

SLOUGH BOROUGH COUNCIL

REPORT TO: Audit & Corporate Governance Committee

DATE: 10 December 2020

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(For all enquiries)

WARD(S): All

PART I **FOR CONSIDERATION AND COMMENT**

LGA PEER REVIEW ON GOVERNANCE ARRANGEMENTS ACTION PLAN

1 Purpose of Report

That Members consider the proposed details that could form part of the Council's action plan to address the recommendations made by the Local Government Association ("LGA") for improvement of the Council's governance arrangements, following their peer review, conducted between 3-5 February 2020.

2 Recommendation(s)/Proposed Action

To consider and comment upon the actions set out in paragraphs 5.6 to 5.9 inclusive of this Report, which could form part of the action plan to address the recommendations in the final report of the LGA Peer Review on the Council's Governance arrangements.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

3a. Slough Joint Wellbeing Strategy Priorities

Good governance arrangements will have positive implications for the SJWS and the JSNA

3b Five Year Plan Outcomes

Good governance arrangements will enhance all the outcomes of the Five Year Plan

4 Other Implications

(a) Financial

There are no financial implications at this stage

(b) Risk Management

Recommendation from section 2	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
To consider and comment upon the actions proposed in paragraphs 5.6, 5.7 and 5.8 of this report which could form part of the action plan to address the recommendations in the final report of the LGA Peer Review of the Council's Governance arrangements.	Political, Legal & Regulatory risks associated with decisions taken on existing arrangements	Existing operating arrangements	Likelihood – Very Low – 2 Impact – Negligible – 2 Risk Score: 4	Enhanced and fortified governance arrangements for the future.

(c) Human Rights Act and Other Legal Implications

Constitutional and Governance arrangements rely for their effectiveness on the exercise of disciplinary powers which has the potential to engage the rights to a fair hearing, the rights to freedom of thought and conscience and the rights to freedom of expression contained Articles 6, 9 and 10 respectively of the European Convention on Human Rights, which are given effect to in domestic law by the Human Rights Act 1998.

Local Authorities also have a statutory duty under Section 9P of the Local Government Act 2000 to prepare and keep up to date a constitution whose contents are partly prescribed by statute, partly by ministerial directions and are partly matters of local content, within a statutory framework.

(d) Equalities Impact Assessment

There is no identified need for an EIA at this stage.

5 Supporting Information

5.1 Between 5 and 8 February 2020 the Council underwent a formal Peer Review of its governance arrangements by a corporate peer review team from the LGA.

5.2 The Council received the LGA's final report of their peer review in June 2020, a copy of which is appended to this Report.

5.3 The main findings of the peer review team were as follows:

- The Council is ambitious to improve and senior officers and members understand why governance is a key part of that

- The council has made significant and tangible progress on governance issues over the last two years
- Many of the building blocks of an effective governance framework are now in place but there are still some gaps in the framework that need to be addressed
- There is more to do to embed a strong foundation of good governance and apply and own it consistently.

5.4 The peer review team made the following recommendations:

1. The ambition for transformation now needs to move quickly into the delivery phase.
2. Good governance must be embedded regardless of the delivery of the transformation programme.
3. The council should ensure councillors are appropriately engaged and supported through active involvement in agenda planning, training and briefings.
4. The council should ensure that the quality and timeliness of reports is improved. It should consider making better use of Democratic Services, forward agenda planning and Mod.gov to manage agendas.
5. The Audit and Corporate Governance Committee Terms of Reference should be reviewed to take account of its wider remit.
6. The council should consider a “lessons learned” review of the reasons for the delay in the conclusion of the audit of accounts.
7. The council should proceed quickly to appoint its own suitably qualified and experienced permanent Monitoring Officer.
8. The council should establish a comprehensive member training and development programme
9. The scheme of delegations should be reviewed to ensure the new scheme is understood by everyone involved.
10. The council should ensure scrutiny is given greater status and support to enable it to focus on the key strategic issues facing the authority.
11. The council should maximise the opportunity to be transparent to enhance its reputation.
12. The council should complete the roll out of the localities model and ensure that appropriate governance exists around it.
13. The council should take steps to ensure all councillors are appropriately informed about issues happening in their ward.

5.5 The Council will now be in a position to progress with the development of the action plan to address the LGA’s recommendations, following the completion of implementation of the Tier 2 and 3 restructure. Pending the development of this action plan, however, it is considered that certain actions, which could form part that action plan, can be considered in the interim.

5.6 Firstly, it is proposed that a working group be set up, comprising of the Lead Member for Governance and Customer Services, the Chair of the Audit & Corporate Governance Committee, the Chair of the Overview and Scrutiny Committee, the new Scrutiny Officer, the new Associate Director with responsibility for training & development and the new Associate Director with responsibility for Transformation, to drive the actions necessary to implement such and action plan and, particularly, to monitor the completion of the specific actions set out in the table below, if adopted.

5.7 It is proposed that the specific actions set out in the table below be considered on the grounds that these specific actions will be necessary, or are desirable, in any event,

to implement the LGA's recommendations. References to recommendation numbers in the first column are references to the recommendations as numbered in the list of recommendations set out in paragraph 5.4 above.

