



## **IT'S OUR CITY! - COMMENTARY AND EVIDENCE**

### **FROM 'STRONG LEADER' TO MORE DEMOCRATIC MODERN COMMITTEE GOVERNANCE IN SHEFFIELD – COMMUNITY PERSPECTIVES**

Submitted to the Overview and Scrutiny Management Committee for consideration at the meeting

28<sup>th</sup> November, 2019

#### **1. INTRODUCTION**

- 1.1 This commentary and evidence paper is the result of almost 20,000 conversations with Sheffield citizens carried out during the successful Sheffield People's Petition campaign, coordinated by the community group *It's Our City!* (The purpose and aims of *It's Our City* are in Appendix C.) It is the exceptional response of Sheffield communities and their overwhelming aspiration to see more *democratic* council governance that has resulted in the statutory requirement for the city council to develop a modern committee system governance alternative - for the Sheffield electorate to vote on in a city-wide referendum in May 2020.
- 1.2 Whilst wholly rooted in the voices of Sheffielders, the paper is supplemented with our own observations, investigations and analysis in relation to the operation of the 'strong leader' model in the city, and in looking to the design of a modern committee system. As successive governments have emphasised technical and legal aspects of governance such as financial prudence, value for money and risk management in a more complex and challenging environment, substantive and meaningful aspects of governance can get lost. But, "ultimately local government exists to deliver services to their local communities shaped by the wishes of the local electorate and service users" (Committee of Public Accounts 2019, p.11). A Sheffield community perspective on council governance asks the question: to what extent are citizens at the heart of, and listened to and enabled to effect and exercise power and influence over decisions that affect our lives, in our (diverse) communities and environments, and in the way we all live together and care for each other? (See Lent and Studdert 2019).
- 1.3 Section 2 is the summary community principles for a modern committee system – drawn from 20,000 conversations. Sections 3,4, and 5 provide commentary and evidence and they focus on two broad bottom-line requirements for a modern committee governance model – fair and meaningful representation, and (community) involvement and impact. This primary focus is not to neglect *cultural* change - certainly a more open, collaborative and deliberative culture is needed in the way the council operates, with a commitment to power-sharing – and this also runs through the text. Nor is it to diminish the need for people to see and effect *actual change*, and a range of mechanisms and processes that can help to genuinely demonstrate this (impact). However, the immediate thrust of the paper focuses on the urgent task the committee is charged with, that appears to be in relation to establishing design principles for a modern committee system.

- 1.4 Our commentary is highly critical of the 'strong leader' governance model enshrined in Sheffield City Council's constitution, and as practised. This is because almost everyone we spoke to across the city was highly critical about, and/or deeply dissatisfied with, the way the council operates (under this model), as they saw it. What we say is, however, not intended to be unduly negative (or disrespectful in relation to any councillor or council employee). It is an attempt to do at least a little justice to what we heard from Sheffield citizens on issues that have long been neglected/avoided for too long by our council. It is also to voice strong and transformative though, we think, realistic and practical, community claims and expectations for change. These are positive *opportunities*
- 1.5 We are more than willing to talk to the Overview and Scrutiny Management Committee about what we have heard from all over Sheffield, and to help identify and support positive steps that can be taken through the development of modern committee governance. However, we cannot endorse council (in)action over the last 15 months in its lack of response to issues raised by Sheffield People's Petition (and whose hand has now been forced by it). Nor can we endorse the process now instituted by the council to meet its statutory responsibilities. The process already embodies many of the shortcomings in governance so extensively highlighted by so many citizens.

## **2. COMMUNITY PRINCIPLES FOR A MODERN COMMITTEE SYSTEM**

### **Fair and meaningful representation**

Most people in Sheffield do not vote in local elections. Less than 10% of the electorate voted for the current ruling group, but the current 'strong leader' system gives them overwhelming power. This makes representation meaningless (and undermines legitimacy)

- All councillors should have a meaningful voice & equal power to represent their communities
- It must be clear that all councillors play a role in shaping and taking council decisions
- The political membership of committees should be proportional to vote share
- Committees should be chaired by councillors not from the majority party
- Ban anti-democratic party-whipping (councillors forced to vote in a particular way by their party) that overrides a councillor's duty to represent their local community
- Local councillors should have full access to information, and be part of all specific wardbased decisions (eg selling off heritage assets, new developments)
- More consensus building and cross-party working – a constitutional commitment to structures and procedures that support power-sharing

### **Increased participation and impact**

Representative democratic systems are limited, and need additional mechanisms and processes to enhance decision-making (and as part of checks and balances).

- Stakeholders, experts and community voices must be integral to committee governance, not separate from it, e.g. designated committee places/roles, open community sub-committees and/or working groups
- Decision-making powers must be devolved, as far as possible, to communities themselves.
- Formalised and active support needs to be available for communities wanting to contribute to decisions
- Decision-making needs to be more open and deliberative (reduce the need for ineffective 'scrutiny'/'consultation' after decisions are made)
- Provide a framework that is creative & responsive to innovations, particularly to counter the impact of inequalities and differential social capital e.g. incentivise community input
- The impact of participation must be evident in council decision-making

### **Cultural change hand in hand with new system structures and processes**

- Make co-operative, cross-party, evidence-based working the norm – to reduce inefficient and divisive party-politics
- Focus on a local agenda for Sheffield, not national party agendas & wasteful political tribalism.
- Actively and explicitly put into practice, and police, the Nolan Principles in all council structures, systems and procedures
- Motions at council meetings should no longer be 'deleted-and-replaced' by an opposing party
- An outward-looking willingness to seek and welcome outside help, and to respect others
- Remove the need for the expense and inefficiency of the current scrutiny process and the need for communities to fight the council after decisions have been made

### **Setting clear standards and improvements**

- A modern committee system should aim to be cost-neutral (in common with other councils)

- and should not seek to increase bureaucracy (in common with other councils)
- A clear set of governance standards (and attention to ambitious impact/outcomes) for modern committee governance, and commitment to ongoing evaluation and public debate about the way the council works
- All councillors need to engage in training (by outside experts) to get the most from their new roles and responsibilities in a new governance system very different to the current system
- A new, more democratic governance system is a failure if communities/stakeholders do not see, and feel, changes for the better

