

## **Governance Committee**

13 May 2019 – At a meeting of the Governance Committee held at 2.15 pm at County Hall, Chichester.

Present: Mrs Duncton (Chairman)

Mr Burrett (arrived at 2.28 pm), Ms Goldsmith (arrived at 2.20 pm), Mr Lanzer, Mr Mitchell, Mr Patel and Dr Walsh

Apologies were received from Mr Acraman

Also in attendance: Ms Kennard and Mr Jones

### **Part I**

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

1.1 No interests declared.

#### **2. Minutes of the last meeting of the Committee**

2.1 Dr Walsh commented that, in his view, the minute of the urgent item did not include all the points made. The Chairman assured members that the action set out in the minute had been undertaken.

2.2 Resolved – That the minutes of the meeting held on 21 January 2019 be approved as a correct record and that they be signed by the Chairman.

2.3 Dr Walsh voted against the approval of the minutes and asked for that to be recorded.

#### **3. Select Committee Business Planning Group Membership**

3.1 The Committee considered a report by the Director of Law and Assurance on proposals for recommendation to the County Council that the Constitution should require the Vice-Chairman of a Select Committee to be a member of its Business Planning Group and also its Vice-Chairman, as it the current practice (copy appended to the signed minutes).

3.2 Resolved – That the County Council be recommended that the Constitution should require the Vice-Chairman of a Select Committee to be a member of its Business Planning Group and to be Vice-Chairman of this Group, as set out at paragraph 2.1 of the report.

#### **4. Filming of Meetings**

4.1 Following a request from the Chairman and Group Leaders, the Committee considered a report from the Director of Law and Assurance on a Filming of Meetings Protocol which had been developed in line with best practice from other local authorities (copy appended to the signed minutes).

4.2 The Director of Law and Assurance commented that the guidance was intended to help chairmen manage the filming of meetings and encourage advance notice that filming would be taking place: those wishing to film did not need to seek consent.

4.3 The Leader commented that the Council wanted meetings to be as open and transparent as possible but that the guidance would be helpful to all concerned. She suggested that in paragraph 2 of Appendix 1 'may' should be changed to 'will' and that was agreed.

4.4 Resolved –

- (1) That the draft protocol attached at Appendix 1, subject to the amendment set out in minute 4.3, be agreed; and
- (2) That the protocol be published on the County Council's website and be posted in each committee room and venues for public meetings.

## **5. Webcasting of Committee Meetings**

5.1 The Committee was asked to consider a report by the Director of Law and Assurance on aspects of the County Council's use of webcasting – the amount of webcasting undertaken, who should take the decision whether a meeting should be webcast and the criteria on which the decision should be based (copy appended to the signed minutes).

5.2 Members supported the webcasting of more meetings and felt that the introduction of the new mobile webcasting kit, which enabled meetings in rooms other than the Council Chamber to be webcast, was an improvement. It was felt that in a county the size of West Sussex it was important to make decision-making as open and transparent as possible and webcasting also reduced the need for travel.

5.3 Members asked about the number of hours in the current webcasting contract the Director of Law and Assurance said discussions were underway with the webcasting provider about the options for increasing the annual allocation at the lower charging rate.

5.4 The Committee discussed the options put forward in paragraph 2.1 to 2.3 of the report.

5.5 Members supported the proposal in paragraph 2.1 of the report that there should be a presumption in favour of webcasting all or part of all meetings of the Planning Committee, Select Committees and formal meetings of the Cabinet. A proposal that there should be a presumption that all meetings of the Regulation, Audit and Accounts Committee should also be webcast was not seconded.

5.6 In relation to the options put forward in paragraph 2.2 of the report as to who would be able to waive the presumption, a proposal that it should be the chairman or vice-chairman or, for select committees, the Business Planning Group (BPG) was not seconded. Instead the Committee

agreed that the decision to waive presumption should be the chairman and vice-chairman and that, for select committees, if a difference of opinion should arise between those two members, the decision should be referred to members of the BPG who should be consulted via email.

5.7 The Committee agreed the criteria used to inform the decision as to whether to webcast all or part of a meeting or to waive the presumption, as set out in paragraph 2.3 of the report.

5.8 The Leader requested that there should be a report to the Committee at the end of the year setting out the number of meetings webcast with viewing figures.

5.9 Resolved – That the County Council be recommended

- (1) That there should be a presumption in favour of webcasting all meetings of Planning Committee, Select Committees and formal meetings of the Cabinet;
- (2) That the decision to waive the presumption of webcasting should rest with the chairman and vice-chairman and that, for select committees, if a difference of opinion should arise between those two members, the decision should be referred to the members of the Business Planning Group;
- (3) That the criteria to be used to inform the decision as to whether to webcast all or part of a meeting, be as set out in paragraph 2.3 of the report; and
- (4) That a report be brought to the Committee at the end of the year setting out the number of meetings webcast together with viewing figures.

