

ANDREW GMYNNE

LABOUR MP CALLS FOR MORE COMMUNITY EMPOWERMENT



THE HISTORY BOY

Labour MP Andrew Gwynne has already made his mark in politics, but he's not ready to stop just yet and has new ideas to make the most of local government,

LCR editor Marie Dill discovered when she went to meet him

Photographer: Chris George, assistant: Erik Erxon

was told at 15 by my careers advisor that politics isn't a real job and that I couldn't make it into a career," Andrew Gwynne declares as a secret. Words I'm sure that particular careers advisor hasn't ever uttered again. We're in Mr Gwynne's office which has views overlooking parliament, sitting in comfy chairs and chewing the cud over local councils. He hadn't planned on being a politician (he wanted to be a teacher – it didn't work out) but he's not only made a career out of it, he's also made history, and he's only 44 (he had a birthday the day before our meeting).

Born and brought up in Manchester, the young Mr Gwynne always had an interest in his local community and at the age of 16 and the imminent 1992 general election, he was "bitten by the political bug" and made the conscious decision to join the Labour Party because it best reflected his values and beliefs. Then in 1996, he became England's youngest ever councillor at the age

of 21 when he was elected to Tameside Metropolitan Borough Council in Greater Manchester. And a number of years later he was making history again, when at the age of 30 he became the youngest Labour MP in the 2005 parliament, representing Denton and Reddish. He has subsequently gained numerous promotions, from being Baroness Scotland's parliamentary private secretary to shadow transport minister and now shadow secretary of state for Communities and Local Government. And while he's not busy tending to his constituents' needs and going about his parliamentary business, he's writing books.

Quite the political career, so far (take note, all you careers advisors out there).

But what does he think of local councils, how to get more young and diverse people involved in local politics and the role of communities post-Brexit? Read on to find out.

Q: What's Labour's vision for community government?

A: I really believe in taking community empowerment away from just being slogans. For the past two decades, governments of all colours have talked about empowering communities and communities taking control of their destiny. Actually, if we're going to make that work we've got to genuinely empower communities, and that means giving them not just the resources to be able to deliver things at a local level but to be able to provide them with the confidence to think outside of the box and deliver something for their locality.

Q: Do you think changes to the Localism Act would help?

A: I think it's needed. The Localism Act has been good; it's brought some positive changes. It does mean that local communities, in theory, have more of a say over their destiny but I want that to go further. There are still too many parts of the country where principal authorities view localism as something that can only happen within a framework that they set out. [But] we need it to develop from the bottom up. It needs to be the community that decides what forum is the most appropriate to help develop their communities. It might be a local council, it might be a neighbourhood planning forum, or it might be some kind of community forum for an estate or a smaller area.

Q: How would you encourage greater working between principal authorities and local councils?

A: Principal authorities shouldn't view local



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QUICK FIRE Questions

LCR asks Andrew Gwynne the little questions...

What's the one thing you would like on your bucket list?

I've got a lot of things I'd like on my bucket list but the thing I would have liked the most – and it can't be done now because there's isn't one in service – was to have

Morning or night person?

Where would you say is the best place you could get stuck?

Oh, if I could get locked in anywhere it would be in my – now this is going to sound really daft and I'm going to have to explain it. If I had to get locked in anywhere, it would be in my downstairs toilet because it is stocked full of booze. When we have guests round to our house they say, can I use the toilet because everyone wants to

councils as something to be suspicious of. They should see them as genuine partners for change within a community. This isn't the reason for having local councils, but a lot of cooperation is being forced onto principal authorities because they realise that they can't deliver the services on their own and they need help. They need the help of local councils to be able to continue providing some of the most basic neighbourhood place-based services.

There are some good examples of where that's working well, where principal authorities have passed down responsibilities and resources to local communities, and they've allowed local councils to run those services on behalf of the principal authority, and in many cases, they've been run better as a result of that.

But there are still too many areas where local councils are viewed with suspicion. Where this is happening there should be a duty to cooperate in a positive sense, not in a reluctant sense. If you're a member of a local council or a principal authority, you're in politics for the same reason. Frustratingly, this is often the same people who are in the same political groups in both councils, yet you'd think they'd take off their local council hat when they leave the town hall and put on an entirely different hat and a different mindset when they go to the principal authority council offices. And you think, come on, you're the same person often representing the same area just with two different hats.

