	▪ City Views 2007 ▪ Corporate Plan Monitoring ▪ Performance Monitoring/Indicators ▪ Team Planning Process ▪ LAA Performance Management Framework	The Corporate Plan (three year) containing the Corporate Priorities was not updated in 2007/08 due to change in the council's administration.
	2.2 Put in place effective arrangements to identify and deal with failure in service delivery	▪ Corporate Complaints Procedure ▪ Performance Management System	Compliant
3. Ensuring that the City Council makes best use of resources and that the tax payers and service users receive excellent value for money (VFM)	3.1 Decide how VFM is to be measured and make sure that the City Council or partnership has the information needed to review VFM and performance effectively.	▪ Corporate Procurement Strategy ▪ CPA Use of Resources KLOE 5 ▪ Annual Efficiency Statement ▪ External Auditor's Audit and Inspection Letter ▪ Performance Indicators ▪ VFM Departmental Progress Reports ▪ Departmental Development Plans ▪ Team Plans ▪ HR MIS System to effectively manage workforce ▪ Externally measured (Audit Commission) VFM 'hotspots'. ▪ Medium Term Financial Strategy ▪ Performance Plan	PWC engaged to help build up knowledge, captivity and skills internally to provide ongoing support to VFM reviews. Work programme developed for each directorate and VFM reviews being undertaken e.g. Adult Social Care. Development and introduction of training module for Value for Money in Contract Management required. Acquisition and implementation of HR MIS to enhance control and management of workforce.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	3.2 Measure the environmental impact of policies, plans and decisions	• Committee reports (sustainability implications) • Team Planning/Business Planning Process	Compliant

Reference Documents

Strong and Prosperous Communities DCLG (October 2006)	

CORE PRINCIPLE 2: COMMON PURPOSE
Members and officers working together to achieve a common purpose with clearly defined functions and roles

The governing body of an organisation has overall responsibility for directing and controlling that organisation. In local government the governing body is the full council or authority. Further information on the structure and roles of the local authority governing bodies is included in the guidance notes to the framework.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
1. Ensuring effective leadership throughout the City Council and being clear about executive and non-executive functions and the roles and responsibilities of the scrutiny function	1.1 Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the City Council's approach towards putting this in practice.	▪ City Council's Constitution ▪ Minutes of meetings	Compliant Post implementation review of the City Council's Constitution to be completed after six months.
	1.2 Set out a clear statement of the respective roles and responsibilities of other City Council members, members generally and of senior officers.	▪ City Council's Constitution (Scheme of Delegation) ▪ Job Descriptions of Officers and Members	No clear process for updating officer's job descriptions to reflect current duties. These should be reviewed at least annually as part of PDPS process. Consideration still being given to introduction of Members Job Descriptions
2. Ensuring that a constructive working relationship exists between City Council members and officers and that the responsibilities of members and officers are carried out to a high standard	2.1 Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the City Council, taking account of relevant legislation and ensure that it is monitored and updated when required.	▪ City Council's Constitution	Compliant
	2.2 Make the Chief Executive responsible and accountable to the City Council for all aspects of operational management.	▪ City Council's Constitution ▪ Job description/Person Specification of Chief Executive ▪ Performance Indicators	Compliant

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	2.3 Develop protocols to ensure that the Leader and Chief Executive negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained.	▪ Job Descriptions ▪ Member/Officer Protocol ▪ Annual review of constitution ▪ Regular meetings between the Leader and Chief Executive	Compliant
	2.4 Make a senior officer (the s151 officer) responsible for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts and for maintaining an effective system of internal financial control	▪ Local Government & Housing Act 1989 - Section 151 Responsibilities ▪ City Council's Constitution ▪ Accounts & Audit Regulations 2003 (Amended 2006) ▪ Statutory reports ▪ Financial Regulations ▪ Job description/person specification ▪ Medium Term Financial Strategy ▪ Internal Audit Strategy and Charter ▪ Annual assurance opinion by Head of Audit & Assurance ▪ Financial implication on reports	Compliant
	2.5 Make a senior officer (usually the monitoring officer) responsible to the City Council for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with.	▪ Monitoring Officer Legislation ▪ Local Government & Housing Act 1989 – Section 5 ▪ City Council's Constitution ▪ Monitoring Officer Protocol ▪ Job Descriptions/person specification ▪ Performance Development Planning Scheme	Compliant
3. Ensuring relationships between the City Council, its partners and the public are clear so that each knows what to expect from the other	3.1 Develop protocols to ensure effective communication between members and officers in their respective roles	▪ Member/officer protocol	Compliant

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	3.2 Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process, including an effective remuneration panel.	▪ Independent Remuneration Panel ▪ Members Allowances Scheme ▪ Contracts of employment ▪ National pay scales	One area where work is still ongoing is the pay and grading review (Single Status) for comparability. Delays have occurred due to the complexity of pay and grading across the Council and potential risk of liability claims if get things wrong.
	3.3 Ensure that effective mechanisms exist to monitor service delivery.	▪ Corporate Plan ▪ Local Area Agreement ▪ Departmental Development Plans ▪ Team Plans ▪ PDP Process ▪ Budget Reports ▪ Periodic Performance Reports	Compliant
	3.4 Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated.	▪ Corporate Plans ▪ Sustainable Community Strategy ▪ Departmental Development Plans ▪ Consultation ▪ Team Plans ▪ Neighbourhood Renewal Strategy ▪ Local Area Agreement ▪ Partnership Agreements	Compliant
	3.5 When working in partnership, ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the City Council.	▪ Local Strategic Partnership ▪ Financial Regulations ▪ Partnership Agreements ▪ Partnership governance arrangements ▪ Members pack 2008	Compliant
	3.6 When working in partnership, ensure: ▪ that there is clarity about the legal status of the partnership; and	▪ Local Strategic Partnership ▪ Partnership agreements ▪ Financial Regulations	Compliant

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	▪ that representatives of organisations both understand and make clear to all partners the extent of their authority to bind their organisations to partner decisions.		

Reference Documents

Changing Organisational Cultures, Audit Commission (2005)

CORE PRINCIPLE 3: CONDUCT AND BEHAVIOUR
Promoting values for the City Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour

Good governance flows from a shared ethos or culture, as well as from systems and structures. It cannot be reduced to a set of rules, or achieved fully by compliance with a set of requirements. This spirit or those of good governance can be expressed as values and demonstrated in behaviour.

Good governance builds on the seven principles for the conduct of people in public life that were established by the Committee on Standards n Public Life, known as the Nolan Principles. In England, the Local Government Act 2000 outlined ten principles of conduct – an additional three to those identified by Nolan.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
I. Ensuring City Council members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance	1.1 Ensure that the City Council's leadership sets a tone for the organisation by creating a climate of openness, support and respect.	▪ Sustainable Community Strategy ▪ Members/Officers Codes of Conduct ▪ Member/officer protocol	Compliant
	1.2 Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the City Council, its partners and the community are defined and communicated through codes of conduct and protocols.	▪ Standards Committee ▪ Local Standards Board for England ▪ Members/Officers Codes of Conduct ▪ Corporate Complaints procedure ▪ Anti-fraud and Corruption Strategy	Whistleblowing Policy updated in 2007/08 in respect of equalities. Internal audit review to be carried out in 2008/09. Anti Fraud & Corruption Strategy requires updating to take account of outcome of recent "Fraud Review" by Central Government. Audit & Assurance to lead on review on the internal communication of the Council's Policies to raise awareness and compliance. To further examine the feasibility of enhancing electronic delivery to Members and staff.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	1.3 Put in place arrangements to ensure that members and employees of the City Council are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice.	▪ Standards Committee ▪ Member/Officer Codes of Conduct ▪ Fraud awareness training ▪ Declarations/Registers of Interests by Members and Officers ▪ Annual review of declaration of interests, gifts and hospitality ▪ Contract Standing Orders ▪ Financial Regulations	See above
2. Ensuring that organisational values are put into practice and are effective	2.1 Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations, and communicate these with members, staff, the community and partners.	▪ Members/Officers Codes of Conduct	Compliant
	2.2 Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice.	▪ Members/Officers Codes of Conduct (including reminders issued) ▪ Standards Committee (Terms of Reference & Reports) ▪ Scrutiny ▪ Local Investigation Regulations	Compliant
	2.3 Develop and maintain an effective standards committee.	▪ Standards Committee (Terms of Reference & Reports)	Compliant
	2.4 Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the City Council.	▪ City Council's Constitution ▪ Member/Officer Protocols	Compliant