### 3. COMMENTARY AND EVIDENCE: CONVERSATIONS ABOUT GOVERNANCE

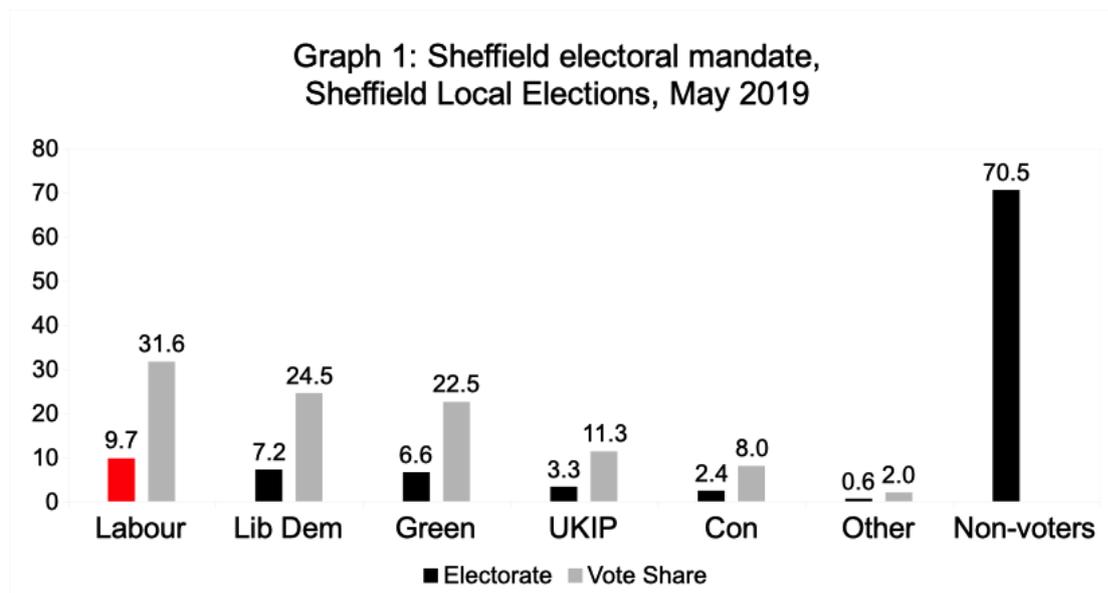
- 3.1 At the heart of Sheffield People’s Petition activities were conversations – many thousands of them. Wherever we went across all wards of the city we realised that not only did Sheffielders want to sign up – in droves – but also that many wanted to talk, to share their experiences, to ask questions and find out how they could get better informed, and to go away and share and talk with others.
- 3.2 Many lamented (or were even embarrassed) that they did not know more – although who, in truth, knows a great deal about their Council’s constitution and its form of governance? Generally, people simply want to be able to trust that their council is acting democratically, and in all our best interests, in the way they work.
- 3.3 Some were utterly incredulous about the information we shared about the ‘strong leader’ model at the heart of city governance and at the extracts we shared from the council constitution. A few people even refused to sign because they literally could and would not believe that the SCC constitution said, for example, that the leader of the council “for the absence of doubt” can take and/or override many council decisions him/herself. Many citizens assumed their councillors all sat on decision-making committees and so were acting for them in shaping council policy and decisions (though they also knew there were problems). They simply could not believe that the formal governance model in our council could enshrine such a lack of democracy.
- 3.4 Many, many people asked what was the point of voting if their elected representative did not have a meaningful voice – as over 80% of councillors do not – in shaping council policy and making decisions?
- 3.5 Others used the lens of their own experiences in community groups, networks and organisations to talk through how SCC governance and the ‘strong leader’ model had affected them. Some were already knowledgeable and we had some detailed conversations about things like ‘scrutiny’, relationships between councillors and officers, on the impact of strongly whipped party lines, and the impact of austerity and how ‘good governance’ might help. Many talked about how Sheffield communities were ‘shut out’ and not listened to.
- 3.6 It can, of course, be argued that the responses we got from Sheffielders were ‘skewed’. Our opening line was always a version of “We’re trying to change the way the council works” (although we always emphasised the non-party political nature of our cross-community campaign). However, we believe this does not negate all that local citizens told us.
- 3.7 We were generally pretty startled at the extent of negativity about SCC and how it operates (some talked through long local histories/historical events and how these demonstrated ongoing problems with council governance and culture as they saw it), and about the current ruling group in particular. There were almost no ‘neutrals’. But people were also full of insight, astute with their observations and comments, generous with their ideas. And people saw the possibilities inherent in the redesign and reorientation of governance under a modern committee system – one that recognised Sheffield’s diverse communities and took the quality of *democratic governance* seriously, and in opening up and expanding decision-making structures and processes much more. Overwhelmingly, Sheffield citizens wanted to see a shift in power, away from a top-down, party politically riven and unrepresentative governance system, to *power-sharing*. It is *only* a modern committee system governance model that can formally and fully enshrine shared power (and responsibilities); the ‘strong leader’ model by definition locates power in the ‘strong leader’.
- 3.8 For the small committed group of *It’s Our City!* volunteers out collecting signatures month

after month, the best thing about Sheffield People's Petition activities was the conversations we had with people, from all communities, from across the city. Whilst experiences were sometimes hard to listen to, they presented us with a rich picture. They were a demonstration of the commitment of Sheffield communities to each other, and the possibilities of making common cause across all our differences, and working together. They expressed hope for – as well as an insistence on – change. Sheffield People's Petition was the legally binding vehicle through which large numbers of voters could express aspirations for more democratic local governance under a modern committee system. The centrality of *democratic* aspirations for better decision-making was striking; this is echoed by citizens and communities everywhere (eg see Scottish Government 2019).

- 3.9 We collected 26,419 signatures for Sheffield People's Petition; this number represents almost 7% of the local electorate. Whilst we took a number of steps to ensure that signers would be *valid* signatories, we did not *target* people more likely to sign the petition, our efforts were relatively random. We stood in public places, at public events, at retail outlets, in parks and so on, and asked everyone passing whether they would like to sign the petition. A few of these were no doubt from outside Sheffield council boundaries and, of course, these would not have been counted in the validation process. However, some Sheffield signers were simply unregistered. And others were excluded (so disenfranchised) as they were judged to not meet one of the statutory requirements for valid signatories in the relevant petition regulations. Ultimately 21,815 signatures were deemed valid (having jumped the hoops of the strict statutorily laid down criteria) – 5.5% of the local electorate.
- 3.10 Fifteen months on from the launch of Sheffield People's Petition, *It's Our City!* has not yet been asked by Sheffield City Council about what 26.5k people told us. This startling and apparent indifference is, we believe, illustrative of city governance.
- 3.11 It is, of course, impossible to re-present fully what we estimate as almost 20,000 conversations. And, Sheffield People's Petition is not a research project. However, from quite early on, we realised that it was important to try to capture and reflect on what we were being told, and to articulate and amplify the views and aspirations of citizens and communities for council governance; these were widely shared across the city. What we were told goes a considerable way towards constituting community principles for a modern committee system.

