



MID SUSSEX DISTRICT COUNCIL
Governance Review Summary

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Scope of Review

My Brief

The Council commissioned me to carry out an independent review of governance focussed on the extent to which the Council's governance arrangements contribute to its corporate plan aim 'to be an effective Council delivering value for money services and helping to create a strong economy, environment and community'.

Methodology and Approach

A staged approach was undertaken:

- Stage 1: document review
- Stage 2: evidence gathering comprising interviews and a member survey and
- Stage 3: reporting.

This document provides a summary of my main findings and an action plan setting out recommendations for improvement.

The commissioning of this external review indicates a council wide desire to take stock of current arrangements and ensure arrangements represent value for money which bodes well for improvement. This has been reinforced by the positive actions agreed by Group Leaders when I reported back my initial findings.

I wish to thank everyone who spoke with me for their constructive and open dialogue and to all members who completed the survey.

Overview of the Council's Governance Arrangements

Mid Sussex District Council (MSDC) has 26 wards represented by 54 Councillors. There has been Conservative control of the Council since 1999. The number of Opposition members increased significantly following elections in 2019. The number of members new to the role of MSDC councillor was also high.

The current political make-up of the Council is shown below:

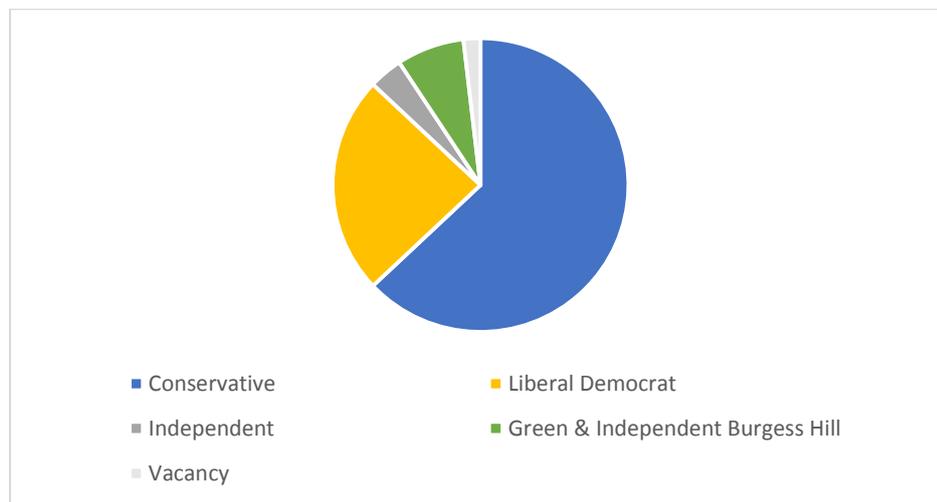


Figure 1

The Council has adopted the strong Leader Cabinet model. The majority of executive decisions have been delegated to either the Cabinet collectively, to individual Cabinet members or to officers to undertake the day to day running of council services.

The Council is under a duty to maintain and keep up to date its **Constitution**. It is published on the Council's website. It sets out the over-arching governance framework, decision making processes and procedures including a Scheme of Delegations. The Monitoring Officer has a duty to monitor and review the operation of the Constitution and proposals for change must be approved by full Council. A **Constitutional Review Group** informs his recommendations.

MSDC has held its Council and committee meetings on a remote platform rather than in a physical location since Regulations¹ enabled it to do so. Recordings of all such meetings are accessible on the Council's YouTube channel.

The current decision-making structure looks like this (Figure 2):

