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Tony Kershaw

Director of Law and Assurance

If calling please ask for:

Clare Jones on 033 022 22526 Email: clare.jones@westsussex.gov.uk

www.westsussex.gov.uk

County Hall Chichester West Sussex PO19 1RQ Switchboard Tel no (01243) 777100



16 September 2021

Governance Committee

A meeting of the Committee will be held at 2.00 pm on Friday, 24 September 2021 at County Hall, Chichester PO19 1RQ.

Note: In response to the continuing public health measures, there will be limited public access to the meeting. Admission is by ticket only, bookable in advance via: 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 - 12)

The Committee is asked to agree the minutes of the meeting held on 28 June 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. **Plans for County Local Forums** (Pages 13 - 24)

Report by the Director of Law and Assurance and Director of Communities.

Further to the decision of the County Council in July to replace County Local Committees with more informal County Local Forums, the Committee is asked

to consider the proposed pilot arrangements including a summary of consultation feedback received from county councillors and district, town and parish councils.

5. **Plans for Member Meetings** (Pages 25 - 44)

Report by the Director of Law and Assurance.

The Committee is asked to consider proposals for meeting arrangements to the end of March 2022, following the relaxation of public health restrictions, and taking account of consultation feedback from county councillors. The Committee is also asked to agree that webcasting should revert to pre-pandemic arrangements.

6. **Review of Joint Arrangements** (Pages 45 - 50)

Report by the Director of Law and Assurance.

The Committee is asked to consider an update on the joint working arrangement between the County Council and East Sussex County Council in relation to governance and leadership with a particular focus on the agreement for a joint chief executive.

7. **Update to Constitution: Corporate Parenting Panel Terms of Reference** (Pages 51 - 58)

Report by the Director of Law and Assurance.

The Committee is asked to consider changes to the terms of reference of the Corporate Parenting Panel for recommendation to the County Council.

8. Appeals Panel Annual Report 2020/21 (Pages 59 - 64)

Report by the Interim Director of Human Resources and Organisational Development and the Director of Law and Assurance.

The Committee is asked to consider the annual report of the Appeals Panel for 2020/21.

9. Change to Member Development Group Terms of Reference (Pages 65 - 68)

Report by the Director of Law and Assurance.

The Committee is asked to consdier a small amendment to the terms of reference of the Member Development Group for recommendation to the County Council.

10. **Appointments**

The Committee is asked to confirm the following appointments in accordance with the wishes expressed by the political groups.

Pensions Committee

Cllr Turley in place of Cllr Baxter

Member Development Group

Cllr Duncton to fill vacancy

Contact: Clare Jones, Senior Democratic Services Officer, clare.jones@westsussex.gov.uk, 033 022 22526

Background papers: None

11. Date of Next Meeting

The next meeting of the Committee will be held at 2.15 pm on Monday, 15 November 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.



Governance Committee

28 June 2021 – At a meeting of the Governance Committee held at 2.15 pm at County Hall, Chichester PO19 1RQ.

Present:

Cllr Wickremaratchi, Cllr Baxter, Cllr Burrett, Cllr A Jupp, Cllr Lord, Cllr Marshall, Cllr O'Kelly and Cllr Waight

Apologies were received from Cllr Bradbury

Part I

1. Declarations of Interest

1.1 In accordance with the Code of Conduct, Cllr Burrett declared a personal interest in the item on the review of the Constitution, as it related to pensions matters, and in the item on the Pension Advisory Board: Business Plan 2021/22, as a deferred member of the West Sussex Local Government Pension Scheme.

2. Minutes of the last meeting of the Committee

2.1 Resolved – That the minutes of the meeting held on 18 January 2021 be approved as a correct record and that they be signed by the Chairman.

3. Membership and terms of reference

3.1 The Committee noted its membership, as set out below, and its terms of reference (copy appended to the signed minutes). The Senior Advisor, Democratic Services gave an overview of the work of the committee for the benefit of new members.

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)

4. Plans for future Member Community Engagement to replace County Local Committees

4.1 The Committee considered a report by the Director of Law and Assurance on a proposal that County Local Committees (CLCs) should be replaced by a more informal local community engagement forum for county councillors for recommendation to the County Council (copy appended to the signed minutes).

- 4.2 The Head of Democratic Services introduced the item and informed members that additional feedback had been received since the publication of the papers. Four members representing divisions in Mid Sussex had requested that the ability to hold sessions for parts of the district footprint to gain maximum community engagement should be retained. Responses had also been received from a further four parishes. Two parishes supported the proposals, one acknowledged the need for change and the fourth, a town council, voiced concerns about the move to a larger area and expressed a preference for in-person rather than virtual meetings.
- 4.3 The Head of Democratic Services said that the feedback received would be taken into account in the proposals for the new County Local Forums being drawn up for the pilot year. These would trial different mechanisms for different purposes, including workshops, with the aim of engaging as wide an audience as possible whilst ensuring a consistent approach across the county. The proposals would be brought to the Committee at its next meeting in September for consideration, including the purpose and objectives of the new forums so they could be assessed at the end of the pilot year.
- 4.4 In terms of future decisions on Traffic Regulation Orders (TROs), the Head of Democratic Services reassured members that, whilst decisions on TROs would revert to the Cabinet Member for Highways and Transport, there would continue to be engagement with communities and local members. A separate proposal from the Cabinet Member would be shared with all members in due course.
- 4.5 In general, members welcomed the move away from CLCs which it was felt had had their time, particularly following the removal of the Community Initiative Fund which used to be allocated by CLCs. Some members were however still concerned about the change to decision-making on TROs and requested that the scoring system in determining TROs should be made available so that local members could give feedback to the Cabinet Member before decisions were made. The fact that decisions by the Cabinet Member would be subject to call-in in the usual way was welcomed and members were reassured that the change would not undermine the process of consultation with local members and communities.
- 4.6 The proposed flexible approach to the new forums was welcomed as an opportunity for real engagement with local communities. It was felt that the inclusion of workshops in the pilot year would enable members, officers and the public to fully engage with an issue. Whilst the 'Talk with Us' sessions were valuable it was acknowledged that questions were often quite long, limiting the number of contributions.
- 4.7 In terms of format, whilst single sessions based on a borough or district footprint would work for more urban areas members felt there should be flexibility in larger districts with disparate population centres with the ability to choose the most suitable area, based on the topic under discussion. Some members felt that in-person sessions were preferable to virtual meetings when possible, particularly for more controversial subjects, as at virtual meetings it could be more difficult to gauge the

reaction of attendees. It was however accepted that virtual meetings might work better in some instances, might reach a more diverse audience and had been shown over the last year to enable greater member attendance, particularly for those with work or family commitments.

