

Isle of Wight Council

Governance at the Isle of Wight Council

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1 Background

- 1.1 Local authorities are at the forefront of delivering vital public services to hundreds of thousands of residents in their local area, and manage significant budgets drawn from taxpayers' money. There are well-established principles for how people working as a public officeholder in the UK should behave – these are the Seven Principles of Public Life, also known as the Nolan Principles.
- 1.2 The Nolan Principles apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services:

1 Selflessness

Holders of public office should act solely in terms of the public interest.

2 Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3 Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4 Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5 Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6 Honesty

Holders of public office should be truthful.

7 Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

- 1.3 The Isle of Wight Council (the Council) is responsible for ensuring that its business is conducted in accordance with the law and proper standards including the Nolan Principles, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The Council is responsible for ensuring that there is a sound system of governance (incorporating the system of internal control).
- 1.4 In discharging this overall responsibility, the Council is responsible for putting in place proper arrangements for the governance of its affairs and facilitating the effective exercise of its functions, which includes arrangements for the management of risk.

1.5 It is also relevant to consider the fundamental purpose of the Best Value legislation and framework – to ensure that local authorities are effective, efficient and economical in carrying out their duties to every citizen of the authority, and that they do so with the robust record of transparency, probity, scrutiny and accountability that citizens rightly expect. In May 2024 the Department for Levelling Up, Housing and Communities (DLUHC), now the Ministry of Housing, Communities and Local Government (MHCLG) published Statutory Guidance on best value standards and intervention. This Guidance was published in draft form in July 2023 and sets out seven key themes of good practice:

- continuous improvement
- leadership
- culture
- governance
- use of resources
- delivery
- partnership

1.6 The Best Value duty is concerned with making arrangements to secure continuous improvement with seven overlapping themes of good practice for running an authority that meets and delivers best value. While these themes are all interdependent, strong governance, culture, and leadership underpin effective partnerships and community engagement, service delivery, and the use of resources. Continuous improvement is the outcome of all the themes working well together. While no large and complex organisation can be perfect, local authorities should be ‘fit for purpose’, operate lawfully and to high standards. The proposed programme that has resulted from my review of governance at the Council is designed to contribute towards these goals, to the benefit of the people of the Isle of Wight.

2 The context

- 2.1 The Isle of Wight Council has been a unitary council since 1995. The Council is one of the smallest unitary councils in England with a population of 140,794. I was told that the Council has found it difficult to recruit and retain staff and this is considered by some Councillors to be the reason why there is an apparent lack of capacity and even competence in the ranks of the Council's senior managers. I was provided in confidence with documents from one Group that gave specific examples challenging the competency of some Council officers to support this view. I found this disappointing and a demonstration of a lack of appreciation and understanding about the reality of the financial resources and organisational capacity available to the Council by some of those who hold this view.
- 2.2 There is a total of 39 Council seats, and there is no overall political control. Like many Councils with no overall control, the politics on the Island can be very complex and sometimes can be fragmented. This inevitably has limited recently the potential for an agreed approach by the different Groups to many of the more significant challenges facing the Council.
- 2.3 The Council in May 2025 moved from a Leader/Cabinet form of governance back to a committee system. The embedding of that model is currently underway, but this has been impacted by the likely return to a Leader/Cabinet model following proposed legislative changes.
- 2.4 The political groupings are currently as follows:

Alliance Group

This Group is made up of various parties/individuals. The Group is composed of twelve Councillors, one of which is the Leader of the Council.

The Chairman of the Council this municipal year is a member of the Alliance Group.

Conservative Group

There are thirteen Councillors in this Group. One member of this Group is also one of the two Members of Parliament on the island.

Liberal Democrats

There are four members of this Group. The Leader of the Group is also the Deputy Leader of the Council.

Empowering Islanders

There are three members of this Group.

Reform UK

Following the recent by-election, there are now two members of this Group.

Non-Aligned

There are five members not currently part of a political Group: three Independents; one Independent Socialist; one Labour (who is also the other Member of Parliament).

3 Concerns

3.1 The Council's Statutory Officers (the Head of Paid Service, the Deputy Monitoring Officer and the s151 Officer, supported by the Senior Governance Adviser) have previously identified a number of concerns. These very broadly fall under 'organisational culture' (including behaviours) and 'governance':

- the Statutory Officers have, through their own experiences and through staff feedback, identified member behaviours which are of concern. The Statutory Officers are also aware from direct staff feedback of the concerns from officers about various aspects of member behaviour which could be construed as bullying/harassment behaviours, and which are causing stress for some staff, and which are impacting negatively on the culture of the organisation. This includes comments made by some Councillors about members of the Council's staff in the local press and on social media. There are examples of some Councillors openly calling for officers to be disciplined and a call for 'formal investigations' of staff. This impacts very negatively on the culture of the organisation, staff morale and further opens the Council to legal risks of employment tribunal/personal injury claims.
- another concern is the frustration of the formal decision-making processes which impacts on the business of the Council resulting in delays and lost opportunities, some of which could negatively impact the Council's financial position.
- generally, there appears to be a lack of respect, understanding and adherence to the 'Councillor and Officer Protocol' and the 'Relations between Councillors Protocol' as set out in the Council's Constitution. Mutual trust and respect between Councillors and officers is at the heart of effective corporate governance. It is essential if the partnership necessary for the effective and efficient running of the local authority is to be successful. These complementary roles are clearly set out in the Council's Constitution:

