

14 December 2023

Mark Hodgson
Associate Partner
Ernst & Young LLP (Local Auditor)

By email only: MHodgson@uk.ey.com

Dear Mark

Progress against identified areas of concern set out in letter dated June 2022

Now that the Code of Conduct investigation and hearing has concluded, I believe it is timely to write to you to update you on progress against the key actions required by the Authority to address the significant governance weaknesses set out in your letter to John Pye - Independent Chair of Audit & Governance Committee - in June 2022.

I note the communications between yourself and the interim Chief Executive, Gordon Mitchell, on the progress made prior to my appointment and the specific areas you identified in your letter dated 17 March 2023 that still needed to be addressed. I believe we have made further and significant progress on the concerns you raised.

Since joining CPCA in June 2023, I have led the overall improvement activity supported by my Corporate Management Team. Nick Bell, Executive Director Resources and Performance, chairs the Improvement Group to ensure planned progress is made, dependencies and risks are addressed and that the programme highlight report is signed off en route to the Audit and Governance Committee, the Overview and Scrutiny Committee, the Combined Authority Board, the Independent Improvement Board, and the quarterly meetings with the Department for Levelling Up, Housing and Communities.

Now that the Code of Conduct investigation has concluded, the Decision Notice has been published and recommendations from the Hearing Panel are being implemented, I believe that all the areas of concern set out in your letter to John Pye in June 2022 have been addressed. As you know, this was part of our introductory conversation when we met in early July when you were clear the outstanding issue was the conclusion of the Code of Conduct investigation.

The key concerns were:

Addressing the significant employee related matters emanating from the whistleblowing notification and ensuring that all Authority employees are appropriately safeguarded is of paramount importance. The Authority also needs to be mindful of the impact that implementing these safeguarding actions has on the Senior Management employees taking those actions.

The Hearing panel met on 14 November 2023 to determine the Code of Conduct complaint against the Mayor. The panel unanimously agreed with the findings of the independent investigator that the Mayor had breached the Members' Code of Conduct regarding Civility and Disrepute and unanimously agreed that the following sanctions and recommendations would be appropriate:

Sanctions

1. Publish the Findings in the Decision Notice.
2. Report the Findings to the Combined Authority Board.

2nd Floor, Pathfinder House
St Mary's Street
Huntingdon
Cambs
PE29 3TN

3. The Mayor to provide a written apology for the Decision Notice and consult with the Monitoring Officer on the appropriateness of providing a written apology directly to one or more of the complainants.
4. The Mayor to provide an undertaking not to repeat his behaviour, and to agree with the Chief Executive an appropriate development and training programme to take place over the next six months; this should include the appropriate HR best-practice when operating in a senior Member role.

Recommendations

1. The Combined Authority Board to agree a comprehensive Induction process for whenever a new Mayor takes up their appointment.
2. Audit & Governance Committee to review the relevant parts of the Constitution, in light of the lessons learned from this first Sub-Committee hearing and make recommendations to the Combined Authority Board.

Following the hearing, the Mayor has apologised to two complainants in writing. The Monitoring Officer sent the Mayor's apology to the complainants on 17 November 2023. In addition, the Mayor has provided a written apology which is annexed to the Decision Notice. The Mayor has also provided an undertaking as requested by the Hearing Panel which is annexed to the Decision Notice.

The Monitoring Officer considered carefully the public interest of this investigation and what should or should not be published and sought legal advice from both a large international firm of Solicitors and, separately, from a King's Counsel highly experienced in Public Law to enable the Audit & Governance Committee to make appropriate and balanced decisions. Following that external advice, as well as taking into consideration the views of the Independent Investigator and the Independent Person, it was decided not to publish the Independent Investigator's report as it contained the names of many individuals who had been interviewed, not all of whom had given consent for their names to be placed into the public domain. Instead, a detailed summary of the Independent Investigator's report was provided as part of the Decision Notice.

I believe the process has been managed appropriately and effectively, albeit that it has taken longer to conclude than any party would have liked, and that it brings to a conclusion the Code of Conduct issues relating to the Mayor.

To embed a culture that supports and protects staff, a set of clear values for both Officers and Members (CIVIL - Collaboration, Integrity, Vision, Innovation, Leadership) was agreed by the Combined Authority Board in January 2023 following extensive consultation. The 'CIVIL' values have been embedded into HR policies (including whistleblowing and grievance) agreed by the Employment Committee in March 2023. Training for managers has, and will continue, to take place.

I have worked closely with the two other Statutory Officers to set out a training and development programme for the Mayor. This was part of the sanctions imposed on the Mayor by the Hearing Panel and the programme will take place during January and February next year, which is well within the six month period stipulated by this sanction.

Appropriate leadership capacity to be able to deliver its objectives and statutory responsibilities. In order to do so, we believe more formal intervention is required, and expeditious discussions with the Authority's sponsoring department to this end are time critical.

The current leadership and departmental structure was agreed by the Combined Authority Board in October 2022. A copy of the current structure is attached for your information.

All senior leadership team roles are currently filled by either a permanent appointment or temporary highly skilled and experienced individuals providing capacity and leadership to the agendas to be delivered.

A support structure is also now in place for the Mayor's office as well as a protocol and set of working arrangements for all staff.

This increased and stable team has provided capacity to enable a suite of governance and related policies and guidance to be developed, agreed by the Combined Authority Board, and implemented, including:

- A new Constitution for the Combined Authority
- Revised Officer / Member protocols
- Refreshed Procurement guide and protocols
- A Single Assurance Framework signed off by three government departments
- A Risk Management Framework developed in conjunction with RSM to ensure best practice
- A Performance Management Framework that provides a holistic view of how well the Combined Authority is delivering against its strategic objectives, and
- A Corporate Strategy and linked Medium Term Financial Plan

The Combined Authority continues to work closely with the Independent Improvement Board (IIB) which meets formally on a bi-monthly basis to report progress against the Improvement Plan.

Richard Carr, the IIB Chair, continues to engage with the Combined Authority Board, Chief Executives of Constituent Councils, and the Combined Authority's Corporate Management Team. He also reports to the Combined Authority Board and key stakeholders on the IIB's level of assurance on the progress on the Improvement Programme being reported and any areas that the IIB believe require continued focus.

The Combined Authority and IIB Chair also continues to engage on a regular basis with the Department for Levelling up, Housing and Communities, the most recent meeting taking place on 5 December 2023.

I believe that the Combined Authority Management team has fully addressed the concerns you set out in your letter dated June 2022 and in doing so has built increased capacity, sustained momentum and a culture of continuous improvement to confidently address any future challenges.

I would welcome the opportunity to discuss the points I have set out above and trust that this update will support the value for money assessment you will present to the Audit and Governance Committee at its meeting on 26 January 2024. Prior to this meeting it would be helpful if you could respond to this letter and, if you are in agreement that the actions you required the Combined Authority to complete from your previous letters have now been actioned, to note that within your response.

I look forward to hearing from you.

Yours sincerely,



Rob Bridge
Chief Executive

Organisational Structure



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