Q: How do you see the role of local communities evolving post-Brexit?

A: I genuinely worry. It's a doubleedged sword that there will be so many communities that will be left behind if

there isn't a strong and powerful local government voice. What we've got to make sure of is that there isn't a disconnect between the elected and the electors. I believe that is where local councils have a real role to play because we heard a lot in the referendum - whichever side people were on - that the key message was of taking back control. If powers from Brussels and Europe are returned to Westminster, it would be unforgivable if there then wasn't further devolution to local authorities and the devolved assemblies in Wales, Northern Ireland and Scotland. But it shouldn't stop there; it should go down to local communities as well. If I'm critical of some of the devolution that has taken place in parts of the UK, it seems to be a one-way devolution. For example, we've had powers from Westminster go to, say, Holyrood, but Holyrood has been simply unwilling to give up its powers to principal government and then principal government down to local councils. The same is true in England. We need devolution to go beyond the city region level to local communities so they feel they have a stake.

Q: As one of the youngest ever councillors elected, how can we get more younger people to stand as councillors?

A: There's a lot of excellent work that's taken place in recent years to raise awareness among young people of what local government does with young people but this is difficult to answer. What I've found, even in this year's local elections, is that so many young people will take an interest in national elections. We saw that in the 2017 general election where we had record numbers of young people and firsttime voters coming out to vote because they felt enthused and engaged. But one of the real frustrations is that so much more of what affects young people's lives day-today isn't determined by [parliament], it's determined by county halls, town halls and even local village and community councils.

Q: How can we get those with a disability more involved as well?

A: It's a challenge. We've got to be much better at getting our councils to become much more representative of the communities that they serve, and that doesn't just mean young people, it means black and minority ethnic people. it means people from other minorities like LGBT and those with disabilities. Far too many of our councils at all levels do not accurately represent the communities they seek to serve. There's a challenge there for the government and political parties, even if that means we've got to have positive discrimination when we're selecting candidates to make sure that we've got a good broad range of candidates. I don't know what the answer is and I don't think there's a one-size-fit-all, but what we've absolutely got to do is get better at selecting people from all kinds of backgrounds, because we get better decisions when our town halls represent and reflect society more generally.

Q: Given your wide range of international interests, including China and Latin America, is there anything we can learn from their local governments?

A: I'm always interested in looking at how local government operates around the

go into it. And they go in and they're like, just that we've got nowhere to store it. So if

What's the best place you've visited?

Definitely The Forbidden City in Beijing.

If you were to write your next book what would the topic be?

The best thing about Manchester?

station, where the atom was split, where

second city and they'll always say, well, it's a toss-up between Birmingham and

How would you like to be remembered?



"Local government isn't something that just happens to a community; it should happen with a community"

world, so in the most recent recess I went to the Middle East on a delegation to Israel and Palestine and we went to Tel Aviv city hall, and everybody else was interested in other issues to do with what was going on in Tel Aviv. All I was interested in was asking, where do you get your money? What's the grant that you get from central government and how much of it is raised locally through business rates and property taxes and so on? You know, complete geekery, and you could see everybody else's eyes glazing over. But the point is, it is good to find out how local government works across the world.

What you see in this country is that we've got one of the most centralised systems of government in the world. Local government basically is a local provider of services, but it hasn't the freedoms and flexibilities that many local authorities have in other countries. They certainly don't have anything like the tax-raising powers that many local authorities have, and they don't have the public involvement either. I think there are some good examples around the

world where local communities are brought along as part of the place-shaping exercise of local government. Local government o'isn't something that just happens to a community; it should happen with a community.

Q: Metro Mayors – are they working?

A: I think the jury's out. There is a mixed picture, but there is a mixed picture for a reason and that is because different city regions have different devolved settlements. So you look at a city like Greater Manchester, and they've got powers like Devo Max but by English standards, yet you go a bit further down the M62 to Liverpool and its mayor has got basic powers. Now I'm sure that as time progresses the Liverpool City region will campaign for more powers along the lines of what Greater Manchester has.

