

Governance and Peer Review
Report by Chief Executive

Summary: This report updates the Authority on the progress made on the preparation for the peer review and the output to date from the meetings of the Governance Reference Group including recommendations regarding the training of new members and a person specification for local authority appointees.

Recommendation:

- (i) Note the progress on the peer review (See Appendix 1).
- (ii) Adopt the revised Member Development Protocol set out in Appendix 2 with the updated induction process in which new members will be required to tick off the ten elements;
- (iii) Adopt the amended Guidelines for Members Appointed by Local Authorities set out in Appendix 3 to help the constituent local authorities make their appointments to the Broads Authority.

1 Introduction

- 1.1 At its meeting on the 24th March 2017 the Authority unanimously resolved that:
“A peer review, in line with the recommendations of the Financial Scrutiny and Audit Committee, be undertaken into the governance arrangements of the Authority.”
The Local Government Association is supporting the Authority in this exercise and good progress has been made, with the appointment of a Team and dates set for the on-site visit. The key elements are set out in Appendix 1.

2. Governance Review Reference Group

- 2.1 At its meeting on 19 May 2017 the Authority resolved:
That a small Reference Group of Members is established to:
(a) Review the governance of the Broads Authority and develop proposals on how the arrangements could be improved in both the short and long term;
(b) Advise and support the Chief Executive in preparing for the Peer Review in October 2017.
- 2.2 The Chair of the Authority identified a number of willing volunteers from the membership with an interest and experience in the issue and from the different

appointing backgrounds, Local Authority, Secretary of State and Navigation Committee. They are:

Louis Baugh
Jacquie Burgess
Bill Dickson
Greg Munford
Nicky Talbot
Haydn Thirtle

- 2.3 The Group has met three times so far on 7, 14 and 30 June 2017. The main work to date has been to review the Broads Authority's performance against the guidance provided by CIPFA on "Delivering Good Governance in Local Government 2016" whose framework is specifically applicable to 'national park authorities'. The Group has examined the seven core principles of good governance:

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.***
- B. Ensuring openness and comprehensive stakeholder engagement.***
- C. Defining outcomes in terms of sustainable economic, social and environmental benefits.***
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes.***
- E. Developing the entity's capacity, including the capability of leadership and the individuals within it.***
- F. Managing risks and performance through robust internal control and strong public financial management.***
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.***

They have also reviewed the relevant sub-principles. Their analysis has shown that while the Authority performs well against many of the sub-principles, there are a number of areas where improvements could be made and these early proposals are summarised below for the Authority to consider.

- 2.4 Under Core Principle E – Developing the entity's capacity is the following sub-principle:

Developing the capabilities of members and senior management to achieve effective leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by: ensuring members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external.

- 2.5 This prompted a discussion about the Authority's induction process for new Members and specifically for new local authority Members appointed to the Broads Authority

who will have experienced a very different, often strongly political and adversarial culture in their home authorities. (Note: this is also referenced in the report on the Member Annual Reviews).

- 2.6 The Authority has an existing Induction Programme set out in the Member Development Protocol which was updated in February 2017. But with the very significant reduction in the central support staff of the organisation following the large cut in National Park Grant in 2012 onwards, and delays in the appointment of new Secretary of State appointments the induction process has slipped.
 - 2.7 A revised version of the **Member Development Protocol** is attached in Appendix 2 taking on board both the suggestions from the Member reference group and the feedback from the Annual Review interviews. One of the key points that came out of the discussion was a recommendation that the Authority should insist that all new Members, both Broads Authority Members and co-opted Members of the Navigation Committee, complete a comprehensive induction and that the responsibility for that should rest with the Members themselves, ticking off each of the ten elements as it is completed.
 - 2.8 Another issue discussed by the Group concerned the appointment process for local authority Members and how this could be improved. The existing Guidelines for Members appointed by Local Authorities (See Appendix 3) have been amended and the document is recommended for adoption by the Authority for the purpose of assisting the constituent local authorities in making their appointments.
 - 2.9 Two further suggestions from the Group that the Chief Executive agreed to implement were: the development of the Members' Handbook as a webpage on the Authority's website and the circulation of a Broads Brief to all councillors of the constituent local authorities twice a year so that they are better acquainted with the work of the Authority. The first of these is in development and the aim for the second is the preparation of a first issue for September.
- 3. Financial Implications**
- 3.1 There are costs associated with the new local authority newsletter but they are relatively minor and will be accommodated within existing budgets.
- 4. Conclusions**
- 4.1 The first three meetings of the Reference Group have been very productive, hence the recommendations in this report. The Group will continue to assist the Chief Executive in preparing for the Peer Review in October, in line with LGA guidance and the Peer Team requirements.