- 4.8 With reference to paragraph 2.2 of the report, whilst it was accepted that there would be no need for a formal agenda or minutes under the new arrangements, members were keen to ensure transparency and a record of consensus. The Head of Democratic Services reassured the Committee that actions and outcomes would be recorded for each session but commented that there would also be an enhanced local member role.
- 4.9 The Director of Communities gave feedback on the first four locality sessions. She commented that combining local place-based induction for members following the election with a 'Talk with Us' session had not been ideal. She supported the need to allow for a mix of both local and more strategic sessions and the need to choose an appropriate format depending on the nature of the topics to be considered.
- 4.10 Resolved That the County Council be recommended:
 - (1) To remove County Local Committees 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 County Local 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;
 - (3) To review the arrangements by the end of March 2022, to determine future arrangements and resource requirements; and
 - (4) That a report on the pilot arrangements be brought to the meeting of the Committee on 6 September 2021.

5. Review of the Constitution

- 5.1 The Committee considered a report by the Director of Law and Assurance on a number of minor changes to the Constitution (copy appended to the signed minutes). The Senior Advisor, Democratic Services introduced the report and sought members' comments on each section.
- 5.2 Some members were concerned about the proposals for streamlining Council processes summarised in paragraph 2.2 of the report. In relation to the minor change to emphasise the need for questions to avoid duplicating other parts of the agenda, members were reassured that the change was only to make the paragraph clearer and not to introduce a new restriction. The point was made that questions had become rather

long with multiple parts and consideration could be given in due course to limiting them to a single question.

- 5.3 The other main concern raised by some members was in relation to the proposals for limiting the number of motions to be debated per meeting to two. Whilst there was general consensus that action was needed to rebalance the format of Council meetings as, in recent years, motions had been taking up too much of the agenda, there was disagreement over the best method to do so.
- 5.4 One suggestion put forward was that the decision on that aspect of the changes should be deferred to allow Group Leaders to discuss the format of Council meetings as a whole, including whether it would be preferable to move question time to the morning with motions being debated later in the day, thus avoiding the need for a limit on numbers of motions. Another option put forward was to add a time limit to motion debates rather than limiting the overall number. It was also suggested that if the full two hours was not available for question time at one meeting, question time could be first on the agenda at the next meeting.
- 5.5 Other members stressed that the decision as to which motions were debated at a meeting would be in consultation with Group Leaders at their regular meeting in preparation for the Council meeting. In addition, the Chairman had discretion to allow more than two motions. It was therefore felt that appropriate safeguards were in place to make sure the motions debated were those of most relevance to the County Council.
- 5.6 There was consensus that question time was an important part of the Council meeting and that changes were needed to try to ensure that the full two hours were available by rebalancing the agenda. There was also a need to ensure motions that were of most relevance to the Council were chosen for debate, whilst retaining the Chairman's discretion.
- 5.7 It was proposed by Cllr Lord and seconded by Cllr O'Kelly that the proposed changes to written questions and motions in Standing Orders should be deferred pending further discussions on Council meetings more broadly between the Chairman and Group Leaders with a report being brought back to the September meeting of the Committee. The proposition was put the vote and was lost.
- 5.8 On paragraph 2.6 of the report, Good Governance Review developments and scrutiny committees, it was agreed that the first sentence of the paragraph describing the appointment of the chairmen of scrutiny committees on page 35 of Appendix 1 should be reworded for clarity prior to the recommendations being put to the County Council.
- 5.9 On paragraph 2.8 a query was raised about the wording in relation to Emergency Planning as part of areas of scope for scrutiny committees and the Senior Advisor said this would be clarified in the papers submitted to the Council for approval.
- 5.10 Concern was raised by the minority Group Leaders about the process for appointments to outside bodies where they had been unaware that they could submit nominations for consideration. It was proposed that

the Member Development Group should be asked to consider this, to make sure that following the next election the appropriate guidance and information was available. It was agreed that the minority Group Leaders would also consider whether they could provide any nominations for the remaining outside body vacancies.

5.11 Resolved -

- (1) That the proposed changes to the Constitution set out in Appendix 1 to the report, subject to the further changes set out above, be endorsed for submission to the Council for approval on 16 July 2021;
- (2) That the proposed changes to the Constitution set out in Appendix 2 to the report be approved; and
- (3) That the Member Development Group be asked to consider how best to ensure that minority Group Leaders are aware of the option of putting forward nominations for outside body appointments following the four-yearly elections.

6. Future Catering Provision for Councillors

- 6.1 As the staff canteen on the County Hall campus has been closed, the Committee was asked to consider a report by the Director of Law and Assurance on whether alternative catering arrangements should be made for member meetings in future (copy appended to the signed minutes).
- 6.2 Overall members were supportive of the proposals in the report that hot drinks should continue to be made available for members through the existing coffee machines and that sandwich lunches should be provided on full Council days. One member suggested that members should claim on expenses rather than food being provided but it was noted that, due to the current subsistence rates, providing a sandwich lunch would be more cost effective.
- 6.3 Members were keen that Edes House should continue to be used for lunches on Council day where possible. It was felt important for members to have the chance to have a proper break during what was often a long day, particularly those members who had a long way to travel to get to the meeting. It was requested that lunches provided should include healthy options. The opportunity to network and get to know each other, particularly given the lack of contact since the election due to the restrictions of social distancing, was also important. It was however acknowledged that on occasions it might not be possible to use Edes House depending on the impact on civil ceremonies and use by the Coroner for inquests.
- 6.4 The Head of Democratic Services acknowledged the importance of networking for members and said that if Edes House were unavailable, then alternatives would be considered. Consideration would also be given to how best to provide healthy options for lunches.

