

# Public Document Pack

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18 June 2021

## Governance Committee

A meeting of the Committee will be held at **2.15 pm** on **Monday, 28 June 2021** at **County Hall, Chichester PO19 1RQ**.

**Note:** In response to the continuing public health restrictions, there will be limited public access to the meeting. Admission is by ticket only, bookable in advance via: [democratic.services@westsussex.gov.uk](mailto:democratic.services@westsussex.gov.uk)

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

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

Tony Kershaw  
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 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 - 10)

The Committee is asked to agree the minutes of the meeting held on 18 January 2021 (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. **Membership and terms of reference** (Pages 11 - 14)

To note the membership of the Committee, as set out below.

Cllr Caroline Baxter  
Cllr Pete Bradbury (Chairman)

Cllr Richard Burrett  
Cllr Amanda Jupp  
Cllr Kirsty Lord  
Cllr Paul Marshall  
Cllr Kate O'Kelly  
Cllr Steve Waight  
Cllr Sujan Wickremaratchi (Vice-Chairman)

The Committee's terms of reference are attached for information.

5. **Plans for future Member Community Engagement to replace County Local Committees** (Pages 15 - 24)

Report by the Director of Law and Assurance.

The Committee is asked to consider a proposal that County Local Committees be replaced by a more informal local community engagement forum for county councillors for recommendation to the County Council.

6. **Review of the Constitution** (Pages 25 - 64)

Report by the Director of Law and Assurance.

The Committee is asked to consider a number of minor changes to the Constitution.

7. **Future Catering Provision for Councillors** (Pages 65 - 70)

Report by the Director of Law and Assurance.

As the staff canteen on the County Hall campus has been closed, the Committee is asked to consider whether alternative catering arrangements should be made for member meetings in future.

8. **Plans for Member Meetings** (Pages 71 - 80)

Report by the Director of Law and Assurance.

The Committee is asked to consider plans for meetings to the end of July and agree that arrangements for formal member meetings should continue to be monitored by the Committee, to include a review at its next meeting of plans for meetings during autumn 2021.

9. **Pension Advisory Board: Business Plan 2021/22** (Pages 81 - 94)

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 2021/22.

10. **Appointments to Panels and Outside Bodies** (Pages 95 - 96)

Note by the Director of Law and Assurance.

In accordance with the provisions of the Local Government and Housing Act 1989, the Committee is asked to appoint members to fill vacancies on the Appeals Panels and to the outside body for which the Committee is responsible in accordance with the wishes expressed by the political groups. The majority of the appointments following the election on 6 May for which the Committee is responsible were made by the County Council at its meeting on 21 May 2021.

**11. Report of Member Attendance April 2020 to April 2021** (Pages 97 - 100)

Report by the Director of Law and Assurance.

As part of its terms of reference the Governance Committee is required to monitor attendance of members at meetings of the County Council and its committees annually. The Committee is asked to note members' attendance for the period 1 April 2020 to 30 April 2021.

**12. Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 pm on 6 September 2021 at County Hall, Chichester.

**To all members of the Governance Committee**

**Webcasting**

Please note: this meeting is being filmed for live and subsequent broadcast via the County Council's website on the internet. The images and sound recording may be used for training purposes by the Council.

Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

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## **Governance Committee**

18 January 2021 – 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 (arrived at 3.25pm and left at 4.15pm) and Cllr Walsh

Also in attendance: Cllr Kennard

### **Part I**

#### **43. Declarations of Interest**

43.1 In accordance with the code of conduct, Cllr M Jones declared a personal interest in the Member Development Group report as a member of the Member Development Group. Cllr Lanzer declared a personal interest in the motion on pension investments as a deferred member of the West Sussex local government Pension Scheme. He declared a personal interest in the Member Development Group report as a member peer reviewer for South East Employers. Cllr Walsh declared a personal interest in the motion on pension investments as a member of the Pensions Committee. He also declared a personal interest in the report on member meetings and the report on joint scrutiny arrangements as Leader of Arun District Council.

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

44.1 Resolved – That the minutes of the meeting held on 23 November 2020 be approved as a correct record and that they be signed by the Chairman.

#### **45. Plans for Member Meetings**

45.1 The Committee was reminded it has agreed to review plans for Council/committee meetings at each of its meetings during the COVID-19 public health emergency. The Committee considered a report by the Director of Law and Assurance containing an update on meeting arrangements up to March 2021 together with information on member catering.

45.2 The Head of Democratic Services introduced the report and highlighted that the Committee was asked to consider whether County Local Committees (CLCs) should be cancelled in February/March 2021, to be replaced with informal meetings to reduce current pressures on Democratic Services and to ensure that the other formal committees could continue to take place virtually. She also reported that an officer decision was in progress to permanently close the County Hall campus Martlets restaurant, so asked members to comment on the future of member catering, most of which is provided by the Martlets restaurant.

45.3 The Committee discussed the round of CLC meetings and agreed that informal sessions should replace them. While regretting the lack of capacity for running formal CLCs, members acknowledged the pressures on Council staff.

45.4 In response to a question about areas of Democratic Services support could be affected if CLCs were to go ahead, the Director of Law and Assurance reported that election and induction work for the 2021 elections and the Service's ability to redeploy staff to support the emergency effort in Adults and Children's services would be the main areas affected.

45.5 Members discussed catering and noted that neighbouring councils had more limited catering than has been provided at West Sussex County Council. Having some sort of lunch provided on Council day and on other days with long meetings was highlighted as important, to minimise increases in allowance claims. There was also some support for providing tea and coffee facilities. It was agreed that all members should be consulted on the matter.

45.6 Cllr Walsh proposed that formal CLC meetings should be held in February/March 2021. This was seconded by Cllr M Jones. A vote was taken and the proposal was lost.

45.7 Resolved –

- (1) That the list of formal meetings due to be held up to the end of March 2021, as set out at the appendix, be noted.
- (2) That formal County Local Committees be cancelled in February/March 2021 but informal sessions should be held instead.
- (3) That all members should be consulted on future catering arrangements in view of the proposed closure of the Martlets Restaurant.
- (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.

#### **46. Motion on Pension Investments**

46.1 The Committee considered a report by the Director of Law and Assurance which set out a motion submitted to Council on 6 November 2020 by Cllr M Jones (copy appended to the signed minutes).

46.2 The Director of Law and Assurance advised that the motion had been referred to the Governance Committee in light of the Pensions Committee's role as administering authority for the West Sussex Local Government Pension Scheme on behalf of around 200 employers. It was more appropriate for the Governance Committee to comment as the Committee responsible for pensions matters as a pension scheme employer.

46.3 Cllr M Jones called on the Committee to urge Council to support the motion as a clear sign of the Council's commitment to tackling the climate emergency.

46.4 The Committee discussed the motion. Some members felt that the Council should leave the Pensions Committee to make its own investment decisions as administering authority, albeit commenting that it is possible for the Council as with any other employer in the scheme to ask the Pensions Committee to consider such principles while undertaking its fiduciary duty for ensuring overall sustainability of the pension scheme.

46.5 Cllr Lanzer made a proposition, seconded by Cllr Marshall that the Governance Committee recommend to the Council that it 'requests that the Pensions Committee maintains the application of environmental, social and governance principles throughout its process while seeking to maintain sustainable investment principles.' A vote was taken and the proposition was agreed.

46.6 Cllr Walsh made a proposition, seconded by Cllr Jones that the Governance Committee recommend to the Council that it 'requests that the Pensions Committee consults all employers in the West Sussex Local Government Pension Scheme on whether the Scheme should divest in fossil fuel companies.' A vote was held and the proposition was lost.

46.7 Resolved – That the Committee recommends to the Council that the Pensions Committee be asked to maintain the application of environmental, social and governance principles throughout its process while seeking to maintain sustainable investment principles.

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

47.1 The Committee received its regular report on the work of the Group, member development activities, member training and development priorities and plans, including the induction for 2021 (copy appended to the signed minutes).

47.2 Cllr Kennard, Chairman of the Group, introduced the report and highlighted the recommendations arising from the Council's charter status for member development which included conducting a training needs assessment with members following the election.

47.3 The Committee welcomed the report and the work of the Group. Members highlighted the importance of members reading the weekly Bulletin and the Members' Information Network (the Mine). It was agreed that the proposed areas of mandatory training should be described as such, although the new member training needs assessments undertaken after the election should record when a member has already undertaken training either at the County Council or at another authority.

47.4 Resolved –

- (1) That the member development activity update and plans for future member training and development be noted.

- (2) That the outcome of the Member Development Charter assessment carried out by South East Employers be noted and that its recommendations be taken forward.
- (3) That the conclusions on the review of the local member role be supported.
- (4) That the plans for member induction in 2021 be agreed, including the recommended elements of training to be considered to be mandatory, depending on the outcome of each member's training needs assessment.

#### **48. DBS checks for County Councillors**

48.1 The Committee considered a report by the Director of Law and Assurance that asked for consideration to be given to whether Disclosure and Barring Service checks (DBS) should be undertaken for members following the 2021 elections (copy appended to the signed minutes).

48.2 The Director of Law and Assurance introduced the report and advised members that it is not a requirement that councillors undergo DBS checks, although it is done by some other authorities.

48.3 Members agreed that DBS checks should be carried out on the same basis as had been done in 2017 on the basis that councillors could come into contact with vulnerable residents and service users. It also agreed that enhanced checks were appropriate for certain roles as set out in the report.

48.4 Resolved – That the Director of Law and Assurance be asked to arrange DBS checks for all councillors following the 2021 elections, on the same basis as those carried out in 2017.

#### **49. Pay Policy Statement 2021/22**

49.1 The Committee received a report from the Director of Human Resources and Organisational Development which set out the annual Statement for submission to the County Council (copy appended to the signed minutes).

49.2 The report was introduced by the Head of Specialist HR Services, who advised that the changes reflected new legislation around caps on severance payments to staff. He advised that the final sentence of paragraph 15.1 of the draft statement should be deleted, as it referred to a reference that had changed in 2021/22.

49.3 The Committee welcomed the draft statement and noted the general cap of £95,000 on severance payments for Council staff. In response to questions about the ability to waive the cap, the Director of Law and Assurance confirmed that it was recommended that the Council should adopt a process to be able to agree to ask the Government to waive to the cap in exceptional circumstances, in line with the provision in the Regulations on this matter.



49.4 In response to a question from Cllr M Jones about whether any payments of over £95,000 had been agreed in the last year, the Director of Law and Assurance agreed to check on this and report back to Cllr M Jones.

49.5 Resolved –

- (1) That the proposed revisions to the Pay Policy Statement, as set out in Appendix 1 and with the additional deletion of the final sentence in paragraph 15.1, be endorsed for recommendation to the County Council.
- (2) That the arrangements for dealing with any request related to the exit payment cap under the Public Sector Exit Pay Regulations 2020 be endorsed for recommendation to the County Council.

## **50. Appointment of Co-opted Independent Member of Regulation, Audit and Accounts Committee**

50.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which proposed that the constitution of the Regulation, Audit and Accounts Committee be amended to include a co-opted, non-voting independent member. It also asked the Committee to consider whether such a post should receive any remuneration.

50.2 Members were generally supportive of the proposal on the basis that it had been requested by the Regulation, Audit and Accounts Committee in line with recommended best practice, but agreed that travel expenses should be the only payment made, in line with co-opted members on other committees.

50.3 Resolved –

- (1) That Council be recommended to approve the change to the constitution of the Regulation, Audit and Accounts Committee, as set out in appendix 1.
- (2) That the Council be invited to give the Director of Law and Assurance and Director of Finance and Support Services delegated authority to make arrangements to finalise the job description, advertise and take all other steps necessary to recruit to the role, as a voluntary position for which travel expenses will be payable.

## **51. Minor change to Joint Scrutiny Arrangements**

51.1 The Committee considered a report by the Director of Law and Assurance on a proposal to amend the terms of reference of the Joint Scrutiny Steering Group to enable Arun District Council to take part in future work when it has moved to the committee system (copy appended to the signed minutes).

51.2 The Committee agreed that it was important to ensure that Arun District Council could still take part in joint scrutiny work, so supported the proposal.

51.3 Resolved – That the Council be recommended to approve the change to the constitution of the Joint Scrutiny Steering Group, with effect from 1 May 2021 by adding 'or in the case of a Council operating the committee system, the chairman of a committee'.

## **52. Date of Next Meeting**

52.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 1 March 2021.

The meeting ended at 4.38 pm

Chairman

## **Governance Committee**

### **Constitution**

Nine members of the County Council, including the Chairman and Vice-Chairman of the Council who are ex-officio Chairman and Vice-Chairman respectively. Quorum is three.

### **Terms of Reference**

1. To oversee the effectiveness of the political structure
2. Without in any way limiting the scope of paragraph 1 above, to consider specifically any disputes which arise as to whether or not the Executive may make a final decision or whether that power is vested in the County Council alone.
3. To advise the County Council on amendments to the Constitution.
4. To receive regular reports from the Chairman of the Member Development Group regarding the work of the Group, member development activities and member training and development priorities and plans, via a standing item on the Committee's agenda.
5. To advise the County Council on any matters in connection with the Members' Allowances Scheme.
6. To monitor the attendance of members at meetings of the County Council and its committees on an annual basis within the context of member development and the effectiveness of the political structure.
7. To exercise the powers and duties of the County Council in relation to elections and local government boundaries under Section 35 of the Representation of the People Act 1983 (c.2).
8. To consider any issues relating to indemnification of and/or securing of insurance cover for members and officers.
9. To make arrangements for the discharge of the County Council's function as Scheme Manager and the exercising of the powers and duties of the County Council in its capacity as Administering Authority in relation to the Local Government Superannuation Acts and Regulations made thereunder and in particular to arrange for the discharge of those responsibilities through a formally constituted committee to be named the Pensions Committee.
10. To determine the standard terms and conditions on which all staff hold office (including procedures for their dismissal).
11. To approve changes to the Scheme of Delegation relating to functions delegated to the Chief Executive and the overall range of functions delegated to senior officers.
12. To approve the arrangements for a meeting of the Appointing Committee for the purposes of Standing Order 9.11; the appointment of officers, and Standing Order 9.19; appeals against disciplinary proceedings (including dismissal)

concerning the Chief Executive, Executive Directors and posts reporting directly to the Chief Executive and the Monitoring Officer and grievances by the Chief Executive.

13. To approve the arrangements for a meeting of the Appeal Committee for the purposes of disciplinary action under Standing Order 9.17.
14. To make arrangements for but not to hear disciplinary proceedings (including dismissal) against the Chief Executive and grievance proceedings by the Chief Executive. The constitution and terms of reference for Member Panels and the Investigation Panels are set out below.
15. To make arrangements for but not to hear appeals against decisions of the Executive including staff appeals, school and college transport appeals, school exclusion and admission appeals and Governors' appeals against the decision of the local authority to require acceptance of a pupil excluded from two or more schools. The Constitution and terms of reference for appeals panels (save those concerning schools exclusion, admission and governor appeals) are set out below.
16. In relation to the Pension Advisory Board to:
  - (a) Approve the job description and remuneration of and oversee the appointment of the independent Chairman of the Pension Advisory Board;
  - (b) Review the tenure of membership of a Board member in the event of consistent non-attendance on the advice of the Director of Law and Assurance;
  - (c) Remove a member of the Board during a term of appointment for reasons other than their ceasing to be eligible.
17. To approve the Business Plan and budget of the Pension Advisory Board.
18. To receive an annual report from the Staff Appeals Panel covering a summary of its work, any lessons learned from hearings by Member Panels and Boards of Appeal in the previous year, the results of cases (including any subsequent Tribunal applications and hearings) and recommendations for the future.
19. To receive and consider any recommendations from meetings between the Chief Executive and the West Sussex branch of UNISON in relation to staff terms and conditions of service.
20. To receive and consider for resolution any issues concerning staff terms and conditions which are the subject of discussion between the Chief Executive and the West Sussex branch of UNISON and which their discussions have not been able to resolve and prior to any referral of such matter to an external body for mediation or resolution.
21. To receive a report on staffing matters twice a year and a report on the output of the Culture Board once a year.
22. To appoint members of the County Council to outside bodies which relate to the non-Executive functions of the Committee (South East Employers).

23. To review and adjust delegations to officers within the functions delegated to the Committee.
24. To delegate powers, when appropriate and on the recommendation of the Director of Law and Assurance, to another local authority including a borough or district borough council and to be able, subsequently, to review, amend or withdraw that delegation.
25. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b).