But where I would say that they are working is in giving local regions a strong voice. Take, for example, the recent rail fiasco. There was complete chaos with rail services across the north of England and [Greater Manchester Metro Mayor] Andy Burnham and [Liverpool City Metro Mayor] Steve Rotherham had a powerful lobbying voice against central government. But they also had a voice in the media - a voice the nation's media listened to about local rail services in the north. Now, I'm not sure that if it wasn't Andy Burnham talking and it was instead the leader of one of the northern city councils, they would have had as much impact on the rail services across the north of England. But because of who he is, and who Steve Rotherham and Dan Jarvis [Metro Mayor for South Yorkshire] are, the media were interested. The fact that we've got three strong voices coming together across these three regions isn't just good for those areas, it's good for the whole of the north of England. So I think the jury's out on the day-to-day delivery of services and on making a real change to communities but regarding having a strong voice, it has made a massive difference.

NALC campaigns

Following the government's consultation on the National Planning Policy Framework, NALC's Chris Borg explains why planning permissions need fleshing out

ALC recently responded to the government's consultation on the update to the National Planning Policy Framework (NPPF) (see the Consultation section on NALC's website). In its response, the association made clear that it shares the government's desire to improve the supply of affordable homes and supports its intention to ensure that planning permissions are delivered. It also said that it hoped the review by Sir Oliver Letwin would solve this problem.

NALC also welcomed moves to strengthen the duty to co-operate between the different tiers of local government. However, NALC has not yet seen adequate measures to further improve the neighbourhood planning system or to reduce demands on neighbourhood planning groups.

Inefficient delivery

Several major stumbling blocks are preventing the efficient delivery of more homes. For instance, local planning authorities are suffering from underresourcing and a lack of skills. There are also many other problems standing in the way of local authorities delivering affordable housing, one being that developers are private entities that almost always defend their own commercial interests.

Although the government is expanding the activities of Homes England, there do not appear to be plans for a public sector programme to assemble land and provide supporting infrastructure similar to that which existed 50 years ago.

The requirement brought in by the NPPF in 2012 for all principal authorities to have a five-year supply of easily deliverable housing land has worked against balanced development and has led to the overturning of many Neighbourhood Plans.

All too often the adopted policies of many local councils and neighbourhood planning groups are being overridden, most notably due to the land supply issue. As a result, NALC is appealing to the government for the standard housing

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land supply criteria to be either dropped or adjusted to take local factors into account, and for the strengthening of Neighbourhood Plans.

The fact that so many neighbourhood planning groups (well over 2,000) have completed or are carrying out Neighbourhood Plans proves that a significant number of communities accept the need for more housing and broadly support local housing targets.

But there is now a concern as a result of the draft NPPF. Specifically the knock-on effect on Neighbourhood Plans if Local Plans are to be reviewed up to every five years. The capacity and financial resources do not exist in many communities to also be reviewing Neighbourhood Plans so frequently. Producing a Neighbourhood Plan is a demanding and expensive exercise.

NALC has been a great defender of neighbourhood planning. It has therefore found the increasing number of plans being set aside on appeal disappointing. Communities that have had their plans declared 'out of date' or set aside for other reasons have been left disillusioned and disincentivised. A genuine devolution of planning powers to the local level is what is required.

NALC endorsed the findings by the Commission on the Future of Localism in its report *People Power*, which was published in tandem with *Power to Change* in February. Neighbourhood Planning was among the aspects of devolution and localism that the report examined. It called for a "strengthening of community power".

Final word

NALC's point is that, once communities have dragged themselves through this challenging process, it is then unacceptable for modifications at the examination stage to entirely alter the overall objectives of the Neighbourhood Plan – a point made in the *People Power* report. Or for inspectors to give no weight at all to Neighbourhood Plans that have not quite completed their full process and for adopted Neighbourhood Plans to be declared 'out of date' due to a principal authority's inability to prove it has the requisite supply of easily deliverable housing land.

THE ONLY WAY IS ETHICS

NALC's policy officer, Jessica Lancod-Frost, dissects and analyses recent research into how local councils and county associations maintain their ethical standards

s I'm sure you will agree, maintaining high standards of ethical conduct is a crucial part of any local councillor's role. High standards help safeguard local democracy by demonstrating that local councils are acting for the benefit of the people they serve. However, NALC does not believe that current ethical standards arrangements are working as well as they could and a review of the ethical standards regime (and wider Localism Act) is something we have long called for. So when the Committee on Standards in Public Life (CSPL) announced it was undertaking a review of local government ethical standards, we did not hesitate to draw up a response. As this was such an important review, evidence highlighting the views of those on the ground was needed to support NALC's response.