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	2.5 In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively.	▪ Partnership agreements ▪ Partnership governance arrangements (including objectives, protocols, roles, funding, dispute resolution) ▪ LSP Member Hadbook	Compliant

Reference Documents

Standards of Conduct in English Local Government: The Future ODPM (2005)

CORE PRINCIPLE 4: SCRUTINY & RISK MANAGEMENT
Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

Decision making within a good governance framework is complex and challenging. It must further the organisation's purpose and strategic direction and be robust in the medium and longer terms. To make such decisions, authority members must be well informed.

Members making decisions need the support of appropriate systems to help ensure that decisions are implemented and that resources are used legally and efficiently.

Risk management is important to the successful delivery of public services. An effective risk management system identifies and assesses risk, decides on appropriate responses and then provides assurances that the chosen responses are effective.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
1. Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny	1.1 Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the City Council's performance overall and that of any organisation for which it is responsible.	▪ City Council's Constitution ▪ Overview and Scrutiny Committee, Panels procedures rules ▪ Scrutiny Annual Report ▪ Individual Scrutiny Reviews	Compliant
	1.2 Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based.	▪ Minutes of meetings and records of decisions ▪ Supporting reports and material ▪ City Council's website	Compliant
	1.3 Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice.	▪ Members/Officers Codes of Conduct ▪ Declarations/Registers of Interest for Officers and Members ▪ City Council's Constitution	Compliant

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Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	1.4 Develop and maintain an effective audit committee which is independent of the executive and scrutiny functions or make appropriate arrangements for the discharge of the functions of an audit committee.	- Audit Panel Terms of Reference - Audit Panel Reports - Audit Panel Annual Report - Audit Panel Membership - Assessment of effectiveness against best professional practice	For 2007/08 an Audit Panel operated reporting to OSOC. This has been replaced by a full Audit Committee for 2008/09. There is a training requirement for new members going from 4 to 10, on the role and specific areas of discharging duties.
	1.5 Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.	- Corporate Complaints Process	Compliant
2. Having good-quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs	2.1 Ensure that those making decisions, whether for the City Council or the partnership, are provided with information that is fit for purpose – relevant, timely, giving clear explanations of technical issues and their implications.	- Meeting agendas, minutes and reports - Implications on reports e.g. legal and financial on all committee reports - Data Quality Strategy - Training for members (induction and on-going) - Members Pack 2008 (Members Handbook)	Compliant
	2.2 Ensure that proper professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately.	- Committee reports/protocols - Implications on reports e.g. legal and financial on all committee reports - Guidance/training to Officers	Compliant Process being improved for 2008/09 with revised format for reports.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
3. Ensuring that an effective risk management system is in place	3.1 Ensure that risk management is embedded into the culture of the City Council, with members and managers at all levels recognising that risk management is part of their jobs.	▪ Risk Management Strategy ▪ Corporate/departmental risks ▪ Internal audit reports ▪ Risk management training ▪ Risk assessments (e.g. major projects) and Risk workshops ▪ Risk management reports ▪ Risk registers (corporate and departmental) ▪ Departmental Development Plans ▪ Team Planning Process ▪ Risk implications in reports	Risk Management Strategy being updated with greater emphasis on opportunities and partnerships. Business Continuity Planning to be reviewed in relation to partnerships, significant contractors and specifically relating to ICT resilience.
	3.2 Ensure that effective arrangements for whistle-blowing are in place to which officers, staff and all those contracting with or appointed by the City Council have access.	▪ Whistle-blowing policy ▪ Awareness campaigns of policy e.g. posters, messages to staff, training	Compliant Process to be reviewed by Audit & Assurance Services in 2008/09 and internal campaign to raise further awareness.
4. Ensuring that authorities use their legal powers to the full benefit of the citizens and communities in their areas	4.1 Actively recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine but also strive to utilise their powers to the full benefit of their communities.	▪ Monitoring Officer Legislation ▪ Local Government and Housing Act 1989 Section 5 ▪ City Council's Constitution ▪ Training and qualified officers (PDPS Scheme, CPD)	Compliant

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	4.2 Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on authorities by public law.	• Monitoring Officer Legislation Local Government and Housing Act 1989 Section 5 • Review of reports by Monitoring Officer Training and qualified officers (PDPS Scheme, CPD)	Compliant
	4.3 Observe all specific legislative requirements placed on them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice – into their procedures and decision-making processes.	• Monitoring Officer Legislation Local Government and Housing Act 1989 Section 5 • City Council's Constitution • Training and qualified officers (PDPS Scheme, CPD)	Compliant

Reference Documents

Management of Risk Principles and Concepts: The Orange Book, HM Treasury (2004)
Audit Committee: Practical Guidance for Local Authorities, CIPFA (2006)

CORE PRINCIPLE 5: EFFECTIVE CAPACITY
Developing the capacity and capability of members and officers to be effective

Effective local government relies on public confidence in authority members, whether elected or appointed, and in officers. Good governance strengthens credibility and confidence in our public services. Authorities need people with the right skills to direct and control them effectively. Governance roles and responsibilities are challenging and demanding, and authority members need the right skills for their roles. In addition governance means drawing on the largest possible pool of potential members to recruit people with the necessary skills.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
1. Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles	1.1 Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis.	▪ Members and Officers induction training ▪ Members Training Plan ▪ Officer's PDPS Scheme i.e. Learning & Development Plans ▪ IIP accreditation (limited)	Training requirements of Members for constitutional change being addressed.
	1.2 Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the City Council.	▪ Officer's PDPS Scheme ▪ Job descriptions ▪ City Council's Constitution ▪ Scheme of delegation ▪ IIP accreditation (limited) ▪ Job descriptions/person specifications	Issue over the regular review and updating of Job Descriptions.
2. Developing the capability of people with governance responsibilities and evaluating their performance as individuals and as a group	2.1 Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively.	▪ Officer's PDPS Scheme ▪ Learning and Development Plans ▪ Members induction training ▪ Team Plans ▪ Members Training Programme ▪ Continued Professional Development (CPD) of professional institutes/bodies ▪ IIP accreditation (limited)	IIP accreditation to be undertaken for all departments Pay and Workforce Strategy to be reviewed, updated and approved. People Strategy to be developed

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	2.2 Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert help is needed.	▪ Member Training Programme ▪ Officer's PDPS Scheme	Compliant
	2.3 Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs.	▪ Overview and Scrutiny ▪ Performance Management ▪ City Council's Constitution ▪ Scrutiny arrangements	Compliant
3. Encouraging new talent for membership of the City Council so that best use can be made of individual's skills and resources in balancing continuity and renewal	3.1 Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with, and contribute to and participate in the work of the City Council.	▪ Local Strategic Partnership ▪ Citizens Views 2007 ▪ Local Area Agreement ▪ Equalities Policy ▪ Budget consultation meetings ▪ City Council's website ▪ Charter Mark (limited to certain areas) ▪ Housing stock transfer tenants consultation and vote	Compliant
	3.2 Ensure that career structures are in place for members and officers to encourage participation and development.	▪ Officer's PDPS Scheme i.e. Learning & Development Plans ▪ Member development	People Strategy to be developed, approved and introduced. Officers grading structure very rigid and not an incentive for development. Absence of career and promotion based on merit.