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**Report to Governance Committee****28 June 2021****Plans for future Member Community Engagement to replace County Local Committees****Report by Director of Law and Assurance****Electoral divisions: All**

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**Summary**

It is proposed that County Local Committees (CLCs) be replaced by a more informal local community engagement forum for county councillors. The objectives are to support the local role of councillors and to improve engagement with residents and communities. CLCs have not met since March 2020, but previously there were 11 CLCs across the county which met three times per year. These took decisions on grant funding and on some Traffic Regulation Orders (TROs) as well as providing a forum for public question and answers. There is no legal requirement to hold CLCs or any form of local area committees. CLC decision-making powers have reduced over time and, with the removal of the Community Initiative Fund (local grant funding), it is timely to review their role and options for the future.

The CLC meetings due to be held in June/July 2021 are being used for locality sessions on a district/borough footprint. These will be a mixture of place-based induction alongside a public question and answer session. It is proposed that this approach be used as a model for local member forums to be trialled for a year, to be called 'County Local Forums'. Local councillors will continue to be consulted on Traffic Regulation Orders, although the decision would revert to the Cabinet Member for Highways and Transport. It will be important to ensure a consistent approach to these forums across the county, whilst enabling more informal arrangements. A review of this trial should be completed by March 2022 in order to establish a new model for 2022/23 onwards.

**Recommendations**

That the County Council be recommended:

- (1) To remove CLCs from the Constitution and change decision-making arrangements for Traffic Regulation Orders and outside bodies with these returning to the Cabinet or Cabinet Member for Highways and Transport in consultation with local members;
- (2) To establish district/borough-based forums for councillors to engage with residents using the locality sessions being held in June and July 2021 as a model, to include 'Talk With Us' question and answer sessions with the public; and
- (3) To review the arrangements by the end March 2022, to determine future arrangements and resource requirements.

## **Proposal**

### **1 Background and context**

- 1.1 County Local Committees (CLCs) are a mechanism for county councillors to engage with their communities. There are 11 CLCs across the county each made up of a number of electoral divisions. They used to meet three times per year and were open for anyone to attend. The Governance Committee agreed to cancel the meetings due to be held in 2020/21 due to the impact of COVID-19. The main reasons were the availability of officer resources given pressure from other business and the fact that the main business of CLCs can be dealt with outside formal meetings. Later, as part of the Council's Budget for 2021/22, it was decided that the Community Initiative Fund (CIF) would cease. The allocation of this local grant funding had been a key role for CLCs and the removal of this element of their business is a key driver for change.
- 1.2 Through previous CLC reviews and consultation with members and town/parish councils, the core purpose of CLCs is seen as engagement with the public, particularly through the 'Talk With Us' agenda item. The CLC meetings due to be held in June/July 2021 are being used for locality sessions on a district/borough footprint. These will be a mixture of place-based induction alongside a 'Talk With Us' session, providing the opportunity for residents to meet and ask questions of their councillors. This approach could be used as a model for community engagement to be trialled for a year. These informal county locality forums could be supported by Democratic Services and the Communities Directorate, with a view to identifying some initial staff savings in Democratic Services. Depending on the outcomes of the one-year trial, there may be opportunities to make further staff savings.
- 1.3 Other decisions taken by CLCs relate to Traffic Regulation Orders (TROs). For 2019/20 and 2020/21 CLCs received 11 TRO decision reports, as well as each CLC receiving a TRO prioritisation report. Decisions relating to this area and how local members can participate could be achieved through other means, as can the appointments to some outside bodies which CLCs have exercised.
- 1.4 Other drivers for change include the evolving role of the CLCs over the years, with a strong focus on the 'Talk With Us' element on the meeting, and an ability to react to local issues. Public attendance at CLCs is generally low, except when there is a special/significant issue of local interest being discussed. Officers across the Council engage with members in their locality on a variety of specific service-based issues/casework. This has been complemented prior to COVID-19 with support from the Partnerships and Communities Team. The role of this team has evolved during the pandemic and will in future be focusing on the corporate priority of supporting people to remain independent.
- 1.5 Whilst the CLCs in Arun District were intended to operate as 'joint' committees, these have not worked well as it is rare for any District business to be included and they are very large committees.
- 1.6 Virtual locality sessions are being held in June/July 2021 on a district/borough footprint, replacing the CLC meetings. These will provide county councillors with the opportunity to learn more about their communities, be provided with information on local Council services and training in their local role. They will also provide an opportunity for residents to meet and ask questions of their



councillors. This digital 'Talk With Us' approach may encourage a wider audience.

## 2 Proposal details

- 2.1 It is proposed that CLCs be replaced by a more informal local community engagement forum. There is no legal requirement to hold CLCs or any form of local area committees. CLC decision-making powers have reduced over time, and with the removal of CIF (local grant funding) the only remaining decision for CLCs is on some Traffic Regulation Orders (TROs) and appointment to some outside bodies. CLCs did not meet during 2020/21, but informal meetings of members in their CLC areas were held, mostly to consider CIF applications.
- 2.2 Future meetings can utilise digital tools, building on the learning from COVID-19 (e.g. virtual meetings, social media) and locality sessions in June/July 2021. Meetings will have no need for formal agenda and minutes.
- 2.3 Following the decision taken in the 2020/21 budget, the only remaining decision left for CLCs is concerning some TROs (those with local objections and not delegated to officers), which can be dealt with by the Cabinet Member for Highways and Transport in consultation with relevant local members. Local members could also retain a role in the prioritising of TROs in their area. Outside body appointments previously made by CLCs, where still required, would be made by the Cabinet in consultation with local members. This would allow a more flexible model of local member meetings to be trialled in 2021/22 with a stronger focus on community engagement and local issues.
- 2.4 Any new model will be reviewed ahead of March 2022 in order to establish a new working model for 2022/23.
- 2.5 The aims of a new model are set out in the below table:

<b>Aim</b>	<b>County Local Forum</b>
Enhancing and supporting the local role of members	<ul style="list-style-type: none"> <li>• Advice and information for members on their local role (managing casework and using social media – at induction and ongoing member development programmes)</li> <li>• Members signposted to key contacts</li> <li>• Providing members with local insight and data on their communities, introduction to County Council services delivered locally and an opportunity to showcase local community organisations (and meet with local partners and community organisations)</li> <li>• Opportunity to learn and exchange ideas, exploring local issues/priorities, responding to questions, visiting (where possible) new ventures/services</li> <li>• Ensure local members' knowledge is used by the Council through their role as community champions</li> </ul>
Ensuring openness and transparency	<ul style="list-style-type: none"> <li>• The potential to arrange ad hoc local meetings for timely consultation/engagement on topical issues locally or to raise the profile of local services. Options to hold jointly with partners and hold virtually to enable wider participation.</li> <li>• Continue to provide the only forum for public Q&amp;A session with county councillors</li> </ul>

<b>Aim</b>	<b>County Local Forum</b>
Maintaining and enhancing engagement with communities	<ul style="list-style-type: none"> <li>• Assess any gaps in current engagement mechanisms</li> <li>• Supporting members to be connected into activity in their community through various networks (e.g. voluntary and community sector organisations)</li> <li>• Use of digital technology to enable members to interact more flexibly with their communities (e.g. through social media and virtual meetings)</li> <li>• Utilising existing spaces and places for face-to-face contact to enable engagement with people who aren't digitally connected</li> <li>• Explore opportunities to involve members of the Youth Cabinet at a more local level</li> </ul>

- 2.6 It will be important for a consistent approach to be taken to any new mechanism that is agreed for implementation. It is proposed that there should be seven new County Local Forums meeting on a district/borough footprint. However, the locality session being held in June 2021 in Adur and Worthing is a joint session. It is proposed that the relevant county councillors be consulted on their preferences as to whether they continue to meet jointly or as separate forums.

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

#### **(a) Continue with County Local Committees as decision making bodies**

- 3.1 One option is to continue with CLCs as they are. However, there is no real need for formal meetings as few decisions now fall to CLCs. Also, findings in the consultation above strongly suggest that the community engagement is the key part of the meeting and that there has not been a strong appetite to continue CLCs in their previous form.
- 3.2 Details of public attendance at CLCS during 2019/20 are set out below. Public attending CLCs usually includes organisations bidding for CIF, town/parish council representatives, district/borough council representatives and people with an interest in traffic schemes under discussion. N.B. The higher number of public attending Adur, South Chichester and Central & South Mid Sussex CLC meetings was due to high profile local issues being on the agenda, therefore a new model would support this way of working.

<b>Name of CLC</b>	<b>Summer 19</b>	<b>Autumn 19</b>	<b>Early 20</b>
Adur	35	40	6
Horsham	14	14	5
North Chichester	6	18	Cancelled
South Chichester	34	46	46
Worthing	Not collected	20	25
Central and South Mid Sussex	22	55	45
North Mid Sussex	26	22	20
Chanctonbury	13	15	5
Joint Eastern Arun Area Committee	9	8	Cancelled

<b>Name of CLC</b>	<b>Summer 19</b>	<b>Autumn 19</b>	<b>Early 20</b>
Joint Western Arun Area Committee	30	20	15
Crawley	30	30	18

### **(b) Cease CLCs and any level of community engagement**

- 3.3 Good practice demonstrates that it is an essential part of a local member's role to engage with residents and this provides a mechanism for this supported by officers. Also, consultation through the recent review and with councillors and town and parish councils clearly shows support for a continuation of a model that has a focus on local community engagement.

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

- 4.1 Arun District Council, all county councillors and town and parish councils have been invited to provide comment on the proposal set out in this report. Details of responses received are at Appendix 1.
- 4.2 In summer 2020, consultation on whether to resume CLCs was undertaken with all county councillors, town and parish councils, Arun District Council (for the Joint Area Committees) and Council officers who support CLCs (Highways and Communities) during 2020. This consultation feedback was reported to the Governance Committee in September 2020. It was difficult to draw firm conclusions from this as there were very low response rates. Only 12 responses were received from county councillors (17%) and 22 from town/parish councils (14%). Eleven of the county councillors wanted CLCs to resume, citing CLCs as an important mechanism for local engagement. All the town/parish councils responding supported a resumption of CLCs as virtual meetings. Arun District Council supported the resumption of Joint Arun Area Committees.
- 4.3 County councillors were also consulted as part of the informal CLC meetings in October/November 2020. All CLCs met informally apart from North Mid Sussex (which did not have any decisions to take). Issues raised in these informal discussions were the importance of public engagement and concern at the loss of 'Talk with Us' as a mechanism for hearing residents' questions/issues.
- 4.4 Since the suspension of CLCs in March 2020 there has been no correspondence from the public on this matter.

## **5 Finance**

- 5.1 There is a potential for initial saving of one post in Democratic Services: £34,100 (by September 2021). Future savings opportunities could be explored and assessed through the one-year trial.
- 5.2 Support for CLCs is currently provided by Democratic Services (to facilitate formal decision-making). The resource implications of alternative mechanisms for community engagement will need to be assessed as part of the review. The Partnerships and Communities Directorate also supports CLCs, but is still busy with response to the pandemic, therefore all Democratic Services support cannot be removed immediately (and most of the CLC team in Democratic Services are providing support to new ways of working such as virtual meetings and increased levels of webcasting). Therefore, although limited savings could

be achieved initially, further savings may be identified once a model is established.

## 6 Risk implications and mitigations

Risk	Mitigation
Loss of local democratic debate on issues	Any new model will ensure a strong level of community engagement and democratic input.
Decisions on Traffic Regulation Orders not taken locally	Decision by Cabinet Member will be in consultation with local members.

## 7 Policy alignment and compliance

- 7.1 A continuation of community engagement through more flexible working arrangements will have a positive effect on communities as it will allow for a greater level of community engagement, and an opportunity to reach a wider and more diverse audience.
- 7.2 There are no social value, crime and disorder, human rights or legal implications. Climate Change implications are positive, with virtual meetings leading to a reduction in travel and therefore in carbon emissions.
- 7.3 The proposal in this report support two of the objectives in the Council Plan:
- Helping people and communities to fulfil their potential.
  - Making the best use of resources.

Tony Kershaw  
**Director of Law and Assurance**

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## Appendices

Appendix 1 - Consultation feedback on plans for future member community engagement to replace County Local Committees

### Background papers:

None

## **Consultation feedback on plans for future member community engagement to replace County Local Committees**

This paper sets out feedback received on plans for future member community engagement to replace County Local Committees (CLCs). All county councillors and town/parish councils were invited to provide feedback on the proposals. Councillors were informed of the proposals via The Bulletin (members' weekly newsletter) on 2 June and town/parish councils were informed via the Council's town and parish newsletter on 9 June. As CLCs in the Arun area are joint committees with the District Council, Arun District Council was also invited to comment. Responses have been received from two county councillors, eight parish councils and from Arun District Council.

### **1. Summary of feedback from county councillors**

All county councillors were advised of the proposals and invited to consider the report and offer feedback. Only two councillors have done so. It is not possible to draw conclusions from the low level of response although it could suggest neutrality or support for the proposal – hence no desire for comment.

#### **Councillor Becky Cooper:**

- It is disappointing that the option to delegate more decision-making to CLCs was not considered. The assumption seems to be that as CLCs were not optimal a reduction to a 'local talking forum' is the solution. If it is important for local communities to have a voice this should welcome the opportunity to make some decisions about the local community with the local County Councillors who will know their area far better than Cabinet Members and other decision-making committees. TROs for example are an important part of local ownership of the road system – sending decisions back to the Cabinet Member loses that local decision-making connection that communities have with their own County Councillors. This model could have been expanded to other County projects that directly affect a particular area of West Sussex.
- The fact that there is low public engagement with CLC meetings is not a reason to stop them. It is a reason to work with local communities to find out how we can make them more accessible and engaging. Enabling and empowering communities is a key part of engaging with communities, and removing decision making responsibilities is a backwards step in our partnership approach to the people we serve.
- The justification that reducing CLCs to informal local talking forums will produce savings in the form of one post in democratic services is verging on ludicrous. In a budget of £625 million, £35k savings is no justification whatsoever for taking away the last remaining vestiges of local community decision making in areas that are key to the healthy development and sustainable wellbeing of communities.
- A standing agenda item for future CLC meetings should be joint County and District/Borough updates. This is an opportunity for Councillors from both Councils to work more effectively together, either on joint projects or being aware of work where there is natural synergy and opportunities for lessons learned (for example, the Sustainable Transport Strategy and Local Walking and Cycling Plans). It is also an opportunity for local community members to

understand how their Councils work (or are supposed to work) together and to give feedback for improvements and development.

### **Councillor Lord**

- I don't have a problem with the proposal to stop CLCs in their current form and welcome the focus on the Talk With Us section. They would need to be at least as frequent as existing CLCs.
- Suggest that a local forum covering the whole of Mid Sussex district will not work well with 12 councillors. The High Weald provides a geographical divide, with residents in East Grinstead having little in common with those in the South and Centre of the district. Attendance rates at the two Mid Sussex CLCs are higher than other district/boroughs, suggesting residents in this district are very supportive of the local forum; it would be difficult to manage questions from that many residents. If the meetings are to be held in person residents will feel disenfranchised if they have to travel from the southern villages to East Grinstead or vice versa. Therefore consideration should be given to retaining this split.
- With regards to TROs, I think councillors have always found the opportunity to hear from residents before making the decision very valuable and I know residents have appreciated that. I'm therefore a bit nervous of TROs not having that final public element, although I do understand the reasons why they may be managed differently. Has consideration been given to how the final input from the public can be managed?

## **2. Summary of feedback from town and parish councils**

Responses were received from councillors, chairmen and clerks of the following town/parish councils: Angmering, Barnham & Eastergate, East Preston, Kingston, Plaistow & Ifold, Rogate, Turners Hill and Yapton. Key points raised are set out below:

- CLC meetings have often been useful but have not achieved their full potential.
- TROs were about the only area left where town/parish councils had a say – and it would be helpful to have clarity on future process for this and the mechanism for towns/parishes to make bids.
- Holding meetings virtually would help participation numbers and regular scheduling.
- Getting local parishes together in whatever format has to be considered a good thing.
- It is a good idea to test the proposal for a one-year trial.
- One respondent (a parish clerk) was concerned that insufficient time had been given to enable town/parish councils to consider the proposal and suggested that a direct message should have been sent out rather than including details of the proposal in the town and parishes newsletter.
- One respondent (parish councillor) looked forward to seeing how the new local forums will work and felt there should be more engagement at parish level (via online meetings) by county and district councillors and the MP.

