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Good governance during COVID-19: learning from the experience of Scottish Local Authorities



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Introduction

Councils in Scotland had to adapt their governance arrangement to respond to the sudden arrival of the Covid-19 pandemic in early Spring 2020. Doing so involved enacting emergency protocols, or creating new arrangements at pace, as well as reviewing and revising these arrangements as the pandemic dipped and peaked.

How councils conduct their business, and the impact of governance arrangements on decision-making, is of fundamental importance for local authorities. Sound arrangements ensure councils can be at their most effective during a major crisis, providing an important source of public leadership, and protecting and supporting the most vulnerable people in their communities.

The emergency period raised important questions about how effective the alterations to decision-making arrangements have been in councils. It is timely to take stock of changes introduced during the pandemic, to share and learn from different local choices and experiences. With the next local government elections in Scotland on the horizon, councils will be considering their future governance arrangements, as well as then keeping these under continuous review. This paper contributes to these conversations in local government by presenting the findings of a research study examining the processes and mechanisms adopted by local councils, and the implications of these for good governance.

In this study, 'governance' refers broadly to the processes of decision-making in local councils, including, in particular, themes of openness and transparency; responsiveness, change and the capacity to act; inclusion, participation and representation; and scrutiny and accountability.

The paper provides findings and learning from discussions with senior officers and elected members in six Scottish councils, on the governance arrangements they put in place in their council during the pandemic. The paper builds on a previous [Improvement Service paper](#) (May 2020) which mapped the early responses. The paper supplements this work by adding qualitative knowledge drawing on the front-line perspectives of senior actors in local government.

The study was carried out in collaboration between Professor Kevin Orr, University of St. Andrews, and the Improvement Service (IS). Its purpose is to help to support councils to learn from the experience of the pandemic and inform their future reviews of governance. The findings will be of interest to councils as they reflect on their current and future governance arrangements, including revisiting the emergency plans they have within their constitutional documents. It is also intended that the paper will act as a prompt for officers and members to reflect on their experience of conducting council business during the pandemic, as for some, there won't yet have been an opportunity to pause and do so.

Methodology

Six councils were invited to participate in interviews. The councils were chosen to provide a mixture of different geographies, governance arrangements, and political compositions.

The profile of the participating councils can be broadly described as:

- Large rural council with coalition/partnership arrangement that moved to online meetings early in the pandemic
- Large rural council with coalition/partnership arrangement that set up an emergency committee
- Urban council with coalition/partnership arrangement with decision-making delegated to officers in consultation with elected members
- Island council, Independent controlled that delegated decision-making to officers in consultation with elected members
- Mid-sized council with mix of urban and rural areas, that set up emergency committee
- Mid-sized council with mix of urban and rural areas that delegated decision-making to officers in consultation with elected members.

Twenty-two elected members and senior officers from across the six councils were interviewed. This included a mix of elected members with different responsibilities during the pandemic. Some had significant responsibility within the governance arrangements while others had a backbench role. Administration and opposition (or non-administration) members were interviewed to get different perspectives on how the arrangements worked. At least one senior officer – usually the chief executive - from each council was interviewed.

Interviews were conducted remotely via MS Teams or Zoom. With participants' informed consent, they were digitally recorded, and then professionally transcribed. The interviews were carried out on the basis that all names and other material likely to identify individuals and their councils would be anonymised in research outputs.

The interviews broadly explored the following themes:

- Arrangements during the emergency response (broadly March-August 2020)
- Rationale for the chosen arrangements
- Impact of the arrangements
- Public scrutiny and transparency

Arrangements following the emergency response (Autumn 2020 onwards)

- Reasons for moving to the arrangements
- Impact of the arrangements
- Lessons learned

Findings and learning

In this section, qualitative data from the research interviews in the six councils is presented. The discussion and key learning points are considered within six main themes. These are:

1. Quality of decision-making and the impact on accountability
2. Roles of elected members during the pandemic
3. Importance of relationships
4. Impacts of technology on everyday practices of governance
5. Transformational change
6. Central-Local relations

1. Quality of decision-making and the impact on accountability

With some important caveats, interviewees were positive about the arrangements their council put in place and how these enabled the council to conduct business appropriately.

There was widespread recognition of the scale of the challenges presented by the pandemic and the unprecedented nature of the circumstances. Interviewees largely indicated that decisions which had been taken by delegated authority, or through emergency committees, were received fairly positively by the wider membership of the council when they were being reviewed at a later date.

For councils that relied on delegated authority and committees with a small number of elected members, few decisions, if any, saw major discontent from elected members. Points of frustration often referred to areas that were often beyond the competence of the council itself or had been made by central government.

A factor that contributed to frustration was the pandemic postponing some major policy decisions and acting as a brake on policy development. This was in large part due to councils having to shift officer capacity and resource towards emergency response efforts and focusing the work on more immediate priorities and core work.

One opposition group leader explained there had been a broad acceptance amongst elected members of the need to put big projects on the back burner due to a lack of capacity, particularly in the early stages of the pandemic. As the council locked down services and moved to emergency arrangements, "... the bandwidth wasn't there to continue with a lot of those items of business anyway." However, the same member observed that, "Controversy has gradually returned as the council has started to build towards a new normal."

Chief executives themselves were realistic about the need to move to arrangements in which they were taking decisions with delegated authority from the council. In the sample councils, delegated

authority was used with consultation of one or more senior elected members to provide a degree of political oversight and engagement. One chief executive outlined the benefit of this:

“I have the access to senior elected members to use as a sounding board and to be able to get their views on things and to feed in how the community was dealing with things, but again, could act with speed and quickly implement changes as they were needed.”