'Councillors and Officers are all public servants and so each serve the public. But they do so in different ways. The roles and responsibilities of Councillors and Officers are distinct, but complementary. Councillors and Officers are not in competition with each other, but Officers, whilst politically impartial, should

demonstrate political awareness (including of the operating environment) since Councillors are democratically elected to pursue political policies etc. Mutual respect between Councillors and Officers, both personally and for the roles which each perform is essential to effective local government.

The distinction is that:

- Councillors are accountable to the electorate through the ballot box and normally serve as long as their term of office lasts. Their role is to provide the political direction and political leadership of the local authority as well as setting the lawfully agreed policies.*
 - Officers are accountable to the local authority as a whole. Their role is to give professional advice impartially in the public interest and provide support and information to Councillors both individually and collectively where Councillors are conducting the business of the local authority, to implement the lawfully agreed policies of the local authority and generally to carry out the work of the local authority under the direction and control of the Full Council or their Committees/Sub-Committees or Joint Committees.'*
- despite this clarity about the complementary but distinct roles of members and officers in the governance model of the Council it is clear that some members – and, it has to be said, some Council officers - appear to not fully understand what this means in practice. There are occasions when some members claim that they know more based on their own experience and knowledge and they sometimes take their own professional view on technical matters and on occasions refuse to accept officer advice. They also sometimes seek various alternative views from others outside the Council. Some members believe that some officers wilfully delay implementation of decisions they do not agree with and/or attempt to vary the decision by replacing it with one they feel to be more appropriate.

- all of this conflict between officers and members has and does cause additional risk, expenditure, delay and contributes to the loss of mutual trust and respect. Further, this impacts on value for money considerations and the proper and effective financial management of the Council.
- so far as member behaviour is concerned, whilst it is the behaviour of a small number of members that causes problems and concerns at Committee meetings and at full Council, most Councillors do not call out the bad behaviour at the point at which it happens and therefore implicitly support or at least facilitate the continuation of the behaviours. Some members told me that they were reluctant to call out such behaviour for fear of the reaction, particularly in public settings such as full Council meetings.

3.2 The Statutory Officers, mindful of their own statutory obligations to the Council, the Council's Best Value duty and their professional duties, have identified particular risk areas. They have taken the following actions to address and mitigate the identified risks and to improve governance:

1. updated the Corporate Risk Register to identify the risks
2. updated the annual Governance Statement to reflect the risks
3. implemented regular (currently weekly) and formally minuted Statutory Officer meetings ('Golden Triangle' meetings) to discuss governance issues
4. proactively discussed management concerns about governance, behaviours and risks with the Council's external auditor
5. held initial Group Leader and non-aligned Councillor meetings to discuss governance concerns
6. identified specialist external support to provide specialist external review and capacity to make improvements to the identified governance issues

- 3.3 There has not been an external review of the Council's governance by LGA, CIPFA, CFGS, GGI or other such organisation. However, the Council's external auditors – Ernst & Young LLP – have identified significant risks for the Council in their Audit Plan recently presented to the Council's Audit and Governance Committee. The Council is required to maintain an effective system of internal control that supports the achievement of its policies, aims and objectives while safeguarding and securing value for money from the public funds and other resources at its disposal. As part of the material published with the financial statements, the Council is required to bring together commentary on the governance framework and how this has operated during the period in a governance statement. In preparing the Annual Governance Statement, the Council tailors the content to reflect its own individual circumstances, consistent with the requirements of the relevant accounting and reporting framework and having regard to any guidance issued in support of that framework. This includes a requirement to provide commentary on arrangements for securing value for money from the use of resources.
- 3.4 Under the NAO Code, the Council's external auditors are required to consider whether the Council has put in place 'proper arrangements' to secure economy, efficiency and effectiveness on its use of resources. The Code requires the auditor to design their work to provide them with sufficient assurance to enable them to report to the Council a commentary against specified reporting criteria (see below) on the arrangements the Council has in place to secure value for money through economic, efficient and effective use of its resources for the relevant period.
- 3.5 The specified reporting criteria are:
- 'Financial sustainability' - How the Council plans and manages its resources to ensure it can continue to deliver its services
 - 'Governance' - How the Council ensures that it makes informed decisions and properly manages its risks
 - "Improving economy, efficiency and effectiveness" - How the Council uses information about its costs and performance to improve the way it manages and delivers its services

- 3.6 The Council's external auditors have identified a serious risk in respect of governance. In their recent report to the Audit and Governance Committee they state:

'Officers have engaged with us regarding concerns over culture and governance at the Council.