#### 4 COMMENTARY AND EVIDENCE: REPRESENTATION AND (DEMOCRATIC) LEGITIMACY

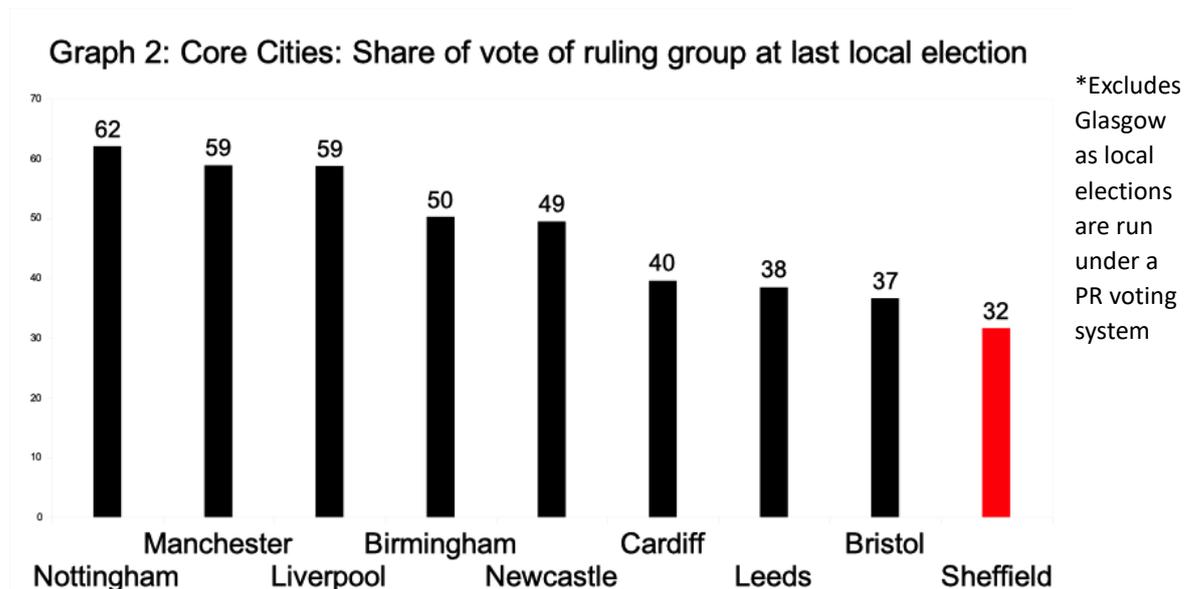
- 4.1 Politically, Sheffield City Council is run on a less than 10% voter mandate (see graph 1, over) – only 9.7% of the electorate voted for the ruling group at the last local elections. The city does have a significant multi-party voter base but it is also the striking number of non-voters that brings into sharp focus the reality of a council ruling group operating a top-down strong leader governance model - *with almost no voter mandate*.
- 4.2 Under the ‘strong leader’ model enshrined in the council constitution, a subset of nine ruling group councillors, handpicked by the Leader, take up their allocated roles in the Cabinet. The Cabinet is the executive decision-making body of the Council. 10 out of 84 elected councillors - from one party with its less-than-10% voter mandate - make most decisions.



\*Total electorate: 421,840 (SCC, 2019) \*\*124,424 voted; 297,416 did not.

- 4.3 Graph 2 (over) shows that Sheffield’s ruling group has, currently, the lowest vote share of any ruling group in the ‘Core Cities’ in the UK. Again, this suggests that the ruling group might be careful in its exercise of power, working to broaden its weak electoral support. Despite this, SCC is currently perceived to run one of the most top-down ‘strong leader’ governance systems going, hoarding power at the top, amongst the few (whilst representing so few).
- 4.4 This does not ‘fit’ with a city steeped in so much collaborative community action and expertise. Many petition signers described as “authoritarian” or “totalitarian” or “punitive” (and worse) council approaches that they had experienced, individually or as part of a group, and that they claimed as endemic and embedded (in structures *and* cultures). They talked about a “chronic disconnection” between citizens/communities and council. They identified council interest in “controlling”, “managing” and “manipulating” communities (particularly in relation to party political interests), rather than in “listening”, “responding to” and “involving” citizens in shared endeavour and responsibilities. They said the ruling group was “mostly interested in blaming the Tories and austerity, not listening to, and working with communities - whilst the city declines.”

- 4.5 Other councils appear to take different approaches (structurally *and* culturally) even when they have significantly greater claims to electoral mandates. Leeds, for example, includes both opposition leaders in its Cabinet. Other councils enshrine various governance structures, approaches, policies and procedures (or even, simply, involve more people) that act as checks and balances, and/or mitigation to their own concentration of power in ‘strong leader’ governance (and to enhance decision-making). For example, many council areas have well-attended/open, active and meaningful community/committee-type bodies exercising both executive and non-executive functions under devolved power, and built into council governance. Despite the weakest of electoral mandates Sheffield appears to have no such mitigations eg to embrace different ideas and local expertise, develop consensus, involve more stakeholders and communities – to broaden its (tiny) mandate and increase democratic legitimacy. (‘Scrutiny’ acting in this regard is discussed in section 5.)
- 4.6 Of those councils who have formally changed to modern committee systems, *all* report reasons for changing that are linked to enhanced democratic practices, including combinations of involving backbenchers/all councillors, improving cross-party working and consensus-building, enhancing partnership working and community involvement, and more voices and expertise in decision-making. Insofar as these involve *cultural* aspects, these might not necessarily be *dependent* on modern committee governance; however, committee governance structures *do* enshrine a more horizontal set of structures (there is no executive) that sits better with the kinds of change sought.
- 4.7 Many Sheffieldsers used comparison too. Many commented that Sheffield was a “poor relation” or had “fallen behind” in comparison to cities like Leeds and Manchester (Liverpool, Preston, Barnsley and others were also regularly mentioned). In governance terms in Sheffield this was linked, in particular to: perceptions of *(in)competence*; an *unwillingness/inability to work well and in collaboration with (a range of) others*, including communities and the voluntary sector, local economic sector and business, stakeholders, partners and funders, and outside experts; and to *a lack of vision and ambition* for the city (alongside constant tribal party politicking).



producing, arguably, different voting behaviour; however, the ruling group achieved 40.7% of the vote share.