CORE PRINCIPLE 6: ENGAGEMENT AND ACCOUNTABILITY
Engaging with local people and other stakeholders to ensure robust public accountability

Local government is accountable in a number of ways. Elected local authority members are democratically accountable to their local area and this gives a clear leadership role in building sustainable communities. All members must account to their communities for the decisions they have taken and the rationale behind those decisions. All authorities are subject to external review through the external audit of their financial statements. They are required to publish their financial statements and are encouraged to porepare an annual report. Many are subject to national standards and targets.

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
1. Exercising leadership through a robust scrutiny function which effectively engages local people and all institutional stakeholders, including partnerships, and develops constructive accountability relationships.	1.1 Make clear to themselves, all staff and the community to whom they are accountable and for what.	▪ City Council's Constitution ▪ Overview and Scrutiny Committee/procedures rules ▪ Scrutiny Panels (Including Audit) ▪ Annual Scrutiny Report ▪ Partnership agreements	Compliant
	1.2 Consider those institutional stakeholders to whom the City Council is accountable and assess the effectiveness of the relationships and any changes required.	▪ Sustainable Community Strategy ▪ Local Strategic Partnership ▪ Local Area Agreement	Compliant
	1.3 Produce an annual report on the activity of the scrutiny function.	▪ Annual Scrutiny Report	Compliant

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Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
2. Taking an active and planned approach to dialogue with, and accountability to, the public to ensure effective and appropriate service delivery, whether directly by the City Council, in partnership or by commissioning	2.1 Ensure clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements and ensure that they operate effectively.	▪ Community strategy ▪ Communications Strategy ▪ Local Strategic Partnership ▪ Local Area Agreement ▪ Citizens Views 2007 ▪ Staff Survey ▪ Charter Mark (limited to certain services)	Review of the corporate consultation and communications policies.
	2.2 Hold meetings in public unless there good reasons for confidentiality.	▪ City Council's Constitution ▪ Meeting minutes	Compliant
	2.3 Ensure that arrangements are in place to enable the City Council to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands.	▪ Sustainable Community Strategy ▪ Local Area Agreement ▪ Budget Consultation	Compliant
	2.4 Establish a clear policy on the types of issues they will meaningfully consult on or engage with the public and service users about, including a feedback mechanism for those consulted to demonstrate what has changed as a result.	▪ Annual Report ▪ Scrutiny reports	Compliant

Detailed Statement	Requirement for City Council	Compliance Evidence by: Source Documents/Processes	Evaluation and actions required to achieve full compliance
	2.5 On an annual basis, publish a performance plan giving information on the City Council's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period.	• Corporate Plan • Sustainable Community Strategy • Annual Report • Statement of Accounts • Council Tax Leaflet • Performance Plan • Medium Term Financial Strategy	Compliant
	2.6 Ensure that the City Council as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so.	• City Council's Constitution • Corporate Plan • Freedom of Information Act compliance • Publication Scheme • Whistleblowing Policy • Anti Fraud & Corruption Strategy • Declarations of Interests, Gifts and Hospitality Policy	Compliant
3. Making best use of human resources by taking an active and planned approach to meet responsibilities to staff	3.1 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making.	• City Council's Constitution • Staff Survey • Staff Conferences • Departmental Staff Gatherings • Team Meetings • TMT and DMTs • City Council's Intranet • Trade Union Protocols	Compliant

Reference Documents

Governing Partnerships: Bridging the Accountability Gap, Audit Commission (2005)
The Good Governance Standard for Public Services, The Independent Commission on Good Governance in Public Services (2004)

ANNUAL GOVERNANCE STATEMENT FOR THE YEAR ENDED 31ST MARCH 2008

Corporate governance is the system by which the council directs and controls its functions and relates to the community. A key aspect of corporate governance is the requirement to put into place "effective risk management systems, including systems of internal control". Brighton & Hove City Council is committed to the highest standards of corporate governance as outlined in this Annual Governance Statement.

Annual Governance Statement for the year ended 31st March 2008

1.   BACKGROUND

In discharging this overall responsibility, the council is also responsible for ensuring that there is a sound system of Corporate Governance which facilitates the effective exercise of the council functions and which includes arrangements for the management of risk.

The Department of Communities and Local Government recognise "proper practice" in relation to Corporate Governance, as contained in the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government (2007)*.   The new "proper practice" builds on existing disclosure statement requirements by extending the existing legislative requirements, governance principles and management processes relating to the whole organisation and the activities through which it accounts to, engages with and leads its community.

This Annual Governance Statement summarises how the council has complied with the code.

2.   SCOPE OF RESPONSIBILITY

Brighton & Hove City Council through its elected Members and officers, is responsible for ensuring that its business is conducted in accordance with the law and proper standards, that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.   In discharging this accountability, Members and officers are responsible for putting in place and maintaining, proper arrangements for the governance of the council affairs and the stewardship of the resources at its disposal.   To this end the council has approved and adopted a Constitution and a Code of Corporate Governance, which is consistent with the principles and reflects the requirements of the CIPFA/SOLACE Framework Delivering Good Governance in Local Government.   A copy of the code is available on our website www.brighton-hove.gov.uk.

The council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised having regard to a combination of efficiency, effectiveness and economy.

3.   THE GOVERNANCE FRAMEWORK

The governance framework comprises the systems and processes, and cultures and values by which the council is directed and controlled and its activities through which it accounts to, engages with and leads the community.   It enables the council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

For 2007/08 the overall governance responsibilities were charged to the Policy & Resources Committee. As result of the recent constitutional change this has now moved for 2008/09 onwards, to the Audit and Governance Committees.

The role of approving this Statement and recommending the Code of Corporate Governance for adoption by full council falls to the Audit Committee. Also the responsibility for the approval of the Statement of Accounts and the subsequent Audit Commission Governance Report falls to the Audit Committee.

The council has agreed a constitution which sets out how the council operates, how decisions are made and the processes which are followed to ensure these are efficient, transparent and accountable to the community. Many of these processes are required by statute, while the council has determined others locally. The Constitution is divided into seventeen articles that set out the basic rules governing the council business.

4. POLICY AND DECISION MAKING

In discharging its statutory duties in the provision of services the constitution provides details of the decision making process for the council as a whole.

The council's constitution is available on our website and is reviewed by the Monitoring Officer on a regular basis and regular reports are received by the Governance Committee and council relating to proposed changes. The Executive are responsible for taking most operational decisions. Key decisions required are published in advance via the forward plan, which is published at monthly intervals. All Member meetings held by the council are open to the public, unless the items being discussed are considered to be private under the Local Government Act 1972; these will include staffing, legal matters and those of a contractual nature.

The council's Overview and Scrutiny Commission and a further five Overview and Scrutiny Committees scrutinise all matters, executive decisions and service provision.

5. ESTABLISHING AND MONITORING OF CORPORATE AND SERVICE OBJECTIVES

The council three year Corporate Plan is approved by Members and provides details of the council corporate priorities and targets for the forthcoming year and reports its performance for the previous year. Targets are reviewed and updated on an annual basis. Copies can be found on our website at: http://www.brighton-hove.gov.uk . Due to a change in the council's political administration during 2007/08, the updating of the Corporate Plan was not completed during the year. However the updated version is due to go to Cabinet in June 2008 for approval.

The Corporate Plan contains the Corporate Priorities of the council and these are fed down through to directorate development plans, individual service business plans and individual performance appraisals, the "Golden Thread".

This Corporate Plan sets out the council targets for both National and Local Performance Indicators. These targets are cascaded to service business plans and are time specific. Performance is monitored by the Chief Officers Management Team (TMT) and the Executive on a quarterly basis giving details of the progress to date and what management action is being taken to correct any adverse performance.

