

Committee Model Working Group

28 April 2023



Report of: Director – Legal and Democratic Services

Title: Roles and Responsibilities of Councillors under the Committee Model of Governance

Ward: All

Officer Presenting Report: Director – Legal and Democratic Services

Recommendations:

That the Committee Model Working Group considers and makes recommendations in respect of the matters raised in this report.

The significant issues in the report are:

This report provides details relating to the roles and responsibilities of Councillors under the Committee Model of governance, including the Lord Mayor, the Leader of the Council, Party Group Leaders and Chairs of Committees.



1. Summary

As part of the preparations for the Committee Model of governance, there are several detailed matters that Members need to consider, which are part of the Work Programme for the Working Group during 2023.

This report considers the roles and responsibilities of Councillors under the Committee Model of governance.

The Working Group will need to make recommendations about the matters raised in this report, which will be reported to Full Council for decision in due course.

2. Detail of report

Under the Committee Model of governance there will be a number of different roles that councillors may have. This report focuses on the following roles and responsibilities. The information in this section of the report provides an overview of each role and further details can be found in Appendix A.

All Councillors

All Councillors will represent their local communities. They will also participate in the decision-making Committees to which they've been appointed and contribute to the formulation of strategies and policies. The Working Group will be making recommendations to Full Council to establish seven Policy Committees. The Council will continue to have seven Regulatory Committees. Whilst the precise number of seats that will be distributed across those Committees will not be known until after the May 2024 elections, it is a working assumption that there will be 9 seats on each Policy Committee which is the equivalent to the number of seats currently on all of the regulatory Committees, except the Licensing Committee which has 15 seats. There are currently 69 seats in total on the regulatory Committees. Members will consider the arrangements in relation to local decision making at their meeting on 28th July 23.

Lord Mayor

The role of Lord Mayor is one of significant historical importance with the office holder acting as the civic and ceremonial figurehead of the City and County of Bristol. From a governance perspective, the Lord Mayor also discharges the role of the Chair of Full Council, which is a statutory requirement as set out in the Local Government Act 1972.

Deputy Lord Mayor

The role of Deputy Lord Mayor is also one of significant historical importance and the Deputy Lord Mayor role is often held by the Councillor who was the Lord Mayor in the previous municipal year. The primary function of the Deputy Lord Mayor is to delegate for the Lord Mayor at events that they're unable to attend, as well as being the of Vice-chair of Full Council.

Leader of the Council

The Committee Model Working Group has already determined that there will be a Leader of the Council under the Committee Model of governance and the appointment to that role will be a function of Full Council. It is anticipated that this position will provide political and strategic leadership within the Council and with external partners and organisations at the local, national and international level, for example One City Boards, the Local Government Association and Core Cities.

Deputy Leader of the Council

The Working Group has also determined that there will be a Deputy Leader of the Council and that the appointment to that role will be a function of Full Council. The Deputy Leader of the Council will support the Leader of the Council and will be able to act in their absence.

Party Group Leader

The role of a Party Group Leader is one that already exists within the Council and those individuals have responsibility for the political management of their political groups.

Party Group Whip

The role of a Party Group Whip also already exists within the Council and those individuals support the Party Group Leader with the management of the political group, party group discipline and relationships with other political groups.

Chair of Regulatory Committee

The Chair will be responsible for leading the work of the Committee and will be the Council's lead spokesperson on matters that fall within the relevant remit. It is anticipated that the Chairs (and Vice Chairs) will be appointed at Full Council.

Vice Chair of a Regulatory Committee

The Vice-chair of a Regulatory Committee will support the Chair, attend agenda setting meetings and act in the absence of the Chair.

Chair of a Policy Committee

The role of the Chair of a Policy Committee will be a new position in the Committee Model. In addition to the chairing responsibilities set out for the Regulatory Chairs, there will also be a requirement for Policy Chairs to undertake a wider set of responsibilities. This may include serving on a range of Outside Bodies, providing officers with political direction, attending briefings in-between formal meetings, and liaising with external stakeholders and partners as appropriate. It is also anticipated that these Chairs (and Vice Chairs) will be appointed at Full Council.

Vice-Chair of Policy Committee

The Vice-Chair of a Policy Committee will support the Chair of the Committee, attend regular briefings and attend agenda setting meetings, and will act in the absence of the Chair.

Party Group Lead on a Committee

A Party Group Lead on a Committee will attend agenda setting meetings with the Chair and Vice-chair and will support the development of the work of the Committee.

The Appendix to this report sets out further details of each of the above roles for consideration by the Working Group. The detail of these roles and responsibilities will set out a framework for the Independent Remuneration Panel to consider the appropriate level of remuneration for Councillors.