- 4.8 It is difficult to overstate the mix of astonishment and outrage articulated by many thousands of Sheffield citizens and communities we talked to about the strong leader governance model - where the vast majority of voters have no meaningful representation or voice in council

decision-making via their elected representatives. Others were scandalised, for example, in citing instances where their local councillor had not been involved in specific ward-based decisions, had been powerless in the face of an executive decision, or had not had been able to access relevant council information.

- 4.9 And this is why *governance* is so crucial. Little can be done about the first past the post voting system that produces disproportionate electoral outcomes (Dunleavy et al, 2018). But a council can choose what it *then* does about this. Our council consistently chooses to lock out the vast majority of voters, precisely *via* its system of governance; it excludes most voters' democratically elected representatives from a meaningful decision-making role (examples of Cabinet decisions made during 2018 are at Appendix A). The ruling group at SCC takes its less-than-10% voter mandate and then makes it even worse, via its own system of strong leader governance.
- 4.10 However, it is also through governance that the quality of local democracy can be enhanced, with governance structures, procedures and processes that open up and *expand* the territory of decision-making, that are inclusive, and that seek out a diversity of views.
- 4.11 There are opportunities to be truly imaginative and innovative and to be recognised for this. Under a modern committee system, for example, there is no reason why committee roles and representation could not be potentially allocated in relation to the share of vote in the city (rather than proportional to numbers of councillors). In fact, we would argue the electoral picture demands consideration of this. A council governance system that more accurately reflected voter choices (see Dunleavy et al, 2018, p.351ff) would be widely welcomed by Sheffielders who consistently and extensively told us they wanted to see much more collaborative, consensus-building and deliberative decision-making – as well as improvements in actual representation. This is the kind of 'fit' for a collective/collaborative and community-minded city that Sheffielders want to see reflected in terms of the design of an alternative modern committee system. We are disappointed to see the default position simply adopted by some (allocation proportional to councillors) and be thought to be the only legal possibility. It is not, and there is a strong democratic and electoral case to adopt a design principle that the political membership of committees should be proportional to vote share. A short briefing note on the legal possibilities position on this is at Appendix B.
- 4.12 The strong leader system is structurally flawed. It is based on the 'Westminster System' that concentrates power in the hands of the few (Electoral Reform Society 2019). This was, of course, precisely the intention in the introduction of the strong leader model in the Local Government Act 2000 - Maer and Sandford (2004) acknowledge "it was [increasing] the power of the executive...that drove reform". Politics based on the traditional Westminster system is deeply oppositional, and open to exploitation; the idea is that it produces strong and stable government of the majority in a two-party system.
- 4.13 Sheffield does not have a two-party system, nor does strong leader decision-making based on a 9.7% electoral mandate (or even a 31% vote share) appear to confer even basic democratic legitimacy. (And Sheffielders would prefer responsive and thoughtful decision-making to 'strong and stable' control.) However, it does perpetuate the ability of the ruling group to ram through policy and decisions based on a tiny minority of Sheffield voters (and, conversely, to 'delete all' as is routinely done to opposition motions – oppositions that are attempting to represent large numbers of Sheffield voters).
- 4.14 With such a meagre and inadequate voter mandate it is not clear how or why SCC has continued to operate for so long in the way it has. This is seemingly without concern or questioning, with such a striking lack of self-awareness and failure to read the mood-music, and despite quite extensive evidence of community dissatisfaction over a long period of time about the way the council works.

Not least the council as a whole is not benefitting from the support that citizens might otherwise offer.

- 4.15 Far from governance being open to question and improvement, it has been off the agenda – no one appears to know when there was ever a governance review in Sheffield, despite these being a regular feature in many local councils. The ruling group appears to have been quite happy to conduct ‘business as usual’ despite its plummeting vote share in local elections – the narrow operation of SCC’s strong leader model becomes more and more problematic in this context. Efforts to table (changing) governance motions by opposition parties have been duly swept away, via the ‘delete all’ mechanism (and with inaccurate information).
- 4.16 The Leader consistently voices a belief that most people are not interested in politics; the reality is that, in this context, Sheffield politics is not interested in people. This is understood acutely by voters and communities in Sheffield who overwhelmingly believe this council does not listen and is not interested in listening; many told us they had given up on voting locally. However, not voting does not equate to a lack of interest; national data, as well as the multitude of conversations *It’s Our City!* had with Sheffield citizens, suggests a high level of interest in politics. Very large numbers of Sheffields are active (and adding value) in their communities. The latest *Hansard Audit of Political Engagement* (Hansard Society 2019) indicates that voters in the north of England are second (out of six regions) in terms of their interest in politics; however, we are fifth out of six regions in terms of our satisfaction with systems of governing. And, not voting can be a political act in itself, rather than necessarily, for example, attributable to apathy
- 4.17 In the face of a dysfunctional Westminster system, increasing awareness of, and moves to, balance or ‘check’ the power of the executive via a more consensus-based politics that “tries to share, disperse and limit power in a number of ways” (Lijphart 2008) seem to have been lost on SCC. These approaches are widely acknowledged as vital for governance that people might be more confident in, and that might lead to better decision-making too.
- 4.18 The inherent political risks of an unrestrained executive are well known (Dunleavy et al 2018). In Sheffield, people across the city mention things like street trees/Western Rd memorial trees, heritage (eg Birley Spa), Chinese investors, ‘asset selling’, new developments/city centre redevelopments, and many more, as examples of poor judgement and flawed decision-making by an executive operating in an insular way.
- 4.19 It is hard to recall anyone we spoke to who did not want to see governance and decision-making opened up and become more inclusive - with *much more* deliberation and consensus building, better (and much more) collaborative working between political parties, and with communities and stakeholders.
- 4.20 Many Sheffields wanted to talk about difficulties with representation, and two issues were raised multiple times. Firstly, people raised questions about who councillors actually represented. Local councillors were seen as prioritising (national and local) party political interests and agendas, with party political ‘lines’ (or ‘whipped’ positions) perceived as taking precedence over the interests of local communities; this was heavily criticised with many insisting that strong party political whipping at a local level was totally inappropriate. Party politics was seen as saturating local politics in the city in many (other) negative ways, not infrequently claimed to be working at the level of corruption, and to the detriment of communities. Many commented that, as a member of public or a community group, you were seen as an “enemy” if you didn’t tow “the party line”; this was linked to a perception that the ruling group in particular wanted to ‘manage’ people and communities, rather than to genuinely respond to them. A concentration on party politics was also seen, widely, to work against generating and supporting creative local (city and community) visions