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6. USE OF RESOURCES

The effective targeting and usage of our resources has always been a corporate priority, and this is achieved in several ways.

The council produces a three year Medium Term Financial Strategy (MTFS), annual budget setting and service business planning.

The council is subject to an annual assessment by the Audit Commission on how well it manages and uses its resources and is an important part of the Comprehensive Performance Assessment (CPA) framework. The Use of Resources (UoR) assessment evaluates how well local authorities manage their resources to support their strategic priorities, improve services and deliver value for money. The assessment is carried out each year and focuses on the importance of strategic financial management, sound governance, value for money and effective financial reporting arrangements. These should support the council in the achievement of its priorities and improving services, whilst delivering value for money.

The Assessment covers five themes: financial reporting, financial management, financial standing, internal control and value for money. The council was assessed principally on its 2006/07 performance and the Audit Commission reported the outcome in December 2007. Their overall conclusion is that *the council has maintained strong arrangements in place for financial management and internal control and that it continues to develop its arrangements to manage and improve value for money*.

The report issued by the Audit Commission on the outcome of the Assessment was presented to Members in March 2008 and identified further areas for improvement and officers are planning actions to address these.

7. COMPLAINTS AND CONFIDENTIAL REPORTING POLICIES

The council operates a formal complaints procedure which is available to both staff and stakeholders either on request or on the council website. The procedure is well documented and complaints referred to the Local Government Ombudsman are reported at every Standards Committee. Outcomes and decisions are summarised in each of these reports. There have been no findings of maladministration against the council for 2007/08.

The council also has a Whistleblowing Policy along with an Anti Fraud Strategy. Staff are informed of these at their induction and are reminded on a regular basis. Both the Whistleblowing Policy and Anti Fraud Strategy are reviewed and updated where necessary on a regular basis.

8. COMPLIANCE

The council has a duty to ensure that all activities undertaken are in accordance with the law. This is discharged in part by the council's Financial Regulations and Contract Standing Orders. Other policies or strategies covering both internal and external issues are available to staff and the public via the council intranet and internet sites respectively and can be found on the council website at www.brighton-hove.gov.uk . These include:

- Anti-fraud Strategy
- Whistleblowing Policy
- Freedom of Information
- Anti-money Laundering Policy

All strategies or policies are allocated to a lead officer who is responsible for the periodic review and updating of each.

9. REVIEW OF EFFECTIVENESS

The effectiveness of the council corporate governance arrangements is demonstrated by a range of independent procedures and protocols, including:

- Officers Governance Group procedures and associated actions
- Financial management reporting
- Performance management reporting
- Cabinet, Audit and Governance Committees
- Overview and Scrutiny function
- Statutory Officers (Head of Paid Service, Monitoring Officer, S151 Officer and authorised deputies)
- Internal Audit

Collectively these form the basis of the council arrangements and are further validated by independent assessments from various external agencies including:

- External Audit (financial and CPA assessment)
- External Inspectorates

The Director of Strategy & Governance has the responsibility for overseeing the implementation and monitoring the operation of the council's Code of Corporate Governance. This is supported by the continuous internal audit work undertaken by Audit & Assurance Services.

The council has a duty to maintain an effective internal audit service. This responsibility is discharged by the Director of Finance and Resources. The scope of internal audits encompasses the examination and evaluation of the adequacy and effectiveness of the council control environment as a contribution to the proper, economic, efficient and effective use of resources and achievement for value for money.

Audit & Assurance Services undertakes internal audit work in accordance with the CIPFA Code of Practice for Internal Audit in Local Government. The outcome of individual audits results in assurance opinions being provided and reported to management on the effectiveness of internal controls and management of risks operating.

In March of each year for the forthcoming financial year, the Annual Internal Audit Strategy and Annual Plan is reported to and agreed by the Chief Officers Management Team (TMT) and the Audit Panel. During 2007/08 regular progress reports were made to the Audit Panel including key issues and recommendation arising from audits undertaken. From 2008/09 onwards, the responsibility will change from the Audit Panel to the Audit Committee.

Significant Internal Audit reviews on governance arrangements (e.g. partnership), internal control, risk management, business planning and system development/implementation have been completed during 2007/08 and reported accordingly. In all these areas the council has shown improvement.

The Head of Audit & Assurance Services provides an assurance opinion to the Audit Committee in June 2008 on the council overall control environment and management of risks operating , based on the reviews completed (and management actions taken) in respect of 2007/08.

The effectiveness of the system of internal audit is reviewed on an annual basis, evidence for which includes self assessment against best professional practice, benchmarking data and external audit views. This is subjected to external peer review and for 2007/08 was reported to the Audit Panel including an agreed action plan for any improvements required.

The council externally appointed auditors for the 2007/08 financial year were the Audit Commission; they principally audit the Statement of Accounts and Comprehensive Performance Assessment. For 2007/08 reports issued by the Audit Commission were presented to the Audit Panel for consideration and comment. For 2008/09 they will report to the Audit Committee.

Risk management is a key element within Corporate Governance, to this end a Risk Management Strategy was adopted and sets out the roles of Members and Officers. It is reviewed annually and for 2007/08 it was agreed by The Management Team, Policy & Resources Committee and Council.

The risk registers that flow from the strategy cover both strategic and operational risks and are reviewed annually as part of service and strategic planning. To ensure that risk is considered in key decision making, all reports presented to Members must include a risk assessment of the actions within the report.

Furthermore, partnership working is now becoming more prevalent within local government, and both the Constitution and Risk Management Strategy are currently being updated to take account of this wider working.

10.   SIGNIFICANT GOVERNANCE ISSUES ARISING

The Annual Governance Statement encompasses the previous Statements on Internal Control. Actions from previous years either complete or in progress are shown as follows:

Actions Completed

- Introduction of a new council constitution
- Introduction of revised Code of Conduct for Members
- Introduce revised Code of Corporate Governance in accordance with the CIPFA/SOLACE Framework
- Undertaken major consultation exercises with the community for City Views 2007 and Schools Admissions
- Completion of city wide anti fraud campaign "Stamping out Fraud"
- Improvements to the controls and monitoring for the reconciliation of the Financial Information Systems with key interfaced systems
- Introduction of a comprehensive Value for Money review programme targeting specific areas for review
- Review the effectiveness of data quality across the council, in particular relating to performance management information
- Pre-tender risk appraisal process introduced before procurement activity for contracted goods and services
- Achievement of the South East Employers Charter
- Financial Management Standards agreed for Budget Managers

Actions in Progress

- Approval and publication of new Corporate Plan and Medium Term Financial Strategy
- Updating the Corporate Asset Management Plan and Corporate Procurement Strategy
- Introduction of new local arrangements for Standards for Conduct
- Appraise options for reducing the funding gap to meet the substantial investment backlog in council housing

Actions for Improvement to Governance Framework

There are not considered to be any significant issues and actions arising from the 2007/08 review. However actions for improvement were identified and shown together with actions in the following table:

No.	Area/Issue	Action Planned
1.	Contract Management - Improved Value for Money	Development and introduction of training module for Value for Money in Contract Management.
2.	Business Planning	To implement new business planning process replacing Team Planning Framework.
3.	Anti Fraud & Corruption Strategy	Update the Anti Fraud Strategy to meet the requirements of the Government's Fraud Review.
4.	Constitution	Post implementation review of new constitution arrangements.
5.	Business Continuity Management	Review in relation to partnerships, significant contractors and specifically relating to ICT resilience.
6.	Financial Management – Improved access to tools and training	Financial skills training, improved support delivery through intranet, further developments of Financial Information System.
7.	Pay and Workforce Strategy	Review, update and approve.
8.	HR System - Improved quality of management information	Acquisition and implementation of new IT system to improve control and effectiveness of employees.
9.	People Strategy	Development, approval and implementation.
10.	Partnership Agreements	Complete Section 75 agreement.
11.	Community Engagement Framework	Review of the corporate consultation and communications policies.
12.	Key Governance Policies	Review of awareness and compliance across the council.