6.5 Resolved -

- (1) That hot drinks continue to be made available to members through the existing coffee machines;
- (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; and
- (3) That, where possible, lunches on full Council day be held in Edes House.

7. Plans for Member Meetings

- 7.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) on plans for meetings to the end of July and was asked to 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.
- 7.2 The Senior Advisor, Democratic Services, informed members that the last sentence of paragraph 1.2 of the report should be deleted as, once the first round of scrutiny committee meetings had met to appoint their chairmen and vice-chairmen, it had been agreed they would have the option of meeting virtually.
- 7.3 In relation to the options for the full Council meeting on 16 July set out in paragraphs 1.4 to 1.6, the Senior Advisor confirmed that the meeting will be a virtual meeting following which any decisions endorsed by the Council will be confirmed and approved after the meeting using the urgent action procedure, in consultation with the Chairman. Consideration would be given to the format of the October Council meeting once the outcome of the announcement on the review of social distancing was announced in mid-July.
- 7.4 Members asked about the likely time scale for the outcome of the Government's call for evidence on local authority remote meetings. The Head of Democratic Services said that there was no indication of timing at present but, should any changes be made to the regulations governing meetings, it would be for the Committee to consider the implications for the County Council.

7.5 Resolved -

- (1) That the list of formal meetings due to be held up to the end of July 2021, as set out at Appendix 1 to the report, and the Council's response to the call for evidence, as set out at Appendix 2 to the report, be noted; and
- (2) 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.

8. Pension Advisory Board: Business Plan 2021/22

- 8.1 The Committee considered a report by the Director of Finance and Support Services on the Pension Advisory Board draft Business Plan and budget for 2021/22 (copy appended to the signed minutes).
- 8.2 Resolved That the Business Plan and Budget for the Pension Advisory Board for 2021/22 be approved.

9. Appointments to Panels and Outside Bodies

- 9.1 In accordance with the provisions of the Local Government and Housing Act 1989, the Committee considered a note by the Director of Law and Assurance (copy appended to the signed minutes) in relation to appointments to the Appeals Panel, the Electoral Review Panel and to the outside body for which the Committee is responsible in accordance with the wishes expressed by the political groups. Members noted that the majority of the appointments following the election on 6 May for which the Committee is responsible had been made by the County Council at its meeting on 21 May 2021.
- 9.2 The Committee was informed that Cllr Turley had been nominated to fill one of the vacancies on the Appeals Panel and that Cllr Baxter had been nominated to fill the Labour vacancy on the Electoral Review Panel.
- 9.3 The Committee confirmed the proposed appointments to South East Employers, as set out in the note. The remaining vacancy could be filled at the Committee's next meeting if any further nominations were forthcoming.

9.4 Resolved -

- (1) That the proposed appointments to South East Employers, as set out in the note, be approved; and
- (2) That Cllr Turley be appointed to the Appeals Panel and Cllr Baxter be appointed to fill the Labour vacancy on the Electoral Review Panel.

10. Report of Member Attendance April 2020 to April 2021

- 10.1 The Committee was reminded that as part of its terms of reference it was required to monitor attendance of members at meetings of the County Council and its committees annually. The Committee considered a report by the Director of Law and Assurance on members' attendance for the period 1 April 2020 to 30 April 2021 (copy appended to the signed minutes).
- 10.2 Resolved That members' attendance at Council, Committee and other meetings for the period 1 April 2020 to 30 April 2021 be noted.

11. Date of Next Meeting

11.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 6 September 2021.

The meeting ended at 4.42 pm

Chairman

Unrestricted

Report to Governance Committee

24 September 2021

Plans for County Local Forums

Report by the Director of Law and Assurance and the Director of Communities

Electoral divisions: All

Summary

At its meeting in June 2021, the Governance Committee endorsed a proposal to replace County Local Committees with a more informal local forum for county councillors to engage with their residents based on district/borough areas to be trialled for one year. The County Council agreed this Governance Committee recommendation in July. This report sets out the proposed pilot arrangements for these new County Local Forums and includes a summary of consultation feedback received from county councillors and town/parish councils.

Recommendations

The Committee is asked to agree:

- (1) The arrangements for the one-year trial of County Local Forums as set out in paragraphs 2.01 to 2.10;
- (2) That separate annual Locality Sessions should be held, as set out at paragraphs 2.11 to 2.12;
- (3) That the pilot period should extend to the end of July 2022, to enable a full year's trial; and
- (4) To review these arrangements by September 2022, to determine a new working model for 2022/23 and confirm the necessary resource requirements.

Proposal

1 Background and context

1.1 The last meeting of this Committee endorsed the replacement of County Local Committees (CLCs) with more informal County Local Forums on a district/borough footprint. A broadly consistent approach will be taken across the county, but with the ability for some flexibility of arrangements given that they are for a trial period only. County Local Forums will be trialled for a year and supported by Democratic Services and the Communities Directorate.

- 1.2 Aims of this one-year pilot are to:
 - Ensure openness and transparency, including through an opportunity for the public to ask questions of and discuss issues with county councillors
 - Maintain and enhance engagement with communities, with a mechanism for significant local issues to be discussed and aiming to reach a wider audience than was achieved by CLCs
 - Use different ways of working, testing both virtual and in-person meetings, different times of the day and, where in-person, different venues
 - Enhance and support the local role of county councillors
- 1.3 Although the Committee agreed in June that the trial period for the new approach should be until March 2022, it is proposed that this be extended to the end of July 2022 to enable a full year's trial and a thorough assessment to be carried out and reported to the Committee in September 2022.
- 1.4 Plans for how the County Local Forums will operate have been informed by learning from the virtual locality sessions held between June and August 2021. These provided county councillors with the opportunity to learn more about their communities, information on local Council services and training in their local role. They also included an opportunity for residents to meet and ask questions of their councillors, through a 'Talk with Us' session. Consultation feedback (as summarised at **Appendix 1**) has also informed the plans for this new approach, as well as the comments made by members of the Governance Committee at its meeting in June 2021.
- 1.5 Points from the locality sessions, consultation feedback and comments from this Committee that have informed the proposal include:
 - Local Forums should be accessible and inclusive and enable two-way engagement with county councillors
 - Councillors should be in a position to hear residents' views, act upon issues where they can, or provide feedback to explain when they can't
 - Combining local place-based induction for members with a public forum is not ideal; engagement with the public needs to be separate from any member-only or training sessions
 - Public engagement sessions need longer than 30 minutes
 - There should be a mix of both local and more strategic subjects, with the format of meetings depending on the nature of the topics to be considered
 - Informal, workshop style can be more productive for engagement with residents than the 'top table' question and answer session
 - There should be a mixture of both virtual and in-person sessions, recognising that virtual meetings may reach a more diverse audience and be easier to attend for those with work or family commitments
 - Consideration should be given to how best to reach a wider audience, including social media. The public forum of the locality sessions held did not have good attendance, so ways of publicising events more effectively should be considered
 - The timing and venue of meetings could be more flexible than was the case with CLCs
 - Whilst the Forums won't need a formal agenda and minutes, actions and outcomes of any meetings/events should be recorded