There are risks to the Council in terms of:

- being placed in a position to incur potential or actual financial loss;*
- employment relationships with staff including the potential for service disruption; and*
- reputational damage.'*

The external auditors plan to

- understand further the nature of the concerns raised, with specific examples;
- review the Statutory Officers' response to the matters;
- establish whether there is a continuing trend of the issues, following Statutory Officers' engagement with member Group Leaders; and
- consider any wider points, including regarding decision making processes that may be indicated through this review.

- 3.7 In addition there is a statutory requirement under the Accounts and Audit (England) Regulations 2015 for every local authority to prepare and publish an Annual Governance Statement (AGS). This provides members of the public with an open assessment of how effective the Council's governance arrangements are against a Code of Corporate Governance entitled 'Delivering Good Governance in Local Government 2016'. The Code considers the characteristics of good governance set out above and translates them into specific core activities, including how a council:

- upholds high standards of conduct and behaviour
- engages with local people and other stakeholders to ensure robust public accountability
- creates and implements a vision for the local area
- determines the interventions necessary to optimise the achievement of agreed outcomes
- develops the capacity and capability of councillors and council staff to be effective
- takes informed and transparent decisions that are subject to effective scrutiny and risk management
- has councillors and council staff that work together to achieve a common purpose

3.8 The overall annual opinion of the Council's auditors remains at 'reasonable assurance'. However, the AGS identifies the management and mitigation of the strategic risk areas relating to organisational culture and effective governance as this has the potential to significantly impact on the continued ability to maintain such a reasonable assurance opinion, and proposes:

- early engagement with the external auditor
- incorporation of identified risks into the Strategic Risk Register, and inclusion in the Annual Governance Statement
- compliance with the constitutional framework
- good understanding of the Committee system as it is intended to be delivered.
- engagement with senior councillors about areas of risk.
- a member development strategy and externally facilitated engagement programme to be developed to strengthen governance, uphold statutory responsibilities, and mitigate reputational, financial, strategic, regulatory, organisational, legal, and service delivery risks.
- councillors and officers demonstrate confidence in their respective roles.

3.9 The Council's external auditors are required to be satisfied that the Council has made proper arrangements for securing economy, efficiency and effectiveness. Concerns here could result in a qualified Value for Money judgement and in turn could result in the external auditor using certain powers, including:

- Statutory Recommendations under section 24 Schedule 7(2) of the Local Audit and Accountability Act 2014. These recommendations will, if issued, need to be considered and responded to by the Full Council. Government is routinely informed of these notices, which could then trigger a Best Value notice resulting in informal government engagement or formal intervention powers including installing Commissioners who will exercise identified Council powers
- Public Interest Report under the Local Audit and Accountability Act 2014 – duty on the Auditor to issue this report if a significant issue comes to their attention. This report would need to be considered by the Full Council and would be routinely reported to government. Again, the Best Value Notice procedure would be considered by Government. The cost of preparing this report, which can be quite involved would fall on the Council.
- Impact on Future Council Aspirations- Formal engagement of the above powers or government being made aware of governance concerns could play into the LGR process. Currently, the IOW falls below the threshold for unitary councils set out in the Government White Paper, so would need to fall within an exception for a unitary council.

3.10 If a local authority is seen to be failing in its best value duty this often results in some form of government action, usually a Best Value Inspection. Depending on the outcome of the Inspection the Government can order some form of statutory intervention to secure best value, usually involving the imposition of Commissioners to take on Council powers and effectively run the Council, or more 'light touch' measures including the requirement for an independently-led Improvement Panel or recently the imposition of 'Envoys' to oversee and support the improvement programme.

3.11 The initial Group Leader meetings held with the Statutory Officers (the Deputy Monitoring Officer attended as the MO was on long term sick leave) went well, but whilst there have been some improvements in behaviour there were still examples of behaviours that are of concern to the Statutory Officers, so the Statutory Officers commissioned specialist governance support to add capacity and independence to the ongoing work to improve the culture and the governance at the Council. I was commissioned to lead this work, ably supported by the interim Senior Governance Adviser.

4 My Brief

- 4.1 I was commissioned to carry out this work because of my extensive experience as a former chief executive and for having undertaken recently a number of governance and organisational reviews for local authorities (my 'profile' is attached at Appendix One).
- 4.2 All members of the Council were provided with a copy of my brief which was discussed at a meeting with Councillors in County Hall on 18 September 2025. Councillors were very open at that meeting about their views and perspectives on some of the key governance issues impacting on the effectiveness of the Council. A strong theme that came out of the meeting was the need for trust, openness and transparency in the work that I was asked to carry out. I have been very conscious of those requirements throughout my work on this commission.
- 4.3 The work I was commissioned to carry out was designed to support a positive political culture through improving:
- political understanding
 - political capacity (knowledge and understanding), and
 - mutual respect and understanding, and
 - dialogue and debate.
- 4.2 The objective was to:
- support the co-design of a political behaviour 'compact' that sets out shared standards and expectations
 - create opportunities for members to reflect on lived experience and explore challenges in an open and politically safe environment
 - capture baseline insights in political culture and behaviours through conversation
 - map sources of conflict and tensions

