

**Local politics, local campaigns.**  
**Understanding how councils work and getting your voice heard.**

processes prevention employment pro  
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## About this guide

This guide has been produced using funds from the JRSST Charitable Trust. It is part of a project being delivered by the Centre for Governance and Scrutiny, about rethinking how local decisions get made – and the changes that we might need to make in local democracy after the pandemic.

This guide is designed to help local people – those who think of themselves as “campaigners” and those who don’t – to understand better how decisions get made in local councils in England. (The way that local government works in Scotland, Wales and Northern Ireland is different).

This guide doesn’t cover decision-making on planning or licensing, or things like appeals to fixed penalty notices.

## WHAT COUNCILS DO AND WHY IT CAN BE DIFFICULT TO GET THEM TO LISTEN

You want something done, or changed, in your local community. It might be something visible like dealing with fly-tipping – something on which many people will have an opinion. It might be on something hidden from public view – the support provided to vulnerable, elderly people who might have complex needs.

This may have started with you writing to your local councillor about something that directly affects you, or writing a post on the wall of a local Facebook group. Over time you may have found that other like-minded people share your view. Suddenly you are part of a campaign – or you may be leading one.

You might not previously have thought of yourself as an activist or campaigner. You might still not think of yourself this way. But now you find yourself needing to think more about the tactics you need to use in order to influence people in positions of powers to do what you want.

These campaigns often focus on the council – after all, councils are responsible for a huge range of services across a local area. But often people come away from their attempts to engage with their councils disappointed, feeling like they are arguing with a brick wall.

Understanding the basic parts of a council and how they work is relatively easily done – things like your rights to speak at Council meetings or which councillors are responsible for making the big decisions.

But this knowledge only goes so far. This short guide aims to fill in the gaps – to explain more about the *culture* of councils and the way that they work.

Local campaigners can feel a pressure to change how they act and behave to encourage a council to take them more seriously. Alternatively, you might be very cynical about the council, and about councillors – you may not trust them. In truth, understanding and managing the relationships between you, and people who hold authority to make decisions, is one of the most important parts of effective campaigning.

Having an influence is not all about things that you can do differently. We have also produced material which aims to challenge councils to change some of their own internal systems – to open up decision-making and to be more responsive to local people's needs. We think that councils can and should trial ways to work with local people to make decisions, and should be prepared to give up, and push down, power to the most local level. But we have to start somewhere, and this guide deals with the situation as you are likely to be find it now.

### Who's responsible?

Part of the challenge of making change happen at a local level is knowing where to start, and who you need to speak to.

The following is just a summary. You can find more detail about the exact responsibilities of different types of council, and more about what they do, in a series of guides produced by an organisation called New Local - <https://www.newlocal.org.uk/articles/local-government-explained-types/>.

In some areas, different councils (and other local bodies) have overlapping responsibilities. There are:

### **At the most local level (population under 5,000)**

- Parish councils. Usually parishes are very small. They may have responsibility for the upkeep of playing fields in a village or a community hall. Usually they won't have any employees, although sometimes they might have a contract with a local firm for things like grounds maintenance. There are some larger parish councils, covering larger areas with greater populations, which may have permanent staff and a wider range of responsibilities. Parishes almost entirely exist in rural areas. A "principal" council (we define this term below) has responsibility for holding "community governance reviews" to consider whether parishes can be better organised across a given area. This could involve the creation of new councils, or the abolition of existing ones.

### **A wider area, but usually focused on one or two main towns (population under about 200,000)**

- District (or borough) councils. So-called "shire" district councils form part of what are called "two-tier" areas. Districts are usually described as being the "lower" tier and county councils (see below) as the "upper" tier, but district councils aren't subject to county councils' orders, and are independent organisations. They are responsible for things like promoting the local economy, community safety and environmental services (waste and recycling, and parks).

### **A wider area and/or part of, or all of, a large town or city (population between about 250,000 and up to 1,000,000 or more)**

- County councils. In a two-tier area, a county council forms the "upper" tier of local government, and holds responsibility for things like social care and children's services. It usually covers an area for which there are also several district councils. The districts and the county have separate but linked responsibilities, and need to work together to support local people.
- Unitary councils (in some areas called metropolitan boroughs; London boroughs are also unitary councils). These are single councils which have responsibility for all local government services within a given area. Confusingly, some of these councils may describe themselves as "district", "borough", or "county" councils. Some cover very small areas (like London boroughs, which have areas of only a few square miles) and some, like Northumberland, very large areas).

