
Audit and Governance Committee

10th December 2014

Report of the Chief Executive

Local Government Association Report

Summary

1. Mark Edgell from the Local Government Association will be attending Audit & Governance Committee meeting to set out early findings of the review into member-officer relations. Member-Officer relations are key to the effective running of council services.
2. Members have the right to hold officers of the council to account. These processes are clearly defined by the constitution, and Member-Officer relationships are governed through the Code of Conduct.
3. Where scrutiny is applied outside of these channels, it can cause friction within the Member-Officer relationships and can be counter-productive to the running of the council.
4. A motion was submitted and approved by Council on the 9th October 2014, calling for an independent body to review actions of members which *“falls below that which staff and residents expect”*.

Background

The following motion was submitted & approved by council on the 9th October 2014.

“40. Notice of Motion - Organisational Development Plan

Minutes:

A Motion submitted for consideration directly by Council, in accordance with Standing Order 12.1(b)

- (i) Organisational Development Plan (proposed by Cllr Steward)

“Council notes with concern the results of the Organisational Development Action Plan, in particular the Leadership section and the current position re ‘Concern about the Behaviour of some Members’. This follows last year’s Peer Challenge review which also expressed concern regarding members’ understanding of council priorities and the lack of clarity within the council.

Council requests that an independent body be appointed to report back to the Audit and Governance Committee no later than its meeting of 10 December 2014 and that the report is delivered directly to this committee, investigating these concerns and whether Members have acted in a manner which falls below that which staff and residents expect.”

An amendment was proposed by Councillor Alexander as follows:

The **addition** of the following final paragraph:

This report should take into account the personalised politics being exhibited within York by elected members and their supporters – most notably on social media.

On being put to the vote the amendment was declared CARRIED.”

The original motion, as amended on being put to the vote, was also declared CARRIED.

Resolved: That the motion, as amended, be approved. ¹.

Following this motion, the Leader wrote to the Chief Executive to ask the Local Government Association to carry out the review.

The Chief Executive contacted the LGA to commission the current review. This was lead by Mark Edgell, Principal Advisor for North East, Yorkshire & Humber and East Midlands. He was supported by the lead political peers for the LGA.

Mark Edgell and LGA peers have spoken to their respective Group Leaders, and Mark Edgell has spoken to the Council's Management Team. The LGA is preparing a report based on these conversations.

Mark Edgell is to attend Audit & Governance to provide an update on the review on the 10th December as per the motion.

Consultation

5. The LGA has met with both members and officers as part of their work.

Options

6. Not relevant for the purpose of the report.

Analysis

7. Not relevant for the purpose of the report.

Council Plan

8. This report contributes to the overall effectiveness of the council's governance and assurance arrangements contributing to an 'Effective Organisation'.

Implications

9.
 - (a) **Financial** – This report reflects upon the employer-employee relationship, with significant financial risks in the form of any potential claims by employees against the council. Costs of the LGA review will be met from council budgets.
 - (b) **Human Resources (HR)** – This report reflects on the employer-employee relationship, with significant HR risks in the form of cost, disruption of the normal business of the council, and reputational damage.
 - (c) **Equalities** – This report reflects on the employer-employee relationship and the requirement of all parties to operate within the legal duties and policies of the council relating to Equality.

(d) **Legal** – The employer-employee relationship is set down in employment legislation. Contravention of this would leave the council open to legal challenge.

(e) **Crime and Disorder** - There are no implications

(f) **Information Technology (IT)** - There are no implications

(g) **Property** - There are no implications

Risk Management

10. By not complying with the requirements of this report, the council will fail to have in place adequate scrutiny of its internal control environment and governance arrangements, and it will also fail to properly comply with legislative and best practice requirements.

Recommendations

11.
(a) The Committee is requested to take note of the emerging findings and to accept a subsequent written report.

Reason: To update Members on the action that has been taken in response to the motion passed by Council.

Contact Details

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**Report
Approved**



Date 02/12/2014

Specialist Implications Officers

Head of Civic, Democratic & Legal Services

Wards Affected: Not applicable

All

For further information please contact the author of the report

Background Papers:

None