- facilitate structured workshops for Councillors to develop a shared understanding and create and agree a behaviour compact
- provide independent facilitation, insight, and challenge to ensure credibility and fairness throughout the process
- offer any appropriate recommendations that may support positive change

4.3 My approach to my brief was not just about outputs and deliverables, but it was also about creating spaces and experiences where Councillors can actively practice and develop the values that will underpin a healthier political culture. It had to be delivered on the following basis:

- ‘build as we go’ – embracing an adaptive and iterative process, responsive to learning and lived experience as it emerges
- co-design – doing with, not doing to. This work will only be successful if members shape it and own it
- open engagement – ensuring that every councillor who wanted to contribute had the opportunity to do so, through multiple and inclusive routes
- equity of voice – making sure quieter or marginalised voices are actively included, not passively heard
- independent advice – where appropriate and necessary
- respectful dialogue – encouraging political challenge without hostility, debate that is robust, but not toxic
- valuing difference – seeing political and personal diversity as a strength to be harnessed
- creating psychologically safe and confidential spaces – building trust and making it safe for individuals to be honest about challenges and learn collectively from mistakes
- mechanisms for developing trust and mutual respect between members and officers.

- 4.4 Additionally, the work would contribute to the development of the 2026 member induction programme to ensure that newly elected Councillors understand their roles and the Council's expectations of them from day one.
- 4.5 My brief involved a 'discovery' approach initially. Meetings were held with each of the political Groups to get a good understanding of the culture and varied and different perspectives:

Stage 1 - Desktop discovery/'temperature assessment'

There are numerous documented examples of behaviours which are of concern. A 'temperature check' across various domains would be instructive. The following was proposed:

Stage 2 - Personal Assessment

Interaction with various constituencies:

- **Leader, Deputy Leader and Chief Executive**
- **Staff Group** discussions

Discussions with cross Council groupings of staff about culture and behaviours and potential impact on motivation, reputation and performance.

- **Statutory Officers** discussions

Discussions (Head of Paid Service; Chief Finance Officer- section 151 Officer; Deputy Monitoring Officer and Senior Governance Adviser)

- **Corporate Management Team**

Discussion with Corporate Management Team on their assessment/perspective of governance issues

- **Individual Groups and 'non-aligned' councillors' discussions**

Discussions about governance concerns, risks and perspectives

- 4.6 Following this initial discovery process, and in particular the meetings with the political Groups and non-aligned Councillors, I was required to propose recommendations for the next steps to address the concerns raised, together with an action plan to be implemented.

This was a critical opportunity to:

- establish a cross-party consensus on what good political behaviour looks like
- equip members with the tools and confidence to hold each other to account
- embed those behaviours through processes, standards, and member induction
- build a foundation for inclusive, safe, and respectful political discourse

4.7 What was required was a recognition by both Councillors and officers that the political culture and relationships are central to the Council's improvement journey, and efforts must be made to promote shared expectations, foster more constructive political debate, and create respectful and safe spaces for engagement.

4.8 Change will not be linear and there will be challenges and moments of friction. This project is specifically designed to build the conditions for culture change, through developing and enabling a shared standard of behaviour and culture that reflects the Council's values and aspirations.

4.9 Through this work the Council needs to demonstrate to its external auditor, to the Regulators and to the Government that the Council is being proactive in addressing its issues and that there are clear plans or interventions in place/proposed. The stakes are high, and the potential for government intervention is a reality. The Chief Executive has recently received a letter (on 16 October 2025) from the Deputy Director, Local Government Stewardship and Interventions at the Ministry of Housing, Communities and Local Government, in which he states:

‘We are issuing this letter to indicate our intention to closely monitor the following issues in Isle of Wight in the next period:

Member behaviour – *We observed the council meeting on the 17th September 2025 and were concerned about some of the behaviours we saw. I would like to remind you of the guiding principles contained in the best value guidance for councils (Best value standards and intervention: a statutory guide for best value authorities - GOV.UK) which include the following:*

- o Members and senior officers maintain constructive relationships and engage effectively with external stakeholders and the wider local community.*
- o A culture of cooperation, respect and trust between members and officers, and between departments exists, along with a commitment to transparent decision-making.*
- o Civil working relationships (and communication) between Group Leaders despite political disagreements.*

We will continue to actively monitor progress against these areas over the next 12 months and would be grateful for the opportunity to speak again within that time period in order to receive an update on Isle of Wight's progress. It is not our intention to publish this letter.

This letter is not a best value notice and does not indicate a best value inspection is imminent, but signals that without additional assurance the department may decide to take further action'

- 4.10 This is a stark warning that the Government has serious concerns about member/officer relationships and relationships with stakeholders as well as about member behaviour at the Council. Things have to change fundamentally, and change quickly, if the potential for formal intervention is to be successfully avoided.

