

# Executive Decision Report

<b>Decision maker and date of Leadership Team meeting or (in the case of individual Lead Member decisions) the earliest date the decision will be taken</b>	Leadership Team 11 July 2018 Forward Plan reference: 05270/18/K/A  Portfolio: Cllr Campbell (Leader of the Council) Cllr Hargreaves (Communities and Culture)	 THE ROYAL BOROUGH OF <b>KENSINGTON          AND CHELSEA</b>
<b>Report title</b>	CHANGE AT THE COUNCIL: THE COUNCIL'S RESPONSE TO THE INDEPENDENT REVIEW OF GOVERNANCE	
<b>Reporting officer</b>	Heather Wills, Director of Governance and Co-ordination	
<b>Key decision</b>	Yes	
<b>Access to information classification</b>	Public	

## 1. EXECUTIVE SUMMARY

- 1.1 This report sets out the Council's response to 'Change at the Council', an independent review of governance by the Centre for Public Scrutiny, received by the Council in March 2018.
- 1.2 Leadership Team is asked to recommend to Full Council a programme of actions designed to address the recommendations and options identified in the review.

## 2 RECOMMENDATIONS

- 2.1 That Leadership Team agree the actions summarised at section 5.3 of this report and set out in more detail in Appendix A.
- 2.2 That Leadership Team ask Full Council to endorse the actions summarised at section 5.3 of this report and set out in more detail in Appendix A.

### **3 REASONS FOR DECISION**

- 3.1 The Council has acknowledged that change is required, and has already started to make changes: for example it has reorganised the senior management structure and has reintroduced and improved mechanisms for engagement with tenants and leaseholders.
- 3.2 By implementing recommendations from the report, 'Change at the Council', the Council is seeking to implement improvements to the way it makes decisions, learning from good practice elsewhere.

### **4 BACKGROUND**

- 4.1 A motion was adopted at Full Council on 19 July 2017, calling on the Council to commit funds to a full and independent study of the advantages of re-introducing a committee-based system of scrutiny. The motion also included calls to the Cabinet to commit resources to support resident-led community action groups to enable local residents to feed into and participate decisions affecting their local communities, to increase the number of scrutiny meetings, and to provide adequate support to opposition and backbench councillors.
- 4.2 On 18<sup>th</sup> September 2017, the Executive and Corporate Services Scrutiny Committee considered a report on the Council's intention to commission the Centre for Public Scrutiny (CfPS) to conduct an independent study in response to the above motion. The Local Government Association had confirmed it would fund this work and hence the study would be delivered at no cost to the Council. The scope of the study was to:
- Carry out research, provide advice and a range of options for the Council to consider to ensure an effective scrutiny and decision-making system for Kensington and Chelsea
  - Review the range of governance options open to the Council
  - Consider:
    - community engagement in decision-making
    - how to ensure the effectiveness of formal Council meetings, including opportunities for public and democratic debate
    - the role, function and resourcing of oversight and scrutiny arrangements
- 4.3 On 6<sup>th</sup> December 2017, a meeting of Full Council received a report and presentation on the review by CfPS. Members of the public and representatives of organisations within the borough contributed to the discussion and members of the Council debated emerging themes from the review.
- 4.4 CfPS published their report, entitled 'Change at the Council', on 7 March 2018 (the report can be found at [www.rbkc.gov.uk/council-and-democracy](http://www.rbkc.gov.uk/council-and-democracy)). The report includes:
- Twelve principles setting out what the authors believe good governance means for Royal Borough of Kensington and Chelsea
  - Options for next steps and longer-term aspirations

- A method statement setting out the approach taken by CfPS in conducting their review
- A technical appendix with detailed recommendations on the steps the Council can carry out to embed a change in culture