¹ The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

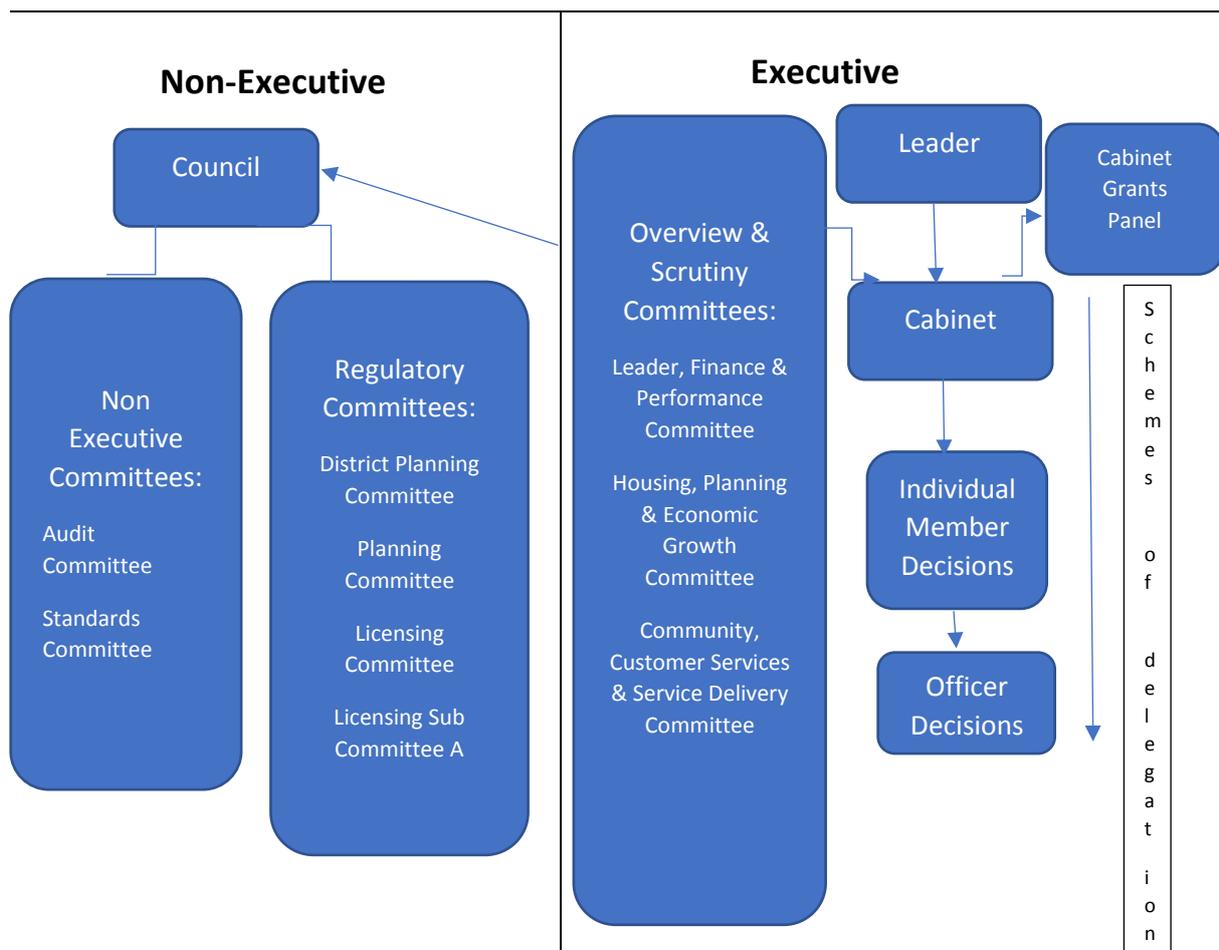


Figure 2

Conclusions

The Council's governance framework is not atypical for a District Council. The Constitution follows the national model and covers relevant ² matters. It is reviewed annually and was last updated in May 2020. At its next review the Constitution would benefit from a forensic read to correct minor typographic errors³ and update legislative provisions⁴. But overall I find it to meet key statutory requirements and be fit for purpose.

There is significant variation possible in how Councils implement good governance. I now turn to summarise my conclusions on the efficiency of current arrangements and the general approach to decision making.

² listed in the Local Government Act 2000 (Constitution)(England) Direction 2000.

³ Eg cl 4.1 refers to a Cabinet of 6 members and there are various references to the former Audit Commission

⁴ Eg Part 4 of the Constitution refers to designated independent persons superseded by the Local Authorities (Standing Order) (England) (Amendment) Regulations 2015

Efficiency of Governance Arrangements

Regulatory Committees and non Executive Committees

I find the regulatory and non-executive committees to be fit for purpose, efficient and proportionate. They get their core business done without undue political distraction and remain focussed on the issues before them. They contribute well to the Council's corporate aim to be an effective Council delivering value for money services and provide some strong governance foundations. I do not recommend at this time any significant change in their structural or process arrangements.

Overview and Scrutiny

Benchmarking data suggests that the structural arrangements at MSDC for scrutiny are resource hungry. In terms of impact I find that the scrutiny committees are not working as effectively as they might and that opportunities exist to adopt best practice.

