

Governance Committee

27 November 2017 – At a meeting of the Committee held at County Hall, Chichester.

Present:

Mr Acraman, Mr Barnard (Chairman), Mr Burrett, Mr Mitchell, Mrs Mullins, Mrs Sparkes and Dr Walsh.

Apologies for absence were received from:

Ms Goldsmith and Mr R J Oakley.

Declarations of Interest

67. No interests were declared.

Minutes of the Governance Committee

68. Resolved – That the minutes of the meeting held on 11 September 2017 be approved as a correct record and that they be signed by the Chairman.

Changes to Standing Orders – Senior Appointments

69. Following changes to the range of officers who report to the Chief Executive, the Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) proposing that the County Council be recommended to agree that the requirement in Standing Orders for formal appointment committees be adjusted to provide for different formal arrangements for the less senior roles which report to the Chief Executive.

70. Resolved – That a recommendation is made to the County Council that Standing Order 44 is amended as set out in paragraph 2.3 of the report.

Proposed change in name of the Environmental and Community Services Select Committee

71. The Committee was informed that the Environmental and Community Services Select Committee (ECSSC), at its meeting on 30 November 2017, would be looking at the governance arrangements of the Fire and Rescue Service (F&RS). The F&RS was facing a number of significant challenges including:

- The legal duty to collaborate, under the Policing and Crime Act 2017;
- Independent inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue;
- The Police and Crime Commissioner business case, which will be reviewed again in two years;
- The Home Office reform agenda; and
- Addressing the local implications of significant events, including recent terrorist incidents and the Grenfell fire.

72. Members were informed that, in the light of these challenges, the Authority was looking to strengthen its governance arrangements. ECSSC would be asked consider how it could bolster its engagement with the F&RS in the areas of policy development, performance management and decision preview. In order to reinforce the enhanced role, and make the role of the Committee clearer to residents, the Select Committee would be asked to consider a proposal that its name be changed. Subject to confirmation by ECSSC on 30 November 2017, the Governance Committee was asked to endorse the proposal for consideration by the County Council at its meeting on 15 December 2017.

73. The Committee supported the rationale behind adding 'Fire' to the name of the select committee and recommended that it should be the Environment, Communities and Fire Select Committee and that the Select Committee should be informed accordingly.

74. Resolved – Subject to confirmation by ECSSC on 30 November 2017, the proposal that the name of the Environmental and Community Services Select Committee be changed to the 'Environment, Communities and Fire Select Committee' be endorsed for recommendation to County Council on 15 December 2017.

Electoral Review Panel Recommendations on Parliamentary Boundary Review

75. The Committee was informed that the Boundary Commission for England had issued a further consultation on amendments to Parliamentary boundaries across England and several changes are proposed for West Sussex. Members were reminded that the County Council had previously supported the proposed changes. The Electoral Review Panel had considered the current proposals, which ensured that all constituencies are within 5% of the published electoral quota, and the Committee was asked to approve a recommendation that the County Council should support the minimal change necessary.

76. The Committee felt there was a logic in the County Council's practice of putting the main place first in the name, hence the recommended change from 'East Worthing and Shoreham' to 'Worthing East and Shoreham'.

77. In relation to the Crawley wards mentioned paragraph 2.5 of the report, members noted that 'Worth and Copthorne' should be 'Copthorne and Worth', and 'Crawley Down' should be 'Crawley Down and Turners Hill'.

78. Members queried whether a further review of a constituency would be triggered if its electorate fell outside the 5% tolerance on electoral numbers, particularly given that the figures being used for the current review were those for 2015. The Committee was reminded that the review had been delayed hence the use of the 2015 data. Future reviews would involve all constituencies at a time scale determined by the legislation and Parliament.

79. Mrs Mullins abstained from the vote.

80. Resolved –

That, subject to the corrections set out in minute 77 above, a draft response

to the Boundary Commission for England's consultation on Parliamentary boundary changes be approved as follows:

- (1) That the proposals by the Commission be supported; and
- (2) That it be recommended that the 'East Worthing and Shoreham' constituency be renamed 'Worthing East and Shoreham'.