- Chairing arrangements should be clear with a preference for member chairing so that they do not appear officer-led
- Questions from the public should be focused on local issues and where
 possible be provided in advance; they should not be used for raising
 issues already being dealt with as part of a separate process. Where an
 answer cannot be provided on the night, this may need to be provided
 after the meeting.

2 Proposal details

2.1 The main objective of the one-year pilot for County Local Forums is to provide an evidence base for the best mechanism for county councillors to engage with their communities and which is responsive to those communities. The Forums are not intended be a mechanism for partnership engagement between the County Council and other public bodies or councils. They are also not intended to provide information and updates for councillors on cross-county, strategic issues as these are dealt with through separate briefings (including at the monthly member development days). They are also not intended to replicate discussions being carried out through other elements of the democratic process. A new, separate process outside of these Forums for county councillor engagement in local highways matters, including on community-requested Traffic Regulation Orders, is being developed and county councillors will be briefed on this at a later date.

Overarching approach

- 2.2 There will be seven County Local Forums, one per district/borough area. The membership of the Forum will be the county councillors for the area. Each Forum will meet three times in the pilot year, in October/November, February/March and May/June. They are to provide an opportunity for the public to meet and ask questions of their local county councillors, to have a two-way dialogue about issues of local concern and bring relevant matters to the attention of councillors. They may also provide a mechanism for the Council to engage residents in current consultations and discuss specific local issues where relevant.
- 2.3 The chairmanship for the Forum will rotate, with each meeting having a different chairman, appointed by the Forum members in advance through a virtual ballot. The main role of the chairman will be to chair the Forum meeting, but they will also act as a point of co-ordination for officers to liaise with on the meeting arrangements.

Format of meetings sessions

2.4 Two Forum meetings will be held in-person, ideally at a County Council venue, such as the local library (where available). These in-person meetings will rotate around the larger district/borough areas. One of three Forum meetings will be virtual - ideally the autumn/winter meeting, when evenings are dark and people are less likely to want to attend a public meeting. Meetings will be up to a maximum of two hours long (in line with the previous CLCs) and it is proposed that they should be held at different times of the day to test accessibility for different communities. As well as early evening meetings, starting at 7pm, there should be at least one meeting held earlier in the day as agreed by the Forum members. It may be most

- appropriate for the virtual meeting to be held at a different time of day, with the in-person meetings at the more usual (for CLC meetings) time of 7pm.
- 2.5 As County Local Forums are not formal meetings, there will not be a formal agenda or minutes. They will have a more flexible programme encouraging resident participation and two-way dialogue. The programme may include:
 - Welcome by the Chairman and councillor introductions
 - WSCC consultations or focused subject discussion (where appropriate)
 - Timed one-hour open Question and Answer session (chaired by the Chairman)
- 2.6 Residents will be asked to submit questions in advance, so that detailed answers can be provided at the session. Some questions may be dealt with in advance, particularly where there is a simple answer or a need for more swift action. Issues already being dealt with through a separate process will not be forwarded to the County Local Forum for response and it is not a forum for raising issues that have already been resolved or requesting updates on ongoing local casework. Issues relating to other councils' services will be followed up, with answers provided where possible. A note will be taken of Forum meetings, providing an anonymised summary of questions/issues raised, along with any answers provided and actions to be taken. These will be published on the Council's website and will also be shared with all county councillors, as there may be issues of common interest and which cut across district/borough areas.
- 2.7 Feedback will be sought following each County Local Forum meeting (from county councillors and public attendees) to help plan future sessions.

Communications/promotion

- 2.8 The former CLC Facebook pages will be rebadged as County Local Forum Facebook pages, enabling questions and issues/topics to be shared on a locality basis. Residents will be notified of Forum meetings via the Council's social media and e-alert systems as well as via press releases. They will also be promoted via existing newsletters. County councillors will play a key role in promoting the Forums within their own local networks.
- 2.9 County Local Forums will be promoted internally within the Council, so that relevant services are able to identify opportunities to use these for consultation on key topics or for the promotion of key messages/information to the public.
- 2.10 The potential for people to join virtual sessions through the use of IT infrastructure at libraries will be explored. For those who are unable to attend, the use of streaming or social media to provide live updates will be tested.

Inward-facing locality sessions

2.11 The member information and training that was provided through the Locality Sessions in the summer of 2021 can be met through different mechanisms (e.g. member-briefings and the ongoing member development programme). However, it is recognised that the opportunity for members to meet informally on a local area basis for information sharing, training and

networking can be beneficial. So it is proposed that there should be seven annual Locality Sessions on a district/borough area basis, but that these should be seen as quite distinct from the County Local Forum. The focus for these will be on advice, information and training for members. Information on local insight and data may be provided as well as updates on key Council services and priorities, with briefings from relevant officers.

2.12 It is proposed that the first Locality Sessions should be in July/early August 2022 and that these should include the opportunity for members to assess the pilot County Local Forum for their area, providing feedback for consideration by the Governance Committee later in the year.