3. Legal and Constitutional matters

The Legal and Constitutional matters raised by this report are as follows.

The Local Government Act 1972 requires the Council to appoint a Chair and Vice-chair of the Council

and these roles have historically been discharged by the Lord Mayor and Deputy Lord Mayor respectively and it is assumed that this will continue to be the case.

The Local Government (Committees and Political Groups) Regulations 1990 allow for the formation of Party groups and sets out the arrangements for the appointment of a Party Group Leader.

At the Full Council meeting on 14 March 2023, the Council agreed that there would be a Leader and a Deputy Leader of the Council under the Committee Model of governance and that those appointments would be made by Full Council. The Council's constitution will be updated to reflect this arrangement.

Under the Committee Procedure Rules, the chairs of Committees are currently appointed at the annual meeting of each Committee. Whilst the current rules only apply to Regulatory Committees, these rules could also be extended to the appointment of the chairs of Policy Committees at the annual meeting of each Committee.

4. Matters for the Working Group to consider

The Working Group should consider the following matters as part of the preparation for the Committee Model of governance.

- a. Are the roles and responsibilities set out in this report clear?
- b. Are there any additional matters that the Working Group considers should be included in any of the specific roles and responsibilities?
- c. Can Members confirm that the Chairs and Vice Chairs of both Regulatory and Policy Committees will be appointed by Full Council?

Appendices:

A - Roles and Responsibilities

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None

Roles and Responsibilities

This appendix sets out in detail the roles and responsibilities of Councillors generally, as well as specific roles and responsibilities. It is not an exhaustive list for each role and other duties may also be required.

1. Roles And Functions of All Councillors

Councillors will participate constructively in the good government of the local authority area in the interests of all residents. They will contribute actively to the formation and review of the Authority's policies, budget, strategies, plans and service delivery.

Councillors will deal with constituents' enquiries and representations and will effectively represent the interests of the Ward for which they were elected and the views of constituents.

Duties and responsibilities

1. To fulfil the statutory and locally determined requirements of an elected Member of a Local Authority.
2. To participate effectively as a member of any meeting to which the Councillor is appointed, for example by regular attendance at meetings and ensuring that they are adequately briefed and prepared for the meeting.
3. To participate in the activities of an outside body to which the Councillor is appointed and to provide update reports on the work of the relevant body to Bristol City Council as required.
4. To act as community champion for their ward. This will include being consulted about ward matters and participating in local decision-making arrangements. In addition, all Councillors must provide a voice and advice for local individuals and interest groups in their dealings with the Council and, where appropriate, to advise them on the pursuit of complaints.
5. To develop and maintain a working knowledge of the Authority's services, management arrangements, powers/duties and constraints and to develop good working relationships with relevant Officers of the Authority.
6. To contribute constructively to open government and democratic participation by encouraging community engagement in the governance of the area.
7. To keep up to date with all developments affecting the Local authority area and the Council including Government policies and prospective legislation.
8. To promote and uphold high standards of ethical conduct by the Council's Members and officers.

2. Lord Mayor

The role and function of the Lord Mayor is set out in Article 7 of the Council's Constitution. In addition, the Lord Mayor will have the following duties and responsibilities:

Duties and Responsibilities

1. To chair meetings of the Council and Downs Committee ensuring among other things that all points of view have a fair opportunity to be heard, that procedure rules are applied and observed, and that debate is guided towards clear and relevant decisions.
2. To represent the Council in the Local authority area and elsewhere on occasions where a civic representative is invited or otherwise required.
3. To participate in events, receptions, programmes and activities designed to recognise and encourage civic awareness in the community, where appropriate.
4. To attend and chair briefings for Council meetings, involving Leaders and Whips of the political groups and to be proactive in making proposals for the effective conduct of the agenda.
5. To host Council events of a non-party-political nature as required.
6. To promote good relationships between Councillors, between political groups and between Councillors and Officers.
7. To ensure that the Deputy Lord Mayor is kept informed of all relevant civic matters during their period of office.

3. Deputy Lord Mayor of Bristol

The Deputy Lord Mayor will support the Lord Mayor in their role and in their absence undertake the duties within the role profile for the Lord Mayor.

4. Chair of a Regulatory Committee

When the Council operates a Committee System, it will be necessary for the Council to establish Committees and for those Committees to elect a Chair and a Vice-chair. It is also necessary for each political group that is represented on a Committee to appoint a lead Member.

