

# Public Document Pack

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13 November 2020

## **Governance Committee**

A virtual meeting of the Committee will be held at **2.15 pm on Monday, 23 November 2020.**

**Note:** In accordance with regulations in response to the current public health emergency, this meeting will be held virtually with members in remote attendance. Public access is via webcasting.

**The meeting will be available to watch live via the Internet at this address:**

<http://www.westsussex.public-i.tv/core/portal/home>

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Director of Law and Assurance

## **Agenda**

### **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 as 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 please contact Democratic Services before the meeting.

### **2. Minutes of the last meeting of the Committee (Pages 5 - 8)**

The Committee is asked to agree the minutes of the meeting held on 7 September 2020 (cream 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. Report of the Independent Remuneration Panel (Pages 9 - 44)**

Report by the Director of Law and Assurance.

The Committee is asked to consider the report of the Independent Remuneration Panel and recommendations for the scheme of allowances and expenses from May 2021, for recommendation to the County Council.

5. **Plans for Member Meetings during the COVID-19 Emergency** (Pages 45 - 54)

Report by the Director of Law and Assurance.

The Committee agreed to review plans for Council/committee meetings at each of its meetings during the COVID-19 public health emergency. The Committee is asked to consider an update on meeting arrangements up to March 2021 together with information the impact of virtual arrangements.

6. **Good Governance Review and Partnership Arrangements with East Sussex County Council** (Pages 55 - 60)

Report by the Director of Law and Assurance.

The Committee is asked to consider an update on the outcomes of the Good Governance Review, a programme of work on areas of Council governance including procedural and constitutional aspects of how the Council does business. The report also provides further information on the partnership arrangements with East Sussex County Council.

7. **Pension Advisory Board: Business Plan 2020/21** (Pages 61 - 78)

Report by the Director of Finance and Support Services.

The Committee is asked to consider the Pension Advisory Board draft Business Plan and budget for 2020/21.

8. **Minor Change to Scrutiny Arrangements**

The Committee is asked to recommend a minor change to the arrangements for scrutiny to the County Council. Scrutiny of the Drug and Alcohol Action Team is currently undertaken by the Environment and Communities Scrutiny Committee. However, scrutiny of all other aspects of the Adults and Health portfolio is undertaken by the Health and Adults Social Care Scrutiny Committee. In order to streamline scrutiny of the decision-making process, it is therefore recommended that scrutiny of the Drug and Alcohol Action Team should move to the Health and Adult Social Care Scrutiny Committee.

No background papers

**Contact Officer:** Charles Gauntlett, 033 022 22524  
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9. **Report of the Member Development Group** (Pages 79 - 82)

Report by the Chairman of the Member Development Group.

To receive the regular report on the work of the Group, member development activities and member training and development priorities and plans.

10. **Governance and Standards Committees** (Pages 83 - 84)

Report by the Director of Law and Assurance.

The Committee is asked to consider a request by the Standards Committee at its meeting on 2 November 2020 to consider merging the Governance and Standards Committees.

11. **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 p.m. on 18 January 2021.

**To all members of the Governance Committee**

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## **Governance Committee**

7 September 2020 – At a virtual meeting of the Governance Committee held at 2.15 pm.

Present: Cllr Duncton (Chairman)

Cllr Patel, Cllr Bradbury, Cllr M Jones, Cllr A Jupp, Cllr Lanzer, Cllr Marshall, Cllr Mitchell and Cllr Walsh

Also in attendance: Cllr Crow, Cllr Kennard and Cllr Urquhart

### **Part I**

#### **23. Declarations of Interest**

23.1 In accordance with the Code of Conduct, Cllr Walsh declared a personal interest as the Leader of Arun District Council in relation to the item on Plans for Member Meetings during the Covid-19 Emergency (minute no. 25).

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

24.1 Resolved - that the minutes of the meeting held on 6 July 2020 are approved as a correct record and signed by the Chairman.

#### **25. Plans for Member Meetings during the Covid-19 Emergency**

25.1 The Committee considered a report by the Director of Law and Assurance about proposals for meeting arrangements to the end of December, County Local Committee (CLC) meetings in autumn, a review of the role of county councillors by the Member Development Group and continued monitoring of the capacity and resources to support Member meetings (copy appended to the signed minutes).

25.2 The Committee was generally supportive of holding virtual meetings until at least December 2020 in light of the ongoing restrictions due to the public health emergency, although was supportive of moving forward with hybrid meetings when restrictions are relaxed in due course. Some disappointment and opposition was expressed to the recommendation to cancel CLCs in the autumn of 2020.

25.3 Cllr Crow spoke with the permission of the Chairman as the Cabinet Member with responsibility for CLC provision. He commented that few other local authorities now had CLCs. The purpose of the meetings is to meet face-to-face with members of the public which is not currently possible. Hybrid meetings will only be possible when using the Council Chamber and existing legislation did not allow such meetings to be held. He supported the suspension of CLCs and, instead, virtual informal meetings could be held with Members.

25.4 The Head of Democratic Services advised that there was currently no technical capacity to support hybrid meetings though this was being purchased, would be installed in the Council Chamber and then tested; the

equipment is not portable. The next CLC meetings are scheduled in early 2021 and could be considered by this Committee in January 2021. She confirmed that webcasting meetings significantly increases staff resources – between 34 and 40 hours of additional staff time would be required to webcast CLC meetings.

25.5 Members agreed to vote separately on recommendation (2) and recommendations (1), (3) and (4). Recommendation (2) was approved by a majority vote and recommendations (1), (3) and (4) were approved unanimously.

25.6 Resolved – that the Committee agrees:

- (1) The list of council/committee meetings to the end of December 2020 (Appendix 1 of the report);
- (2) Proposals for County Local Committee meetings in the autumn, as set out at paragraph 2.5 (and detailed at paragraph 2.3.2);
- (3) Proposals at paragraph 2.6 for a review of the local/community role of county councillors by the Member Development Group; and
- (4) That the Council's capacity and resources to support member meetings should continue to be monitored by this Committee in liaison with all members.

## **26. Planning and Rights of Way Committees - options for cost savings**

26.1 The Committee was asked to give further consideration to a proposed merger of the Planning and Rights of Way (RoW) Committees, to improve customer service and to offset some of the costs of establishing the Fire & Rescue Service Scrutiny Committee agreed by Council in December 2019, as set out in a report by the Director of Law and Assurance (copy appended to the signed minutes).

26.2 The Senior Adviser reminded members that the Planning and RoW chairmen spoke at the previous meeting and their views had been recorded.

26.3 With the permission of the Chairman, Cllr Urquhart advised that the RoW Committee's workload had reduced over the previous three years due to the deregulation act and decisions being delegated to officers in consultation with the Chairman; and that neighbouring authorities reported that a merged committee works well. This, and other pressures being faced, made it difficult to justify the continued existence of separate committees.

26.4 The Committee was mostly supportive of the proposed merger, although noted that site visits could be problematic if several applications had to go to one meeting at any point. It was supportive because of the positive customer service impact; applications could be considered more frequently; and the experience of neighbouring authorities was known.

The Committee believed that the merger should go ahead as soon as practicable after the decision is taken by the Council on 6 November 2020 because of this.

26.5 Cllr Walsh therefore proposed that (in recommendation (2)) the words, 'from after the election in May 2021' are deleted and 'as soon as possible' is inserted. He was seconded by Cllr Jones. A vote was taken and the amendment was agreed.

26.6 In response to members' questions, the Senior Adviser commented that if the merger is to be brought into effect immediately, the next RoW meeting scheduled for early November would be the final meeting.

26.7 Resolved -

- (1) That the County Council be recommended to approve a merger of the Planning and Rights of Way Committees in the light of the improved customer service it would deliver to rights of way customers and the need to make savings as a result of establishing a Fire & Rescue Service Scrutiny Committee; and
- (2) That the Director of Law and Assurance be authorised to prepare the necessary revisions to constitutional documents for the County Council on 6 November 2020, to take immediate effect.

## **27. Minor Changes to the Constitution**

27.1 The Committee considered a report by the Director of Law and Assurance about minor changes to the terms of reference of the Rights of Way Committee and the Pension Board and membership of the Pension Committee in the Scheme of Delegation in the constitution (copy appended to the signed minutes).

27.2 Resolved - to recommend to the County Council -

- (1) That the proposed changes to the Rights of Way Committee terms of reference and Delegation Code of Practice, as set out in Appendix 1 of the report, are approved;
- (2) That the amendment to the terms of reference of the Pension Advisory Board, as set out in paragraph 2.1 of the report, is approved; and
- (3) That the amendment to the membership of the Pensions Committee, as set out in paragraph 3.1 of the report is approved.

## **28. Staff Appeals Panel Annual Report 2019/20**

28.1 The Committee considered the Staff Appeals Annual Report 2019/20 (copy appended to the signed minutes).

28.2 Cllr Jones believed that the previous arrangements should be restored and the Chief Executive removed from the membership of the Board of Appeal as this would be an extraordinary time commitment for a senior officer and should not be left to custom and practice. He asked for a report, with constitutional amendments, to return to the previous position and was supported by Cllr Walsh.

28.3 Other members commented that there was not a need for further work on the matter and that the Chief Executive would exercise sensible discretion.

28.4 Resolved – that the report is noted.

28.5 The Committee then put Cllr Jones’ proposal, that the Committee considers a future report on whether or not the Chief Executive should be a member of the staff appeals panel in exceptional circumstances, to the vote, which was lost.

### **29. Report of Member Attendance April 2019 to March 2020**

29.1 The Committee considered a report by the Director of Law and Assurance on members’ attendance at Council, Committee and other meetings for the period 1 April 2019 to 31 March 2020 (copy appended to the signed minutes).

29.2 Resolved - that the report is noted.

### **30. Member Development Group: Membership**

30.1 The Committee considered the filling of one vacancy on the Member Development Group.

30.2 Resolved - that Cllr Jones will be the Labour Group member on the Member Development Group and its Working Group.

### **31. Date of Next Meeting**

31.1 The Committee noted that the next meeting will be held at 2.15 pm on Monday, 23 November 2020.

The meeting ended at 3.40 pm

Chairman



**Governance Committee****23 November 2020****Report of the Independent Remuneration Panel****Report by Director of Law and Assurance****Electoral division: Not applicable**

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**Summary**

As required by law, the Independent Remuneration Panel has reviewed the Members' Allowance Scheme. Its recommendations are attached at Appendix 1 for consideration by the Governance Committee. Appendix 2 shows their impact on the current Scheme.

The County Council on 11 December 2020 must consider the Panel's recommendations. The Committee's role is to consider them and make a recommendation to the Council on whether they should be approved, subject to any amendment, or whether the existing scheme should be retained without change.

**Recommendations**

- (1) That the Independent Remuneration Panel's report and recommendations be submitted to the Council on 11 December 2020 for approval; and
  - (2) That the Committee considers whether any other recommendations to the County Council should be made in light of the report and recommendations of the Panel.
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**Proposal****1 Background and context**

- 1.1 Councillors are able to receive allowances and expenses in recognition of the time they invest and any particular responsibilities they carry.
- 1.2 The Member Allowances Regulations 2003 require all local authorities to have a Members' Allowance Scheme published as part of their Constitution. They also require authorities to maintain Independent Remuneration Panels (IRPs) which should review schemes from time to time and make recommendations to the local authority about its scheme. An IRP must do so around every four years.
- 1.3 The current County Council scheme was approved in 2017 following a full review of roles and responsibilities of members.

## **2 Proposal details**

- 2.1 The IRP has carried out a review of member allowances during 2020. It started work on the basis that the current scheme has been working successfully, so it did not undertake a full evaluation of all roles on this occasion. It interviewed a number of members in different roles and noted several areas for review – particularly the payments to senior advisers and advisers to cabinet members and the payment to minority group leaders.
- 2.2 It also considered the impact of virtual working on members and decision-making process and the environmental impact of this.
- 2.3 The Panel's report, found at Appendix 1, contains recommendations (a) to (s). Appendix 2 sets out the impact of the recommendations on the current Members' Allowances Scheme.
- 2.4 The Committee's attention is drawn to the various recommendations made in relation to the use of virtual technology for meetings and action to encourage more sustainable travel by members (paragraphs 15 to 21) including greater links to climate change policies and greater rigour in discouraging unnecessary travel. The Committee is invited to consider whether and how these should be taken forward.
- 2.5 The Panel makes recommendations in relation to the roles of advisers to cabinet members (paragraphs 35 to 44) and mechanisms for ensuring that the appointments are more thoroughly tested to support the accompanying allowance. The Committee is invited to consider these specific recommendations.
- 2.6 The Panel makes recommendations to change the previously adopted allowance scheme for minority groups to bring the scheme close to those adopted in comparator councils and the Committee is asked to consider whether the proposals are the right ones for recommendation to the County Council.

## **3 Other options considered (and reasons for not proposing)**

- 3.1 Not applicable. These would have been dealt with by the Panel.

## **4 Consultation, engagement and advice**

- 4.1 The IRP has consulted the Chairman and group leaders on its draft recommendations. A range of members in different roles were also interviewed a part of the review by the Panel.

## **5 Finance**

- 5.1 The proposals, if implemented, would be met within the current Member Allowances budget of £1.2m per annum. The Panel recommends that there should be no increase to any allowance from May 2021. Using the current number of members in each role, these recommended allowances result in an overall saving of £12,733 (1.0%).

## 6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
That members are seen to approve their own allowances, risking complaints of a conflict of interest. Lack of transparency in use of public funds	The independent nature of the IRP mitigates any reputational risk.  The approval process is all in the public domain.

## 7 Policy alignment and compliance

- 7.1 Relevant considerations in terms of equality impacts have been dealt with in the original design of the scheme and the use of particular allowances.