Appeals Panel Annual Report 2016/17

81. The Committee considered the annual report of the Appeals Panel for 2016/17 by the Director of Human Resources and Organisational Development (Interim) and the Director of Law and Assurance (copy appended to the signed minutes).

82. Members expressed concern about the first two recommendations in the table in paragraph 4 of the report and in particular the wording that investigations 'should not take too much longer than the three weeks allowed'. The Director of Law and Assurance undertook to clarify which Director should be responsible for agreeing the circumstances in which an exception could be made to investigations being completed within the three weeks specified by the policy. In addition, the frequency with which the three-week deadline was missed would be reported to the Committee as part of the Appeals Panel Annual Report to allow it to monitor the situation in line with its role as the responsible committee for HR policy.

83. In relation to the recommendation in paragraph 4 of the report about the solicitor advising the Board not being also required to take the notes, the Committee noted that discussions were underway with Capita over the note taking.

84. Resolved –

- (1) That the Appeals Panel Annual Report 2016/17, including the recommendations and actions taken, be noted;
- (2) That the Director of Law and Assurance clarify the appropriate Director to agree any exceptions to the investigations being completed within the three weeks allowed by the policy; and
- (3) That the number of cases which missed the three-week investigation deadline be reported as part of the Appeals Panel Annual Report to the Governance Committee.

Report of the Member Development Group

85. The Committee received the regular report on the work of the Member Development Group (MDG), member development activities and member training and development priorities and plans, including an overview of activities since the Group's last report in September 2017 and details of Member Development Sessions (copy appended to the signed minutes). The report also included a review of the Member Induction Programme 2017.

86. The Committee noted in relation to the table of Member Days in paragraph 3.1 of the report on page 30 that the attendance figures for the sessions on

9 November and 22 November were 24 and 39 respectively. In the report on the review of the induction programme members noted on page 34 that in the box of key information in paragraph 1.7, the phrase '47 existing members stood for re-election, 42 of whom were re-elected' was repeated.

87. In relation to MDG's conclusions in paragraph 8 there was support for the allocation of more time for the mock Council debate which the Committee felt should be a half-day session to give time for all new members to have the opportunity to take part (paragraph (b) of Table 1). The Committee felt there could be merit in considering a smaller version of the Market Place event two years into the Council term. The Committee considered the conclusions about ongoing member development in Table 2 and supported the need for members to have help in accessing information about officers. Members commented on previous visits they had found helpful as part of the induction including the Materials Recovery Facility at Ford and the Fire Brigade Headquarters in Chichester to see the specialist fire equipment.

88. The Committee agreed with the feedback from the Member Day sessions held in September and October about the need to ensure there was sufficient time for member input and questions. Members were informed that in future there would be a nominated Chairman for each session who would help manage question and answer sessions. The Committee welcomed this proposal which it was felt would also help to ensure that speakers kept to time.

89. In terms of attendance, members commented that it was sometimes difficult to attend sessions which were added onto select committee meetings, often at fairly short notice, rather than being on diaried Member Days and this was noted. It was also noted that the Member Day in the first week of January had been taken out of the calendar of meetings for 2019 onwards. A plea was made for the use of voice enhancement systems where they were available to help those who were hard of hearing.

90. Resolved - That the report be noted.

Scheme of Delegation – Write Off of Irrecoverable Debts

91. Members were informed that on 12 September 2011 the Committee had considered a report on the Scheme of Delegation including the delegation to the then Director of Finance and Assurance (now the Director of Finance, Performance and Procurement) to write off irrecoverable debts. At that point the level of the delegation was set at amounts of less than £15,000 (at 1 April 2011) and it was agreed that the amount should be reviewed every two years with effect from 1 April (minute 63(11/12) refers). The level was last reviewed in January 2015 when the level was left at £15,000.

92. The Committee was asked to note that, in line with the resolution, the Director of Finance, Performance and Procurement had been consulted and had confirmed that level of delegation remained appropriate and no change was required.

93. Resolved – That the position be noted.

Date of Next Meeting

Agenda Item No. 2

94. The Committee noted that the next meeting would be held at 2.15 p.m. on Monday, 22 January 2018.

The meeting ended at 3.21 p.m.

Chairman