

Review of learning from Thurrock Council Best Value Inspection Report

1. AIM

- 1.1 To review the learning that can be taken from the Thurrock Council report in relation to Elected Members.

2. Summary

- 2.1. The Thurrock Best Value Inspection report was published in May 2023. The Council reviews such reports and benchmarks its own governance against the recommendations and looks at what learning points can be taken from the report. The key issues that would impact upon members are the importance of transparent and open decision making; holding officers to account; training and development; leadership, culture and behaviour.

3. Recommendations

- 3.1 That the committee note the report.

4. Report Detail - Know

- 4.1 Between 2016 and 2022 Thurrock Council pursued a strategy of borrowing large amounts of money, predominantly from other local authorities, and using these to undertake a range of investments for the purposes of securing a return. The income from this strategy enabled local political leaders to forestall or avoid difficult decisions on raising council tax, and on the transformation of local services, for several years. But the Council failed to understand and control the risks of this investment strategy. The ultimate failure of the strategy, and the scale of the financial loss that has resulted, inevitably raises serious questions over the financial viability of the authority unless significant external support is provided. As a consequence a Best Value Inspection was carried out in respect of the Council.
- 4.2 The Commissioners made a number of recommendations to effect urgent change at the Council. Part of Recommendation 5 focussed on a programme of work to strengthen members' capability through:
 - the development and delivery of an effective and continuing member development programme - members should be actively involved in the development and delivery of this programme;

- and - the delivery of a programme which actively encourages local residents to participate in local democracy and to consider standing for election. Commissioners should agree the design of these programmes and arrangements for independent evaluation of their reach and impact.
- 4.3 Recommendation 7 required the Secretary of State to consider directing the Council to prepare and agree, to the satisfaction of Commissioners, a set of arrangements and protocols by which it will embed good practice with respect to information sharing and transparency. These should reflect and support wider work to develop more open and transparent working practices and behaviours within the Council. They should make explicit:
- the practical mechanisms through which appropriate information on Council decisions and performance will be made available to elected members and to the public; and
 - the standards to which Thurrock Council will hold itself in making this information available. Once developed, these should be included within the Council's constitution.

Training and Development

- 4.4 The Commissioners found that the current member training and development programme focused almost exclusively on induction and was run in the three months following an election. It was dominated by generic and high-level briefing sessions on broad topic areas and was poorly attended. Beyond induction, The Commissioners heard that there was no meaningful support for member development, with one senior member describing the provision as 'diabolical,' and focused on compliance and box ticking. There was no training or development offer for those undertaking cabinet roles. Any members who wish to undertake such training are required to make their own arrangements with third party providers such as the LGA. The Council did have a 'member development working group' but it appeared not to meet frequently and was not a priority for those involved. After speaking to some members who were disparaging about training, we were informed by officers that they were members of this working group - but those members did not mention the existence of the group to us.
- 4.5 Training and development is important in empowering Elected Members in respect of decision making and in holding officers to account.
- 4.6 Walsall carries out a review of its Learning and Development Programme on an annual basis. This includes both members and officers. Two Councillors act as Learning Champions for their group and it is intended that training will be monitored within the actual political groups.

Inadequate Governance Arrangements

- 4.7 It was recognised that politicians had an important role in setting a clear and consistent strategic direction for a Council. There is a need for politicians to take difficult decisions on the prioritisation of resources. There is also a need to ensure good collective working between Cabinet Members and officers of the Council.
- 4.8 A further example of how the Council was not operating appropriately within the law is how the Register of Interests was operated. The register is required to be made publicly available. Section 32 of the Localism Act 2011 allows, however, sensitive interests to be withheld from the public where the member concerned and the Monitoring Officer both agree that disclosure of the details of the interest could lead to the member or connected person, being subject to violence or intimidation. Globally there has been an increase in threats to elected officials. In the UK this manifested itself with the terrible murder of Sir David Amess MP in October 2021. Sir David's constituency was in south Essex. His murder sent shockwaves throughout Essex and throughout the country. In 2019 the then Secretary of State wrote to Chief Executives encouraging Monitoring Officers to look sympathetically on requests to omit information '**where there are legitimate concerns**'. Many local authorities responded to these events by encouraging members to apply to have their home addresses removed from the register. This seems legitimate, given that councillors risk a hostile reaction from constituents who may seek to find out where members live. Thurrock Council went much further than any other authority the Commissioners could identify. Most members also had the name of their employer omitted from the register of interests. In some cases, members' occupations/employment can be ascertained by a simple google search. The Commissioners asked some members if they were concerned about the release of work details causing a risk of violence and intimidation and nobody told us that they had this fear. In fact, all were surprised at the omission of this information, suggesting that the Council was not complying with the legal requirements relating to transparency of members' interests
- 4.9 The Standards Committee has set-up a working group to look at the issue of Disclosable Pecuniary Interests and the working-group will look at this issue alongside other issues. In addition the Council's constitution is reviewed and updated on an annual basis.

5. Financial information

- 5.1 None contained within this report.

6. Legal implications

- 6.1 The Council must promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging its duty under

subsection, a relevant authority must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.

6.2 The monitoring officer of a relevant authority must establish and maintain a register of interests of members and co-opted members of the authority. The monitoring officer of a relevant authority other than a parish council must secure—

(a) that a copy of the authority's register is available for inspection at a place in the authority's area at all reasonable hours, and

(b) that the register is published on the authority's website.

7. Decide

7.1 The committee is asked to approve the recommendations as set out in Paragraph 3.

8. Respond

8.1 If the committee support the proposed changes then these will be discussed with the relevant Group Leaders, and then be put to Council as recommendations for changes to the constitution.

9. Review

9.1 The Council reviews the operation of the constitution in general on an ongoing basis, and reports to annual council every year in relation to the same. In addition to the general review more detailed reviews are carried out as and when required on different aspects of the constitution to ensure that there is lawful decision making.

Background papers - none

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