However, the same chief executive highlighted the issue of the prolonged nature of the emergency and suggested that in hindsight, some form of emergency committee may have been beneficial. This caveat is significant given that it speaks to the issue of political accountability, a consideration that is always particularly important when decision-making is delegated.

For chief executives operating with delegated authority for an unprecedented period of time, maintaining confidence in the decision-making process was important. In one council, for example, this was achieved by ensuring that officers continued to produce full and detailed committee papers ‘as though’ the meetings were going to take place in the usual way. As one chief executive explained:

“I think it was a good discipline to continue to construct papers, to pull together the information - otherwise you can’t maintain the discipline. The officers should be putting that in place and they shouldn’t shortcut or not put all the detail in there.”



The thinking here was also partly explained in terms of the need to avoid officer ‘complacency’ or officer ‘capture’ of the decision-making process.

Another senior officer, operating in a council with little history of cross-party working, explained that there was strong support for the decisions that the officers had made under the emergency powers. The officer commented:

“At the early stages of the pandemic, it was obvious this was going to escalate to a significant civil contingency event. And that significant demands would be placed on the organisation to support the response and that we wouldn’t be able to do that and keep all normal business going. Therefore, we had to ask all group leaders permission to change our approach to decision-making on a temporary basis on the understanding that a full report of decisions taken would be reported retrospectively to council. When we submitted that retrospective decision report, there was no, ‘That was ridiculous.’ Or, ‘This should have come to an urgent business committee.’ There was overwhelming cross-chamber support for the measures taken and the governance we put in place.”



We often found some assumption that partisanship should be minimised during that period.

As an opposition councillor in another council reflected:

“We were dealing with an emergency and we realised at these times, politics to some extent just gets left to the side. The main thing was to try and protect people, to make sure everybody was being looked after.”



While elected members and officers were, both at the time and in retrospect, generally positive about the quality of decisions that were taken under delegated authority and by emergency committees, there were some caveats to this. These relate to:

- Quasi-judicial decisions
- Strategic versus operational decisions
- Scrutiny at remote meetings
- Desire for political oversight

Quasi-judicial decisions

In some of the councils sampled, significant quasi-judicial planning decisions were postponed or deferred until the relevant committee itself could meet. Doing so generated some unease. Such reticence highlights the principle of accountability, the importance of which emerged as a key

theme in our study. This feeling is well illustrated by the comments of one chief executive:

“Planning is a murky area of business and one that really does need explicitly to be seen to be going through the appropriate process. I would run the group leaders through the agenda, and I identified the planning decisions where I believed there was no real contention. Where there was significant objection, or it was a planning decision of a scale that we’d need a public consideration, I deferred those. My shoulders aren’t broad enough. I was a bit nervous about taking certain planning decisions when I knew that a committee could take them a couple of months and avoid any reputational harm.”



Strategic v Operational decisions

It was also identified that whilst politicians accepted the realities of the need to devolve decisions to officers, there is a need for caution and for future examination. As one council leader described it:

“There are decisions that have been made quickly and time will tell if that if that’s been the right thing. Most of them have been, to be fair, quick operational decisions. I wouldn’t want us to get to the stage where we’re having strategic decisions made quickly without due scrutiny. That’s the temptation at an officer level perhaps to get things in quickly, there’s opportunities there, without looking at the bigger broader strategic position. We have to be careful about quick decisions.”



Both the earlier concern about reputational harm stemming from planning decisions, and the reticence about taking major strategic decisions, highlight the principle of accountability, and the tension involved in moving to shorter chains of decision-making while needing to ensure good quality decision-making, scrutiny and accountability.

Scrutiny at remote meetings

The impact of the emergency powers and the shift to remote meetings on the capacity for local scrutiny by elected members was a particular concern shared by some members and officers. For example, one council leader expressed some worry about the quality of scrutiny in remote meetings:

“I think what we’re missing [in online meetings] sometimes is the clarifications and the nuance and the drawing out of things. I’m not sure that we’re getting quite the same level of discussion and scrutiny. Being honest, I think that’s partly because there is that element of if it’s an hour and a half meeting that you can fit it in around work or whatever else you’re fitting it into”



Desire for political direction and oversight

Finally, it should be noted that across the board, the chief executives and senior officers interviewed who had assumed greater decision-making powers, expressed reticence about their new autonomy. One chief executive captured that sentiment:

“I maintained the confidence of the group leaders. I think very quickly they all realized that I was absolutely not perfect and I couldn’t wait to hand the reins back. As I said to them, nobody will ever vote for me!”





2. Roles of elected members during the pandemic

Changing governance arrangements impacted on the nature of the roles and responsibilities of elected members during the pandemic. This was keenly felt by members of councils where committees were suspended for significant periods of time. The previous section identified the broad acceptance by members of the need for emergency arrangements, and acceptance of the realities of the pandemic, but the length of time for which these arrangements continued (over 6 months for some councils) resulted in greater levels of frustration amongst elected members.

This frustration was rooted in a feeling of being increasingly disconnected from decision-making processes and the difficulty of establishing a locus in the changed context. Traditional member roles such as decision-making, scrutiny and policy development were diminished in some councils and it was challenging for some elected members to find a meaningful role.

Feeling excluded

The following three quotations from a sample of different group leaders illustrate this theme of feeling disconnected from the political process and of growing impatience:

“At that time, we were certainly very accepting of unique circumstances, and we need to give the council management, I wouldn’t say a bit of slack, but an understanding of the pressure that they were under. We were kept in the loop, there was information provided through briefings, but obviously, while that’s great, keeping you informed, it doesn’t allow you to scrutinise or challenge. I don’t necessarily think I would have disagreed with any of the decisions made, but there were times where I would have liked to have been in the room when the decisions were being made.”