5 My findings

- 5.1 There is a consensus, amongst both Council officers and Councillors that I met, that a small group of vocal and articulate elected members - often referred to as 'disruptors' - disproportionately influences the way the Council operates and impacts on the Council's reputation with what is regarded as inappropriate behaviour at full Council and Committee meetings and sometimes outside formal decision-making processes. Formal meetings are webcast allowing the general public to witness this behaviour by a small minority of councillors. The letter from the Deputy Director at MHCLG refers specifically to the Council meeting on the 17 September 2025 and the concern about some of the behaviours. However, my overall conclusion is that this too simplistic an assessment of the situation, and that this inappropriate behaviour by a handful of members is no more than a symptom of organisational dysfunctionality rather than the cause.
- 5.2 I found member/officer relationships to be generally positive and productive, but negative comments by members at Committee meetings, in the local media, on social media and in email exchanges has resulted in an impression that member/officer relationships are negative and I am told that some officers have decided to look for other work as a result. I also heard it said that officers are sometimes reluctant to attend meetings with elected members for fear that they will be ridiculed or criticised in public. Some members expressed the view that a number of officers are incompetent, and their advice is then discounted or ignored with some members seeming to prefer to substitute their own opinions in place of professional advice from officers. A recent example includes the process for the appointment of the current Chair of the Council. Clear legal advice on the lawfulness of the appointment was given to the full Council meeting. This was challenged by a small group of members on numerous occasions including through a query to the editor of Knowles. Following this, legal advice was obtained from leading Counsel (a KC) who confirmed the legal advice that had been given at the Council meeting. A recent meeting of the Pensions Committee was terminated by a unanimous decision of the Committee on the basis that material advice sought from the Monitoring Officer had not been received.
- 5.3 These incidents are a clear indication that there are problems currently with the operation of the member/officer interface. Various issues of trust and confidence between officers and members were raised with me. I have noted below specific comments made to me that give a flavour of the interactions between the two constituencies. For example:

one senior manager said:

“in Council meetings there is abhorrent behaviour to others and each other”

one member said:

“every skirmish becomes a battle”

in relation to member behaviour another member said:

“officers are stated as not being competent by people who do not get their own way”

and another member said:

“if I were an officer I would have left”

another member commenting on member/officer relationships at the Council said:

“there appears to be a silent and hidden barrier between officers and councillors”.

Regarding officer performance, several members mentioned that they sometimes do not get responses from officers to queries, including important ward issues, despite ‘chasing’. This has to be a matter of concern given the important roles that members play in supporting their communities.

- 5.4 Some members complain that policies are developed by Council officers with elected members only involved at the point of decision in Committee or full Council. They believe that their potential contribution based on their own knowledge and experience is ignored or not properly considered.
- 5.5 I was also told that when decisions are made by the Council there is too often a failure by the relevant officers to fully and speedily implement the decisions. One example of this failure to speedily and effectively implement a member decision was given to me by the Chair of the Council’s Pensions Committee. At its meeting in June the Committee decided to consult about Pension Fund pooling with the 30 plus bodies on the Island that are members of the Pension Fund. Four months later it appears that not one of these bodies has been consulted. I have not had an opportunity to establish whether this is correct.

- 5.6 It is not clear whether some of the delays such as this that do occur are a result of limited organisational capacity or whether, according to a view held by a small number of elected members, officers on occasion deliberately thwart political will by delaying or amending a decision made by full Council because the decision does not accord with their professional advice. An example was given of a recent decision by full Council about land disposal which was translated into a draft policy by officers that these members claim exemplifies this thwarting of political will. In other words, some officers are seen by some Councillors to wilfully and deliberately delay implementation of decisions that they do not agree with and/or attempt to vary the decision by replacing it with one they feel to be more appropriate.
- 5.7 As a result of austerity, it appears that the Council's capacity to support elected members both through a robust induction process, through ongoing development and through support in dealing with constituency issues has been seriously compromised. A number of members said that this has been exacerbated by the Council's 'Working From Home' policy which results in members and officers rarely seeing each other in person and relying on online engagement and telephones. One member described County Hall on Fridays as like the Marie Celeste. This does not help to build positive working relationships between members and officers
- 5.8 There is a consistent view from officers and members that the new Committee system is not delivering the anticipated benefits. There appears to be a lack of clarity of direction, focus and understanding of the workings of the new model.
- 5.9 The Council has well written and comprehensive policies and procedures that theoretically provide robust checks and balances on the behaviour of members and officers. These include the 'Councillors' Code of Conduct', the 'Councillors Code of Conduct Complaints Procedure', the 'Employee Code of Conduct', the 'Councillor and Officer Relations Protocol', the 'Relations between Councillors Protocol' and the 'Monitoring Officer Protocol'. These documents give clear and unambiguous advice about what is required and all major on one word – 'respect' – but it appears that these policies and procedures are all too often ignored or forgotten and rarely if ever used to deal with inappropriate behaviour by members. Members are required to behave in accordance with the Councillors' Code of Conduct as they formally commit to that when making their Declaration of Acceptance following their election – but this seems all too often to be disregarded by some Councillors. I attended a couple of full Council meetings and viewed some Committee meetings when they were webcast, and not only was

the behaviour of some members a potential clear breach of the ‘Councillor Code of Conduct’, the ‘Relations between Councillors Protocol’ and the ‘Councillor and Officer Relations Protocol’ but there was no attempt by the other councillors – or indeed Council officers - present at the meeting to challenge the behaviour. This leaves the Chair of the meeting with the unenviable task of trying to calm down a very heated atmosphere, an unfair expectation of one councillor acting alone.

