



Mansfield District Council

Creating a District where People can Succeed

Mr P Hawthorne
The Committee on Standards in Public Life
35 Great Smith Street
London
SW1P 3BQ

Your Ref:

Our Ref:

When calling please ask for:

Dear Mr Hawthorne

Local Leadership and Public Trust: Openness and Accountability in Local and London Government

Issues and Questions Paper ('Paper')

I refer to the above Paper and set out below my personal comments as Chairman of the Council's Standards Committee.

I have formulated my comments following an open cross party consultation event, chaired by me on 19 February 2009, to which all elected members of the Authority and independent non elected members of the Standards Committee were invited. The event was attended by the elected Mayor, some executive and non executive elected members of the Authority and an independent non elected member of the Standards Committee. The views expressed were therefore wide ranging and have contributed greatly in assisting me to compile this response.

I do not propose to formulate a response to all the questions posed, but I will deal with the issues I feel sufficiently informed to comment upon and therefore I have not set out in this response all the questions posed in the Paper.

CHAPTER 2. LOCAL GOVERNMENT

Local government: leadership and decision-making

What are the strengths and weaknesses of the new executive models of decision-making?

Have the new arrangements increased public trust in local governance; if so, how?

Why are there so few elected mayors? Is there any evidence to support the hypothesis that an elected mayor can help to rebuild public confidence and trust in a failing local authority?

Managing Director - Ruth Marlow

Civic Centre, Chesterfield Road South, Mansfield, Nottinghamshire, NG19 7BH.

Page 1 of 5 Telephone 01623 463463 Fax 01623 463900 e-mail mdc@mansfield.gov.uk website www.mansfield.gov.uk

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In practical terms, what are the differences between the mayor and cabinet model and leader and cabinet model?

Mansfield District Council is one of the few local authorities to operate a mayor and cabinet model of executive leadership and has done since 2002 following a referendum. The current elected Mayor is in his second term of office.

Listening to all the views expressed I believe that one of the strengths of the new executive model of decision-making is the speed at which decisions of an urgent nature can be taken if necessary and the ability this gives local authorities to respond in a timely manner to emerging situations. The example provided to me during our discussions was the Mayor's immediate response to concerns expressed in the district about the effect of the economic downturn on businesses where he took an urgent executive decision in the lead up to Christmas 2008 to waive car park fees in an attempt to maintain footfall and sustain businesses during this period. As a result of the executive decision-making arrangements with all the executive powers vesting in the elected Mayor there had been no need to refer the matter to Cabinet and the urgent decision taken was subsequently reported to Council.

A weakness appears to be that non executive members feel removed from the decision-making process as the ability to make decisions is vested in only a small number of elected members. I am not sure whether this is a public concern at all or one confined to elected members who preferred the committee system where matters were publically debated. It is acknowledged under the new executive arrangements, that members can discuss with the decision taker, any issues or concerns that they might have about a proposed decision (unless it was an urgent decision taken under the provisions of urgency), in advance of a decision being taken.

From my experience within my own district and the views expressed to me I believe that the role of an elected mayor has increased the public trust in local government as a mayor is directly elected for a term of four years, by the people of the district and cannot be removed from office by the local authority. I believe that the local authority's inability to remove an elected mayor is a significant and important difference between a leader and an elected mayor.

There is evidence within the local authority of the elected Mayor receiving a large volume of mail directly from residents who wish to have their concern considered personally by the Mayor. The Mayor was able to provide many examples of instances where although cases were not always resolved to the satisfaction of a complainant or in anyway changed by his intervention, the fact that he responded personally provided reassurance to the complainant that their issue had been fully considered by the local authority. I consider accountability to the public to be both a strength and a very important strand of the new executive arrangements.

An important part of an elected Mayor's role is the direct dialogue held with the public in seeking views before decisions are taken where the public can be seen to influence the decision-making process. The example provided to me in the district of Mansfield was where the Mayor sought public opinion on weekly and fortnightly bin collections.

It is felt that the Mayor is highly visible within the district and an elected Mayor becomes instantly recognisable which is not always the case with a leader. There is no doubt that the Mayor of London has a high profile although I will not comment on the particular executive arrangements in London.

