

**GOVERNANCE POLITICAL PANEL
DRAFT PAPER FOLLOWING MEETING ON 14 JUNE 2006**

Issue	Context	Legislative requirements	Need for guidance
1.0 Equitable representation/ sharing of civic responsibility	1.1 Custom & practice in most existing Councils; NI Assembly model for distributing posts	1.1.1 Councils must employ proportionality in allocating positions of responsibility and in appointing to all internal and external committees and organisations and should be applied over the full term of the Council.	1.1.1a A range of models will be detailed and available, e.g. d'Hondt, St Lague, STV, 'Quota Greatest Remainder' etc. 1.1.1b Guidance should detail the procedure where a Council can not agree on its preferred model.
2.0 Safeguards/ checks & balances	2.1 Concerns regarding permanent majority/minority status for communities in 7 Council model; international standards for corporate governance; need to clarify Councillor v Officer relationship	2.1.1 The role of the Ombudsman to remain. 2.1.2 The role of the Local Government Auditor to remain. Consideration needs to be given to his duties in respect of assessing the general performance of Councils. 2.1.3 Existing Equality obligations to remain – though there may be a need	2.1.1a Should consider including in guidance clearer definitions of the respective roles/responsibilities of these external bodies.

		<p>to review the efficacy of the arrangements for ensuring public bodies fulfil these obligations.</p> <p>2.1.4 New Performance Assessment framework should require Councils to demonstrate adherence to best practice in corporate governance – this should be reviewed and reported upon regularly.</p> <p>2.1.5 Performance Assessment should also review Councils’ adherence to implementation of regional policies.</p> <p>2.1.6 Reference should be made to the mandatory ‘Code of Conduct’ – adherence to it should be clearly spelt out in the ‘declaration on acceptance of office’ that all Councillors must sign after the election. Should also apply to Officers.</p>	<p>2.1.4a Detailed guidance on best practice in corporate governance.</p> <p>2.1.5a Guidance on relevant policies, e.g. Sustainable Development, Shared Future etc.</p> <p>2.1.6a Code should be part of statutory guidance.</p>
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		<p>external body. This will not replace existing organisations (see above) nor prevent recourse to legal action/judicial review but is designed to be a quicker, less costly means of resolving concerns.</p> <p>2.1.10 The roles of the Head of the Paid Service/ Chief Executive, Chief Financial Officer and Monitoring Officer should be explicitly referred to.</p> <p>2.1.11 Councils must each establish an Audit Committee, to agree the internal audit plan, monitor its implementation and consider reports from the Local Government Auditor.</p>	<p>for Local Government, and what outcomes issue from such a reference – including the sanctions available.</p> <p>2.1.10a Guidance should identify good practice in the operation of each role.</p> <p>2.1.11a Guidance on the operation of the Committee.</p>
<p>3.0 Decision-making & accountability</p>	<p>3.1 Increased responsibilities and powers; greater numbers of Councillors; increasing tensions in the various roles of a Councillor</p>	<p>3.1.1 <i>Further consideration is being given to the use of weighted majority voting for certain decisions and to the use of ‘call in’ powers, by Councillors, concerned citizens and external</i></p>	

		<p><i>bodies.</i></p> <p>3.1.2 <i>Consideration is also being given to admittance of members of the public to meetings.</i></p> <p>3.1.3 <i>Consideration is being given to possible scrutiny by an Assembly Committee.</i></p> <p>3.1.4 Requirement for a written constitution.</p> <p>3.1.5 The regulatory and quasi-judicial responsibilities of the Council should be made explicit and Councils be required to establish the necessary mechanisms for carrying out these roles – e.g. planning, licensing.</p> <p>3.1.6 Explicit reference should be made to the need for the Council to have effective mechanisms for e.g. taking decisions and scutinising</p>	<p>3.1.4a Guidance to include template/ advice on content.</p> <p>3.1.5a Detailed guidance on the options for performing these roles, e.g. separate Planning Committee/ separation of responsibilities for development control from area planning etc.</p> <p>3.1.6a Guidance should provide a range of models to assist Councils in structuring their decision-making</p>
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		<p>their impacts/outcomes, co-ordinating the corporate interests of the Council, monitoring performance, developing policy, consultation and holding other bodies to account for the services delivered to citizens within the Council area.</p> <p>3.1.7 Councils should be required to publish an annual report.</p>	<p>processes. This could include options for streamlining committee structures; providing for a corporate co-ordination function for Councillors; providing accountability mechanisms; the delegation of authority to committees and /or officers; and role specifications for key positions.</p> <p>3.1.7a Guidance on report format.</p>
4.0 Citizen engagement	4.1 Responsibilities under existing Best Value legislation; best practice; larger Council areas	<p>4.1.1 <i>Further consideration is being given to this area. There is considerable cross-over with Community Planning. It may be helpful to take the current Best Value legislation, strengthen it and incorporate it into the new Order.</i></p>	<p>4.1.1a Guidance should identify options and models for effective citizen engagement and demonstrate the crucial links between governance and community planning. This should include consideration of possible technology-based approaches to increasing citizen participation.</p>

		4.1.2 Councils should be enabled to establish forums at a more local level.	4.1.2a Guidance on establishment of area committees/ civic councils/ local community planning arrangements, including the applicability of partnership models.
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