Role and Responsibilities of the Chair of a Regulatory Committee

1. Lead the work of the Committee and make sure it carries out its business effectively and efficiently, lawfully and within its terms of reference.
2. Chair meetings of the Committee impartially and in such a way as to facilitate open discussion, obtain valid contributions from members and produce sound decisions.
3. Assist the public and press in terms of their rights of access.
4. Ensure respectful engagement between the Committee, its officers, guests and the public and maintain ethical conduct throughout the meeting.
5. Lead an agenda setting meeting for the Committee in association with the Vice-Chair and Party Group Leads on the Committee.
6. Act as consultee and spokesperson for their Committee in instances of exercise of delegated authority by an officer, where that delegation is subject to being in consultation with the Chair of the Committee or where otherwise requested by a Chief Officer.
7. Have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee which they chair.
8. Lead in the development of the work of the Committee which they chair in association with the Vice-Chair and Group Spokespersons, including the agenda management process, also taking into account the wider vision, such as corporate, cross-service and partnership issues.
9. Lead in the consideration and review of service delivery, policy development and in the implementation of policies approved by the Council where these relate to the Committee which they chair.

10. Be the Council's lead spokesperson in respect of the Committee's activities and act in liaison with the Leader and Deputy Leader in matters of Council policy.
11. Establish effective working relationships with the Party Group Leads on the Committee and with other Committee Chairs and the Leader and Deputy Leader of the Council.
12. Establish effective working relationships with the Chief Officers, and other key officers.
13. Represent and pursue the interests of the Committee which they chair in the community and at regional and national levels.
14. Ensure that meetings of the Committee which they chair are properly conducted and reports of proceedings are forwarded on as necessary, for example to full Council.

5. Role and Responsibilities of the Vice-chair of a Regulatory Committee

The Vice Chair of a Committee will:

1. Have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee.
2. Assist the Chair in carrying out their role and responsibilities as set out at above.
3. Undertake the responsibilities of the Chair in their absence.
4. Attend agenda setting meetings with the Chair and the Party Group Leads on the Committee.

6. Chair of a Policy Committee

As the Council operates a Committee System, it is necessary for the Council to establish Committees and for those Committees to elect a Chair and a Vice-chair of the Committee. It is also necessary for each political group that is represented on a Committee to have a Party Group Lead for that Committee.

Role and Responsibilities of the Chair of a Policy Committee

Responsibilities specific to the Policy Committee Chairs:

1. Attend regular Policy Committee Chairs' briefings, in conjunction with the Vice Chair.
2. Provide political direction to officers, including on any urgent matters, in consultation with the Vice Chair and/or Party Leads as appropriate.
3. Sit on any relevant any outside bodies that relate to the Policy Committee's work area.
4. Act as the primary spokesperson for media inquiries relating to the Policy Committee's remit.
5. Liaise with key partners and stakeholders as appropriate (note, this may require a significant time commitment).
6. Understand and communicate policy and Council positions to residents and other stakeholders.
7. Recognise and contribute to issues which cut across portfolios or are issues of collective responsibility.
8. Work with other Policy Committee Chairs to lead policy and project development.
9. Represent and pursue the interests of the Committee which they chair in the community and at regional and national levels.

Generic Chairs' Responsibilities:

1. Lead the work of the Committee and make sure it carries out its business effectively and efficiently, lawfully and within its terms of reference.

2. Chair meetings of the Committee impartially and in such a way as to facilitate open discussion, obtain valid contributions from members and produce sound decisions.
3. Assist the public and press in terms of their rights of access.
4. Ensure respectful engagement between the Committee, its officers, guests and the public and maintain ethical conduct throughout the meeting.
5. Lead an agenda setting meeting for the Committee in association with the Vice-Chair and Party Group Leads on the Committee.
6. Act as consultee and spokesperson for their Committee in instances of exercise of delegated authority by an officer, where that delegation is subject to being in consultation with the Chair of the Committee or where otherwise requested by a Chief Officer.
7. Have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee which they chair.
8. Lead in the development of the work of the Committee which they chair in association with the Vice-Chair and Group Spokespersons, including the agenda management process, also taking into account the wider vision, such as corporate, cross-service and partnership issues.
9. Lead in the consideration and review of service delivery, policy development and in the implementation of policies approved by the Council where these relate to the Committee which they chair.
10. Be the Council's lead spokesperson in respect of the Committee's activities and act in liaison with the Leader and Deputy Leader in matters of Council policy.
11. Establish effective working relationships with the Party Group Leads on the Committee and with other Committee Chairs and the Leader and Deputy Leader of the Council.
12. Establish effective working relationships with the Chief Officers, and other key officers.
13. Ensure that meetings of the Committee which they chair are properly conducted and reports of proceedings are forwarded on as necessary, for example to full Council.