In my opinion, one of the reasons that there are so few elected mayors, may be general apathy amongst the electorate and lack of public engagement with the democratic process generally. From the experience in Mansfield the process of a referendum requires a great deal of input initially from the public and there could be a reluctance from existing administrations to want to embrace what is still considered to be a radical departure from the leader and cabinet model. In the current economic climate there may also be public concern with spending large sums of money on such matters if change is not guaranteed.

Local government: openness and accountability

What are the key elements of an effective accountability framework for local government, and how well do the current arrangements work in practice?

How should effective scrutiny be judged, and to what extent do current measures lead to effective scrutiny?

How effectively have local authorities embedded a culture of scrutiny into their decision-making processes?

Do certain models of local decision-making provide for stronger accountability and openness; if so, why are they more effective?

Is there a role for standards committees in promoting openness and accountability in local government, and if so, what should their role be?

How effective are the arrangements for giving certain elected members lead member responsibility and accountability working in practice?

What is the role of external organisations – including for example, regulatory bodies or the media – in holding local government to account, and how does this impact on public trust?

Is there a tension between openness and 'getting things done'? If so, how can they be reconciled?

I was party to a lively discussion on these issues in particular and my own view is that the current accountability framework works reasonably well, but could be strengthened by minor changes to the current framework, rather than a complete overhaul of it.

I believe both locally and nationally the overview function has been largely overshadowed by the scrutiny function where decisions themselves are scrutinised. I feel that there is real value in all elected members contributing to policy development at an early stage to inform its development.

I believe that the scrutiny function has been embedded within the Council. The example provided to me of effective embedded scrutiny was the recent development of the 2009/2010 budget where all members were kept fully informed and were provided, in a timely manner, with all the information they required to raise any issues and challenges. This was particularly important in the current financial climate to ensure that the local authority maintained public confidence.

The joint scrutiny arrangements currently being developed will need to be monitored to ensure their effectiveness. I view joint scrutiny arrangements as a positive development in the hope that it will enable the sharing of best practice across local authorities and public bodies.

As Chairman of the Standards Committee, I would be keen to ensure that the Standards Committee did assist the local authority in promoting openness and accountability. I believe that a tremendous amount of hard work and endeavour is undertaken by elected members as a whole, but as in most walks of life, it is usually the bad news that receives the most publicity from the media both locally and nationally. The media are able to impact upon public trust in both a positive and negative way but the effect is immediate.

I would be very concerned to maintain the non political nature and independence of a Standards Committee as it should not be involved in the day to day business of the decision-making body, but is the advisory Committee to the Council with regard to its standards framework and in my particular case the effectiveness of its Constitution. In the present system there is nothing a Standards Committee can do if the Council does not wish to accept a recommendation, so any new role would have to take this factor in to account

I would also wish to differentiate between the role of an audit committee and a standards committee as I believe that there would be scope for public confusion. There is often an overlap between these two committees in many authorities, for example, with matters such as monitoring the effectiveness of the whistleblowing policy.

Local government officers: role and accountability

How clearly is the role of senior officers understood by the public?

How successful are the mechanisms currently in place to hold senior officers (such as Chief Executives) to account for their actions?

My observation as Chairman of the Standards Committee is that the balance of holding senior officers to account is currently correct bearing in mind the mandate an elected member has from the public and the position as employee on the part of a senior officer.

In order to undertake my role it is important to have the support of the Standards Committee's work from the elected Mayor and the senior officers at the Council. I believe that this has been provided to me during my term of appointment. I believe that the issue of officer/member relationships is more linked to the culture of an organisation rather than its executive arrangements.

The discussions I have been party to suggest that the majority of the public are more interested in holding elected members rather than senior officers to account and that there is no great conflict of interest in the current executive arrangements.

Local government accountability and partnerships

I do not feel able to contribute significantly to the debate on this issue save to say that for the public it will be important to maintain the accountability of all members of any partnership without developing a blame culture. Each partner within a partnership will need to contribute to and understand the governance arrangements for decision-making.

Mrs Sheila Ormerod
Chairman of the Standards Committee
Mansfield District Council

9 March 2009

