

S.O.S. Sheffield Oversight and Scrutiny

Holding our council to account



SOME CITIZEN NOTES ON OUR COUNCIL'S ANNUAL MEETING (15TH MAY 2024)

The few eyes that may report briefly on SCC's Annual Meeting are likely to focus on the latest political carve up of council roles following the annual local politician's playtime (or what passes for our local elections). But if the stubborn low turnout of voters in Sheffield's local elections is anything to go by – hovering at fewer than one in three (and barely one in four across South Yorkshire for the Mayoral election) – then any party-political manoeuvring that might go on has, at best, limited interest.

There are other places to look, however, other points of interest in relation to broad citizen and community interests – how well our council might be listening, how well it is changing itself, and how well it is 'learning the lessons'.... Positive developments here have become regular claims in the last couple of years by both elected councillors and council officers and as they try to respond to and move beyond lots of self-inflicted damage and its long tail of negative legacies. The loud claims of council-change and positivity are captured in the universal refrain, "people at the heart of all we do!"

So here are just a couple of pointers as to where else citizens might look, for signs of a council waking up in the way it does its work....

The Lord Mayor who shouldn't be Lord Mayor

Firstly, and shamefully, Cllr Jayne Dunn is due to be voted in by our new council, as our Lord Mayor, for the council year 2024-5. Shamefully, because Cllr Dunn is one of the last remaining members of the SCC Cabinet that presided over Sheffield's tree dispute and debacle. Having failed to dispense of Cllrs Fox and Lodge from their top council roles (in the wake of the Street Tree Inquiry Report last year) as they could and should have done, our council extraordinarily appeared to double down in the choice of Cllr Dunn as Deputy Lord Mayor last year, to step into the ceremonial top spot this year.

I don't know the thinking of Sheffield Labour Group (of councillors) in selecting Cllr Dunn to be our honorary city representative as Lord Mayor (for this year it is Labour's 'turn' to propose the candidate for Lord Mayor). I can only think it's a reward for long service to the Labour Party locally, and a bit of a consolation prize for a councillor who failed in her bid to be selected as the Labour Party candidate to succeed a retiring Paul Blomfield MP in Sheffield Central constituency – and a previous similar failure to be selected as the Party's South Yorkshire Mayoral candidate (when Oliver Coppard was successful). Whatever, it seems our council Labour Group are quite happy to – once again – be seen to put Party (rewards) before perhaps transmitting a better signal to the city about – yes – those 'lessons learned'. The evident stumbling difficulty that Sheffield Labour Group have in

accepting the basic consequences from the street tree debacle continues. Because of this basic failure, they continue to keep the trees debacle very much alive.

But it's not just Labour here. All our political party representatives appear they might be struggling to get it. Last year Council as a whole passed a resolution in its Extraordinary Council Meeting of 10th June that included the following clause:

"This Council believes that for the individuals who were council cabinet members in the civic years 2015/16 to 2017/18, resignation from public office would be an appropriate indication of acceptance of responsibility for the harms caused."

At the time, the Labour councillors present at the meeting (plenty were not, in their party chaos that followed on from the 2023 local elections) – again, inexplicably, if they accepted the Lowcock Report as they claimed to – voted against this particular paragraph of the resolution. However, all Lib Dem and Green councillors voted for the motion in full. By rights then, in the Annual Meeting, we should certainly see Lib Dems and Greens (at least) act in line with their own stated commitments and vote against the inauguration of Cllr Dunn as Lord Mayor.

(Who knows what the small Labour breakaway group of 'Community Independents' might do, given they harboured Cllr Lodge until he stepped down this May, and continue to provide shelter for Cllr Terry Fox – both big protagonists at the heart of our council Cabinet and playing big roles during the tree dispute.)

If they do not, then, alongside Sheffield Labour councillors, they reaffirm to the public that people are right to mistrust what our politicians say a lot of the time (and give them a wide berth in May each year).

Constitutional changes at the Annual Meeting

The SCC Annual Meeting also incorporates consideration of a number of constitutional changes in the way our council does its work.

On a general point...

....and as a fairly close 'constitution-watcher', I note that there have been five sets of constitutional changes since May 2022 (the introduction of the committee system). Each of these tends to consist of a reasonably long and pretty technical list of constitutional changes and updates. These changes have normally been passed by full council, rather than first coming through a committee (as will be the case for some of the changes proposed in this annual meeting) though senior officers do also have a role here and are delegated responsibility for certain minor updates.

Even as a close watcher, I confess I don't always understand, nor can I necessarily see, where items on these lists of changes 'come from'. Elected members are overall quite dependent upon senior officer management of what are often seemingly very dry constitutional changes (and, understandably, the interests of councillors often lie elsewhere rather than on the inner workings of council governance). So, I don't necessarily think these lists always get the scrutiny they might deserve. There can be devil in that there detail, obviously.