“I had a weekly call with my group to keep them up to date, but it wasn’t the same as being able to directly scrutinise officers or debate a proposition. I think that’s what people wanted to get back to. They wanted to know that they had some input into it.”



“By and large, the emergency meetings worked well, but in terms of governance it wasn’t quite as strong. It was okay for the interim. I think members were getting a little bit unsettled about it in terms of they were feeling they were being excluded. I think we’d kind of pushed that to the max.”



One council leader identified the desire of members to be active and involved, and of the difficulties of adjusting to new roles and circumstances:

“They’d gone from having had council meetings every single week and that kind of drive and focus and all of that to nothing – to sitting in the house the same way that everybody else did... I think there was unhappiness from some members in particular about that lack of visibility. It was that their role had shifted so unbelievably in some ways. If you’re not sure how things are going you almost do a, ‘Well, I’d like to just turn up and see something’ or ‘I’d like to have a meeting.’ I think there was that side of things.”



Given the narrowing of the scope for traditional member roles such as scrutiny, policy development and decision-making, the interview data points to the difficulty experienced by many members in finding a purposeful role in the changed context. One member reflected that:

“At times it kind of felt, ‘Do I have any value here as a councillor?’, because there’s not really all that much really coming my way. Operationally the council officers are getting on with it, and other decisions are being made at a national level, and the community is quite well organised in terms of being able to support the most vulnerable. It was a strange time.”



Such concerns also speak to members’ acute awareness of their own political accountability in a complex governance environment.

This struggle to recalibrate was a fairly common theme in the research conversations with elected members, perhaps most especially backbench members. As one backbench member said:

“This is the bit that still bugs me, it did feel like we weren’t quite in control. Constituents sometimes look at councillors as being the go-to people for finding stuff out and if you couldn’t tell them anything, then that was really quite a difficult situation. I never ever felt that anything was wrong. I just felt that I wasn’t involved. Whenever the main discussion was happening, in terms of taking the next move on a day-by-day basis, I wasn’t in a position where I could actively take part. A lot of the dialogue would have been happening at the leadership or chair level.”



In those councils where delegated authority remained with officers for a sustained period of time, after the initial acceptance among members of the 'new realities', some evidence of growing frustration among members was found. One senior officer described, how after a large measure of support and cooperation from members, discontent began to show:

“The structures worked fine but as the duration of the pandemic lengthened, there was perhaps a little bit of impatience as well about not having as much information as they were used to. I think too some of the measures were having a perceived negative impact on parts of the community, and so they were maybe feeling at times a bit vulnerable in terms of ‘we didn’t make this decision, officers made this decision’. We did a huge amount of communications internally and externally. But I think from my perspective, I just started to see their patience ran out a little bit towards the end.”



From a different vantage point, one leader whose council had moved quickly to online meetings was critical of the picture elsewhere: “Other councils in effect were shut down, the democratic side of things, they gave full powers to the chief executive for three months, I just find that pretty staggering.” (The findings presented in theme 4 provide some context for understanding why not all councils moved to online meetings so quickly.)

Greater importance of community leadership role

With reduced roles in decision-making, scrutiny and policy development, some elected members took on an enhanced community leadership role. Many elected members spoke about the rise of community action and volunteer activities during the pandemic. This included taking up the slack of services which had been withdrawn or paused. A similar perspective was shared by officers. One chief executive observed the power of the community leadership role for members in very practical terms: “We’ve had local members making sure that shielding people were okay and they’ve been working in food banks and everything else. There has been that genuine level of active citizenship from the members.”

Interviewees – both officers and members - emphasised the opportunity to build on these community roles after the pandemic. As one senior officer put it:

“The community response and the volunteering, delivering food parcels, has brought the communities closer together. We purposely wanted to get our local members around those local conversations in the area to capture the benefits. There’s something in that we have tried to bottle up and capture.”





3. Importance of positive working relationships

Local governance is a highly relational process and a recurring theme from the interviews was the importance of good member-officer and member-member working relationships. Positive working relationships were seen as important foundations for taking effective and collaborative action during the pandemic. Not every council sampled characterised themselves as having positive working relationships, but it was striking how valuable this was to respondents in the sample councils that do. It was also evident that the pandemic facilitated some improvement in relationships, and the suspension of ‘party politicking’ in some councils.

Member-Officer working relationships

The prior existence of positive member-officer relationships provided important advantages in some councils. As one chief executive explained:

“Strong member-officer relations is something we pride ourselves in. It’s something that we all work hard at, members and officers. Genuinely, you can fling around these words, ‘Mutual trust and respect.’ I think we bring them to life here. We know that you lose trust at your peril and that governs all of our actions and decision-making.”



Some interviewees remarked that the pandemic had strengthened the closeness of key member-officer relationships. One chief executive who had been a relatively recent appointment to the post stated:

“The pandemic accelerated the relationship development with myself and all of the group leaders, because over and above the stuff that we would talk about I would have a weekly briefing with them which went on for an hour and a half. I was sharing a lot of information with them. I was answering a lot of queries and I was making sure they were as best informed as I possibly could give them within the context of what I could share... It brought me into a lot of contact, that special relationship with the council leader and myself. It meant that we had a regularity of communication, and we’ve maintained that.”



Similarly, from an elected member perspective, one council leader explained:

“For me I had to work really close, probably closer than ever, with the chief executive and some of the heads. I was contacting them two or three times a day more than I would normally. We were both looking for reassurance from one another with the political angle and the organisational angle, and that worked okay.”



