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Clare Jones

21 February 2013

## **Governance Committee**

Members are hereby summoned to attend a meeting of the Committee to be held at **1.30 p.m. on Monday, 4 March 2013 at County Hall, Chichester.**

**Tony Kershaw**  
Head of Law and Governance

## **A g e n d a**

### **1. Declarations of Interest**

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt, contact Democratic Services before the meeting.

### **2. [Minutes](#) of the meeting of the Committee held on 21 January 2013 are attached (blue paper).**

### **3. Urgent Matters**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances.

### **4. [Future Council: Members' Roles](#)**

Report by the Head of Law and Governance attached.

In November 2012 the Member Stakeholder Group made a number of recommendations about the future role of members, given the direction of the Council in relation to commissioning rather than delivering services. Further work has been done through a Member Development Session and a Task Force. The substantive proposals will mean changes to the constitutional framework within which decisions and policies are developed and determined and outcomes monitored as well as how members can influence or challenge these. These will need to come for debate and decision at the County Council. The Committee is invited to agree to the

preparation of those detailed proposals by officers for consideration at the Council meeting on 22 March 2013. Recognising that this will have a direct effect on the scrutiny function, options to reconfigure and/or reduce the size of Select Committees are also to be included. There are also proposals to amend the existing job description for members and review the Member Development Group.

5. [Revisions to the Community Initiative Funding Scheme](#)

Report by the Director of Finance and Assurance and the Head of Law and Governance attached.

The Committee is asked to consider revisions to the Community Initiative Funding Scheme for recommendation to the County Council.

6. [Adult Safeguarding Panel](#)

Report by the Head of Law and Governance attached.

The Governance Committee is asked to endorse the establishment of the Adult Safeguarding Panel, with effect from May 2013 for recommendation to the County Council.

7. [Member Induction Arrangements](#)

Report by the Director of Finance and Assurance and Head of Law and Governance attached.

At its meeting on 21 January the Committee considered a report by the Member Development Group (MDG) seeking its views on the proposed arrangements for member induction for May to July 2013. The Committee was very supportive of the proposed programme, suggested some points for further consideration and requested that an up-date be brought to this meeting. The MDG met in February to further develop the induction programme in terms of methods of delivery and content of each session and took into account the comments made by the Governance Committee. The Governance Committee is therefore requested to support the final proposals.

8. [Pay Policy Statement 2013/14](#)

[Additional Item 8aa](#)

Report by the Head of Human Resources and the Head of Law and Governance attached.

The Committee is asked to consider proposed revisions to the Pay Policy with effect from 1 April 2013 for recommendation to the County Council and to delegate authority to endorse any subsequent revisions to the pay policy, with regard to the terms and conditions of NHS staff, prior to consideration of the policy by the County Council to the Head of Law and Governance, in consultation with the Chairman.

9. [\*\*Local Government Pension Scheme Administration Authority and Employer Discretions including Industrial Injury Allowance\*\*](#)

Report by the Director of Finance and Assurance and the Head of Human Resources attached.

The Committee is asked to consider a report which sets out the discretions available to the West Sussex Pension Fund Administering Authority and to the County Council as an employer, under the relevant Local Government Pension Scheme Regulations. The report considers the use of the discretions currently exercised and those available and makes a number of recommendations.

10. [\*\*The Transfer of Public Health Functions into the County Council - Proposed Annual Pay Award Arrangements\*\*](#)

Report by the Head of Human Resources and Head of Law and Governance attached.

On 1 April 2013, 36 Public Health staff employed by the Primary Care Trust will transfer to the County Council. The Committee is asked to consider proposals for how the Pay Award for Public Health staff should be managed following the transfer.

11. [\*\*West Sussex Pension Fund\*\*](#)

Report by the Director of Finance and Assurance attached.

The report provides feedback on the deliberations of a working group set up with the agreement of the Governance Committee to review the property and private equity investment mandates of the West Sussex pension Fund. The findings of the working group were reported back to the Pensions Panel on 28 January and the Governance Committee is asked to note the recommendations.

12. [\*\*Joint Scrutiny Arrangements\*\*](#)

Report by the Head of Law and Governance attached.

The Policy and Resources Select Committee has reviewed the trial joint scrutiny arrangements, set up in 2011 between the County Council and district and borough councils. It concluded that the joint scrutiny arrangements provide a useful, flexible mechanism for carrying out joint scrutiny where required, and that they should now be formalised. The Governance Committee is therefore asked to agree endorse a number of recommendations for consideration by the County Council.

13. [\*\*Arrangements for making Appointments to External Organisations\*\*](#)

Report by the Head of Law and Governance attached.

The County Council's Constitution makes provision for the appointment of members or officers to represent the interests of the County Council on external

bodies. Some appointments are made by the Cabinet, some by individual Cabinet Members, by County Local Committees or non-Executive committees. The arrangements do not include any mechanism for monitoring the work done by the appointees, nor are there any criteria or rules to govern the appointments or to review them. Greater transparency for the process is also required. The Committee is therefore asked to consider a number of recommendations.

14. **[Changes to Health Scrutiny Functions and Powers](#)**

Report by the Head of Law and Governance attached.

The Health and Social Care Act 2012 included a number of changes to the local authority health scrutiny function and powers, due to come into effect from April 2013. Local authorities will have greater discretion over how to exercise these powers, with the function of health scrutiny conferred directly on the local authority; and health scrutiny powers will be extended to facilitate effective scrutiny of any provider of any NHS funded service, as well as any NHS commissioner. The Governance Committee is asked to consider the implications and to agree some proposed changes to the Constitution of the County Council.

15. **[West Sussex Health and Wellbeing Board: Terms of Reference](#)**

Report by the Head of Law and Governance attached.

The West Sussex Health and Wellbeing Board was established in April 2011 as an early implementer in advance of its 'shadow' year, which commenced in April 2012. Full statutory standing will commence in April 2013 and the terms of reference for the Board were considered by the Shadow Board at its meeting on 31 January 2013. The Committee is asked to endorse the terms of reference for recommendation to the County Council for inclusion in the Scheme of Delegation in the Constitution.

16. **[Arrangements for Joint Commissioning with the NHS – Abolition of the West Sussex Joint Commissioning Board](#)**

Report by the Head of Law and Governance attached.

The Primary Care Trust is abolished from 1 April 2013. Most of its commissioning responsibilities will transfer to three Care Commissioning Groups. Discussions with them suggest a preference for a more flexible mechanism for planning and monitoring joint commissioning with the County Council. At the same time the Health and Wellbeing Board will acquire its substantive powers from 1 April and much of its work would otherwise overlap with the current work of the Joint Commissioning Board (JCB). The Committee is asked to consider proposals to cease operating the JCB and to manage the planning of joint commissioning more flexibly.

17. **[Other minor changes to the Constitution](#)**

Report by the Head of Law and Governance attached.

The Committee is asked to consider a number of changes to the Constitution including the designation of the Monitoring Officer and the Section 151

Officer, amendments to the terms of reference of the Regulation, Audit and Accounts Committee as a result of the abolition of the Audit Commission and minor changes to officer delegations in the Scheme of Delegation as a result of changes in legislation and to correct an inaccuracy.

18. **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 p.m. on Monday, 3 June 2013. (Note: this meeting will be cancelled if there is no substantive business to consider)

**To all members of the Governance Committee**