Signed

Signed

Alan McCarthy
Chief Executive
Dated:

Councillor Mary Mears
Leader of the COUNCIL
Dated:

GOVERNANCE COMMITTEE	Agenda Item **31**
	Brighton & Hove City Council

Subject:	**Proposed Methodology for Review of the Constitution**
Date of Meeting:	**23 September 2008**
Report of:	**Director of Strategy & Governance**
Contact Officer: Name:	**Abraham Ghebre-Ghiorghis** **Tel:** **29-1500**
E-mail:	Abraham.ghebre-ghiorghis@brighton-hove.gov.uk
Wards Affected: All	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT

1.1 To seek the Committee's agreement to proposed methodology for a review of the constitution, including seeking the views of the public and the business community.

2. RECOMMENDATIONS:

2.1 That Members agree the strategy for seeking the views of the public and the business community outlined in the report.

2.2 Members note that a report with the draft questionnaires will be submitted to the next meeting of the Committee.

3. INFORMATION/BACKGROUND

3.1 The Council's constitution was adopted on 24th April 2007 and came into force at the conclusion of annual Council on 15th May. The constitution took the best traditions of the previous system and applied them in an executive setting. Council was anxious to ensure that the constitution is kept under review at appropriate intervals (as required by the Statutory Guidance on Constitutions) and that the views of the public are sought as part of the process. At its meeting on 24th April, it resolved:

"That the newly established Governance Committee undertakes a review of the constitution's operation gathering the views of the public and the business community through publicity in City News, and surveys conducted via Focus Groups and our website after 6 full months of implementation and a detailed review of its impact after 12 full months and reports its findings and any recommendations to full Council."

3.2 It is clear from the above resolution that what was intended was a light touch review in 6 months followed by a detailed review in 12 months. As part of the review, Council decided that the views of the public and the business community

be sought. In addition to the public and business community, it is proposed to seek the views of Members and Officers who are likely to have a more direct experience and knowledge of the operation of the constitution. Each of these Groups represents a different perspective in terms of their interest and familiarity with the system. The approaches taken need to reflect this. This report outlines proposals for seeking the views of the different groups.

4.   The Business Community

4.1   The level of business engagement on Council issues and initiatives has varied in the past and appropriate methods need to be used to approach them and gain their co-operation. Therefore, instead of doing a general survey of all businesses, it is proposed to approach local organisations representing businesses and ask them for their feedback. The organisations to be contacted will include:

- The Local Chamber of Commerce
- The Economic Partnership
- Federation of Small Businesses
- The Local Strategic Partnership

4.2   In order to gain maximum response, it is intended to include a very brief outline of the constitution with a list of up to 5 questions, including an open question for general comments. The introduction and questions, together, should be no more than can be fitted into a double sided A4 paper.

4.3   The questions will most likely address issues reading accessibility of the constitution and meetings, whether they feel the arrangements are open and transparent, the effectiveness of Overview & Scrutiny, whether they feel they have the means to influence or contribute to Council decision-making and a general invitation for comments on how to improve the system. It will be made clear that the consultation is on the decision making framework/process not on whether they agree with decisions taken by the Council.

5.   Residents

5.1   Given the diverse level of interests and familiarity with the Council's constitution, it is proposed to use a variety of means to gain feedback on the operation of the constitution through the following means:

(a)   An article in City News;

(b)   A publication on the Council's website which gives people the opportunity to comment online;

(c)   Copies of the introduction and set questions to be placed in local libraries, Area Housing Offices and the reception area of public buildings.

6.   Voluntary Organisations

6.1   It is proposed to find some ways of enabling voluntary organisations, such as the Community and Voluntary Sector Forum, the Equality Partnership, the Older People's Council and others to feed their comments either as part of the public and business or separately.

7.   Members and Officers of the Council

7.1   As the democratically elected representatives of the public, Members are at the heart of the decision-making process and well placed to judge how effective the constitutional arrangements are. It is therefore proposed to do a survey of all Members as part of the review of the Constitution. Members will be free to comment either individually or through their groups.

7.2   It is also intended to include a survey of Senior Officers in the Council. Members and Officers with their direct experience and familiarity will probably bring a different perspective from that of the public. The methodology used needs to reflect this.

8.   What questions do we ask?

8.1   The Council's Constitution consists largely of technical rules and procedures that govern the internal workings of the Council. Most people would therefore not necessarily be interested in the details of the Constitution except when faced with a stark choice between two fundamentally different options (such as the choice between an elected Mayor and the Committee System). The public is more likely to be interested in actual decisions that have a direct impact in their lives, such as school admissions, planning decisions or parking restrictions, than the detailed workings of the constitution itself. Any consultation therefore needs to be presented in a way that is likely to attract sufficient attention and response.

8.2   If Members are happy with the broad principles set out in this report, it is proposed to develop a list of questions and accompanying publicity using the Council's Communications and Consultation Teams. Once these are prepared they will be submitted to the 18 November meeting of the Committee for final approval.

9.   Timing of the Review

9.1   The 6 months period expires on 15 November and the gathering of views will be undertaken after that. It is expected that there will be consultation on other issues undertaken in September/October and the days leading to Christmas tend to generate poorer responses that at other times. It is therefore proposed to aim for early January 2009.

10.   Associated Costs

10.1   The exact costs are difficult to quantify at the moment. Once the full details of the publications, questionnaires etc are established any cost implications will be reported to the November meeting of the Committee.

11.   Other Preparations for the Review

11.1   The consultation is only one part of the review process. Officers are already collecting issues raised by Members, Officers and the public with a view to feeding them into the 6 months review process. Where issues raise concerns that cannot or should not wait until the review, they are being addressed by taking a report to the appropriate body.

11.2   Once all the responses are received, officers will collate and analyse them with a view to reporting to the Governance Committee. At the conclusion of the process the findings will be fed back to those who participated.

12.   What Next?

12.1   If the proposals in this report are agreed, it is proposed (by way of an indicative timetable) to proceed as follows:

23 September 2008	Review/Consultation Strategy Agreed	Governance Committee
18 November 2008	Final agreement to methodology with Publicity and Questionnaire	Governance Committee
Early January 2009	Information/feedback gathering undertaken	Governance Committee
Early February 200	Special governance Committee to consider responses and make recommendations	Governance Committee
12March 2009	Cabinet to consider recommendations and make decisions (if executive) or refer to Council	Cabinet
19 March 2009	Council to consider recommendations of Governance Committee	Council
End of March	Feedback to all who contributed to the information gathering exercise.	

13.   FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

13.1   The financial implications will be reported to the November committee meeting once details of the review process are finalised.

Finance Officer Consulted: Anne Silley 29-5065   Date:15/09/08

Legal Implications:

13.2   The Statutory Guidance to Council Constitutions provides that they should be a live document and reviewed from time to time. Part of the process for reviewing

the effectiveness, transparency and accountability of the constitution is to consult the public. The proposals in this report are therefore consistent with the Council's obligations under the law and the Guidance on Constitutions.

Lawyer Consulted: Abraham Ghebre-Ghiorghis 29-1500   Date:26 August 2008

Equalities Implications:

13.3   There are none arising directly from this report but part of the review will include looking at accessibility of meetings.

Sustainability Implications:

13.4   None arising directly from this report.

Crime & Disorder Implications:

13.5   None arising directly from this report.

Risk and Opportunity Management Implications:

13.6   The exercise will give the Council, residents and businesses the opportunity to improve the working of the constitution.

Corporate / Citywide Implications:

13.7   The exercise will contribute to a more effective governance of the City and contribute to the "open and effective City leadership" priority.

