

Call for evidence on Local Leadership and Public Trust: Openness and Accountability in Local and London Government

Draft responses to questions raised in the Consultation Paper

Chapter 2 - Local Government

Executive models of decision-making were seen as a way of improving leadership, accountability and openness of local government. The Committee is keen to receive evidence on what has been achieved.

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

With the Leader/Cabinet model, there is clearer accountability than under the traditional committee system. People can see the decision makers and through mechanisms like Cabinets question time and scrutiny can challenge decisions. In contrast, non-Cabinet members can feel excluded from decision making. Scrutiny is still in its infancy but members are developing the role and adding value to decision making.

2. Have the new arrangements increased public trust in local governance. If so, how?

There is greater transparency in so far as decision makers may be more easily identified but it is not possible to say that public trust has increased.

3. 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?

Although this office has been strongly promoted by the Government, with a few exceptions, people have been reluctant to petition for this type of governance. In some areas, concerns have been raised about the effectiveness of elected mayors and local accountability for services.

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

The Mayor will probably be a full-time politician, have a higher public profile and is able to determine the scheme of delegation for executive functions. The Mayor is elected by the whole electorate whereas a Leader relies on the support of members of the Council and can be replaced.

5. How do the different models of local governance in the UK compare with each other, and with practice in other countries, in terms of accountability and openness?

Much can depend upon the size of the administrative area and in other countries these are often smaller. Voter turnout is still low in this country in comparison to other European countries but much is being done to improve public access and public engagement.

Local government: openness and accountability

There are a number of provisions to promote openness and accountability in local government. The Committee would like to receive views and evidence on how well the provisions to support openness and accountability in local government work in practice.

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

This needs to be built upon a separation of functions and a culture of public access and engagement. There is sufficient flexibility for local authorities to ensure local arrangements are appropriate.

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

Scrutiny is often seen as the art of logical persuasion supported by evidence. It should be judged in terms of ease of access and how it adds value to decision making.

3. Do overview and scrutiny committees have adequate powers and resources to hold the executive to account, and if not, what additional powers and resources are required?

The existing powers seem both sensible and proportionate. The allocation of resources should be a matter of local choice based on affordability.

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

This varies considerably from local authority to local authority, but most authorities have arrangements in place which encourage the public to access the scrutiny process. A case could be made for involving scrutiny to a greater extent before important decisions are taken.

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

The Leader/Cabinet model with collective decision making at public meetings gives greater opportunity to question members and hold them to account. In contrast to this, some authorities, commonly unitary and county councils, operate single member decision making arrangements which does not afford the same level of public access and opportunity to challenge decision makers.

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

Local Standards Committees could be given responsibility for oversight of this activity, with a requirement to make recommendations to the Full Council.

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

See 5 above.

8. 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?

External organisations such as the Ombudsman provide an essential opportunity for independent challenge of Council decisions which allows the public the chance to compare performance etc. The media have an important job to do in promoting awareness of how local government impacts on everyone.

9. What impact has the use of the single transferable vote in local elections in Scotland and Northern Ireland had on openness and accountability in local government?

N/A

10. Is there a tension between openness and ‘getting things done’? If so, how can they be reconciled?

There is bound to be tension between these two approaches – the important thing to recognise is that the way a local authority involves local communities is of primary importance and must be central to all its activities.

Local government officers: role and accountability

The Committee is interested in receiving views and evidence on whether the roles and responsibilities of senior officers are clearly defined and understood by the public; how well senior officers are held to account; and their role in supporting the accountability framework.

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

There is no requirement to publicise the role of senior officers other than in the Constitution, instead local authorities tend to publicise how services and members can be accessed.

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

The Government intend to introduce new arrangements for the public to hold senior officers to account. There is a real risk that this will undermine the role of elected representatives who determine local priorities and targets.

3. Are additional measures necessary to hold senior officers to account, if so, what form should such measures take?

No. This can already be done through the scrutiny process, public questioning and through external bodies such as the Ombudsman. Initiatives of the type being discussed by the government whereby senior officers are held to account at public meetings could be disruptive to the work of the Council and may create conflict with approved policies.

4. Does the fact that senior officers are required to support both the executive and scrutiny give rise to a conflict of interest, and if so, how should this conflict be addressed?

In smaller authorities there is not the luxury of having complete separation of functions.

5. What impact, if any, have the new arrangements for local government had on member-officer relationships?

There is a need for the respective roles to be clearly defined in protocols and local arrangements.

Local government accountability and partnerships

The Committee is interested in receiving views and evidence on how local authorities ensure openness and accountability when working in partnership.

1. How do partnerships ensure effective accountability and open decision-making?

This needs to be set out in a Governance Handbook setting out rights and responsibilities and matters such as consultation, engagement and public access.

2. How do local authorities reconcile partnership working with the principle that individual public office holders should be accountable for their decisions and actions?

The Ombudsman has made it clear in a recent report on partnership working that local authorities will remain accountable for arrangements with partners which impact upon service users. They cannot hide behind partners.

3. What, if any, improvements could be made to ensure the principles of openness and accountability are further embedded in partnership working?

See 1 above.