### **A very broad area or region**

- Combined authorities. Some parts of the country are also covered by "combined authorities". These are bodies led by an elected Mayor, which have responsibility for long-term strategic decision-making on things like transport and inward investment. The Mayor works together with a Board made up of the leaders of all the local councils in the area.

## HOW COUNCILS ARE RUN

There are two main ways that councils make decisions. We talk about that in more detail in a section below. Briefly, a council might have a Cabinet (a decision-making body comprised of a few councillors, usually members of the same party, who make most of the decisions), headed up by a council Leader or an elected Mayor – or the council may be run through what is known as the “committee system”, on which councillors all sit on decision-making committees.

### Members, and political balance

Councils are legally comprised of a number of elected councillors, often described as “elected members” or just “members”. These people may be elected in local elections held every four years (described as “all out” elections). Some councils have elections three years out of four, where a third of councillors are up for election in each of these years. This is referred to as “election by thirds”. There is a trend at the moment for councillors to move from elections “by thirds” to “all out” instead.

In most councils, councillors represent areas called “wards”. In a county council in a two-tier area (see above) these areas are usually known as “divisions”, and cover a larger area. In some councils two or three councillors may represent a ward or division (multi-member wards). In some areas it might only be one (single member wards).

#### **Councillors have a wide range of roles and responsibilities. They can be:**

- Decision-makers – on a wide range of issues, including on planning and licensing matters;
- “Scrutineers” – they can hold the council to account, especially where they sit on “overview and scrutiny” committees;
- Advocates for local people (either collectively, where there are local campaigns they might support, or individually, when people might come to them with problems or issues they want help sorted out in relation to their own lives).

Councillors are usually said to set the direction of the authority – what its priorities ought to be and how it should carry out work to meet those priorities. The party with the most councillors after an election will usually be able to control what the council does. Sometimes, a party may not have won enough seats to be able to run the council by itself, and will enter into an agreement (which may or may not be a formal “coalition” with other parties) in order to do so. Where this is necessary the council is described as being “hung” or “under no overall control”.

Most councillors are members of the main national political parties – the Conservatives, Labour and the Liberal Democrats. However, there are a large number of “independent” councillors, and smaller parties, including parties only active in a particular local area.

On council committees (apart from on Cabinet, if the council has a Cabinet – see below) seats are allocated according to so-called “political proportionality”, so the balance of councillors on a committee will reflect the overall political balance of the authority. This can be said to disadvantage members of smaller parties, who because of this rule may only be able to sit on one or two committees. Where there are a lot of non-aligned councillors they can form themselves into a “group” for the purposes of the maths involved in seat allocation, even if they continue to act entirely independently.

Political balance can be disapplied for a committee, or committees, if there is a vote to that effect at a full Council meeting. This vote must be “nem con” (which means that no-one must vote against it for it to go through, although councillors may abstain).

## Officers

Officers are employees of the council. The top officer is usually called the Chief Executive, referred to in law as the “Head of Paid Service”.

The law requires a council to identify other officers to carry out important formal roles. These include but aren’t limited to:

- The Monitoring Officer. This person has responsibility for ensuring that a council’s legal obligations are met. They are usually a lawyer, but don’t have to be. Councils will usually employ a number of other lawyers which expertise in particular areas (like children’s services, or planning);
- The s151 officer. This person is a council’s chief finance officer, and must be a qualified accountant. They have a duty to ensure that the council is able to manage its finances effectively. If they hold doubt that the council can manage its budget then they have a responsibility to issue something called a “section 114 notice”, which leads to a bar on non-essential spending.

Councils will usually employ a wide range of other officers to carry out a range of duties. They also often enter into contracts with other organisations to deliver services (like waste and recycling); the people delivering those services will usually be employees of those organisations rather than the council.

Most councils will publish an organisational chart setting out the identity of most senior managers. A number of these officers will hold formal powers to make important decisions – a “scheme of delegation”, forming part of the constitution, will set out the limits of these powers.

## How members and officers work together

The traditional view is that members set “strategy” – setting out what the council’s overall priorities and objectives are – and that officers then implement that strategy. This suggests a very clear dividing line between the two roles. In reality, things are a bit more fuzzy than that. Officers have an important role in supporting members to set big, wide-ranging strategies – and councillors, rightly, will want to understand and have influence over how services are delivered on the ground. This plays out in the way that decisions get made. For example, if an officer is permitted to make a certain decision under the “scheme of delegation” (see above) this power will usually be exercised in consultation with the relevant Cabinet member.

Senior officers and Cabinet members (if the council has a Cabinet) or other leading councillors will usually meet frequently, informally, to talk about the work of the council. These briefing meetings don’t happen in public. Councillors are also likely to have a wide variety of regular and occasional meetings with other officers as they carry out their duties.