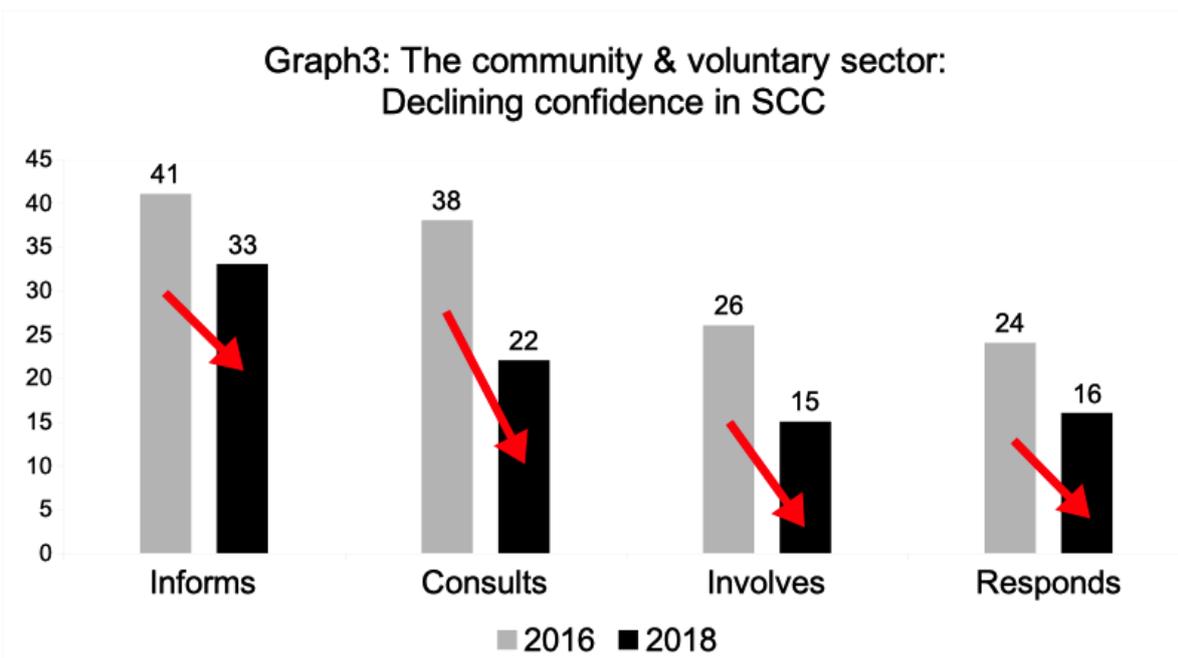
and responses to, for example, austerity and cuts. Many examples were given of how other cities have been doing just this eg Wigan, Preston, Salford, Barnsley, Frome.

- 4.21 One astute observer commented that if councillors represented local people, wards and communities why, then, did they have to sit in party groupings at full council, rather than as groups of ward councillors, for example. We suggest this change could be made immediately, it will send a strong signal to voters that councillors serve the communities of Sheffield, and not (only) party political interests.
- 4.22 Secondly, councillors were criticised for a lack of responsiveness. Many, many people spoke about contacting (or trying to contact) councillors (of all parties), and consistently getting no response, or saying surgeries are cancelled. Whilst a lack of response to individual contacts might not have a direct bearing on the development of a modern committee system, it does indicate a problematic and important governance issue that it should not be beyond the wit of councillors as a whole, to address (even given increased contacts via email, social media and so on). Not responding to voter contact plays into a “they’re all useless” refrain, and undermines confidence and trust more generally; some people interpret it as further evidence that the council does not care about communities. (And, the small number of councillors who are seen to openly antagonise or insult community members create disproportionate havoc and bring all councillors into disrepute; it seems bizarre to have to actually state the obvious but it would be helpful if they were simply stopped.)
- 4.23 Some councils have articulated and embedded explicit (mutual) expectations and commitments between citizens and council(lors) in their constitution (and approaches to governance). The ‘Wigan Deal’ for example, is highly praised for improving council-community governance and relationships, *and* leading to a variety of improved outcomes. Ideas about a citizen/council deal or ‘compact’ may have some potential merit in trying to make improvements in central aspects of governance.

## **5 COMMENTARY AND EVIDENCE: PARTICIPATION AND IMPACT**

- 5.1 As mentioned above, there was a widespread (and sometimes profound) sense of disconnection between citizens/communities and council. Many told us they did not vote locally, had “given up on them”. A huge number signed the petition saying “they will never change” (possibly the commonest initial response that people gave us).
- 5.2 Those involved with community and voluntary groups (eg in heritage, connected to TARAs, community associations, health projects, social enterprises, homelessness, environment, disability and other equality and diversity groups) often talked through a range of experiences and difficulties relating to aspects of governance. They found trying to engage, participate and help shape things forward for their own context really difficult. Some neighbourhood/community and equality-based groups we met were seeking to establish much more say (power) in local decision-making or in the distribution of resources, or more widely across the city. Many had significant expertise and experience to bring to the table. Many described a familiar pattern of experience – of not being listened to, of closed systems, of a lack of interest and/or of being actively marginalised or even discriminated against. All talked about the importance of better relationships and working together; some, also, of the importance (and lost opportunities) in terms of maximising funding, sharing and generating other resources, the importance and value of strong voices with influence of and for Sheffield communities/civil society.

