

**REPORT TO: WEST OF ENGLAND COMBINED AUTHORITY
SCRUTINY COMMITTEE**

DATE: 8th September 2023

**REPORT TITLE: TRANSFORMATION PROGRAMME GOVERNANCE
WORKSTREAM UPDATE**

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Purpose of Report

1. To update the committee on progress with the actions in the governance workstream of the Transformation Programme

Recommendation

That the report be noted.

Reasons for recommendation

To comply with the request arising at the 7 July 2023 informal meeting of Scrutiny members.

Background / Issues for Consideration

2. At an informal meeting of Scrutiny on 7 July 2023, it was proposed that 3 additional meetings would take place, providing an opportunity for deep dives on some key themes. This paper on the governance workstream of the transformation programme was one such deep dive.
3. Regular updates on the progress of the transformation programme are timetabled for all Combined Authority Committee (CAC) meetings.
4. This report builds on and updates the governance workstream element of the report to CAC.

Workstream 3 – Governance and Structures

5. Figure 1 provides an overview of actions in the governance and structures workstream. As noted in the update, a number of the actions that fit within this workstream were completed before the transformation programme was established.

Figure 1: governance and structures workstream

Action No.	Action	Activity Planned	Key dates
GS1	Following discussions on the role and purpose of the CA, develop revised West of England Combined Authority operating principles as part of revisions to the Constitution of the West of England Combined Authority. Have regard to the Constitutions of other CAs as revisions are made. In reviewing the Constitution, revise the scheme of delegations.	Whilst a more substantive overhaul of the Constitution will take place following the outcome of the role and purpose discussions, there is an intention to propose some constitutional changes to the October Combined Authority Committee. The proposed changes are summarised in more detail below and are considered to offer a considerable improvement to core operating principles of the Combined Authority in line with this action.	Interim changes are to be proposed to the October Combined Authority Committee. A more substantive overhaul will take place in light of the outcome of the role and purpose discussions
GS2	Establish a set of meetings with the purpose of enhancing ownership and collaboration of the agenda and the West of England Combined Authority. Committees to have clear ToR, forward timetable and training programme to support implementation. This work should be independently supported	With specific regard to the actions around clear terms of reference for committees, forward plans, training and independent support for these processes, this piece of work is well underway. There is a separate paper on the Scrutiny Committee agenda which provides more detail in respect of that committee. That work will also bring similar benefits into the work of the Audit Committee as this approach will deal with potential overlaps between the two committees and is anticipated to result in a terms of reference review.	Scrutiny and Audit Workshops through the autumn with any necessary constitutional changes anticipated to be taken to January Committee
GS3	Consider assigning Leader portfolios and CEO portfolios to support Leaders.	Through discussions on role and purpose of the West of England Combined Authority, the question of Leader portfolios can be considered as and when appropriate.	TBC - Following role and purpose discussions
GS4	West of England Combined Authority officers will ensure Cabinet Members from UAs can request briefings from senior CA officers as required	The Combined Authority Chief Executive has offered briefings to all Local Authority member portfolio holders in advance of committee meetings.	ACTION COMPLETE
GS5	Regional Monitoring Officers will meet regularly to discuss matters regarding the constitution that need addressing	The CA's Monitoring Officer has established a programme of meetings with the Monitoring Officers from its four partner UAs. These are intended to take place at least monthly and a series of 121 introductory meetings took place	Implemented and Ongoing

		in July. These meetings are not restricted to discussions on constitutional matters but provide an opportunity to identify and resolve emerging issues across the board. In addition, contacts have been established with other senior legal managers and similar relevant personnel on an inter-authority basis for the same purposes, and to explore opportunities for collaborative working on legal matters across joint projects. In addition, the CA's Monitoring Officer meets regularly with the other M10 Monitoring Officers to share knowledge and best practice on matters affecting Combined Authorities generally.	
GS6	Following the 2023 local elections, highlight the opportunity of joining the Audit and Scrutiny Committees to UA members.	Material will be provided to new members as part of their induction process and all members will be offered the opportunity to meet with CA officers to discuss the role of Audit and Scrutiny Committees	Complete. Also, see GS2 above.

6. The West of England Combined Authority Action Plan, following the Grant Thornton external audit report, agreed a range of specific actions associated with agreement of a new protocol covering when legal advice can be sought. These actions have all been completed and a constitutional amendment was approved by Committee in March 2023.
7. As noted above, other actions associated with this workstream which are about improving working practices (i.e. briefing cabinet members, regular meetings of the regional Monitoring Officers group) have been taken forward and are now part of our ongoing approach to working across the West of England Combined Authority partnership, and across the wider M10 network.
8. At the steering group for the transformation programme, the CEOs have agreed that a number of the actions set out in Figure 1 will be taken forward following discussions on the role and purpose of the West of England Combined Authority.
9. In terms of the constitutional changes to be proposed at the October meeting of the Combined Authority Committee, these are intended to standardise the way in which the delegation of powers to officers to implement committee decisions operate.
10. The standardised approach would make clear that officers are empowered to take all reasonably necessary steps to implement the decisions of the Combined Authority Committee. It would provide a standardised process which would strike the correct balance between enabling operational efficiency and freedom for decisions and actions to be taken at the most proportionate level, ensure that appropriate UA colleagues are involved, and provide a standard

escalation procedure if consensus between UA and CA officers cannot be reached.

11. The process will involve shaping the proposals through the UA/CA CEOs meetings as well as through the UA/CA MOs meetings considering detailed proposed drafting, before being taken through the October Scrutiny and Combined Authority Committee process.

Risk Management/Assessment

12. No specific risks identified.

Public Sector Equality Duties

13. No specific PSED duties are engaged.

Climate Change Implications

14. Not directly relevant.

Finance Implications, including economic impact assessment where appropriate:

15. Not directly relevant.

Legal Implications:

16. None arising.

Human Resources Implications:

17. None arising.

Land/property Implications

18. None arising.

Appendices:

List any appendices to the report:

None

Background papers:

Solace and Grant Thornton reports and previous updates to Committees.

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