

## Thanet DC S.24 Recommendations – Implementation Plan

### Overarching Objective:-

To implement the recommended actions set out in the S.24 Report, (1,2 & 4), with a view to supporting Thanet DC in achieving a more stable state in order that it can move forward and focus on the pressing challenges it faces in common with other Local Authorities.

### Parameters/Scope

The focus of this piece of work is on the issues which have arisen in the last 2-3 years and which have given rise to a number of grievances and disciplinary matters. The primary objectives are:-

- i) Assessing and where possible quickly resolving, extant matters in as cost-effective manner as possible and
- ii) To identify any aspects of TDC's governance arrangements which may have caused or aggravated the above issues.
- iii) Thirdly, to make proposals as to improvements in the governance arrangements and to oversee their implementation.

Given the extent and nature of concerns expressed regarding the functioning of the Council over recent years it is important to note the limits of this piece of work which is focussed on the mechanisms of governance within TDC. It may be necessary to consider what other inputs/activities will be required to address wider cultural and other issues, (perceived or actual) with a view to achieving the optimum environment in which TDC is able to thrive.

It is important to stress that this isn't about re-opening/re-running of investigations on matters previously dealt with. Instead, it will be necessary to review the way those matters were handled and how the council has been functioning more widely. There is a need to understand the cause and effect relationship between the highlighted issues, the council's processes and its organisational culture. This will enable the identification of any areas where new approaches would be more effective in future.

### Context

The recent past has seen a number of high-profile staffing disputes, grievances and whistleblowing events which have caused an unhelpful distraction, occupied significant resources and undermined the ability of the council to operate to its full potential.

The way in which these matters have been or are perceived to have been handled has undermined the relationship of trust between Cllrs and Officers and also between the Council and its residents.

There appears to have been a perception amongst Councillors whether mistaken or otherwise, that they are not sufficiently engaged in or have access to, the process of decision making within the council and this has contributed to what has been described by some as the dysfunctional culture that exists within Thanet DC.

There is a pressing need to develop a robust relationship of trust and confidence and to nurture a culture of openness, accountability and collaboration between officers and councillors. As with most organisations the culture of a local authority is determined by the people who comprise it including officers and councillors and those officers and councillors in leadership roles have the greatest potential to influence that culture.

Reducing the number of ongoing disputes and other matters will help to clear the decks and release capacity and finances to be deployed more effectively in delivering core services. However, the resentment generated by disputes of the nature which have been experienced by TDC doesn't easily dissipate unless people are prepared to draw a line under disputes/disagreements and collaborate to deliver the necessary improvements.

A process of this nature must be rigorous enough to identify the causal factors to enable reflection, but also cognisant of the need to 'move on' and quickly implement any lessons learned in relation to the council's decision-making processes etc.

**Timescales**

Significant progress must have been achieved within 2-3 months with a final project completion within 6 months, (June 2022), and implementation thereafter.

For planning purposes it is helpful to divide the project in to three phases:-

- 1) Stabilisation - (Assessing and identifying the most effective way to address extant matters – recommendations 1 & 2)
- 2) Lessons Learned - Identifying lessons learned and building consensus around any changes necessary. (looking forward - part of recommendation 2, 3 and 4)
- 3) Implementation and monitoring.

N.b. Appendix 1 contains the S.24 Recommendations.

**More detail as to the proposed approach.**

The following provides more detail on the activities envisaged within the three phases and it is likely that the 3 phases will overlap to some extent.