However, negative experiences of the impact of the pandemic on member-officer relationships was also evident, including on the scope for everyday interactions. Some of this focused on role demarcations and the issue of accessibility.

One elected member suggested that the ability to informally access officers as part of everyday routines in and around the council headquarters had been negatively impacted by the shift to remote working:

“I was in the building recently to collect mail and I bumped into a couple of officers and was able to grab them and ask some quick questions. You can just say ‘Can I catch up with you a minute?’ These things are very helpful. It’s much less easy to do that online. I’ve got to go via a Secretary if I want to set up a Teams meeting with an officer, it might take 2 weeks to get it. In the building I can just ring up and say I might want to pop over to so and so for a quick question. You can’t do that online. I tried to see the director of social work about an issue and it took a fortnight to get anything. Normally I’d see them in the car park or at the building entrance.”



However, one chief executive puts forward a counter view, identifying that the shift to remote working has enabled the setting of clearer and more appropriate boundaries between officers and members, something that should be maintained after the return to the buildings:

“When I joined as chief executive, I was quite surprised by the direct, free and informal access that members had to officers – able to just turn up at an officer’s desk if they choose without any notice to an officer. I didn’t think that was appropriate. Remote working has changed that. I’m fascinated as we come back to the office, about how the boundary between officers and members may continue to change post the pandemic. . From my perspective, the pandemic was helpful in re-setting some of those historical boundaries between members and officers.”



In other words, the emergency arrangements highlight deeper governance questions about roles and relationships which need to be addressed as councils move on from the pandemic.

It would be interesting for councils to reflect upon the extent to which pre-existing patterns of officer-member relationships explain any changes experienced. In other words, the world changed with the pandemic, but not all of it, and some behaviours and relationships were resilient in the face of the new arrangements.

Member-member working relationships

At the political level, the issue of trust and the value of good relations between competing party leaders was consistently emphasised by research participants. One council leader reflected on the importance they placed on ensuring the opposition had an important role in their decision-making process:

“Politics is politics, and there are lots of tensions and things like that, but there were a lot of decisions being made and, to be honest, it seemed better both formally to have that broader consensus for what was happening if there were decisions being made, but also, it felt really unwise to end up that three months later, somebody could say to you, ‘Oh, well, all these decisions were made in secret and nobody in opposition knew about them’ and you start having to revisit lots of things.”



Another council leader outlined the importance of work done prior to the pandemic to build trust and respect between group leaders:

“The work we did developing relationships between the party leaders really has paid off during the crisis - there was a bit of trust there. You are always going to get a bit of jockeying in politics in the local press and stuff like that, but by and large I think we were able to work together.”



Longstanding investment in building good relationships paid off during the crisis, according to another chief executive who explained:

“I had a good relationship with the members, and they had a pretty strong working relationship between themselves. That helped certainly in going into that that there was a degree of some trust and respect and an ability for them to identify the bits that they weren’t feeling comfortable with... It remained stable and calm, so that’s testament to the work they’d done before the pandemic to get to either a really good position with across the aisle working. That definitely helped us.”





4. Impacts of technology on everyday practices of governance

The fourth theme focuses the ways in which the shift to online processes impacted upon the everyday practices of local governance, through examining the experiences of members and officers that managed deliberative political processes which were mediated by technology.

Councils had a range of different starting points in relation to prior investment in ICT and in how embedded remote or flexible working options had been in the organisation prior to the pandemic. That meant that in terms of organisational and political cultures, as well as experience and basic capability, councils began the move to remote online meetings from quite different bases. Members identified that the use of digital technologies offered some advantages in terms of managing workloads during the pandemic, but that they had significant impacts on important parts of the political process, such as their ability to build coalitions, acquire political intelligence, defuse conflict, and develop social solidarities among other members.

Offering an example of an authority with well-developed patterns of online interactions, one council leader commented:

“We’d moved quite swiftly as part of our transformation and the change model – we’d invested quite significantly in digital. Because of that, I think it was really quite easy for us to lift up and just slot our governance structure into that digital model. I think we benefited from that.”



Similarly, an officer in a large rural authority described how well embedded supportive technologies were within the council:

“Our IT infrastructure was already in place. Given our geographical spread, and the poor winters we have had in previous years, the capacity and capability to support elected members and staff to work remotely was all there. We have regularly 4000 staff dialling in, working remotely on a daily basis, they are equipped with appropriate laptops, meaning very little additional change to protocols had to be made. The last couple of years what we have also been looking to do is livestream the webcasts of the council meetings in terms of the public participation transparency. That had been working reasonably well prior to the pandemic kicking in.”



By contrast, a chief executive of a council which had undertaken much less investment in such technologies remarked:

“I joined here and in my first week I said to a colleague could you set me up a Skype call with so and so. They told me, ‘I don’t how to do that. We don’t have that technology.’ Even a conference call was a challenge because it wasn’t routine technology here. By March we had to accelerate really fast to bring in this technology.”



The impacts of remote meetings: building coalitions, acquiring political intelligence, defusing conflict, and developing social solidarities

The shift to online processes brought many challenges to elected members. In the early phase, some (including those who felt especially vulnerable to Covid-19) were quick to embrace the new arrangements, in many councils there was a certain amount of initial hesitancy among elected members about the prospect of remote meetings. As one council leader explained, this was partly based on an assumption that “you couldn’t do the job unless you were doing it face to face.” Another group leader observed, “a lot of the skillset wasn’t there for a lot of older members of the group to move online at that time. They’re now much more comfortable with it.”

