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| MIDDLESBROUGH COUNCIL |  |
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| Report of: | Director of Legal and Governance Services |
| Submitted to: | Audit Committee |
| Date: | 6 February 2025 |
| Title: | Annual Assurance Report – Decision Making |
| Report for: | Information |
| Status: | Public |
| Council Plan priority: | Delivering Best Value |
| Key decision: | No |
| Why: | Not applicable |
| Subject to call in?: | No |
| Why: | Not Applicable |

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| Proposed decision(s) |
| That the Audit Committee notes information provided with regard to the Council’s decision-making process. |

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| Executive summary |
| The report provides an update in respect of the Council’s decision-making process. It also highlights information in relation to any awareness/training that has been carried out in relation to the decision-making process. |

1. Purpose

- 1.1 To provide Members with an update in relation to the Council’s decision-making process.

2. Recommendations

- 2.1 That the Audit Committee notes the report for information.

3. Background and relevant information

3.1 Members should be regularly updated in respect of the decision-making process and assured the appropriate decision-making processes are in place.

3.2 The report provides information in relation to:

- Details of current policies/guidance in place in respect of the decision-making process.
- Information on the number of Executive Member delegated decisions taken and whether key or non-key.
- Information on the number of Officer delegated decisions taken.
- Information on the activities of the governance team (communications, training/ awareness raising).

Council Constitution

3.3 The Council's Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter of choice for the Council.

3.4 The Constitution is currently being reviewed. The revised Constitution will be submitted to Constitution and Members' Development Committee prior to being submitted to full Council for approval in 2025.

Current policies/guidance in place in respect of the Decision-Making Process

3.5 Section 13 of the Constitution identifies the decision-making principles of the Council and provides information in relation to what is a key decision and what is a non-key decision.

3.6 Council Procedure Rules identify procedures for Elected Members in conducting meetings.

3.7 Executive Procedure Rules identify functions which are the responsibility of the Executive and that may be exercised by the Elected Mayor. The Elected Mayor may also delegate authority to exercise those functions to the extent they wish.

3.8 The Forward Work plan is the vehicle for ensuring openness and transparency when key decisions are to be taken and for advising Members, and the public, of decisions to be made by the Executive.

3.9 Implementation of decisions taken by Executive is tracked through the Leadership and Management Team (LMT) monthly performance cycle and reported quarterly through the Performance Outturn Report.

3.10 Overview and Scrutiny Procedure Rules set out the functions of the Overview and Scrutiny Board and act as the vehicle for hearing called-in decisions.

- 3.12 The Scheme of Delegations identifies powers delegated to officers. This is currently being updated.
- 3.13 Guidance for recording Officer Delegated decisions is available on The Bridge and details of all such decisions taken are published on Modern.Gov and available to view on the Council Website: [Middlesbrough Council | Officer Delegated Decisions](#) An email is sent to all Elected Members when an Officer Delegated Decision is published.
- 3.14 Financial Procedure Rules. The financial policies and procedures of the Council are set out in the Constitution. They apply to the Mayor, every Member and Officer of the Council and other person who acts on the Council's behalf.
- 3.15 The Financial Regulations apply to all Council Services. However, local authorities are required to publish schemes for financing schools, setting out the financial relationship between them and the schools they maintain. The Financial Regulations of a school should not be contrary to these Financial Regulations and any exceptions should be reported to the Chief Finance Officer.
- 3.15 The Council has an Asset Disposal Policy which provides rules and guidance on the disposal of Council assets.

Training

- 3.16 Staff – Online materials are available on the intranet and the Middlesbrough Learns e-learning training portal. Members are also required to complete the mandatory General Data Protection Regulation (GDPR) training on the Middlesbrough Learns e-learning portal.
- 3.17 A list of training and briefing sessions held during the period 1 January 2024 and 31 December 2024 is attached at Appendix C.
- 3.18 Work is ongoing with the Local Government Association (LGA) to continue to improve Member/Officer relations. Leadership training has been undertaken using the Insights Model, Leadership Effective Workshops and Insights Profile to enable participants to increase awareness of themselves and each other and improve connectivity of the Leadership team. These shared development sessions will continue in 2025.
- 3.19 The Modern.Gov App provides the opportunity for Members to view, annotate and download meeting papers. Members are also able to identify the committees that they are interested in and receive automatic updates when new information is published.

Officer Delegated Decisions

- 3.20 When an Officer Delegated decision is submitted via the Modern Gov Committee Management system, Democratic Services check the information entered on to the system to make sure that it has been entered correctly, the appropriate delegation is in place, there are no issues regarding confidentiality/release of exempt

information and that a copy of the decision form is attached, prior to publishing the form.

Decisions

- 3.21 A report containing details of Officer Delegated Decisions taken during the period 1 January 2024 - 31 December 2024 is attached at Appendix A.
- 3.22 A report containing details of Executive decisions taken during the period 1 January 2024 - 31 December 2024 is attached at Appendix B.

Scrutiny and challenge

- 3.23 From 1 January 2024 – 31 December 2024 there have been 59 Executive decisions.

In the corresponding period, the Council received 2 requests for call-in. One request was referred back to Executive for further consideration.

Assurance

- 3.24 The report is designed to provide assurance for Members in relation to the decision-making processes.

4. Other potential alternative(s) and why these have not been recommended

- 4.1 Do Nothing: Audit Committee would not have any evidence to demonstrate that appropriate decision-making processes are in place.

5. Impact(s) of the recommended decision(s)

| Topic | Impact |
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| Financial (including procurement and Social Value) | There are no financial implications or impact on any budgets or the Medium-Term Financial Plan (MTFP) arising from the content of this report. |
| Legal | The 2000 Local Government Act requires all local councils to have a constitution. The constitution provides a basis and framework for the councillors and officers to work within to ensure lawful decision making. |
| Risk | By providing evidence of the decisions taken and the training that has been undertaken, then Council is demonstrating that good governance is in place. |
| Human Rights, Public Sector Equality Duty and Community Cohesion | The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required. |

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| Climate Change / Environmental | No impact. |
| Children and Young People Cared for by the Authority and Care Leavers | No impact. |
| Data Protection | No impact. |

Actions to be taken to implement the recommended decision(s)

| Action | Responsible Officer | Deadline |
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Appendices

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| 1 | Appendix A – Officer Delegated Decisions – 1 January 2024 – 31 December 2024 |
| 2 | Appendix B – Executive Decisions between 1 January 2024 and 31 December 2024 |
| 3 | Appendix C – Member Development Committee 2024/25 |

Background papers

| Body | Report title | Date |
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