How did we gather this evidence? Two surveys were distributed to local councils and county associations seeking feedback on various aspects of the standards regime. This included codes of conduct, complaints processes, sanctions and training.

The responses, most importantly, highlighted the changes that local councils and county associations would like to see

made to the current standards regime. These included:

- the introduction of a single code of conduct which would apply to all councils, a measure supported by around 95% of county associations and 87% of local councils;
- new powers for local councils to impose additional sanctions, as requested by almost 90% of local councils and nearly 70% of county

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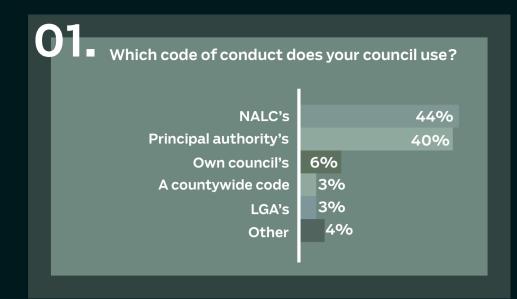
associations. Current sanctions used by local councils include apologies and training. However, around 60% of local councils believe these sanctions are neither sufficient to punish breaches of the code of conduct or deter future breaches;

 more training. Our survey of local councils also uncovered gaps in training on codes of conduct. Almost 40% of local councils stated that their members were not provided with any training on codes of conduct, while nearly 20% of local councils stated that most members did not understand the rules and registers for declaring an interest.

Measures NALC has called for to address the above points include a single code of conduct based on NALC's Code of Conduct, which all councils can use. We would like to see stronger sanctions available to local councils, including the power of suspension and disqualification. We are also asking the government to invest $\Sigma 2m$ towards a national training programme which would see all new councillors undertake training on ethical standards and the code of conduct as part of their induction.

The LGA, however, is asking for a continuation of the "status quo", claiming there is "little evidence that support[s] the need for fundamental change". Controversially, it is also calling for principal authorities to have "the power to charge local councils where they are repeatedly dealing with complaints".

Let us know your views on the LGA's suggestion by emailing: policycomms@nalc.gov.uk.









Council focus

Halewood Town Council continues to make significant changes for its community. Here town manager George McKenzie explains why the council was named Council of the Year at the Star Councils Awards 2017

momentous one in the history of Halewood Town Council, the largest town council in Knowsley on Merseyside.

Following on from our award of Quality status in late 2016 – the first town council to achieve this in the region – we were delighted to be shortlisted by NALC for Council of the Year 2017 at the Star Councils Awards. Although Halewood Town Council is no stranger to such an award (we were first named

Council of the Year in 2008), to be

'crowned' Council of the Year 2017 was a particular honour and a proud moment for the council and the whole community.

Why were we winners?

Because we were acknowledged and commended by the judging panel for how we "engaged with the community and went beyond the traditional boundaries of local councils". Knowsley is an area of significant deprivation, made worse by severe government cuts made under the austerity regime.

These cuts have impacted Halewood families significantly not least concerning food poverty, sometimes referred to as 'holiday hunger'.

For the past three years, the town council has provided free meals during the school summer holidays. In the first year, we linked this to activities that took place within our community, which ranged from outdoor sporting events to reading activities with under-5s in our library. We made similar provision the year after as well. But last year, we established a partnership with a local catering provider

Can Cook CIC, that, among other work, match-funded the provision of hot meals throughout the summer

holidays. It was a tremendous success due mainly to the additional funding by Can Cook CIC, and in the summer holidays alone we provided over 900 meals.

This year, we have been working in partnership with our principal authority's children's centre, the only registered community association in Halewood, Torrington **Drive Community** Association, and others to access government funding to help ease holiday

hunger and we plan to do even more this year. We recognise that just providing food isn't the full answer; there needs to be a holistic partnered approach to the issue.

We also recognised that for many families school uniforms are a huge expense. During the summer, in particular, families face the increasing financial pressure of buying new school uniforms

for their children. Not having a new uniform is, in some cases, sadly, the cause of bullying at schools.