3 Other options considered (and reasons for not proposing)

- 3.1 The proposal includes a range of options for members to consider for the trial period, within the constraints of the agreed County Local Forum approach and the need for some degree of consistency across the county.
- 3.2 Some feedback indicated a desire for more than seven Forums, providing the flexibility for question and answer sessions to be held on a smaller geographical footprint. Some felt that this would better reflect local communities of interest, particularly in the more rural areas. Holding more Forums would require additional resources and the level of public attendance at CLCs and at the recent Locality Sessions does not necessarily indicate public demand for this. The County Local Forums do not preclude county councillors from holding their own more local surgeries (either individually or in conjunction with councillors from neighbouring divisions). Following the pilot, if the decision is to continue with the Forums, the most appropriate geography can be assessed. However, if the Governance Committee wishes to pursue the option of smaller geographical areas, it could be possible for virtual Forum meetings to break into geographical groups for the public Question and Answer session.

4 Consultation, engagement and advice

- 4.1 Arun District Council, all county councillors and town and parish councils have been invited to comment on how the County Local Forums should operate. A summary of responses received is at **Appendix 1**. Only Arun District Council, seven (of 70) county councillors and two (of 158) town/parish councils provided comments. Most key themes/points raised through this consultation have been included in paragraph 1.5. Other issues raised include:
 - How highways matters will be dealt with (this will be part of a separate process, as referenced at paragraph 2.1); although residents will be able to ask questions relating to local highways issues through the public question and answer sessions at County Local Forum meetings
 - The benefits of a forum involving all three tiers of local government (all County Local Forums will include members who sit on district/borough councils; county councillors for parished areas carry out regular liaison with their town/parish councils)
 - How town/parish councils will be engaged with going forward (options are being considered for this, as referenced at paragraph 2.10).

4.2 The Member Development Group will be invited to advise on the form and content of the Locality Sessions.

5 Finance

- 5.1 Officer support for County Local Forums will be provided jointly by the Communities Directorate and Democratic Services and officer attendance at meetings will be minimised as far as possible. As they will not be formal, decision-making committees it is anticipated that they will require less support than CLCs. Organisational and administrative processes that lie behind County Local Forums will be minimised, to include through aiming for a digital by default approach. Pre-agenda meetings will not be required, with liaison carried out virtually through the identified chairman for each County Local Forum meeting.
- 5.2 Initial savings of £68,200 will be delivered by the end of September 2021, through the removal of two posts in Democratic Services. Further savings opportunities will be explored and assessed through the one-year trial. The resource implications of the County Local Forums will be part of the assessment at the end of the one-year trial.

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 from county councillors.
Low public participation	Use of virtual sessions to engage on a more local basis and at times more accessible to a wider range of people
	Promotion of meetings, including through social media and more traditional communications, to maximise publicity for the Forums

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. There may be some negative impact in terms of Climate Change implications if County Local Forums are held in person rather than virtually, given the potential increase 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**

Emily King

Director of Communities

Contact Officer: Helen Kenny, Head of Democratic Services, 033022 22532, helen.kenny@westsussex.gov.uk

Appendices

Appendix 1 – Summary of consultation feedback

Background papers:

None



Consultation feedback on plans for County Local Forms

All county councillors and town/parish councils were invited to give feedback on the proposals. As County Local Committees (CLCs) in the Arun area were joint with the District Council, Arun District Council was invited to comment. Responses were received from seven county councillors, two town/parish councils and from Arun District Council.

1. Summary of feedback from county councillors

- a) What would a successful County Local Forum look like? What outcomes should we be seeking and what measures of success should we use to assess these at the end of the one-year trial?
 - What a successful County Forum would look like: Good and sustained level of public attendance. Engaging, two-way conversations with people's issues heard and dealt with. Open, accessible, inclusive, welcoming, vibrant, fun. Not too formal or intimidating. Collaborative: working in partnership with the public and other relevant organisations/businesses to solve problems. More than just a talking shop: people will only take part if they see it is worthwhile, and action is taken. Being honest, open and willing to listen, learn and engage to solve our joint problems should lead to a different tone.
 - Outcomes: Members help/act on residents' problems, regardless of whether it is the responsibility of the County Council. Public are better informed about plans affecting them/their locality and about the County Council and its decisions. Improved ways of working between the layers of local government. Low-level highways issues dealt with in a more timely and resident-friendly way. Use the knowledge of communities to help decisions and to form the sort of community relations we need for the future. Residents are more understanding and aware of the challenges the Council faces.
 - **Measures of success:** Sustained levels of public attendance. Satisfied customers and members (assessed through feedback forms). A wider range of questions/issues raised (not just highways-related). A wider audience engaged with (including minority groups and young people).

b) What different formats and ways of working should we be testing during the trial?

- Meetings should last at least an hour and all councillors should be clearly identified as such in the meetings. A wider range of people are reached through holding both virtual and in-person meetings, holding them at different times of the day and at different locations. Venues for meetings should move around and use libraries and locations where people meet (e.g. community centres, schools): go out to meet people at times and places that suit them, rather than expecting them to come to us in the evening. Arrangements should be in the interests of residents rather than the Council.
- Consider trialling different approaches in different places embrace change and try out different ideas rather than continuing with previous arrangements. Hold drop-in sessions rather than one fixed time and hybrid meetings if possible, so people can either join in person or

- remotely and explore opportunities for streaming. Have smaller break-out sessions for those less confident speaking in public/in front of a large group of people.
- Multi-level, involving all tiers of local government as well as resident groups.
- Invite feedback from residents, including through a "leave us a message" part of the meeting – e.g. post-it notes on the wall to hear and take on board. Also through regular polling of public satisfaction with WSCC services, to benchmark, monitor and improve WSCC customer service performance.

c) What do you see as the key issues for County Local Forums to consider/discuss in your area?

