

Intervention to Restoration

Rotherham's Governance Journey

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Big hearts, big changes

What this session will cover

- The Jay and Casey Reports
- Government Intervention
- Commissioner Decision Making
- Recovery and Restoration
- Future challenges for Democratic Services

The Jay Report – Child Sexual Exploitation

- Independent Review of Child Sexual Exploitation in Rotherham from 1997 – 2013
- Approximately 1,400 children exploited during period
- “Collective failures of political and officer leadership were blatant”
- Lack of Scrutiny – “failure to challenge policies, priorities and performance, especially those of statutory agencies”

Governance Impact of the Jay Report

- Government intervention in Children's Services
- Leader of the Council resigned
- Chief Executive resigned
- Director of CYPS resigned
- Police and Crime Commissioner resigned ... eventually
- Eric Pickles commissioned Louise Casey to undertake a Corporate Governance Inspection of Rotherham Council

The Casey Review – Corporate Governance Inspection

- Report by Louise Casey published in February 2015
- *“Not fit for purpose”*
- *“The Council’s culture is unhealthy: bullying, sexism, suppression and misplaced ‘political correctness’ have cemented its failures. The Council is currently incapable of tackling its weaknesses, without a sustained intervention.”*
- *“Members are overly reliant on officers and do not challenge tenaciously enough to ensure improvements. Meetings and action plans are numerous but unproductive, with a tendency towards inertia.”*

The Casey Review – Corporate Governance

Inspection Key Findings

- Poor leadership and a lack of vision
- Lack of transparency
- Inability to address past weaknesses
- Lack of robust scrutiny
- Failure to face up to uncomfortable truths
- Failed accountability
- A focus on reputation rather than quality of services
- Weak partnerships and community strategy
- A culture of denial
- Inconsistent performance management and reporting
- Failing to address issues of race
- Absence of strategic, financial management
- Poor standards and conduct
- Not translating strategy into action
- A failure to hold partners, particularly police, to account
- An absence of self-challenge
- Inadequate children's social care
- Taxi licensing which has failed to protect people

Impact of the Casey Review

- Leader of the Council resigned immediately
- Secretary of State for Communities and Local Government and Secretary of State for Education appointed five Commissioners to take over executive powers and the licensing function
- Cabinet resigned as Commissioners arrived
- Normal decision making and scrutiny ceases with immediate effect

Intervention

Statement of Rotherham Commissioners' Mission

To help the Council secure a safe environment for children and ensure good, sustainable services and regulation such that healthy democratic leadership and accountability can be restored.

- Unprecedented intervention in English local government
- Julie Kenny, Mary Ney, Sir Derek Myers and Cllr Patricia Bradwell
- Accountable to Parliament – Local Government Act 1999



Commissioner Decision Making

- Formal discharge of Executive and non-executive (licensing) functions
- Individual Commissioner meetings to deal with issues in their remit
- Councillors able to make representations for five days after decisions made by Commissioners
- No scrutiny of Commissioner decisions by councillors

Improvement Plan

- Rotherham is a child-centred borough where young people are supported by their families and their community and are protected from harm
 - A place where there is trust and confidence in the council and how it takes its decisions
 - A well-run, aspirational and high-performing council, turning strategies into actions which make a difference
 - Purposeful partnerships, engaging well with Rotherham's citizens
- 2. A place where there is trust and confidence in the council and how it takes its decisions*
- a. Effective political leaders and elected members demonstrating high ethical standards in holding officers to account in the delivery of services
 - b. Effective and professional senior management
 - c. Effective elected member-officer relationships, which promote effective policy formulation and decision-making
 - d. A clear vision and strategic direction for Rotherham, owned and shared by partners and supported by a robust governance framework
 - e. Improved feelings and perceptions of trust and confidence in the council, its vision and how it conducts its business
 - f. A modern and fit-for-purpose council constitution, which facilitates effective and transparent decision-making

Recruitment of new Senior Leadership Team

- Commissioners prioritised the recruitment of a new SLT and restructured the Council to deliver Improvement Plan
- Longest serving member of SLT appointed in December 2014
- New Chief Executive appointed in November 2015
- New Monitoring Officer and Chief Finance Officer appointed in March 2016
- All appointments made by Commissioners, with Members acting in an advisory capacity
- Democratic Services included in a new Assistant Chief Executive's Office, along with Communications & Marketing, Human Resources and Policy, Improvement & Performance drive Corporate Improvement
- Lead Commissioner can dismiss the Chief Executive, Chief Finance Officer and Monitoring Officer

What did Members do during initial intervention?

- New Leader of the Council elected – still a statutory requirement
- Advisory Cabinet appointed
- Advisory Licensing Board established by Commissioner Ney for Member involvement
- Standards and Ethics and Planning remained Member functions with no Commissioner decision making
- Scrutiny – first formal power returned to Members, with work programmes informed by Commissioners' priorities to complement their priorities and aid the development of the Member cohort.
- Governance Review – how the Council would work when powers were restored

What did Democratic Services do during the initial intervention

- Supported Commissioners in implementing their decision making framework
- Provided advice to officers on the change in governance arrangements
- Continued Member Development activity and promoted Standing for Election 'Be A Councillor' with the LGA
- Scrutiny support and developing a culture of accountability and challenge amongst Members

Impact on Service Delivery

- Commissioners responsible for service delivery and officers immediately accountable
- Immediate action where required
- Very little transformation of service delivery, focus on improvement – fit for purpose
- Partners saw improvement, but unclear whether citizens saw improvements in service delivery from Commissioner intervention