Tony Kershaw

**Director of Law and Assurance**

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### Background papers

None

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# **Report of the Independent Remuneration Panel and Recommendations for the Scheme of Allowances and Expenses from May 2021**

**November 2020**

## **Summary of Recommendations**

1. The Independent Remuneration Panel's recommendations are:
  - a. Continue with the use of remote working and virtual meetings where feasible and effective (paragraph 12) and encourage greater use of the Horsham videoconferencing facility (paragraph 15)
  - b. Lobby central Government to extend the power of councils to use remote working facilities for formal meetings (paragraph 13)
  - c. Reduce the petrol/diesel mileage rate immediately if HMRC adjust the 'official' rate (paragraph 19)
  - d. Set a mileage rate for electric and other non-fossil fuel vehicles in line with HMRC rates (presently 45p per mile) (paragraph 20)
  - e. Publicise other opportunities for members to reduce carbon-intensive travel (paragraph 21)
  - f. An SRA should not be paid to CLC Chairmen (paragraph 25)
  - g. From May 2021, the basic allowance and special responsibility allowances should be set as shown in the table (paragraph 26)
  - h. Allowances in May 2021 should be continued at the amounts set in October 2020 (with the exceptions noted below) following the application of the 2.75% indexing increase (paragraph 27)
  - i. Apply the recommended allowances from May 2021 following County Council elections (paragraph 29)
  - j. Continue with indexing of allowances to reference officer salaries and expenses to CPI (paragraph 30), but
  - k. Forego any indexing of allowances that would otherwise be applied in 2021/2022 (paragraph 31)
  - l. From May 2021, the basic allowance should be £12,202 (0.0% increase) (paragraph 32). Should the Council decide to apply indexing in 2021/2022 contrary to our recommendation, the increase should be limited to no more than 1.0% (paragraph 33)
  - m. Consolidate the present Adviser and Senior Adviser roles into one Adviser role, and set a special responsibility allowance of £4,397 (paragraph 40)
  - n. Adviser roles should be defined by specific, time-limited terms of reference and their eligibility for a special responsibility allowance

- should be assessed by the Director of Law and Assurance, with the allowance being paid subject to this assessment (paragraph 42)
- o. Cabinet Members and the Leader should consider the possibility of appointing a member from a different political group to an Adviser role (paragraph 44)
  - p. The present allowance for group leaders should be replaced with one which has a more logical and progressive structure (paragraph 53)
  - q. A suitable approach should be followed if the number of members in a group changes (paragraph 63)
  - r. Special responsibility allowances for the County Chairman and Vice-Chairman should be adjusted downwards to bring them back into line with the Panel's methodology (paragraph 66)
  - s. Payment of a special responsibility allowance while a member is on extended leave should be limited to a maximum of two months or until another member is appointed to the role (paragraph 70).

## **Introduction**

2. The last 'full' review of WSCC's Scheme of Allowances and Expenses was conducted by the Independent Remuneration Panel (IRP, the 'Panel') from late 2015 to late 2016, with a report and recommendations prepared for discussion at the Governance Committee in November 2016. That Committee put the Panel's report – with some amendments negotiated between political groups – to the Council meeting in December 2016 where it was approved.
3. The scheme has been running successfully since then. There have been two interim reviews conducted by the Panel which have confirmed the basic acceptability and success of the scheme and recommended minor refinements.
4. The Council is required to have the Independent Remuneration Panel review the scheme on a four-yearly cycle. Although disrupted by coronavirus pandemic measures, during 2020 the Panel has conducted a review of the scheme, with the intent that any recommendations for revision could be implemented at the time of the next Council elections in May 2021.
5. Given the importance and urgency of increased sustainability in all aspects of the Council's business, the Panel has specifically considered what might be done through the scheme of allowances and expenses to support this.

## **Review Method**

6. The Independent Remuneration Panel had intended to begin its review in February 2020, but this was delayed by the pandemic. Work began in May 2020.
7. Democratic Services reported in January 2020 that compliance with the scheme implemented in May 2017 is very good. Changes to roles are followed up with payroll by Democratic Services, to ensure that special responsibilities are accounted for. Travel expenses, which have to be

claimed, are usually claimed correctly and in a timely manner. Since 2017, Democratic Services has received only around one query per annum from an elected member about the application of the scheme.

8. The Panel was asked to consider in its review two specific issues that have arisen:
  - The manner in which the group leaders' special responsibility allowance is adjusted when the number of members in the group changes
  - Whether a member in receipt of a special responsibility allowance should continue to receive this if they were to take (extended) parental leave or other special leave.
9. During June 2020, the Panel conducted a programme of interviews with 15 members – representative of all member roles, and with a mix of newer and more experienced councillors. We are grateful to all who participated. Input from the interviewees has been important in informing the Panel's recommendations.
10. The Panel has received updated information on allowances and expenses paid at comparator County Councils, and on officer salaries which are used as reference points for the recommended basic and special responsibility allowances.
11. The Panel shared its draft report with the Council Chairman and Group Leaders on 7 October 2020. It considered the feedback from these senior members and reconsidered several aspects of the report as a result:
  - The Panel considered a suggestion that County Local Committee chairmen should receive an SRA but did not support this (paragraph 25)
  - The Panel's consideration of the minority group leaders' allowance is referred to in paragraphs 54 to 62
  - The Panel agreed to amend the wording of the second bullet point in paragraph 63.

## **Sustainability**

12. The Panel notes that the response to the coronavirus pandemic has resulted in significant changes to the working methods of the Council. In particular, most if not all meetings have been conducted virtually. All members interviewed were generally positive about their experience of working remotely. Many expressed the view that the Council should seriously consider continuing with remote working where this is feasible and effective. The Panel endorses this and recommends that the Council continues the use of remote working, although the Panel is conscious of the value of personal face-to-face contact, especially in fostering effective working relationships.
13. We are conscious that the ability for the Council to undertake formal meetings remotely expires in 2021. We recommend that the Council lobbies central Government to extend these powers.

14. The Panel has undertaken the whole of its review, including the interview programme, remotely. Members of the Panel have had occasional difficulty with the Council's chosen virtual technologies – to the extent of sometimes not being able to participate in a meeting. The Panel strongly encourages the Council to consider and carefully test their remote technology on a variety of different platforms with varying configurations.
15. The Council has been saving some £6,000 per month in reduced travel expense claims since March 2020 during the coronavirus restrictions. At a time of considerable financial difficulty, even these small savings are valuable. Even if virtual formal meetings are not allowed by central government, the Council should maintain its use of remote technology for other meetings where possible. Use of the videoconferencing facilities in the Horsham building should be encouraged, as we understand this is still considerably under-used. We encourage Democratic Services to question expense claims that involve travel that could perhaps have been avoided by the use of remote technology.
16. It would be worthwhile for the Council to prepare good practice guidance for virtual meetings for distribution to chairs and to all members.
17. Not only has reduced travel saved the Council money, it has reduced the Council's carbon footprint. Overall, members have been driving (or at least claiming) some 13,000 fewer miles per month during the pandemic – equivalent to a saving of around 4 tons CO<sub>2</sub> equivalent per month. There has also been a significant saving of members' travelling time, saving some members around two to three hours per saved journey to County Hall. The Panel is of the view that the Council should try to maintain this level of carbon saving and should, in fact, implement travel policies that substantially increase them and lead by example to the Council's Sustainable Strategy.
18. The Panel notes that the Council has issued its Electric Vehicle Strategy 2019–2030, with a firm commitment to build the infrastructure to allow at least 70% of new cars on the road in 2030 to be electric. Although disappointingly not mentioned in the Strategy document, we feel strongly that members should set an example of the change that they are encouraging residents to make; we would hope that by 2030, at least 70% of members' vehicles will be electric or other non-fossil-fuelled vehicles.
19. Accordingly, the Panel wishes to signal clearly now that at its next review in 2024, it is likely to recommend significantly reducing the rate paid per mile for travel in petrol/diesel vehicles. If HMRC lead the way by reducing the 'official' mileage rate in the meantime, the Council scheme should mirror this immediately.
20. The Panel recommends inclusion of a mileage rate for electric and other non-fossil-fuelled vehicles in the expenses scheme, set at the HMRC rate which is presently 45p per mile.
21. The Panel recommends that the Council:



- Publicises that councillors can obtain a free network card to allow electric vehicle charging (at a reduced rate) at County Hall and at other charging points operated by the same provider
- Allows councillors to claim the cost of the local Easit railcard which is available to the County Council (bearing in mind that this is intended for travel on Council business)
- Ensures relevant councillors are aware that they can travel on the U7 bus between Chichester and Bognor Regis free of charge.

## Recommended Adjustments to Allowances

22. The overall structure and 'hierarchy' of allowances is still fit for purpose and generally effective. There have been no changes to the 'job descriptions' of those roles which attract special responsibility allowances. Suggestions and concerns raised in interviews and by those officers who manage the scheme have been taken into account in our recommendations below.
23. The expenses scheme is effective and well-managed. The Panel sees no need to recommend changes to any aspects except those set out in the Sustainability section above.
24. A nationally negotiated pay award for Council employees has been agreed (2.75%) which has been applied, we understand, in October 2020 and backdated to April 2020. The Panel's method for assessing recommended allowances includes benchmarking against employee salaries. All allowance figures presented in this report are based on the reference salaries and allowances after application of the 2.75% increase.
25. The Panel was asked to consider whether a special responsibility allowance could be paid to members in the role of CLC Chairman. The Panel considered this question in its review in 2015/16 and decided that an SRA should not be paid. The Panel has reviewed and reconsidered this option and has decided again that an SRA should not be paid for the role of CLC Chair.
26. The Panel recommends that the basic allowance and special responsibility allowances should from May 2021 be as shown in the table below:

<b>Role</b>	<b>Allowance</b>	<b>Change from existing</b>
Basic Allowance	12,202	0.0%
As Leader	33,849	0.0%
County Chairman	20,162	(6.9%)
Deputy Leader	24,371	0.0%
Cabinet Member	21,663	0.0%
Committee Chairman	9,552	0.0%
County Vice-Chairman	8,450	(1.9%)

<b>Role</b>	<b>Allowance</b>	<b>Change from existing</b>
Adviser	4,397	n/a
Foster Panel	3,640	0.0%
Group Leader	variable	n/a

27. The Panel recommends that there should be no increase to any allowance from May 2021. The Panel believes this is appropriate in the present circumstances and taking into account the 2.75% increase applied during 2020. Using the expected number of members in each role, these recommended allowances result in an overall saving of £12,733 (1.0%).
28. The Panel's conclusions and recommendations on specific aspects of the scheme of allowances are set out in the sub-sections below.
29. We recommend that the adjustments recommended in this report are applied from May 2021 following the County Council elections.
30. The Panel recommends continuing with the present mechanisms of indexing for both allowances and expenses:
- Allowances are indexed in line with increases applied to reference officer salaries
  - Expense allowances are, where appropriate, adjusted in line with the Consumer Prices Index published by the Office of National Statistics.
31. However, given the present economic environment in which Council services are being increasingly severely restricted, and constituents are suffering with furlough, loss of business income and possible looming unemployment, we recommend that members forego any indexing increase which would otherwise be applied in 2021/2022. Although the resulting saving on Council budgets will be modest, we believe this action would have symbolic importance after the relatively substantial increase of 2.75% in 2020.

## **The Basic Allowance**

32. From May 2021, the recommended basic allowance is £12,202. This is the same level as in 2020.
33. Should the Council decide to apply indexation in 2021/2022, contrary to our recommendation in paragraph 31, the increase in basic allowance should be capped at 1.0%, which would give an allowance of £12,324.
34. This recommended basic allowance is consistent with that paid by comparator County Councils, for which the average is £12,668 (minimum £10,719, maximum £15,562).

## **Advisers and Senior Advisers**

35. The Panel has devoted considerable attention to these roles and the special responsibility allowances associated with them.
36. During our interview programme a number of interviewees expressed concern about the roles, how they are filled, how they are fulfilled, and about the allowances associated with them.
37. The Panel therefore spoke with four members who presently fulfil one of the advisor roles, a few members who have previously been Advisers or Deputies, and several Cabinet Members with experience of appointing advisers.
38. Democratic Services conducted an additional 'survey' across all of the advisers and senior advisers, to help the Panel understand what the role comprises in practice. We are grateful to all the Advisers and Senior Advisers who took part.
39. The Panel is aware that under the previous Leader these roles were used flexibly. We find it difficult to identify a clear dividing line between the two roles. We can see little value, and a significant potential for confusion and dissatisfaction, in continuing with the two roles.
40. Accordingly, from May 2021 we recommend consolidating the two present roles into one Adviser role. We recommend that the allowance for the 'new' Adviser role be set at about the midpoint of the two present allowances, with an amount of £4,397.
41. In reviewing the information gained from the interview programme and the adviser survey, the Panel came to the conclusion that while there are aspects of the role which merit payment of a special responsibility allowance, there are some other aspects of the role, as presently performed, which we consider do not merit the payment of a special responsibility allowance. Examples include acting as a point of contact with the relevant political group, activities which amount to 'shadowing' the Cabinet Member, or only attending internal or external meetings alongside the Cabinet Member.
42. We recommend that:
  - Specific, time-limited terms of reference (ie not the generic role description) should be written for each individual Adviser (for example for a particular project) and each time a new Adviser role is being considered, with an annual review
  - This should be written by the Cabinet Member in conjunction with Democratic Services and approved by the Leader. In the event that the Leader wishes to appoint an Adviser, the role terms of reference should be reviewed by another Cabinet Member, not including the Deputy Leader
  - A special responsibility allowance will be paid to the role holder to the extent that the specific role terms of reference involve actually providing policy advice, resolving policy/service issues, with delegated

responsibility for specific areas, and presenting and representing Council policy and answering questions at either WSCC or external meetings

- The Director of Law and Assurance should assess the degree to which the defined role fits the criteria above, using a simple 0% - 50% - 100% scale. Should the role holder, Cabinet Member or Leader be unhappy with the assessment, they can of course revise the terms of reference appropriately
- The special responsibility allowance will be paid if at least 50% of the role fits the criteria.

43. The Panel expects that appointment to an Adviser role will be made by competency-based interview.

44. Since we believe that the Adviser role is most valuably performed by an individual who has specific knowledge or skills relevant to the subject matter, we additionally recommend that the Cabinet Member and Leader should consider seriously the option of appointing a member(s) from another political party if that person is best qualified.

### **Committee Vice-Chairs**

45. The Panel was asked during the interview programme by a couple of interviewees to consider payment of a special responsibility allowance to Committee Vice-Chairs.

46. This suggestion was considered in prior IRP reviews, when the Panel decided not to recommend such payment. The Panel continues in its view that payment of a special responsibility allowance for Committee Vice-Chairs is not appropriate.

47. No comparator County Council pays a special responsibility allowance to Committee Vice-Chairs.

48. If for some reason the situation arises where the Vice-Chair is in fact conducting most of the Chair's business, then the Panel would consider that to be a performance management issue, with appropriate action to be taken by the group leader.

### **Minority Group Leaders**

49. The present special responsibility allowance for group leaders is a mix of a stepped allowance depending on size of the group plus a small *per capita* amount for each member. This scheme was proposed in 2016 at the last minute by a combination of political group leaders and the then County Chairman. The graph below shows how the allowance varies with group size.



50. The illogicality of this allowance is highlighted by the recent experience of one group leader, whose group reduced from 5 to 4 members, resulting in his allowance reducing by over £6,300.

51. The Panel recognises the importance of scrutiny and challenge of Council policy and performance by members of the minority political groups. This was a factor in the Panel’s decision (see paragraph 44) to encourage the majority group to consider whether Advisers could be drawn from minority groups. The Panel acknowledges that the special responsibility allowance paid to minority group leaders is partly to recognise the importance of their group’s scrutiny and challenge to ensure democratic accountability.