- 5.10 I personally attended one full Council meeting where two reports on major issues by the administration concerning Pension Fund ‘pooling’ and Local Government Reorganisation. There were full and sometimes heated debates about both these matters which resulted in the officer recommendations in the reports not being agreed, and as a consequence the Council currently does not have an agreed position on either of these matters. It was ruled at the meeting that a ‘compromise’ option could not be debated or voted on and this clearly frustrated some of those members promoting and supporting that option.
- 5.11 In terms of local authority governance, the critical governance roles are the three designated Statutory Officers – the Head of Paid Service, the s151 Officer and the Monitoring Officer. These three officers work together to ensure good administrative, financial and ethical governance of the Council in the exercise of its functions. The three Statutory Officers are required to advise clearly with impartiality and integrity. This can mean delivering challenging messages, which makes it more important that these three officers work closely together to connect properly with key stakeholders across the authority. For this reason, they are referred to collectively as the governance ‘Golden Triangle’. Given this, it is regrettable that the Council’s designated Monitoring Officer was, until very recently, on long term sick leave given his potential role in managing member behaviour. The Council’s Senior Governance Adviser, supported by the Deputy Monitoring Officer, has played a very supportive role during the Monitoring Officer’s absence, but some members are quick to point out when it suits them that the Senior Governance Adviser is a ‘contractor’ with no real authority. It is also of concern that the Monitoring Officer’s substantive post is as Service Director – Legal and Governance and he reports to the Strategic Director of Corporate Services which inevitably can lessen his authority when dealing with difficult individuals and situations. I understand that the Chief Executive has recently initiated a senior management restructure of the Corporate Services Directorate, which inter alia if her proposals are implemented post consultation will involve

designating the Strategic Director of Corporate Services as the Council's Monitoring Officer, a move that will greatly strengthen the Golden Triangle and its ability to ensure good ethical governance.

- 5.12 It is also a matter of concern to some members that the Council's designated s151 Officer is not a full-time officer of the Council. That is not to denigrate the part played by the current designated s151 Officer who is clearly an experienced and highly competent individual, but he is part-time and based on the mainland where he is an officer of another local authority. I suggest that consideration should be given to whether it is the right working arrangement for the Council's designated s151 Officer and a key member of the Golden Triangle not to be a full-time officer of the Council, given the urgent need for improved governance at the Council.
- 5.13 The Localism Act 2011 requires local authorities to establish arrangements to deal with allegations of breaches of the Code of Conduct. The Committee structures currently in the Council's Constitution which should provide a strong focus on proactively promoting good ethical governance and complaints management are inadequate. The Appeals Committee does have responsibility in its Terms of Reference for consideration of an investigating officer's report where a councillor is alleged to have breached the Member Code of Conduct, and it may appoint an Appeals Sub-Committee of three councillors drawn from the main Committee to determine a code of conduct investigation into the conduct of a Parish, Community or Town Councillor. However, I could find no evidence of either the Appeals Committee or its Sub Committee dealing formally with an allegation against an Isle of Wight Councillor, and the Councillors' Code of Conduct Complaints Procedure seems to rely wholly on the discretion of the Monitoring Officer together with the Independent Person to deal with and basically dispose of any allegations. This whole area of the Council's work currently is totally unsatisfactory and needs strengthening, and should be addressed as a key aspect of the ongoing review of the Council's Constitution in preparation for the imminent move back to a Leader/Cabinet model of governance.
- 5.14 Some members asked to meet me in confidence to make oral and written submissions about various issues which concern them about the way the Council operates including the conduct/performance of some senior officers. As dealing with or investigating those issues was not part my commission as set out in my brief, I have advised them to follow internal procedures which are detailed in the Council's Constitution.

6 Recommendations

- 6.1 Based on my findings I am proposing a set of actions, some of which can be implemented immediately while others will need careful development over the next few months in order that they can be implemented following the May 2026 local elections. The purpose of these recommendations is to strengthen governance at the Council, to improve the way officers and members work together and to use the tools available - particularly the Codes of Conduct that are already embedded in the Council's Constitution - to more effectively manage unacceptable member behaviour.
- 6.2 The Council urgently needs to demonstrate to the External Auditor, to Regulators and to the Government - not least in response to the letter of 16 October 2025 from the Deputy Director, Local Government Stewardship and Interventions at the Ministry of Housing, Communities and Local Government - that the Council is self-aware, that it understands its failings and that it is being proactive in addressing these failings and that there are clear plans or interventions in place/proposed. The stakes are high, and the potential for government intervention is a reality. It would only take a significant event - such as the failure at the recent Council meeting for two significant policy issues to be satisfactorily progressed despite clear officer advice and political support from the administration – for the Government to conclude that there is no option but to initiate a Best Value inspection with the inevitable outcome of formal intervention with the associated costs and organisational disruption for at least two years. And all of this is in the context of devolution and LGR.
- 6.3 I appreciate that some of my recommended actions have cost implications and this is not easy at a time when the Council's resources are already under severe pressure. I make no apologies for this as good governance does cost and investment in better governance is a critical aspect of driving organisational improvement.
- 6.4 However, there are a number of practical and cost-free steps that should be taken immediately to help improve governance generally and specifically to address inappropriate member behaviour at Committee and Council meetings. At the start of each meeting the Chair of the meeting should read a script that reminds members of the requirement to abide by the Codes of Conduct and that any potential breaches of the Codes will be dealt with swiftly and decisively. At one time members attending meetings were provided with a written explanation

