



Association of
Democratic Services
Officers

Association of Democratic Services Officers' (ADSO) response to the Code of Practice on Good Governance for Local Authority Statutory Officers

This is the formal response from the Association of Democratic Services Officers (ADSO) to the consultation on the draft Code of Practice on Good Governance for Local Authority Statutory Officers drafted by SOLACE, CIPFA and LLG. ADSO is the professional body which represents governance and democratic services officers plus monitoring officers (MOs) from that background in principal authorities within England and Wales, plus combined and fire and rescue authorities. We have over 1,500 members across 320 authorities. Further information can be found on www.adso.co.uk.

This submission is informed by the practical experience of an increasing number of ADSO members who either have been MOs or who are currently in that role, holding senior leadership positions within authorities. We also have a growing number of members who are Deputy MOs.

In broad terms, ADSO welcomes the content of the draft Code. Recent years have seen increasing interventions in local authorities by central government through the appointment of commissioners. Whilst each one of these individual interventions will have specific circumstances that have informed the appointment of commissioners, a common theme arising from each intervention is that there have been failings in good governance.

The local government sector has long discussed what good governance is, without effectively defining it and the responsibilities of those statutory officers charged with upholding it and calling out examples of poor governance.

ADSO endorses the approach adopted by SOLACE, CIPFA and LLG in preparing the draft code and would wish to make it known that we, as a membership body for Monitoring Officers, are ready and willing to contribute to and inform work on strengthening the relationship between the three Statutory Officers. We are already a key consultee for the Local Government Association and others on such matters and we would welcome the opportunity to work closely with SOLACE and CIPFA in the same way that we already enjoy a close and productive working relationship with LLG.

The Seven Principles of the Golden Triangle are a statement of what is considered to be best practice for local authority governance. ADSO is supportive of the principles and we do not consider that there is a need for any additional principles to be included. We would however suggest reflection on whether adopting the seven principles as titled may lead to some unnecessary confusion with the Seven Principles of Public Life, and if so whether an alternative descriptor would be more appropriate.

A key principle in the Code is recognition of the need to build resilience through the appointment of deputy MOs. The Code refers to the appointment of a deputy for each of the Statutory Officer roles (including Head of Paid Service, where there is no requirement to appoint a deputy). ADSO recommends that this is expanded to reflect the need to build greater resilience to the functions of the Statutory Officers through a team approach. Given the nature of the work MOs are required to undertake, there is much more of a demand for a team approach, rather than the traditional view of seeing local government responsibilities resting with one person. In our view, the MO should be expected and required to operate with a team of officers focused on governance issues and with a broad understanding of the political environment.

ADSO Members have experiences, skills and expertise that provide a number of positive strengths for them acting as MOs, deputies, or part of a wider support network for statutory officers. Those strengths emerge from the nature of their work which provides them with a unique oversight and insight of many of their council's key activities and decisions and they are therefore well placed to help identify emerging governance weaknesses and issues. This is supplemented by the regular and frequent interactions they have with councillors from all positions and parties / groups within their council. That interaction means that they can see councillors as individuals within the context of the council, its politics and the activities councillors carry out beyond the council.

Their background and the nature of their work provide for the following strengths (which are so important for MOs from any background):

- Political sensitivity
- The political acumen needed to deal on a regular basis with officers and members and establish good working relationships built on mutual trust
- A detailed knowledge and appreciation of the council's constitution and oversight of where there might be weaknesses emerging across the organisation.
- An appreciation of how the council's constitution is used by members and officers and their different perspectives on it
- A knowledge of how councillors operate within a legal and political environment and how to keep those two aspects in alignment

- A functional and procedural appreciation and awareness of inter and intra party group dynamics
- An understanding of personality issues and personality clashes within and across a council's membership and how these can affect behaviour and interactions between officers and members which can have negative effects on a council's overall governance arrangements
- A well-developed sense of tact and diplomacy to operate in a political environment and with senior leadership
- A knowledge of what other officers might lack in understanding key governance requirements and a sensitivity in filling that gap

On a point of detail, we did not see specific reference in the draft Code to the three statutory officers having a responsibility to ensure that all members receive training in their respective roles, such as finance, external companies and entities of the authority, audit and regulatory matters. We think this should be a specific requirement within the Code

In making this submission, ADSO strongly believes that the title of Monitoring Officer is no longer adequate in describing the functions of the role and we would recommend that it be renamed in legislation as the Chief Governance Officer. Whilst this is not something that the Code deals with, it is a relevant point for professional associations connected with the Statutory Officers to consider, promote and support in upholding good governance in local government.

Once finalised, ADSO will promote the Code within our membership.

Thank you for giving us the opportunity to comment on the draft.

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