## The constitution

The fundamentals of how a council is run are set out in its “constitution”. Many council constitutions are not especially readable, and might be difficult both to find on a council’s website, and to navigate. Usually, searching for the word “constitution” in the search bar of the Council’s website will produce it.

A constitution may be provided on the council’s website as a single PDF document, or its different parts may be divided between a number of documents. There are some rules setting out the things that a constitution must cover, and many constitutions adopt the same format (and some of the same wording) because they follow a model published by Government back in 2001.

## **A constitution will usually have:**

- A set of “Articles”. The Articles provide an introduction to the functions of various parts of the council – “full Council” (where all elected councillors come together to make decisions), and the terms of reference of various other decision-making and other committees;
- Rules of procedure, and standing orders. These collect together the rules that underpin how formal council bodies will operate – who chairs meetings, who speaks when, and so on. Some of these (for example, about the operation of “full Council” meetings) are very detailed. There are usually a range of different rules covering different bodies, and different circumstances:
  - Council procedure rules, or standing orders – these are the rules that underpin how “full Council” meetings will work;
  - Overview and scrutiny procedure rules – these set out how scrutiny committees (see below) will operate;
  - Procedure rules for other committees (like the council’s audit committee – see below);
  - Contract standing orders / procedure rules – setting out how the council will enter into contractual relationships with others, including rules for procurement (buying) and financial management;
  - Other rules and protocols. There will be a code of conduct for both members and officers; the constitution will also set out disciplinary and recruitment arrangements for senior officers. There will also be protocols on things like community involvement, and access to information – although the level of detail will vary from council to council.

These rules will also cover how and when the agendas, and minutes, of meetings will be published. Usually the agenda of a forthcoming meeting will be published 5 clear working days in advance of the meeting (ie, 5 working days not counting the day of the meeting or the day of publication). But sometimes agendas, and the reports which form part of the agendas, may be published later under “urgency” or “emergency” arrangements (see below).

Rules will also set out when committees, and the full Council, can move into private session to consider confidential matters. The constitution will set out what these confidential matters are, and the specific reasons for excluding the public from meetings in given situations must be given when it happens.

Rules will also cover arrangements for special kinds of meeting. For example, every year in around February a council will convene a Budget meeting, where it will pass the budget for the next municipal year – specific procedure rules for these meetings will usually exist.

## **How councils make decisions**

Different councils have different ways of working, and of making decisions. This paper focuses on ways of engagement with district, borough, county and unitary councils, as these are the main bodies responsible for designing and delivering public services at a local level, as we set out above.

Most of these councils make decisions using what are called “executive arrangements”. This is where a council has a Leader, who appoints a Cabinet, or a directly-elected Mayor, who appoints a Cabinet. It is important, in areas which have a directly-elected Mayor, not to confuse this person with the “ceremonial” Mayor, who chairs big council meetings, wears a chain and carries out various civic duties.

Some councils make decisions using the “committee system”. This is a system where councillors form decision-making committees, whose membership reflects the overall balance of political parties on the authority.

A lot of people talk about the pros and cons of these different systems, and there are ways for councils to adopt a different system to the one they currently operate. More on these arrangements can be found in a publication we have produced called “Rethinking governance for the 20s” (CfGS, 2020). There are quite a few local campaign groups which are focused on getting their council to change its governance option – there is a process that forces a council to hold a local referendum on the issue if 5% of electors in the local area sign a petition to that effect in a given year.

Councils can also apply to Government for approval to adopt a different kind of governance system. To date, no council has done this.

You might see reference in old documents to the option for councils to adopt a governance model called “Mayor and council manager”. This option no longer exists, and in any case was only operated by one local authority. Similarly, you might see references to “fourth option” authorities, which is an obsolete term for the committee system.

### **Full Council**

There are certain things that can only be done by a meeting of “full Council” (all councillors meeting together). These include the allocation of members to council committees and the agreement of the Council’s budget.

On some matters that the council has the freedom to decide whether decisions will be made by Council, or by the council’s Cabinet. These are called “local choice” functions, and are laid out in detail in the constitution.

Full Council can often be a rather theatrical environment, and debate and argument can feel heated. It can be an alienating place for people unfamiliar with local government – not least because some quite complex rules govern proceedings.

That said, there is a space for public input at these meetings. There will be arrangements for public questions to be asked (which usually have to be notified in advance). If you ask a question, you may or may not get an answer at the moment. Councils may also provide a facility for petitions to be formally presented. Other than this – like with many other council meetings – there is no automatic right for the public to make contributions.