52. The Panel agrees with the principle that the responsibility and workload of a group leader changes with the size of her/his group. We acknowledge that in a small group, the leader is likely to be spread quite thin if she/he is to be effective in providing minority scrutiny. Equally, we acknowledge that the task of maintaining consistency across a larger group rapidly becomes more onerous as group numbers grow.

53. We recommend that from May 2021 the present group leaders’ allowance is replaced with one which rationalises the *per capita* element and removes the underlying stepped allowance. We recommend an allowance of £5,000 is paid to the leader of a group of three members (including the leader), with an extra £500 for each additional member in the group, to a maximum of £14,500 (which would be achieved at 22 members). The graph below shows how the allowance varies with group size, and specific amounts for each size of group are shown in the table in Annex A.



54. In response to the first draft of this report, the leaders of two minority groups argued that the allowances for group leaders should be higher than those recommended.
55. They argued for a starting point of £9,552 for a group of three plus an additional £350 for each member above this up to a maximum of £14,500, and argued that:
- "... minority group leader posts are fundamental to the representational and democratic relevance and smooth working of the Council ..."
  - "... the fairest comparison would be to the SRA for Committee Chairman on the basis that the level of accountability ... is similar"
  - "These requirements are all there whatever the size of a group is and represent a heavy baseline workload. Additional members in a group do mean more work and effort in liaising and co-ordinating ..."
  - "... to reduce [the allowance] in the way proposed would actually undermine the ability of opposition groups to challenge and scrutinise the council ...".
  - "It is already becoming more difficult to attract younger candidates for election to the County Council ... and reducing this allowance will only exacerbate the problem."
56. To give due consideration to these representations, the Panel has researched the allowances granted to group leaders in comparator county councils and has met to discuss and consider the arguments. Comparator information has been included in Annex B, along with the conclusions drawn from this.
57. The Panel agrees that minority groups are important to the operation of representative local government and the scrutiny they provide is a crucial part of this. By contrast with some county councils which pay allowances only to the largest minority group, the Panel believes that in WSCC all minority groups above a minimum size are important to the democratic operation of the council. The role of minority group leader in coordinating and directing their group's contributions merits payment of a special responsibility allowance. Accordingly, the Panel continues to recommend that an allowance is paid to the leader of each minority group with three or more members.
58. Since 2015, the Panel has used a structured method to compare responsibility, accountability and workload between roles that attract a special responsibility allowance. This method has been proven through the overall success of the allowances recommended and then accepted by vote in Council. This method places the level of responsibility, accountability and workload of the leader of a small minority group slightly above that of a 'new' Adviser role. The level of responsibility, accountability and workload of the leader of a large minority group is placed roughly halfway between that of a Committee Chairman and a Cabinet Member. Thus, the recommended starting point of £5,000 for a group of three members compares with the recommended £4,397 for an Adviser. Similarly, the recommended maximum minority group leaders' allowance of £14,500 compares with that of a Committee Chairman (£9,552) and a Cabinet Member (£21,663).

59. It should be noted that both the recommended starting point of £5,000 and the maximum of £14,500 are significantly generous when compared with other county councils' allowances.
60. The Panel does not understand why changing the minority group leaders' allowance as recommended will "undermine the ability of opposition groups to challenge and scrutinise the council" as all members we have spoken with indicate that financial reward is not why they undertake the role; instead they do it because of the importance of the contribution they can make as a councillor.
61. The Panel acknowledges the continuing difficulty of attracting council members of working age, which has been a topic of discussion among Panel members on a number of occasions. The Panel continues in its view, as originally expressed in its 2016 report, that there is little that the Scheme of Allowances can do itself to address this issue. Increasing the minority group leaders' allowances as requested would have, we believe, minimal impact on this issue.
62. Having considered the representations made by the two minority group leaders, the Panel continues to believe that its recommended allowance for minority group leaders (paragraph 53 above) is appropriate.
63. The Panel recommends the following approach when the number of members in a group changes:
- If a member joins or leaves a group, the group leader's allowance should be amended appropriately at the first opportunity
  - If a member ceases to be a member and a by-election is arranged within a reasonable time of the leaving date (in the opinion of the Director of Law and Assurance), then the group leader's allowance should continue unchanged until the result of the by-election is known, at which stage it should be reduced appropriately if necessary. The Panel considers it to be inappropriate to pay the allowance over a long period of time
  - If a member ceases to be a member and it is not possible or not appropriate to arrange a by-election within a reasonable time, then the group leader's allowance should be reduced appropriately at the first opportunity.

## **County Chairman and Vice-Chairman**

64. The Panel believes that the special responsibility allowance paid to the County Chairman, and to a lesser extent the County Vice-Chairman, is anomalously high. This was a result of the scheme proposed in 2016 at the last minute by political group leaders and the then County Chairman which amended the recommended group leaders' allowance and increased the Chairman's and Vice-Chairman's allowances. The Panel believes this change should now be reversed, bringing these allowances back into line with the structured and logical mechanism used by the Panel to set the level of recommended special responsibility allowances.

65. The present allowance for the County Chairman (£21,663) is considerably higher than the allowance paid in any comparator County Council (where the average is £15,058 and the highest £19,127). While the Panel acknowledges that the Chairman's role in WSCC is broader than elsewhere, we consider the present differential unjustified.
66. Accordingly, the Panel recommends that from May 2021 the County Chairman's allowance should be £20,162 and the Vice-Chairman's £8,450.

### **Periods of Extended Leave**

67. The Panel was asked to consider what should be done in the event that a member who is in receipt of a special responsibility allowance takes an extended period of leave. This might occur in a planned fashion or might be necessary at short notice. Equally, a short, planned period of leave might need to be extended due to unforeseen circumstances.
68. Ultimately, if a member is unable to fulfil a role, then someone else will need to be appointed to carry out the duties. In this case, the replacement member would be right to expect to receive the relevant special responsibility allowance.
69. The Panel believes that the basic principle should be that if another member takes up the duties of the role, they should be paid the allowance from the time at which they begin to perform the role and that the Council should not pay an allowance to two members simultaneously for the same role.
70. Based on this principle, the Panel recommends that the following paragraph is added to the Member Allowance Scheme:
- If a member notifies the Council that they are taking an extended period of leave of more than two months, then the entitlement to a special responsibility allowance will cease at the two-month point. If a member takes leave of an uncertain duration that eventually becomes a period longer than two months, then any special responsibility allowance will cease at the two-month point. If at any time another 'replacement' member is appointed to the role, then the special responsibility allowance for the original member will cease at the time that the replacement member begins to perform the role.



## Annex A – Minority Group Leaders’ Allowance

71. Specific allowance amounts for each size of group are shown in the table below. These are shown graphically in paragraph 53.

<b>Number of Members</b>	<b>Allowance</b>
3	£5,000
4	£5,500
5	£6,000
6	£6,500
7	£7,000
8	£7,500
9	£8,000
10	£8,500
11	£9,000
12	£9,500
13	£10,000
14	£10,500
15	£11,000
16	£11,500
17	£12,000
18	£12,500
19	£13,000
20	£13,500
21	£14,000
22	£14,500
23	£14,500
24	£14,500
25	£14,500
34	£14,500

(34 is the largest possible minority group)

## Annex B – Allowances for Group Leaders in Comparator Counties

72. This table shows information from the most recent Scheme of Allowances from a number of comparator County Councils.

County	Minority Leaders Allowances	WSSC Equivalent
<b>Buckinghamshire</b>	£17,000 to be shared among group leaders, probably not including the majority group leader(?) in proportion to the size of their group.	LD £ 9,067 L £ 4,533 IC £ 2,267 I £ 1,133
<b>East Sussex</b>	£12,554 to leader of the largest minority group. £3,262 to deputy leader of the largest minority group. £5,026 to leader of the second largest minority group.	LD £ 12,554 L £ 5,026 IC £ nil I £ nil
<b>Essex</b>	30% of the SRA for the Leader of the Council to the leader of the largest minority group. To be split equally if two equally sized groups. Leader's SRA = £54,000.	LD £ 10,155 L £ nil IC £ nil I £ nil
<b>Hampshire</b>	£12,708 to leader of LD group (presumably the largest minority group). £5,612 to each of 6 LD spokespersons (aligned to committees).	LD £ 12,708 L £ nil IC £ nil I £ nil
<b>Hertfordshire</b>	(3.5 * basic allowance * no. group members / no. councillors) to: - leader of majority group - leader of main minority group, with minimum of 75% of basic allowance - leaders of each smaller minority group, with minimum of 50% of basic allowance. 50% of basic allowance to each spokesperson from a minority group. Basic allowance = £10,382.	LD £ 9,151 L £ 6,101 IC £ 6,101 I £ 6,101
<b>Kent</b>	Minimum group size = 5. £7,999.44 for each minority group leader plus £633.23 for each additional group member which may be allocated among the group (not clear if leader can retain themselves).	LD £ 12,432 L £ nil IC £ nil I £ nil

County	Minority Leaders Allowances	WSCC Equivalent
<b>Oxfordshire</b>	£8,810.81 to leader of the largest minority group.	LD £8,811 L £ nil IC £ nil I £ nil
<b>Suffolk</b>	Minimum group size = 5. 5% of basic allowance * no. of group members to leader of the largest minority group. 75% of group leader's SRA to deputy leader of the largest minority group. 30% of basic allowance to up to 6 spokespeople from the largest minority group. 5% of basic allowance * no. of group members to leader of the second largest minority group. 75% of the group leader's SRA to the deputy leader of the second largest minority group. Basic allowance = £10,688.79.	LD £ 4,881 L £ nil IC £ nil I £ nil
<b>Surrey</b>	£12,024 to be shared among minority group leaders in proportion to the size of their groups. £170.34 per capita "political group allowance" to each group leader to be used for office holders.	LD £ 7,776 L £ 3,887 IC £ 1,943 I £ 972

**WSCC Equivalent** shows Group Leaders' allowances in WSCC if the county's scheme were implemented here.

LD = Liberal Democrats = 8 members; L = Labour = 4 members;

IC = Independent Conservatives = 2 members; I = Independent = 1 member

73. The positions in comparator counties on minority group leaders' allowances are varied. The extremes are:

- Substantial flat rate amount to the leader of only the largest minority party, apparently regardless of the size of the group
- Significant flat rate amount to the leader of any minority group no matter how small, plus a per capita amount as well.

74. No county pays more than about £13,000, and most pay nothing or only small amounts to the leaders of smaller minority groups. A few pay a small amount to members of minority parties who are spokespeople on particular portfolios.

75. Two specify a minimum group size (of 5 members).

76. The Panel draws the following conclusions from this information:

- Roughly half of comparators pay an SRA to leaders of all minority groups; the other half to only the largest or two largest
- Setting a minimum group size is not unprecedented, and it might exclude from the SRA the smallest groups (like the two independent groups at present)
- The maximum of £14,500 proposed in this report is significantly greater than any comparator council
- A linear increase with group size is sensible – comparators that pay flat rates regardless of size can seem illogical (especially for very small groups)
- The minimum of £5,000 for the leader of a group of three or more members proposed in this report is very generous when compared to the comparator councils.

## Part 6

# **Members' Allowances Scheme**

Approved by the County Council at its meeting on 16 December 2016 with effect from 5 May 2017 and containing all subsequent approved amendments up to 6 November 2020

November 2020

## Part 6

### Members' Allowances Scheme

The following scheme is made under the provisions of the Local Authorities (Members' Allowances) Regulations 2003 (as amended).

#### Definitions

In this scheme the following definitions apply:

'**member**' means an elected member of West Sussex County Council;

'**co-opted member**' means a non-Council member co-opted as a member of a West Sussex County Council Committee

'**year**' means the 12 months ending with 31 March.

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## **Basic, Special Responsibility, Travelling, Subsistence and Carer's Allowances**

### **1. Basic Allowance**

Every member will be entitled to a basic allowance of £12,202 per annum, effective from 1 April 2020.

### **2. Special Responsibility Allowances**

- (a) For each year a special responsibility allowance will be paid to those members who hold one of the special responsibilities specified in [Schedule 1](#) to this scheme.
- (b) The amount of each such allowance will be the amount specified against that special responsibility in [Schedule 1](#).
- (c) No more than one special responsibility allowance will be paid to a member and no more than 35 posts within the structure will receive a special responsibility allowance.

### **3. Travelling**

Members and co-opted members are entitled to receive travelling allowances for the duties set out in [Schedule 2](#).

### **4. Subsistence**

Conferences and Meetings

- (a)
  - (i) Subsistence allowance for attendance at conferences, seminars and meetings shall be paid where appropriate in accordance with [Schedule 3](#). Subsistence allowances shall also be paid to members when travelling abroad as a member of another body where its business relates to the functions of the County Council and where that body's own allowances scheme does not cover the cost of subsistence. All such attendances should be classified in advance as an 'approved duty' by the relevant Cabinet Member or committee.
  - (ii) In approving such duties, the relevant Cabinet Member or committee will carefully consider the need to limit the number of members attending a particular conference or meeting.
  - (iii) Otherwise, subsistence allowances shall not be payable for County Council duties, members being expected to meet any such expenses from their basic allowances.

Official Visits

- (b) The County Council may defray travelling and other expenses of members on official visits inside or outside the United Kingdom, approved in advance by the relevant Cabinet Member or committee,

but where a Cabinet Member or committee does so approve an official or courtesy visit this must in the case of a Cabinet Member be published in The Bulletin or, in the case of a committee, be clearly stated in its minutes.

## **5. Carer's Allowance**

The County Council will pay a carer's allowance to assist members with the care of family members as a consequence of their work as councillors, within the following categories:

- (a) Childcare Support – an annual maximum of £3,621 based on actual claims, paid up to a maximum hourly rate of £9.30 (which should be linked to the 'real' living wage) on the production of a receipt or other evidence of actual spend;
- (b) Dependant Carer's Support – an annual maximum of £7,654 based on actual claims, paid up to a maximum hourly rate of £20.53 (which is linked to the County Council's maximum usual hourly payment to home support carer workers for weekday daytime care) on the production of a receipt or other evidence of actual spend.

The Director of Finance and Support Services has discretion to waive the annual limit in individual cases, taking into account the level of support that a dependent needs and the number of dependents for whom a member has responsibility. Members of the claimant's own household will not be paid.