It is also fairly standard practice for councils to bring forward a raft of constitutional changes at the first meeting of the council year and, at least in our case, no public questions are taken at these annual meetings. This means there is no opportunity for public scrutiny and getting on the record in

relation to changes proposed, at the actual moment our council (likely) accepts these. It's a small but significant shortcoming.

So, it is worth noting that for this annual meeting that one set of tweaks relates to the council's complaints policy and the councillor Code of Conduct. I don't really understand where these proposed changes have come from, nor their implications. (It would be good to have this explained in the report to council, or perhaps the officer who presents this will explain.) But this is, of course, of potential interest of members of the public, especially where it appears to be a vanishingly small to impossible feat to ever have any complaint ever upheld against any councillor (and this has been the case for years). They are all paragons of virtue. They've all been paragons of virtue for years. (And no doubt will continue to be so.)

Changes to public questions

One set of constitutional change proposals relates to public questions. Of course, many Sheffield residents won't even know that it is possible to have some direct input (and importantly get on the public record) into just about all formal meetings of the council and its committees. So if you didn't know already, there's your heads up. (In fact, it seems the Sheffield public – mostly on behalf of all different kinds of community groups and stakeholders - ask more public questions at council meetings than in any other council anywhere in the country!)

There is a *good story* to be told here about what is happening. (Yes, unfortunately, it comes with a few 'buts' too, but nonetheless...)

So through last year the council's Governance Committee conducted a review of its own system for public questions and petitions. Firstly, I should say that this may be the first time a council anywhere has carried out such a review – so I think that's a positive thing to note at the outset, and a bit of kudos. (And yes, of course this review was raised and pushed for by active local citizens.) The review included some public consultation. And separately, S.O.S. decided to hold our own public meeting event about PQs and petitions too, and we wrote up our own 'citizen scrutiny report' out of this event and from the preparation work we did for it. This also seems to have been well-received by the Governance Committee and council officers, and has had some influence in the changes proposed.

The changes on the table, then, for consideration at the Annual Meeting, include (but are not limited to):

1. An expansion in *access* to public questions – no longer will people have to physically attend meetings to be permitted to ask and get an answer to their questions.

This takes a big step towards addressing a big and very clear (structural) problem of very limited and inequitable access to public questions.

2. People will also now be able to present a public statement and get this on the public record (instead of just asking questions or bringing a petition).

This addresses an issue of having to twist what one wants to say into a question, and brings us into line with many other councils' practices.

3. There will now be the possibility of directly asking a follow up question to the 'answer' questioners receive.

This ability to follow up on a question addresses one of the biggest problems people identified of hopeless, incorrect, or 'non-answers' that many questioners feel they receive. Again, it also brings us into line with many other councils' practices.

All these changes are positive ones, and go some way towards responding to clearly identified problematic issues. They DO represent small but important extensions to citizens' rights.

BUT...(and here I mention just two of these – and an ongoing big challenge)... It is to be hoped that, if our councillors are not completely caught up in the party-political manoeuvring of the Annual Meeting, they might raise these issues for us (and given the Annual Meeting itself does not permit public input).

1. Public questions are important citizens' rights. In fact, they represent the *only* opportunity for stakeholders, community groups and members of the public to directly input into council business *as of right*. This is why these rights are – crucially – laid down in the council constitution. But from the Annual Meeting papers it now appears that pretty much all the details of these basic citizens' rights might be about to be removed from the constitution itself, and plonked into a separate procedural and guidance document. (And this contrasts with all the expanding constitutional detail given over to elected members and their rights and arrangements in relation to asking questions.)

So, it would be good to see councillors ask for assurances from the officers involved that detail of these basic and vital citizens' rights are going to be remain properly incorporated into, rather than expunged from or otherwise minimised in relation to, the main body of the council constitution.

Continuing on the theme of giving with one hand and taking away with the other (or making a change but missing the point)....

2. I believe the Governance Committee in its review work here has genuinely sought to respond positively to issues and concerns identified by local citizens, to make, and be seen to be making, incremental improvements and extensions to citizens' public question rights. Yes, of course it could have gone (much) further, and no, we are not talking about (anything like) significant shifts in power, not at all – c'mon, this is our council we are talking about. But the changes are not nothing, and I can see the improvements here (especially in the move to address basic, obvious and real council barriers that have created grossly inequitable access, and the right to 'come back' on an answer instead of be quiet and take it).

But then, as if in a series of rearguard actions, come the limiters, the (additional) restrictions, the communications, and the technocratic approach. This is where (it looks like in part) council officers have stepped in, and it is as if = whilst there are some advances- there is an immediate attempt to row back. To give a couple of examples...