4.5 On 19<sup>th</sup> March 2018 the Executive and Corporate Services Scrutiny Committee considered the CfPS report and made suggestions as to how the Council should respond. The meeting raised concerns that organisations from North Kensington were not sufficiently represented in the list of those consulted by CfPS: residents and groups from the North Kensington area had been invited to attend the meeting to give their views. Subsequently, officers met with those attendees who wished to give their more detailed views. The points raised in the Scrutiny Committee meeting, and in subsequent meetings, have been considered in the preparation of the Council's response. CfPS have issued a further response in light of the discussion at the Scrutiny Meeting, which can be viewed here: [www.cfps.org.uk/reflecting-on-public-comments-in-relation-to-the-independent-governance-study-at-kensington-and-chelsea-council](http://www.cfps.org.uk/reflecting-on-public-comments-in-relation-to-the-independent-governance-study-at-kensington-and-chelsea-council)

## 5 PROPOSAL AND ISSUES

5.1 The Council welcomes the report, 'Change and the Council', and its thoughtful and constructive recommendations and advice. It is proposed to fully accept all twelve principles: but the Council recognises that it essential to put these principles into practice to achieve the changes outlined in the report.

5.2 The Council also acknowledges the need to ensure consistent and meaningful consultation and engagement with local residents, organisations and businesses to inform Council decisions. The proposals outlined in this report, informed by 'Change at the Council', are designed to support the Council to develop the range and quality of its consultation and engagement with local people and to pilot new approaches. The Council recognises that different people will have different needs and abilities to engage with the Council's decision-making, and will ensure that it provides a range of ways for people to be involved. The Council also recognises the importance of engagement with citizens' and community groups (including Residents' Associations, amenity groups, service user and special interest groups) and will work with them to ensure that the Council hears and considers their views. Where appropriate, this will include involving local people and groups in the design and/or delivery of local services and policies.

5.3 Key, proposed actions in response to the report are summarised below and set out in more detail in Appendix A:

- i) Adopt the **twelve 'good governance' principles**:
- Connecting with residents
  - Focusing on what matters
  - Listening to many voices
  - Acting with integrity
  - Involving before deciding

- Communicating what we're doing
- Inviting residents to take part
- Being clearly accountable
- Responding fairly to everyone's needs
- Working as a team
- Managing responsibly
- Having the support we need\*

\*The report explains that this means ensuring that governance support better meets the needs of both lead and scrutiny Councillors, and better making links to outside bodies and residents.

The Council will embed these principles in its wider organisational change programme and Grenfell recovery strategy. It will put them into practice through the range of actions below, as recommended by the 'Change at the Council' report.

- ii) Hold an externally facilitated, **Borough-wide conversation with local residents about their priorities for the place and their families**, linking with existing community groups. This 'conversation' will involve existing community groups and provide a range of opportunities for people to have their say, informing the development of a new Council Plan, to be published in February 2019.
- iii) Establish a **Citizen's Panel** to support the Borough-wide conversation and ongoing engagement with the local community. An external provider with experience of facilitating similar panels elsewhere in local government will be engaged to consult across the Borough to inform the design (including membership and terms of reference) of the panel.
- iv) Establish a **Listening Committee** for the Leader and members of the Leadership Team to hear directly from residents about the things that matter most to them. The meetings will be externally facilitated, programmed and publicised in advance (with the opportunity to submit questions before meetings) and will meet at locations around the Borough. Issues raised may then be considered in more detail by Scrutiny Committees, where relevant. A record of issues discussed and actions taken in response to issues raised will be published.
- v) Establish a **review of how both Borough-wide and area governance will work in the future**, involving residents and partners to consider options. The review will consider a range of options, informed by good practice elsewhere and what is appropriate in the local context (including existing arrangements for tenant and leaseholder engagement). This will include consideration of what kinds of involvement and governance are appropriate for different kinds of decision and service, whether the same solution is appropriate for all parts of the borough and what support local people and groups need to be able to participate meaningfully in the Council's governance. Whilst this review is

being conducted, the Council will look for opportunities to pilot new approaches in local areas where appropriate.