of what constitutes a Point of Order etc, and that advice should be placed at each member's position. There should be a clear statement that it is a requirement of each member and officer present at a meeting to call out inappropriate behaviour or language including criticism of individual Council officer. Any occurrence of inappropriate comments about either another elected member or a Council officer in email exchanges, social media or press statements should also be addressed swiftly and decisively.

- 6.5 I have noted that Group leaders or their nominees do not meet with the Council Chair before full Council meetings to discuss the Council agenda and issues arising in relation to the smooth running of the Council meeting itself. Introducing such meetings on a regular basis would give members an opportunity for procedural and practical issues to be clarified before the formal meeting rather than at the meeting. This would also enable the Chair to establish his expectations of the conduct of the meeting and to apply lessons from previous meetings.
- 6.6 The imminent restructure of the Council's Corporate Services Directorate, if the proposals are implemented post consultation, will provide an opportunity for the Council to elevate the hierarchical position of the Monitoring Officer to Strategic Director level, giving the designated postholder increased authority and strengthening the potential influence of the Golden Triangle.
- 6.7 I have also suggested that consideration should also be given to whether it is the right working arrangement for the Council's designated s151 Officer not to be a full-time officer of the Council, given the urgent need for improved governance at the Council.
- 6.8 As I said in an earlier comment, inappropriate member behaviour is a symptom of broader organisational dysfunctionality rather than a cause. The reality is that the Council is dysfunctional and has been for several years. Whilst inappropriate member behaviour has been to some extent a trigger for this review it is clear to me that there are issues that need to be addressed in respect of the organisation as an entity, and that what is required is a set of actions involving members and officers that will help to restore respect and trust between officers and members including putting in place robust checks and balances to deal with inappropriate member behaviour at the point it occurs, rather than tolerating it with a shrug of the shoulders as if to say, *'oh well that just the way Councillor X has always been'*. Inappropriate member behaviour either towards other councillors or towards council officers must be widely seen as unacceptable, and respect between members and officers must be reinstated.

- 6.9 The operation of the whole standards process should be reviewed using best practice from other councils, with clear, documented procedures which are shared with officers and members. Training should be provided to all participants. The absence of a dedicated Standards Committee charged with dealing with ethical governance generally and standards of conduct complaints is no longer tenable. I heard too often comments that it would be ‘toothless’ and that there are no real sanctions for breaches of the Codes of Conduct, but that is simply not correct. The ability to ‘name and shame’ any member found to have breached a Code and the potential to remove that member from Committees has been seen to be a powerful sanction in other local authorities where I have worked, and I see no reason why the Isle of Wight Council should be different. I have also heard it said that some members would welcome being the subject of such sanctions and would take pride in receiving them. I find that abhorrent and a denial of their responsibilities as an elected member and can only hope that their constituents would take a similar view.
- 6.10 There must also be a complementary training programme for all Council officers to ensure that they are fully aware of what is required of them in their relationships with elected members in line with the clear requirements set out in the Council’s Constitution.
- 6.11 One member in his meeting with me mentioned that when he was elected he was given a laptop and a tour of County Hall and was then told to “get on with it”. A number of other members commented on the inadequacy and depth of induction processes for councillors. The Council should invest in a more focussed induction programme for members elected at the May 2026 local elections, ensuring that in signing the Declaration of Acceptance every member understands what is required of them in complying with the Codes of Conduct.
- 6.12 Elected members do need more support if they are to play an effective role both in their Council work and in their work on behalf of their constituents. For understandable reason as a result of austerity and severe pressure on Council resources the support for elected members has been significantly reduced in recent years. This is counter-productive and detrimental to good governance and serious consideration needs to be given to enhancing the support for elected members including ongoing training and personal development. It may well be that the Council could access funding from the LGA and/or the MHCLG for enhanced support and development for elected members including a mentoring programme, particularly for new members elected in May 2026.