First, the attempts to apply limits and restrictions and criteria etc. This includes, for example, a limit of 200 words on questions and statements, seemingly increasingly restrictive rules about what can and can't be asked, and the introduction of limits on numbers. And so on. It is genuinely as though if there are to be any advances then there must then be an immediate equal and opposite, set of reverse-actions in other ways. This of course ultimately serves, simply, a different configuration of the *status quo* (with different kinds of problems introduced), rather than making a little bit of genuine progress. A councillor told me – pleased – that they were going to introduce key bits of the 'Bristol model' of public questions (that citizens had raised as a decent example of something we were talking about). Well I've checked and, for example, Bristol has not had a word limit on public questions and statements (though "people are encouraged to keep to a page"); their new constitution demarcates a 1000-word limit, and even that is causing some citizen consternation. (It should also be said that questions from members of the public are often quite different in nature to the questions that councillors ask of each other too – comparisons and similar expectations if these exist, should not apply here.)

I also appreciate that, for some or many council officers, if every anticipatable eventuality isn't somehow tied down in some *procedural or technical* (and bureaucratised) way, then this can cause anxiety – ***“but what are the rules we and the public have to follow?!”*** This is, of course, at least in part to do with the roles, functions, training, and comfort zones of many council officers in servicing the council machinery. It's a problem. Some of the proposed limiters and restrictions etc to a bit of progress (the anticipatable eventualities) are simply not necessary nor justifiable in the terms of the council review. They should mostly be stripped away at this point, they mostly don't address significantly real or reported issues/problems (and if they might do, then they need to be explained and evidenced/justified). It's a problem of mindset not of what's 'necessary'.

What is more, in the attempt to write all this down for citizens, a bit of a disaster emerges. The attempt to produce a citizen-friendly 'guide' to how to ask public questions and make public statements, largely fails in its resulting complexity, quasi-legalistic, technocratic and procedural approach. Even as a regular questioner, I struggled to work my way through and work out what it was telling me. Crucially, for all the commitment and positive proposals to increase equitability and access to public questions, the document then, effectively, *un-does this*. It makes asking a public question a difficult, rule-bound, hoop-jumping exercise – working through the detail (and the rules, the rules) becomes a bit like trying to work out if you might be entitled to some sort of state benefit – that is, just really hard and off-putting. But we are really not dealing with some sort of housing allocation system, or social care eligibility assessment or anything remotely similar here. We are trying to enable and support the accessibility and participation for wider groups of people in exercising a small and basic citizen right when they need or want to, to enable a genuine council-citizen connection and interaction, rather than get people to jump through unnecessarily complex hoops and procedures. The approach taken defeats the object of the exercise pretty much entirely and it needs some rethinking.

So this is all a bundle of a big problem.

I do hope our councillors take this up a bit, question the overkill on limits and restrictions and hoop-jumping (and the need to try to anticipate every possible eventuality at this point),

and that mostly act as a rearguard set of conditions and barriers and that will put people off and just work to reverse the nuggets of progress that are evident in the overall proposals. I hope our councillors suggest back to the drawing board on the 'citizen's guide' information with all its hoops and conditions and criteria, and pare it all back to the actual small but real commitments and advances that the council appears to be trying to make here, and that are welcome.

3. Finally, there is a bigger challenge that it would be remiss not to mention. Public questions – as well as being important and basic citizens' rights, are also part of wider council systems and arrangements for citizen participation and involvement in decision-making. These remain unaddressed in, and unlinked to, the council public questions review. This bigger and overall question of citizen involvement and participation remains too big and too hot, it seems, for our council to easily handle in a way that speaks to meaningful systemic shifts. And this *is* all a big challenge (for all councils) in a whole number of different ways and for a whole number of different reasons.

There are, nonetheless, some pockets of emergent and piecemeal practice that might be evident in some areas. It might not be rocket science, and it might involve some comfort blankets in some cases - e.g. the lionising of 'independent chairs' for bits and pieces of partnership working (I yearn for the day council people and groups sit down and just talk it through), but there might be bits and pieces of progress of some sort. Occasionally a LAC seems to have a really good discussion, with lots of members of the public involved, for example.

But this is not the same as systemic change, embedded in wider council governance systems across our council and at different levels. We are still left with massive gaps between the rhetoric (and sloganising, which has all ramped up), and the realities. And there's certainly a continuing need for groups to have to mobilise too hard (where they can, and many cannot) after the event, when something has gone wrong. It's all still rather piecemeal and random.

I do think it's about time that the most senior council officers stepped up a bit in this space. In the council model of thinking surely it is about time some stretching performance management targets and indicators were developed for this work. Last time I looked, the closest item here was a commitment to improving FOI responses = and that's just a basic statutory responsibility. It no way comes anywhere close to matching the rhetoric our council is seemingly routinely deploying, with "people at the heart of all we do" and so on. We have to be able to do better than this, surely. And it shouldn't be left much longer. When there's a seriousness to thinking about actually capturing some systemic ambition in this space for some meaningful shifts, I also think there are lots of people, expertise and ideas about what some serious targets might include and look like.

May 2024