### **Cabinet decision-making**

The most popular form of day-to-day decision-making approach in councils in England is the leader-cabinet model. Under this system a Leader is elected by a meeting of the whole Council. The Leader will usually be the person who leads the largest political party, although in some councils run by coalitions, it may be another member identified through compromise.

The Leader is then responsible for appointing a Cabinet, which can consist of up to 10 other councillors. All of these councillors can be members of the same party – the decision on who to appoint sits entirely with the Leader.

Each of these councillors will usually be assigned a responsibility for taking forward policy and decisions on a given area – a “portfolio”. Members of the Cabinet may have different names – they may be called Portfolio Holders, or Cabinet Members, or Executive Members.

In most councils, these individual councillors can make decisions on matters within their “portfolio” on their own. This is usually described as “independent cabinet member decision making”. In making decisions, cabinet members will be advised by senior employees of the council (officers) – we describe this process in more detail below.

Some decisions are called “key decisions”. These are important decisions, with wide implications. A council’s constitution will usually specify what the criteria are for a decision to be “key” – it might be something along the lines of having financial implications over £250,000 and affecting two or more council wards.

Key decisions have to be notified in a “schedule of key decisions” at least 28 days before they are due to be made. When they are made, the detail of the decision has to be placed on public deposit before it can be signed. When the decision is signed, there is another five day wait during which councillors have the power to “call in” the decision – for further debate at a scrutiny committee – before the decision-maker can proceed.

There will usually be a number of decisions where it is considered most appropriate for the whole Cabinet to decide together. Cabinet will usually meet, in public, relatively frequently to make these kinds of decisions. Cabinet meetings can usually be quite short, and because usually all members of Cabinet are members of the same political party, meetings do not involve a huge amount of debate. In many councils, Cabinet may convene informally on a regular basis, through meetings sometimes described as “political Cabinet” – these private meetings are often where real debate and discussion happens. Council officers will usually not be present for these meetings, although may be under certain circumstances, which we describe in more depth below.

The Leader and Cabinet are usually entitled to be remunerated (paid) for their role. In larger councils particularly, these roles require a commitment similar to a full-time job, and remuneration is set at a level which reflects this.

### **Committee decision-making**

A minority of councils operate the “committee system” – a governance model where councillors sit on politically-balanced committees and make decisions collectively, usually through recorded votes.

These councils will not have a Cabinet, but there may be “Lead Members” appointed by the administration to take forward policy in given areas. Chairs of committees, who will usually be of the same party as the administration, will also have an important role in shepherding decisions through the system.

### **How councils are held to account**

Councils operate a number of systems by which decision-making is held to account...

**Audit**

**Scrutiny**

**Standards**

The audit committee has a responsibility for ensuring the effective financial management of the council. It looks at big corporate risks, and has a responsibility for the signing-off of the council’s “Annual Governance Statement” – a document which helps the council to monitor the effectiveness of its governance systems.

Councils operating “executive arrangements” must have at least one overview and scrutiny committee. Councils operating the committee system do not need to have one.

The “overview and scrutiny” function provides a way for members to hold to account the council’s executive, and senior officers – and to investigate things of importance to the local area. Scrutiny committees take reports on important matters, and can commission research (which usually involves a small group of councillors going away to informally investigate a topic in more depth). Scrutiny committees cannot force anyone to do anything – they can only recommend.

A council’s standards committee considers complaints about members’ conduct, and has responsibility for conduct issues at the authority more generally.

## Your rights to engage with all of these systems

Elsewhere in this document we have briefly mentioned public rights, but this section goes into those rights in more detail.

- Public rights to attend and film meetings. Where a committee meets in public, members of the public have the right to attend. A space in the room where the meeting takes place must be set aside to allow the public to observe. These rights also includes the right to attend, and to broadcast, meetings. A code of practice on this was published by the Government: xxxxxxxx
- Public rights to ask questions in various meetings. We have noted already that there are likely to be public questioning rights for those attending full Council meetings – as long as notice is given. Similar rules may apply to other committees, but it is quite likely that an answer will not be able to be given immediately
- Inspection of accounts (and other rights relating to audit). Councils are obliged to “open the books” to members of the public. Full details of these rights have been published by the National Audit Office: <https://www.nao.org.uk/code-audit-practice/wp-content/uploads/sites/29/2015/03/Council-accounts-a-guide-to-your-rights.pdf>
- Petitions. Councils must have a petition scheme – a set of rules setting out how petitions will be considered when submitted. Councils usually also make arrangements for the submission of petitions electronically.
- Rights to access information. A protocol on public access to information will usually form part of a council’s constitution. This will provide information on legal rights to access information – through the Freedom of Information Act – as well as personal information under GDPR.