- Any that affect residents, regardless of whether it is the responsibility of the County Council: they should be a one-stop shop, rather than passing responsibilities to a different tier of local government.
- Highways and transport, including highways maintenance, potholes, parking, speeding, cycle routes, pedestrian infrastructure, access to public transport and sustainable transport methods.
- Social care services, environmental issues/climate change, mental health, social isolation, affordable housing and affordable business properties, people-friendly places in centres, youth issues, over development of residential property; removal of public services, failing infrastructure and town centres. Police involvement to update on current issues and answer questions from residents (a big attraction to the CLCs).
- Consideration of community-requested traffic regulation orders (TROs) and community highways schemes (CHS), which were previously reviewed by CLCs should be decided by the Cabinet Member in conjunction with relevant member, but community engagement needs to happen prior to these decisions. It was suggested that parishes could advise the best way forward, share ideas and move forward without using County Local Forum as this is the biggest problem that affects parishes/towns.
- Need to offer officer support to town and parish councils for informal discussions of their problems, including traffic and highways related issues.

d) Who should be engaged in these forums and how can we reach out to a wider audience within your communities?

- Who should be engaged: Residents; local businesses; transport companies (bus and rail operators); schools and colleges; minority groups; district/ borough councillors.
- How to reach a wider audience: important to hold meetings at
 different times of the day and in different locations, as well as looking at
 more modern ways of engaging using a less formal approach.
 Advertising/publicising meetings was highlighted, including through more
 traditional methods such as leaflets/flyers. The potential to use the school
 network to advertise to parents should be explored. Social media might be
 better utilised if there were permanent web pages and accounts.

e) Your views on the recent Locality Sessions held as part of the induction; what aspects of these worked well or less well – and any learning from these we should build into the new arrangements.

- The "Talk with Us" session needs to be longer and at the start of the meeting.
- Having a local update was helpful, but it can be difficult handling public questions in a virtual setting.
- Share successes to promote the value of the Forum: for example, one resident has had progress with an issue as a result of the Locality Session.
- A Member should be Chairman of these meetings.
- It would be wrong to make any judgement based on one session conducted against the exceptional backdrop of a pandemic emergency.

f) How best to operate any form of public question and answer sessions or public workshop discussions with county councillors going forward

- Use a hybrid format, have plenty of signposting materials at the meetings for follow-up. Keep the contributions focused and succinct to maximise the number of people who can engage. Have a longer time for the dialogue, broken up into sections. Use feedback forms or post-it to capture all views.
- Questions should be submitted in writing beforehand (by midday two working days before the forum) with one supplementary question allowed with limited accompanying context setting statement. Questions should be available for all to see during the forum.
- Use facilitators and more up to date ways of holding discussions, such as smaller groups and sitting in circles, which are less intimidating.
- Question and Answer sessions need to be more frequent (although this
 may be difficult for councillors who work) you bring about change by
 positive and more frequent engagement and conversations.
- Develop a "Talk with Us" App to enable users to review topical issues, forward their views and engage directly with their county councillor; also to allow WSCC to monitor public opinion on key topics. Also develop a "Talk with Us" social media channel (e.g. Facebook/Twitter).

2. Summary of feedback from town and parish councils

Two responses were received, from Felpham Parish Council and Deane Neighbourhood Council. Key points raised are set out below:

- All questions should be answered at the Forum even if the questioner is not in attendance.
- We question if the County Local Forum will be of any value to us. We have contact with our local councillors whenever necessary and we are generally only interested in matters concerning our area. In future will we be informed of any public representations or queries regarding our area?
 - The main benefit to us of the CLC meetings were the reports updating Highway projects. Our main concern is how we will receive this information in future.

3. Response from Arun District Council

- The CLCs were the only opportunity for all levels of local government to get together, and members would like that mechanism to be retained. Public involvement is key, as this was the only vehicle where they could directly engage with police and others. It was felt that parishes that derived greatest benefit from CLCs.
- Ultimately, Arun councillors want to have good community engagement, across all levels of local government, with a particular focus on highways issues. They would like these to be clearly diarised, but no preferences on the format of the Forums were expressed. Concern was expressed that Arun will only have one Forum and whether the level of engagement with each district and borough will match their respective size.
- Arun's primary concern is on highways matters, and the potential loss of local involvement in getting TROs in place and that the new process will be even more distant and challenging. TROs and being able to discuss these with highways officers was a particularly strongly held view and is one of the primary issues residents raise with district councillors.
- A secondary concern was on the practical arrangements for the Forums and the need for more information on this. What does "flexibility" mean, what will the pilot arrangements look like, which members will be involved (just county?) and how will agendas be set?

Unrestricted

Report to Governance Committee

24 September 2021

Plans for Member Meetings

Report by Director of Law and Assurance

Electoral division: N/A

Summary

The Governance Committee agreed at the start of the public health emergency to regularly review plans for all formal Council/committee meetings. The Committee is asked to consider proposals for meeting arrangements to the end of March 2022, following the relaxation of public health restrictions, and taking account of consultation feedback from county councillors. The Committee is also asked to agree that webcasting should revert to the pre-pandemic arrangements.

Recommendations

The Committee is asked to:

- (1) Agree the proposed arrangements for formal committee meetings to the end of March 2022, as set out in paragraphs 2.1 and 2.2 and in Appendix 1;
- (2) Agree the arrangements for full County Council meetings, as set out at paragraphs 2.3 to 2.5;
- (3) Endorse the proposed changes to Standing Orders, as set out at Appendix 3, for recommendation to the County Council;
- (4) Agree that webcasting should revert to the pre-pandemic arrangements; and
- (5) Agree that arrangements for formal member meetings should continue to be monitored by this Committee.

Proposal

1. Background and Context

- 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 in as there was 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. Since that time, to the end of July 2021, formal decision-making

committee meetings have been held in person, in the Council Chamber at County Hall Chichester without the option to join virtually. This is the only venue large enough to accommodate the necessary number of meeting participants whilst meeting social distancing requirements and measures to manage or reduce the risk of infection. This was in line with the Government's public health restrictions in place until 19 July 2021.

