

Cabinet Member Reports at Council Meetings – Review of the Governance Working Group and Proposed Changes.

Report of the Director of Legal and Democratic Services

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

1) Recommendation

That Council be recommended to

- (a) amend the Cabinet Procedure Rules at section 4c of the Constitution (paragraph 16), as outlined in section 5 of the Report, with new text in red and a strikethrough for removed words;
- (b) give delegated authority to the Director of Legal and Democratic Services to create a revised template for Cabinet Member Reports, in consultation with the Governance working group; and
- (c) Ensure that Standing Order 5 (m) is amended to cross reference the new Cabinet Member Report process and template requirement.

2) Background / Introduction

As part of the wider work being undertaken to review Governance procedures in the Council it was had been suggested that the process of dealing with Cabinet Member Reports be reviewed.

The aim of the work strand was to ensure Council meetings were focussed and business driven – and to move back to the original intention of Cabinet Member Reports which was to report on any decisions taken by the Cabinet and any other areas of interest or service-related developments.

3) Consultations / Representations / Technical Data

Views were sought from the Governance Working Group and benchmarking data from across other Authorities as well as specialist support from the Local Government Association (LGA) was reviewed.

The analysis was conducted over a period of several weeks and a total of 15 other authorities' processes were analysed. It was established there was a mixed picture with a small number having standing Cabinet Member Report items with written reports covering activities in the relevant service areas and others having an announcements section from either the Leader and or Cabinet Members. Of the 15 authorities analysed, 11 either included Cabinet Member Reports or a Leader Report or Announcements or Statements for the Leader and or the Cabinet Members to give key information or report on work undertaken.

The group have, furthermore, taken into account best practice and considered the Constitution.

4) Governance Working Group Considerations

The GWG held a number of discussions and considered several options for dealing with Cabinet Member Reports.

Members favoured a rota system, wanted to ensure the Budget meeting was not overloaded with items that didn't require a decision and also wished to ensure Members would be given the opportunity to ask questions on matters in Cabinet Member Reports.

Members did not wish to place any time limit on the total amount of time for CMR's at Council, however it is proposed that there are time limits for presenting Reports and other speeches.

It was further recognised the meeting should allow for up to date verbal announcements from the Leader and / Cabinet Members on matters of importance. Members may ask a brief question directly related to any verbal announcement made.

It is suggested that additional wording be inserted into the standing orders to make it absolutely clear that Directors are able to speak at Council meetings to support Cabinet Member responses as necessary such as providing further or more detailed information.

The proposed new process is aimed to create a better way of providing information to all Members of the Council of work and activities that are being carried out across the whole of the Council services.

Members of the GWG were clear that the purpose of the Cabinet Member Reports, which will be published with the agenda and available for all to view ahead of the meeting, should contain both positive and negative issues and be an open and honest account of the situation in service areas. It is suggested that Reports cover matters such as performance material and data, updates on projects and activities, inform on forthcoming work and to be clear

about any challenges and how to deal with these and plans for the way forward.

A new template for Cabinet Member Reports was recommended and it was suggested a similar style to the monthly Integrated Adult Social Care newsletter could be adopted.

5) Main Body / Proposal

It is proposed that the Cabinet Procedure Rules at section 4c of the Constitution (paragraph 16), be amended as follows, with amendments shown in red.

16.0 ANNOUNCEMENTS AND REPORTS FROM THE LEADER AND CABINET MEMBERS AT COUNCIL MEETINGS

16.1 A regular item shall be placed on the agenda of all meetings of the County Council (Standing Order 5(1)(m) refers) **to receive any important updates or announcements from the Leader and/or Cabinet Members that cannot reasonably wait. Members may ask a brief question directly related to any verbal announcement made. A Member is also able to ask a brief succinct question on any urgent item of business agreed in advance, in line with the process outlined in Standing Order 17 (9)**

16.2 **A further agenda item will be titled Cabinet Member Reports. Cabinet Member Reports, save in exceptional circumstances, will be in writing and published with the agenda, in advance of the meeting. The Report from the Cabinet Member will focus on:**

- any other areas of interest or service related developments relating to his/her **their** remit that ~~may have occurred~~ since the previous meeting or **are were** likely to impact on the service in the coming months; and
- any decisions taken by the Cabinet (i.e. key decisions) or by them under delegated powers (i.e. routine matters).
- ~~any other issue or matter specifically requested by a Member (by no later than 12 noon 4 working days before the meeting), which cannot adequately be covered by the opportunity that already exists under Standing Orders for Members to submit a Notice of Motion or written questions to Cabinet Members or Chairs of Committees relating, particularly, to factual and local issues.~~

The Report must follow the prescribed template (**insert link**).

16.23 A maximum of three Cabinet Member Reports shall be brought to each Council meeting (except for the budget meeting) which will be on a rota basis. For the Budget meeting a maximum of one Cabinet

Member Report will be brought to that meeting. Any variation to this pattern needs to be agreed by the Chair, Leader and Group Leaders.

16.34 The Cabinet Member shall first present his/her **their** Report and ~~make any statement(s) in response to any issue or matter specifically requested by a Member.~~ Councillors may then, without notice, comment upon or ask a question of the Cabinet Member on any matter referred to in his/her **their** Report or relating to his remit. As indicated above, this facility is not intended to replace the opportunity that already exists under Standing Orders for members to submit written questions to Cabinet Members or Chairs of Committees, relating, particularly, to factual and local issues. The Cabinet Member will then respond to the points raised, either taking all questions at once or three at a time before the conclusion of the item. **Directors will support the Cabinet Members response, as necessary.**

16.45 The Cabinet Member will, when presenting his/her **their** Report, speak for a maximum of 7 **10** minutes, with all other speeches being confined to a maximum of 5 **3** minutes. In replying to questions from Members the Cabinet Member shall speak, at the discretion of the Chair.

6) Strategic Plan

This proposal aligns to the Council's Strategic Plan 2021 – 2025. The proposal supports the commitment of ensuring that the Council makes good decisions and is transparent and supports being a trusted and inclusive Council that hears the voices of communities and listens and learns.

7) Financial Considerations

There are no financial considerations.

8) Legal Considerations

Under Section 37 of the Localism Act 2011, the Council must prepare and keep up to date a Constitution. The proposed arrangements would not compromise this requirement.

9) Environmental Impact Considerations (Including Climate Change, Sustainability and Socio-economic)

There are no environmental related issues.

10) Equality Considerations

There are no equality related issues.

11) Risk Management Considerations

No risks have been identified.

12) Summary / Conclusions / Reasons for Recommendations

The current system of dealing with Cabinet Member Reports has become blurred with the process of Member Questions which has resulted in duplication.

The GWG are proposing the changes to the way the Cabinet Member Report process is dealt with to enable more pro-active information to be disseminated from service areas across the council so that all Members are kept better updated with both positive news and activities as well as any problems or challenges.

The proposed adoptions to standing orders are aimed to create better quality reporting and to continue to support Members rights to ask questions of the Cabinet Members which will be allowed on both announcements and their Reports.

It should be highlighted that Members are still also able to ask questions ahead of the meeting, in writing, of the Leader and Cabinet Members. This will continue to be dealt with under the agenda item of Members Questions.

Name

Director of Legal and Democratic Services – Maria Price

Electoral Divisions: All

Local Government Act 1972: List of background papers

NIL

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