7. Role and Responsibilities of the Vice-chair of a Regulatory Committee

Responsibilities specific to the Vice Chair of a Policy Committee

1. To attend regular briefings with the Chair of the Policy Committee.

Generic Vice Chair Responsibilities

The Vice Chair of a Committee will:

1. Assist the Chair in carrying out their role and responsibilities as set out at above.
2. Have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee.
3. Undertake the responsibilities of the Policy Committee Chair in their absence.
4. Attend agenda setting meetings with the Chair and the Party Group Leads on the Committee.

8. Role and Responsibilities of Party Group Leads on Committees

Party Group Leads on a Committee will:

1. Have a working knowledge of the functions, policies, practices, procedures, services and budgets of the Committee.
2. Assist the Chair and the Vice-chair in the development of the work of the Committee.
3. Attend agenda setting meetings with the Chair and the Vice-chair of the Committee.

9. Leader of the Council

When the Council operates a Committee System, no formal legal powers and duties are vested in the Leader or Deputy Leader under the Local Government Act 1972 or the Local Government Act 2000. In practice, however, all local authorities need to appoint a Councillor to hold the most significant elected Member role within the Council, to be seen as the political head of the Council and to provide a focal point for political leadership and strategic direction, both within the Authority but also to outside organisations, partners, governmental bodies and the community at large.

Role and Responsibilities of the Leader of the Council

The Leader of the Council will:

1. Be the political (rather than ceremonial) leader of the Council, for the benefit of all the Local authority area's communities - its residents, taxpayers, businesses, public bodies and other public authorities.
2. Represent and pursue the interests of the Council in the community and at international, national and regional levels.
3. Be the key contact for outside organisations (including Central Government, Local Authority Associations and Council partners), and internally for the Council's Chief Officers.
4. Be the representative voice of the Council, for example, in its dealings with Central Government, other Local Authorities and their Associations, and positively promote the Council as a whole to the media.
5. Promote the long-term financial, business and economic stability of the Council and the Local authority area.
6. Meet regularly to progress the Council's objectives with Committee Chairs, the Chief Officers, Group Leaders, partner organisations, stakeholders, community representatives, government representatives, local Members of Parliament, etc.
7. Promote high standards of corporate governance and ethical conduct throughout the Council including working with all political groups to seek to achieve, where possible, cross party co-operation.
8. Promote and maintain professional working relationships and mutual respect between all Members and officers.
9. Work across the Council, particularly with the Chairs and Vice-Chairs of its Committees and Sub-Committees, and to be responsible for the development and implementation of the Council's strategic vision for the future, policy framework, budgets and other strategies.

10. Role and Responsibilities of the Deputy Leader

The Deputy Leader will:

1. Assist the Leader of the Council in representing the Council to its residents, stakeholders, and partners and in providing political leadership for the Council and the Local authority area.
2. Assist the Leader in carrying out the key responsibilities associated with the role of Leader (as set out above).
3. Work with the Leader and Committee Chairs on budget and policy development.
4. Undertake the responsibilities of the Leader in their absence.

10. Political Group Leader

Political groups, and the leader (and any deputy group leader) of a political group, have a formal role under the provisions of the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990 in respect of political balance of Committees and appointments of the Council.

Role and responsibilities of Political Group Leaders

1. To provide the leadership of a political group.
2. To be the principal political spokesperson for the political group.
3. To nominate members of their Group to serve on Committees, Working Groups, outside bodies, etc.
4. To be a representative voice in dealings with government agencies, local authority associations etc.
5. To encourage the highest standards of conduct by members of the group and to work with the Monitoring Officer to resolve complaints informally where appropriate.
6. To appoint group spokespersons and allocate other responsibilities to group members as appropriate.
7. To assist in ensuring appropriate levels of attendance are maintained by group members.
8. To encourage a culture of learning and development among members, including the active participation of group members in briefings, seminars and other learning and development processes.
9. To maintain effective liaison with the other group leaders, including being a member of an informal Group Leaders' meeting, attending Group Leaders' briefings and so forth.
10. To establish and maintain effective working relationships with the Chief Officers and other senior officers and to meet regularly with them in order to keep fully apprised of relevant service issues.

11. Political Group Whip

Political Groups rely on a Political Group Whip to support the Political Group Leader in the effective management of the political group and its relationship with other political groups on the Council.

Role and Responsibilities of a Political Group Whip

1. To support the Political Group Leader in the effective management of the political group.
2. To contribute to the effective management of Council business.
3. To support Council officers in co-ordinating logistical matters for Council meetings and other events.

4. Support the Political Group Leader to encourage the highest standards of conduct by members of the group and to work with the Monitoring Officer to resolve complaints informally where appropriate.
5. To provide pastoral support to members of the political group and to raise confidentially any well-being matters with Council officers.
6. To attend regular Whips meetings.