- Another parish clerk responded that the proposal will be discussed with the Chairman, but that the likely response is to support the proposal as the Council hasn't gained anything from these arrangements except the occasional grant funding opportunity.
- One respondent (a parish councillor) was completely against the change as it further erodes the grass-roots basis of local government. Their parish council is extremely concerned that the change represents an increase in the power of bureaucracy and a reduction in local accountability.
- Informal meetings on various WSCC proposals in our local areas before the whole County implement will be a good thing.
- The information given by the County Council, Councillors and Officers at CLCs has been useful to report back to my Parish Council, but many items we have been dictated to as this has been decided without apparently any contact with the local Parish Council or even the District Council.
- The county councillor for our area is good at keeping parishes informed.
- The new format will hopefully give local areas more of a voice.
- I am happy that CLCs may disappear. The replacement forum could be a better option.

### **3. Feedback from Arun District Council**

Shaun Gunner, Leader of the Council:

As Leader of Arun District Council I have consulted with other Group Leaders and the response of the Council is as follows:

There is a recognition that only some of the original purposes of the JAACs are still relevant, particularly now that the Community Initiative Fund has been removed and that the meetings have limited 'added value' at this time. However, the opportunity for local people to have direct contact with Councillors in all three tiers of local government via the 'talk with us' sessions is seen to be particularly important. We are also aware that in the past the forum has also been used by members of the public and Parish councils to ask questions of WSCC and ADC when they have been uncertain where to go on community issues. These questions may well have been answered outside the regular meetings, but it has been an important 'other route' for a number of people. We are keen therefore to understand exactly how you see an informal forum working and how you would include District Councillors if necessary.

Traffic management is a subject of great interest to local people and they, along with District Councillors are keen to maintain an input to these sometimes complicated decisions. District Councillors are also often the first 'port of call' for local residents concerned about such matters. Your e-mail makes it clear that traffic management plans will not be part of the new informal local area forums, in which case we feel strongly that there must be an alternative way for local residents and Arun Councillors to be consulted and have their say about local proposals. JAACs have been used in the past to deliver presentations, prior to decisions, on particular schemes for members of the public and councillors and we are unclear as to the mechanism for doing this in the future.

It is unfortunate that we have been given very little information about future

arrangements and how you see them working in practice, alongside very little time to have a proper discussion at District level. I trust that WSCC will take on board the views expressed here and we look forward to hearing more about how the new arrangements will work and how they (or other arrangements) will take account of our concerns.



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**Governance Committee****28 June 2021****Review of Constitution****Report by Director of Law and Assurance****Electoral division: Not applicable**

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**Summary**

The Council's Constitution explains how the Council's business is organised and how decisions are made. An officer review has been undertaken in recent months to identify any updates required or where improvements could be made to terminology.

**Recommendations**

- (1) That the proposed changes to the Constitution set out in Appendix 1 be endorsed for submission to the Council for approval on 16 July 2021; and
  - (2) That the proposed changes to the Constitution set out in Appendix 2 be approved.
- 

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

- 1.1. The aims and purpose of the Constitution are to:
  - explain clearly how the County Council works - its system of governance
  - describe the different roles and responsibilities of members and officers
  - describe how decisions are made and recorded
  - describe how decision makers are held to account
  - set out the standards and principles which govern the Council's business.
- 1.2 The Constitution was fully revised in 2017/18 and the County Council agreed a revised version in July 2018. It is kept under review and a number of officer reviews have been undertaken in recent months to look for opportunities to update or improve the content. This has led to the development of Appendices 1 and 2, which contain proposed amendments to the Constitution.

**2 Proposal details**

- 2.1 Appendix 1 contains changes due to reasons as set out below.
- 2.2 **Streamlining Council Processes** – Changes are proposed to Standing Orders on written questions and notices of motion. For written questions, it is a suggested minor change to emphasise the need for questions to avoid

duplicating other parts of the agenda and to be proportionate when considering officer time in providing answers. For notices of motion, it is proposed that the Standing Orders should set out an expectation that up to two motions should be debated at each Council meeting, to help manage other business, giving more time for other debates and question time. The proposed changes are found in Part 4 Section 1 of the Constitution.

- 2.3 **Updating Terminology** – changes are proposed to remove obsolete references to senior advisers to cabinet members and differentiation in the size of political groups. These terms were used in the previous Members' Allowance Scheme. The new Allowances Scheme, that took effect in May 2021, simply refers to 'Advisers to Cabinet Members' and 'minority group leaders'. The proposed changes are to be found in Part 2, Part 3 Appendices 1, 2, 5, 15 and Part 4 Section 1 of the Constitution.
- 2.4 Further updates to terminology are to update the names of policies in the terms of reference of the Standards Committee in Part 3, Appendix 6 and to remove reference to the former Culture Board in the terms of reference of the Governance Committee in Part 3, Appendix 7.
- 2.5 **Clarification of Risk Responsibility** – A review undertaken by the Risk Manager has proposed clarifying the roles of different member groups on risk responsibility. These are to be found in the proposed changes to Part 3, Appendices 2, 5 and 8. They seek to clarify the role of the Regulation, Audit and Accounts Committee in overseeing the risk management arrangements and reviewing the Risk Strategy, whilst the Cabinet's responsibility is to actively consider and be assured in the effective management of risks and to be subject to scrutiny by the scrutiny committees in this task.
- 2.6 **Good governance review developments** – The work of the Good Governance Review at the County Council resulted in the Cabinet meeting more frequently. An update to Part 2 of the Constitution is recommended to reflect this. The basis for contributions from non-cabinet members is also clarified. It has also looked at the effectiveness of the role of scrutiny at the County Council. A number of changes are proposed to the scrutiny committee terms of reference to make them more succinct and clearer, taking the terms of reference for the newer Fire & Rescue Services Scrutiny Committee as a model for the others. These proposed changes are to be found in Part 3, Appendix 8. This is updating terminology, clarifying the role and focus of scrutiny so that it is clear which cabinet member is scrutinised by which scrutiny committee, using common terms of reference rather than specific items (save for the Health and Adult Social Care Scrutiny Committee). Points of more substance are set out below.
- 2.7 **Performance and Finance scrutiny overview and work programme** – It is proposed to remove the oversight role and the requirement for the Performance and Finance Scrutiny Committee to consider the work programmes of other scrutiny committees and the requirement to recommend the programme to Council for approval. It is considered that this will streamline the process and will give more ownership of work programmes to the individual scrutiny committees. It should also enable the Performance and Finance Scrutiny Committee to focus more time on its area of business. The proposed changes are set out in Part 3, Appendix 8 and Part 4 Section 1.

- 2.8 **Highways Scrutiny** – It is proposed to rename the Environment and Communities Scrutiny Committee the 'Communities, Highways and Environment Scrutiny Committee, simply to reflect this major service within the name of the committee which scrutinises it. This is shown in Part 3, Appendix 8.
- 2.9 **Receipt of call-in request** – It is proposed to change the recipient of call-in requests from the statutory scrutiny officer (the Head of Democratic Services) to the Monitoring Officer (the Director of Law and Assurance). This is to reflect that in practice, most requests are sent directly to the Monitoring Officer, who has the role of determining them. This proposal is set out in Part 4 Section 1.
- 2.10 **Regulation 11 urgent decision-making** – The rules to reflect the Executive Decision-Making Regulations 2012 have been reviewed and it is proposed to make it clear that the usual decision-maker for an executive decision can take a Regulation 11 decision, rather than it having to be taken by an officer, as is the case with other urgent actions. This clarification is proposed in Part 4 section 1.
- 2.11 **External auditor reporting to County Council** – The recent Redmond Review into local authority audit arrangements made a number of recommendations, including that a Council's external auditor, should make an annual report to a full Council meeting on its annual audit opinion, in the form of a letter for Council to consider and note. In anticipation of this becoming a requirement, the County Council's external auditor, EY, has asked for the Council to work this into its Constitution in time for October 2021, the first time that EY is likely to need to report to Council. The proposed change to the Constitution is set out in Part 4, Section 1.
- 2.12 **ACCESS Joint Committee** – In practice, since the setting up of the ACCESS Joint Committee, the Chairman of the Pensions Committee has acted as the County Council's representative. It is proposed to formalise this arrangement as set out in Part 3, Appendix 7. The arrangements for the ACCESS Joint Committee have been reviewed and revisions have been jointly agreed. A number of subsequent revisions are therefore set out in Part 3, Appendix 22.
- 2.13 **Clarification of Pensions responsibilities** – The Pensions Team has reviewed the current wording of the scheme of officer delegation in relation to pensions matters. They propose that the responsibilities should be clarified to differentiate between the County Council as an employer of pension scheme members and separately as the administering authority on behalf of the 200 organisations that are part of the West Sussex Local Government Pension Scheme. The clarifications are set out in Appendix 2 to the report. The Committee is able to approve this change.

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

- 3.1 Not applicable.

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

- 4.1 Specialist officers (including the external auditor) have advised as set out above. The 'good governance' review, which has engaged both officers and elected members since the start of 2020 has also informed the reviews of the constitution.

## **5 Finance**

- 5.1 There are no revenue or capital budget consequences.

## **6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Out of date terminology can cause uncertainty about decision-making authority and can lead to errors.	These updates to the Constitution will ensure that up to date terminology is used.
Unclear scrutiny arrangements can cause uncertainty about decision-making authority and appropriate scrutiny, which can lead to errors.	These proposed updates to the Constitution will ensure that there is more clarity about arrangements.

## **7 Policy alignment and compliance**

- 7.1 Making the proposed changes will improve clarity in a number of areas in the Constitution, which will help to encourage compliance with its provisions.

Tony Kershaw

**Director of Law and Assurance**

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## **Appendices**

Appendix 1 – General changes to Constitution for recommendation to the County Council

Appendix 2 – Proposed changes to officer scheme of delegation.

## **Background papers**

None

## Proposed Changes to the Constitution

(additions shown in bold, italic text with deletions struck through)

### Changes to Part 2

(Updating Cabinet meeting frequency and removing obsolete reference to senior advisers)

- 2.07 When major decisions are to be discussed or made, these are published in the Cabinet's Forward Plan insofar as they can be anticipated. Formal meetings of the Cabinet **are held monthly and** ~~which are infrequent and held mainly around the time of the budget in January each year~~ are open to the public except where exempt or confidential matters are being discussed. The Cabinet and Cabinet Members have to make decisions which are in line with the County Council's overall policies and budget. If they wish to make a decision which is outside the budget or Policy Framework, this must be referred to the County Council as a whole to decide.
- 2.08 The Cabinet and Cabinet Members are assisted in their work by advisers ~~and senior advisers~~ to cabinet members and cross-party executive task and finish groups, which provide advice to a Cabinet Member in relation to the development of commissioning plans or plans for service provision, or such other service-related proposal as the Cabinet Member decides. The terms of reference and the membership of an executive task and finish group is decided by the Cabinet Member and published to all members. The output from such work will also be available to all members.

## Changes to Part 3 – Responsibility for Functions

### Appendix 1 – Cabinet

(removal of obsolete differentiation in minority group leader size)

10. The leaders of each of the ~~large and medium~~ minority groups of the Council shall be invited to attend any meeting of the Cabinet and may speak for up to three minutes on any item **for decision** on the agenda.

### Appendix 2 – Cabinet Members

(removal of obsolete reference to senior advisers and clarification of risk responsibility)

- 1.6 Cabinet members may be supported by advisers ~~or senior advisers~~ and by cross-party executive task and finish groups, which provide advice to a cabinet member on service-related matters. The terms of reference and the membership of an executive task and finish group are decided by the Cabinet Member and published to all members. Task and finish groups will operate for a time-limited period set by the Cabinet Member. The output of their work will be available to all members save in exceptional cases.
- 1.7 ~~An senior~~ adviser shall be appointed to advise and lead on the support to the Cabinet Member in relation to the County Council's responsibilities as the Fire and Rescue Authority.
- 3.1 The collective responsibilities of the Cabinet are as follows:
  - ❑ Co-ordinating priorities and policies across the County Council
  - ❑ Assurance and performance management of Council Plan and budget (Revenue and capital), **seeking assurance that corporate risk is effectively managed**
  - ❑ Development of future Council Plan and the budget, policies and programmes to achieve it
  - ❑ Ensuring value for money and co-ordinated external bidding
  - ❑ Climate Change Strategy
  - ❑ The West Sussex Economy
  - ❑ Co-ordinating communications, lobbying
  - ❑ Customer service and providing a focus for community leadership
  - ❑ Ensuring co-ordinated and effective partnership working
  - ❑ Representing and promoting the reputation of the County Council
  - ❑ Ensuring sound democratic systems, effective scrutiny and local member engagement
  - ❑ Fire and Rescue Authority functions except where delegated to the relevant Cabinet Member or Chief Fire Officer.

## Appendix 4 - Proper Officers Functions Designated by the County Council

(Correction of missing designation of Proper Officer)

### Highways Act 1980

Section	Subject	Proper Officer
S59	Issuing certificates associated with the recovery of expenses due to extraordinary traffic	Director of Highways, Transport and Planning
S96	Signing consents to plant in the highway	<b>Director of Highways, Transport and Planning</b>
S115B&E	Approving and issuing public notices for the installation of public seats and notice boards in the highway	Director of Highways, Transport and Planning
S142	Signing licences to plant in the highway	Director of Highways, Transport and Planning

## Appendix 5 – Regulation, Audit and Accounts Committee

(clarification of risk responsibility and removing obsolete reference to senior adviser)

12. To agree revisions to the County Council's Standing Orders on Procurement and Contracts, Financial Regulations and Risk Management Procedures.
13. To oversee the production of the County Council's Annual Governance Statement and to recommend its adoption.
14. To monitor the effective development and operation of risk management, **including annually agreeing the Council's risk approach as detailed in the Risk Management Strategy.** ~~in the County Council.~~

### Explosives Act Applications Panel

A sub-committee of the Regulation, Audit and Accounts Committee comprising the Chairman of the Regulation, Audit and Accounts Committee, an Adviser ~~or Senior Adviser~~ to the Cabinet Member for Community Support, Fire and Rescue and the local member of the County Council for the application site. Quorum is three.

## **Appendix 6 – Standards Committee**

(updating terminology of policies)

10. To advise the County Council on any aspects of Standing Orders relating to conduct, or otherwise on propriety including the Code of Practice on Probity in Planning, Protocol on Relationships between Members and Officers, ~~Protocol for Use of IT~~ **Policy for** Equipment Supplied to Members, Code of Practice on Publicity, Guidance on Propriety and Official Conduct for Officers and ~~Confidential Reporting~~ **Whistle Blowing** Policy (~~Whistle Blowing~~).

## **Appendix 7 – Governance Committee**

(updating terminology)

21. To receive a report on staffing matters twice a year and a report on the output of the Culture Board once a year.



## **Appendix 7 - Pensions Committee**

(confirming arrangements for appointing a member to the ACCESS Joint Committee)

### **Constitution**

A sub-committee of the Governance Committee comprising seven members of the County Council and three representative members.

Quorum: Five members, the majority of whom must be members of the County Council

### **Note:**

The three representative members will comprise the following:

- One representing the borough and district councils
- One representing the scheduled bodies
- One representing members.

It is not part of the Administering Authority's remit to administer the selection process for the borough and district, scheduled body or employee members sitting on the Pensions Committee or to ensure their attendance at meetings, unless they wish to do so, but instead to determine what sectors or groups are to be invited to sit on the Pensions Committee and to make places available.

However, as far as possible, employer representatives should have a democratic mandate in addition to the mandate from their governing body or equivalent.

The term of office of representative members will be equivalent to the length of the election cycle of the body of which they are an elected member. The usual maximum length of committee membership will be three terms.

***The Chairman of the Pensions Committee will be the Council's main representative on the ACCESS Joint Committee.***

### **Terms of Reference**

To exercise the powers and duties of the County Council in its capacity as Administering Authority in relation to the Local Government Superannuation Acts and Regulations made thereunder including to be responsible for:

1. Appointment of professional and specialist investment advisers and managers on a consultancy basis.
2. Consideration of the recommendations of the advisers and managers including the Fund's investment strategy.
3. Determination of the Pension Fund's investment strategy and oversight of the delivery of the strategy.
4. Consideration of and response to the recommendations of the LGPS ACCESS Joint Committee.
5. Consideration of and response to key scheme governance, funding and administration issues, including responses to statutory consultations.