- 1.3 Public attendance at meetings was limited, those wishing to attend being asked to book in advance. As has been the case through the pandemic, all formal meetings have been webcast to maintain openness and ensure the accessibility of meetings to residents.
- 1.4 Government social distancing requirements were mostly removed from 19 July but revised guidance relating to enclosed public spaces is published and specific measures to maintain the safety and wellbeing of everyone using County Hall remain in place in consultation with Public Health colleagues.
- 1.5 The technology to enable hybrid meetings (with some participants joining inperson meetings remotely) is available in the Council Chamber. There were some technical issues with this when it was first used in May, so it continues to be tested and the implications for formal meeting arrangements will need to be assessed. It cannot lawfully be used to enable any councillor to participate in formal decision-making business but could assist officer, non-committee member or third-party involvement. Depending on the nature of the meeting, where committee members are unable to attend a meeting in person for good reason, it may be possible for them to join an in-person meeting remotely, but they would not be able to vote on substantive business. Such flexibility will be specifically available for scrutiny committees and some aspects of full Council meetings and for non-cabinet members attending Cabinet meetings.
- 1.6 Full County Council meetings continue to be the most difficult to accommodate safely due to the numbers involved. The last Council meeting in July was held as an informal, virtual meeting with decisions confirmed after the meeting by urgent action. Most members have expressed a preference for the meeting in October to be held in person. Options available instead of the Chamber include using a large external venue such as a sports hall, college or theatre but such venues are limited within the county and given the reopening of hospitality and other event-based activity venues are reverting to normal activity. Finding and adapting a venue is likely to be a time-consuming and expensive exercise and one that could potentially create other challenges in terms of infection risk with the venue outside the Council's control.
- 1.7 All members were consulted on their views on future meeting arrangements during July and August 2021. The results of the consultation are attached at **Appendix 2**. As part of the consultation members were specifically asked if they were happy to attend an in-person full Council meeting in the Council Chamber in October subject to suitable mitigations. On balance the majority of members said they would support the meeting being held in the Chamber as long as infection rates remain low and that simple precautions are taken including adequate ventilation. Currently infection rates are relatively stable but moderately high compared with other times.

1.8 This Committee agreed arrangements for future catering provision for councillors at County Hall Chichester at its meeting on 28 June 2021. For meetings from September onwards, hot drinks will be made available through coffee machines available in the members' office in the reception area. Sandwich lunches will 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. The assumption is that lunches will not be provided for meetings finishing before 1.15 pm. Members may also wish to continue to bring their own refreshments and it is advised that they should continue to bring their own water to drink at all meetings as water fountains are not currently available due to public health measures in place.

2. Proposal details

Formal meeting arrangements

- A list of the formal meetings to be held to the end of March 2022 is attached at **Appendix 1**. It is proposed that the Council Chamber should continue to be used for these meetings as the safest venue in terms of the spacing of meeting participants and good ventilation. Public health measures will continue to be operated, such as social distancing in the meeting. Public attendance at meetings will continue to be limited with those wishing to attend being asked to book in advance to help manage numbers. This will be reviewed at future meetings and can be revised as circumstances change. Scrutiny committees that do not take decisions are able to meet either virtually or in-person ('recommendations' to the Executive by such committees do not constitute decisions in this context). It is not currently proposed that virtual meetings are used unless the scrutiny committee itself in any case chooses to do so. The option is not available for other formal committees or public Cabinet.
- 2.2 It is proposed that hybrid technology (subject to ongoing testing and assessment) be used to enable the remote attendance of those who are not committee members but who are due to attend to provide evidence, present information or answer questions (councillors, officers and external witnesses). For councillor involvement in formal meetings, use would be as follows:
 - **County Council**: see paragraph 2.5 below.
 - **Cabinet**: Cabinet Members will be able to participate virtually in formal meetings, but where doing so they will not be able to vote. Non-Cabinet Members attending these meetings (scrutiny chairmen and minority party leaders) will be able to participate virtually.
 - Non-executive decision-making committees (Governance, Pensions, Planning and Rights of Way, Standards, Regulation, Audit and Accounts): committee members may only lawfully take part in debates and decisions if physically present. Other members wishing to attend to address the committee would be able to do so virtually.

• **Scrutiny Committees**: committee members can participate virtually subject to the chairman's discretion (except where the committee is due to take any formal decisions, such as appointing the chairman and vice-chairman).

Full County Council meetings

- 2.3 It is proposed that arrangements proceed on the basis that the October Council meeting will be held in the Chamber but that if, when the time comes, it is not possible, the meeting should be held as an informal virtual meeting as was the case in July. As the Public Health Authority and in terms of its health and safety at work statutory obligations it is important for the County Council to ensure infection risks are minimised and to protect the health and wellbeing of both members and staff as well as to minimise the infection risks within the local community. A number of precautions will be put in place in consultation with Public Health advisers including:
 - All participants are expected to have had both vaccinations
 - All participants are encouraged to take a lateral flow test within 24 hours prior to the meeting and to have logged a negative result with the NHS
 - Temperature checks to be taken on arrival (participants plus anyone in the public gallery)
 - Members experiencing symptoms of Covid in the days preceding the meeting must book a test and must not attend the meeting
 - Members living with persons in clinically vulnerable groups are encouraged not to attend the meeting
 - All participants to be encouraged to wear masks in the chamber when not speaking (it is still a requirement to wear masks when moving around the building)
 - Increased ventilation in the Council Chamber
 - Only officers required to be present to be in attendance
 - Individual wrapped packed lunches to be provided and members asked to bring their own water (water fountains not currently operating)
 - Rooms for members to eat lunch to be provided

Arrangements for how circulation around the building and access to facilities will be organised will be advised to members nearer the time when risks have been assessed. These arrangements and the measures in place will be reviewed after the meeting.

2.4 Consideration can be given to using the hybrid meeting kit for Council meetings to allow members who are uncomfortable with attending an inperson meeting with all 70 members plus officers in the Chamber to take part remotely. Whilst under current legislation any members taking part remotely would not be able to vote, it would allow them to take part in items such as Cabinet question time rather than having to give their apologies for the meeting. Some officers could also participate remotely to reduce the number physically present in the Chamber. Unlike the contingency arrangements previously agreed, this would not require political groups to make choices about attendance at the meeting as all members would be able to attend should they so wish. It is therefore proposed that minor changes should be made to Standing Orders to allow for that possibility, as set out at **Appendix 3**, for recommendation to the County Council.

2.5 It is anticipated that similar arrangements may be required for the Council meetings in December and February given the nature of the pandemic and the likelihood of sustained infection rates through the winter.