Background documents:	None
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Date of report:	16 July 2017
Appendices:	Appendix 1 – Details for the Peer Review Appendix 2 – Member Development Protocol Appendix 3 – Guidelines for Members appointed by Local Authorities

Details for the Peer Review

Scope of the Review

- (i) The Broads Authority's current leadership, governance, policies and procedures;
- (ii) The mechanisms for the Broads Authority's engagement with the broader economic and social agenda across the two counties of Norfolk and Suffolk.

Approach

- (i) The production of a position statement by the Broads Authority which will act as the framework for the Review
- (ii) A review of relevant policy documentation by the Team
- (iii) A series of one to one and/or facilitated group discussions with Members of the Broads Authority and appropriate members of staff
- (iv) A series of one to one and/or facilitated group discussions with relevant partners and stakeholders.

Composition of the Team

Member peers

- (i) Cllr. Glen Sanderson, Chairman of Northumberland National Park Authority and member of Northumberland County Council;
- (ii) Nick Holliday, Secretary of State appointee to the Exmoor National Park Authority since 2009.

Officer peers

- (iii) Penny James, joint Chief Executive for both Taunton Dean and West Somerset Councils.
- (iv) Richard Leafe, Chief Executive of the Lake District National Park Authority, who will lead the Team.

Independent peer

- (v) Simon Smith, appointed as one of the two independent persons for the Broads Authority in July 2016.

Support for the Team

Ami Beeton, Programme Manager, Local Government Association.

Maria Conti, Strategy and Projects Officer, Broads Authority

Timetable

Team on site – 10th to 12th October 2017



Broads Authority Member Development Protocol

July 2017

Version 2.1

Next review date: July 2018

1. Introduction

- 1.1 Welcome to the updated Members' Development Strategy for 2017. The Broads Authority is committed to supporting the development of its entire staff, Members and co-opted Members to achieve continuous improvement of its services. It will ensure that it has the processes and resources in place to deliver the Member Development Strategy.
- 1.2 Members and co-opted members (hereafter collectively referred to as Members) bring a wide range of skills and knowledge to the Broads Authority, many of which complement and enhance the existing effectiveness, efficiency and capabilities of the Authority. An effective development strategy is necessary to help enhance their understanding of key issues which affect the Authority. A well-structured and targeted development strategy should assist the Authority to make more informed decisions and demonstrate to stakeholders that the Authority has a wider understanding of the key issues affecting the Broads.
- 1.3 The use of Members' Annual Reviews will inform and contribute to the delivery and content of this strategy.

2 Purpose

- 2.1 This Member Development Strategy outlines the skills and knowledge that a Member will need to acquire to carry out their role effectively. This will provide both for initial induction and for a longer-term development of skills and knowledge. It may be that Members will not need to undertake every development opportunity, depending on their previous experience, but the opportunity to refresh existing knowledge and skills is an important element of the strategy and is to be encouraged.

3 Key Principles

- 3.1 Members will have:
 - (i) Access to a Member Induction Programme and a Continuous Development Programme which enables them to fulfil their responsibilities.
 - (ii) Access to information about all induction and development opportunities.
 - (iii) A mechanism to help them identify their individual development needs and identify ways in which they can contribute to the Authority's work.
 - (iv) An opportunity to be mentored by a more experienced member of the Broads Authority under the Authority's mentoring scheme.
 - (v) An opportunity to provide feedback on the effectiveness of each development opportunity, share good practice and contribute to the future framework of the development programme.
 - (vi) Opportunity to contribute to an annual review of the development programme to ensure that both the content and the administrative arrangements meet the needs of Members and the Authority.

