

15 September 2014 – At a meeting of the Committee held at County Hall, Chichester.

Present:

Mr Burrett, Ms Goldsmith, Mr G L Jones, Mrs Jupp (Chairman), Mr Lanzer, Mrs Mullins, Mr Peters and Dr Walsh.

Apologies were received from Mr Brown and Mr Glennon (who had been invited by the Chairman to attend the meeting in relation to item 5 on the format of Council meetings).

Mr McAra was also in attendance in relation to item 5.

Declarations of Interest

58. In accordance with the code of conduct, Mr Burrett, Mr Jones and Mr Lanzer declared personal interests in item 7, West Sussex Pension Fund Annual Report 2013/14, as members of the West Sussex Pension Scheme. Mr Burrett also declared an interest as a member of the Local Government Pensions Committee appointed by the Local Government Association.

Minutes of the Governance Committee

59. Resolved – that the minutes of the meeting held on 30 June 2014 be approved as a correct record and that they be signed by the Chairman.

Changes to the Corporate Leadership Structure

60. Following the endorsement by the County Council in July of a new senior management structure, the Committee considered a report by the Chief Operating Officer and the Director of Law, Assurance and Strategy on further changes to senior management arrangements together with an amendment of the Constitution to make clear the arrangements for Executive Directors and Directors to take decisions on their behalf (copy appended to the signed minutes).

61. The Chief Operating Officer outlined the main changes in the report. The first proposed change related to the allocation of responsibilities between the three director posts reporting to the Executive Director Communities and Public Protection, as set out in paragraph 2.1 of the report. The Chief Operating Officer reassured members that the division of responsibility between the Executive Director (Chief Fire Officer) and the Directors for Public Protection (Deputy Chief Fire Officer) and Operations (Assistant Chief Fire Officer) were the same as the previous Fire and Rescue Service structure and reflected the usual command structure within fire services. She reported that there was support from officers in Trading Standards for further strengthening the connection between the two services which already worked together closely and undertook joint inspections.

62. In order to ensure members were clear about the new management structure with regard to the Fire and Rescue Service function and best able to

explain the new arrangements to residents, the Chief Operating Officer agreed to ask the Executive Director to do a note to all members describing the relationship between the three posts and the rationale for the distribution of functions. It was proposed that there would also be further communications to partners and residents via the Leader's 'Current Issues' bulletin and possibly the 'Connections' newspaper.

63. The second proposed change to the senior management structure was in respect of the posts reporting to the Executive Director Residents' Services. The post of Director of Strategic Planning and Place had now been defined as set out in paragraph 2.2 of the report. The Chief Operating Officer said that the post would be key in the development of the capital programme, co-ordinating the County Council's approach to long-term planning and working with borough and district councils. This was welcomed by members who stressed the need for flexibility in planning, particularly in relation to transient populations.

64. The third proposed change was in the area of social care and education. The Chief Operating Officer informed the Committee that since the last meeting consideration had been given as to whether it was practicable to combine responsibility for education with the social care functions of the Director of Family Operations. Following the peer review of the options and consultation with headteachers, given the continuing challenging social care agenda and the need to build strong relationships with schools, it was likely that the recommendation would be for a separate post. Although this would reduce the savings from the overall management structure review members of the Cabinet were of the view that it would give greater management capacity. It would also send the right message to schools and headteachers in relation to the importance placed by the County Council on the areas of education and skills.

65. The Committee was supportive of the proposal to create a separate post of Director of Education and Skills. Following discussion it was agreed that the title of the current post of Director of Family Operations should be changed to Director of Children and Families and the title of Director of Adult Operations to Director of Adults' Services.

66. Members expressed the hope that following the changes which had resulted from the reconstitution of governing bodies, the Director of Education and Skills could pave the way for members to re-establish closer relationships with schools in their divisions. The Chief Operating Officer said that the Council retained the right to challenge educational achievement and, as part of the work to establish new relationships with schools following the move to academies, the role local members had to play would be developed.

67. The Committee noted that, following the changes in the way governors were appointed, a review of the role of County Local Committees in that process was underway.

68. Resolved -

- (1) That the changes to the senior management arrangements set out in paragraph 2 of the report, subject to the changes to the titles of the Directors of Adult Operations and Family Operations as set out in minute 65 above, be approved;

- (2) That the Chief Operating Officer be authorised to establish a post of Director of Education and Skills in the event that the current work on this should recommend it and that the Scheme of Delegation be amended accordingly;
- (3) That the Director of Law Assurance and Strategy be authorised to make any further consequential changes to the Constitution provided they are consistent with the changes proposed in this report;
- (4) That the Constitution be amended to include a clearer text to deal with the arrangements for Executive Directors and Directors to authorise officers to take decisions on their behalf and that the final scheme for such authorisations be made publicly available so that it is known which officers have authority within which area; and
- (5) That an email be sent to all members explaining the new structure within the directorate of the Executive Director Communities and Public Protection together with appropriate communications to partners and residents, as set out in minute 62 above.

