

12 May 2014 – At a meeting of the Committee held at County Hall, Chichester.

Present:

Mr Brown, Mr Burrett, Ms Goldsmith, Mr G L Jones, Mrs Jupp (Chairman), Mr Lanzer, Mrs B A Smith and Dr Walsh.

Apologies were received from Mr Peters.

Declarations of Interest

1. In accordance with the code of conduct, members of the Committee declared personal interests in item 7, Scheme of Members' Allowances and Expenses – Inflation Indices. Mr Burrett and Mrs Smith declared personal interests in item 4, Webcasting Task and Finish Group, as members of Crawley Borough Council and Dr Walsh declared a personal interest as a member of Arun District Council.

Minutes of the Governance Committee

2. Resolved – that the minutes of the meeting held on 24 March 2014 be approved as a correct record and that they be signed by the Chairman.

3. In relation to minute 142, the Head of Law and Governance updated the Committee on the establishment of a sub-group to bring forward recommendations on proposals for changes to Pension Fund governance. The Committee noted that the members of the sub-group were Mr Brown, Mr Lanzer, Mr Peters and Dr Walsh and that they would meet shortly and report to the Governance Committee in due course.

Webcasting Task and Finish Group

4. The Committee considered a report by the Director of Finance and Assurance and the Head of Law and Governance on the work of the Webcasting Task and Finish Group (TFG) (copy appended to the signed minutes). The Committee was asked to support the recommendations of the TFG to the Cabinet Member for Corporate Relations for the replacement and enhancement of audio visual systems in the Council Chamber.

5. The Cabinet Member for Corporate Relations expressed his thanks to the TFG for its work. He said he hoped that, as well as ensuring continuity of the webcasting function, the proposals would embrace advances in modern technology including electronic voting and HD cameras.

6. Members welcomed the proposals which they felt would continue to improve openness and connectivity between the Council and the public and help to revive local democracy. Members who had experienced electronic voting commented that it would be useful to share experiences with other authorities in the county to see if there could be consistency in the way it was used.

7. The Cabinet Member clarified that the purpose of the recommendation for a protocol on the use of webcasting by select committees and quasi-judicial

committees was to ensure consistency of practice and make best use of the webcasting contract hours. He confirmed that the mobile webcasting equipment in Committee Room 3 would continue to be used where appropriate to make best use of the less formal setting, particularly where witnesses or external speakers were involved.

8. In terms of timescale, the Cabinet Member commented that the installation of new equipment in the Council Chamber would not be able to take place until after the current repairs to the Council Chamber roof had been completed and was unlikely to be before the October Council meeting.

9. Resolved – That the main recommendations of the Webcasting Task and Finish Group, as set out in paragraph 2.2 of the report, be supported.

Corporate Parenting Panel Terms of Reference

10. The Committee considered a report by the Director of Finance and Assurance and the Head of Law and Governance on proposed changes to the terms of reference of the Corporate Parenting Panel which reflected changes in terminology of children looked after and reviewed the statement of purpose of the Panel (copy appended to the signed minutes).

11. Resolved – That the revised terms of reference set out in the appendix to the report be endorsed for submission to the County Council on 6 June 2014 for approval.

Appeals Panel Annual Report 2013/14

12. The Committee considered a report by the Head of Human Resources and the Head of Law and Governance on the annual report of the Appeals Panel for 2013/14 (copy appended to the signed minutes). The views of the Committee were sought on draft proposals to change the focus of the Staff Appeal Panel from a re-hearing to a consideration of the grounds for appeal.

13. In relation to the review of the Staff Appeals Panel, the representative for the Head of Human Resources clarified that in Appendix 2, the reference to 'upheld' in the column headed 'Outcome' indicated that the appeals had been dismissed.

14. There was some discussion about the number of members on the Panel from each party and the fact that some members had attended more appeals than others over the course of the year. The Committee noted that, although members were allocated to panels throughout the year, not all the dates would be needed and therefore sometimes the use of members on the panel was uneven. It was agreed that the membership of the Panel would be considered further under item 8 on the agenda, Appointments to Committees, Panels and Outside Bodies.