- (vii) Opportunity to attend member development activities each year in response to individual and/or Authority development requirements. However, it is recognised that some Members will find it difficult to commit time towards development and every effort will be made to accommodate individual development needs where possible.

4 Member Induction and Continuous Development Programme

4.1 The Member Development Strategy is supported by a Member Induction and Continuous Development Programme which is designed to follow the developmental path of a Member, from core induction through to a stage where members can develop ways of contributing to the Authority; by taking on additional responsibilities or making their expertise available to the Authority through representation on external bodies. It comprises three main stages as detailed below.

4.2 Induction Programme for Members

The Broads Authority shares a number of characteristics with other organisations: it has a similar legislative framework to the national park authorities; it shares some processes with local authorities; and has comparable responsibilities to other major navigation authorities. But the Broads Authority has a unique combination of responsibilities, structures and procedures. It is therefore crucial that every new member of the Authority, whether appointed by the Secretary of State, one of the constituent local authorities or a co-opted member of the Navigation Committee, is provided with a comprehensive induction. This should involve both group and 1:1 briefings as well as site visits and will be tailored to the needs and interests of individual members.

A comprehensive Member Induction Pack, prepared by the Governance Team, will be provided to each new member as soon as they are appointed to the Authority.

The Induction Programme is set out in Annex 1 and the expectation is that new members will tick off the different elements of the induction programme as they are delivered.

New members will also be offered the opportunity to:

- (i) Have a Member mentor for the first six months of appointment to aid the new member in developing their understanding of the Broads Authority. It is suggested that pairing Local Authority appointees with Secretary of State appointees would be beneficial.
- (ii) Attend the National Parks UK New Members' Induction course.

4.3 Continuous Development: The National and International Perspective

National Parks UK (NPUK) hosts both the National Park Workshop and a Conference as bi-annual events for Members to attend. NPUK runs a Member Induction programme each March and September. Member attendance at these events is important as this aids a more collective understanding of the work of the UK's National Park Authorities and facilitates a network of expertise to discuss and address

particular and generic topics as they arise. Members will be given the opportunity to attend at least one of the NPUK events in the first two years of joining the Authority.

4.4 Continuous Development: Special Areas of Interest

To facilitate a more collective understanding of strategic issues surrounding the Authority, a Continuous Development Programme will be scheduled each year. This programme will be based around special areas of interest which will come from either the main headings in the Broads Plan or other strategic issues affecting the Authority. These will include presentations, a site visit and in-depth debate to examine current delivery methods and provide the opportunity for discussion on the need to adjust policy; such sessions would allow more 'free thinking' with Members not being constrained in a similar way which might occur within a full Authority meeting. The output from such a programme could be forwarded to full Authority meetings for a formal debate and decision, should this be considered necessary. A programme of Continuous Member Development, based on four strategic issues, will be scheduled each year, with the dates of the Member Development Days included within the Annual Committee Timetable.

- 4.5 The Member Induction and Continuous Development Programme is intended to take Members through their first term of office over approximately four years. However, more experienced Members will be able to refresh their skills at any point, and also take advantage of any opportunities they missed, or which have been added to the programme or updated. Their participation in the Strategic member development Days is particularly welcome. The emphasis is on continuous development rather than acquiring all skills in the first year and the development programme should therefore be seen as a long-term commitment.
- 4.6 The Authority recognises that not all Members will be able to commit a significant amount of time to development because of professional or personal commitments. Members will be supported in identifying specific opportunities which will help them make a personal contribution to the work of the Authority.
- 4.7 Development activities will be delivered in a variety of formats, both office /centre based, or by fieldwork and site visits where appropriate. There may be facilitated workshops, one to one support under the mentoring programme, or attendance at an external training event. The Authority's professional staff will play a major part in the delivery of the programme, allowing Members and officers the opportunity to work together in a less formal setting. When appropriate, external trainers will be engaged to deliver some development opportunities.
- 4.8 At the end of each development opportunity, members will be asked to provide feedback, in order that the programme can be monitored, evaluated and developed in response to members' and the organisation's needs. Attendance at development opportunities will be recorded to provide information useful to the completion of each Member's Annual Review.