Elsewhere, one council leader offered a rich picture of the challenges and confusion of the early days:

“Initially we weren’t using Microsoft Teams, we were over phones, teleconferences. It became very, very challenging. There was a lack of physical interaction obviously, you couldn’t pick up on body language cues either because you were at the end of a telephone, a crappy line. Twenty-odd people on a call and dogs barking in the background and all that. People got very frustrated, and I think that’s a reflection on isolation that happened in the broader society as well.”



Other complications included the potential for meetings to become longer, and feelings of dislocation brought on by the screen-based technologies. As one elected member stated:

“People keep dropping off, and we’ve got to pause until they come back. They’re kicked out of their own broadband system. Voting can take a lot longer because we can’t just do a show of hands, it has to be a roll-call vote so that does take a bit more time. Sometimes, seeing presentations, getting them set up and shared on a screen, just adds time to the meeting. The ones that we’ve had real trouble with are where we’ve tried to do licensing board applications, where there’s been objections and you’ve got to try and bring in the police, then bring in the objector, and then bring in the applicant, and then disappear as a committee to discuss and come to some conclusion, and then go back and meet the whole group. You’re jumping in and out of rooms, virtual rooms all the time, whereas normally we’d just leave, walk into the next room and do it, then come back again. It does delay things.”



The idea of longer meetings is also identified by a chief executive who explained:

“There are more contributors to items, members contributing to items and committees than there was in-person. Hence the reason the meetings are a wee bit longer. Also, when you do a vote, it takes a long time to run through a roll of all our members to record their vote. That elongates things.”



Many of the interviewees spoke of the intensity of staring at a screen, and the feelings of dislocation. As one council leader reflected, “When people’s cameras are turned off and microphones muted, it feels like you are talking to yourself.”

Apart from increased duration and the complications of managing large meetings, there were important impacts on interpersonal dynamics among members. This issue also connects with the earlier theme of the significance of relationality. But it also encompasses constraints on the ability of members to build coalitions, defuse conflict, broker decisions, or gather political intelligence. In short, there was a widespread feeling that the use of technology has significant impacts on the routines and practices of political life.

As one council leader described:

“I think with all meetings, it’s the chat before and after. It’s the bumping into folk, and especially folk from other political groups. Online you’re rather making a big thing about emailing to ask, ‘Can we have a meeting to talk about this paper that’s coming up?’ When you just bump into the leader of the opposition in the coffee room and go, ‘So, what do you think of this agenda this afternoon then?’ It’s those informal chats before and after. I think everybody’s missing that because that’s really where a lot of the behind-the-scenes argy-bargy stuff can get ironed out.”



Another group leader reflected on the constraints on achieving compromises or cross-party agreements:

“What you don’t have with online meetings is the ability for a quiet word with another councillor. It’s much more difficult, if you want to try and reach a compromise on something, for the convenor to say, ‘Let’s have a five-minute recess,’ and two or three folk huddle in a corner and say, ‘Well, if you do this, and we do that, we’ll all agree,’ everybody’s happy. That’s much more difficult online because you can’t wander around the room and have a quick whisper in somebody’s ear.”



The loss of ability to build political intelligence due to the reduced opportunity to have informal interactions was identified by many of the elected members interviewed. One council leader highlighted the communal and social aspects of local politics:

“In the tea room contrary to what people think, you do talk to other people. At lunchtimes in there, not everybody sits in their own wee political groups. Now and again, you do get a chance to either overhear something, or something slips, or something like that. You do miss that side of it.”



Or, as another group leader put it:

“Even the way you prepare for a meeting or the way you digest what happened afterwards, there are parts of the process that might not be formally set out anywhere, but are actually quite important to how you go about your job. I feel that those have been lost - particularly those smaller, private discussions.”



Underlying this sense of loss is a recognition of local politics being enacted through highly relational processes, something noted in the previous section. As one elected member reflected:

“Building relationships of trust means that you’re able to speak and have a word in the ear with somebody afterwards. If there has been some sort of conflict or some sort of dispute within a meeting, you’re able to manage or to de-escalate it afterwards.”



Or as another elected member explained:

“We’d come onto Teams meetings and some of us are there early, so there’s 5 or 10 minutes of chat beforehand, ‘How are you doing? How are the kids?’ Nowadays, ‘Is that a new picture up on the wall?’ that sort of thing. It’s not the same as bumping into folk in the corridors of the townhouse, or sitting down and having a plate of soup together, or just a cup of coffee and a chat.”



A number of elected members described compensating for the lack of in-person interactions with instant messenger apps, especially during meetings. One council leader offered a frank analysis of the advantages of deliberative processes which are technologically mediated:

“If you’re very adept as a few of us have become, you’ve got three or four instant message conversations running while the meeting’s going on. I would have a chat group of all my other political group leaders in the administration, and then another chat group with the chief executive, head of finance, head of legal, just so you could have quick exchanges. Someone says something you can quickly type in, ‘I think we’re okay with that.’ Or ‘Are we missing something?’ It’s actually better than being in the room because it’s difficult to do that if you are physically in a room without it becoming so obvious that you’ve asked somebody a question that clearly you didn’t know the answer to. So I think there’s some real advantages.”



Regarding behaviour at remote meetings, one council leader reflected that “live streaming puts an onus on members to be better behaved”, but otherwise has noticed little change in the dynamics of important meetings:

“Executive committee can be usually a fairly lengthy meeting, sometimes, three and a half hours. It can get quite ratty at times and does need a bit of control. That, I can’t see changing, honestly, whether it was physical or whether it wasn’t physical. Sometimes it’s easier to control a meeting on virtual, now that you know that you can mute somebody.”