6. Monitoring the Fund's performance.
7. Ensuring that arrangements are in place for consultation and communication with stakeholders as necessary.
8. Establishing member groups to review aspects of investment strategy or to undertake work on key themes and to report back to the Committee.
9. Consideration of the work of the Regulation, Audit and Accounts Committee with regards to the Pension Fund accounts, internal and external auditors' reports, development and operation of risk management and approval of changes to anti-fraud and corruption strategy.
10. ***To appoint a substitute representative for the ACCESS Joint Committee.***

**Note:**

1. Standing Orders relating generally to committees shall apply to the Pensions Committee, subject to a quorum of five members, the majority of whom must be County Council members.
2. To meet quarterly or as required.
3. Members of the Pensions Committee are required to acquire and maintain an appropriate level of expertise, knowledge and skills as set out by CIPFA in order to remain members of the Committee.

## Appendix 8 – Scrutiny Committees

(updating and simplifying terminology, clarifying risk responsibilities and to streamline scrutiny work programme approval process)

***Scrutiny committees complement the work of the Cabinet and Cabinet members, acting as a democratic check and balance to executive decision-making. They monitor the plans and decisions of the Cabinet, can 'call-in' and scrutinise proposals which have not yet been implemented. They may also choose to or be invited by the Cabinet to advise on emerging proposals and the development of policy. There are five scrutiny committees:***

- Performance and Finance Scrutiny Committee (***see terms of reference at Appendix 8A***)
- Health and Adult Social Care Scrutiny Committee (***see terms of reference at Appendix 8B***)
- Children and Young People's Services Scrutiny Committee (***see terms of reference at Appendix 8C***)
- Communities, ***Highways*** and Environment Scrutiny Committee (***see terms of reference at Appendix 8D***)
- Fire and Rescue Service Scrutiny Committee (***see terms of reference at Appendix 8E***)

~~Their constitutions and terms of reference are set out in the Appendices. Each committee shall undertake **scrutiny of the Cabinet portfolio areas set out in the table below (full details of [Cabinet portfolio responsibilities](#) are contained in Appendix 2)**. the functions set out below in respect of those items relevant to the Scrutiny Committee's specific service area.~~

Each **scrutiny committee** shall have no more than 12 County Council members with the exception of the Performance and Finance Scrutiny Committee which will have 15 members to include the other ~~Select~~ **scrutiny committee** chairmen where compliant with rules on political proportionality following confirmation of their appointment at the next meeting of the County Council. The members of each **scrutiny committee** shall be appointed, having taken into account the following guiding principles:

- That the member has an interest in the business of the Committee.
- That the member is able to devote the time needed to undertake the work of the Committee.
- That the member remains free to serve on scrutiny or executive task and finish Groups.
- Four of the members of the Performance and Finance Scrutiny Committee shall be the four members who are at any time the chairmen of the other four Scrutiny Committees, providing that this can be accommodated in line with political proportionality for that committee.

~~A list of Scrutiny Committees is below, including areas of responsibility:-~~

<b>Scrutiny Committee</b>	<b>Area of scope for scrutiny Responsibility</b>
Performance and Finance	<p><b>Leader's portfolio</b>  <b>Finance and Property portfolio</b>  <b>Support Services and Economic Development portfolio</b></p> <p><del>Strategic overview of scrutiny process; Leader's portfolio; general strategy issues; Partnership Working; County Local Committees; IT and Customer &amp; Community Access; Finance; Property; Procurement; Human Resources Strategy; Performance Management; Equality and Diversity; Law and Governance; Communications; Media &amp; Marketing; Europe liaison; Economic Strategy</del></p>
Health and Adult Social Care	<p><b>Adults' Services portfolio</b>  <b>Public Health and Wellbeing portfolio relating to both adults and children</b></p> <p><del>Adults' Social Care Services; Adults' Safeguarding; Coroner and Mortuaries; Dementia Services; Drug and Alcohol Action; Health and Health Partnerships; Public Health;</del></p> <p>Review and scrutiny of the planning, provision and operation of health services in West Sussex (The health functions of the Health and Adult Social Care Scrutiny Committee arise under Part I of the Health and Social Care Act 2001)</p>
Children and Young People's Services	<p><b>Children and Young People's Services portfolio (apart from public health for children)</b>  <b>Learning and Skills portfolio</b></p> <p><del>Social Services relating to children and young people; Education; Educational Attainment and Skills; Adult Skills and Learning; Youth Services; Youth Justice</del></p>
Communities, <b>Highways</b> and Environment	<p><b>Environment and Climate Change portfolio</b>  <b>Communities, Fire and Rescue portfolio (apart from Fire and Rescue)</b>  <b>Highways and Transport portfolio</b></p> <p><del>Environment; Coast and Countryside Matters (including the South Downs National Park); Rights of Way; Transport Planning and Policy; Highway Infrastructure; Aviation; Public Transport Liaison; Land-use Planning; Minerals and Waste; Fracking; Waste Minimisation; Community Safety; Trading Standards; Gypsies and Travellers; Police Liaison; Registration Services; Arts &amp; Heritage Liaison; Libraries and Archives;; Domestic Violence</del></p>

Scrutiny Committee	Area of scope for scrutiny Responsibility
	Crime and Disorder <b><i>functions of the Crime and Disorder (Overview and Scrutiny) Regulations 2009</i></b>
Fire & Rescue Service Scrutiny Committee	<b><i>Communities</i></b> , Fire and Rescue Service <b><i>portfolio (apart from Communities), including</i></b> Emergency Planning

## Business Planning Groups

Each Scrutiny Committee, except for the Fire and Rescue Service Scrutiny Committee, shall have a Business Planning Group comprising the Chairman and Vice-Chairman of that Committee and three other members. Two of the five members shall be minority group members. The Chairman of the Scrutiny Committee shall be the chairman of the Business Planning Group and the Vice-Chairman of the Scrutiny Committee shall be the vice-chairman of the Group.

The Business Planning Group shall oversee the planning of the Committee's business, ***using the'***. ~~And may identify issues of common interest to other scrutiny committees. It may do this by acting jointly with the Business Planning Group of another scrutiny committee. In doing this, the Business Planning Group will use the '~~[Scrutiny Business Planning Guide and Checklist'](#)~~.~~

The Business Planning Group(s) shall discuss with the relevant Cabinet Member(s) ~~the need for any referral by the Cabinet Member to the Committee for the~~ ***plans for*** undertaking of work relating to the planning of services or their commissioning ***and how that work is best carried out.*** ~~In such circumstances, the Business Planning Group shall decide its terms of reference in discussion with the Cabinet Member(s).~~

The Business Planning Group shall have responsibility for deciding whether an area of work is considered by a ***scrutiny*** Task and Finish Group, ~~The Business Planning Group is responsible for deciding to establish a Task and Finish Group and for defining its~~ outline terms of reference. The Fire and Rescue Service Scrutiny Committee will carry out the establishment of Task and Finish Groups itself.

## Scrutiny Task and Finish Groups

Each Scrutiny Committee may choose to establish from its members or from the whole non-executive membership a cross-party group that will be given the task of undertaking detailed work which falls within its area of ***scope for scrutiny*** ~~responsibility~~. The Scrutiny Committee Business Planning Group will decide the size and membership of the ***Task and Finish*** Group and its outline terms of reference. It will also decide how the outcome of the work of the Group will be reported - to the Committee or direct to the Cabinet Member.

A Task and Finish Group shall comprise no more than seven members (cross party) ~~and the membership shall be decided by the Business Planning Group(s),~~ but it may co-opt such other persons as the Task and Finish Group considers appropriate to the task in hand.

## Agenda Item 6

### Appendix 1

The Chairman of the Task and Finish Group shall be appointed by the members of the Task and Finish Group unless there is an urgent need to progress the initial work, in which case the Business Planning Group will appoint the chairman ~~of the Group~~.

Where the work is related to the business of more than one Scrutiny Committee a Task and Finish Group **may** ~~will~~ be established to undertake the work. The outline terms of reference and reporting lines ~~of the task and finish group~~ will be agreed by the relevant Scrutiny Committee Business Planning Groups co-ordinated by the relevant Scrutiny Committee chairmen.

## Appendix 8A Performance and Finance Scrutiny Committee

### Constitution

15 members of the County Council. Quorum is four.

### Terms of Reference

1. To consider existing policies and the effectiveness of their delivery relevant to the Scrutiny Committee's **area of scope for scrutiny**. ~~specific portfolio and to issues of major strategic importance to the County Council.~~
2. To consider the effectiveness of the Council's arrangements and systems for the management of contracts **relevant to the committee's area of scope** and for the scrutiny of the achievement of such commissioning outcomes as have been determined.
3. ***To undertake the scrutiny of the performance of the Council's services against the agreed outcomes, objectives and measures; including the scrutiny of how effectively relevant corporate and service risks are managed.***
4. To review ***or preview proposed*** decisions of the Executive ***(including officers) within the Committee's area of scope for scrutiny, including call-in.***
5. ~~To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call-in).~~
6. ~~To review the manner in which non-Executive committees take decisions.~~
7. To consider matters referred to the Scrutiny Committee by the Executive.
8. ~~To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
9. ~~To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.~~
10. ~~To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
11. ~~To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.~~
12. ~~In addition to the budget and performance scrutiny responsibilities of its portfolio,~~ **To consider the annual budget and performance framework on a strategic basis at each meeting (rather than the detail of individual portfolios which are the preserve of the individual Scrutiny Committees) and to scrutinise the annual Treasury Management Strategy and performance in delivering it.**
13. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review in relation to its **scope for scrutiny** ~~portfolio~~ for approval as part of the Scrutiny Committee work

programme.

- ~~14. To consider the Scrutiny Committees' suggested programme of work as a whole, its relevance and its resource implications, before proposals are finally recommended to the County Council for approval.~~
15. To **be responsible for** monitor and co-ordinate the Scrutiny Committees' work programme including the resolution of any disputes as to where a piece of **scrutiny** work should be placed **between the scrutiny committees**.
16. To **contribute to** receive annual written reports from Scrutiny Committees on work activity to include outcomes/impacts etc to be used to produce an Annual Scrutiny Report on scrutiny activity during the previous year and endorse the Annual Scrutiny Report for publication.
17. To identify major items of work undertaken by Scrutiny Committees to be reported to meetings of the County Council for debate, with the intention that no more than one item will be reported to any one meeting of the County Council.
- ~~18. 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.~~
- ~~19. To consider any relevant local government matter raised by any member.~~
20. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the County Council's response to a petition in accordance with the Petitions Scheme.
21. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
22. To consider the business plans of the other four Scrutiny Committees and to advise on the establishment of cross cutting Task and Finish Groups as needed for the better discharge of the business of scrutiny **and only** to undertake cross-cutting work in relation to its own areas of responsibilities.
- ~~23. To oversee the effectiveness of arrangements for Scrutiny Task and Finish Groups.~~
24. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.



## Appendix 8B - Health and Adult Social Care Scrutiny Committee

### Constitution

12 members of the County Council and seven members comprising one from each of the borough and district councils (voting on health matters only) and one Local HealthWatch representative (non-voting). Quorum on health matters is five members **of which at least three should be members of the County Council**. Quorum on adult social care matters is three members of the County Council.

### Terms of Reference

1. To consider ~~existing~~ policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific ~~service area~~ **of scope for scrutiny**.
2. To consider and align its business in the context of the Council's ambitions and objectives **in the Council Plan relevant to its area of scope for scrutiny**.  
~~associated with needs and aspirations of the community for later life.~~
3. To discharge the **statutory** Health Scrutiny functions (including power of referral) on behalf of the County Council (see also paragraphs **18 to 26** below).
4. To undertake the scrutiny of the performance of the Council's services against the outcomes, objectives and measures **including the scrutiny of how effectively relevant corporate and service risks are managed**. ~~set through a relevant commissioning process.~~
5. To review **or preview proposed** decisions of the Executive (**including officers**) **within the Committee's area of scope for scrutiny, including call-in**.
- ~~6. To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call-in).~~
- ~~7. To review the manner in which non-Executive committees take decisions.~~
8. To consider matters referred to the Scrutiny Committee by the Executive.
- ~~9. To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
- ~~10. To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.~~
11. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review **or preview**, ~~and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council as part of the Scrutiny Committee work programme.~~
- ~~12. To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
- ~~13. To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.~~

- ~~14. To consider any relevant local government matter raised by any member.~~
15. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the County Council's response to a petition in accordance with the Petitions Scheme.
  16. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
  17. To review and scrutinise any matter relating to the planning, provision and operation of health services in the geographical area covered by West Sussex County Council, the health of the people of West Sussex and matters of general concern affecting the determinants of health for the community of the West Sussex area.
  18. To set up appropriate procedures in accordance with the relevant statutory framework to facilitate the conduct of health review and scrutiny in West Sussex, in consultation with the district and borough councils in West Sussex and with the local NHS bodies.
  19. To make reports and recommendations to local NHS bodies and to West Sussex County Council or any borough or district council in West Sussex on any health matter reviewed or scrutinised by it.
  20. To respond to consultation by any local NHS body with reference to any proposal for a substantial development of the health service in the area of West Sussex or for a substantial variation in the provision of such service with the exception of urgent proposals as defined in Regulation 23 (2) of the Local Authority (Public health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 and to make comments by the due date specified by the local NHS body referring the matter.
  21. To delegate health scrutiny powers to, appoint members to and agree terms of reference of a joint committee when there is an intention by a local NHS body to consult on a substantial variation or development to health services that extends beyond West Sussex.
  22. To report to the NHS body(ies) or to the Secretary of State in writing in any case where the Committee is not satisfied that
    - (a) consultation on any proposal has been adequate in relation to content or time allowed; or
    - (b) that the reasons given by the local NHS body for failing to consult because of urgency are not adequate.
  23. To report to the Secretary of State in writing on any such proposals as are referred to above which it considers would not be in the interests of the health service in the area of West Sussex.
  24. To take such other steps as may be appropriate including requiring the attendance of officers of local NHS bodies and other relevant people to attend the Committee and take steps to obtain appropriate information and

explanations as may be appropriate to enable the Committee to discharge its functions effectively.

25. To delegate health scrutiny powers to one or more West Sussex borough and district councils whether or not they are acting jointly with the County Council when exercising its health scrutiny powers or to another county or unitary, borough or district council. To agree the terms of reference for any delegation and, in the case of any joint committee, to appoint members from the Committee.
26. To make such recommendations to the County Council as it sees fit as to the constitution of the Committee within the statutory framework.
27. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

**Note:**

A local NHS body is any body or organisation which provides, or arranges for the provision of, or performs any management function in relation to, NHS services to persons residing within West Sussex.

## **Appendix 8C Children and Young People's Services Scrutiny Committee**

### **Constitution**

12 members of the County Council and four nominated members (voting). Quorum on education matters is four ***of which at least three should be members of the County Council***. Quorum on social care matters is three members of the County Council.

### **Note:**

The four nominated (voting on education matters only) members on the Children and Young People's Services Scrutiny Committee will comprise the following representatives:

Two parent governors

One from the Church of England Diocese of Chichester

One from the Roman Catholic Diocese of Arundel and Brighton

The term of membership of parent governor representatives will be four years. Where a 'casual' vacancy is filled, the new representative will be appointed for the remainder of the term.

### **Terms of Reference**

1. To consider ~~existing~~ policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific ~~service area~~ ***of scope for scrutiny***.
2. To consider and align its business in the context of the Council's ambitions and objectives ***in the Council Plan relevant to its area of scope for scrutiny***. ~~associated with needs and aspirations of the community for the start of life.~~
3. To undertake the scrutiny of the performance of the Council's services against the outcomes, objectives and measures ***including the scrutiny of how effectively relevant corporate and service risks are managed***. ~~set through a relevant commissioning process.~~
4. To review ***or preview proposed*** decisions of the Executive (***including officers***) ***within the Committee's area of scope for scrutiny, including call-in***.
5. ~~To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call in).~~
6. ~~To review the manner in which non-Executive committees take decisions.~~
7. To consider matters referred to the Scrutiny Committee by the Executive.
8. ~~To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
9. ~~To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny~~

~~Committee to consider:~~

10. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review, ~~and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council as part of the Scrutiny Committee work programme.~~
- ~~11. To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
- ~~12. To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.~~
- ~~13. To consider any relevant local government matter raised by any member.~~
14. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the County Council's response to a petition in accordance with the Petitions Scheme.
15. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
16. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

## **Appendix 8D – Communities, Highways and Environment Scrutiny Committee**

### **Constitution**

12 members of the County Council. Quorum is three.