5 Development Needs Analysis

- 5.1 The Broads Authority is committed to providing relevant and up to date development for its members, and will review development needs on an annual basis. A Development Needs Analysis will be carried out to ascertain collective and individual needs through the following methods:

- a. Feedback from Members' Annual Review.
- b. Requests from Members at any point during the year.
- c. International or national changes in legislation or guidance.
- d. In response to any local issues.
- e. Issues raised by the Authority's staff.

6 Members' Annual Reviews

- 6.1 In order to support the Authority and individual members in continuous development, every Member and co-opted member of the Authority will complete a Members Annual Review in February each year. Individual meetings will then be scheduled for each member as part of this review process, carried out by the Chair or Vice-Chair of the Authority or the Chair of the Navigation Committee. The purpose of the Annual Review will be to:
- a. Review and evaluate Authority and individual performance and identify ways in which these could be potentially improved.
 - b. Review and evaluate the Development programme and identify development opportunities for the future.
- 6.2 The Members' Annual Review will also raise any strategic issues which need to be brought to the attention of the Chief Executive and other actions to be taken to increase the performance, effectiveness and development of the Authority.

7 Review by Management

This Member Development Strategy shall be reviewed by Management Team annually in March following the receipt of the Members Annual Reviews in 6.1 above (during which Members will contribute to an annual review of the development programme). This will enable appropriate adjustments to be made to development, training and allocation of appropriate resources as part of the Development Needs Analysis. The Chairman (in association with the Chief Executive) will provide a report for the Broads Authority in May with suggestions for the Development Programme for the next year from July.

Date: July 2017

Review Date: February 2018

Annex 1. Induction Programme for Members

Area of knowledge	Outcome	Delivery	Received v
1. The history of national parks and the background to the establishment of the Broads Authority;	An understanding of the origins of national parks, the history of the Broads and the special qualities. Corporate branding and Columbia sponsorship	Chief Executive	
2. The purposes, functions and responsibilities of the Broads Authority;	Understanding of the provisions and requirements in the 1988 Act and other relevant legislation		
3. The Broads Plan, Annual Business Plan and Strategic Priorities;	Understand the concept of the golden thread and the role of the different documents. Strategic priorities for the year and main challenges. Organisational Structure – Roles and responsibilities of Management Team		
4. Being a member of the Broads Authority	Role and responsibilities of members, committee structure and membership. Communication Strategy and key events in the year and expectations around the Annual Member Review process.	Chair of the Authority	
5. Code of Conduct, Member Officer Protocol and conduct of meetings etc.	Introduction to the Members' Handbook. Commitment to the Authority's core values and Nolan Principles as set out in the Members' Code of Conduct, Protocol on Member and Officer relations, Standing Orders and conduct at meetings.	Solicitor and Monitoring Officer	
6. Financial arrangements specific to the Broads Authority.	Main sources of income, distinction between National Park Grant and Navigation Income and Expenditure and how that it is managed. Members' responsibilities for Finance (Statement of Accounts, Budget approval). Role of FSAC BA Assets	Chief Financial Officer	
7. Strategy and Community Engagement	Introduction to the responsibilities of the Directorate. Awareness of the Authority's role as a Local Planning Authority.	Director of Strategy and Sustainable Communities	
8. Operations	Understanding of the breadth of the practical operations, the priority of the work programme and role of the Rangers	Director of Operations & Head of Construction	

	& Environment Officers Members' responsibilities under the Port Marine Safety Code.	Maintenance & Environment	
9. Members and ICT	Protocols on use of BA equipment; passwords and BA accounts	Head of ICT and Collector of Tolls, Senior ICT Support Officer	
10. Site visits	Key challenges for the future plus awareness of the range of practical and customer facing operations	These should be tailored to the new members' needs and will cover a range of services and draw out key challenges	



Guidelines for Members Appointed by Local Authorities

1 Introduction

- 1.1 The Broads Authority was set up under the Norfolk and Suffolk Broads Act 1988. The area has an equivalent status to that of a national park and the Broads Authority has similar roles and responsibilities to that of a national park authority, with the added responsibility for navigation. More information about national parks can be found through the National Parks UK website at www.nationalparks.gov.uk and the Broads Authority itself at www.broads-authority.gov.uk
- 1.2 The Broads Authority is a statutory body. It has some similarities to local government but is non-political and therefore operates in a different way. Members are appointed not to represent a particular interest, area or authority but rather to participate in decisions to guide the Authority in delivering its statutory purposes. Their key role is to contribute leadership, knowledge and direction together with scrutiny and responsibility in the decision making and strategic direction of the Authority. Local authority appointees have an important role in making links back to their council and briefing councillors on the work of the Broads Authority.