The views and opinions about remote meetings were wide ranging and typically consisted of being able to see the advantages of easier access versus the disadvantages of the lack of informal and nuanced communication. This is perhaps best summed up by one council leader:

“I find this working very well, and even the likes of the planning committee, which started first with these virtual meetings and even now planning hearings open to the public are working really well. I think it’s more open because people from wherever can join the meeting now. Whereas before, we would have to travel and have to spend a fortune doing so. There’s a lot of merit in it... the bits that I’m missing is the chat, the discussion before a meeting, after a meeting, coffee break. It’s not just a case of just talking to people, it’s a lot of the time something can be sorted out or resolved in these chats. You certainly miss that.”



Of significance here are factors such as levels of partisanship and party organisation, and the maturity or otherwise of decision-making processes and cultures in different councils. In other words, a picture emerges suggesting the importance of pre-existing routines and relationships in informing the expectations during the pandemic, and the preferences for what should happen thereafter.



5. Transformational change

The fifth theme from the interviews concerns the prospects for lasting transformational changes following the restrictions and disruptions during the pandemic. This is considered in relation to the impacts on local governance and political processes, and to organisational change more widely. Transformational change is defined as lasting and radical shifts away from the status quo, i.e. from processes, practices and assumptions that obtained before Covid-19. The idea of crisis as ‘opportunity’, as well as threat, is very well established in political discourse, among management practitioners and in the academic literature. In this section, therefore, the views of officers and members were examined in relation to what they would like to maintain and extend, and what aspects of process and practice they would like to revert to. Or, in the current parlance, what might ‘the new normal’ look like, and what dilemmas are emerging along the way?

Among both officers and members, many interviewees made appreciative observations about the flexibility shown by council staff. Indeed across all the sample councils there was universal appreciation of the commitment which staff had shown in the most challenging of circumstances. Among the interviewees there was a widespread sense that there are opportunities to build upon this in a developmental way. As one council leader commented:

“Often, when you make changes, people think ‘I’ve not got the experience to do that. I can’t learn it. I’m not sure.’ Because it was a crisis situation, people did. They said, ‘Yes, we’ve got to move,’ and I think that creates a much more flexible and adaptable workforce which benefits you moving forward. We need to make sure we capitalise on that. We need to make sure we create opportunities for people to develop.”



There was also acknowledgement of the financial pressures faced by local councils. Even without the impacts of the pandemic, there would be a need to absorb far-reaching changes to service provision and to the size and shape of councils. As one chief executive described it:

“Some of these changes would have had to happen anyway because of the pre-pandemic financial situation. Even a council as big as this, we would have to shave off many tens of millions over the next five years, which by any scale is significant. What this has done for us is accelerate some of the changes. This sounds like a strange thing. What we do need to do is to avoid a rush back to normal. Once you start to see freedoms and relaxations there will be an immediate expectation that the council will have every service running full bore in the way it was running pre-pandemic. That’s not going to be the case. That’s probably going to be one of the hardest tensions to manage. That management of expectations is going to be a real challenge.”



One council leader provided a reflection on how the pandemic facilitated a better integration of parts of the organisation:

“Going over some of the action that we took over during the COVID period, it is incredible just some of the silos that we worked in. Particularly between health and social care, and how the barriers came down and folk were finding a completely new way of working. I think certainly COVID, in terms of health and social care, absolutely took some of the barriers down there, in providing the service.”



A key point for reflection in the next period will be how easy or otherwise it is to maintain these relationships and processes, especially where they involve a shortening of decision chains. In other words, how can councils and their partners continue with a spirit of close and collaborative working and yet ensure robust and accountable decision-making processes which maximise local democratic scrutiny and accountability.

It is widely anticipated amongst interviewees that the use of technology and the roll out of remote working will continue to lead to substantive changes to practice and organisational culture. As one chief executive put it:

“The fact that people don’t need to drive here or to be here in person means there will be a long-lasting change in home working arrangements. For a lot of jobs, you don’t need to be nine to five. It can bring a much more mature managerial mindset, so that you’re managing people and what outcomes they produce, rather than presenteeism.”



We heard a similar view from another chief executive who shared an evocative story during the pandemic: “Normally in the building we had a thousand people. We had a fire alarm two weeks ago. Somebody burnt their toast. We all trooped into to the car park and I counted 57. In terms of what council of the future will look like, I’ll never have a thousand people back in this building. Maybe they’ll come to this building one day a week or whatever their rotation would be and do hot-desking or whatever. There’ll never be a thousand people back.” This kind of view, is fairly widespread across a number of sectors, and it will be interesting to map how well this kind of forecast holds up over time in Scottish councils.

In terms of elected members, one council leader suggested a promising link between remote working options and the potential for boosting the diversity of elected members:

“From the point of view of being better for local democracy, it’s something where as we go into the local elections, we can actually say to people that there’s a broader base here for you to be able to uphold local democracy and still be able to hold down a job at the same time. People can join a meeting from their workplace.”



Connecting with the governance principle of transparency and the local government tradition of decisions being made in public forums, interviewees identified ways in which the move to remote committees had impacted on processes and practices. Some positive views were shared about how remote decision-making had produced more flexible options for elected members.

However among many members, there was a strong value being placed on reverting to traditional in-person arrangements. Illustrative of this view is a quote from one elected member who felt strongly that in-person political decision-making carries important symbolism:

“After this pandemic, are people going to continue to want to Zoom in to weddings and funerals or would you rather be there to experience it and be part of an important occasion? I think you want to be there to be part of an important occasion. An online element to the work will continue, but I think at the same time, the council meetings where you’re there to represent people, and should always remember you’re there to represent people, should be afforded a particular status. That’s special, that’s the bit that you’re really elected to do. That’s where the public can see what you’re doing on their behalf.”



