Governance Framework Review: summary of recommendations

This section collates the recommendations from the review under its key themes and numbers them for eases of reference. The recommendations have been considered under the four workstreams of the implementation project, under the oversight of the political working party.

Policy workstream	Funding and Finance	Organisational support	Governance and representation

Issues	Recommendations	Response
While the governing body and local boards have distinct roles, there are areas of overlap which can lead to role confusion. In addition, some of the processes and conventions adopted by Auckland Council can reinforce these issues.	1. Develop a clear statement of the core purpose of the governing body and local boards. 2. Consider the performance of the new committee structure in the context of Auckland's shared governance model, and specifically with the aim of ensuring overlap in regional and local decision-making is minimised.	Recommendation 1 not progressed – role already clearly set out in multiple documents, in particular in the Auckland Council Local Governance Statement, which is required to be restated each triennium under LGA 2002 s40 Recommendation 2 – the committee structure now in place following the 2016 election has addressed this issue.
	3. Consider the merits of retaining the existing naming conventions versus changing them, for example, to the terms "regional and local councillors" or "regional and local members".	Recommendation 3 is addressed under the governance and representation workstream

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	4. Establish a robust process to bring both arms of governance together and clarify their roles, where they both have roles in a process or decision. 5. Bring the two arms of governance together in organisational briefings and workshops where possible, so that they get the same information.	These recommendations are being addressed through the development of an improved process for regional policy development
Contesting advice and engaging external expertise.	6. Consider developing a clear process for addressing needs / requests for contestable advice. This could include the establishment of an internal conflict resolution process. When there are concerns with quality or independence this should be escalated internally. 7. Where there is a lack of organisational resource to support advice, any engagements should still come via the organisation.	Recommendation 6 was not supported by the working party on the basis that the incidence of these events is not frequent enough to warrant this type of formal response. Recommendation 7 is supported
Where a local park has Reserves Act status, local boards cannot fully carry out their decision-making role in relation to local parks.	8. Investigate further the delegation of Reserves Act regulatory decisions to local boards (primarily classification decisions on reserves).	Recommendations are made to delegate the following Reserves Act decisions to local boards: • Declaration of a reserve • Classification and reclassification

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		• Revocation (for the purposes of bringing under LGA management)
The 'supervisory role' (the role of overseeing the process of decision-making under the Reserves Act) has been carried out by staff or a governing body committee, which creates a perception that local boards do not have autonomy over the substantive decision-making role.	9. Further investigate the most appropriate approach to carrying out the supervisory role for both locally and regionally governed reserves, which should be consistent for both local boards and the governing body.	Recommendation is that the supervisory role continue to be delegated to staff for both governing body and local board decisions under the Reserves Act 1977
Local boards have delegated responsibility for granting swimming pool fence exemptions. There does not appear to be any justification for decision-making being enhanced through local boards having better local knowledge, or being closer to the underlying issues.	10. Amendments to the Building Act 2004 came into effect from 1 January 2017 and meaning that swimming pool safety requirements will stand alongside the other safety and building regulation powers contained in the Act. While the implications are still being investigated, it is likely that the local board role in decision-making will change or end.	Enactment of the Building Act Amendment Act 2016 has removed the need for elected member involvement in swimming pool fencing exemptions
Local boards have delegated responsibilities for setting time and season rules for dog access. This makes it difficult for both dog-owners and the general public to understand the rules outside of their respective local board areas.	11. Move responsibility for determining time and season rules for dog access to the governing body. In general, for future delegations of bylaws or other regulatory decisions, carefully consider the impacts of balancing regional consistency with local tailoring.	This issue is being dealt with through separate work within the Community and Social Policy department. An issues paper will be circulated later this year

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The role of local boards with respect to parks acquisitions is practically more limited than suggested by the allocation table.	12. Note that for RMA parks acquisitions, the role of the local board is limited as the acquisition is on a regulatory basis. 13. Qualify the local board role with respect to determining the specific location of local parks to better reflect the practicalities of park acquisitions.	Current position is that this issue is not significant enough to warrant amendment to the allocation table that might constrain local decision making
The regional decision-making responsibilities of ward councillors are not well-aligned to their accountability to voters in a particular ward.	14. Consider the issue of ward size and boundaries, and form a clear position on this matter. If this involves changes, this position can be the basis of advocacy to central government and/or the LGC.	Recommendation that a change to the current system of electing governing body members from existing wards is not warranted purely to address alignment between governing body members and local boards. It was noted there will be a full review of representation arrangements in 2018.
There are incentives for local boards to act locally (including advocacy) despite regional benefits: local boards do not have to balance the trade-offs of decisions in the same way that the governing body needs to.	15. Establish clear protocols that focus on ensuring local advocacy is finite and regional decisions are accepted. 16. Consider a call-in right for the governing body so that there is an ability to utilise locally governed assets for identified regional uses.	Recommendations 15 and 16 were not supported. It is, however, recommended that when local boards are making decisions that have an impact wider than their local board area that they are provided with explicit advice on regional or sub-regional impacts where they occur. There was also consideration of financial trade-offs in the Funding and Finance workstream – local decision making model. See