You will be able to find a great deal of detailed information on a council’s website – although some may not be easy to navigate. Information about decision-making, and public access to decision-making, will usually be held in a part of the website labelled “Your council” – access to committee agendas and other governance information can be found within that area.

There will usually be a link to a council calendar, in which individual committee meetings will be listed, and linked. There will be a link to allow you to browse meetings by title, and to access their agendas and minutes.

# TACTICS AND APPROACHES

## Understanding local politics

Politics is not just about political parties. The first part of this guide aimed to introduce the basics of local government structures to campaigners. This part deals with the “softer” stuff – relationships, organisational culture and, yes, politics.

So much of what is local politics is defined by people’s personal relationships with each other, and their characters and personalities. In this context, understanding local politics is about:

- Understanding people’s motivations, particularly decision-makers;
- Understanding where points of disagreement and tension currently lie. This may not be immediately apparent. Disagreement may happen behind closed doors – as an outsider, you may not be aware of it;
- Understanding how officers and members are working together on an issue. Again, this may not immediately be apparent.

## Setting a plan

- Your objectives. Whether you are an individual or a group you are likely to have a clear sense of what you want to achieve, and why.
- Understanding who holds power and responsibility. It is unproductive (and can produce frustration) to direct lobbying/campaigning activity towards people with no power to act – or campaigning in an unfocused way. Either can give decision-makers a reason to ignore local campaigning because it addresses or approaches them in the wrong manner. Power may ultimately lie with the council’s Leader but may be held by others – individual cabinet members, senior officers, partner organisations like the NHS and so on.
- Understand who in “the system” you might call on for support. It is reasonable to expect councillors, and officers, to provide you with support – an honest and candid initial communication setting out your objectives and needs clearly and the approach you propose to take will – hopefully – yield a similarly candid response. Alternatively or additionally, a ward councillor could be prepared to assist – either to offer advice or to be a vocal advocate, or both;
- Deciding where the opportunity might arise to change those people’s views. A forthcoming decision might provide the opportunity to change things. The council may be consulting on a change; a debate on a related subject may be planned on the topic at the full Council meeting. Or you can identify proactive opportunities – by tabling a public question, or asking a friendly councillor to table a motion to bring about a debate on the topic. The debate itself is likely not to lead to immediate change but it will highlight the issue and may make subsequent campaigning easier, as the issue will then have caught the attention of the authority;

- Deciding how to manage “communications”. Getting this right – your message, and how you will put it to your supporters, to other local people who might be interested, to other organisations and campaigners and finally to the various people in the council – is really important. Part of this will involve making the judgement of how much you are prepared to do in public, and how much “informally”. Will you accept an offer of a private meeting with a senior councillor or officer – or multiple such meetings? If you do how will you report the outcomes of those conversations to your supporters? How will you respond to efforts to build trust, and how will you work to build trust yourself? You may be unwilling to move closer than arm’s length – possibly because of previous negative experiences. But at some point, in order to achieve change, dialogue will be necessary. How will you manage this without you, or others, feeling that you have been “captured” by the system? Thinking about these issues at the outset (taking care not to \*over\*think them) is important as it allows you to be consistent in your dealings with others.

### Ways to make your case

We have talked about the various formal ways to have an influence – questions at council meetings, petitions, motions. These have their place as part of any campaign but are likely to work slowly, and require followup. They will raise the profile of an issue but will need to be accompanied by some clear, deliverable asks.

Responses to consultations can be similar. Where a council holds a formal consultation, it can be some time before a response is issued – and that response may not engage fully with your arguments.

This is where other “informal” ways in can be of benefit. We mentioned above the role that ward councillors can play, but other members can also hold influence. Chairs of scrutiny committees and councillors who have, in the past, demonstrated an interest in the topic to which your campaign relates may help. Former members of cabinet could also be useful – they are likely to understand internal council systems better than most and can be powerful allies.

### Ways to make allies

Politics comes into play here – inevitably, councillors which are of the same party as the council’s administration are likely to be more influential than opposition councillors. For some issues – especially if they relate to something that isn’t the direct responsibility of the council – it may be possible to secure support from councillors from across the political spectrum. Where a matter relates to an external body – the NHS, a utility company, a local business – the Council’s leadership may be a more enthusiastic ally, as it provides a way of demonstrating a commitment for campaigning on local residents’ behalf.

Relationship-building more generally is complicated. It can be tough to know and understand where to be challenging, and where to be more conciliatory.



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