One chief executive accounts for the preference for in-person meetings:

“I think members miss the theatre of the Chamber, particularly full council. Committees are more collaborative, but full council should always be recognized as theatre. By and large, in Scotland, members recognise it is theatre, and as long as the debate and the cut and thrust isn’t personally abusive, I think some of them really enjoy that. It’s all quite visible. I think that some members miss the opportunity to grandstand. That sounds very dismissive of them. I think it’s to be seen to prosecute their argument to perform effectively. If you’re a good performer then you can have at your opponents and be seen to be on the front foot. You can do some of it virtually, but there’s no substitute for some members for that personal cut and thrust and being seen by the press to do it.”





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6. Central-local relations

The final theme that emerged from interviews was on councils' relationships with central government. Central-local relations is a perennial issue which dates back to the earliest days of local government. In the context of this study, national and regional governance structures and how these articulate with local councils surfaced as a significant issue. There was broad understanding of the exceptional nature of the circumstances and the legitimacy of the Scottish Government acting as the 'senior player'. Alongside that some interviewees suggested scope for improving the partnership approach to managing the crisis.

The local and national governance structures were at times difficult to navigate, according to many officer and member interviewees. One chief executive provided an analysis which focused on organisational boundaries and structures of policy making:

“Very quickly, our political leaders had to have a relationship with the local DPH [Director of Public Health], who is employed by another institution. Members had no prior relationship with the DPH and as an employee of another organisation, they had no control or influence over the decisions the DPH was taking. Members would be familiar with challenging the advice and judgements of council officers. Felt a hesitancy on occasion of our politicians to challenge the professional advice and opinion of another organisation's senior official. Local members had no real locus in the local and national health protection decision-making, and yet they were being publicly held accountable for the influence they were bringing, or not bringing to bear, on the decision-making about local lockdowns.”



Some elected members expressed dissatisfaction about local information flows following meetings with partner organisations (such as regional health partners) and with the Scottish Government. One elected member recalled:

“All sorts of meetings were taking place – for example the local resilience partnership. None of that was being passed on to councillors. Local infection rates, pressures on local hospitals, closures, hot spots. The councillors should have been the first port of call. We are the people at the front line. We have people phoning us every evening saying what's the story, asking us things, and we just don't have the information. My constituents thought I was incompetent.”



On that tension, one chief executive offered the following perspective:

“We were getting no advance insight from the Scottish Government around what was going to happen next in terms of public health measures to be put in place, so we couldn’t brief our members in advance of the public announcements. This created a suspicion amongst members, that its own staff were not keeping them briefed – when in reality, their own staff had no advance notice either. As a staff base, and a delivery partner of Scottish Government being informed at the same as the public, was hugely frustrating and unhelpful.”



One chief executive was directly critical of what was felt to be an unnecessarily centralised approach by the Scottish Government:

“The public face of the pandemic for both governments, was their respective political leader. In Scotland’s case, that was the First Minister. It was clear from a delivery partner perspective, that the political involvement in all the decision-making associated with the response was all pervading and on some occasions, the political “optics” seemed the guiding force. And of course, because of the 24/7 media world we now live in, the respective national political leaders were centre stage of that 24/7 media world. In the gold command structures put in place by the Scottish Government, there was no scope for any departure from the nationally set approach, which was an unrelenting single focus on health harm rather than the 4 harms approach that was claimed. There was no real local decision-making and no real opportunity to influence the response actions to be taken. It was a here it is and it’s to be implemented. Since devolution in Scotland, there has been a growing tension between Scottish Government and local government and the pandemic has exacerbated that tension not only between respective politicians but also across officials. Local political leaders were being held to account for decisions they had no locus in and privately were being criticised by the Government for not doing enough to support the response, when they were not being treated as a partner in the response.”



Indeed another chief executive commented:

“I think there was a tendency from the government to act as though local authorities were the same as NHS boards and they could just say, “We want you to do this and we want it by Friday,” rather than the way they would normally engage with local authorities.”



There is a longstanding and well-developed academic literature analysing the tendency of central governments to regard local authorities as delivery agents for national policies. Perhaps it is not surprising that, for some participants, the pandemic seemed to give that tendency a further push.

One council leader whose area was placed in a local lockdown is also critical of the relationship with central government:

“We got involved in the decision-making process very late in the day. It was frustrating for us that we felt that our voices weren’t really being heard. I feel that although a lot was said about partnership working between Scottish Government and local authorities, that didn’t really happen on the ground. We were given the opportunity to meet with people, but we didn’t really feel that we were able to get the opportunity to influence those decisions. We were just being paid lip service.”





Conclusions

Concepts and practices of governance are complex and multi-faceted. During the emergency period, the imperatives for responsiveness, change, and capacity to act came to the fore in councils. Inevitably, prioritising the need to make quicker decisions in emergency response mode tends to have the effect of diluting other governance principles such as openness and transparency; inclusion, participation and representation; and scrutiny and accountability. That is why emergency arrangements should only be used with great caution, and for as short a period as possible, and why the return to decision-making processes that incorporate wider principles of governance always need to be returned to as soon as possible.

Summary of key learning points

The key learning points from research interviews with elected members and senior officers is summarised as follows.