- 5.8 At a training session on the 1st July, Scrutiny members reviewed the LGA's recommendations and agreed an initial set of actions which might be taken to implement recommendation 10. These are outlined in the table below.
- 5.9 Since the start of 2020, the council has also established its own Grip and Governance project. This has sought to identify what actions might be taken to clarify roles and responsibilities in key areas, establish more robust policies and procedures, and align governance to future ways of delivering services. Several of the potential actions identified by this project, overlap with the LGA's recommendations.

Recommendation No.	Subject Area	Proposed Action
1	Transformation to move quickly into delivery phase.	Slough "Our Futures" programme is in delivery phase with key milestones being achieved in each of the programme's workstreams.
2	Good governance to be embedded, regardless of transformation.	Audit & Corporate Governance Committee to continue to provide oversight and recommendations to further embed and enhance governance improvements
3	Council to ensure councillors are appropriately engaged and supported	See recommendations 8 and 10 below
4	Timeliness and quality of reports	<p>The Monitoring Officer to present a report to the Audit & Corporate Committee for approval as soon as reasonably practicable, appending a draft guide for officers, on the format and content of good reports, including new template forms of reports if considered appropriate, and a procedure note, including a flowchart of the process for the preparation and timelines for publication of reports, to enable greater understanding of the process, with the intention of improving the timeliness and the quality of reports.</p> <p>In addition, the Grip & Governance project is also proposing a programme of training for report authors to raise awareness.</p>

5	Audit & Governance Terms of Reference	The Monitoring Officer to present a report to the Audit & Corporate Committee for approval as soon as reasonably practicable, reviewing the Committee's current remit and terms of reference, and advising any changes, if appropriate, by reference to recommended best practice from appropriate bodies and organizations, and best practice elsewhere.
6	Lessons Learnt Review on delay in auditing of accounts	The Section 151 Officer carry out a review of the reasons for the delay in completing recent audits, involving the external auditor in this process, as soon as reasonably practicable following the completion of any outstanding audits, and to present a report to the Audit & Corporate Governance Committee, on the lessons learnt.
7	Appointment of Monitoring Officer	The allocation of the new Monitoring Officer role to be confirmed as soon as possible following the allocation of portfolios to the new Associate Directors, in accordance with the consultation document for the Tier 2 and 3 restructure,
8	Member training Programme	<p>The data gathered from the recent survey of members on learning and development to be used to inform any actions in this area.</p> <p>The Grip & Governance project will track actions to help improve member training, including the implementation of the member induction programme for new, existing and Cabinet members.</p>
9	Review of the scheme of delegations	The Monitoring Officer to present a report to the Audit & Corporate Governance Committee for approval, as soon as reasonably practicable, including a draft of a new scheme of delegation for officers, which can be more easily understood and implemented by officers.

10	Scrutiny gaining greater status and support.	<p>The following measures were agreed by Scrutiny Members:</p> <ul style="list-style-type: none"> • Bi-annual work programme planning sessions • Mandatory pre-briefings two days before meetings. • Develop an issue log for quality and timeliness of reports and performance. • Review report sign-off processes. • Chairs having early sight of reports. • Introduce issue log for committees. • Introduce colour-coded summary sheet for reports, to summarise what scrutiny are being asked to do. • Appoint formal 'Scrutiny Champions' from SLT. • Regular meetings between champions and panel chairs • Develop guidance for deciding if an item is strategic • Recommended limit of 3 substantive issues per meeting. • Explore opportunities for using committee meetings for task and finish group purposes • Rebalance Scrutiny Panels • Introduce refresher scrutiny training, mid-year.
11	Maximisation of opportunity to be transparent	<p>The Associate Director responsible for customer services to carry out, as soon as reasonably practicable, a review of how far the Council is complying with its minimum obligations under the Local Government Transparency Code 2015, and keeping up to date the information on its transparency web page. In addition, the review should examine how more information could be published by the Council voluntarily using the LGA's guidance on open data publishing. A report to be presented to CMT of the outcome of such review.</p>

12	Roll out of the localities model	The Associate Director responsible for the localities strategy to present a report to Cabinet, as soon as reasonably practicable, updating the cabinet on the implementation of the localities strategy and timelines.
13	Information to Ward Members of events in their Ward	The weekly bulletin sent to Members on Fridays to contain a standing item setting out any events and actions taking place in individual wards, information for such item to be provided to Democratic Services Officers by no later than 5.00 p.m. every Thursday.

6 **Comments of Other Committees**

This report has not been considered by any other committees.

7 **Conclusion**

The formal findings and evaluation of evidence by the LGA Governance Peer Review Team has lead to 13 recommendations which the Council need to address in order to progress further on its journey to complete its good governance framework and enhance its transformation. It is considered that the adoption of the actions set out in this report, as part of the action plan to address these recommendations, will enable that journey to be completed quickly and effectively.

8 **Appendices**

Appendix - LGA Peer Review Feedback Report – “Governance Peer Challenge – Slough Borough Council – 3rd to 5th February 2020”

9 **Background Papers**

None