

Report to Governance and Constitution Review Committee

21 September 2023

Subject:	Investigation into the feasibility of establishing a shadow cabinet
Director:	Surjit Tour Director of Law and Governance & Monitoring Officer
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1 Recommendations

- 1.1 That the Governance and Constitution Review Committee consider and make recommendations on the formal establishment of a shadow cabinet.
- 1.2 That where any changes are required to the Council's governance arrangements or any other constitutional document because of 1.1 above, the Council be recommended to consider and approve any changes.

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 Council's Constitution, which includes changes necessitating the establishment of a shadow cabinet, will 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, Council resolved that the Governance and Constitution Committee would investigate the feasibility of establishing a shadow cabinet and to report back to Council on its findings at the next full council meeting.

The issue of formally recognising shadow cabinet roles was also raised by the Independent Remuneration Panel (IRP), in its 2023 report ‘A Review of Member’ Allowances for Sandwell Metropolitan Borough Council’. This matter had been raised by Councillor participants in the IRP review activity. The IRP observed that this was a matter for Council as to whether it would wish to recognise these roles and attach a special responsibility allowance.

4.2 A benchmarking exercise was conducted across the West Midlands local authorities and beyond 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 Six 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: -



Local Authority	Shadow cabinet/No Shadow cabinet
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
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 will be officially recognised by the Council as the 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.

5 Implications

Resources:	The establishment of a shadow cabinet may have financial implications as shadow cabinet members in comparable councils are paid a Special Responsibility Allowance. The IRP recommended that any formal establishment of shadow cabinet roles should attract an allowance equivalent to 10% of the Leaders allowance. This translates to £2, 858.
Legal and Governance:	Please see section 4.1 above.
Risk:	None associated with this report
Equality:	None associated with this report
Health and Wellbeing:	None associated with this report



Social Value	None associated with this report
Climate Change	None associated with this report
Corporate Parenting	None associated with this report

6 Appendices

Appendix A – Options on the working arrangements for a shadow cabinet

7. Background Papers

None