5.3 What we were told has some back up by other locally available evidence. Graph 3, over, joins up data from *Sheffield State of the Voluntary and Community Sector 2016* (Damm and Sanderson 2016) and *Sheffield State of the Voluntary and Community Sector 2018* (Harris and Rimmer 2019). Both independently conducted surveys asked four key questions about the groups’ relationships with SCC and that are central to governance. (Does SCC inform your organisation/group about issues which affect you? Does SCC consult your organisation/group about issues which affect you? Does SCC involve your organisation/group appropriately in developing and carrying out policy on issues which affect you? Does SCC act upon your organisation’s/group’s opinion and/or responses to consultations?). Results appear to show an alarmingly low – and declining - level of confidence in SCC’s relationship with the sector as a whole. Only 15% and 16% of the voluntary and community sector said that SCC involved them and responded to them appropriately. That a widespread lack of confidence in SCC governance related to communities as a whole was reflected in our conversations with Sheffield citizens is, then, unsurprising.



Sources: Damm and Sanderson, 2016; Harris and Rimmer, 2019.

- 5.4 A sizeable number of Sheffielders talked to us about council ‘consultations’ and their experiences of these; it seemed these were problematic for many people. They were perceived as taking place often after decisions had broadly been made, of ‘steering’ people; and some described them as “sham”. ‘Consultation’ is, of course, a very low level of participation. The language of ‘engagement’ and of ‘customers’ (particularly disliked for its range of connotations) also did not work for many.
- 5.5 Claims for more direct involvement were widespread, perhaps encapsulated by “we don’t want to be ‘engaged with’, we should just have a proper say and involvement in making decisions”. CfPS (and others) suggest one of the key questions that needs to be considered in examining governance is about how public/community voices are integrated in decision-making – at neighbourhood/ward level up to authority wide contexts. Despite evidence of some success in this in some councils, the *2018 Democratic Audit* (Dunleavy et al 2018) demonstrates that, of all the measures looked at, decentralisation and the devolution of decision-making to communities is the area where, collectively, councils are doing the worst.

- 5.6 Wherever we went, whether it was Firth Park, Stannington, Beighton or Gleadless Valley, people told us about things going on in their community and what they liked about it (or found difficult). There were regular suggestions that their or others' areas/wards were "favoured" (or not) and, we think in part, this reflected people's sense of identity and interest at the local level. Sheffielders are extensively engaged in their local areas; there are widespread community contributions and strengths inherent in local communities. This appears a sound starting point for thinking about the potential for decision-making more devolved to local levels, as well as the strengths, experience and expertise of Sheffield communities to make contributions to wider decision-making processes. Local citizens also recognised inequalities within their own communities, and across the city. It is widely acknowledged that communities/individuals with comparatively more resources and 'social capital' are more likely to get involved (and be heard). That this is the case is not a reason to minimise input and influence, but it is a reason to ensure that those facing disadvantages are enabled (or incentivised) to participate. Likewise, particular communities facing forms of discrimination need to be actively taken into account in designing and developing mechanisms and/or structures that support community decision-making.
- 5.7 It is scrutiny of course that is meant to play a key role in "amplifying the voices and concerns of the public" (CfPS). However, it is difficult to see significant evidence of this happening in Sheffield, whether in the identification of issues for examination (and in what is not discussed), and in terms of impact. There is also still a regular problem evident of straightforward division down party lines in scrutiny motions and so, arguably, the marginalisation of the voices of sizeable parts of the (voting) electorate.
- 5.8 In terms of direct involvement, and having looked at the minutes of all scrutiny committees over almost two years, the picture is stark and startling. One can count, almost on one hand (for 60+ meetings across the five scrutiny committees), the number of times there has been direct involvement (beyond statutorily required parent governor representatives in one scrutiny committee) by community members, community groups (and even by more established and formalised voluntary sector organisations) in scrutiny committee business. Communities are simply, pretty much, *absent*. There are, regularly, 'good words' and sometimes (though not as often as one might expect perhaps) general references to communities, or in relation to one-off events happening separately, though related to, scrutiny. But for a city like Sheffield with all its diverse communities the level of involvement (to almost the point of complete absence) is flimsy and inadequate. This is more so given there does not appear to be active networks of locality-based (or otherwise organised eg ethnic minority communities) decision-making bodies with power, as an integral part of council/city governance, and as exists elsewhere via eg area committees.
- 5.9 Instead, in scrutiny, public voices/communities are relegated to 'public questions'. Our conversations across Sheffield confirmed a low level of awareness of scrutiny committees but, nonetheless, there are regular public questions from individual citizens and from those in a range of community/interest groups. It is in the nature of public questions that one has normally already reached a significant degree of dissatisfaction if one takes the trouble to attend and ask a question (and 'public questions' might also tend to be easier for people with more social capital than others). Already one is placed in a (more or less) adversarial position and the general tone of public questions and answers normally reflects this. But *this* is the essentially sole mechanism in council governance bodies whereby one at least has a right to raise a concern. A relegation to a public question is no substitute for community (and others') extensive, embedded and routine involvement in decision-making, including in scrutiny functions.
- 5.10 The sense of disconnection that citizens and communities appear to experience in relation to their council is, we think, a real one. It is as though council – including scrutiny committees – are

*hermetically sealed* against the voice, influence, involvement and contribution of its citizens and communities.