- vi) Proactively **seek out and engage with local government good practice**. The Council intends to commission the Local Government Association to conduct a Corporate Peer Challenge in summer 2019 to enable it to measure progress and test the extent to which the Council's work is consistent with good practice.
- vii) **Develop the effectiveness of Scrutiny**, including training and development for councillors on Scrutiny Committees, the creation of a co-ordinating role for Executive and Corporate Services Scrutiny Committee to support Scrutiny to focus on the most important issues for the Borough and Council, and to evaluate its effectiveness. Scrutiny will report twice yearly to Full Council on outcomes it has achieved.
- viii) **Increase the potential for, and effectiveness of public engagement in Full Council meetings**. This will include making up to one hour available at each Full Council meeting for local residents and business owners to speak direct to the meeting, and re-designing the petitions system, informed by local consultation.
- ix) Officers will also take a range of actions to improve the way the Council involves local people in decision-making and policy making and support councillors working with residents, including, but not limited to:
  - Revising the Key Decision and Forward Plan process to make it easier for local people to see in advance what decisions will be made, how they can contribute their views and track progress through the system
  - Improvements to the Council website to make it easier to find information about the Council's decision-making process and how to get involved
  - Publishing a guide and briefings on how decisions are made, developed in consultation with local community groups
  - Training for Council officers on a range of engagement techniques to inform policy development, and updated guidance for report writers to ensure reports include all relevant information and are written in plain English
  - Services will be supported to seek feedback from the public on what they want and how services can be improved, and this will inform staff training and service design
  - Improved support for non-Executive councillors, members' casework and management of complaints across the Council
  - Development of the Council's strategic approach to community engagement and development, co-designed with local organisations and building on existing work

## **6 OPTIONS AND ANALYSIS**

6.1 The Council could choose not to take any of the actions recommended by the Centre for Public Scrutiny. This is not proposed, since the recommendations are

based on CfPS' considerable knowledge and experience on the subject, and informed by local consultation.

- 6.2 The Council could choose to undertake only some of the recommendations by CfPS. The approach proposed by CfPS is to pilot a number of approaches, to test out which works in the context of Kensington and Chelsea. Consequently, this report proposes a full range of actions, the effectiveness of which will be reviewed and evaluated in due course.
- 6.3 This report proposes that a number of approaches are piloted and consulted on, with the outcomes analysed and processes refined as a result, in light of evidence received and experience. Analysis will therefore follow, to inform the development of further proposals for action in due course.

## **7 CONSULTATION AND COMMUNITY ENGAGEMENT**

- 7.1 The report, 'Change at the Council', details the consultation and engagement undertaken to inform its recommendations. Further discussions at and following the Executive and Corporate Services Scrutiny Committee have informed the development of these proposals.
- 7.2 The majority of the proposals in this report either relate to plans for further consultation and engagement, or the Council will consult and engage with local people in delivering them. More detail of this appears in the action plan at Appendix A.

## **8 HUMAN RESOURCES AND EQUALITIES IMPLICATIONS**

- 8.1 The action plan at Appendix A gives details where appropriate of where external capacity and/or expertise will be procured to support these actions. Discussions are underway in relation to the support required by non-Executive members: once the scope of this support has been confirmed, appropriate staffing will be identified to deliver it.
- 8.2 The proposals in this report relate to a wide range of different actions, all of which will have their own equalities implications. In most cases the next step for each action will be to develop detailed implementation plans, and it will be appropriate to identify and address the equalities implications in relation to those detailed implementation plans. In some cases, the equalities implications will be explored as part of the process of consultation and engagement inherent in the actions.

## **9 LEGAL IMPLICATIONS**

- 9.1 The Council has the powers to implement the proposals set out in Appendix A within its current Leader and Cabinet model of executive arrangements. The Director of Law and the Monitoring Officer will advise at relevant stages on the detailed implementation of the proposals.