## **6. Amendments to the Scheme**

- (a) Amendments to the scheme may be made at any time in accordance with Regulation 10(3) of the Local Authorities (Members' Allowances) Regulations 2003.
- (b) The rates of basic and special responsibility allowance will be automatically increased annually for inflation on 1 April each year based on the percentage increase awarded to West Sussex County Council staff as agreed by the National Joint Council. The mileage rate for travel expenses for private motor vehicle, motorcycle or bicycle use will be the published HMRC rate. Carer's allowance annual total rates and the rates for subsistence allowance will be automatically increased annually for inflation on 1 April each year in line with the Consumer Prices Index. The hourly rates for the carer's allowances will be increased annually in line with increases to the rates referred to in paragraph 5. These indexes will be reviewed at least once in the life of each County Council, that is every four years.
- (c) The scheme will be reviewed before the start of each financial year.

## **7. Payment of Allowances**

- (a) Basic and special responsibility allowances will be paid in instalments of one-twelfth of the amount specified in the scheme on the penultimate Friday of each month. Travel expenses and any subsistence allowance claims for duties in paragraph 4, will be paid at



the end of the following month, subject to receipt of a claim form by the third day of that month.

- (b) Claims for carer's allowances, travelling and any subsistence allowances, together with receipts, shall be submitted to the Director of Finance and Support Services within two months of the duty for which the allowance has been claimed. Receipts for petrol are not mandatory but allow the Council to reclaim VAT on members' mileage.
- (c) If a member becomes or ceases to be eligible for a basic or special responsibility allowance during the course of a year, the entitlement will be adjusted by reference to the number of days for which entitlement existed relative to the number of days in that year.
- (d) If a member is suspended or partially suspended for a period of time from his or her duties as a member of the County Council or is in any other way not entitled to receive an allowance, basic allowance, special responsibility allowance and travelling and subsistence allowances can be withheld and, where any payment of allowance has already been made, the County Council may require that such part of the allowance as relates to any such period be repaid. Carer's allowance may not be withheld.
- (e) If a member is also a member of another authority, that member may not receive travelling, subsistence or carer's allowance from more than one authority in respect of the same approved duty.

#### **8. Parental and Special Leave**

- (a) ***If a member notifies the Council that they are taking Parental or Special Leave in accordance with the Council's Parental Leave or Special Leave policies, the member remains entitled to the basic allowance.***
- (b) ***If a member notifies the Council that they are taking an extended period of leave of more than two months, then the entitlement to a special responsibility allowance will cease at the two-month point. If a member takes leave of an uncertain duration that eventually becomes a period longer than two months, then any special responsibility allowance will cease at the two-month point. If at any time another 'replacement' member is appointed to the role, then the special responsibility allowance for the original member will cease at the time that the replacement member begins to perform the role.***

#### **9. Renunciation**

A member may by notice in writing given to the Director of Law and Assurance elect to forego any part of his/her entitlement to an allowance under this scheme.

### Schedule 1

Special responsibility allowances will be paid as follows, effective from 1 April 2020:

#### Special Responsibility Allowances

<b>Appointment</b>	<b>Allowance per member £ per annum</b>
Chairman of the County Council	<b>20,162</b> 21,663
Leader of the Council	33,849
Vice-Chairman of the County Council	<b>8,450,</b> 8,616
Cabinet Member (and Deputy Leader)	24,371
Cabinet Member for Adults and Health	21,663
Cabinet Member for Children and Young People	21,663
Cabinet Member for Economy and Corporate Resources	21,663
Cabinet Member for Education and Skills	21,663
Cabinet Member for Environment	21,663
Cabinet Member for Finance	21,663
Cabinet Member for Fire & Rescue and Communities	21,663
Cabinet Member for Highways and Infrastructure	21,663
<b>Leaders of Minority Parties with at least three members**</b>	<b>£5,000</b>
<del>Leaders of Large Minority Parties with at least 15 members*</del>	<del>12,995</del>
<del>Leaders of Medium Minority Parties (five to 14 members)*</del>	<del>10,640</del>
<del>Leaders of Small Minority Parties (three to four members)*</del>	<del>4,236</del>
Chairman of the Performance and Finance Scrutiny Committee	9,552
Chairman of the Children and Young People's Services Scrutiny Committee	9,552
Chairman of the Environment and Communities Scrutiny Committee	9,552
Chairman of the Fire & Rescue Service Scrutiny Committee	9,552
Chairman of the Health and Adult Social Care Scrutiny Committee	9,552
Chairman of the Planning and Rights of Way Committee	9,552
Chairman of the Regulation, Audit and Accounts Committee	9,552
Senior Adviser to a Cabinet Member	5,658
Adviser to a Cabinet Member*	<b>£4,397</b> 3,640
Member of the Fostering Panel	3,640

\* ~~Minority leader allowances are supplemented as per the table overleaf~~ **Advisers will only receive the SRA if the terms of reference for their role is judged by the Director of Law and Assurance to be at least 50% independent of the Cabinet Member, as agreed by the Cabinet Member when the Adviser is appointed.**

\*\* Allowances for minority group leaders will be in accordance with the following arrangements detailed in the table.

1. ~~An allowance for the leader of a group of three or more members.~~
2. ~~A basic allowance based upon the size of the group as set out above and in the table below.~~
3. ~~An additional allowance of £200 per member (excluding the group leader).~~
4. ~~A cap of £14,586 for any minority group leader.~~

<b>Group size</b>	<b>Basic SRA</b>	<b>Additional allowance per member</b>
3 to 4 members	4,236	£200
5 to 14 members	10,640	£200
15 members or over	12,995	£200 but capped at £14,878

<b>Number of Members</b>	<b>Allowance</b>
<b>3</b>	<b>£5,000</b>
<b>4</b>	<b>£5,500</b>
<b>5</b>	<b>£6,000</b>
<b>6</b>	<b>£6,500</b>
<b>7</b>	<b>£7,000</b>
<b>8</b>	<b>£7,500</b>
<b>9</b>	<b>£8,000</b>
<b>10</b>	<b>£8,500</b>
<b>11</b>	<b>£9,000</b>
<b>12</b>	<b>£9,500</b>
<b>13</b>	<b>£10,000</b>
<b>14</b>	<b>£10,500</b>
<b>15</b>	<b>£11,000</b>
<b>16</b>	<b>£11,500</b>
<b>17</b>	<b>£12,000</b>
<b>18</b>	<b>£12,500</b>
<b>19</b>	<b>£13,000</b>
<b>20</b>	<b>£13,500</b>

<b>Number of Members</b>	<b>Allowance</b>
<b>21</b>	<b>£14,000</b>
<b>22</b>	<b>£14,500</b>
<b>23</b>	<b>£14,500</b>
<b>24</b>	<b>£14,500</b>
<b>25</b>	<b>£14,500</b>
<b>34</b>	<b>£14,500</b>

- ***If a member joins or leaves a group, the group leader's allowance should be amended appropriately at the first opportunity.***
- ***If a member ceases to be a member and a by-election is held within around six weeks of the leaving date, the group leader's allowance should continue unchanged until the result of the by-election is known, at which stage it should be reduced appropriately if necessary.***
- ***If a member ceases to be a member and it is not possible or not appropriate to arrange a by-election within around six weeks, then the group leader's allowance should be reduced appropriately at the first opportunity.***

## Schedule 2

Members are able to claim travel expenses as set out in this schedule. Common exclusions are also clarified.

Definition of strategic duties/meetings: Business affecting the County Council more widely than your local division.

<b>Included in the travel expenses scheme</b>	<b>Excluded from the travel expenses scheme</b>
<p>1. Attendance at any strategic meeting of which you are a member including:</p> <ul style="list-style-type: none"> <li>• County Council</li> <li>• Cabinet</li> <li>• Committees (including County Local Committees)</li> <li>• Panels, Boards and Groups</li> </ul>	<p>Local member duties carried out within your own division – this is covered by the basic allowance.</p>
<p>2. Attendance at any of the above meetings where you are not a member of that meeting, provided that the meeting’s Chairman has agreed that you may contribute due to local knowledge or special interest in the matter (in accordance with Standing Order 3.21)</p>	<p>Watching a meeting from the public gallery for interest. This is covered by the Basic Allowance.</p>
<p>3. Strategic duties carried out by members in fulfilment of their special responsibilities, comprising:</p> <ul style="list-style-type: none"> <li>• the Chairman;</li> <li>• Vice-Chairman;</li> <li>• Leader;</li> <li>• Deputy Leader;</li> <li>• Cabinet Members;</li> <li>• Committee Chairmen (or Vice-Chairmen on their behalf);</li> <li>• Senior Advisers to Cabinet Members;</li> <li>• Advisers to Cabinet Members; and</li> <li>• Minority Group Leaders</li> </ul>	<p>Aside from the County Chairman and Vice-Chairman, who are the civic heads of the Council, members cannot claim for any events of a civic or social nature – this is covered by the Basic Allowance. Such events include fairs, dinners, ceremonies, church services and carol services.</p>
<p>4. Attending relevant excursions, tours or site visits in connection with your role in 1 or 3 above.</p>	<p>Local tours or site visits arranged as the local member. This is covered by the Basic Allowance.</p>
<p>5. Attending meetings of parish, town, district or borough councils if you are invited in your capacity as a local county councillor.</p>	<p>Any other local residents’ meeting is covered by the Basic Allowance. This includes resident’s associations and neighbourhood panels and forums.</p>
<p>6. Travelling to a major County Council hub building to avoid an officer having to travel to meet you</p>	

<b>Included in the travel expenses scheme</b>	<b>Excluded from the travel expenses scheme</b>
locally, with prior agreement of the officer. This includes taking IT equipment to the nearest appropriate hub building for replacement or repair.	
7. Attending as a County Council-appointed member of an outside body listed in Schedule 4.	Attendance as local member at local groups not listed in Schedule 4. These are covered by the Basic Allowance.
<p>8. Political group meetings held specifically for the purpose of, or in connection with, the discharge of the functions of the County Council provided that:</p> <p>(a) The approval not extending to more than two political group meetings between each successive meeting of the County Council; and</p> <p>(b) Each Group Secretary being required to certify that any such group meeting has been principally concerned with County Council business and to provide records of attendance to the Director of Law and Assurance.</p>	Any other party political activities and any group meetings not in connection with official County Council business are not covered by the scheme. This includes attendance at party political conferences.
9. Attending internal training sessions and seminars and, when approved by an appropriate Cabinet Member, committee or Group Leader, external courses and conferences and observing internal meetings for development purposes.	Attending external courses or conferences without the prior approval of the appropriate Cabinet Member, Committee or Group Leader.
<p>10. Ad hoc meetings of members which have not been authorised by a Cabinet Member or a committee, provided that it meets each of the following requirements:</p> <p>(a) the meeting has been convened by the Director of Law and Assurance after consultation with the relevant Cabinet Member or chairman or vice-chairman of the relevant committee;</p> <p>(b) the meeting involves members of more than one political party; and</p> <p>(c) the holding of the meeting is reported to the next meeting of the relevant committee or in The Bulletin.</p>	

Travel expenses will be paid from home address or business to the Council building or other venue in fulfilment of approved duties listed within the scheme. Your home address or business must be treated as being within West Sussex. Members are expected to use the most economic and reasonable form of transport.

Travelling allowances for approved duties performed away from a member's usual place of residence are payable as follows:

(1) Public Transport

- (a) The rate for travel by public transport shall be the amount of the second-class fare, cheap fare or such lesser amount as shall have been actually expended by the member on the journey. (Note: first class fare is payable only where the agreement of the Chief Executive, in consultation with the Cabinet Member for Finance, has been obtained in advance of the duty being undertaken. Such agreement will normally be forthcoming only where first class travel is desirable for operational purposes e.g. briefings.)
- (b) **Members may use the U7 bus between Chichester and Bognor Regis free of charge by showing their Council identity badge.**

(2) Rail Supplements

The rate specified in the preceding paragraph may be increased by supplementary allowances not exceeding expenditure actually incurred:

- (a) reservation of seats and deposit or portage of luggage; and
- (b) on sleeping accommodation engaged by the member for an overnight journey, subject however to reduction by one-third of any subsistence allowance payable to him/her for that night.

Members who regularly use rail travel for approved duties may claim back the cost of an appropriate railcard from the County Council, **including the Easit Card**, provided that it will provide savings to the Council of at least the cost of the railcard during the year.

(3) Air

The rate for travel by air, provided the saving in time is so substantial as to justify such means of travel, shall be an amount not exceeding:

- (a) the ordinary fare or any available cheap fare for travel by regular air service; or
- (b) (b) where no such service is available, or in case of urgency, the fare actually paid by the member.

(4) Taxi

The rate for travel by taxi-cab:

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- (a) in cases of urgency or where no public transport is reasonably available, shall be the actual fare and any reasonable gratuity paid; and
- (b) in any other case shall be the amount of the fare for travel by an appropriate public service vehicle.

(5) Hire Car

The rate for travel by a hired motor vehicle other than a taxi-cab shall be an amount not exceeding the actual cost of the hiring.

(6) Private Car, etc.

- (a) The rate for travel by a member's own private **petrol or diesel** motor vehicle (including travel by motor cycle), or one belonging to a member of his/her family or otherwise provided for his/her use, in circumstances which involve a substantial saving in his/her time or where it is in the interests of the body, or is otherwise reasonable that he/she should so travel rather than by public transport, shall be 45p per mile up to 10,000 miles and 25p thereafter, or 24p for a motorcycle.

- (b) ***The rate for travel by a member's own private electric or other non-carbon motor vehicle, or one belonging to a member of his/her family or otherwise provided for his/her use, in circumstances which involve a substantial saving in his/her time or where it is in the interests of the body, or is otherwise reasonable that he/she should so travel rather than by public transport, shall be 45p per mile up to 10,000 miles and 25p thereafter. A free electricity charging network card to allow electric vehicle charging at a reduced rate at County Hall and other charging points is available to members.***

(7) Supplement for Passengers, Tolls, etc.

The above rate may be increased:

- (a) by 5.0p per mile for each passenger to whom a travelling allowance would otherwise be payable.
- (b) by the amount of any expenditure incurred on tolls, ferries or parking fees (including overnight garaging).

(8) Private bicycle

The rate for travel by a member's own private bicycle shall be 20p per mile.

- (9) The County Council reserves the right, so far as in its opinion is practicable, to make arrangements for the issue to its members of tickets, or of vouchers, warrants or similar documents for exchange by such members for tickets, to cover journeys in respect of which payments by way of travelling allowance would otherwise fail to be made.