- 5.11 There are many many examples; we offer only one in relation to our own experience as a community group. On 28<sup>th</sup> June 2018 *It's Our City!* held a well-attended (and reported on) press conference; we announced the campaign to change the strong leader model at SCC, via the exercise of our community rights enshrined in the Localism Act 2011. We presented many examples of governance/scrutiny failures under the 'strong leader' model and talked about our shared, cross-city community interests. We then also wrote to senior SCC officers to request a meeting about what we were planning. Barely three weeks later, at its meeting on 17<sup>th</sup> July, the Overview and Scrutiny Management Committee received and discussed an important report on governance - the Communities and Local Government Select Committee Report, *Effectiveness of local authority overview and scrutiny committees* (Communities and Local Government Committee 2017). The discussion at committee was comparatively short and bland/unchallenging, with no significant actions or recommendations generated. It appears no one thought it might be relevant to mention that Sheffield communities clearly had major concerns about 'strong leader' governance/scrutiny, were organising, and about to exercise community rights and launch Sheffield People's Petition; and that this would likely have major implications for SCC.
- 5.12 It is worth expanding on this example. The rather bland discussion on the important Select Committee Report on overview and scrutiny (and they are certainly not all bland discussions in scrutiny) suggested that all was – pretty much – well, with overview and scrutiny at SCC. We (and thousands of other Sheffields) would beg to differ. Nationally, the reality is that scrutiny has always been a bit of a problem; this goes back to the very first evaluation of scrutiny in the 2002 Select Committee Report (Transport, Local Government and the Regions Committee 2002) that identified a whole range of conceptual, practical and procedural issues. Almost all of these issues are still in play today – with a reality of very little overall progress or improvement. The Select Committee Report of 2017 is a detailed and fascinating picture of overview and scrutiny. The focus in the scrutiny committee appears to have been mainly on the points that the Conservative government indicated it was accepting (though one might expect a Labour council to want to dig a little deeper than this, especially as the Select Committee was also chaired by one of our local MPs, Clive Betts).
- 5.13 The reality is that SCC is very far from what might be best practice in relation to its own scrutiny practices. Officers are not politicians and might be expected to take a rather technicised or minimal/low-key approach; more ambition, challenge, and an orientation to tangible improvements might be welcome. But it is local politicians lack of *political judgement*, the failure to understand the local *political context* and read the mood-music that is so disappointing – and this shortcoming involves inherent risks.
- 5.14 Though there is clearly detailed discussion and work that goes on in scrutiny committees, the actual difference this makes is debateable. It is not clear that scrutiny effectively calls the executive to account on behalf of Sheffield citizens – indeed we would argue that its structures (and the political culture) mitigates against this. Nor is it clear that in a cost-benefit analysis the value of scrutiny would be established. 'Call-in' certainly does not appear to make a difference, despite some detailed committee work. Most reports received are simply noted (or more information requested), with contributors thanked. There is little evidence of policy development/pre-scrutiny/horizon-scanning being fed forward, despite aspirations for this. Likewise, minuted intentions to raise awareness of scrutiny amongst citizens do not appear to have led to actions. SCC annual scrutiny reports make generalised claims but these claims are not linked clearly to actual or specific evidence of impact or improvements; the report essentially summarises activities.

- 5.15 Some council annual scrutiny reports offer more focus eg in terms of quantitative information and analysis of different types of activities undertaken; a focus directly on impact; a concentration on public involvement, and initiatives to make improvements, as key requirements for effective scrutiny. Some reports are reflective, self-critical and straightforwardly honest eg “[the] impact on council policy and decision-making has generally been low. Save for the few exceptions above Select Committees have not taken the opportunity to make useful recommendations. Only 36% of all the items considered by Select Committees in 2017/18 concluded with recommendations. Most meetings conclude in requests for ‘further information’ or with Committees simply noting the report” (Surrey annual scrutiny report, 2018).
- 5.16 It is beyond the scope of this paper to analyse SCC scrutiny more thoroughly but it is worth considering scrutiny functions in relation to the development of a modern committee system.
- 5.17 The strong leader system is designed to place power in the hands of the few i.e. the Cabinet; and the system of scrutiny is indivisible from it. The notion of scrutiny was ‘invented’ by the Local Government Act 2000 as integral to new strong leader governance. Overview and Scrutiny committees are “tasked with *acting as a counterweight to the increased centralised power of the new executive arrangements*” (House of Commons 2017, p.3).
- 5.18 The device of scrutiny ‘unglued’ executive decision-making from inspection of these decisions – the executive (or individual Cabinet member) was the decision-maker, another body could then (choose to) examine or investigate, via a legal ‘call-in’ mechanism or as part of its own scrutiny work programme. It is the potential error of this ‘made up’ separation of functions that exposes one of the conceptual and practical problems of scrutiny in producing the best governance and decision-making. From the earliest days government Select Committee Reports (eg 2002) have noted that it is in the *blurring* or *mixing up* of roles and inputs through which the most effective decision-making and governance is enabled.
- 5.19 As a result, there has been some slippage in recent years from original ideas about scrutiny, with more efforts, e.g. to focus on pre-scrutiny, and identification of a forward thinking role in policy development. In fact, this form of slippage, inasmuch as it happens, actually starts working more in the way a modern committee system might. However, the results of any such slippage or development in the role of scrutiny have, arguably, been somewhat mixed; in Sheffield it is, once again, not clear that there has been much actual impact.
- 5.20 A modern committee system is conceived quite differently. Modern committee governance normally involves a more generative, and wider and inclusive/collaborative process of decision-making, that incorporates most functions of scrutiny inherent in its operation. As decision-making bodies, modern committees already operate on more complex terrain – and many would say this is more ‘real’ (and has more value). A perceived or potential reduction in linear ‘accountability’ (although it is not always clear in the Sheffield context what ‘accountability’ actually means, and many citizens told us it did not exist) is offset by the potential for better decision-making (governance). A perceived loss of decision-making speed on occasion is offset by the potential for more thoughtful and inclusive decision-making. (But it should be noted that councils that have changed to a committee system have mostly put in place mechanisms whereby urgent decisions can be taken; some councils have reported that these mechanisms have never actually, in reality, had to be used.)
- 5.21 In the first instance, then, scrutiny does not ‘fit’ with modern committee governance; scrutiny is simply a made-up thing *specifically for* strong leader governance (even though some might think it has at least become familiar). As well as affecting the overall coherence in an alternative modern committee governance model, its retention has the potential to duplicate or confuse, and create inefficiencies. In the design of a modern committee system, then, a clear explanation and rationale

would be needed if there were some notion of retaining something separate called scrutiny; modern committees can pretty much fulfil the functions of what we know as scrutiny.

- 5.22 It appears that confident/long-standing committee-led governance authorities eg Brighton, Sutton, Stroud have recognised the conceptual/actual mismatch and, in fact, largely removed or minimised formal scrutiny bodies (with nominal retentions generally to do with statutory functions in health in particular).