## 10 FINANCIAL AND ANY OTHER RESOURCES IMPLICATIONS

- 10.1 The Group Finance Manager has reviewed the proposals. Though high level early estimates at this stage, sufficient budget has been identified to meet estimated costs as described below.
- 10.2 The overall anticipated cost of all of the proposals is £177,000 in 2018/19, £271,000 in 2019/20 and £194,000 in future years. These reflect half year implementation in 2018/19 and full costs through 2019/20 and beyond. Given the uncertain nature of these early estimates, totals have been adjusted to provide a 10% contingency.
- 10.3 The 2018/19 budget that was agreed by full Council in March 2018, included a £2m allocation to support the Council's Fit for Purpose initiative and Change Programme - supporting the organisation to review internal structures, the implementation of new governance processes and support for the big conversation with the local community to determine the vision for the future. The table below outlines current commitments against this budget in inclusive of the above proposal. Finance will work with the service to ensure implementation of proposals is delivered within the identified funding envelope.

	2018/19	2019/20	Recurrent
	£'000	£'000	£'000
<b>Fit For Purpose - Change Programme Budget</b>	<b>2,000</b>	<b>2,000</b>	<b>2,000</b>
Commitments to date	787	687	687
Response to Governance Review	177	271	194
<b>Total</b>	<b>964</b>	<b>958</b>	<b>881</b>
<b>Budget Remaining</b>	<b>1,036</b>	<b>1,042</b>	<b>1,119</b>

Heather Wills  
Director of Governance and Co-ordination

### Local Government Act 1972 (as amended) – Background papers used in the preparation of this report

*[Note: Please list only those that are not already in the public domain, i.e. you do not need to include Government publications, previous public reports etc.]*

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**Formal clearance requirements for all key decision reports**

- Cleared by Finance (officer's initials) NP
- Cleared by Director of Legal Services (officer's initials) LeVP
- Cleared by Communications & Community Engagement (officer's initials) MC



No	Action	Lead	By when
3	<p>Establish a <b>Citizen's Panel</b>:</p> <ul style="list-style-type: none"> <li>• Procure a provider with relevant experience in local government</li> <li>• Conduct a process of consultation across the Borough to inform the design (membership, terms of reference) of the panel</li> <li>• Establish and facilitate the panel, informed by the process of consultation</li> <li>• Review the effectiveness of the panel</li> </ul>	<p>Director of Governance &amp; Co-ordination</p> <p>with</p> <p>Director of Communication &amp; Community Engagement</p>	<ul style="list-style-type: none"> <li>• August 2018</li> <li>• November 2018</li> <li>• December 2018</li> <li>• December 2019</li> </ul>
4	<p>Establish a <b>Listening Committee</b>:</p> <ul style="list-style-type: none"> <li>• Procure an independent facilitator</li> <li>• Publicise programme of meetings around the borough</li> </ul>	<p>Director of Governance &amp; Co-ordination</p>	<ul style="list-style-type: none"> <li>• July 2018</li> <li>• September 2018</li> </ul>
5	<p>Establish a <b>review of how both Borough-wide and area governance will work in the future</b>:</p> <ul style="list-style-type: none"> <li>• Confirm Terms of Reference</li> <li>• Identify secretariat to support review</li> <li>• Confirm timescales for delivery of review (currently anticipated end date: March 2019)</li> </ul>	<p>Director of Governance &amp; Co-ordination</p>	<ul style="list-style-type: none"> <li>• September 2018</li> <li>• September 2018</li> <li>• September 2018</li> </ul>
6	<p>Proactively <b>seek out and engage with local government good practice</b>:</p> <ul style="list-style-type: none"> <li>• Leader and Deputy Leader to attend Local Government Association conference</li> <li>• Commission the Local Government Association to conduct a Corporate Peer Challenge (to take place summer 2019)</li> <li>• Attendance by lead members at seminars, exemplars of good practice, engagement of mentors</li> </ul>	<p>Director of Governance &amp; Co-ordination</p>	<ul style="list-style-type: none"> <li>• July 2018</li> <li>• July 2018</li> <li>• Ongoing</li> </ul>