Restoration of Powers – Tranche 1

- Around one-third of powers returned to the Cabinet in February 2016 by the Secretary of State

<ul style="list-style-type: none"> • Education • 14 – 19s • School admissions and appeals • Integrated youth services 	<ul style="list-style-type: none"> • Drainage • Business regulation and enforcement (not licensing) • Highways maintenance (including street lighting) 	<ul style="list-style-type: none"> • Financial services, including revenues and benefits (not including audit) • Emergency planning • Equalities
<ul style="list-style-type: none"> • Public Health 	<ul style="list-style-type: none"> • Area Assemblies and neighbourhood working 	<ul style="list-style-type: none"> • Legal services • Democratic services
<ul style="list-style-type: none"> • Planning and transportation policy • Building Regulation • Car Parking 	<ul style="list-style-type: none"> • Voluntary and Community Sector • Customer and cultural services, libraries, arts, customer services and welfare programmes 	<ul style="list-style-type: none"> • ICT • Procurement • Budget control in these areas, and budget planning
<ul style="list-style-type: none"> • Overall budget responsibility • Corporate communications • Corporate policy • Policy arising from Sheffield City Region 	<ul style="list-style-type: none"> • Leisure services • Events in parks • Green spaces 	<ul style="list-style-type: none"> • Housing

Functions still with Commissioners

Functions / services to be retained by Commissioners:

Responsibility	Commissioner	Advisory Cabinet Member Lead	Lead Officer/s
<ul style="list-style-type: none"> Economic Growth Town Centres 	Commissioner Kenny	Councillor Lelliott	Damien Wilson, Strategic Director of Regeneration & Environment
<ul style="list-style-type: none"> External partnerships 	Commissioner Kenny	Councillor Read/Councillor Yasseen	Shokat Lal, Assistant Chief Executive
<ul style="list-style-type: none"> Children's Safeguarding and all other children's social care services Youth Offending 	Commissioner Bradwell	Councillor Watson	Ian Thomas, Strategic Director of Children and Young People's Services
<ul style="list-style-type: none"> The licensing function and licensing policy Community Safety 	Commissioner Ney	Councillor Hoddinott	Damien Wilson, Strategic Director of Regeneration & Environment
<ul style="list-style-type: none"> Adult social care and the Council's partnership with the NHS 	Commissioner Myers	Councillor Roche	Anne Marie Lubanski, Strategic Director of Adult Care and Housing
<ul style="list-style-type: none"> Asset Management 	Commissioner Kenny	Councillor Lelliott/Councillor Beck	Damien Wilson, Strategic Director of Regeneration & Environment
<ul style="list-style-type: none"> Performance Management 	Commissioner Myers	Councillor Alam	Shokat Lal, Assistant Chief Executive
<ul style="list-style-type: none"> Human Resources 	Commissioner Ney	Councillor Alam	Shokat Lal, Assistant Chief Executive
<ul style="list-style-type: none"> Waste Collection Grounds Maintenance 	Commissioner Ney	Councillor Hoddinott	Damien Wilson, Strategic Director of Regeneration & Environment
<ul style="list-style-type: none"> Audit 	Commissioner Myers	Councillor Alam	Judith Badger, Strategic Director of Finance and Customer Services
<ul style="list-style-type: none"> Complaints and formal requests for the Commissioners' Office 	Commissioner Myers	N/A	N/A

Challenges upon restoration of powers

- Basic decision making processes forgotten
- Commissioner safety net removed – sink or swim
- Joint meetings of Cabinet and Commissioners with one agenda
- Higher levels of expectation from new SLT
- Demonstrating capability of Cabinet and new senior officers
- Threat of restoration being revoked

Whole Council Election

- Secretary of State ordered an all-out election in May 2016 ahead of a boundary review
- 48 Labour, 14 UK Independence Party & 1 Non-aligned Member
- More than half the Council have less than 18 months experience as councillors
- Changes to Cabinet Membership
- Huge undertaking to induct and develop new Members
- “A Fresh Start”, but lack of institutional knowledge at Member and officer level

Scrutiny

- Established a pre-decision scrutiny process
- Cabinet agenda published ten working days before meeting – challenging on a number of levels
- Provides a platform for non-executive Members to influence proposals before Cabinet or Commissioners take decisions
- All recommendations accepted to date
- Work to be done on improving how we hold to account, scrutiny of partners and detailed policy development

Further improvement

- LGA Peer Inspection in October 2016 recommended Commissioners to propose restoration of further powers
- Secretary of State announces intention to restore Licensing function to Members
- Last week Commissioners recommended return of all powers, except Asset Management, Children's Services and HR

Current and Future Challenges for Rotherham

- Few remaining challenges unique to Rotherham
- Financial challenge – key test for Cabinet and wider Members
- Progress against Improvement Plan
- Confidence of public in their council
- Transition from Commissioner decision-making to advisory and monitoring role

Current and Future Challenges for Democratic Services in Rotherham

- Being brilliant at the basics
- Continued development of inexperienced body of councillors
- Individual Cabinet Member Decision Making
- Officer Decision Making
- Enabling changes in governance
- Developing corporate understanding of working in a political environment
- Continued effective scrutiny and challenge

Current issues for service delivery

- Governance model is muddled through restoration
- Lack of clarity amongst Members and officers
- Driven by return of powers – implicit that improvement must be achieved
- Sustaining longer term improvement and real transformation to address wider challenges facing all local authorities

Over to you!

Questions, comments and observations