Quality of decision-making and the impact on accountability

- Officers and members were generally positive about the arrangements their council put in place and how these enabled the council to conduct business appropriately. There was widespread recognition of the scale of the challenges presented by the pandemic and the unprecedented nature of the circumstances.
- Arrangements varied depending on local circumstances leading to varying degrees of delegation to officers and groups of members. In general, there was satisfaction that the arrangements allowed decision-making in a timely manner while adhering to public health legislation.
- A factor that contributed to frustration was the pandemic postponing some major policy decisions and acting as a brake on policy development. This was in large part due to councils having to shift officer capacity and resource towards emergency response efforts and focusing the work on more immediate priorities and core work.
- Areas where emergency arrangements caused most unease among officers and members involved quasi-judicial decisions such as planning; the reduced scope to address strategic decisions; the capacity for member scrutiny at remote meetings; and the constraints on member oversight of officers' decisions

Roles of elected members during the pandemic

- Changing governance arrangements impacted on the nature of the roles and responsibilities of elected members during the pandemic. This was keenly felt by members of councils where committees were suspended for significant periods of time.
- Member frustration was rooted in a feeling of being increasingly disconnected from decision-making processes and the difficulty of establishing a locus in the changed context. It was challenging for some elected members to find a meaningful role.

- Arrangements in nearly all councils during the emergency response period led to reduced roles in decision-making, policy development and scrutiny for most elected members. There was evidence of some elected members enhancing their community leadership role as the scope for other roles receded, though this was experienced as frustrating for some members.
- Managing information flows to members and supporting members to embrace community leadership roles were among the strategies pursued by councils to address feelings of members' disconnection.
- There was evidence of community-based action, including the rise of volunteering, during the pandemic. This development provides as an opportunity for councils to build on.

Importance of relationships

- Positive member-officer and member-member working relationships were important foundations for taking effective and collaborative action during the pandemic. Many councils benefited from prior investment in building good relationships.
- The pandemic generated some improvement in relationships, for example accelerating the building of close working relationships between chief executives and council leaders or developing collaborative cross-party behaviours among members.
- Some members, often those not in leadership positions, felt that accessing officers was made more difficult and slower by remote working arrangements. On the other hand, some officers pointed to the opportunity to clarify role boundaries as part of developing effective member-officer relationships.

Impacts of technology on everyday practices of governance

- There was a widespread feeling that the use of technology has significant impacts on the routines and practices of council business and in particular, for members, on political life.
- The use of remote meeting technology allowed councils to return to formal meetings and stand down emergency arrangements. Councils moved to using remote meeting technology for formal council and committee meetings at different paces, in part due to the different levels of investment councils had made in that kind of technology prior to the pandemic.
- Councils had varying prior experience of the use of remote or flexible working. This meant that in terms of organisational and political cultures, as well as experience and basic capability, councils began the move to remote working and meetings from quite different bases.
- Members identified that the use of digital technologies offered some advantages in terms of managing workloads during the pandemic, but that they had significant impacts on important parts of the political process, such as their ability to build coalitions, acquire political intelligence, defuse conflict, and develop social solidarities among members.
- The shift to online processes brought many challenges to elected members. In the early phase, some (including those who felt especially vulnerable to Covid-19) were quick to embrace the new arrangements. However, in many councils, there was a certain amount of hesitancy among elected members about the prospect of remote meetings, informed by the value they place on face-to-face, in-person interactions, and the traditions of council business.

- Complications included the potential for meetings to become longer, and feelings of dislocation brought on by the screen-based technologies.
- There were important impacts on interpersonal dynamics among members. These encompassed constraints on the ability of members to build coalitions, defuse conflict, broker decisions, or gather political intelligence.
- Positive aspects of the move to online meetings were also noted. These included removing the need for onerous travelling commitments, and perhaps some progressive impact on behaviours during meetings.

Transformational change

- Both officers and members were very appreciative of the flexibility shown by council staff during the pandemic. There is a widespread sense that there are opportunities to build upon this in a developmental way. This includes the chance to maintain remote working arrangements for staff where this is desirable.
- Across the board, the pandemic accelerated a move to remote or hybrid working arrangements and the embedding of technology in the organisation.
- We know from research across a range of organisations that while many people have welcomed the removal of commuting from their lives, for others it can act as a buffer or decompression zone at the beginning and end of work, as well as demarcating ‘work-life’ boundaries. A similar picture emerged in this study. There are also important equality and diversity issues at stake in these questions. For example, in many workplaces, visibility in the building can affect promotion prospects and career success.
- It is less clear whether councils will choose to maintain the same level of remote set-ups for conducting council business. Here there seems to be appetite among members for a return to in-person working.
- There was also acknowledgement of the financial pressures faced by local councils. Even without the impacts of the pandemic, there would be a need to absorb far-reaching changes to service provision and to the size and shape of councils.

Central-local relations

- There was broad understanding of the exceptional nature of the circumstances and the legitimacy of the Scottish Government acting as the ‘senior player’. However, officers and members identified scope for improving the central-local partnership approach to managing the crisis.
- The experience of local councils during the pandemic perhaps highlighted pre-existing tensions in central-local relations.
- A lack of involvement in decisions that were affecting local authorities and having to react to policy changes with very short notice, were significant issues and raise questions about the locus of local democracy during the pandemic.
- Information flows to councils (e.g. from regional health partners) were not always effective and timely. Frustration about this was felt at both member and officer levels.

- The governance landscape in Scotland is complex and multi-layered. Notwithstanding the extremely challenging circumstances generated by the pandemic, there should be opportunities to revisit roles, relationships, and protocols to learn from what worked best, and what worked less well. Doing so will help develop capacity and resilience for future demands.



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