
Meeting	Constitution, Ethics and Probity Committee
Date	19 December 2013
Subject	Change to Governance System- Public Consultation- Final report
Report of	Assurance Director Head of Governance
Summary	In developing proposals for a committee system of governance, this Committee instigated a programme of public consultation. The first phase of consultation with the general public and the Citizens Panel was reported to this Committee on 21 October 2013. This item presents the final report on the whole consultation process, including a meeting for all Members of the Council and a public workshop, for the Committee to take into account in the design of a system.

Officer Contributors	Maryellen Salter, Assurance Director Andrew Nathan, Head of Governance
Status (public or exempt)	Public
Wards Affected	All
Key Decision	No
Reason for urgency / exemption from call-in	Not applicable
Function of	Council
Enclosures	Appendix - The Review of the Council's Governance System and Alternative Options –Consultation findings
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1. RECOMMENDATIONS

- 1.1 That the Committee comment on the attached final report into the consultation findings.**
- 1.2 That these comments are taken into account as part of the development of options on item 7 on this agenda.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Council, 22 January 2013- item 9
- 2.2 Constitution Ethics and Probity Committee, 8 July 2013- item 6
- 2.3 Constitution Ethics and Probity Committee, 21 October 2013- item 6

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The overriding purpose of a Governance System review is to ensure that the Council's decision making structures operate in a way that best enables the Council to deliver its objectives set out in the Corporate Plan. They should be kept under review to ensure that they provide effective opportunities for resident participation and engagement.

4. RISK MANAGEMENT ISSUES

- 4.1 The consultation mitigates the risk that without public involvement in the design of a scheme, opportunities for democratic engagement are lost and public confidence in the legitimacy of democratic decision making structures is weakened.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The decision making processes of the Council, as enshrined within the Constitution, need to be transparent and accessible to all sectors of the community. This review of the Governance system will help ensure that this is the case and ensure the Council is meeting its equality obligations.
- 5.2 An extensive Equalities questionnaire was included within the first phase of Consultation and analysis has been undertaken of different responses from relevant groups.
- 5.3 The public consultation meeting had a very strong theme of asking participants what more should be done to ensure that the opportunities to learn about, attend and participate in Council meetings are available to all sections of the community.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 A commitment was made at Council that the effect of a move to a new system of governance would be cost neutral. All proposals will be costed to ensure they fit within this envelope.
- 6.2 The cost of the consultation was £9,250 for consultation analysis, printing costs and design of hard copy questionnaires; postage and design for the Citizens Panel survey; and provision of refreshments at consultation meetings. This is funded within existing budgets. Up to £20,000 was earmarked in the Business Plan for consultation.

7. LEGAL ISSUES

- 7.1 The Localism Act 2011 allows Councils to return to a committee form of governance under schedule 2.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Council Constitution, Part 3, Section 3 – details the functions of the Constitution, Ethics and Probity Committee, which are to “proactively to review and keep under review all aspects of the Council’s Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council”.
- 8.2 This is not a ‘key decision’.

9. BACKGROUND INFORMATION

- 9.1 Under the Localism Act 2011, local authorities in England operating under executive arrangements have been given power to choose to move to a Committee System form of governance. On 22 January 2013, Council noted “the provisions of the Localism Act allow for changes to the system from an Annual Meeting of the Council for a minimum of five years and asks officers and the Constitution, Ethics and Probity Committee to bring forward proposals to enable early approval of such change to commence operationally from the Annual Meeting 2014”.
- 9.2 This Committee, at its meeting of 8 July 2013, endorsed a Business Case and requested that the project be brought forward to enable Council in January 2014 to consider options. The Business Case included proposals for consultation with the public and wider stakeholders.
- 9.3 An initial consultation was launched on 23 August 2013 which sought residents’ views on their current experience of engaging with the Council’s democratic structures, and on the key principles behind the governance review previously agreed by this committee. The survey was also sent by post to members of Barnet’s Citizens Panel as a control sample.

- 9.4 Full details of how this exercise was conducted and promoted, and the resulting findings, were reported to this Committee on 21st October 2013.
- 9.5 A second phase of consultation has taken place on the more specific options considered by this Committee at its last meeting. This comprised:
- an event for all Members of the Council on 28th October 2013, which was chaired by the Mayor and attended by 24 Councillors;
 - a public meeting on 20th November 2013, which was chaired by the Leader. The meeting received a presentation on the key features of a proposed move to a committee form of governance, consultation findings to date, current public participation rules, and an outline of the remit of the proposed committees.
- 9.6 They were invited to comment through interactive workshops on concerns with the proposed committee structure, whether it addressed the areas of Council responsibility that interested them, how the new structure could be made accessible and easier to understand, and how they could be encouraged to participate in meetings in the new system.
- 9.7 A final Consultation Findings report has been prepared which is attached at Appendix 'A'. This covers the whole of the Consultation process, but includes detailed feedback from both the events listed above, including verbatim comments from the public. The Committee are requested to review and consider this report in the preparation of their proposals.

10. LIST OF BACKGROUND PAPERS

10.1 None.

Cleared by Finance (Officer's initials)	JH
Cleared by Legal (Officer's initials)	LW