### **Terms of Reference**

1. To consider existing policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific service area **of scope for scrutiny**.
2. To consider and align its business in the context of the Council's ambitions and objectives **in the Council Plan relevant to its area of scope for scrutiny** associated with needs and aspirations of the community for the economy of the county.
3. To undertake the scrutiny of the performance of the Council's services against the outcomes, objectives and measures **including the scrutiny of how effectively relevant corporate and service risks are managed**. set through a relevant commissioning process.
4. To review **or preview proposed** decisions of the Executive (**including officers**) **within the Committee's area of scope for scrutiny, including call-in**.
- ~~5. To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call-in).~~
- ~~6. To review the manner in which non-Executive committees take decisions.~~
7. To consider matters referred to the Scrutiny Committee by the Executive.
- ~~8. To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
- ~~9. To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.~~
10. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review, and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council as part of the Scrutiny Committee work programme.
- ~~11. To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
- ~~12. To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.~~
- ~~13. To consider any relevant local government matter raised by any member.~~
14. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the County Council's response to a petition in accordance with the Petitions

Scheme.

15. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
16. To hold an annual meeting to scrutinise the work of the County Council and partner organisations in tackling crime and disorder.
17. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

## **Appendix 8E - Fire & Rescue Service Scrutiny Committee**

### **Constitution**

7 members of the County Council. Quorum is three.

### **Terms of Reference**

1. To consider policies and the effectiveness of their delivery for the County Council's responsibilities as Fire and Rescue Authority for the County.
2. To plan and carry out its business in the context of the Council's ambitions and objectives associated with needs and aspirations of the community in relation to fire and rescue functions and associated responsibilities.
3. To undertake the scrutiny of the performance of the Council's fire and rescue services against the outcomes, objectives and measures, ***including the scrutiny of how effectively relevant corporate and service risks are managed.*** ~~set by the Council.~~
4. To consider developing policies, proposals or decisions of the Executive in relation to fire and rescue responsibilities.
5. To review ***or preview*** proposed decisions of the Executive ***(including key decisions under delegated powers made by officers) within the Committee's area of scope for scrutiny, including*** ~~on behalf of the Executive (call-in).~~
6. To consider matters referred to the Committee by the Executive.
7. To consider a programme of work which the Committee believes is in the interests of the County Council, ~~and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council.~~
8. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) and to consider a request for a review of the County Council's response to a petition in accordance with the Scheme.
9. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
10. To encourage members individually or in a group to lead on specific topics within the Committee's remit, as agreed by the Committee.



### **Part 3, Appendix 15 – Health and Wellbeing Board**

(removal of obsolete reference to senior adviser)

Constitution - West Sussex County Council

- Cabinet Members whose portfolio responsibilities include:
  - Community Development
  - Health and Adults' Services
  - Children and Families

Note: the relevant ~~Senior~~ Adviser may attend in place of the Cabinet Member

## **Appendix 22 – Local Government Pension Scheme ACCESS Joint Committee**

### **Constitution of the Joint Committee**

#### **Part 1 Membership**

1. The Joint Committee shall consist of one elected councillor appointed by each Council. The member so appointed must, at the time of the appointment, be an elected councillor serving as a member of the Committee of a Council which discharges the functions of that Council as pension administering authority.
2. Each Council may appoint a substitute. Any substitute must meet the eligibility requirements in paragraph 1. The substitute may attend any meeting of the Joint Committee or any of its sub-Committees in place of that authority's principal member if notice that the substitute will attend is given to the Secretary of the Joint Committee by the Council concerned.
3. Where a substitution notice is in effect with respect to a particular member at a particular meeting, the substitute shall be a full member of the Joint Committee for the duration of the meeting in place of the principal member.
4. Each Council may remove its appointed member and appoint a different member by giving written notice to the Secretary to the Joint Committee.
5. Each appointed member shall be entitled to remain on the Joint Committee for so long as the Council appointing them so wishes, but shall cease to be a member if he or she ceases to meet the eligibility criteria in paragraph 1 or if that Council removes the appointed member.
6. Any casual vacancies will be filled as soon as reasonably practicable by the Council from which such vacancy arises by giving written notice to the Secretary to the Joint Committee or his or her nominee.
7. The Joint Committee may co-opt any other person whom it thinks fit to be a non-voting member of the committee. The Joint Committee may from time to time make rules as to:
  - 7.1 Registration and declaration of interests by co-opted members.
  - 7.2 Standards of behaviour required to be observed by co-opted members when acting as such.
8. The Chairman of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Chairman of the Joint Committee shall hold that office until ***another member is appointed.*** ~~their replacement is appointed which shall be at the first meeting to take place after the second anniversary of their appointment.~~ ***The appointment of the Chairman shall take place every two years, beginning with the Commencement Date with***

***subsequent appointments falling not later than the first meeting of the Joint Committee following the annual meetings of the Councils in the relevant years.***

9. The Vice-Chairman of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Vice-Chairman of the Joint Committee shall hold that office until their replacement is appointed. ~~which shall be at the first meeting to take place after the second anniversary of their appointment.~~ ***The appointment of the Vice-Chairman shall take place every two years, beginning with the Commencement Date with subsequent appointments falling not later than the annual meetings of the councils in the relevant years.***
10. The Joint Committee may appoint such sub-committees from among its membership as it thinks will help it to enable it to fulfil its remit. The Joint Committee may delegate its responsibilities to such sub-committees. Sub-Committees may co-opt non-voting members.
11. The Joint Committee may set up working groups to advise it on matters within its remit. Such working groups may be formed of members or officers of the constituent ***councils*** ~~authorities~~ or any other third party as the Joint Committee sees fit. Such working groups are advisory only and the Joint Committee may not delegate its responsibilities to such working groups.
12. Each member of the Joint Committee and any Sub-committee shall comply with any relevant code of conduct of their Council when acting as a member of the Joint Committee.
13. The Chairman may direct the Secretary to call a meeting and may require any item of business to be included in the summons.
14. Any 5 members of the Joint Committee may by notice in writing require the Chairman to call a meeting to consider a particular item of business and if the Chairman fails to do so within 20 working days of receipt of the notice then those 5 members may direct the Secretary to call a meeting to consider that business.
15. The Committee may, if the law permits, arrange for attendance at meetings via video conferencing. Any such attendance shall be in accordance with the law and any other requirements imposed by the Joint Committee from time to time.

## **Part 2 Proceedings**

### **16. Time and Place of Meetings**

- 16.1** The Joint Committee will meet at least four times each year. All meetings of the Joint Committee will take place at a suitable venue and at a time to be agreed by the Councils.

***16.2 Any Section 151 Officer of Monitoring Officer is entitled to attend all parts of all meetings of the Joint Committee or of any sub-committee appointed by the Joint Committee.***

**17. Notice of and Summons to Meetings**

The Secretary to the Joint Committee will give notice to the public of the time and place of any meeting in accordance with Part VA of the Local Government Act 1972. At least five clear days before a meeting, the Secretary to the Joint Committee will send a summons by email and if a member so requests by post to every Member at their last known address. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

**18. Chairing of Joint Committee**

The Vice-Chairman shall preside in the absence of the Chairman. If there is a quorum of members present but neither the Chairman nor the Vice-Chairman is present at a meeting of the Joint Committee, the other members of the Joint Committee shall choose one of the members of the Joint Committee to preside at the meeting.

**19. Quorum**

19.1 The quorum of a meeting will be at least 8 members who are entitled to attend and vote.

19.2 If there is no quorum present at the start of the meeting the meeting may not commence. If after 1 hour from the time specified for the start of the meeting no quorum is present then the meeting shall stand adjourned to another time and date determined by the Secretary.

**20. Voting**

**20.1 Majority**

Each elected member shall have one vote. Co-opted members will not have a vote. Any matter will be decided by a simple majority of those members of the Councils represented in the room at the time the question is put. In the event of equality of votes the person presiding at the meeting will be entitled to a casting vote under paragraphs 39(1) and 44 of Schedule 12 of the Local Government Act 1972.

**20.2 By Substitutes**

The member appointed as a substitute shall have the same voting rights as the member for whom he or she is substituting. Where notice of substitution has been given for a particular meeting the principal member may not vote unless the notice of substitution is withdrawn before the start of the meeting.

### 20.3 **Show of hands**

The Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### 20.4 **Recording of individual votes**

The minutes of the meeting shall record how a member of the Committee voted on a particular question if, at the time that the vote is taken or immediately thereafter, that member asks the Secretary or his or her representative at the meeting to record his vote.

## 21. **Minutes**

22.1 The Secretary to the Joint Committee shall arrange for written minutes to be taken at each meeting of the Joint Committee and shall present them to the Joint Committee at its next meeting for approval as a correct record. At the next meeting of the Joint Committee, the Chairman shall move that the minutes of the previous meeting be signed as a correct record. If this is agreed, the Chairman of the Joint Committee shall sign the minutes. ~~The only part of the minutes that can be discussed is their accuracy.~~

22.2 Draft minutes or a summary of the decisions taken at the meeting and a note of the actions arising shall be circulated to the Committee and to each Council by email no later than 7 days after the date of the meeting.

22.3 Minutes of the meeting shall be published by the Host Authority to the extent required by Part VA of the Local Government Act 1972.

## 22. **Access for elected members of the Councils**

Any elected member of the Councils who is not a member of the Joint Committee may speak at a meeting of the Joint Committee if the Chairman of the Joint Committee invites him or her to do so but an elected member of the Councils who is not a member of the Joint Committee shall not be entitled to vote at a meeting of the Joint Committee.

## 23. **Public Access**

Meetings of the Joint Committee shall be open for members of the public to attend unless the Joint Committee determines that it is necessary to exclude members of the public in accordance with Part VA of the Local Government Act 1972 or the Joint Committee determines that it is necessary to close the meeting to the public because of a disturbance.

23.1 Copies of the agenda for meetings of the Joint Committee and any reports for its meetings shall be open to inspection by members of the public at the offices of the Councils with the exception of any report which the Secretary to the Joint Committee determines relates to items which in his or her opinion are likely to be considered at a time when the meeting is not to be open to the public.

24. If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will arrange for their removal from the meeting room and will suspend the meeting until the member of the public has left or been removed.
25. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.
26. **Overview and Scrutiny**
  - 26.1 Each Council has overview and scrutiny committees which have the right to scrutinise the operation of the Joint Committee and the Joint Committee and the Host Authority will co-operate with reasonable requests for information from any of the Councils' overview and scrutiny committees.
  - 26.2 The decisions of the Joint Committee are not subject to call-in.
27. **Regulation of Business**
  - 27.1 Any ruling given by the Chairman as to the interpretation of this constitution with respect to the regulation of proceedings at a meeting shall be final.
  - 27.2 Subject to the law, the provisions of this Constitution and the terms of any contract, the Joint Committee may decide how it discharges its business.

## **Terms of Reference**

### **Part 1 – Operating the Pool and Taking Advice**

1. ***The Joint Committee shall consult with and consider the advice of the Section 151 Officers Group (and, where requested, the Monitoring Officers and from appropriate professional advisers) in discharging its functions, recording, if appropriate, where such advice is not followed and the rationale for not doing so. It may decide to procure such professional advisers on such terms as it thinks fit. Accordingly, any procurement of advisers must comply with the constitution of the Council designated to undertake the procurement and that Council will enter into a contract with the appointed adviser on behalf of the Councils.***
2. ***The Joint Committee shall decide which functions shall be performed by the ASU.***
3. ***The Joint Committee shall at all times have regard to the principles set out in Schedule 1.***

### **Part 2 - Functions in relation to the Operator(s)**

1. **Specifying Operator services:** Deciding, in consultation with the Councils, the specification of services and functions that **each** the Operator will be required to deliver including the sub-funds and classes of

investments required to enable each Council to execute its investment strategy.

2. **Procuring *an* the Operator:** agreeing the method and process for the procurement and selection of the ***one or more*** Operators.
3. **Appointing *an* the Operator:** Making a recommendation to the Councils as to the identity of the ***each*** Operator and the terms upon which the ***each*** Operator is to be appointed.
4. **Reviewing the Performance of the Operator:** Keeping the performance of the ***each*** Operator under constant review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the **ASU Officer Working Group** to enable it to do so including but not limited to:
  - 4.1 the performance of the ***an*** Operator against its contractual requirements and any other performance measures such as any Service Level Agreement (SLA) and key performance indicators (KPIs) and officer ~~Working Group~~ recommendations on any remedial action;
  - 4.2 sub-fund investment performance;
  - 4.3 investment and operational costs including the annual review of investment manager costs;
  - 4.4 performance against the strategic business plan agreed by the Councils.
5. **Managing the Operator:** The Joint Committee shall:
  - 5.1 Make recommendations to the Councils on the termination or extension of the Operator ***Agreements, Contract; and***
  - 5.2 Make decisions about any other action to be taken to manage the Operator ***Agreement Contract*** including the giving of any instruction or the making of any recommendation to the ***relevant*** Operator including but not restricted to recommendations on investment managers (within any regulatory constraints that may apply), ***and***
  - 5.3 ***Make recommendations to the councils about appropriate arrangements to replace an Operator Agreement on its termination.***
- ~~6. **Appointment of Advisers**~~
  - ~~6.1 The Joint Committee may appoint such professional advisers on such terms as it thinks fit. Any procurement of advisers must comply with the constitution of the Authority designated to undertake the procurement and that Authority will enter into a contract with the appointed adviser on behalf of the Authorities.~~

- ~~6.2 The Joint Committee shall decide which tasks shall be performed by the Client Unit and which Council shall manage the Client Unit including the employment arrangements for employees in the Client Unit.~~

***(all paragraphs renumbered from here)***

### **Part 3 2-Functions in relation to management of Pool Assets**

6. The Joint Committee shall make recommendations to the Councils on the strategic plan for transition of assets that are to become Pool Assets.

### **Part 4 3-Functions Concerning Pool Aligned Assets**

7. ***The Joint Committee shall make*** making recommendations to the Councils about Pool Aligned Assets (including proposals concerning the migration of investments such as passive investments via life fund policies to become Pool Aligned Assets) in accordance with this Agreement or any other delegation to the Joint Committee by the Councils.
8. ***Specifying services of Pool Aligned Assets Provider(s): Deciding, in consultation with the Councils, the specification of Services which any Pool Aligned Assets provider will be required to deliver including the sub-funds and classes of investments required to enable each Council to execute its investment strategy.***
9. ***Procuring a Pool Aligned Assets Provider: Agreeing the method and process for the procurement and selection of one or more Pool Aligned Assets Providers.***
10. ***Appointing Pool Aligned Assets Providers: Making a recommendation to the Councils as to the identity of each Pool Aligned Assets Provider and the terms upon which each Pool Aligned Assets Provider is to be appointed.***
11. ***Reviewing the Performance of a Pool Aligned Assets Provider: Keeping the performance of each Pool Aligned Assets Provider under review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the ASU to enable it to do so including but not limited to:***
- 1.1 The performance of a Pool Aligned Assets Provider against its contractual requirements and any other performance measures such as any Service Level Agreement (SLA) and key performance indicators (KPIs) and officer recommendations on any remedial action;***
- 1.2 Investment performance of the Pool Aligned Assets Vehicle(s) or sub-funds, as appropriate;***
- 1.3 Investment and operational costs including the annual review of investment manager costs;***



**1.4 Performance against the strategic business plan agreed by the Councils.**

**Part 5 4-Functions concerning Business Planning and Budget**

12. ***Having taken account of any advice from the Section 151 Officers Group (or, where relevant, recording the rationale for not following such advice) the Joint Committee shall do the following:***
13. Make recommendations to the Councils about the annual strategic business plan for the Pool.
14. Determine the budget necessary to implement that plan and meet the expenses of undertaking the Specified Functions (insofar as they will not be met by individual transaction costs paid by Councils to the Operator) in accordance with Schedule 5 hereof.
15. Keep the structures created by this Agreement under review from time to time and make recommendations to the Councils about:
  - 11.1 the future of the Pool;
  - 11.2 any changes to this Agreement; and
  - 11.3 as to the respective merits of continuing to procure operator services by means of a third party or by creation of an operator owned by the Councils.

