

# Report to Council

**24 October 2023**

<b>Subject:</b>	Proposals for the introduction of a Shadow Cabinet
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## 1 Recommendations

- 1.1 That the Shadow Cabinet Protocol, as set out in Appendix A, be endorsed.
- 1.2 That approval be given to make any changes to the council's Constitution, as set out at Appendix B, to reflect the introduction of a Shadow Cabinet.
- 1.3 That Council recommend the Independent Remuneration Panel (IRP) to review any Special Responsibility Allowance associated with the shadow cabinet roles and submit a further report to Council in December 2023.

## 2 Reasons for Recommendations

- 2.1 Currently, the Constitution does not provide for the establishment of a shadow cabinet as an arrangement to strengthen accountability and scrutiny.



2.2 Any changes made to the Constitution, including changes necessitating the establishment of a shadow cabinet and adoption of a Shadow Cabinet Protocol, require approval by the Council.

### 3 How does this deliver objectives of the Corporate Plan?

		Effective governance arrangements support the delivery of all corporate objectives.
		
		

### 4 Context and Key Issues

- 4.1 At its meeting on 25 July 2023, Full Council resolved that the Governance and Constitution Committee be requested to investigate the feasibility of establishing a shadow cabinet and to report back to Council, at the next full council meeting, on its findings.
- 4.2 A benchmarking exercise was conducted to ascertain the prevalence of shadow cabinets in the various local authorities. The benchmarking exercise involved analysing constitutions of 26 councils, of which 12 were in the West Midlands.
- 4.3 6 of the councils that were considered during the exercise were regarded by the Chartered Institute of Public Finance and Accountancy (CIPFA) in its model as Sandwell's 'nearest neighbors'. These are Coventry, Derby, Dudley, Sheffield, Wolverhampton, and Walsall. Other councils, though not Sandwell's 'CIPFA nearest neighbors', were considered to broaden the scope of the analysis. The benchmarking revealed the following: -



<b>Local Authority</b>	<b>Shadow cabinet/No Shadow cabinet</b>
Blackburn with Darwen Borough Council	Opposition spokespersons perform the functions of a shadow cabinet
Birmingham City Council	No shadow cabinet
Cardiff Council	No shadow cabinet
Cannock Chase Council	Has a shadow cabinet
Cheshire West and Chester	Has a shadow cabinet
Coventry City Council	Has a shadow cabinet
Croydon Council	Has a shadow cabinet
Derbyshire County Council	Has a shadow cabinet
Dorset Council	No shadow cabinet
Dudley Metropolitan Borough Council	Opposition spokespersons attend meetings of Cabinet. These perform the roles of a 'Shadow Cabinet'.
Gateshead Council	No shadow cabinet
Gloucester City Council	No shadow cabinet
Oxfordshire County Council	Has a shadow cabinet
Reading City Council	No shadow cabinet
Sheffield Council	No shadow cabinet
Shropshire Council	No shadow cabinet
Solihull Metropolitan Borough Council	Opposition Spokespersons attend decision making sessions and can address the member making the decisions without being required to give notice.
Staffordshire County Council	Has a shadow cabinet
Stoke on Trent City Council	Has a shadow cabinet
Tameside Metropolitan Borough Council	Shadow opposition spokespersons perform the functions of a shadow cabinet



<b>Local Authority</b>	<b>Shadow cabinet/No Shadow cabinet</b>
Telford and Wrekin Cooperative Council	No shadow cabinet
Walsall Council	Has a shadow cabinet
Warwickshire County Council	No shadow cabinet
Worcestershire County Council	No shadow cabinet
Wolverhampton City Council	No shadow cabinet
Wyre Council	No shadow cabinet

4.4 As a general practice, the largest political group on the Council which is not the Group(s) from which the Cabinet is drawn is officially recognised by the Council as the Opposition or Main Opposition. The Opposition may appoint a Leader, Deputy Leader, and other members (not being more than the number of members in the Council’s Cabinet) to shadow the responsibilities of the Leader and Deputy Leader of the Council and the other Cabinet members. Other councils have established some other shadow arrangements in which opposition spokespersons perform the functions of a shadow cabinet.

4.5 The Governance and Constitution Review Committee, on 21<sup>st</sup> September 2023, agreed to set up a working group to consider any draft shadow cabinet protocol and authorised the Chair of the Committee to approve the final protocol. The Working Group, on 5<sup>th</sup> October 2023, subsequently considered a protocol and recommended it for approval as set out in Appendix A.

## 5 Implications

<b>Resources:</b>	The establishment of a shadow cabinet may have financial implications as shadow cabinet members in comparable councils are paid a Special Responsibility Allowance. This is subject to consideration by the Independent Remuneration Panel and a decision by Council.
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<b>Legal and Governance:</b>	Changes will be required to the Council’s Constitution and governance arrangements in order to incorporate the new Shadow Cabinet protocol.
<b>Risk:</b>	Establishing a shadow cabinet will help to provide effective challenge to the executive and corporate scrutiny of the achievement of the Council’s corporate and service objectives and priorities.
<b>Equality:</b>	
<b>Health and Wellbeing:</b>	
<b>Social Value:</b>	
<b>Climate Change:</b>	
<b>Corporate Parenting:</b>	

## 6 Appendices

Appendix A – Shadow Cabinet Protocol

Appendix B – Proposed Changes to the Constitution

## 7. Background Papers

[Report to the Governance and Constitution Review Committee – 21 September 2023](#)