- 6.13 Whilst I accept fully that resolving local ward issues is critically important for Councillors, greater regular involvement in policy development prior to decision-making would serve to remind members that they are part of the corporate body that serves the interests of the whole Island and all the residents. Some members clearly do feel excluded from the policy development process and are frustrated that their only involvement is restricted to decision-making on matters where they have had no prior input. I am aware that one Council Directorate has implemented an informal Committee briefing process where members of the Committee are invited to contribute to the development of policies before that Committee formally debates and decides on the issue. Whilst protections must be put in place to ensure that the formal decision-making that takes place in open Committee is not compromised, this is a practice that could be extended to other Committees to allow for members to have greater involvement upstream of the issue being discussed and a decision made.
- 6.14 Council officers also need to accept and facilitate the legitimate wish of members to be more involved in policy development. My conclusion is that there is a need for a programme of officer development, support and training to help a better understanding and operation of the member/officer interface and how best to work collaboratively with members in a way that establishes mutual trust and respect without blurring the distinct roles of members and officers.
- 6.15 It was also suggested by a number of members that more positive cross-party relationships and working would result from all Councillors sharing a common space at County Hall rather than each Group having a dedicated space. This should be explored as an option that would serve to enhance cross party working relations.
- 6.16 A number of councillors pointed out the need for more diversity amongst those elected to the Council. The Council already has a very well written and accessible section on its website – *‘Becoming a Councillor’* – which explains very clearly what is involved in the role as well as how to stand for election as a councillor. This deserves much wider dissemination, and the Council could consider launching a campaign in the local media, on social media and at key community buildings in the period before the May 2026 election to encourage people to put themselves forward for the role.

- 6.17 Finally, I would like to thank all those elected members who gave up their time to meet with me and share their concerns and their suggestions about how things might be improved. I would also like to thank the Chief Executive and her staff for making the arrangements for my meetings, and to thank those officers that I met with for sharing with me their views about how working for the Council could be made a more pleasurable and positive experience. Hopefully, my report will provide a basis for the Council, its members and its officers to take the necessary actions to work together more positively and with mutual respect and trust to provide essential services to the residents of the Isle of Wight.

Richard Penn

November 2025

Appendix One

Richard Penn Profile

Summary

I have spent my career in the wider public sector, mainly in local government, with a track record of considerable success. I have demonstrable experience of the successful delivery of change management, organisational development and performance management in a range of public sector organisations and have extensive experience of working with people at all levels both in a leadership role and as a team member. I am an organisational leader with the flexibility and experience to apply my expertise and experience in a variety of contexts, including advisory and review roles, and I also have excellent communication and interpersonal skills.

Relevant experience

I have more than forty years experience of strategic and high level management in the public sector - in County Councils and Metropolitan District Councils including 9 years as Chief Executive at Knowsley MBC on Merseyside where I was the Clerk to the Police Authority and 10 years as Chief Executive of Bradford City Council (the fourth largest metropolitan authority in England).

I was the Commissioner for Standards for the National Assembly for Wales from 2000 to 2010 and in January 2008 I was appointed by the Minister for Local Government as the Chair of the Independent Remuneration Panel for Wales, a post I held until the end of 2015. I now chair the Remuneration Panel for South Derbyshire Council.

In 2002 I completed a five-year term as a Commissioner with the Equal Opportunities Commission and I also was a Commissioner with the Legal Services Commission from 2000 to 2003. From 2001 to 2007 I was Chair of the South Wales Probation Board.

I currently undertake consultancy assignments for public sector organisations on my own account, for the Local Government Association and for SOLACE in Business. Since leaving Bradford City Council I have undertaken a wide range of high-profile assignments including a large number (200 plus) of disciplinary investigations in various public sector organisations (including acting as a Designated Independent Person (DIP) on a number of occasions) and as Commissioner for Standards for the National Assembly for Wales from 2000 to 2010.

Most of my investigatory work in local government has been conducted wearing an LGA or Regional Employers 'hat', and has been almost exclusively related to disciplinary matters involving Statutory Officers (HOPS, MOs and S151 Officers), Directors and Heads of Service. I have also been the independent investigator in a number of elected member conduct standards cases, most recently for the London Borough of Brent, the London Borough of Merton and Douglas (IOM) Council.

I have recently carried out a number of major investigations in respect of the failings of public sector organisations including wide ranging reviews of the failings of political and organisational leadership at LB Croydon and Nottingham City Council, the cultural problems at East Riding Council, the LB Sutton ALMO, serious disciplinary issues at Midlothian Council, the failures of the Crematorium Service at Aberdeen City Council and the governance arrangements of the North East Purchasing Organisation. I have also supported LB Lewisham, LB Islington, LB Hillingdon and South Ribble Borough Council recently with disciplinary matters in respect of their statutory officers, and last year I managed the consensual termination of the contracts of employment of a number of senior managers at LB Ealing including the S151 Officer. Over the last two years I have been advising and supporting the Executive Mayor and the Chief Executive of LB Tower Hamlets with a number of matters including the development and implementation of a radical organisational transformation programme and mentoring Corporate Directors. Tower Hamlets is now in statutory intervention following a Best Value Inspection in 2024 and I have led on the governance stream of the Council's Continuous Improvement Plan in response to the Ministerial Directions issued in January 2025 following the publication of the BV Inspectors' report. I am currently undertaking an investigation for a London Borough Council into serious financial and other issues with its arms-length company that provides a range of services.