**Part 6 – Functions concerning communications**

16. The Joint Committee ***may agree a protocol for communications in respect of the Pool with third parties, including the LGPS Scheme Advisory Board, other LGPS administering authorities, press relevant government departments.*** ~~is required to commence the first review~~

**Part 7 – Review** ~~of this Agreement by the second anniversary of its first meeting.~~

17. The Joint Committee is required to undertake a review of ~~the Pool and this Agreement:~~
  - 13.1 to be completed 18 months before the expiry of each and every Operator Contract including as a result of the exercise of any option to terminate the Operator Contract,
  - 13.2 whenever a Council gives notice of withdrawal under clause 12 of this agreement,
  - 13.3 ***at such times as a Council may request under clause 11 (Variation of Agreement).***

## Changes to Part 4, Section 1

(removal of obsolete references to senior advisers, adding external audit report to list of County Council reports and clarification of written question and notice of motion expectations. Also includes clarification of Regulation 11 decision-making roles and call-in notification arrangements)

### Extract from the Council (section 2)

- 2.14 The Leader shall appoint the cabinet members and advisers ~~or senior advisers~~ to cabinet members (up to two per cabinet member) on such terms and to such areas of responsibility as the Leader may determine and shall do so in such a manner that enables the County Council to discharge its obligations to take executive decisions under Standing Order 3.02 without undue delay.
- 2.15 Members of the Cabinet may not be members of a scrutiny committee nor County Council appointed members of the West Sussex Joint Scrutiny Steering Group. An adviser ~~or senior adviser~~ to a cabinet member may not be a member of the Scrutiny Committee that deals with his or her Cabinet Member's portfolio.
- 2.22 If a member resigns from his or her political group, his or her resignation carries with it an automatic resignation from any posts to which he or she has been appointed (other than cabinet member or adviser ~~or senior adviser~~ to a cabinet member) in accordance with the wishes of his or her group, unless agreed otherwise by that group, in which case he or she will remain in post until the matter is considered by the County Council.
- 2.23 New item of business to be added to Council - **(s) to receive an annual report from the External Auditor.**

### Written Questions

- 2.38 Subject to the giving of the notice required by Standing Order 2.39, a member may ask a question on any matter in relation to which the County Council has powers or duties or which affects West Sussex (including any matter considered by the Executive, a scrutiny committee or non-executive committee). **The subject** should ~~which is~~ **not already be** ~~otherwise~~ on the agenda for the meeting, and ~~which the Chairman does not~~ **may rule out any considered** to be irrelevant or inappropriate. The question **will be deferred for a later reply** if it involves the expenditure of a disproportionate amount of time or money to prepare the answer.

### Notices of Motion

- 2.45 Except as provided by Standing Order 2.56, every notice of motion shall be in writing, signed by the member giving the notice, and shall be delivered to the Director of Law and Assurance, no later than noon on the seventeenth day before the next meeting of the County Council and no earlier than four weeks before the meeting.

[N.B. The deadline will be before noon on the Tuesday two weeks before that of the meeting, when this is held on a Friday].

- 2.46 A motion may be considered with less than the required notice if the Chairman decides that the matter is urgent i.e. it could not have been anticipated before the deadline for notices of motion, and that the proposer has given as much notice as was practical.
- 2.47 Every notice of motion shall be relevant to some question over which the County Council has power, or which affects the county as such. The Director of Law and Assurance will advise the Chairman accordingly.
- 2.48 The Chairman, in consultation with political group leaders, may decide that a motion shall be:
- (a) moved and debated at the next meeting ***(usually no more than two per meeting unless the Chairman determines otherwise)***;
  - (b) moved and referred to a cabinet member or non-executive committee at the next meeting;
  - (c) moved at a later meeting;
  - (d) moved and referred to a cabinet member or non-executive committee at a later meeting; or
  - (e) dealt with outside the meeting.

#### **Extract on Access to meetings and documents (section 4)**

- 4.35(f) a report of the membership and terms of reference of each scrutiny or executive task and finish group or partnership board established since the last such report and the appointment, nature and duration of role of any advisers ~~or senior advisers~~ to cabinet members;

#### **Extract from Cabinet and Executive Decision-Making (section 5)**

- 5.05 Cabinet members shall comply with a request to attend a meeting of a scrutiny committee to address issues relating to the Cabinet Member's area of responsibility, unless attendance is impracticable in which case any relevant adviser ~~or senior adviser~~ to a cabinet member shall attend or another cabinet member at the discretion of the Leader.
- 5.07(b) may consult an adviser ~~or senior adviser~~ to a cabinet member or an executive task and finish group before deciding a cabinet member matter.

#### **Extract from Special Urgency (Regulation 11) Provisions (section 5)**

- 5.23 If the date by which a decision must be taken and the general exception

provisions cannot be followed, then the decision can be taken urgently **by the usual decision maker (in the absence of a relevant cabinet member, this will be the Leader). The decision can be taken** only if the Director of Law and Assurance or Chief Executive obtains the agreement of

- ~~(a) the usual decision taker (if an individual) or the chairman of the usual body making the decision (in the absence of a relevant cabinet member, this will be the Leader)~~
- (b) the chairman of a relevant scrutiny committee that the taking of the decision cannot be reasonably deferred. If there is no chairman of a relevant scrutiny committee or if the chairman of each relevant scrutiny committee is unable to act, then the agreement of the Chairman of the County Council must be obtained. If there is no chairman of either the relevant Scrutiny Committee or the County Council, agreement must be sought from the Vice-Chairman of the County Council.

- 5.24 As soon as reasonably practicable after the decision maker has obtained agreement under Standing Order 5.23 that the making of the decision was urgent and could not reasonably be deferred, the **Director of Law and Assurance** ~~decision maker~~ must make available at the offices of the County Council and on its website a notice setting out the reasons why the decision was urgent and could not reasonably have been deferred.

#### **Extract from Scrutiny Committees (section 8)**

(to remove obsolete reference to senior adviser and to streamline scrutiny work programme approval)

- 8.19(b) An adviser ~~or senior adviser~~ to a cabinet member;

- ~~8.21 Chairmen of the four service scrutiny committees who are not already members of the Committee may attend and speak at meetings of the Performance and Finance Scrutiny Committee when the scrutiny work programme and annual report are considered.~~

#### **Extract from Call-In Protocol (section 8)**

(to clarify notification requirements)

- 8.29 A member wishing to request the call-in of a proposed decision must notify the **Monitoring Officer** ~~statutory Scrutiny Officer~~ by, at the latest, 5 p.m. on the seventh working day (fifth day for CLC decisions) after the proposal is published via the EDD. The request must be supported by four (including the requester) members of the County Council. The request should be in writing (which includes e-mail), should contain the reason for the request and the outcome being sought. The decision whether to call-in a proposed decision will be taken by the Monitoring Officer or, in his or her absence, the Deputy Monitoring Officer.

## **Proposed Changes to Part 3, Appendix 4 – Scheme of Delegation relating to Pensions Matters**

The changes set out below aim to better differentiate between the Council's pensions responsibilities as an employer and its responsibilities as the administering authority. The majority of changes are moving responsibilities between sections 2S and 2V below, shown by the original numbering being highlighted in bold italic text. The numbering will be revised for the Constitution update if the changes are approved by the Governance Committee.

### **2S Pensions – ~~General~~Employer Role**

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
247	Approval of arrangements for early retirements, subject to adequate budget provision.	Chief Executive	Jointly with Director of Finance and Support Services and Director of Human Resources and Organisational Development
<b>265</b>	To approve a reduction in the value of a member's pension and to recover any financial loss following termination of employment on the grounds of a fraudulent offence or grave misconduct.	Director of Finance and Support Services	
<b>263</b>	To consider an extension of time limit to pay contributions following an authorised leave of absence on reduced or no pay.	Director of Finance and Support Services	
<b>264</b>	To convert scheme Additional Voluntary Contributions into membership credit.	Director of Finance and Support Services	
<b>266</b>	To 'switch on' the 85-year rule in exceptional or on compassionate grounds for pre-1 April 2014 benefits.	Director of Finance and Support Services	In consultation with Cabinet Member for Finance and Property and Director of Human Resources and Organisational Development

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
<b>267</b>	To waive the actuarial reduction on pre-1 April 2014 benefits on compassionate grounds.	Director of Finance and Support Services	With Director of Human Resources and Organisational Development

## **2T Pensions – Fire & Rescue**

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
252	All routine matters arising under the Firefighters', New Firefighters' Pension Scheme and Firefighters' Pension Scheme 2015.	Chief Fire Officer	In consultation with Director of Finance and Support Services
253	To apply the provisions of the Grey Book relating to the sick leave scheme for firefighters and to approve the medical discharge of a firefighter under the terms of the Firefighters', New Firefighters' Pension Scheme and Firefighters' Pension Scheme 2015.	Chief Fire Officer	In consultation with Director of Finance and Support Services
254	To transfer previous pension into the Local Government Pension Scheme and Firefighters' Pension Scheme 2015.	Chief Fire Officer	Jointly with Director of Finance and Support Services
255	To take decisions relating to the exercise of all discretions and matters relating to individual officers under the currently published policy of discretions under the Fire Fighters' Pension Scheme, New Firefighters' Pension Scheme and Firefighters' Pension Scheme 2015.	Chief Fire Officer	In consultation with Director of Finance and Support Services

## **2U Pensions – School Teachers**

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
256	To approve individual cases of schoolteachers for discretionary	Director of Finance and	In consultation with Director of Human

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
	enhancement of early retirement benefits and to agree the amount.	Support Services	Resources and Organisational Development

## **2V Pensions – Local Government Pension Scheme (*Administration Authority*)**

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
257	To take any necessary action between the meetings of the Pensions Committee to implement the policy determined by the Committee in consultation with the chairman of the Committee.	Director of Finance and Support Services	
258	To admit to the West Sussex County Council Pension Fund those organisations which are eligible for scheduled employer status under the Local Government Pension Scheme Regulations where the County Council has no discretion to refuse admission.	Director of Finance and Support Services	
259	To consider and determine requests for admission to the West Sussex County Council Pension Fund by those <del>community admission bodies and transferee admission bodies</del> that meet the definition in the Local Government Pension Scheme Regulations.	Director of Finance and Support Services	
<b>XXX</b>	<b><i>To consider and determine whether to terminate an admission agreement and the management of exiting employers.</i></b>	<b><i>Director of Finance and Support Services</i></b>	
260	All routine matters arising under the Local Government Superannuation Acts, the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 and the Local Government Compensation Regulations and Discretionary Payments Regulations, and all other pension schemes.	Director of Finance and Support Services	

<b>Section/No.</b>	<b>Function</b>	<b>Officer</b>	<b>Form of shared delegation</b>
261	To combine previous pension benefits to current period of scheme membership.	Director of Finance and Support Services	
<b>248</b>	To agree to recover outstanding employee pension contributions by deductions from pension benefits.	Director of Finance and Support Services	
<b>249</b>	To decide on the appropriate course of action if there is any doubt as to the payment of a pension death grant to personal representatives or anyone appearing to be beneficially entitled to the estate without need for grant of probate/letters of administration.	Director of Finance and Support Services	Jointly with Director of Law and Assurance
<b>250</b>	To determine how and to whom benefits may be paid if the recipient is incapable of managing their affairs by reason of mental disorder or otherwise.	Director of Finance and Support Services	Jointly with Director of Law and Assurance
<b>251</b>	To decide on the appropriate course of action if there is any doubt as to whom a death grant is paid.	Director of Finance and Support Services	Jointly with Director of Law and Assurance
262	To transfer previous pension into the Local Government Pension Scheme.	Director of Finance and Support Services	
268	To hear and determine any pension appeal or dispute requiring resolution in accordance with the relevant statutes and regulations for the time being in force in relation to all pension schemes for which the County Council acts as employer or administrator.	Director of Law and Assurance	
<b>XXX</b>	<b><i>To write off irrecoverable LGPS Pension Fund amounts of debt of less than £15,000. (The level to be reviewed every two years with effect from 1 April).</i></b>	<b><i>Director of Finance and Support Services</i></b>	<b><i>(Jointly with Director of Law and Assurance)</i></b>
<b>XXX</b>	<b><i>To authorise financial transactions on behalf of the WSCC Pension Fund.</i></b>	<b><i>Director of Finance and Support Services</i></b>	



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**Governance Committee****28 June 2021****Future Catering Provision for Councillors****Report by Director of Law and Assurance****Electoral division: Not applicable**

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**Summary**

As the staff canteen on the County Hall campus has closed, consideration has been given to whether alternative catering arrangements should be made for member meetings in future, when public health restrictions can be relaxed.

**Recommendation**

- (1) That hot drinks continue to be made available to members through the existing coffee machines; and
  - (2) That sandwich lunches be provided on County Council meeting days and for other meetings when agreed by the Head of Democratic Services in consultation with that meeting's chairman.
- 

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

- 1.1 The Governance Committee was notified in January 2021 that the Martlets Restaurant at the County Hall campus is likely to be closed as part of budget savings (to be confirmed as part of the budget on 12 February). Members discussed whether any catering should be resumed for members when in-person meetings take place again, when it is safe enough to do so.
- 1.2 A survey of all members was undertaken in February 2021 to ask for their opinion about whether catering should be resumed and if so, what level of catering should be provided. The results are attached as Appendix 1.
- 1.3 As Martlets will no longer be able to offer catering, Democratic Services has investigated possible options, including continuing the use of coffee machines at County Hall and obtaining lunches from an external caterer. Alternatively, members could arrange their own catering through bringing refreshments with them or purchasing them from the cafes in Chichester city centre.

**2 Proposal details**

- 2.1 Based on the results of the member survey, the proposal is that both smaller coffee machines will be based in the Members' Office in the reception area,

available for members only. Members may also wish to continue to bring their own refreshments. The third coffee machine will remain in its plumbed-in position in the Cabinet Office. Water will be provided again at meetings when current public health restrictions can be relaxed.

- 2.2 It is proposed that sandwich lunches will be provided by an external caterer in liaison with the Edes House events management team. This will be provided on Council day and for any other meetings that are expected to last most of the day. The Governance Committee is asked to consider whether the sandwich lunch should continue to be provided in Edes House on Council Day, or whether it should be moved to committee rooms 1 and 2, to allow more usage of Edes House for weddings and other income-generating events.
- 2.3 It is suggested that the Head of Democratic Services should agree to the booking of a lunch for any meeting other than full Council, on the recommendation of that meeting's chairman.

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

- 3.1 Members were asked whether the provision of catering should cease altogether. Many members felt that lunch provision helped with networking and noted that if members had to get their own lunches this might mean that break times would need to be extended, constraining business time at meetings.

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

- 4.1 Other County Councils in South East England were consulted on what level of catering is provided for members at their councils. Their responses are set out below.

<b>County Council</b>	<b>Provision</b>
East Sussex	Only provide tea, coffee and tap water at meetings. No lunches are provided apart from exceptional circumstances. Breaks are factored into/between meetings to enable members to get lunch/bring their own. Drinks vending machines are provided.
Essex	Only provide hot drinks in the members' area. Hot lunch five times a year at full Council meetings, but members have to deduct the costs from their allowances. Only water is provided in most meetings.
Hampshire	Only provide tea, coffee and tap water at meetings. Lunches are provided only in exceptional circumstances or for multi-agency meetings being hosted and would consist of a finger-buffet/light refreshments. On full Council days, members make their own lunch arrangements.
Surrey	Only provide water for member meetings. A buffet lunch is provided for full Council meetings, the cost of which is met from members' subsistence.

## 5 Finance

- 5.1 The current budget for member catering is £25,000 per annum. This covers the costs of tea and coffee at meetings, plus lunches for meetings that go significantly into the afternoon. This included the hot two-course lunch on Council day and refreshment at member days and training events.
- 5.2 One coffee machine is fully owned by Democratic Services, the other two are leased at the cost of approximately £180 a year. Supplies for the coffee machines currently cost around £370 per year, but this figure could rise if the machines are used more because of a lack of fresh tea and coffee.
- 5.3 External caterers have indicated that a sandwich lunch with fruit could be provided for around £5 per person. This would be provided for members only and when a meeting going well into the afternoon is deemed to be necessary by the Head of Democratic Services, in consultation with the Committee's chairman.

## 6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Reputational risks if the County Council continues to provide more than other Councils do.	The reduced catering arrangements proposed should mitigate this risk.
Lack of catering provision may lead to worsening attendance or members needing longer lunch breaks, reducing the amount of time for committee business.	The reduced catering arrangements proposed should mitigate this risk.

## 7 Policy alignment and compliance

- 7.1 Not applicable.

Tony Kershaw  
**Director of Law and Assurance**

**Contact Officer:** Charles Gauntlett, 033 022 22524  
charles.gauntlett@westsussex.gov.uk

### Background papers

None

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## Future of Member Catering Survey Analysis

### 1. Summary

- All councillors were consulted on the future arrangements for member catering at County Hall, Chichester in light of the closure of the Martlets canteen. 48 out of 69 councillors completed the online survey, a response rate of 70%.
- Responses indicate strong support for making savings from the member catering budget and for any future provision to minimise the impact on climate change and to include health options.
- Overall, there is support for continuing to provide hot drinks (via free-to-use vending machines) and buffet lunches at full Council meetings (via an outside caterer).
- Some members commented that refreshments provide an opportunity for networking and for members to get to know each other, and one suggested that space should be provided for this to happen – even if members are bringing their own food/drinks.
- A number of members commented on the potential increase in costs if members claim for purchasing refreshments as well as on the impact for those members with further to travel, when meetings are held in person.