**Specific Activities:-**

<b>Phase 1</b>	<p><b>Stabilisation</b></p> <ul style="list-style-type: none"> <li>• Assimilate all relevant reports and information concerning the disputes and wider issues.</li> <li>• Gather information and initial observations from Councillors, Officers and others who have been directly involved in the events over the past 2 years e.g. auditors.</li> </ul>
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	<ul style="list-style-type: none"> <li>Assess each extant dispute with specialist advice as necessary with a view to categorising them and assessing those which can/should be quickly resolved and those which will need longer term management.</li> </ul>
<b>Phase 2</b>	<p><b>Identifying Key Issues and Areas for Potential Improvement –</b></p> <ul style="list-style-type: none"> <li>Reviewing all the comments/feedback and identify areas for improvement/development. E.g. governance around decision making and how councillors, including administration and opposition, are able to access and comment upon proposals whilst ensuring that officers have sufficient delegated authority to be agile and efficiently deliver services.</li> </ul> <p>This is likely to include a review of constitutional mechanisms for decision-making including the scheme of delegation and access to information. - This will need to be undertaken on the basis of co-production – i.e. councillors and officers actively involved in the process to deliver a mutually agreeable result.</p> <p>Recommendation 3, entitled Financial Sustainability, falls within the remit of the S.151 officer but to extent that there are any relevant governance issues regarding the financial process these will be considered.</p> <ul style="list-style-type: none"> <li>Engage appropriate assistance to advise on cultural change and reconciliation to be included as part of the Improvement Plan.</li> <li>Conduct workshops with Cllrs and Officers to sense check the conclusions reached and the outline proposals for improvement to ensure that they are covering the key issues as perceived by officers and councillors.</li> <li>Create an Improvement Action Plan containing clear objectives with timescales which can be monitored by an Improvement and Assurance Panel to oversee the implementation phase. N.b. Implementation expected to be complete as soon as possible after the agreement of the proposed improvement actions.</li> </ul>
<b>Phase 3</b>	<p><b>Implementation and Monitoring</b></p> <ul style="list-style-type: none"> <li>Establish an Improvement Panel with independent membership as well as TDC officers and Cllrs. Monthly for the first 3 months and then moving Bi-monthly.</li> </ul>

### **Project Governance and Reporting**

The IMO will act as Senior Responsible Officer for the project and will form a flexible project team involving TDC officers Estelle Culligan and external advisors as required, to undertake the day to day and agreed actions.

As SRO the IMO will report to the Leader and to the Chief Executive on a regular basis and will seek authority from them in connection with ongoing actions and decisions within their delegated authority with the exception of any decision which is either:-

- i) Significant in financial terms.

- ii) Potentially controversial and likely to generate media coverage.
- iii) Has significant consequences for the operation of TDC.

On which the GPC must be consulted and in any event the GPC shall receive a no less monthly project update.

**Miscellaneous Matters:-**

The IMO shall have access to any information held by TDC.

The IMO shall be authorised to contact and interview any TDC Officer or Councillor on a confidential basis.

**Quentin Baker**

## Appendix 1 – S.24 Recommendations from the Auditor

### Section 24 Recommendations:-

Area	Recommendation	Responsible Officer
Improving Governance	<p>Commission an experienced, independent MO from a large local authority to report to the GPC on:-</p> <ul style="list-style-type: none"> <li>• A risk assessment of the current employment tribunal claims and propose actions which safeguard the Council’s best interests including a detailed financial analysis of the options available to the Council.</li> <li>• An assessment of the status of all outstanding grievances, alleged whistleblowing complaints and any continuing suspensions and propose a plan of action to address them.</li> <li>• A lessons learnt report collating themes and recommendations from all externally commissioned reports and any other evidence.</li> </ul>	The Leader & Chief Executive/ Nov 2021
Improving Governance	Bring the current IDSC process to a conclusion with clear actions that are reported and action monitored.	Chair of the IDSC/Nov 2021
Financial Sustainability	Revisit the financial plans and identify additional savings plans to address the further cost pressures created in resolving the grievance and whistleblowing complaints.	S.151 officer and the Cabinet Portfolio holder for finance/ Nov 2021
Improving Governance	Agree an approach where the Council demonstrates that it is responding to the substance of concerns raised including a clear agreement on where Officer and Member responsibilities lie.	The Leader and Chief Executive / Nov 2021