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		recommendations below.
There are tensions between local boards, the governing body and the organisation.	17. Continue roll-out of the elected member development programme, and keep ward councillors informed on local issues and priorities in a structured way.	Recommendation that the outcomes of the governance framework review be incorporated into the next round of Kura Kawana training
There is inflexibility of the current funding policies to empower local board decision-making in their statutory role: local boards feel they have little or no real control over 90% of their funding which is for "Asset Based Services".	18. Continue to allocate funding on the current basis. 19. Remove restrictive rules around how local boards use their funding to enable more flexibility at a reasonable frequency, and ensure the organisation has the flexibility to adapt to local board decisions that have operational implications. 20. Continue to use targeted rates to generate funds for local projects 21. Investigate the viability of introducing local rates to fund local activities.	The working party considered two options for greater decision making over budgets – "Enhanced status quo" and "Local decision making within parameters". The recommendation is to proceed with "Enhanced status quo" immediately and to do some further work on "local decision making within parameters" for future consideration.
There is a lack of flexibility and nimbleness of current procurement processes. There is disagreement and a lack of clarity about what a "major contract" is, and whether groups of local boards can undertake procurement for major	22. Continue recent changes that emphasise more outcome-based procurement. 23. Develop guidelines in relation to what constitutes a "major contract", and create a process to provide a clear decision upfront about whether a specific contract is	Project 17 has introduced some greater input from local boards. The success of this will be monitored. Under the "Enhanced status quo" model other opportunities for this approach will be considered. If the local decision making model were to be progressed in the future, local boards

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contracts.	considered major or not, and include local boards in this process. 24. Establish mechanisms that support procurement on behalf of a group of local boards (without reverting to the governing body for decisions).	would have greater responsibility for procurement.
There are difficulties with the process for local boards to provide local input into regional policy: • A lack of lead time. • A perception that local board input is an afterthought. • The significant logistical challenges associated where all 21 local boards are involved, which impacts on responsiveness.	25. Develop methods to provide more clarity and certainty about local board involvement and level of influence in regional decisions. 26. Develop better tools for obtaining local input earlier and in a more efficient way, and ensure that staff close the loop. 27. Ensure that governors receive quality advice in the regional decision-making process.	Recommendations supported and will be implemented through the development of an improved process for regional policy development
There is frustration among local board members with respect to decision-making in relation to transport: Auckland Transport's jurisdiction over the road corridor has an impact on the role of local boards in local place-making, and local boards feel they have little ability to impact decision-making.	28. Work with Auckland Transport to promote improvements to reporting to local boards: • reduce the detail and technicality of reports to local boards, and make them more relevant in terms of the local board role • more actively demonstrate consideration of local views in reporting.	These recommendations are supported and a suite of actions are proposed to address the issues raised

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	29. Initiate discussions with Auckland Transport to consider ways to better enable local boards to give effect to their place-making role, including potential delegation of some transport decision-making functions.	
Some communities of interest consistently seek more decision-making autonomy.	30. Consider differential allocations and delegations for different local board areas, and in the first instance trial some extended decision-making allocations or delegations for Waiheke Island.	A pilot project for Waiheke Island involving more local engagement and decision making on local projects and policy matters is being recommended
There is an unfamiliar and complex governance structure, with 21 local boards, a governing body, six substantive CCOs and the IMSB. An organisation design that is fit-for-purpose to service regional decision-making is not necessarily well suited to supporting local decision-making.	31. Consider and form a position on the number of local boards. If this involves changes, this position can be the basis of advocacy to central government and/or the Local Government Commission.	The working party recommended that any proposals to consider changing the number of local boards be deferred pending the outcome of this review, possible legislative change and the LGC process underway for Waiheke and North Rodney
Ongoing restructuring within the organisation undermines the ability to build relationships. There is no consistent model across the organisation for supporting local boards, and a lack of clarity about the best support model.	32. Carry out a holistic review focused on determining the best end-to-end support model for local boards that incorporates operational, policy and planning support, taking into account the pros and cons of the existing model (including local board	This recommendation is being considered as part of the organisational support workstream

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	satisfaction with the existing dedicated support).	
There is a lack of understanding of the governance model. This includes perceptions that: • local boards are a stakeholder rather than a decision-maker • lack recognition of the complementary decision-making roles • the governing body has priority over local boards.	33. Implement staff induction and training that focuses on the respective roles of governing body and local boards. 34. Develop guidelines that specify the role of the two sets of governors and the role of staff, and invest in communications that reinforce the respective roles.	Staff induction training is currently being reviewed and new modules have been developed covering aspects of the governance model. This work will also be progressed further under the organisational support workstream. Recommendation not supported - the respective roles already clearly set out in multiple documents, in particular in the Auckland Council Local Governance Statement, which is required to be restated each triennium under LGA 2002 s40 and the council's governance manual.
The quality of advice for elected members is not consistently at an appropriate standard.	35. Embed the quality advice programme and build on the first phase of the improving work programmes project are essential for addressing systemic issues that have been prevalent for six years.	The continuing investment in improving the quality of advice is noted. Decisions of the review will be reflected in the ongoing work of the Quality Advice Programme
Evidence of systemic improvement in community engagement is not apparent.	36. Consider how the organisation can better support the leadership role of local boards in community engagement through high-quality advice and support.	This recommendation is being considered as part of the organisational support workstream