## **6. Proposed delegation re Anti-Fraud and Corruption Policies**

6.1 The Committee was reminded that, following the review of the Constitution in summer 2018, the Anti-Bribery and Corruption and Anti-Money Laundering Policies had been moved outside the Constitution. Responsibility for the monitoring of and making changes to the policies was part of the terms of reference of the Regulation, Audit and Accounts Committee. As a consequence of the changes, an explicit delegation is now recommended to the Director of Finance, Performance and Procurement (now the Director of Finance and Support Services) for the operation and enforcement of the policies, as well as making non-material/minor changes to them. The Committee was asked to agree the proposed delegation below for inclusion in the Scheme of Delegation:

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
2A	<b>Anti-Fraud and Corruption</b>		

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
140A	Operation and enforcement of the Anti-Bribery and Corruption and Anti-Money Laundering Policies and the resources and systems to ensure prevention of fraud and the investigation of allegations of fraud. Making non-material/minor changes to the policies.	Director of Finance and Support Services	

6.2 Members noted in the text of paragraph 140A that the word 'Polices' on the agenda should read 'Policies'.

6.3 Resolved – that, subject to the correction set out in minute 6.2 above, the delegation be approved for inclusion in the Scheme of Delegation.

## **7. Staff Appeals Panel Annual Report 2018/19**

7.1 The Committee considered the annual report of the Appeals Panel for 2018/19 by the Director of Human Resources and Organisational Change and the Director of Law and Assurance (copy appended to the signed minutes).

7.2 A question was asked about whether statistics on the number of appeals held per year included appeals which had been set up and then withdrawn. The Director of Law and Assurance said it did not but that such instances could be included in the report in future years.

7.3 Resolved –

- (1) That the Appeals Panel Annual Report 2018/19 be noted; and
- (2) That in future years the report of appeals heard would include a note of those which were requested but had not gone forward for any reason.

## **8. Report of the Member Development Group**

8.1 The Committee received the regular report on the work of the Member Development Group (MDG), including an overview of member development activities and attendance during 2018/19 and details of upcoming member development sessions (copy appended to the signed minutes). The report also included the outcomes and action plan as a result of phase one of the work for the 'Journey to the 2021 Elections: Three-year Programme to Promote Local Democracy' by the Member Development Working Group and plans for phase two. Members noted that, in paragraph 2.6 of the report, the date of the budget 2020/21 Member Day had been put back to 16 January from 8 January 2020.

8.2 Ms Kennard, the Chairman of the MDG, and Mrs Duncton, as the Chairman of the Member Development Working Group, commented on the report. Ms Kennard expressed her thanks to the members of the Working Group for their excellent work so far.

8.3 In relation to the findings and recommendation of the Working Group, as set out in Appendix 1 to the report, members welcomed the proposal that videoconferencing should always be offered for informal member meetings. The Committee supported the proposed programme in the run up to the elections in 2021 and stressed the importance of holding sessions around the county and making them at a time that suited those who worked. The Head of Democratic Services confirmed that sessions for those thinking of standing would be held in Crawley, Horsham and Worthing in the autumn. The session for candidates would be held at County Hall as it was felt it was useful for candidates to have the opportunity to visit the campus and see the Council Chamber.

8.4 Dr Walsh commented that, as a result of the recent local elections, Arun District Council now had three members in wheelchairs which required adjustments to be made. The Head of Democratic Services said the Working Group had met Facilities Management to discuss the issue of access to the County Hall campus and an audit was being undertaken to see what improvements could be made. Mr Burrett commented it was important to look at those with mobility problems, not just those in wheelchairs, when looking at the accessibility of the building. He also said that timely provision of agenda papers was important for those with time pressures who may have set aside time for preparing for a meeting.

8.5 Members supported the provision of video statements by current members to encourage those thinking of standing and the Head of Democratic Services said the Communications Team would be producing some new short videos for use in the run up to the next elections.

8.6 Resolved – That the report be noted and the phase one findings and recommendations of the MDG working group, as set out at Appendix 1 to the report, be endorsed.

## **9. Appointments to Committees, Panels and Outside Bodies**

9.1 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 Director of Law and Assurance (copy appended to the signed minutes) in line with the expressed wishes of the political groups.

9.2 The Committee noted in relation to the membership of the Member Development Group that Mrs Duncton was coming off the Group. An appointment to the Labour vacancy on the Group would be made by the Council at its meeting on 7 June 2019.

9.3 Resolved – That, with the change set out in minute 9.2 above, appointments to committees, panels and South East Employers be approved as set out in the note.

## **10. Report of Urgent Action**

10.1 The Committee noted action taken by the Director of Law and Assurance, in consultation with the Chairman, as follows:

### **Corporate Parenting Panel Terms of Reference**

Endorsement of new terms of reference and membership of the Corporate Parenting Panel, for recommendation to the County Council on 5 April 2019.

## **11. Date of Next Meeting**

11.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 24 June 2019.

The meeting ended at 3.18 pm

Chairman