### 2. Responses

Responses to the survey are set out below. Responses do not always total 48 as some did not answer all questions.

Questions	Yes	No
1. Do you agree that savings should be sought from the member catering budget (approximately £25,000 per year)?	38	10
2. Do you agree that all catering for member meetings should cease (no hot drinks or food at any meetings and members to make own arrangements)? (see below for responses from those answering 'no' to this question)	14	34
3. If you answered yes to question 2, should members be able to claim their lunch costs as the current Members' Allowance Scheme provides for?	8	18
4. Do you agree that the costs of any future member catering should be deducted from individual member allowances?	13	35
5. Do you agree that any refreshments provided for members in future should be based on healthy options?	35	14
6. Do you agree that any refreshments provided for members in future should aim to minimise the impact on climate change? (e.g. reduced waste/packaging/energy)	44	4

Those answering 'no' to Q2 were asked which of the following options, or combinations of options, they preferred:

Option	Response
Hot drinks from free-to-use vending machines for members only	24
Buffet lunches from an outside caterer for Full Council meetings only	22
Buffet lunches from an outside caterer for all formal member meetings continuing beyond 1.15pm	16
Hot drinks from payment vending machines for anyone at County Hall	13

Option	Response
Refreshments and lunches for those with disabilities or health issues constraining access to outlets	13
Use of kitchens at County Hall to make own hot drinks (but members to provide their own refreshments)	11
Buffet lunches from an outside caterer for all member meetings (formal and informal) continuing beyond 1.15pm	10
Catering from an outside caterer for group meetings	8

### 3. Other comments/suggestions

A number of members made comments on the future of member catering and some suggested different options, as summarised below. Several commented that drinks should still be provided, to include water, and one commented that any buffet lunches provided should be small and light.

- a) No longer provide food as standard at all meetings:** 13 respondents said that members should no longer be provided with food and should either bring their own or use food outlets in Chichester. Two respondents felt that food should only be provided at full Council or special/specific whole-day meetings.
- b) Networking opportunities:** Four respondents highlighted the benefits of member catering in terms of providing a space and opportunity for councillors to get to know each other and to talk and there was a suggestion that there should be an area provided where members could meet informally.
- c) Keep as is:** Five respondents commented that catering arrangements should continue, particularly for longer meetings, with cost and time implications being given as the reasons for this. Two commented that members claiming expenses for making their own arrangements would cost more than the current provision.
- d) Distance travelled:** Seven respondents made specific comments about the implications of removing catering on those members who have a long distance to travel and that it could disproportionately affect those who lived further away from meetings venues and therefore spent a lot of time at meetings in County Hall.
- e) Financial implications:** Five respondents made reference to the financial implications of the options proposed, with all these commenting that costs could escalate if members claim for refreshments.
- f) Alternative suggestions:** Three different suggestions were proposed:
  - Is there a mobile sandwich company that would be willing to visit County Hall at lunchtime (members could pre-order).
  - The ability to pre-order a lunch from an external caterer for full council or whole day scrutiny sessions which could then be deducted from the allowances of those using it.
  - There could be a tea/coffee float where members pay a monthly fee for the provision of teas, coffees and biscuits/fruit. Only those that have registered and paid for the service would be able to use it.

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## **Governance Committee**

**28 June 2021**

### **Plans for Member Meetings**

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

**Electoral division: N/A**

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## **Summary**

The Governance Committee agreed at the start of the public health emergency to regularly review plans for all council/committee meetings. A list of the meetings due to be held up to the end of July 2021 is attached at **Appendix 1**. The Government has, through a 'call for evidence', recently consulted on the issue of legal requirements for formal meetings of local authorities, following the recent loss of provision for meetings to take place virtually, and the need for physical meetings to be arranged as a matter of course.

## **Recommendations**

The Committee is asked to:

- (1) Note the list of formal meetings due to be held up to the end of July 2021, as set out at Appendix 1, and the Council's response to the call for evidence, as set out at Appendix 2; and
- (2) Agree that arrangements for formal Member meetings should continue to be monitored by this Committee, to include a review at its next meeting of plans for meetings during autumn 2021.

## **Proposal**

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

#### **Current arrangements**

- 1.1 This Committee has reviewed plans for Council and committee meetings during the COVID-19 public health emergency. From April 2020 to May 2021 all formal meetings were held virtually in line with emergency regulations made by the Government. At its meeting in November 2020, the Committee agreed that informal member meetings should continue to be held virtually into the future, beyond COVID-19 restrictions as there is no legal requirement for them to take place at a physical venue.
- 1.2 The regulations allowing meetings to take place virtually lapsed in early May 2021. The Government declined to take any legislative steps to enable the provisions to continue. The following formal decision-making committee meetings are therefore being held in person, in the Council Chamber at County Hall Chichester without the option to join virtually. This will be the

case until the end of July. The position will then be reviewed in line with the next government announcement expected in mid-July. Whilst Scrutiny committees do not take decisions the position taken is that they should be treated in the same way as decision-making meetings.

- Cabinet
- All scrutiny committees
- Governance Committee
- Standards Committee
- Pensions Committee
- Appeals Panels
- Planning and Rights of Way Committee
- Regulation, Audit and Accounts Committee

- 1.3 Due to the continuing public health restrictions the Council Chamber is the only venue large enough to accommodate the necessary number of meeting participants as well as enabling webcasting and a public gallery. Screens have now been fitted in the chamber to increase the number of people who can be accommodated safely. Public attendance at meetings is limited and those wishing to attend are being asked to book in advance.
- 1.4 Arrangements for County Council meetings are different as the Council Chamber cannot (within current public health guidelines) accommodate all members and necessary support officers. The Chairman is consulting group leaders about the arrangements for the County Council meeting on 16 July 2021. It is proposed that this will be virtual meeting involving all members followed by an in-person meeting with a smaller number of members in the Council Chamber to agree any formal decisions in light of the outcomes of the virtual meeting. Other options include those decisions being taken by officers, or the postponement of the meeting pending a review of social distancing measures by the Government in mid-July.
- 1.5 Consideration could be given to arranging a meeting of all seventy members at an outside venue are very limited options within the County. Large sports halls are generally being used as part of the public health response and other venues such as theatre are starting to be set up for their normal activity. The College in Chichester would create challenges in terms of risks of cross-contamination given the age profile of its main users.
- 1.6 Whilst the annual meeting in May needed to take place for the formal decisions on appointments to critical posts following the election the number of critical decisions at meetings of the full Council will be low (other than the budget meeting in February). The costs of hiring an external venue, of ensuring safe access by the public as well as members and the cost and technical challenges of ensuring web-casting may make such arrangements very challenging.

### **Future arrangements**

- 1.7 In light of the Committee's support for virtual meetings in future, in January the Chairman wrote to the Local Government Minister to urge him to ensure that legislative provision was made to enable virtual and hybrid meetings to continue after the temporary legislation expired in May 2021. The Leader also wrote to West Sussex Members of Parliament.



- 1.8 Since then the Council has responded to the Government's call for evidence for local authority remote meetings (attached at **Appendix 2**), reiterating the benefits of the option of virtual meetings and urging it to make permanent provisions to enable councils to work in a modern, efficient way. The Chairman was consulted on the response which was also shared with the County Councils Network.
- 1.9 Depending on the outcome of the consultation and any Government decisions on future regulations to allow remote meetings, for example virtual or hybrid, the Governance Committee will be asked to consider future meeting arrangements and the various types of meetings at a later date.
- 1.10 The Committee will be asked to consider the arrangements for meetings in the autumn at its meeting on 6 September 2021 in the light of the situation at that time. It will not be possible to settle those arrangements given how much may change before then.
- 1.11 The number of meetings being webcast has increased since the pandemic began, as the move to virtual meetings enabled the public to watch and listen to formal meetings. This has continued since May 2021, and the Committee may also wish in September to review future webcasting arrangements.

## **2. Resources**

- 3.1 Formal physical meetings require more officer support in a COVID-secure environment with most meetings requiring five officers from Democratic Services (clerking, advising, providing stewarding and webcasting). Virtual meetings also require more officer support. This increases for larger meetings such as full Council.

### **Factors taken into account**

## **3. Risk Implications and Mitigations**

<b>Risk</b>	<b>Mitigation</b>
Insufficient capacity to support meetings	Decisions will be informed by advice on resources and impact on critical services

## **4. Other Options Considered**

- 6.1 Not applicable.

## **5. Policy alignment and compliance**

- 7.1 There is no equality duty impact arising from this report which is a general overview of plans. The need for the Council to consider the needs of individuals who may wish to participate in member meetings has not changed and will need to be considered in planning the logistics, technology and methods of communication for all council business. There are no social value, crime and disorder, human rights or legal implications. 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](mailto:helen.kenny@westsussex.gov.uk)

**Appendices**

Appendix 1 – List of Council/committee meetings to end July 2021

Appendix 2 – County Council's response to the government consultation on Local authority remote meetings: call for evidence

**Background Papers**

None

### Plans for formal Member Meetings to end of July 2021

Meeting	Date	Proposals
<b>June 2021</b>		
Governance Committee	28/06/21	In person (webcast) meeting
Planning and Rights of Way Committee	29/06/21	In person (webcast) meeting
Children and Young People's Services Scrutiny Committee	30/06/21	In person (webcast) meeting
<b>July 2021</b>		
Performance and Finance Scrutiny Committee	05/07/21	In person (webcast) meeting
Staff Board of Appeal	07/07/21	In person meeting
SACRE	13/07/21	Virtual (webcast) meeting
County Council	16/07/21	Virtual (webcast) meeting followed by smaller in person (webcast) meeting
Regulation, Audit and Accounts Committee	19/07/21	In person (webcast) meeting
Pensions Committee	21/07/21	In person (webcast) meeting
Staff Board of Appeal	23/07/21	In person meeting
Pension Advisory Board	26/07/21	Virtual (webcast) meeting – any confidential (Part II) business will not be webcast

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## **County Council's response to the Government's Local authority remote meetings: call for evidence**

N.B. Responses provided to questions are in bold.

### **Questions**

Q1. Generally speaking, how well do you feel the current remote meetings arrangements work?

- **Very Well**
- Well
- Neither well nor poorly
- Poorly
- Very Poorly
- Unsure

Q2. Generally speaking, do you think local authorities in England should have the express ability to hold at least some meetings remotely on a permanent basis?

- **Yes**
- No
- Unsure

Q3. What do you think are some of the benefits of the remote meetings arrangements? Please select all that apply.

- **More accessible for local authority members**
- **Reduction in travel time for councillors**
- Meetings more easily accessed by local residents
- **Greater transparency for local authority meetings**
- Documents (e.g. minutes, agendas, supporting papers) are more accessible to local residents and others online
- Easier to chair meetings in an orderly fashion
- A virtual format promotes greater equality in speaking time during meetings
- I do not think there are any benefits to remote meetings
- Other (please specify)

### **Notes:**

- WSCC has been webcasting many formal meetings for some time. In addition to Full Council meetings (which have been webcast for 12 years), it was decided two years ago to webcast all meetings of Cabinet, scrutiny committees and the Planning and Rights of Way Committee. Other meetings were being webcast where the agenda was likely to generate public interest. So, the online accessibility of formal meetings considered to be of greatest public interest predates the public health emergency.
- Documents were already available via the Council's website, and via the online links in the webcast live during the meeting.
- Anecdotal member feedback is that chairing virtual meetings has been challenging; that different skills are required and that it can be difficult for chairmen to get a feel for the mood of 'the room'.
- Remote meetings should encourage more diverse councillor membership – those with children/caring responsibilities, those with limited mobility, and those who are working may all find it easier to stand as councillors.
- Remote meetings have reduced travel costs and had a positive environmental impact in West Sussex.

- The Council's Governance Committee has agreed that all informal member meetings should continue to be held virtually (to include member training); this was in recognition of the fact that such meetings work well virtually and a desire to see continued savings from travel and to support delivery of climate change strategy objectives.

Q4. (For local authorities only) Have you seen a reduction in costs since implementing remote meetings in your authority?

- **Yes**
- No
- Unsure

**Notes:**

- Total savings of £108,000 were made during 2020/21 as a result of meetings being held remotely. Savings were made up of approximately £6,000 per month on member travel, £2,000 on meeting refreshments, £1,000 on venue hire and other miscellaneous spend.

Q5. What do you think are some of the disadvantages of the remote meetings arrangements, and do you have any suggestions for how they could be mitigated/overcome? Please select all that apply.

- **It is harder for members to talk to one another informally**
- **Meetings are less accessible for local authority members or local residents who have a poor-quality internet connection**
- **Meetings are less accessible for local authority members or local residents who are unfamiliar with video conferencing/technology**
- **There is less opportunity for local residents to speak or ask questions**
- Some find it more difficult to read documents online than in a physical format
- Debate is restricted by the remote format
- It is more difficult to provide effective opposition or scrutiny in a remote format
- It is more difficult to chair meetings in an orderly fashion
- Virtual meetings can be more easily dominated by individual speakers
- It might enable democratically elected members to live and perform their duties outside their local area on a permanent basis, therefore detaching them from the communities they serve
- It may create too substantial a division between the way national democracy (e.g. in the House of Commons) and local democracy is conducted
- I do not think there are any disadvantages to remote meetings

**Notes:**

- Once groups of people from different households are allowed to meet indoors, members will be able to make alternative arrangements for meeting and interacting informally.
- While we have enabled residents to speak at formal virtual meetings, it has not been without its challenges (particularly due to the different digital platforms used and the variability of broadband connections).
- In West Sussex free internet access is provided at our public libraries so residents can watch a webcast.
- N.B. the response above that there is less opportunity for local residents to speak or ask questions should be qualified: there **have** been some opportunities for public to speak at Planning & Rights of Way Committee meetings, as they did prior to meetings being virtual. In addition, stakeholders have been invited to speak at some scrutiny committee meetings. However, the Council's forums for local community engagement, County Local Committees, were cancelled during 2020/21

due to Covid-19 related service pressures (not due to the need to hold meetings virtually). These were the Council's only meetings providing a public question and answer session. Therefore, whilst there have been some opportunities, these have been reduced, but this is not directly attributable to virtual arrangements.

- There is a potential positive impact in terms of democratically elected members being able to be more connected to the communities they serve through digital means: councillors have continued to engage with their communities, replacing in-person opportunities with digital. This has the potential to reach out to a more diverse range of residents who previously might have been unable or uninclined to attend meetings/surgeries etc.

Q6. What do you think are some of the main advantages of holding face-to-face meetings, as opposed to remote meetings?

- It's easier to sense another person's mood when you can read their body language face-to-face.
- We have had instances of the technology failures during the course of some critical formal virtual meetings.
- Face-to-face meetings require fewer support staff.
- The public might perceive meetings considering controversial issues to be better held face-to-face, with the attendant ability for the public to attend/participate in/observe proceedings in person (although this hasn't been tested: the fact that public have been able to watch webcasts of ALL council meetings during the pandemic may have led to a different perspective).
- It is important to note that the options for meeting arrangements may not just be a choice between face-to-face and remote: the potential impact of hybrid meetings should also be considered. One disadvantage of hybrid meetings would be if the Regulations only permitted those present to vote. Hybrid meetings may not appear to be transparent or democratic if some of the councillors attending aren't able to take a full part in the meeting.

Q7. If permanent arrangements were to be made for local authorities in England, for which meetings do you think they should have the option to hold remote meetings?

- For all meetings
- For most meetings with a few exceptions (please specify)
- Only for some meetings (please specify)
- **I think local authorities should be able to decide for themselves which meetings they should have the option to meet remotely**
- I do not think local authorities should have the option to hold remote meetings for any meetings
- Unsure

Q8. If permanent arrangements were to be made for local authorities in England, in which circumstances do you think local authorities should have the option to hold remote meetings?

- In any circumstances
- Only in extenuating circumstances where a meeting cannot be held face-to-face or some members would be unable to attend (e.g. severe weather events, coronavirus restrictions)
- **I think local authorities should be able to decide for themselves which circumstances they should have the option to meet remotely**
- I do not think local authorities should have the option to hold remote meetings under any circumstances
- Other (please specify)
- Unsure

Q9. Would you have any concerns if local authorities in England were given the power to decide for themselves which meetings, and in what circumstances, they have the option to hold remote meetings?

- **Yes**
- No
- Unsure

**Note:**

- The criteria applied by authorities in determining which meetings could be held remotely would need to be agreed cross-party, following public consultation, and subject to frequent review, at least in the short term. There should no question that a proposal to hold a meeting remotely is in any way an attempt to stifle or otherwise affect the democratic process.

