

ITEM 5

Somerset Rivers Authority Board Paper

Title: SRA Board interim arrangements

RECOMMENDATION

The SRA Board is asked to:

Approve the following recommendations for Board arrangements during the interim period prior to precepting:

1. That elections for Chair and Vice-Chair should take place every two years at the Board meeting closest to that anniversary.
2. That the 2017-18 MoU and Constitution should be amended to reflect this.
3. That the Chair and Vice-Chair should continue to be drawn from the Board members
4. That Board and Management Group joint Information Sharing sessions should be scheduled as and when required, but prior to the Management Group preceding the Board meeting at which any associated decision is made.

Purpose of the item:

To review the pros and cons of various options with regard to Board Meeting arrangements during the interim period, prior to precepting, with a view to agreeing, or otherwise, the recommendations put forward.

Background and context

The current SRA Constitution was rolled over from 2016-17, on the basis that it would only be relevant for a short time and would be replaced by a new Constitution for the precepting authority. However, it has become clear that the likelihood of the government bringing forward precepting legislation in the short term is slim. The rolled-over Constitution required the election of Chair and Vice-Chair at the July 2017 Board meeting, but was silent on the matter of when the next election for both posts would take place. At the July Board meeting it was proposed that the appointment should be for one year. In addition some Board members wished to look at the possibility of having an independent chair during this interim period. As a result, and in order to ensure proper consideration was given to this, the SRA Management Group was asked to look at the pros and cons of the various options for this interim, pre-legislation, period, and report back to the next Board meeting.

In addition, some Board members feel that there are a number of complex matters facing the SRA that require a greater level of understanding, discussion and consideration before a formal decision is made and that do not lend themselves to a formal Board meeting format. Feedback from a number of Board members about the

value of the IDB Sowy workshop held in March was extremely positive. The subjects for such information sharing sessions could include other aspects of the Sowy/KSD project, risk sharing across the partnership, and the development of the Board’s preferences with regard to the features of the future, post legislation, precepting authority. It was felt that information sharing sessions, to be effective, need to take place well in advance of any Board meeting, to enable Board papers and recommendations to be informed by them.

Latest status

The table overleaf summarises the pros and cons of various options on these, three, Board meeting matters.

Three options for frequency of elections have been considered; annual, every 2 years and no further election prior to precepting.

Two options for Chair have been considered, drawn from existing Board members (ie the status quo) or Independent.

Three options for addressing the need for information sharing; maintaining the status quo, but requiring those submitting papers to provide a great deal more information, the introduction of joint Board and Management Group information sharing sessions as required and held during the hour preceding a Board meeting and introducing joint Board and Management Group information sharing sessions as required, but held prior to the Management Group meeting that precedes the Board meeting at which a Board decision is required. Given the calendar of meetings, this latter option would result in information sharing sessions taking place several weeks before any Board meeting.

Option	Pros	Cons
Frequency of elections during ‘Interim’ period		
Annual	Consistent with most public sector practice – more democratic	Lack of continuity leading to a) Risk of losing momentum on Ministerial and MP lobbying for precepting as relationships have to be built each year. b) Risk of delay in SRA decision making/steers and in contact with Whitehall in the run up to and aftermath of elections.
Every 2 years	Greater continuity in Ministerial and MP relationships. Greater continuity re SRA	Less democratic leading to a risk of loss of partner and public support for the SRA

Option	Pros	Cons
	business	
None – remain in post until precepting	<p>Greater continuity in Ministerial and MP relationships.</p> <p>Greater continuity re SRA business</p>	<p>Even less democratic leading to a greater risk of loss of partner and public support for the SRA, particularly if the ‘interim’ period lasts for many years.</p>
Chair during ‘Interim’ period		
Drawn from Board members	<p>Greater ownership and understanding of the issues</p> <p>Greater political clout at Whitehall, particularly if LA member chosen</p> <p>Greater accountability to Somerset council tax payers, particularly if LA member chosen</p>	<p>Fear of ‘hidden own organisation agenda’ leading to a risk of loss of support from other SRA member organisations</p>
Independent	<p>Greater trust within SRA partnership as likely to be perceived as independent of local politics</p> <p>Possibility of appointing Chair with greater political clout than any Board member.</p>	<p>Difficulty of identifying a truly independent Chair</p> <p>Difficulty of identifying a Chair with sufficient political clout.</p> <p>Lack of ownership and familiarity with Somerset and SRA issues, ultimately leading to less trust in the Chair</p> <p>Could be less acceptable to the accountable body (SCC)</p>
Information Sharing		
Status quo + more comprehensive Board papers	No increase in demand for meetings	<p>Difficulty of shaping papers to cater for differing levels of understanding leading to risk of some members being insufficiently briefed for decision making</p> <p>More costly re staff time</p> <p>No opportunity for free Board</p>

Option	Pros	Cons
		<p>discussion and clarification of understanding</p> <p>Decision making/steers take longer as restricted to Board meeting schedule</p>
<p>Joint information sharing sessions in the hour before Board meetings</p>	<p>Avoids scheduling problems and minimises impact on SRA Board members' busy diaries</p> <p>Provides opportunity to clarify understanding prior to Board meetings</p>	<p>Unable to shape Board decision making papers to take account of member understanding and steers</p> <p>1 hour may be insufficient for issues.</p>
<p>Joint information sharing sessions scheduled prior to Management Group meetings preceding Board decision making meeting</p>	<p>Enables complex matters to be explained in time to gain member steer to inform decision making papers</p> <p>Better decisions</p>	<p>Scheduling difficulty, given busy diaries and the adhoc nature of the requirement.</p> <p>Time cost for Board members and Management Group</p>

Conclusions and Recommendations:

The SRA Management Group reviewed these options at their meeting on September 8th and concluded that the following recommendations for Board arrangements during the interim period prior to precepting should be put forward to the Board.

1. That elections for Chair and Vice-Chair should take place every two years at the Board meeting closest to that anniversary.
2. That the 2017-18 MoU and Constitution should be amended to reflect this.
3. That the Chair and Vice-Chair should continue to be drawn from the Board members
4. That Board and Management Group joint Information Sharing sessions should be scheduled as and when required, but prior to the Management Group preceding the Board meeting at which any associated decision is made.

Date: 10th October, 2017

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