What did Halewood Town Council do

about it? At the suggestion of a former town councillor, we approached our head teacher colleagues at our six primary schools and asked them if they would be willing to take part in a scheme designed to help the more vulnerable families, those in most need, purchase school uniforms.

The scheme is straightforward. The staff at the school identifies those families in most need, sometimes using pupil premium information, and in aggregate terms, the school says how much school uniforms would cost that group. The

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council directly funds the schools, which then liaise with the families, and new uniforms are bought. Over time, parents repay the school, and the monies collected go back to the council. Not all the funds are always repaid but the members of the town council accept this – times are hard for many families and the funds are 'topped up' to provide money for the following year. The scheme has proven to be a very popular addition to the range of services the town council offers to children and families in the Halewood area.

Holiday hunger and school uniforms are just two of the areas of our work that gained us recognition in the Council of the Year category. Commenting on the award, Cllr Tina Harris, former chairperson of the town council and former mayor of Halewood in 2017/18, paid tribute to the staff, volunteers and elected members who along with partners make our work possible and rewarding.

Legal surgery

NALC solicitor Martin Fine asks, must employees wear what employers want? New government guidance aims to help both parties understand the pitfalls

fter being sent home from work for refusing to wear high heels, Nicola Thorp, a temporary receptionist at a large accounting firm, decided to petition the government. Her petition was signed by over 152,000 people and led to a House of Commons inquiry into workplace dress codes, which called on the government to provide guidance to help employers and employees understand the law.

The government has now published its guidance. It reminds employers that a dress policy does not have to be identical for men and women. But the dress standards that employers require of their staff must be equivalent, irrespective of gender. If a man is required to wear a suit and tie, it will be inconsistent to permit a woman, in similar circumstances, to wear jeans or other casual clothes. And if wearing trainers is allowed for women, it would clearly be inconsistent to ban trainers for men. The guidance also warns that requiring women to wear high heels is likely to be unlawful under the Equality Act 2010. This is because there is no male equivalent, and therefore the requirement is genderspecific. It may also amount to disability discrimination because it could cause problems to women who have existing mobility problems.

Standards

A workplace dress code can set the standard for what is appropriate for employees to wear at work. Men and women can be subject to different requirements provided they are of a similar standard and not applied more strictly to one sex. A dress code that requires all employees to 'dress smartly' will not be discriminatory, provided that it is applied consistently and sensibly to all. For example, a requirement for men to wear a shirt and tie will not be unlawful if women are also expected to wear smart office

attire. But a policy that permits only women to dress more casually in the summer will probably be unlawful.

When setting a dress code, it is generally helpful first to discuss it with staff. Once agreed it should be communicated throughout the organisation. A dress code must not directly or indirectly discriminate against employees with a particular religion or belief or no religion or belief. The Equality and Human Rights Commission publishes guidance on dress codes and religious

A company requires their receptionists to dress smartly so that they portray a positive public-facing image. This would be lawful, as there are no gender-specific requirements for men or women.

An employer requires all employees to wear smart shoes but does not require female employees to wear high heels. This would be lawful.

A clothes shop expects staff, both male and female, to dress in a provocative or revealing fashion. This might not amount



symbols (see: www.equalityhumanrights. com/en/advice-and-guidance/religion-orbelief-dress-codes-and-religious-symbols).

Examples

An employer requires female staff to wear high heels as part of a dress code but places no footwear requirements on men or merely requires them to look smart. This is likely to constitute direct discrimination on the grounds of sex because there is not an equivalent standard imposed on male staff. It might also amount to indirect discrimination against employees with a disability, where heels could exacerbate any difficulties with their mobility, or for those who are visually impaired, where walking in heels can pose an extra risk of falling.

to direct discrimination since it imposes equivalent requirements on men and women, but it could contribute to an environment in which employees may be vulnerable to unwanted sexual attention and harassment.

In the clothes shop example above, a female shop assistant makes a complaint that the dress code amounts to harassment. Shortly after, she is dismissed from her job, with no valid reason given. This is likely to constitute unlawful victimisation, even if the employer did not say it was because of her complaint.

Source: Government Equalities Office, Dress codes and sex discrimination – what you need to know (May 2018).