### Schedule 3

Subsistence allowances will be paid for or towards expenditure actually incurred as follows:

- (1) For an absence, not involving an absence overnight, from the member's usual place of residence:

Type of allowance	Amount
<b>Breakfast allowance</b> (more than 4 hours away from normal place of residence before 11.00 a.m.)	£6.65
<b>Lunch allowance</b> (more than 4 hours away from normal place of residence including the lunch time between 12 noon and 2.00 p.m.)	£9.15
<b>Evening meal allowance</b> (more than 4 hours away from normal place of residence ending after 7.00 p.m.)	£11.34
An <b>evening meal allowance where a meal is taken as part of an absence overnight</b> from the usual place of residence in the performance of an approved duty.	up to £28.13

- (2) For main meals (full breakfast, lunch or dinner) taken on trains during a period for which there is an entitlement to day subsistence:

Time	Amount
More than 4 hours and up to 8 hours	Actual cost of one meal
More than 8 hours and up to 12 hours	Actual cost of two meals
More than 12 hours	Actual cost of three meals

Where the cost of meals taken on trains is reimbursed, the period of absence for which the claim for day subsistence allowance is made should be reduced by four hours for each meal taken.

- (3) In the case of an absence overnight from the usual place of residence the rate to cover the cost of accommodation shall be £107.91.

Provided that the Director of Finance and Support Services may approve higher subsistence allowances for members for an absence overnight from the usual place of residence, where appropriate, provided approval is sought in advance.

The rate to cover the cost of accommodation under this paragraph shall be deemed to cover a continuous period of absence of 24 hours.

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- (4) An amount payable by way of subsistence allowance shall be reduced by an appropriate sum in respect of any meal provided for the claimant by an authority or body, free of charge, during the period to which the allowance relates.

## Schedule 4

Adur and Worthing Business Partnership  
Bognor Regis Regeneration Board  
Brantridge Special School, Haywards Heath, Governing Body  
Chichester Harbour Conservancy  
Chichester in Partnership  
Coastal West Sussex Partnership Board  
Coast to Coast Local Enterprise Partnership Board  
County Councils Network  
Cowdray Heritage Trust  
Duke of Edinburgh's Award County Committee  
Environment Agency: Southern Regional Flood and Coastal Committee  
Gatwick Airport Consultative Committee  
Gatwick Community Trust  
Gatwick Diamond Initiative Ltd  
Gatwick Greenspace Partnership  
Gatwick Noise Management Board  
Goodwood Aerodrome Consultative Committee  
Goodwood Motor Circuit Consultative Committee  
Health and Wellbeing Boards/Partnerships  
High Weald Area of Outstanding Natural Beauty Joint Advisory Committee  
Ingfield Manor School Governing Body  
Inter Authority Fire and Rescue Group  
Leader Local Action Group: Central Sussex  
Leader Local Action Group: Sussex Downs and Coastal Plain  
Littlehampton Harbour Board  
Local Government Association:

- Coastal Special Interest Group
- Fire Commission
- Rural Commission

Local Government Pension Scheme ACCESS Joint Committee  
Manor Peninsula Partnership  
Muntham House School Governing Body  
Parking & Traffic Regulations Outside London Adjudication Joint Committee  
Port of Shoreham Liaison Committee  
Queen Victoria Hospital NHS Trust Governing Body, East Grinstead  
Rural Services Network  
Shoreham Airport Consultative Committee  
Shoreham Harbour Leaders Board  
South Downs National Park Authority  
South East Employers  
South East England Regional Improvement Partnership  
South East Reserve Forces and Cadet Association  
Southwick Community Centre Board of Trustees  
Surrey and Sussex Healthcare NHS Trust  
Sussex Arts Academy  
Sussex Community NHS Trust  
Sussex Inshore Fisheries and Conservation Authority Committee  
Sussex Partnership NHS Foundation Trust Council of Governors  
Sussex Police and Crime Panel  
Sussex University Annual Forum  
The Goodwood Education Trust

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Appendix 2

Transport for the South East

Waves Ahead Strategic Partnership – Adur and Worthing

Western Sussex Hospitals NHS Foundation Trust Council of Governors

West Sussex Alternative Provision College (The Links College) Management Committee

West Sussex Fairtrade Committee

West Sussex Forum for Accessible Transport

West Sussex Standing Advisory Council on Religious Education (SACRE)

Wey and Arun Canal Trust

**Key decision: Not applicable  
Unrestricted**

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## **Governance Committee**

**23 November 2020**

### **Plans for Member Meetings during the COVID-19 Emergency**

#### **Report by Director of Law and Assurance**

**Electoral division: N/A**

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## **Summary**

The Governance Committee agreed to review plans for member meetings at its meetings during the public health emergency. This report provides an update on arrangements up to March 2021 and information on the impact of virtual meetings on Member attendance, public engagement via webcasts and financial and climate change implications. This should inform plans for future ways of working.

## **Recommendations**

The Committee is asked to:

- (1) Approve the arrangements for Council/committee meetings to the end of March 2021, as set out in paragraph 2.1 and in Appendix 1;
- (2) Identify and agree any changes to ways of working for the future; and
- (3) Agree that the Council's capacity and resources to support Member meetings should continue to be monitored by this Committee in liaison with all Members.

## **Proposal**

### **1. Background and Context**

- 1.1 This Committee has reviewed plans for Council and committee meetings during the COVID-19 public health emergency. Since April 2020 all formal meetings have been held virtually in line with government guidance. This will need to continue, particularly given new national restrictions in place from 5 November 2020. The technology to enable hybrid meetings (where some are present in person and others virtually) is being installed in the Council Chamber and so can only be used with that as a meeting base. It is not yet ready to be used. In addition, 'in person' attendance at formal meetings is not permitted due to the current national restrictions.
- 1.2 The organisation's capacity continues to be stretched due to the pressures of responding to COVID-19 and its wider impacts, alongside business as usual activities. Virtual meetings require additional staff support, particularly due to the need to webcast all formal meetings. During the first wave many staff were involved in supporting the corporate response, leading to reduced

capacity to support some Member meetings. The impact of the second wave on resources is still to be seen and it will be important to continue to monitor this, including the implications of local authorities undertaking contact tracing. There is likely to be limited capacity to support any additional Member meetings and it may be necessary to reduce some informal activities.

- 1.3 The last few months have also identified opportunities to embed better ways of working. Virtual meetings have all been webcast, increasing openness and enabling more people to watch all Council/committee meetings. Member attendance figures are generally higher, and Members with competing demands have been able to attend virtual meetings and events that would previously have been difficult to attend in person. There has been a significant reduction in Member travel and catering requirements, generating savings as well as a beneficial climate change impact.

## **2. Plans for meetings and learning from experience**

- 2.1 At its last meeting the Committee agreed arrangements for formal meetings to the end of December 2020, with all to be held virtually. An updated list of meetings to the end of March 2021 is attached at **Appendix 1**. At this stage it is proposed that all these will be virtual meetings. Given the constraints on staff capacity across the organisation, it is also proposed that there should not be any additional formal meetings set up during this period for anything other than time critical, essential business. Informal meetings dealing with non-urgent or non-time critical matters such as briefings, task and finish groups and Member development should be minimised. The Committee may be asked to review plans for informal activity at its meeting in January 2021, taking account of resource and capacity implications. At this meeting it will also be asked to decide whether to resume County Local Committee meetings.
- 2.2 Additional equipment to enable hybrid meetings is being installed in the Council Chamber in County Hall. Given the need to ensure the safety and wellbeing of both councillors and staff, it is not proposed to use this for formal meetings until the next municipal year, when it is hoped 'in person' meetings will be possible. Hybrid arrangements will be tested on some informal meetings soon, to assess how well they work for different types of meeting.
- 2.3 All formal meetings during 2020/21 have been virtual and webcast, in line with the new government regulations that came into effect from 4 April. These allow meetings to be held virtually, provided public meetings can be heard and viewed if videoed via the internet. Microsoft Teams is now used for most meetings, although Skype is still used for meetings to enable external witnesses or members of the public to phone in if they are speaking. Whilst it is easier to join virtual meetings, they do require additional staff resource for webcasting and technical support. Considerable effort has been put into providing training and guidance for Members in using virtual meeting technology. Different skills are needed to manage and take part in virtual meetings.
- 2.4 Training on chairmanship skills has recently been provided to members with chairing roles, to include aspects of virtual meetings. Feedback is that it is

important to build breaks, including a reasonable length lunch break, into virtual meetings and that long online meetings can be tiring. Many hours of travelling time have been saved due to holding virtual meetings, but it is recognised that some have found the lack of in person contact difficult.

- 2.5 Member attendance rates are set out below, for all formal meetings and informal member development days held during 2019/20 and 2020/21 (up to 6 November 2020). Although the figures are not for an equivalent full year period, the data shows that there has been an increase in attendance for most meeting types. Increases may be due to the ability to join meetings virtually rather than needing to travel. This is likely to be of particular benefit to Members with large distances to travel, those who work and those with significant commitments such as caring responsibilities.

**Table 1: Member attendance rates 2019/20 and 2020/21 (to 6 November)**

<b>Meeting</b>	<b>Attendance 2019/20</b>	<b>No. of Mtgs 2019/20</b>	<b>Attendance 2020/21</b>	<b>No. of Mtgs 2020/21</b>
Cabinet	95%	5	100%	6
County Council	87%	6	94%	3
Children and Young People's Services Scrutiny Committee (CYPSSC)	81%	8	93%	4
Environment and Community Services Scrutiny Committee (ECSSC)	78%	8	91%	3
Fire & Rescue Services Scrutiny Committee (FRSSC)	-	-	93%	2
Health and Adult Social Care Scrutiny Committee (HASC)	80%	5	95%	1
Health and Wellbeing Board (HWB)	89%	4	100%	1
Performance and Finance Scrutiny Committee (PFSC)	83%	5	93%	4
Planning Committee	85%	3	91%	2
Rights of Way Committee (RoW)	62%	2	60%	1
Regulation Audit and Accounts Committee (RAAC)	80%	4	75%	2
Governance Committee	95%	5	100%	3
Standards Committee	56%	1	78%	1
Pensions Committee	96%	4	100%	3
Member Development Days	35%	16	59%	4

- 2.6 There have been both financial and Climate Change benefits due to meetings being held virtually. Since the beginning of April 2020, the County Council

has saved around £9,000 a month on Member meetings, through reduced member travel, refreshments and venue hire. This equates to around £54,000 from April to October. Of the monthly savings, around £6,000 a month is saved on travel. This equates to 13,000 miles not travelled and a saving of around four tons CO<sub>2</sub> equivalent per month. This equates to around 24 tons CO<sub>2</sub> saved from April to October 2020 through virtual meetings rather than Members travelling to meetings. Reductions in officer and others' travel is not included in these figures.

- 2.7 All formal meetings have been webcast since April 2020. Previously only meetings expected to generate high levels of public interest were webcast - County Council, Cabinet, Planning and Scrutiny Committees. This has increased the openness and transparency of meetings, with public, other Members, staff and partner organisations being able to watch discussions live or via the archive.
- 2.8 Viewing figures for webcasts are set out below, showing 'live' views and views of the archive. Archive views were correct at the time of writing but may increase slightly over time. Whilst the total average of webcast views is currently lower for 2020/21 than for 2019/20, there has not yet been a full year of meetings and previously only meetings likely to attract high levels of public interest were webcast. Average viewing figures in 2020/21 have increased for most of the meeting types set out in Table 3.

**Table 2: Average webcast viewing figures for meetings held during 2020/21 (up to 6 November 2020)**

<b>Committee</b>	<b>No. of meetings</b>	<b>Average live views</b>	<b>Average archive views</b>	<b>Average total</b>
Appointing Committee	1	1	9	10
Cabinet	6	107	207	314
County Council	3	202	297	499
CYPSSC	4	87	121	208
ECSSC	3	62	113	175
FRSSC	2	44	109	153
Governance	4	18	99	117
HASCSC	1	31	157	188
HWB	1	32	48	80
Pensions Advisory Board	1	8	54	62
Pensions Committee	3	8	39	47
PFSC	4	28	174	203
Planning	2	124	137	261
RAAC	2	13	79	92
RoW	1	15	43	58
Standards	1	7	13	20
Standing Advisory Council for Religious Education (SACRE)	1	6	10	16
<b>Total</b>	<b>40</b>	<b>61</b>	<b>129</b>	<b>190</b>



**Table 3: Average webcast viewing figures for all meetings webcast during 2019/20**

<b>Committee</b>	<b>No. of meetings</b>	<b>Average live views</b>	<b>Average archive views</b>	<b>Average total</b>
Cabinet	5	99	119	218
County Council	6	301	255	555
CYPSSC	7	65	137	202
ECSSC	6	71	156	226
HASCSC	5	19	52	71
PFSC	4	27	65	92
Planning	2	23	55	78
<b>Total</b>	<b>35</b>	<b>98</b>	<b>133</b>	<b>231</b>

2.9 The regulations allowing virtual meetings cease in May 2021, so it is not yet known whether it will be possible for formal meetings to continue to be virtual. However, the Committee may wish to consider whether the assumption should be that all informal meetings are held virtually in future, given the financial and climate change benefits as well as the saving in travel time for members and all involved.

2.10 It will be important for the Committee to continue to monitor council and committee meetings. It is due to review in January whether to resume County Local Committee meetings in February/March and this will include an update on the current situation and any resource/capacity issues.

### **3. Resources**

3.1 Formal virtual meetings require more officer support, with most meetings requiring at least three officers from Democratic Services (clerking, advising, providing technical support and webcasting). This increases for larger meetings such as full Council. All virtual meetings must be webcast, which has led to a significant increase in the level of officer support required, and which is likely to continue at least until the end of this year. During 2019/20 a total of 35 meetings were webcast. So far during 2020/21, 40 meetings have been webcast (1 April to 6 November).

3.2 The move to holding all meetings virtually has generated savings of approximately £9,000 per month since April 2020 (based on previous years' spending). This is due to reductions in councillors' travel and meetings costs.

3.3 If all informal member meetings were to be held virtually in future, it is estimated that this could generate annual savings of approximately £20,000.

### **Factors taken into account**

#### **4. Consultation**

4.1 There has not been opportunity to consult Members prior to the publication of this report. The Committee is asked to consider any wider consultation required relating to future meeting arrangements.

**5. Risk Implications and Mitigations**

<b>Risk</b>	<b>Mitigation</b>
Lack of democratic debate on issues	Plans will be led by Members following consultation within groups
Insufficient capacity to support meetings	Decisions will be informed by advice on resources and impact on critical services

**6. Other Options Considered**

6.1 Other options will be considered within the Committee’s debate.

**7. Policy alignment and compliance**

7.1 There is no equality duty impact arising from this report. The needs of individuals who may wish to participate in member meetings will need to be considered in planning the technology and methods of communication for all council business. There are no social value, crime and disorder, human rights or legal implications. Climate Change implications are set out in paragraph 2, with virtual meetings leading to a reduction in travel and therefore in carbon emissions. Public health requirements relating to COVID-19 are informing all meeting arrangements.