GOVERNANCE COMMITTEE	Agenda Item **33**
	Brighton & Hove City Council

Subject:	**Member Development Policy**		
Date of Meeting:	**23 September 2008**		
Report of:	**Director of Strategy & Governance**		
Contact Officer:	Name:	***Caroline Banfield***	Tel: 29-1126
	E-mail:	Caroline.Banfield@brighton-hove.gov.uk	
Wards Affected: All			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 This Policy sets out the council's underlying principles and values relating to Member development. It emphasises our commitment to equality of opportunity and sets out the roles and responsibilities of members and officers in this area. Its adoption is consistent with the corporate priority of supporting an effective city leadership.

2. RECOMMENDATIONS:

2.1 That the Committee agrees the Member Development Policy.

3. RELEVANT BACKGROUND INFORMATION/ KEY EVENTS:

3.1 At its meeting on 13 August 2008, the Member Development Working Group recommended that the Policy be adopted.

3.2 In November 2007 Policy & Resources Committee approved a Member Development strategy, which set out what member development at this council aims to achieve and how it supports council priorities. This policy, together with the Member Development Plan that is published each year, details how the objectives in the strategy will be met.

3.3 The values contained in the Policy have already been articulated to all members via the Strategy, Development Plan, Members' Handbook and newsletters produced by the Member Development Working Group. The policy has been created with the intention of drawing together those statements of principle into one easily accessible document.

4.   **CONSULTATION**

4.1   The Member development working group has cross-party representation and its representatives consult their political group colleagues on a regular basis. There has been no public consultation about this report.

5.   **FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

The Democratic Services division of Strategy & Governance has a budget of £1.787million in 2008/09. Within this is an allocation towards Member development of £21000. Whilst the agreement of the Member Development policy in itself has no financial implications, any training costs associated with the implementation of the policy would have to be met from this £21000 allocation. It is anticipated that these costs will be accommodated within budget, through prioritisation of activities.

Finance officer consulted: Peter Francis   18 August 2008

Legal Implications:

5.2   There are no legal implications arising from this report.

Lawyer consulted: Abraham Ghebre-Ghiorghis   10 August 2008

Equalities Implications:

5.3   The Policy (and the Charter Mark award which it supports) will help ensure Members have equality of opportunity in accessing training and development.

Sustainability Implications:

5.4   There are no sustainability implications arising from this report

Crime and Disorder implications:

5.5   There are no crime and disorder implications arising from this report.

Risk and Opportunity Management implications:

5.6   The way in which the council and individual members address member development presents both risks and opportunities. The council's approved Risk & Opportunity Management methodology will be used by the Member Development Working Group to further explore and monitor these to ensure the continuing effective delivery of the Member Development Policy.

Corporate / Citywide Implications:

5.7   There are no corporate or citywide implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

(1)   Member Development Policy

Background Documents
(1)   Member Development Strategy – available on request from Democratic Services

BRIGHTON & HOVE CITY COUNCIL

ELECTED MEMBER LEARNING & DEVELOPMENT POLICY

1. Introduction

1.1 Brighton & Hove City Council is committed to supporting Members in carrying out their different roles (both within the council and outside as community representatives), and recognises the need to provide learning and development opportunities to help councillors undertake those roles.

1.2 Carefully planned and well-executed development increases efficiency and effectiveness at individual, role-specific and corporate levels, and results in improved service delivery through the achievement of the council's priorities.

1.3 Underpinning this policy is Brighton & Hove's commitment to the principles of the South East Charter for Elected Member Development:-

   i. Being fully committed to developing Members in order to achieve the council's aims and objectives

   ii. Adopting a Member-led and strategic approach to Member development

   iii. Having a Member learning and development plan in place that clearly identifies the difference that development activities will make

   iv. Seeing that learning and development is effective in building capacity

   v. Addressing wider development matters to promote work-life balance and citizenship

2. Scope & Purpose

2.1 This policy applies to all elected Members and to co-opted Members, who will be included in role-specific development opportunities.

2.2 The purpose of this policy is to set out the council's commitment to providing appropriate development opportunities for all councillors and to describe the consistent and structured approach it will follow in order to do that.

3. Objectives of Member Development

3.1 The key requirements of Members' learning and development activities are to:

- Support individual Members to carry out their existing roles efficiently and effectively

- Support individual Members in preparing for future roles

- Enable Members to undertake specific duties and responsibilities

- Assist with the achievement and implementation of corporate and directorate objectives

- Keep Members up to date with new legislation and changing policies

4. Key Principles

Equality of access and opportunities

4.1 The Council recognises its responsibility to offer equality of access to learning and development activities for all its elected Members. In practice this means ensuring that there are no physical, social, religious or cultural barriers to Members who want to participate in development opportunities, including those with family and work commitments.

4.2 Information about Members' development opportunities shall be published well in advance and appropriately publicised. Members are encouraged to request duplicate events at different timeslots and they are also informed of alternative methods of accessing learning (e.g. through 121 contact with officers, through elearning facilities etc)

Member-led approach

4.3 The Council will implement a Member-led approach to learning and development with representatives from all political groups invited to participate in the planning and evaluation of learning and development activities. All Members are encouraged to identify their own development needs, to participate in activities that address those needs and to evaluate the benefit and impact of those activities.

Community Engagement

4.4 Member development activities will include activities that promote community engagement and citizenship.

5. Process to manage Member learning and development

5.1 The effective management of Member learning should follow a cyclical and structured four-stage approach:

i. Identifying learning and development needs.
ii. Planning learning and development activities to best meet needs.

iii. Maximising access to those development opportunities.
iv. Evaluating the impact and outcomes of all Member learning

5.2 This approach ensures that learning and development is linked to achieving corporate priorities and delivering real improvements as a result of the investment in learning and development.

Identifying learning and development needs

5.3 To support the Council's strategic priorities, there will be a process for identifying learning and development needs at all levels:

♦ Individual
♦ Role-specific
♦ Political groups
♦ Corporate

5.4 For identifying learning and development needs at an <u>individual level</u>:

♦ All elected Members will be asked to complete a learning needs analysis questionnaire at least annually in order to identify their learning and support needs for the year ahead.

♦ Newly elected Members will have an opportunity to discuss learning and development as part of their induction.

♦ All elected Members will be offered the opportunity to discuss their learning and development needs on a one to one basis. Personal development plans will be created for any Member who takes up that opportunity.

5.4 Identification of learning and development needs at a <u>role specific</u> level will be achieved by those in those roles. Materials that could be useful in that process are made available to all members, e.g. the Improvement and Development Agency's Political skills frameworks and generic role profiles published by the Welsh Local Government Association.

5.6 Identification of learning and development needs at <u>political group level</u> will be achieved through feedback from Member Development Group representatives and/or through feedback from group leaders.

5.7 Identification of learning and development needs at a <u>corporate level</u> will be achieved through discussions with the Management team and the Member Development Working group.

Planning learning and development activities

5.8   The Member Development Group will oversee the preparation of an annual Member Development Plan that will record priority areas for learning and development based on the results of the learning needs analyses described above. The plan will also set out the proposed learning methods, timescales and estimated costs involved in addressing identified needs, and the council priorities that learning activities will support.

Delivery of activities

5.9   The Member development working group encourages the use of a wide range of methods to meet learning and development needs, and it also encourages joint Member and officer learning where appropriate. The types of learning methods used include:

♦   Internal: induction, access to Intranet, Internet and e-learning, Members' briefings, seminars and workshops, 121 discussions with officers

♦   External: peer support/councillor mentoring, focused visits to other authorities or partner organisations, regional and national training courses, seminars and conferences.

Evaluating the impact and outcomes of learning

5.9   The council will ensure that investment in learning and development is evaluated in terms of benefits and impacts. Evaluation will take place at the following levels:

♦ Immediate review to check that the learning and development activity was satisfactory and met learning objectives – via feedback questionnaires.