Review of Format of Council Meetings

69. The Committee considered a report from the Director of Law, Assurance and Strategy on the establishment of a working group to review the format of Council meetings following a request by Mrs Millson at the last meeting of the County Council (copy appended to the signed minutes). Mr Glennon and Mr McAra had been invited by the Chairman to attend the meeting.

70. Members were supportive of the timing of the review as the format of Council meetings had not been looked at for some time. The importance of engaging the public and improving the appeal of Council meetings as part of the democratic process was stressed.

71. The Committee agreed that the membership of the working group should not be restricted to that of the Governance Committee. It was proposed that there should be eight members, one from each minority group plus four Conservative members including the Chairman and a Cabinet Member. It was agreed that the Chairman would ask Group Leaders for nominations and then agree the final membership which would be notified to all members in the usual way.

72. In terms of the scope of the review, members felt that the format of question time was key and suggested that consideration could be given to more open questions to Cabinet Members in addition to the current report format. The way in which routine items for approval were dealt with should also be looked at. In working up proposals consideration should be given to the amount of officer time required to prepare for the meeting. It was agreed that the proposed terms of reference should be seen as a guide rather than an exclusive list and that the working group should be given flexibility to expand the areas to be examined should it see fit.

73. It was agreed that the Chairman would email all members about the review and ask for suggestions of areas to be included in the working group's considerations. It was proposed that there should also be an anonymous survey for

members, officers and the public following the next Council meeting which would be distributed with the Council papers and made available on the website.

74. In terms of time scale, the working group would be asked to report its final conclusions early in 2015.

75. Resolved -

- (1) That the establishment of a cross-party working group of eight members to consider the form and content of Council meetings be approved, as set out in minute 71 above, and that Group Leaders be asked to put forward nominations;
- (2) That the membership of the working group should not be restricted to members of the Governance Committee;
- (3) That the group's terms of reference, as set out in paragraph 2.2, be agreed, subject to the suggestions set out in minute 72 above, but that the working group be given the flexibility to add areas to be considered should it see fit;
- (4) That an initial report be made to the Governance Committee on 24 November 2014 with a final report early in 2015; and
- (5) That the Chairman email all members with details of the review and to ask for suggestions of areas to be considered and that an anonymous survey for members, officers and the public following the next Council meeting be included with the Council papers and made available on the website.

Openness of Meetings

76. The Committee was informed that the Government had issued regulations extending the filming and reporting by the public through social media to all meetings of the Council. The Committee considered a report by the Director of Law, Assurance and Strategy on proposed changes to Standing Orders for recommendation to the County Council (copy appended to the signed minutes).

77. There was some discussion about the removal of the restriction on the filming of the public gallery and whether the Council had any discretion to ask members of the public only to film the meeting itself. The Deputy Monitoring Officer advised that it would be unwise for the Council to try to discourage something that was legally permissible. However, she reassured the Committee that notices would be displayed in meeting rooms to ensure the public were aware that it was possible they could be filmed.

78. Resolved – That the proposed changes to Standing Orders, as set out in the Appendix to the report, be endorsed for submission to County Council on 17 October 2014 for approval.

West Sussex Pension Fund Annual Report 2013/14

79. The Committee received the Annual Report of the West Sussex Pension Fund

for the year ended 31 March 2014 and was asked to comment on proposals in a report from the Executive Director Corporate Resources and Services in relation to the appointment of the independent Chairman of the proposed new Pensions Board (copy appended to the signed minutes).

80. In relation to paragraph 1.10 of the report, the Chief Technical Officer reported that the accounts were still subject to external audit but would be signed off soon.

81. The Committee considered the proposals for the new Pensions Board set out in paragraphs 1.16 to 1.19 of the report. With respect to the level of any remuneration for the independent chairman of the Board, the Chief Technical Officer reported that the County Council was ahead of other authorities in its preparations and there were few comparisons available. However, based on the number of days, level of commitment and technical expertise required, the Actuary had recommended a maximum of £15,000 per annum. Members supported that recommendation which it was felt could be justified given the size of the fund and its performance and the need to attract a strong field of candidates with relevant experience.

82. The Committee agreed that the Leader, Mr Burrett and Mr Jones should comprise the panel for the appointment of the independent chairman.

83. In relation to the performance of the fund as set out in the report, it was agreed that the Chairman would write to the Cabinet Member for Finance expressing the Committee's gratitude for the work of the Pensions Panel and his role as Chairman.

84. Resolved –

- (1) That the Annual Report be noted;
- (2) That arrangements described in paragraph 1.16 of the report and minute 82 above be put in place for the appointment of an independent Chairman to the proposed Pensions Advisory Board so as to allow for the effective implementation of proposals that will come to the Committee in November; and
- (3) That the level of remuneration for the Independent Chairman of the Pensions Advisory Board be between £12,000 and £15,000 per annum.

Date of Next Meeting

85. Members noted that the next meeting of the Committee would be held at 2.15 p.m. on Monday, 24 November 2014.

The meeting ended at 3.45 p.m.

Chairman