**Tony Kershaw**

Director of Law and Assurance

**Contact:** Helen Kenny, Head of Democratic Services, 033 022 22532 or email: helen.kenny@westsussex.gov.uk

**Appendices**

Appendix 1 – List of Council/committee meetings to end March 2020

**Background Papers** - None

**Plans for formal Member Meetings to end March**

<b>Meeting</b>	<b>Date</b>	<b>Proposals</b>
<b>November 2020</b>		
Governance Committee	23/11/20	Virtual (webcast) meeting
Cabinet	24/11/20	Virtual (webcast) meeting
Environment and Communities Scrutiny Committee	25/11/20	Virtual (webcast) meeting
Treasury Management Panel	25/11/20	Informal virtual meeting (not webcast)
<b>December 2020</b>		
Planning and Rights of Way Committee	01/12/20	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Performance and Finance Scrutiny Committee	03/12/20	Virtual (webcast) meeting
Staff Board of Appeal	03/12/20	Virtual (webcast) meeting – confidential (Part II) business will not be webcast. Meeting will be cancelled if no business.
County Council	11/12/20	Virtual (webcast) meeting
Cabinet	15/12/20	Virtual (webcast) meeting
<b>January 2021</b>		
Planning and Rights of Way Committee	05/01/21	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Children and Young People’s Services Scrutiny Committee	07/01/21	Virtual (webcast) meeting
Fire and Rescue Service Scrutiny Committee	08/01/21	Virtual (webcast) meeting
Environment and Communities Scrutiny Committee	11/01/21	Virtual (webcast) meeting
Staff Board of Appeal	11/01/21	Virtual (webcast) meeting – confidential (Part II) business will not be webcast. Meeting will be cancelled if no business.
Health and Adult Social Care Scrutiny Committee	13/01/21	Virtual (webcast) meeting

<b>Meeting</b>	<b>Date</b>	<b>Proposals</b>
Regulation, Audit and Accounts Committee	18/01/21	Virtual (webcast) meeting
Governance Committee	18/01/21	Virtual (webcast) meeting
Performance and Finance Scrutiny Committee	20/01/21	Virtual (webcast) meeting
Pensions Committee	25/01/21	Virtual (webcast) meeting
Cabinet	27/01/21	Virtual (webcast) meeting
Health and Wellbeing Board	28/01/21	Virtual (webcast) meeting
Sussex Police and Crime Panel	29/01/21	Virtual (webcast) meeting
<b>February 2021</b>		
Planning and Rights of Way Committee	02/02/21	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Staff Board of Appeal	04/02/21	Virtual (webcast) meeting – confidential (Part II) business will not be webcast. Meeting will be cancelled if no business.
County Council	12/02/21	Virtual (webcast) meeting
Sussex Police and Crime Panel (reserve date)	15/02/21	Virtual (webcast) meeting
Joint Western Arun Area Committee	22/02/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Central and South Mid Sussex County Local Committee (CLC) (This will have a new date TBC)	22/02/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Cabinet	23/02/21	Virtual (webcast) meeting
Adur County Local Committee (CLC)	23/02/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Health and Adult Social Care Scrutiny Committee	24/02/21	Virtual (webcast) meeting
Crawley County Local Committee (CLC)	25/02/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Worthing County Local Committee (CLC) (This will have a new date TBC)	25/02/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>

<b>Meeting</b>	<b>Date</b>	<b>Proposals</b>
Pension Advisory Board	26/02/21	Virtual (webcast) meeting – any confidential (Part II) business will not be webcast
<b>March 2021</b>		
Standing Advisory Council for Religious Education	01/03/21	Virtual (webcast) meeting
Governance Committee	01/03/21	Virtual (webcast) meeting
North Mid Sussex County Local Committee (CLC)	01/03/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Planning and Rights of Way Committee	02/03/21	Virtual (webcast) meeting if required (will be cancelled if no urgent business)
Environment and Communities Scrutiny Committee	03/03/21	Virtual (webcast) meeting
Children and Young People’s Services Scrutiny Committee	04/03/21	Virtual (webcast) meeting
Staff Board of Appeal	04/03/21	Virtual (webcast) meeting – confidential (Part II) business will not be webcast. Meeting will be cancelled if no business.
Joint Eastern Arun Area Committee	04/03/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Regulation, Audit and Accounts Committee	08/03/21	Virtual (webcast) meeting
South Chichester County Local Committee (CLC)	08/03/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Chanctonbury County Local Committee (CLC) (This will have a new date TBC)	08/03/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
North Chichester County Local Committee (CLC)	10/03/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
North Horsham County Local Committee (CLC) (This will have a new date TBC)	10/03/21	<b>Governance Committee in January to consider whether to resume CLC meetings</b>
Performance and Finance Scrutiny Committee	11/03/21	Virtual (webcast) meeting

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<b>Meeting</b>	<b>Date</b>	<b>Proposals</b>
Corporate Parenting Panel	11/03/21	Virtual informal meeting (not webcast)
Sussex Police and Crime Panel	12/03/21	Virtual (webcast) meeting
Treasury Management Panel	12/03/21	Virtual informal meeting (not webcast) (to be cancelled if not required)
County Council	19/03/21	Virtual (webcast) meeting
Fire and Rescue Service Scrutiny Committee	26/03/21	Virtual (webcast) meeting
Planning and Rights of Way Committee	30/03/21	Virtual (webcast) meeting if required (will be cancelled if no urgent business)

**Governance Committee****23 November 2020****Good Governance Review and partnership arrangements with East Sussex County Council****Report by Director of Law and Assurance****Electoral division: Not applicable**

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**Summary**

This report provides an update of the Good Governance Review, a programme of work on areas of Council governance - how the Council does business. The Committee is invited to assess the output from this work in addition to changes to governance arrangements implemented in 2019 to address concerns about transparency and accountability. As requested by the Committee at its meeting in July 2020, the report also provides further information on the partnership arrangements with East Sussex County Council.

**Recommendations**

The Committee is asked to:

- (1) Assess the Good Governance project output and changes to the Council's governance arrangements agreed during 2019 and identify any areas for further review or improvement;
  - (2) Confirm that the aims and objectives of the partnership arrangement with East Sussex County Council are being met and that this will be reviewed again after the County Council elections in July 2021; and
  - (3) Identify any further updates to be provided on these matters.
- 

**Proposal****1 Background and context**

- 1.1 The Good Governance review was begun in January 2020 in response to concerns raised during 2019 about aspects of the Council's governance arrangements and culture following external reviews and inspections. Prior to the commencement of this review, some significant changes to the Council's corporate governance arrangements were approved by the County Council in October and December 2019 aimed at improving the Council's democratic systems to achieve greater transparency, clarity of role and accountability. However, the aim of the Good Governance review was to cover a wider range of governance arrangements, from how decisions are made and how strategic ambitions are identified and achieved to the values and practices underpinning

its corporate culture. Output from the Good Governance project was first reported to this Committee in July 2020 and a number of workstreams are in progress relevant to the functions of this Committee, as set out in paragraph 2.

1.2 In December 2019 the Council entered an arrangement with East Sussex County Council for the joint appointment of a chief executive and for the provision of mutual support to address a range of corporate challenges. Aims and objectives of the arrangement are:

- To achieve early and real stability in the Council's executive leadership
- To provide the means of direct mutual support for areas of corporate challenge
- To enable the Council to address broader governance challenges promptly and effectively
- To provide assurance to the Government and external agencies that the Council has the capability and capacity to improve

1.3 In July 2020 the Governance Committee confirmed its support for the continuation of this arrangement and requested that a further update be provided as part of the Good Governance review report, to include evidence that the aims had been met and how time pressures were being monitored. This evidence will help inform the next review of these arrangements, due to be carried out after the County Council elections in 2021.

## **2 Proposal – Update on Good Governance and the East Sussex partnership**

### **Good Governance**

2.1 In October and December 2019 this Committee proposed a number of changes to corporate governance arrangements aimed at improving the Council's democratic systems to achieve greater transparency, clarity of role and focus on purpose. These changes were approved by County Council and included:

- (a) Monthly public Cabinet meetings, with opportunities for questions from scrutiny committee chairmen and minority group leaders.
- (b) Collective decisions by Cabinet on all major policy areas.
- (c) A reset of the Council's approach to its role as a Fire & Rescue authority, including a dedicated scrutiny committee.
- (d) A revised set of governance arrangements for the scrutiny function (after a review of scrutiny which included consideration of new national [Scrutiny Guidance](#) published in May 2019).

2.2 Changes to scrutiny arrangements agreed in December 2019 focused on improving its effectiveness and are being monitored by the Performance and Finance Scrutiny Committee, beginning with its annual review of scrutiny in July 2020. The new Fire & Rescue Service Scrutiny Committee is due to be reviewed after two years, in March 2022. The Good Governance project also identified areas of scrutiny work and an action plan embracing all aspects of scrutiny improvement work has been developed. These are included in the table at paragraph 2.4.



2.3 The table below sets out work undertaken, underway or planned for the Good Governance workstreams relevant to this Committee.

<b>Area of work</b>	<b>Update</b>
Ease and clarity of decision-making – by officers and members	<ul style="list-style-type: none"> <li>• Training on being an effective member (roles, relationships and responsibilities) provided to members in July 2020</li> <li>• Formal report templates revised and simplified (in place September 2020) with clearer guidance and meeting accessibility requirements</li> <li>• Training for staff on decision-making and report-writing developed by Democratic Services and offered through the Learning and Development Gateway</li> <li>• Streamlined decision making workstream started – focus on all aspects of ‘getting formal business done’, internal boards and rules for compliance in scope.</li> </ul>
Greater accountability and trust through clear lines of delegation	<ul style="list-style-type: none"> <li>• Review of the local member role being carried out by the Member Development Group (to be reported to the Governance Committee in January 2020)</li> <li>• Standard form of onward delegation for senior officers developed.</li> <li>• Standard guidance on operation of delegations completed and shared.</li> </ul>
Simpler navigable systems for decisions, risk management and compliance assurance	<ul style="list-style-type: none"> <li>• A new Code of Governance is being developed, setting out in one place the arrangements for formal member and officer governance.</li> <li>• All arrangements in scope to be simplified or removed if not beneficial</li> </ul>
Effectiveness of scrutiny by timely and focused influence, adding value to outcomes	<ul style="list-style-type: none"> <li>• Implementation of the outcomes of the 2019 scrutiny review, with a focus on: <ul style="list-style-type: none"> <li>- Influencing policy early</li> <li>- Focus on outcomes for residents</li> <li>- Meaningful performance management</li> <li>- Evidence of scrutiny outcomes</li> </ul> </li> <li>• New Fire &amp; Rescue Scrutiny Committee</li> <li>• Training by Centre for Public Scrutiny</li> <li>• Focused work planning</li> <li>• Clear meeting outcomes and aims</li> <li>• Refreshed <a href="#">Scrutiny Newsletter</a></li> <li>• Strengthened liaison for scrutiny chairs/vice chairs and Cabinet</li> <li>• Cabinet Members as principal respondent to scrutiny</li> <li>• Flexible scrutiny ways of working</li> <li>• Responses to recommendations fed back</li> <li>• Performance monitoring reviewed for Reset Plan</li> </ul>

Area of work	Update
Strengthen member induction and training	<ul style="list-style-type: none"> <li>• Application for Charter for Member Development through South East Employers. Assessment November 2020.</li> <li>• Member Development Group planning the member induction programme.</li> <li>• Individual training records for members from May 2021.</li> <li>• Recent skills training provided to members on scrutiny and chairmanship.</li> </ul>
Culture and behaviour	<ul style="list-style-type: none"> <li>• Development of workforce framework</li> <li>• Development of policy on respect and dignity and work</li> <li>• Revision of Whistleblowing policy (Governance Committee July 2020)</li> <li>• Revision of Protocol on Member Officer relations (Standards Committee November 2020)</li> <li>• Output from new ways of working officer group</li> </ul>

2.4 The Committee is invited to take stock of the changes set out at paragraph 2.1 as well as the work done and in progress to deliver the aims of the Good Governance Review in the table above. Members are asked to assess:

- (a) How far changes agreed in 2019 and the output of the Good Governance Review have met the aims of achieving greater transparency, clarity of role and focus on purpose;
- (b) What is working well and what may need further improvement or review;
- (c) Any specific gaps to be addressed; and
- (d) The arrangements for oversight of the aspects of Council governance set out at paragraph 2.1, which broadly sit with this Committee.

The Performance and Finance Scrutiny Committee has a responsibility to oversee the scrutiny function including the development of good practice and supporting arrangements, member training and development, and the consideration of any proposals for revisions to the scrutiny function.

### **Partnership arrangements with East Sussex County Council**

2.5 There have continued to be ad hoc arrangements for informal mutual support between the two leadership teams. Much of the strategic level activity associated with the management of the response to the COVID-19 pandemic has also drawn on close working relations between the two management teams. It is difficult to quantify the benefits of this joint working but the leadership of the joint chief executive has greatly enhanced the ability of both Councils to manage the common challenges that have been faced.

2.6 In the area of leadership team stability the County Council has for some time experienced regular and disruptive changes to senior roles in Adults and Health. A review of the market indicated a significant challenge in recruiting permanently to the critical post of Executive Director Adults and Health. The

partnership with East Sussex County Council enabled the development of a proposal for a shared post for this role split 80/20 in favour of West Sussex, the role being back filled in East. The very experienced Director of Adults and Health at East Sussex was proposed for the role. The rationale for this plan was considered and approved by an Appointing Committee, chaired by the Chairman, and the Committee also approved the appointment of the nominee to the role. This should prove to be a long-term solution providing much needed stability and continuity to this area of the Council's business. It will be subject to review as part of the overall review of the partnership arrangement after the May 2021 County Council elections.

### **3 Other options considered (and reasons for not proposing)**

- 3.1 Other options relating to the partnership with East Sussex County Council were addressed in the report considered by County Council in December 2019.

### **4 Consultation, engagement and advice**

- 4.1 The Good Governance project has included a wide-ranging engagement with officers and members, including through an all-member session on 8 July 2020. Implementation of the project's proposals will involve ongoing engagement with officers and members.
- 4.2 The East-West Sussex arrangements were considered by the Cabinet and by the appointing committee at the time of the appointment of the joint Chief Executive and was presented to County Council for approval. The Governance Committee reviewed the arrangements in July 2020 and will do so again after the County Council elections in 2021. Senior members on the Appointing Committee were central to the recent joint appointment for Adults and Health.

### **5 Finance**

- 5.1 There are no financial implications relating to the updates on the Good Governance project set out in this report. Areas of action identified to deliver improvements to decision-making, scrutiny and member training can be met from within existing resources. The partnership with East Sussex County Council meant a saving on the previous costs associated with the post of chief executive and there will be some savings from the recent joint appointment for Adults and Health with an end to interim appointments to the role. No additional costs arise from the operation of the mutual support agreement; all support and cross-council working is being undertaken without charging.