♦ Measurement that skills, knowledge and behaviours have been acquired or improved as a result – via comparison of pre and post event questionnaires and via follow up questionnaires that ask members to reflect on the impact learning has had on how they work

♦ Measurement that member development has improved function and/or council performance –via reviews by members and senior officers (overseen by the member development working group)

5.10   The council is committed to continuous improvement and will make ongoing adjustments and improvements to learning activities in the light of Member feedback and suggestions.

6.   Learning and Development Priorities

6.1   The Member Development Plan that is produced each year will set out that year's priority areas to address.

6.2   The council will always prioritise:-

♦ Learning required to support the Council's strategic objectives

♦ Skills training in areas set out in the Improvement and Development Agency's Political Skills Framework

♦ Development that supports the Council's and Members' obligations under European and National regulations and legislation

♦ Equalities and Diversity training to ensure social inclusion

♦ Induction training for newly elected members

♦ Learning required to promote good relations with the Brighton & Hove community and in particular to promote community engagement and citizenship

7.   Resources to support Member development

7.1   The Council allocates a Member development budget each year and additional funding is available from directorate budgets for external conferences that directly support directorate objectives.

7.2   The annual Member Development Plan will list the estimated costs of meeting identified development needs. Costs actually incurred will be reported to Governance committee on an annual basis.

7.3   Expenditure of the Member development budget is monitored by the Member development working group.

7.4   Member entitlement to travel and subsistence for attendance at learning and development events is stated in the Scheme of Allowances.

8.   Roles and Responsibilities

Individual Members

8.1   All individual members are responsible for identifying their learning and development needs and for seeking opportunities to improve their effectiveness and increase their potential.

8.2　All members are responsible for undertaking immediate and longer term reviews of learning activities and for providing feedback to the Democratic Services Manager regarding the quality and impact of those activities.

8.3　All members are encouraged to share learning where appropriate with their peers and/or with officers.

Member development working group

8.4　The member development working group reports to Governance Committee (previously to Policy and Resources Committee). Collectively, its members take responsibility for:

♦ leading, planning, reviewing and improving Member development generally

♦ monitoring expenditure of the member development budget

♦ monitoring the impact of member development, including attendance and evaluation statistics

♦ monitoring the application of this policy,

8.5　Each member of the working group acts as a development champion within his or her political group. This involves:

♦ Identifying and discussing development needs that occur at a group level

♦ Encouraging group colleagues to identify their individual learning needs

♦ Encouraging attendance at development activities, particularly those which have been arranged in response to member requests

♦ Encouraging group colleagues to evaluate learning and to provide meaningful feedback on training and trainers so that improvements can be made as necessary

Managerial and political leaders

8.6　The role of group leaders is to provide support and encouragement to members to attend development activities and to ensure their members' needs are met via the work of the member development working group.

8.7　The role of the Management Team is to identify service specific development areas and to anticipate new training needs arising from areas identified for increased focus each year as part of the Corporate

Plan. Directors also take an active role in delivering corporate members' briefings in response to identified needs.

Democratic Services Manager

8.9   The day-to-day management of Member development processes and activities is the responsibility of the Democratic Services Manager, in consultation with the Member Development Working Group.

GOVERNANCE COMMITTEE	Agenda Item **34**
	Brighton & Hove City Council

Subject:		**Protocol for Web Casting Meetings**
Date:		**23 September 2008**
Report of:		**Head of Democratic Services**
Contact Officer:	Name:	**Mark Wall** Tel: **29-1006**
	E-mail:	Mark.wall@brighton-hove.gov.uk

1. Purpose of the Report

1.1 To provide Members with a protocol for the web casting of meetings for approval and to inform Members of the commencement of the web casting of meetings as a pilot project from the 9th October 2008.

2. Recommendations

2.1 That the protocol detailed in the report be adopted and that Members be guided by it during the web casting of meetings

3. Background Information

3.1 The Council's Governance Committee agreed on 1 July 2008 that, as a pilot, certain meetings should be the subject of live web transmission ('web casting'), or recorded for subsequent transmission. Fixed cameras have been installed in the council chambers of both Town Halls for this purpose.

3.2 Although the advantages of web casting were known, it is important that the web casting is done properly and that Members and the public are fully aware of what is involved. Most local authorities deal with this by developing a protocol which tends to follow a similar format.

3.3 The pilot project will commence on the 9th October and end in June 2009. The following meetings will be included in the pilot project:-

- Full Council;
- Cabinet;
- Planning Committee;
- Overview & Scrutiny meetings;
- and other meetings as will be agreed by the Governance Committee.

3.4 The web casting of such meetings will comply with the protocol outlined in paragraph 4. Any proposals to add further meetings to the pilot would be brought to the Governance Committee for approval.

3.4 The draft protocol outlined in paragraph 4, which is based on a draft published by Public-I, has been produced to assist the conduct of web cast meetings and to ensure that in doing so the Council is compliant with its obligations under the Data Protection Act 1998 and the Human Rights Act 1998. It is intended that the following will apply to all meetings to be web cast by the Council.

4. Draft Protocol

Agenda Front Sheets and Signage at Meetings

4.1 Advanced notice of the intention to web cast a meeting will be given on each agenda with the inclusion of the following:

"WEB CASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council's web site. At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council's published policy (*Guidance for Employees' on the BHCC website).*

Therefore by entering the meeting room and using the seats around the meeting tables, you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda."

4.2 In addition signs will be displayed inside and outside the meeting room (see appendix 2).

Conduct of meetings

4.3 At the start of each meeting to be filmed, an announcement will be made to the effect that the meeting is being web cast, and that the Chairman may also terminate or suspend the web casting of the meeting, in accordance with this protocol. This will be confirmed by the Chairman making the following statement:-

"I would like to remind everyone present that this meeting will be broadcast live to the internet and will be capable of repeated viewing."

Termination or suspension of web cast

4.4   The Chairman of the meeting has the discretion to terminate or suspend the web cast if, in his/her opinion, continuing to web cast would prejudice the proceedings of the meeting.

This would include:

(i)   Public disturbance or other suspension of the meeting;
(ii)   Exclusion of public and press being moved and supported;
(iii) Any other reason moved and seconded and supported by the Committee.

4.5   No exempt or confidential agenda items shall be web cast.

Access to Web Casts

4.6   Subject to paragraph 4.7 below all archived web casts will be available to view on the Council's website for a period of six months. Meetings are recorded onto DVD, which will be stored in accordance with records management procedures.

4.7   Archived web casts or parts of web casts shall only be removed from the Council's website if the Monitoring Officer considers that it is necessary because all or part of the content of the web cast is or is likely to be in breach of any statutory provision or common law doctrine, for example Data Protection and Human Rights legislation or provisions relating to confidential or exempt information.

4.8   If the Monitoring Officer has decided to take such action he must notify all elected Members in writing as soon as possible of his decision and the reasons for it.

4.9   The Council expects the Chairman and the Monitoring Officer to ensure that all meetings are conducted lawfully. Therefore, the Council anticipates that the need to exercise the power set out above will occur only exceptionally.

4.10   Any elected Member who is concerned about any web cast should raise their concerns with the Head of Democratic Services or the Monitoring Officer.

Review & Monitoring

4.11   Operation of the web casting will be monitored and reviewed from time to time and reported to the Governance Committee.

Guidance for Members

4.12   A supplementary guidance paper in relation to web casting aimed at Members is attached at appendix 1 for your information.

5.   Consultation

5.1   The Leaders of the Groups have been consulted on the proposal to web cast meetings and a Members briefing on how web casting works was held with Public-I on the 9th September.

5.2   It is intended to provide specific training for Members on web casting as part of the Member Development Programme. In addition, following advice from Public-i each of the meetings in the pilot project (other than Full Council) can be filmed before the pilot commences and played back to those Members so that they can experience the process and see how it would appear as a web cast.