2. Functions

- 2.1 The 1988 Act has been amended several times and two of the most significant are the re-alignment of its national park purposes with the national park authorities (Natural Environment and Rural Communities Act 2006) and the Broads Authority Act 2009, whose primary purpose was to give the Authority greater powers to manage safety on the Broads.
- 2.2 Section 2 of the 1988 Act gives the Authority the general duty to manage the Broads for the purposes of:
 - (a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
 - (b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
 - (c) protecting the interests of navigation;

while having regard to:

- a) the national importance of the Broads as an area of natural beauty and one which affords opportunities for open-air recreation;

- b) the desirability of protecting the natural resources of the Broads from damage; and
- c) the needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads.

Section 10 provides for more specific functions in relation to the navigation area namely that:

(1) The Authority shall—

- (a) maintain the navigation area for the purposes of navigation to such standard as appears to it to be reasonably required; and
- (b) take such steps to improve and develop it as it thinks fit.

2.3 The Authority is also the statutory local planning authority for the Broads area and a competent harbour authority. It is a member of National Parks UK, AINA (the Association of Inland Navigation Authorities) and the worldwide Living Lakes network, set up by the Global Nature Fund.

3 Committee Structure and Membership

3.1 The appointment is to the Board of the Broads Authority which has a membership of 21. Nine Members are appointed by Norfolk and Suffolk County Councils and the six district councils whose boundaries fall within the Authority's executive area. Ten are appointed by the Secretary of State for the Environment, Food and Rural Affairs. Two are appointed by the Authority from the co-opted members of the Navigation Committee.

3.2 There are six meetings annually of the main Board together with four-weekly meetings of the Planning Committee, associated site visits, and training and development requirements. There is also a Financial Scrutiny and Audit Committee which meets three times a year.

The statutory Navigation Committee is a consultative body on navigation issues and meets 5-6 times a year. A Broads Forum, a consultative body with membership being made up from key stakeholder groups, meets four times a year as does the Broads Local Access Forum, a consultative body whose main function is to be a statutory advisory body to provide guidance and advice to relevant authorities on the improvement of public access to the countryside of the Broads Executive Area.

A Committee Structure Chart detailing the function of the Authority and its committees is attached at Appendix 1.

4 Outside Bodies

4.1 The Authority is invited by various organisations, groups and bodies to appoint a member to represent the interests of the Authority on that body. The appointments to outside bodies are determined at the Broads Authority's annual meeting in July.

5 Expectations of Councillors Appointed to the Broads Authority

5.1 The special qualities required for Members are:-

- (1) An enthusiastic willingness to develop an understanding of the unique and global importance of The Broads and the many facets needed to create and maintain a National Park.
- (2) To be the conduit for the two way flow of information, knowledge and understanding between districts, boroughs and parishes and the Broads Authority.
- (3) To be an ambassador, acting as the public face of the Broads Authority in a professional, non-political manner.
- (4) A willingness to attend training and development sessions and mandatory training where appropriate, for example on planning or the Port Marine Safety Code, attaining a successful outcome and with a commitment to ongoing training and development, including the Members' annual review process.
- (5) An analytical, creative approach to problem solving, and the ability to challenge in a constructive manner and also be prepared to be challenged.
- (6) To work and contribute as a team member, working towards common goals.
- (7) To bring and impart your own experiences and inspirations to assist in the evolving development of the Broads.
- (8) Adhere to the Standards of Conduct, Accountability and Openness of the Authority and the Protocol on Member and Officer Relations.

Rewards:-

To be an integral part of a successful, productive team nurturing and developing a nationally important environment for the enjoyment and benefit of society and future generations. A small allowance is also available to Appointed Members.

Updated 6th July 2017