### **6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Governance arrangements: That the critical objectives identified in significant external inspections are not realised	Full member involvement in the Good Governance project, the prioritisation of actions and their implementation and that measurable outcomes are agreed
Joint leadership arrangements: Conflict of interest in relation to policy and strategic operations	The partnership agreement contains conflict resolution provisions

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Joint leadership arrangements: Failure to deliver the desired outcomes	The agreement provides for mutual and unilateral termination and review
Joint leadership arrangements: Shift of political priorities or aims	The agreement will be reviewed after the next Council elections in May 2021

## **7 Policy alignment and compliance**

- 7.1 This report deals mainly with the Council’s internal governance arrangements and as such there are no implications relating to climate change, public health, the equality duty, social value, human rights or the Crime and Disorder Act.

### **Tony Kershaw**

Director of Law and Assurance

**Contact Officer:** Helen Kenny, Head of Democratic Services, 033 022 22532, email: helen.kenny@westsussex.gov.uk

### **Background papers**

None

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**Report to Governance Committee****23 November 2020****Pension Advisory Board: Business Plan 2020/21****Report by Director of Finance and Support Services****Electoral divisions: Not applicable**

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**Summary**

The Pension Advisory Board has prepared its Business Plan and Budget for approval by the Governance Committee.

**Recommendation**

That the Business Plan and Budget for the Pension Advisory Board for 2020/21 be approved.

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**Proposal****1 Background and context**

1.1 As required under the Pensions Act, the West Sussex Pension Advisory Board was established in 2015 to assist West Sussex County Council as Scheme Manager:

- To secure compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme and any statutory pension scheme that is connected with it;
- To secure compliance with requirements imposed in relation to the scheme and any connected scheme by the Pensions Regulator; and
- In such other matters as the scheme regulations may specify.

1.2 The Board's terms of reference require that it prepares a Business Plan and Budget each year to be approved by the Governance Committee. This is reflected within the terms of reference of the Governance Committee.

**2 Proposal details**

2.1 At its meeting on 7 September 2020 the Pension Advisory Board considered and agreed the draft Business Plan for 2020/21 and agreed to refer it to Governance Committee for its approval in line with their terms of reference. The full report is included at Appendix 1.

**3 Other options considered (and reasons for not proposing)**

3.1 Not applicable

**4 Consultation, engagement and advice**

4.1 Not applicable

**5 Finance**

5.1 The finance implications are set out within the Business Plan. All costs are chargeable to the Pension Fund.

**6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
The Pension Advisory Board does not meet its regulatory requirements.	The approval of the Business Plan and Budget. A detailed workplan setting out how the objectives of the Business Plan will be carried out.

**7 Policy alignment and compliance**

7.1 The Pension Advisory Board terms of reference require a Business Plan and Budget to be prepared and approved by the Governance Committee each year.

Katharine Eberhart

**Director of Finance and Support Services**

**Contact Officer:** Rachel Wood, Pension Fund Strategist, 033 022 23387,  
rachel.wood@westsussex.gov.uk

**Appendices**

Appendix 1 – Business Plan Report

**Background papers**

None

## **Pension Advisory Board**

**7 September 2020**

### **Business Planning and Performance**

#### **Report by the Chairman of the Pension Advisory Board**

##### **Executive Summary**

As reported to the Pension Advisory Board (PAB) in February, further work has been undertaken to produce a business plan for 2020/21 to align the programme with that of the Pensions Committee. Progress has been delayed due to the impact of the COVID19 pandemic on Council business. A first draft of that plan is now ready for consideration and approval.

##### **Recommendation**

The Board is asked to consider and agree the draft business plan for 2020/21 and that the Pensions Committee is informed accordingly.

#### **1. Business Plan for 2020/21**

1.1 The first draft of a revised plan is set out in this report as follows:

**Appendix A** - Background and framework

**Appendix B** - Key tasks and activities

**Appendix C** - Work plan for 2020/21

1.2 The Board is asked to consider the draft and agree any changes to finalise the Plan before it is submitted to the Pensions Committee for information.

1.3 [The Pension Fund Business Plan 2020/21](#) was considered at the Pensions Committee on 22 July 2020.

#### **2. Equality Impact Review**

2.1 An Equality Impact Review is not required as there are no relevant decisions to be taken.

#### **Peter Scales**

Chairman of the Pension Advisory Board

**Contact:** Adam Chisnall, Democratic Services Officer, 033 022 28314

#### **Appendices**

Appendix A - Business Plan 2020/21 - Background and framework

Appendix B - Business Plan 2020/21 - Key tasks and activities

Appendix C - Business Plan 2020/21 - Work plan for 2019/20

#### **Background papers**

None

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# Pension Advisory Board Business Plan

## **This is the Business Plan for the West Sussex Pension Advisory Board.**

The Business Plan is an important document which sets out the aims and objectives of the Board over the coming year, its core work and how the objectives will be achieved.

The County Council is responsible for the administration of the West Sussex County Council Pension Fund and as the Administering Authority, is required under S106 of the LGPS Regulations 2013 to establish a local pension board and has established the Pension Advisory Board for this purpose.

The County Council acts as the Scheme Manager, as defined by the Public Service Pensions Act 2013, in respect of the management of the Scheme and its functions in this respect are discharged in accordance with the Council's scheme of delegation by the:

- Governance Committee (delegated to the Pensions Committee); and
- Officers (Director of Finance and Support Services and the Director of Law, Assurance & Strategy)

The Board is supported by the officers, by the appointment of an independent chairman, and by assurance statements and information provided by external service providers. The costs of the Board's operations are charged to the Pension Fund and a budget is included in the Business Plan.

The Board's approach has been to establish a core programme of work based on guidance received from the Pensions Regulator, the Scheme Advisory Board and from CIPFA in the form of advisory guidance.

Following a review of the Board in 2018, this Business Plan has been adapted to be more consistent with and complimentary to the Pensions Committee's business plan. The Plan is reviewed annually and progress monitored at each meeting. New priorities that might arise can be introduced at each meeting and new action identified where progress has not been as expected.

Details of how the Board's objectives will be met, together with key priorities for 2020/21 and 2021/22 and an indication of key risks are included in the Plan.

The achievement of the objectives and key tasks are reviewed at the end of each year and reported to the Pensions Committee. A brief report is also approved for inclusion in the Pension Fund Annual Report and is made available to scheme employers and to scheme members.

### **Statutory Responsibilities**

1. The statutory responsibilities of the Board are similar to those set out in the Regulations for all local pension boards, that is:

Assist the Scheme Manager:

- To secure compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme;
- To secure compliance with requirements imposed in relation to the scheme by the Pensions Regulator;
- In such other matters as the scheme regulations may specify;
- To ensure the Scheme Manager effectively and efficiently complies with the Code of Practice on the governance and administration of public service pension schemes issued by the Pensions Regulator (COP14); and
- To ensure that the Board complies with the knowledge and understanding requirements in the Regulator's Code of Practice.

### **Accountability**

2. The Board is accountable to the Scheme Manager, to the Pensions Regulator, to the Scheme Advisory Board, and to the scheme employers and members that it represents.
3. The Scheme Advisory Board will advise the Responsible Authority (the Ministry for Housing, Communities and Local Government) and the Scheme Manager.
4. The Pensions Regulator will report to the Responsible Authority but will also be a point of escalation for whistle blowing or similar issues (supplementary to the whistle blowing policy and anti-fraud and corruption policy operated by the Scheme Manager which operate to include all of the functions of the Council as Scheme Manager and its advisers).

### **Principal Functions**

5. The principal functions of the Board include:
  - Seeking assurances that due process is followed with regard to Pensions Committee decisions;
  - Considering the integrity and soundness of Pensions Committee decision making processes;
  - Seeking assurance that administration performance is in compliance with the Administration Strategy;
  - Considering the effectiveness of communications with employers and members including the Communication Strategy;
  - Considering and commenting on Internal Audit recommendations; and
  - Consideration of External Auditor reports.
6. Any complaint or allegation of breach of due process brought to the attention of the Board shall be dealt with in accordance with the Pensions Regulator's Code of Practice.

## Objectives

7. The Board's main objectives are set out below:

**Governance:** Act solely in terms of the public interest, with integrity, objectivity, accountability, openness, honesty and with leadership, and seek to ensure these are followed by all those involved in the Fund's administration.

**Compliance:** Seek to understand the statutory framework of regulations and guidance, and ensure all aspects are complied with.

**Administration:** Seek to ensure that proper procedures and controls are in place and are followed, and that performance expectations are met.

**Communication:** Seek to ensure that standards of reporting and clear communications are maintained and improved.

**Efficiency:** Seek to ensure improvements are being made in all processes, and minimise demands placed on officers in supporting the Board's work.

**Effectiveness:** Seek to ensure that the Board is making an effective contribution to the governance of the Fund through careful planning and performance assessment.

**Risk management:** Seek to ensure that fund risks are being identified, monitored and mitigated through proper procedures and controls.

**Proper advice:** Seek to ensure that proper advice is being taken and considered in all aspects of decision-making.

**Knowledge and understanding:** Seek to ensure that all Board members maintain a suitable level of knowledge and understanding.

**Responsiveness:** Seek to ensure that the Board considers and responds to consultations, surveys and requests for information effectively.

8. The means by which the Board can deliver these objectives is set out in the detailed plan. As part of the agenda planning process, the officers and chairman have agreed a structured agenda as a standard and discuss the detailed agenda well in advance of each scheduled meeting.
9. The papers for each meeting are made available at least one week prior to the meeting and implementation of action agreed is monitored in a progress report at the following meeting.

## Budget

10. The Board does not have delegated powers to incur expenditure but agrees an annual budget with the officers each year. Provisional sums are included to allow the Board to request any additional independent advice that might be required in exceptional circumstances.

<b>Budget item</b>	<b>Budget 2019/20 £</b>	<b>Spend 2019/20 £</b>	<b>Budget 2020/21 £</b>
Fee for independent chairman	16,000	16,000	17,500
Travel expenses/subsistence	2,000	1,072	2,000
Training provision	2,500	1,500	2,500
Democratic Services Support (0.2 FTE)	7,000	6,760	7,000
Meetings (incl. refreshments)	500	671	700
Provisional sums (if required):			
✓ Legal and other external advice	3,000	0	3,000
✓ Contingency	2,000	0	2,000
<b>Total Budget</b>	<b>33,000</b>	<b>26,003</b>	<b>34,700</b>

**N.B.** All costs are chargeable to the Pension Fund.

## Training

11. The Pensions Committee has agreed a Training Strategy which incorporates the Board's training needs. Training for Board members, including induction training, is provided through regular focus sessions at each meeting, regular updates from officers and advisers, internally developed training days, and attendance at external seminars which specialise in the needs of local pension boards.
12. Reference is also made to the e-learning provided by the Pensions Regulator and, at the start of 2020/21, all members of the Board had successfully completed the public service learning modules.
13. In terms of self-learning and familiarisation, the Board has developed arrangements to keep members apprised on changes to the scheme regulations and guidance through access to the national LGPS and Scheme Advisory Board websites.

## Risk Management

14. The Board does not consider it necessary to have its own risk register but monitors the Fund risk management arrangements as reported to the Pensions Committee on a regular basis.

## Pension Advisory Board - Business Plan 2020/21 to 2021/22 - Key tasks and activities

### Business Planning and Performance

Core on-going work	Special activities and reviews 2020/21	Special activities and reviews 2021/22
<p>Agree programme of work, budget and resources for the coming year and monitor progress at each meeting</p> <p>Undertake a self-assessment of performance for the year to include on-to-one interviews in January/February</p> <p>Agree a report each year on activity for inclusion in the Fund Annual Report and for scheme employers</p>	<p>Help maintain workflows in the light of new COVID19 secure working arrangements</p>	<p>Review of current Board operations in line with the national Scheme Advisory Board's Good Governance Review outcomes</p>
<p><b>Key Risks</b></p>		
<ul style="list-style-type: none"> <li>• Failure to manage work efficiently and effectively</li> <li>• Failure to account for activities and performance</li> </ul>		

## Compliance Checks

<b>Core on-going work</b>	<b>Special activities and reviews 2020/21</b>	<b>Special activities and reviews 2021/22</b>
Review the County Council’s policy on conflicts of interest annually, ensure interests declared at each meeting and maintain a register of interests for the Board on the website.	Review of conflicts policy in line with West Sussex authority-wide arrangements.	
Review the Pension Fund Annual Report and Accounts for content and compliance.	To be considered in September 2020	
Review statutory policy statements on a regular basis and on a three-year rolling basis	Standing agenda item to cover relevant Policy Documents.	
Monitor and review changes to regulations and guidance at each meeting	Standing agenda item.	
<b>Key Risks</b>		
<ul style="list-style-type: none"> <li>• Failure to manage conflicts properly</li> <li>• Non-compliance with regulations and guidance</li> <li>• Changes being implemented at short notice due to delays caused by pandemic</li> </ul>		

## Governance Arrangements

Core on-going work	Special activities and reviews 2020/21	Special activities and reviews 2021/22
Review decisions of the Pensions Committee	Agenda, minutes and relevant papers are shared with the Board.	
Review management and monitoring of the pension fund risk register	Define role in risk management process	
Monitor audit reports and assurances on internal controls	Review internal audit programme of work	Review external audit programme of work
Monitor work planned by the Pensions Regulator (tPR)		Engage with tPR on Board compliance with the code of practice
Monitor reports and initiatives from the Scheme Advisory Board (SAB)	Review SAB proposals on future governance arrangements when made available	
Respond to surveys and requests for information from the tPR and the SAB		
Report to the Pensions Committee and Governance Committee on a regular basis and as required		
Report to tPR, MHCLG and SAB in exceptional circumstances		
<b>Key Risks</b>		
<ul style="list-style-type: none"> <li>• The decision-making process is not fully effective</li> <li>• Key risks are not managed properly</li> <li>• Failure to be aware of scheme-wide developments and changing requirements</li> <li>• Failure to properly account for the Board's activities</li> <li>• Misinterpretation of data given in response to SAB and tPR surveys</li> </ul>		

**Administration procedures and performance**

<b>Core on-going work</b>	<b>Special activities and reviews 2020/21</b>	<b>Special activities and reviews 2021/22</b>
Consider a report on the administration of the scheme at each meeting	Review management of breaches register	
Monitor notifiable events and the recording and reporting of breaches		
Monitor key performance indicators and recovery action		Consider scope for inter-fund comparative indicators as part of the national Scheme Advisory Board's Good Governance Review outcomes  Review use of member portal and Employer Hub
Monitor recording of compliments and complaints, and progress on IDRP cases		
Monitor movements in membership numbers		
Monitor data quality and integrity, and progress on improvement plans	Review implementation of Data Improvement Plan	
Monitor timeliness of receipt of contribution payments and any recovery action required		
Review operation of key internal procedures and controls relating to third party contracts	Review AVC arrangements Review internal controls for areas of weakness particularly in relation to COVID19 pandemic	
<b>Key Risks</b>		
<ul style="list-style-type: none"> <li>• Failure in the efficient and effective administration of the scheme</li> <li>• Non-compliance with reporting requirements</li> <li>• Failure to detect potential problems, including fraud at an early stage</li> <li>• Impact of COVID19 pandemic</li> </ul>		