6.   Financial & Other Implications

Financial Implications:

6.1   The pilot web casting project is provided by a local company (Public-i Group) at a cost of £28,680, and met on a one-off basis within existing budgets. On review of the pilot project, costs of full implementation will need to be assessed and funding identified. This may result in a pressure during 2009/10 and in future years and place other projects at risk.

Finance Officer consulted: Peter Francis 29-2542   Date: 10 September 2008

Legal Implications:

6.2   The legal implications have been referred to in the body of the report.

Lawyer consulted: Abraham Ghebre-Ghiorghis 29-1500   Date: 6 August 2008

Equalities Implications:

6.3   The web casting of meetings will provide greater accessibility to the public to council meetings and the decision-making process. Web casting will contribute to removing barriers to citizen participation thereby increasing diversity footprint of the Authority.

Sustainability Implications:

6.4   There are no sustainability implications in the provision of web casting of meetings.

Crime & Disorder Implications:

6.5   There are no Crime and Disorder implications.

Corporate / Citywide Implications:

6.6   The success of the pilot project will determine whether the council continues to web cast meetings and will lead to consideration of which meetings should be web cast. This will have an impact on the use of resources and value for money that can be achieved balanced against increased participation and involvement in the democratic process.

Supporting Documentation

Appendices:

Appendix 1 – Guidance for Members
Appendix 2 – Draft Public Notice regarding the web casting of meetings

Background papers:

Draft Guidance on web casting from Public-i

Other sources and references:

Members' guide to **Web Casting**

Brighton & Hove City Council

September 2008

Why web cast?

The principal reason for web casting is that it increases accessibility, openness and transparency.

A key benefit of web casting is that citizens can access content where and when they want (experience shows that about 80% of web cast visitors view the archive, at the time of their choosing, rather than the live feed).   Archived meetings are automatically indexed by agenda item and speaker, which allows viewers to watch just those specific items in which they are interested.

Web cast viewers spend on average 9 minutes at a time viewing. This ties in with the typical length of a single item on an agenda and supports the belief that users of the service 'tune in' for the items of interest to them – something which is very difficult to do if actually attending a meeting.

What is a web cast?

Web casting is the live or recorded transmission of video over the Web. Video cameras in our main meeting rooms capture the live information from selected meetings and send it, via our provider Public-i to anyone that would like to view the meeting. Through the use of your internet connection (either broadband or via a dial-up modem) and the free Microsoft Media Player you can view live and older meetings from the comfort of your own home.

Brighton & Hove City Council web cast:
www.brighton-hove.public-i.tv

Viewing a web cast

Viewing a web cast either live or older meetings, is simple - all you need is Windows media player and internet connection. Viewers receive video and audio and also names and biographical details about the current speaker and meeting attendees. There are links to supporting information and relevant documents. And index points to enable the viewer to jump to the content they are most interested in.

Web cast funding

The pilot project was funded from resources within Legal & Democratic Services and amounted to £28,680. This provided for the leasing of hardware and software to enable the capture of meetings, the development of a bespoke player page, the provision of hosting and streaming of web casts with 6 months archiving for up to 240 hours per annum.

What is the legal position?

The conduct of council meetings and the conduct of Members at those meetings are governed respectively by Council Procedure Rules and by the Code of Conduct for Members. This framework applies to all council meetings, web cast or not.

The advent of web casting does not alter the liability of Members with respect to the Code of Conduct. If anything, Members need to be mindful of how their conduct might be perceived by any one viewer among potentially a much larger audience than might be present at the meeting venue itself.

The Council is a Data Controller for the purposes of the Data Protection Act 1998. A protocol for web casting meetings will be submitted to Members. This will assist the conduct of web cast meetings and discharge the obligations of the Council under the Data Protection Act 1998.

Under the Code of Recommended Practice on Local Authority Publicity made under the Local Government Act 1986, the period between the notice of an election and the election itself should preclude proactive publicity in all its forms of candidates and other politicians involved directly in the election. For this reason, Members are advised not to use web cast meetings during such times for any purpose that might be construed as proactive election publicity.

Brighton & Hove City Council web cast:
www.brighton-hove.public-i.tv

Speaking at a meeting

- Firstly and most importantly remember to turn your microphone on each time you speak; if you do not your words will not be broadcast. When using the microphone try to speak directly towards it and make sure that it is not too far from your mouth (but also not too close!).

- Try to avoid moving unduly whilst speaking and using expansive hand gestures; because the video stream is highly compressed all movement causes temporary pixilation and leads to a diminution of picture quality. In addition the camera operator will struggle to keep a moving person in shot. For the same reason if giving a presentation please try to stand in the same area rather than walking around the room.

- When other people near you are speaking please bear in mind that you may still be on camera.

- Bear in mind that even when there is no audience in the room members of the public are nonetheless watching the meeting.

Microphone noise

- Microphone noise is an artificial sound that is introduced when an object touches the microphone; speakers should not tap pencils and rings against microphones or touch the cable.

- When speaking try to speak directly towards the microphone and do not place objects such as water bottles in-between yourself and the microphone.

Clothing

- Avoid bright colours which tend to cause exposure problems when web cast.

- Stripes are best avoided as they can cause a strobe effect when web cast, especially when the subject is moving.

Name plates

Members are requested to sit in the seats designated for them by a name plate. This is because the cameras are pre-set so when they focus on a particular member, that member's profile will come up on the viewing screen.

Brighton & Hove City Council web cast:
www.brighton-hove.public-i.tv

Wider uses

In time, Brighton & Hove City Council can consider web casting for a wider range of uses outside formal meetings. This could include the Chairman's welcome; video clips on special topics, such as budget setting; information on new schemes; and consultation.

Promoting web casting

Members can consider a variety of ways to promote web casting. They could:

- include the web cast address (see bottom of this page) on letter heads, business cards, email signatures and official websites.

- report to their political groups, and parties using web casts to offer a new dimension by showing a clip of a debate.

- refer to web casts in ward newsletters or meetings with business, community groups and at surgeries, to highlight the work of the authority and member roles.

Web casting operators

Staff from Democratic Services will support Members during the web casting project. The role of the operator is to direct the cameras during meetings. Operators will also manage computer based presentations required by meetings.

Web casting references

Other organisations which use web casting include:

East Sussex County Council   **www.east**sussex.gov.uk
Lancashire County Council   **www.lancashire.ukcouncil.net/**
Hull City Council   **www.hullcc.ukcouncil.net/**
London Borough of Hounslow   **www.hounslow.ukcouncil.net/**
The Local Government Association   **www.lga.ukcouncil.net/**
London 2012: London Organising   **www.webcast.ukcouncil.net/hoste**
Committee for the Olympic Games   **d/london2012/**

Brighton & Hove City Council web cast:
www.brighton-hove.public-i.tv

Public-i

The company which is providing the web casting service for the pilot project is Public-i: www.public-i.info This company is 6 years old and concentrates on the local government sector where this pioneering technology has been aimed at engaging citizens.

Version 1.0

Brighton & Hove City Council web cast:
www.brighton-hove.public-i.tv

WEB CASTING

PLEASE NOTE THAT BRIGHTON & HOVE CITY COUNCIL MAY BROADCAST THIS MEETING LIVE ON ITS WEBSITE AND THE RECORD ARCHIVED FOR FUTURE VIEWING

YOUR PICTURE MAY BE INCLUDED IN THE BROADCAST / RECORD ACCESSIBLE AT

www.brighton-hove.gov.uk/yourcouncil/webcasts/default.htm

FOR FURTHER INFORMATION, PLEASE CONTACT

MARK WALL, HEAD OF DEMOCRATIC SERVICES (01273 291006 e-mail mark.wall@brighton-hove.gov.uk