Q10. If yes, do you have any suggestions for how your concerns could be mitigated/overcome?

**Note:**

- Carefully agreed criteria, subject to early review, with cross- party support, subject to early review.

Q11. In your view, would making express provision for English local authorities to meet remotely particularly benefit or disadvantage any individuals with protected characteristics e.g. those with disabilities or caring responsibilities?

- **Yes**
- No
- Unsure

**Note:**

- The permanent provision to hold remote meetings might encourage more diverse councillor membership – those with children/caring responsibilities, those with limited mobility, those who are working may all find it easier to stand as councillors.
- In West Sussex, some members have up to an hour and a half's drive to get to a meeting at our County Hall. Some can therefore save two to three hours of travel by participating virtually, which can be a great help for members needing to manage other commitments.



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**Report to Governance Committee****28 June 2021****Pension Advisory Board: Business Plan 2021/22****Report by Director of Finance and Support Services****Electoral division(s): 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 2021/22 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 28 April 2021 the Pension Advisory Board considered and agreed the draft Business Plan for 2021/22 and agreed to refer it to the Governance Committee for its approval in line with its 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 financial 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 Business Plan 2021/22**

## Background

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.

The Business Plan has been developed 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 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:

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 2020/21 £</b>	<b>Spend 2020/21 £</b>	<b>Budget 2021/22 £</b>
Fee for independent chairman	17,500	17,500	17,500
Travel expenses/subsistence	2,000	0	2,000
Training provision	2,500	765	2,500
Democratic Services Support (0.2 FTE)	7,500	6,945	7,500
Meetings (incl. refreshments)	700	0	700
Provisional sums (if required):			
✓ Legal and other external advice	3,000	0	3,000
	2,000	0	2,000
✓ Contingency			
<b>Total Budget</b>	<b>35,200</b>	<b>25,210</b>	<b>35,200</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 2021/22, 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.

## **Areas for attention in 2021/22**

- Internal controls and audit assurances – PAB involvement
- Governance compliance changes – pending responses from MHCLG to SAB proposals
- The Pensions Regulator's proposals for a combined Code
- Potential pensions/cyber scams – controls and warnings to members
- Impact of Scheme changes on administration performance and employers
- Strategic investment issues, compliance and knowledge building
- Comparisons to other local pension boards and their operations
- Unit costs and service levels, national comparisons
- Auto-enrolment and growing membership



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

Core on-going work	Special activities and reviews 2021/22
<b>Business Planning and Performance</b>	
<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>Review of current Board operations in line with the Scheme Advisory Board's Good Governance Review proposals as a 'dry run'</p>
<b>Key risks</b> <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>	
<b>Compliance checks</b>	
<p>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.</p>	
<p>Review the Pension Fund Annual Report and Accounts for content and compliance.</p>	<p>Scheduled for meeting on 26 July</p>
<p>Review statutory policy statements on a regular basis and on a three-year rolling basis</p>	
<p>Monitor and review changes to regulations and guidance at each meeting</p>	
<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>	

<b>Core on-going tasks</b>	<b>Special activities and reviews 2021/22</b>
<b>Governance arrangements</b>	
Review decisions of the Pensions Committee	
Review management and monitoring of the pension fund risk register	
Monitor audit reports and assurances on internal controls	Review internal audit programme of work and assurances
Monitor work planned by the Pensions Regulator (tPR)	Review new tPR Combined Code for compliance requirements
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> </ul>	

<b>Core on-going tasks</b>	<b>Special activities and reviews2021/22</b>
<b>Administration procedures and performance</b>	
Consider a report on the administration of the scheme at each meeting	Monitor impact of Scheme changes on administration capacity
Monitor notifiable events and the recording and reporting of breaches	
Monitor key performance indicators and recovery action	Consider scope for inter-fund comparative indicators, including unit costs and service levels
Monitor recording of compliments and complaints, and progress on IDRP cases	
Monitor movements in membership numbers	Review arrangements for auto-enrolment and for growing membership
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	Monitor work by internal audit Review controls relating to cyber risk
<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> </ul>	

<b>Core on-going tasks</b>	<b>Special activities and reviews 2021/22</b>
<b>Investment and funding</b>	
Review the investment strategy statement to assess compliance with regulations and guidance issued by MHCLG and CIPFA	Review revised guidance 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 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	
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>	

<b>Core on-going tasks</b>	<b>Special activities and reviews 2021/22</b>
<b>Communications</b>	
Monitor disclosure of information in line with statutory requirements, including annual benefit statements	
Review newsletters for content and clarity	
Review communications with employing authorities	
Monitor developments in the website and pensions portal	
Consider more effective links to scheme members	Review information provided on potential pensions/cyber scams
<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>	
<b>Training</b>	
Maintain training log and review activity regularly	
Monitor implementation of training strategy	Undertake comprehensive refresher training
Identify opportunities for in-house training after each meeting and for external training courses or events	Develop joint training with Pensions Committee
<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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## **Governance Committee**

**28 June 2021**

### **Appointments to Panels and Outside Bodies**

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

In accordance with the provisions of the Local Government and Housing Act 1989, the Committee is asked to appoint members to Panels and outside bodies as follows, in accordance with the wishes expressed by the political groups. The majority of the appointments following the election on 6 May were made by the County Council at its meeting on 21 May 2021.

#### **(a) Appeals Panel (18)**

The membership as agreed by the County Council on 21 May is set out below. There are currently four vacancies, as Cllr Bradbury has stepped down.

Cllr Bence  
Cllr Britton  
Cllr Burrett  
Cllr A Cooper  
Cllr Duncton  
Cllr Johnson  
Cllr Linehan  
Cllr Lord  
Cllr Mercer  
Cllr Mitchell  
Cllr Patel  
Cllr Wall  
Cllr Walsh  
Cllr Wickremaratchi  
4 vacancies

#### **(b) Electoral Review Panel (10)**

The membership as agreed by the County Council on 21 May is set out below. There is currently one Labour vacancy.

Cllr Boram  
Cllr Bradbury  
Cllr Cherry  
Cllr Crow (Chairman)  
Cllr N Dennis  
Cllr Markwell  
Cllr Mitchell  
Cllr Oakley  
Cllr Waight  
1 Labour vacancy

#### **(c) South East Employers**

Members - Cllr Burrett, Cllr Waight and 1 vacancy  
Substitutes – 3 vacancies

**Tony Kershaw**

Director of Law and Assurance

**Contact:** Clare Jones 033 022 22526

**Background Papers**

None



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**Governance Committee**

**28 June 2021**

**Report of Member Attendance April 2020 to April 2021**

**Report by Director of Law and Assurance**

**Electoral divisions: N/A**

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**Recommendation**

That members' attendance at Council, Committee and other meetings for the period 1 April 2020 to 30 April 2021 be noted.

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1. As part of its terms of reference the Governance Committee is required to monitor attendance of members at County Council, committee and other meetings annually. A schedule showing members' attendance for the period 1 April 2020 to 30 April 2021 for committee and other meetings is attached at Appendix 1. There are no figures for County Local Committees for 2020/21 as, due to the impact of COVID-19, they did not meet during the period.
2. The role of the modern councillor is not primarily to attend meetings. It should be noted that many members have other commitments on their time which are difficult to record and which are not reflected in these figures, such as membership of outside bodies, school governorships and constituency work. In addition, attendance at meetings does not take into account members' other responsibilities which are carried out outside formal meetings.
3. Potential attendance figures can also be affected by other factors such as long-term ill health or a clash of commitments.
4. Group Leaders are currently advised of member attendance figures annually so that they can take any action they consider necessary to address poor attendance. In addition to the annual consideration by the Governance Committee, the member attendance figures are published quarterly on the County Council's website.

**Tony Kershaw**

Director of Law and Assurance

**Contact:** Clare Jones, Senior Democratic Services Officer, 033 022 22526, [clare.jones@westsussex.gov.uk](mailto:clare.jones@westsussex.gov.uk)

**Appendix 1**

Attendance at meetings from 1 April 2020 to 30 April 2021

**Background Papers:** None

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Member Attendance  
April 2020 to April 2021

Name	Initials	Cabinet Board	C&YPS	ECSSC	FRSC	County Council	Governance	HASC	Planning	PRoW	PFSC	RAAC	RoW	Standards	Task & Finish Groups	Other *	Total	Initials	Name	
Acraman	W					6 of 6							1 of 1			2 of 2	9 of 9	W	Acraman	
Arculus	P				2 of 2	6 of 6		4 of 4							2 of 2	7 of 7	19 of 19	P	Arculus	
Atkins	N					6 of 6		4 of 4	2 of 2	3 of 3						3 of 3	15 of 15	N	Atkins	
Baldwin	A		6 of 6	6 of 6		6 of 6				3 of 3		4 of 4	0 of 1		1 of 1	10 of 10	33 of 34	A	Baldwin	
Barling	D		3 of 3		2 of 3	5 of 6					0 of 1				0 of 1	6 of 6	14 of 17	D	Barling	
Barnard	L			6 of 6	4 of 4	6 of 6								1 of 1		4 of 4	17 of 17	L	Barnard	
Barrett-Miles	A			6 of 6		6 of 6			2 of 2	3 of 3	8 of 8					14 of 14	36 of 36	A	Barrett-Miles	
Bennett	E					6 of 6										3 of 4	9 of 10	E	Bennett	
Boram	K					6 of 6		4 of 4			8 of 8		1 of 1		2 of 2	8 of 8	29 of 29	K	Boram	
Bradbury	P					6 of 6	6 of 6						1 of 1			0 of 1	13 of 14	P	Bradbury	
Bradford	D					6 of 6					5 of 8	0 of 5				10 of 10	21 of 29	D	Bradford	
Bridges	A		5 of 6			4 of 6		4 of 4							1 of 1	2 of 2	16 of 19	A	Bridges	
Brunsdon	H		2 of 2	3 of 3		6 of 6									1 of 1		12 of 12	H	Brunsdon	
Buckland	I					6 of 6							0 of 1				6 of 7	I	Buckland	
Burgess	B		5 of 6			6 of 6									1 of 1	4 of 4	16 of 17	B	Burgess	
Burrett	R					6 of 6			2 of 2	3 of 3						2 of 2	10 of 10	R	Burrett	
Catchpole	P					6 of 6					7 of 8					2 of 2	15 of 16	P	Catchpole	
Cloake	M					6 of 6											6 of 6	M	Cloake	
Crow	D	11 of 11				6 of 6										9 of 9	26 of 26	D	Crow	
Dennis	N					6 of 6						5 of 5				3 of 3	14 of 14	N	Dennis	
Dennis	J					6 of 6					5 of 5	5 of 5				23 of 23	39 of 39	J	Dennis	
Duncton	J					6 of 6	6 of 6							1 of 1		6 of 6	21 of 21	J	Duncton	
Edwards	D				4 of 4	5 of 6					2 of 4					2 of 2	9 of 12	D	Edwards	
Elkins	R	8 of 8				6 of 6										15 of 16	29 of 30	R	Elkins	
Fitzjohn	J					4 of 6										1 of 1	5 of 7	J	Fitzjohn	
Goldsmith	L			3 of 3		5 of 6				1 of 2		1 of 2				3 of 3	12 of 14	L	Goldsmith	
Hall	D		6 of 6			5 of 6										2 of 2	13 of 14	D	Hall	
High	P					6 of 6			1 of 1	2 of 2						3 of 4	10 of 11	P	High	
Hillier	S		5 of 6			6 of 6					3 of 4				2 of 2	9 of 9	25 of 27	S	Hillier	
Hunt	J	11 of 11				6 of 6										24 of 24	41 of 41	J	Hunt	
Jones	M		1 of 1	1 of 1	3 of 3	6 of 6	4 of 4	4 of 4			7 of 8				1 of 1	17 of 18	41 of 43	M	Jones	
Jones	A		6 of 6			4 of 6		4 of 4							2 of 2	6 of 7	22 of 25	A	Jones	
Jupp	A	11 of 11				6 of 6	2 of 2							1 of 1		9 of 9	29 of 29	A	Jupp	
Jupp	N	11 of 11				6 of 6										18 of 18	35 of 35	N	Jupp	
Kennard	D		3 of 3			6 of 6										5 of 5	14 of 14	D	Kennard	
Kitchen	E					6 of 6			2 of 2	3 of 3	7 of 8					2 of 2	17 of 18	E	Kitchen	
Lanzer	R	11 of 11				6 of 6	6 of 6									7 of 7	30 of 30	R	Lanzer	
Lea	A					6 of 6					4 of 4	4 of 5		1 of 1		1 of 1	16 of 17	A	Lea	
Lord	K		6 of 6			6 of 6									2 of 2	9 of 10	23 of 24	K	Lord	
Magill	M					6 of 6										1 of 1	7 of 7	M	Magill	
Markwell	G					6 of 6		2 of 2									8 of 8	G	Markwell	
Marshall	P	11 of 11				6 of 6	6 of 6										8 of 8	31 of 31	P	Marshall
McDonald	S			6 of 6		6 of 6			2 of 2	3 of 3							4 of 4	18 of 18	S	McDonald
Millson	M			1 of 1		6 of 6			1 of 2	3 of 3							3 of 3	11 of 12	M	Millson
Mitchell	C					6 of 6	6 of 6										3 of 3	15 of 15	C	Mitchell
Montyn	P			3 of 3		6 of 6			2 of 2	3 of 3	8 of 8						4 of 4	23 of 23	P	Montyn
O'Kelly	K					6 of 6		4 of 4							1 of 1	7 of 7	18 of 18	K	O'Kelly	
Oakley	R			6 of 6		6 of 6								0 of 1		2 of 2	14 of 15	R	Oakley	
Oakley	S			6 of 6		6 of 6			2 of 2	3 of 3			1 of 1			7 of 7	22 of 22	S	Oakley	
Oppler	F			2 of 3		5 of 6										1 of 3	8 of 12	F	Oppler	
Oxlade	C		3 of 4			6 of 6									1 of 1	5 of 6	15 of 17	C	Oxlade	
Patel	A					6 of 6	6 of 6		2 of 2	3 of 3	2 of 2		1 of 1	1 of 1		6 of 6	26 of 26	A	Patel	
Pendleton	J		3 of 3		2 of 4	6 of 6		3 of 3			2 of 2				2 of 2	1 of 1	15 of 16	J	Pendleton	
Purchase	D					6 of 6											6 of 6	D	Purchase	
Purnell	C					5 of 6										1 of 1	6 of 7	C	Purnell	
Quinn	B			5 of 6		6 of 6			2 of 2							2 of 2	15 of 16	B	Quinn	
Russell	J	11 of 11				6 of 6										17 of 17	34 of 34	J	Russell	
Simmons	D					2 of 6											2 of 6	D	Simmons	
Smith	B					3 of 6											3 of 6	B	Smith	
Smytherman	R				4 of 4	6 of 6					8 of 8			1 of 1		6 of 6	21 of 21	R	Smytherman	
Sparkes	E					6 of 6					8 of 8	3 of 3		1 of 1		4 of 5	22 of 23	E	Sparkes	
Sudan	K		3 of 4			5 of 6		1 of 1		3 of 3			0 of 1		1 of 1	3 of 4	13 of 17	K	Sudan	
Turner	B					6 of 6		4 of 4			7 of 8				2 of 2	15 of 15	34 of 35	B	Turner	
Urquhart	D	11 of 11				6 of 6										13 of 13	30 of 30	D	Urquhart	

# Member Attendance April 2020 to April 2021

Name	Initials	Cabinet	C&YPS	ECSSC	FRSC	County Council	Governance	HASC	Planning	PRow	PFSC	RAAC	RoW	Standards	Task & Finish Groups	Other *	Total	Initials	Name
		Board																	
Waight	S			6 of 6	4 of 4	6 of 6					8 of 8	5 of 5				12 of 12	37 of 37	S	Waight
Walsh	J			5 of 6		6 of 6	6 of 6	4 of 4			7 of 8				1 of 3	26 of 26	55 of 59	J	Walsh
Whittington	D					6 of 6							1 of 1				7 of 7	D	Whittington
Wickremaratchi	S		6 of 6			6 of 6		3 of 4							2 of 2	3 of 3	20 of 21	S	Wickremaratchi

\* Includes attendance at Business Planning Groups, Appeals Panel, Foster Panel, Pensions Committee, Standards Hearing Sub-Committee, Propco and Treasury Management Panel plus at meetings as a substitute, by invitation or as a Cabinet Member.  
Two members of the Council died during the year so their attendance is excluded from these figures.