## Investment and funding

Core on-going work	Special activities and reviews 2020/21	Special activities and reviews 2021/22
Review the investment strategy statement to assess compliance with regulations and guidance issued by MHCLG and CIPFA		Review revised guidance on investment strategy statement issued by MHCLG when available
Review the funding strategy statement to assess compliance with regulations and guidance		
Review the process of consultation with appropriate persons, particularly scheme employers	Review outcomes from valuation process, particularly in relation to consultation with employers	
Review the valuation process for compliance and good practice		Develop understanding of actuarial methods, standards and practices and application to the valuation process.
Review developments on the pooling arrangements, particularly in relation to governance and investment management		Review ACCESS governance arrangements
Monitor arrangements for monitoring investment performance and costs		
Monitor developments in relation to responsible investing and ESG issues insofar as they relate to the Board's responsibilities	Review revised SAB guidance when issued	
<b>Key Risks</b>		
<ul style="list-style-type: none"> <li>• Non-compliance with investment regulations and Government guidance</li> <li>• Failure of proper governance arrangements in the pooling of Fund assets</li> <li>• Failure to comply with or respond to developments in good practice or regulatory compliance</li> <li>• Net asset values are insufficient to meet future liabilities</li> <li>• Lack of clarity on role of PAB in relation to ACCESS and on responsible investing</li> </ul>		

**Communications**

<b>Core on-going work</b>	<b>Special activities and reviews 2020/21</b>	<b>Special activities and reviews 2021/22</b>
Monitor disclosure of information in line with statutory requirements, including annual benefit statements	Review effectiveness of communications in ABSs and AVCs	
Review newsletters for content and clarity		
Review communications with employing authorities		Survey employers and scheme members for feedback on all aspects of administration
Monitor developments in the website and pensions portal		
Consider more effective links to scheme members		
<b>Key Risks</b>		
<ul style="list-style-type: none"> <li>• Failure to keep employers and scheme members properly informed</li> <li>• Non-compliance with Administration Strategy</li> <li>• Scheme members fail to understand scheme benefits and opt-out</li> </ul>		

## Training

Core on-going work	Special activities and reviews 2020/21	Special activities and reviews 2021/22
Maintain training log and review activity regularly		
Monitor implementation of training strategy	Develop a more effective and structured approach to Board training	Undertake comprehensive refresher training
Identify opportunities for in-house training after each meeting and for external training courses or events	Establish collaborative approach to sharing learning experiences	
<b>Key Risks</b>		
<ul style="list-style-type: none"> <li>• Failure of Board members to maintain a suitable level of knowledge and understanding</li> <li>• New training requirements imposed on PAB in relation to compliance testing</li> </ul>		

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## Pension Advisory Board - Work plan for 2020-21

### Standing agenda items

- Declarations of interests and conflicts
- Minutes of the previous meeting
- Progress report
- Pensions Committee business
- Business planning and performance
- Regulations and guidance update
- Review of pension fund policy documents
- Administration procedures and performance
- Investment pooling and ACCESS work update
- Training

**N.B.** Meeting scheduled for **12 June** cancelled due to COVID19 pandemic. Key papers circulated for information and review at next meeting.

### Monday 7 September 2020

**PrAM: 14 Aug      Despatch: 27 Aug**

Standing agenda items

Special activities and reviews

- Review COVID19 arrangements
- Review AVC arrangements
- Structured and shared training

### Friday 13 November 2020

**PrAM: tba      Despatch: 5 Nov**

Standing agenda items

Special activities and reviews

- Risk management role
- Review internal audit programme and internal controls
- Review SAB governance proposals and ESG guidance
- Management of breaches register
- Effectiveness of ABSs/AVCs communications

### Friday 26 February 2021

**PrAM: 5 Feb      Despatch: 18 Feb**

Standing agenda items

Special activities and reviews

- Review conflicts of interest policy
- Review Data Improvement Plan
- Review appointment process for actuary

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**Governance Committee****23 November 2020****Report of the Member Development Group****Report by Chairman, Member Development Group****Electoral division: Not applicable**

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**Summary**

This report by the Member Development Group (MDG) provides an update on member development activities and feedback from the last meeting of the MDG on 19 October 2020. Two key areas of focus for MDG currently are the Council's application to South East Employers for the Charter for Elected Member Development and planning for member induction after the Council elections in May 2021.

**Recommendation**

That the update on member development activities be noted.

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**Proposal****1. Background and context**

- 1.1 The Member Development Group (MDG) is the custodian of all aspects of the member role and has responsibility for managing all aspects of the member development process. It is a sub-group of the Governance Committee.
- 1.2 This report provides feedback from the last MDG meeting and on member development activities undertaken during 2020/21 as well as plans for the future.

**2. Member Development Activity, April 2020 to October 2020**

- 2.1 The COVID-19 public health emergency had a significant impact on member development activity planned at the start of the municipal year. Member development days were paused in the spring, and some activities were postponed or cancelled. However, members were encouraged to complete online training available, provided by the Council and by external bodies (e.g. Local Government Association, Centre for Governance and Scrutiny). The first virtual member development sessions was held in July and four more have been held since then and at the time of writing this report.
- 2.2 The table below sets out Member Day sessions and training sessions held so far during 2020/21.

<b>Date</b>	<b>Topics</b>	<b>Attendance</b>
<b>08/07/20</b>	Member Day Session: Good Governance project outcomes: plenary session	47
<b>08/07/20</b>	Training: Good Governance: two interactive workshops: being an effective member: roles, relationships and responsibilities	32 in total
<b>24/07/20</b>	Training: Scrutiny skills, two sessions provided by the Centre for Public Scrutiny (since then renamed the Centre for Governance and Scrutiny) <ul style="list-style-type: none"> <li>• For the Children &amp; Young People’s Services Scrutiny Committee</li> <li>• For scrutiny committee chairmen and vice chairmen</li> </ul>	11 7
<b>31/07/20</b>	Member Day Session: Budget Reset - Financial Planning in uncertain times	42
<b>03/09/20</b>	All Member Briefing: Commissioner Update on Children First Improvement Programme	39
<b>22/10/20</b>	Member Day Session: Proposed Budget 2021/22: Financial Planning in Uncertain Times	37
<b>22/10/20</b>	Training: Chairmanship skills, provided by South East Employers	16 (max number)
<b>12/11/20</b>	Member Day Session: West Sussex Reset Plan	35
<b>17/11/20</b>	Training: Children’s and Adults’ Safeguarding Training	TBC

- 2.3 Attendance rates have been encouraging, with overall attendance rates of 59% for Member Day sessions held so far during 2020/21, compared with 35% for all sessions held during 2019/20. Response rates to evaluation feedback on Member Days have been low since this moved to an online rather than paper-based survey. Feedback received on the events held to date has been positive, with comments on the importance of the provision of supporting papers/ presentation slides in advance and that question and answer sessions are useful. The introduction of Microsoft Teams seems to have improved members’ experience of the technical quality of sessions. The use of external trainers and presenters has been welcomed.
- 2.4 Seven members attended external online training courses and webinars. These have included Local Government Association leadership training and Local Government Information Unit skills training (strategic thinking, questioning skills for scrutiny).
- 2.5 All members have been invited to complete e-learning courses available on the Council’s Corporate Learning and Development website. The completion rates for these are due to be monitored by MDG at its next meeting. These courses are:
- Safeguarding Adults – Basic Awareness
  - Safeguarding Children
  - Cyber Security and GDPR Matters
  - Data Protection



- Social Media
- Public Sector Equality Duty
- Armed Forces Covenant
- Unconscious Bias

- 2.6 Plans for future Member Days are set out below. MDG considers all proposals for Member Day topics, taking account of member needs, priorities and service requirements. No sessions are planned after January because of the proximity to the County Council elections in May 2020.

Date	Topic
02/12/20	Member Day Session: TBC
14/01/20	Member Day Session: Budget/Local Government Finance
26/01/20	Member Day Session: TBC

### 3. Member Development Group Update

- 3.1 Updates on key issues considered by MDG at its meeting on 19 October are set out below.

- a) **Good Governance Project and the Local Member Role:** The Chief Executive discussed with members the outcomes of the Good Governance project. She highlighted aspects to be addressed through member training and development, including clarity on the different roles and responsibilities of members and officers. A key issue raised was the local member role, which MDG will be reviewing this further at its next meeting. Members welcomed a new checklist developed to assist county councillors deal with local highways matters and agreed that similar checklists for other aspects of the Council's areas of responsibility should be developed.
- b) **Reflection on Covid-19 learning and lessons for the future:** MDG discussed the impact on members of virtual/remote working during the public health emergency. Whilst many benefits of virtual working were recognised, it was felt that some meetings work better face-to-face. Members supported informal meetings continuing to be virtual in future but felt that most formal meetings would ideally be held face-to-face, although the potential for hybrid meetings should be explored. There was also support for member training and development sessions to continue to be virtual in future, possibly using a webinar-type format. The information for members provided through the weekly Bulletin (members' newsletter) and on the Members' Information Network (the Mine) was welcomed. This includes up-to-date information on COVID-19 and support available for members.
- c) **Plans for member induction 2021:** Pre-election activities are underway, including a 'Be a Councillor' event held on 21 October and a Candidates' event planned for February 2021. The 'Be a Councillor' website is being kept updated and a new film of county councillors has been provided. The MDG working group, chaired by Cllr Janet Duncton, is leading the work to develop the member induction programme for 2021. The programme will be planned with the safety and wellbeing of members in mind, reflecting COVID-19 restrictions. MDG is developing a survey to go out to all members during November to gather feedback on induction plans, including the local member role. MDG discussed the Notice of Motion on Hate Crime (put to County

Council in December 2019) and agreed that training on dealing with malicious communication should be included in the support/ training available to members during induction. It was also agreed that members should be signposted to the existing information and policies relating to this.

**d) Charter for Elected Member Development:** As part of the Council's bid for Charter status, an assessment will be carried out by South East Employers during November. An update on the outcomes of this, and whether the Council has succeeded in gaining the Charter, will be provided to Governance Committee at its next meeting.

4. **Other options considered**

4.1 Other options will be considered within the Committee's debate.

5. **Consultation, engagement and advice**

5.1 All members attending Member Day sessions are invited to complete an evaluation survey, the analysis of which is reported to MDG to inform future plans. MDG is planning to carry out a survey of all members during November to gather feedback to help plan the induction programme for after the Council elections in 2021.

6. **Finance**

6.1 There are no financial implications arising directly from the content of this report. Plans for member development and induction can be met from within existing resources.

7. **Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
County councillors are unable to fulfil their roles	The member development and induction programmes provide training and information tailored to their needs and overseen by the Member Development Group

8. **Policy alignment and compliance**

8.1 There are no legal, Crime and Disorder Act, human rights, climate change or public health implications directly arising from this report. The member development programme aims to meet the Equality Duty through providing fair opportunities for learning and development to all members. Social value is provided by ensuring members receive support and training to be able to fulfil their roles effectively and therefore help the council to achieve its aims and objectives.

**Debbie Kennard**

Chairman, Member Development Group

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**Background Papers:** None

**Appendices:** None

**Governance Committee****23 November 2020****Governance and Standards Committees****Report by Director of Law and Assurance****Electoral division: Not applicable**

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**Summary**

The Standards Committee met on 2 November 2020. It raised the question of merging the Governance and Standards Committees and is inviting the Governance Committee to consider whether there is any merit in such a proposal.

**Recommendation**

That the Committee considers whether work should be carried out to explore a potential merger of the Governance and Standards Committees for consideration by the Committee at a future meeting.

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**Proposal****1 Background and context**

- 1.1 At a meeting of the Standards Committee on 2 November 2020, it was noted that Worthing Borough Council had recently merged its Governance and Standards Committees. The Standards Committee resolved to ask the Governance Committee to consider this as a possible option for the County Council.
- 1.2 The Governance Committee oversees the County Council's constitution, political management arrangements, including membership and terms of reference of committees, the scope of delegations to officers and member allowances. It is responsible for electoral arrangements, including boundary reviews, which are carried out by its advisory Electoral Review Panel.
- 1.3 It is also responsible for many non-executive functions on human resources, particularly the terms and conditions of staff. This includes the consideration of the annual pay policy statement and other corporate HR policies. It oversees the appointment of executive directors through the Appointing Committee. It oversees staff dismissal and grievances policies and hears final appeals against dismissal or grievances through the Board of Appeal. It also oversees the arrangements for the governance of pension scheme administration, mostly exercised through the Pensions Committee.
- 1.4 The County Council's Standards Committee is responsible for promoting and maintaining high standards of conduct by councillors and co-opted members. It

oversees the Code of Conduct, which includes rules on the register and declaration of interests and gifts and hospitality, rules on probity in planning and the protocol on member and officer relations. It appoints sub-committees to consider any complaints about member conduct received by the Council’s Monitoring Officer. The Committee is advised by two independent persons who will be involved in the individual consideration of complaints about member conduct and can also advise the Committee more generally.

- 1.5 Both committees are chaired and vice-chaired by the County Chairman and County Vice-Chairman respectively. For the Governance Committee, this is in view of the Chairman’s apolitical role in having an overview of governance arrangements in the Council, ahead of any changes to the Constitution going to full Council for decision. For the Standards Committee, this is because of the Chairman’s role as the most senior member of the Council having a duty to promote high standards of conduct amongst members of the Council.

**2 Proposal details**

- 2.1 The Committee is asked to consider whether any work should be done to explore any benefits or risks from the potential merger of the two committees.
- 2.2 Neighbouring East Sussex, Hampshire, Kent and Surrey County Councils currently have separate Governance (or equivalent) and Standards committees.

**3 Other options considered (and reasons for not proposing)**

- 3.1 The Committee may choose to commission a report into a potential merger or may not choose to do so.

**4 Consultation, engagement and advice**

- 4.1 No consultation has been taken, but this would be done if a report is commissioned. The views of the Independent Persons who advise the Standards Committee would be considered.

**5 Finance**

- 5.1 None.

**6 Risk implications and mitigations**

Risk	Mitigating Action (in place or planned)
Reputational risks by loss of a stand-alone Standards Committee.	Risk to be considered as part of any work commissioned.

**7 Policy alignment and compliance**

- 7.1 Not applicable.

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**Background papers** - None