Doing less, more effectively with fewer but more impactful committees would improve the overall effectiveness of scrutiny arrangements and better satisfy the corporate aim for value for money arrangements. Prioritised balanced work programmes with clear scope and clarity of purpose focussed on how cross-party scrutiny can address issues of wider concern to residents aligned with corporate priorities would improve impact and reduce a tendency to focus on unnecessary detail. Strengthening core knowledge and skills of members is critical to ensuring that there is a common understanding of good governance to inform any structural and/or operational changes.

Council

I found meetings to be generally well chaired but lengthy, often exceeding 3 hours. Reducing the time spent on revisiting issues raised at scrutiny committees and addressing procedural matters would enable better focus on Council priorities.

Cabinet

The allocation of functions to full Cabinet and individual Cabinet members is clear. As with other party groups there is a mix of skills and experience within the Cabinet.

Working Groups

Cross party working groups at MSDC do not play a major and consistent role in decision making. Their success has been mixed. Group Leaders do not meet regularly and this is a missed opportunity for dialogue on key issues, including member development and governance culture.

Officer Delegations

The Scheme of Officer delegations appears to be well understood and is not a barrier to good decision making. Nothing was brought to my attention that warrants any significant change to the delegations other than ensuring officer titles are updated.

The approach to decision making

The Council's approach to decision making is evidence based with robust reporting arrangements that instil confidence. Whilst I have suggested some improvements in the following action plan these are minor and build on existing strengths.

Recommendations

The number of members new to the role of MSDC councillor was high following the 2019 elections. A significant number of members have experience of town and parish councils and it takes time to understand the significant differences in the duties and powers of the tiers of local government. In a Council where so many members are relatively new to office the need for a solid and ongoing bedrock of member development and support is essential.

Expecting members to fully understand the complexities of the Council's constitution and what good practice looks like is unrealistic without a rich and tailored member development programme based on individual need and including mandatory elements in relation to core skills and knowledge. Feedback within groups can also be a rich source of member learning and provide an ongoing powerful mechanism for supportive improvement. Whilst the initial induction programme for members in 2019 was a good starting point in my view members of all political groups need tailored development support.

The following action plan sets out my key recommendations. It proposes that a phased approach be taken to improving governance arrangements. **Phase 1** should focus on improving cross party dialogue and ensuring that members have tailored development support in skills fundamental to good governance. With an improved culture and a sound foundation of core skill and knowledge for all members the Council will then be well placed to move to a **Phase 2** review of its governance arrangements for scrutiny, Council and working groups.

Recommendations/ Implementation Plan

Recommendation	Priority High/Medium/Low	3-6 months	6-12 months	12+ months	Measures of success	Cost implications	Responsibility
Effectiveness of Governance Arrangements							
Phase 1							
R1 Group Leaders should take action to increase cross party dialogue in order to build trust and a healthy organisational culture that contributes to good governance;	H	✓ NB Regular meetings have been convened	ongoing	ongoing	Improved member – member relations	Neutral	Group Leaders.
R2 Group Leaders should lead the development of a member support and development programme.	H	✓ planning	✓delivery	ongoing	Shared common understanding of core aspects of governance. Knowledge gaps filled.	Dependent on programme.	Group Leaders
Phase 2							
R3 The Council should consider the areas for improvement identified in order to review its governance arrangements for scrutiny, Council and working groups.	H			✓	Reduced cost, increased impact	Dependent on detail but potential saving through reducing number of scrutiny committees	Constitutional Review Group and Council
Approach to decision making							
R4 Review the standardised officer reporting template to ensure that it requires appropriate consideration of	M		✓		Improved audit trail of decision making	Neutral	Democratic Services

alternative options and rationale for their dismissal.							
R5 Consider introducing centralised systems for member enquiries	M			✓	% member enquires answered within agreed standards. % members using system. % satisfaction	Dependent on system	Management Team
R6 Reinforce the role of ward councillors as community leaders by ensuring that members are kept informed and engaged on matters and decisions affecting their wards and are aware of official council engagements and events.	M			✓	Members systematically engaged and informed of ward matters. Timeliness measures set and met	Minimal (consider digital solution)	Management Team
R7 Review the format and content of the Annual Governance Statement (AGS) as a public facing document to manage and champion governance.	M		✓		AGS profile raised - transparent public reporting on governance.	Minimal	Chief Executive and Head of Corporate Services