## 6. CONCLUSION

- 6.1 **The ‘strong leader’ model is not a good fit for democratic council governance in Sheffield. In fact, as practised in Sheffield, and with the city’s voting patterns, it actively undermines democratic legitimacy, lacks credibility, and is simply unsustainable. Governance in Sheffield can actually be utilised to support and enhance democratic structures and practices, including the nature and quality of ‘representation’. A modern committee system provides a much better starting point, and framework, for supporting and developing this governance work. Committed and creative innovations (such as committee allocations by vote share) could really begin to effectively address democratic deficits and properly align with what citizens vote for. Modern committee governance more obviously lines up with the collective, collaborative and community commitments that are extensively in evidence within and across the diverse communities in Sheffield.**
- 6.2 **Communities (and other stakeholders, experts) must not be excluded from power; in fact, power-sharing is required. Governance needs to re-orient to the potential for communities to have much more say over decisions (and resources) that affect their lives, and that they can take close to where impacts are most felt. There needs to be much more involvement directly in wider council decision-making too. The impact of participation must make a difference, with demonstrable impact. And committed and creative work needs to be done to ensure equal participation across unequal communities. Meaningful involvement and opportunities to effect change and build more sustainable, resilient communities act as a counter to the hope-less discourse and impacts of austerity and exclusion. And lead to better decision-making.**
- 6.3 **Although there is much more to say, from almost 20,000 conversations with citizens across Sheffield, we have distilled views and aspirations around the twin broad design principles of fair and meaningful representation and involvement and impact. There are, of course, very significant cultural dimensions to supporting governance change, but we do believe that modern committee structures are better conceptualised and can be better realised for supporting sustainable democratic local governance.**
- 6.4 **We hope that our council is now able to be courageous in responding positively and thoughtfully to community aspirations. The orientation, quality and impacts of local governance (change) will not be ‘done and dusted’ in a few months; honest and open consideration of how we work together must, and will, be part of ongoing dialogue.**

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## **APPENDIX A**

Some examples of decisions taken at Cabinet 2018-19:

- New Homes Delivery Plan 2018-23
- Capital Infrastructure Levy neighbourhood proportion (redistributions)
- Assistive Technology to support people in their own homes
- Clean Air for Sheffield
- Building Better Parks Strategy
- Transfer of land to Darnall community park
- Pathways to Progression/success (youth employment issues)
- Water fluoridation investigation
- Gambling Act statement of principles
- Mental health Recovery service (recommissioning doc)
- Fields in Trust – designation of park areas
- Sheff Trees and Woodland Strategy
- Sheff local offer for children and young people leaving care
- Enhances Supported Living framework
- Lease of Stocksbridge leisure Centre
- Improving Support for Older People with High Care Needs to leave hospital
- West Bar investment
- Adult social care (fee rises)
- Commissioning adult learning in community settings
- Sheffield Transport Strategy
- Sheffield Drug Strategy
- Sheffield Domestic and Sexual Abuse Strategy
- Selective licensing scheme – landlords
- A whole variety of capital approvals throughout the period

## APPENDIX B

### Committee membership can be proportional to votes not councillors

Here is some information showing that the membership of committees in a Modernised Committee System does **not** have to be proportional to the number of councillors elected for a party, but can be proportional to the number of votes a party gets (more like true proportional representation) if the Council chooses. If there is the political will, it can be done!

**Relevant Legislation** The legislation states that by default committee members should be allocated in proportion to the number of elected councillors in each party, but that it is possible for a different allocation to be used, e.g. members allocated proportionally to the number of votes obtained by each party.

**Local Government and Housing Act 1989:** Allows the council to choose a different committee membership system, if it is unanimously decided: 17 Exceptions to and extensions of political balance requirements. (1) Subject to subsection (2) below, sections 15 and 16 above shall not apply in relation to appointments by a relevant authority or committee of a relevant authority to any body in so far as different provision is made by arrangements approved by the authority or committee— (a) in such manner as may be prescribed by regulations made by the Secretary of State; and (b) without any member of the authority or committee voting against them.

**Localism Act 2011:** Allows the council to ask the Secretary of State to allow other arrangements if they are an “improvement”: 9BA Power of Secretary of State to prescribe additional permitted governance arrangements (5) A local authority may propose to the Secretary of State that the Secretary of State make regulations prescribing arrangements specified in the proposal if the authority considers that the conditions in subsection (6) are met. (6) The conditions are— (a) that the operation by the authority of the proposed arrangements would be an improvement on the arrangements which the authority has in place for the discharge of its functions at the time that the proposal is made to the Secretary of State, (b) that the operation by the authority of the proposed arrangements would be likely to ensure that the decisions of the authority are taken in an efficient, transparent and accountable way, and (c) that the arrangements, if prescribed under this section, would be appropriate for all local authorities, or for any particular description of local authority, to consider.

**Examples** Some examples where this legislation has been used by councils across the country:

**Winchester:** “To pass the following resolution...that alternative arrangements [not proportional to the number of councillors elected to each party] apply for meetings of the Committee for 2013/14”

<https://democracy.winchester.gov.uk/CeListDocuments.aspx?Committeeld=138&MeetingId=796&DF=16%2F05%2F2018&Ver=2>

**Hammersmith:** “It is open to the Council when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations”

<http://democracy.lbhf.gov.uk/documents/s99543/Allocation%20of%20Seats%20and%20Proportionality.pdf>

**Brent:** “Full Council can depart from the rules provided no member votes against the proposal.”

<http://democracy.brent.gov.uk/documents/s67604/Report%20-%20Representation%20of%20Political%20Groups%20on%20Committees.pdf>

**In addition:** the Localism Act (2011) introduces the General Power of Competence (GPC). “In simple terms, it gives councils the power to do anything an individual can do provided it is not prohibited by other legislation”. This may provide significant scope for governance innovations, including supporting proportional-to-vote committee representation.

<https://www.local.gov.uk/sites/default/files/documents/general-power-competence--0ac.pdf>

## APPENDIX C

### *It's Our City!*

#### Purpose and aims

It's Our City! is a community-led network of residents in Sheffield thinking, talking and working together on issues of common concern to us all. We seek to be an independent, positive and productive contributor to a vibrant local democracy, and for the well-being and resilience of our diverse communities. We ask for more from our elected representatives (Councillors and MPs), statutory authorities, and other managing and delivering services.

We know that active, informed citizens and communities are vital for a healthy local democracy. We include members of all political parties, but are mostly not in political parties – just ordinary Sheffield residents. We are committed to making common cause with each other, as neighbours and community members. We do not work on issues that harm or disrespect particular groups of people, in fact we respect, and will defend, the rights of communities that may face discrimination or marginalisation.

Our independence is vital to us – we do not seek to be 'mobilised' or 'co-opted' by political parties or party political groupings. We start with people's concerns at a local level, listen to each other, share information and actively develop a common community voice and agendas, to work on together. We work on issues of practical concern and focus our activities to maximise impact.

Our voting membership cannot comprise more than a third of party political members at any one time and similar restrictions apply to our Coordinating Group, and this is to protect and preserve our independence from party politics. We hold regular open meetings to expand and develop our diverse network and community conversations, and to plan shared activities.