No	Action	Lead	By when
7	<p><b>Develop the effectiveness of Scrutiny:</b></p> <ul style="list-style-type: none"> <li>• Conduct training for new Scrutiny Committee members</li> <li>• Executive &amp; Corporate Services Scrutiny Committee to co-ordinate the scrutiny work programme</li> <li>• Training for Scrutiny Committee members including effective use of working groups/ policy commissions</li> <li>• Executive &amp; Corporate Services Scrutiny Committee to evaluate the effectiveness of scrutiny in 2018/19</li> <li>• Scrutiny to report to Full Council on outcomes achieved</li> </ul>	Director of Governance & Co-ordination	<ul style="list-style-type: none"> <li>• June 2018</li> <li>• September 2018</li> <li>• October 2018 and ongoing</li> <li>• September 2019</li> <li>• January/October 2019</li> </ul>
8	<p><b>Increase the potential for, and effectiveness of public engagement in Full Council meetings.</b></p> <ul style="list-style-type: none"> <li>• Introduce up to one hour per meeting for local residents and business owners to speak direct to the meeting</li> <li>• Consult with Residents Associations, other local groups and the Citizens Panel to re-design the petitions system</li> </ul>	Director of Governance & Co-ordination	<ul style="list-style-type: none"> <li>• June 2018 onwards</li> <li>• November 2018</li> </ul>
9	<p><b>Take a range of measures to improve the way we involve local people in decision making and support councillors working with residents:</b></p> <ul style="list-style-type: none"> <li>• Revise the Key Decision and Forward Plan process to make it easier for local people to see in advance what decisions will be made, how they can contribute their views, and track progress through the system, including how local people have been consulted. Benchmark key decision thresholds to ensure that RBKC is consistent with good practice elsewhere</li> <li>• Publish a guide to how decisions are made, developed in consultation with community representatives, and disseminate widely. Offer briefings to community organisations</li> <li>• Update guidance for report writers to ensure reports include all relevant information and are written in plain English</li> <li>• Improve support for members' casework</li> <li>• Improve management and analysis of complaints across the Council</li> </ul>	Director of Governance & Co-ordination	<ul style="list-style-type: none"> <li>• October 2018</li> <li>• October 2018</li> <li>• July 2018</li> <li>• September 2018</li> <li>• September 2019</li> </ul>

No	Action	Lead	By when
	<ul style="list-style-type: none"> <li>• Consult with non-Executive councillors on requirements and introduce administrative support</li> <li>• Use future annual governance statements to set out the Council's revised approach to governance, decision-making and local people's involvement in these</li> <li>• Provide training for Council officers on the use of a range of engagement/ empowerment techniques, to inform development of Council policies</li>   <li>• Make improvements to the Council website to include: <ul style="list-style-type: none"> <li>○ Publication of Council management structure</li> <li>○ Revision of information about the Council's decision making processes</li> <li>○ More accessible presentation of the Forward Plan</li> <li>○ Improvements to e-alerts to give better information of upcoming decisions</li> </ul> </li> <li>• Develop the Council's strategic approach to community engagement and development (new Head of Community Engagement starting in post June 2018)</li>   <li>• Lead the listening and engagement approach for specific service areas, tailored to the needs of the particular community or group</li> </ul>	<p>Director of Governance &amp; Co-ordination</p> <p>With</p> <p>Director of Financial Management</p> <p>Director of HR &amp; Organisational Development</p> <p>Chief Information Officer</p> <p>Director of Communications &amp; Community Engagement</p> <p>All Executive Directors</p>	<ul style="list-style-type: none"> <li>• September 2018</li> <li>• May 2019 and ongoing</li> <li>• December 2018</li>   <li>• May 2018</li> <li>• September 2018</li> <li>• November 2018</li> <li>• November 2018</li>   <li>• September 2018 and ongoing</li>   <li>• September 2018 and ongoing</li> </ul>
10	<b>Review and evaluate</b> the effectiveness of actions taken to improve governance at the Council	Director of Governance & Co-ordination	<ul style="list-style-type: none"> <li>• July 2019</li> </ul>

