



Trowers & Hamlins' local government series:

Local government reorganisation: bridging the divide



Nick Graham, Director for Legal & Democratic Services - Buckinghamshire Council

Trowers' local government team have been engaging with senior leaders across the sector to explore the myriad of legal, operational and financial issues

arising operational and financial issues arising from a local government reorganisation. The outcome is our Local Government Reorganisation: Bridging the Divide series – a collection of interviews, publications and roundtables on the topic; combining an exploration of the legal framework, the practical issues that arise and real life lessons from those at the forefront of the reorganisation process.

At what point did you join the Council in the process and what were your immediate tasks?

Buckinghamshire Council became a unitary in April 2020. I was offered the role before then (and before Covid-19) but I joined during the lockdown in June 2020.

The unitary business case always envisaged significant service improvement changes and that included Legal and Democratic Services. A big part of my role since starting has been working out the new structure and bringing the legacy Council teams together. We undertook the restructuring of the Democratic & Election Teams first, partly because of the pending 2021 elections, and this is now complete. Each legacy Council had their own legal teams and we are now near to completing that restructuring and creating legal teams that serve the whole of the new Council.

Because of the aborted 2020 elections, the Unitary Council comprised all of the 200+ Councillors from the legacy Councils. It was always envisaged that this would reduce to 147, with a planned electoral review by the Boundary Commission to follow on from the elections. A big portion of

my time, therefore, has been coordinating this electoral review. There are two stages to the electoral review: one is to formulate a number that properly enables the Council to deliver its services for its area and provides community leadership. To enable the first stage, I brought together a Member Group to oversee much of the work, to survey Members, and to approve the rationale for any proposals. In February 2021 we made our submission to the Boundary Commission of what the Council considers to be the appropriate number of Councillors for the Council ready for the 2025 elections.

The second stage which will start after the elections will involve looking at and defining the electoral areas.

The Council also appointed me as their Returning Officer for the 2021 elections which is a great honour, but a huge challenge given the sheer size of the election with 147 councillors, an unknown number of parish councillors, and the Police & Crime Commissioner elections – all to be delivered in Covid-secure way!

As you might imagine, I am incredibly reliant on my fantastic team of staff.

What were the major obstacles that you encountered in setting up your new team in a new organisation?

As the Council's senior legal officer not only are you seeking to ensure that the Council is acting lawfully, you are trying to understand and steer the governance of an organisation that for staff and Members has grown substantially almost overnight. You are trying to figure out your own structure and how you fit into it, and everybody else is doing the same thing at the same time: it has been described very aptly as driving a car and repairing it as you are going along – at speed!

So, you might be advising a planning enforcement service about some very difficult and complex injunction whilst that service is in the middle of combining a set of legacy teams with different staff and processes. And

becoming a unitary cannot interrupt the ongoing procurement of waste contracts or contracts for highway maintenance or social care providers.

And there are the organisational and cultural challenges involved in bringing together new people who are joining from different legacy councils into a functioning unit. On a day to day basis, you are trying to get to know everybody, ensure Services are getting the advice and support they need from the in-house team, and from our external lawyers, and trying to plan strategically about how you recruit and develop your staff.

All the while Covid -19 brings its own unique challenges to everyone's lives whether that be home-working and home-schooling at the same time, or online child protection hearings, or working out how you record a vote of 200 Councillors on a MS Teams meeting!

As a director of legal and democratic services, how did you create a cohesive culture in your new team?

Changing well-worn and well-loved practices is always a challenge and building on the strengths and professionalism of staff is key to that.

Taking legal services as an example, I felt it was important we not only had a clear and well-defined structure but we had a plan to develop who we were and what we did.

Some of the key themes of that plan included looking at training and development, so people felt they had solid career progression and felt stimulated and challenged in their role. We wanted to develop our interface with our internal clients and enhance our client relationship and client management. We also wanted to help clients understand how to get the best out of legal services, and focus on where we can add value. And I wanted to increase our profile within this large and new organisation.

I also wanted to try to articulate the values and approach of the organisation to lawyers because in-house lawyers are often very externally focused – whether that is on the Courts, or on other professionals. So translating the ambitions and priorities of the organisation they are working in is key to enabling the in-house team to understand its role in supporting all of the Council.

And we wanted to create some uniformity and look at the practices across the legacy teams. This involved thinking about what we want to do about practice management standards, common systems, utilisation of support staff and a host of quality-related changes.

In terms of the less formal approach to cultural change, I am a great believer in modelling the behaviours you expect. The very unassuming practices of listening, coaching, resolving problems so people can get on and add value – as well checking in to see that staff are

coping – all contribute to developing a team who work well together and trust each other.

If you had any advice for those about to undertake this process, what would that be?

Maintaining good staff engagement is key. At Buckinghamshire the staff surveys show very high levels of staff engagement which is due to a commitment by the Chief Executive and senior management team to properly engage and listen to staff as well as give them honest feedback about the challenges, all of which has generated a sense of pride in the new organisation.

I would say that you need to develop a sensitivity to the history of the working relationships that people have had in the past, with their ways of doing things and historic District and County rivalries, all of which can carry over to the new organisation. The process to becoming a unitary can be quite a rocky road with disputes among the legacy Councils.

People come to their new role in the organisation with all that history, so I think you have to be sensitive to it, and you have to be scrupulously fair in your treatment of staff and give people time to change and help them define a future that they can see themselves inhabiting.

In many ways, it helped that I came in completely new and I didn't have an investment in what went on before; but I am glad that I have staff who know all about the history.

So, like any company merger, there are lots of challenges, but the cultural change is managed proactively and there is a real buzz about the place – and a real sense that we are doing something new, that we are bringing all these critical services together; that we are forging a great way in which we can effect change in the communities we serve. And Members and staff are really up for a different way of being local government, and I think the challenge is to continue to build on that ambition and desire.

If you would like to discuss any of the issues raised in this article in relation to local government reorganisation, please do get in touch.

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