15. The representative for the Head of Human Resources reported that the proposals for future changes to the Staff Appeals Panel, as set out in paragraph 4 of the report, had been discussed with the current members of the Staff Appeals Panel at their annual meeting on 25 April 2014. Appeals Panel members had expressed some concern about the proposals to replace the current 're-hearing' with an appeal focused on the grounds for the appeal only. It was felt that limiting the evidence provided to the grounds for appeal could mean that members would

not have sufficient information on the broader context of the issue to inform their decision. Instead, members of the Panel had expressed a preference for procedural changes to make clear to the appellant the process to be followed and that there would not be a complete re-hearing.

16. Whilst supporting the need for change given the lack of clarity in the current arrangements, the Committee appreciated the need for the process to ensure that members of the Panel had sufficient evidence before them both to reach the correct decision and, if necessary, to defend it should there be a subsequent appeal to an employment tribunal. Members noted that revised proposals, taking into account their views and those of members of the Staff Appeals Panel, would be brought to the Committee in due course.

17. Resolved –

- (1) That the Annual Report 2013/14 be noted; and
- (2) That the Committee's comments on the proposals in relation to future changes to the Staff Appeals Panel, as set out in minute 16 above, be taken into account in the review.

Scheme of Members' Allowances and Expenses – Inflation Indices

18. The Committee considered a report by the Director of Finance and Assurance and the Head of Law and Governance on the application of the inflation indices in the Scheme of Members' Allowances (copy appended to the signed minutes). Members were reminded that the Scheme included annual indices for inflation in relation to allowances and rates of travel and subsistence. However, as the indices had been reapplied recently following a freeze in allowances (to take effect from 1 November 2013), the Committee was asked to note that, with the exception of the mileage rate which had recently gone down, the Chairman, with the support of Group Leaders, had agreed that the indices would not be applied for 2014/15. The indices were next due to be applied in April 2015.

19. In relation to the mileage rate, members were informed that, as a result of the revision of motoring costs by the AA, the equivalent rate to the County Council's current mileage rate of 57.25p was 49.6p. The Head of Law and Governance recommended to the Committee that, as the change to the AA rate had not been announced until the end of April, and to avoid disproportionate administrative costs, the new rate should be backdated to 1 May rather than 1 April 2014.

20. Resolved – That the Committee notes that:

- (1) The mileage rate will be reduced from 57.25p per mile to 49.6p per mile with effect from 1 May 2014; and
- (2) That the indices relating to allowances and subsistence will not be applied for 2014/15.

Appointments to Committees, Panels and Outside Bodies

21. In accordance with the provisions of the Local Government and Housing Act

1989, the Committee was asked to appoint members to serve on the committees, panels and outside bodies as set out in the report by the Head of Law and Governance (copy appended to the signed minutes) in line with the expressed wishes of the political groups.

22. Further to the discussion set out in minute 14 above on the membership of the Staff Appeals Panel, it was agreed that Mr G L Jones would replace Mrs Jupp on the Appeals Panel. It was noted that 16 out of 18 members of the Staff Appeals Panel had attended the recent annual training meeting. It was therefore agreed that the relevant Group Leaders would be asked to speak to the two members who had not attended to see if they wished to remain on the Panel. Any further changes to the membership of the Panel would be brought to the next meeting of the Committee.

23. The Leader proposed that there should be a register of Panel members' attendance at training sessions to be included in the annual report to the Governance Committee on the work of the Staff Appeals Panel. The Committee supported this proposal and stressed the importance of members of the Panel being adequately trained to deal with what was the most severe sanction an employee could face; that of dismissal.

24. Resolved –

- (1) That appointments to committees, panels and South East Employers be approved as set out in the note, subject to the replacement of Mrs Jupp with Mr G L Jones on the Staff Appeals Panel;
- (2) That the relevant Group Leaders be asked to speak to the two members who had not attended the Panel's annual training to make sure they were still committed to the work of the Panel; and
- (3) That a register of Panel members' attendance at training sessions be included in the annual report of the work of the Panel to the Governance Committee.

Date of Next Meeting

25. Members noted that the next meeting of the Committee would be held at 2.15 p.m. on Monday, 30 June 2014.

The meeting ended at 3.18 p.m.

Chairman