Webcasting

- 2.6 From April 2020 until May 2021, all formal meetings were held virtually, with the public able to watch or listen to these via the live webcast. Prior to the public health emergency, only the following meetings were webcast:
 - County Council
 - Cabinet
 - Scrutiny committees
 - Planning (now Planning and Rights of Way) Committee
- 2.7 As meetings are now being held in person, with the public able to attend, the Governance Committee is asked to consider future webcasting arrangements. Viewing figures for meeting webcasts in 2019/20, 2020/21 and to date in 2021/22 are attached at **Appendix 4**. The Appointing Committee and Appeals Panel figures have not been included as the public section of these meetings only lasts for a few minutes. It is not intended to webcast these in future as they return to being in-person meetings.
- 2.8 Webcasting is resource intensive, and the figures in Appendix 4 show that some meetings have not had very high viewing numbers. The Governance Committee is therefore asked to agree that webcasting should revert to the pre-pandemic arrangements. Other meetings may be webcast on occasion where matters of significant public interests are due to be considered and with the agreement of the relevant chairman. Meetings being held virtually, and which require public access, may still be webcast (e.g. the Health and Wellbeing Board).

3. Consultation, engagement and advice

3.1 All county councillors were invited to give feedback on formal meeting arrangements, including those for full Council meetings. A summary of responses received is at **Appendix 2** and have informed the proposals.

4. Finance

4.1 Formal physical meetings require more officer support in a COVID-secure environment, including the provision of stewards to help guide members and the public. This increases for larger meetings such as full Council. The webcasting of all formal meetings has required significant additional staff resource, as prior to the pandemic fewer meetings were webcast. Some virtual meetings also require more officer support, although this has lessened as familiarity with both the technology and the meeting protocols has increased.

5. Risk Implications and Mitigations

Risk	Mitigation
Harm to the health and wellbeing of councillors, staff and public	Public health precautions to be put in place for all in-person meetings and ongoing advice from Public Health to be provided
If hybrid technology is used to enable committee members to join meetings remotely, they will not be able to vote and there is a risk that meetings will not be quorate	It is proposed that hybrid technology mainly be used to enable other participants to join meetings remotely
Lack of openness and transparency due to reduced public gallery	Meetings where matters of significant public interest are due to be considered are webcast

6. Policy alignment and compliance

6.1 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

Appendices

Appendix 1 – List of Council/committee meetings to end March 2022

Appendix 2 – Summary of consultation feedback from county councillors

Appendix 3 – Proposed changes to Standing Orders

Appendix 4 – Webcasting data

Background Papers

None

Plans for formal Member Meetings to end March 2022

Meeting	Date	Proposals
September 2021		
Health and Adult Social Care Scrutiny Committee	15/09/21	In person (webcast) meeting
Standards Committee	17/09/21	In person (webcast) meeting
Regulation, Audit and Accounts Committee	22/09/21	In person (webcast) meeting
Governance Committee	24/09/21	In person (webcast) meeting
Children and Young People's Services Scrutiny Committee	29/09/21	In person (webcast) meeting
Communities, Highways and Environment Scrutiny Committee	30/09/21	In person (webcast) meeting
October 2021		
Fire & Rescue Service Scrutiny Committee	01/10/21	Virtual/In person (webcast) meeting
Health and Wellbeing Board	07/10/21	Virtual (webcast) meeting
Staff Board of Appeal	08/10/21	In person meeting
Planning and Rights of Way Committee	12/10/21	In person (webcast) meeting
Cabinet	19/10/21	In person (webcast) meeting
County Council	22/10/21	In-person (webcast) meeting (to be confirmed by Governance Committee in September)
Pensions Committee	25/10/21	In person meeting
Staff Board of Appeal	27/10/21	In person meeting
November 2021		
Performance and Finance Scrutiny Committee	01/11/21	Virtual/In person (webcast) meeting
Regulation, Audit and Accounts Committee	08/11/21	In person meeting
Planning and Rights of Way Committee	09/11/21	In person (webcast) meeting
Pension Advisory Board	15/11/21	Virtual (webcast) meeting
Governance Committee	15/11/21	In person meeting

Meeting	Date	Proposals
Cabinet	16/11/21	In person (webcast) meeting
Staff Board of Appeal	19/11/22	In person meeting
SACRE	22/11/21	In person (webcast)/virtual (webcast) meeting depending on whether decisions required
Fire & Rescue Service Scrutiny Committee	23/01/22	Virtual/In person (webcast) meeting
Communities, Highways and Environment Scrutiny Committee	24/11/21	Virtual/In person (webcast) meeting
Corporate Parenting Panel	25/11/21	Virtual informal meeting
Health and Adult Social Care Scrutiny Committee	26/11/21	Virtual/In person (webcast) meeting
Standards Committee	29/11/21	In person meeting
Planning and Rights of Way Committee	30/11/21	In person (webcast) meeting
December 2021		
Children and Young People's Services Scrutiny Committee	01/12/21	Virtual/In person (webcast) meeting
Performance and Finance Scrutiny Committee	02/12/21	Virtual/In person (webcast) meeting
Cabinet	03/12/21	In person (webcast) meeting
Staff Board of Appeal	10/12/21	In person meeting
County Council	17/12/21	In-person (webcast) meeting (to be confirmed by Governance Committee in September)
January 2022		
Corporate Parenting Panel	05/01/22	Virtual informal meeting
Planning and Rights of Way Committee	11/01/22	In person (webcast) meeting
Children and Young People's Services Scrutiny Committee	12/01/22	Virtual/In person (webcast) meeting
Treasury Management Panel	13/01/22	Virtual informal meeting
Staff Board of Appeal	14/01/22	In person meeting
Regulation, Audit and Accounts Committee	17/01/22	In person meeting
Governance Committee	17/01/22	In person meeting

Meeting	Date	Proposals	
Communities, Highways and Environment Scrutiny Committee	19/01/22	Virtual/In person (webcast) meeting	
Health and Adult Social Care Scrutiny Committee	21/01/22	Virtual/In person (webcast) meeting	
Health and Wellbeing Board	27/01/22	Virtual (webcast) meeting	
Performance and Finance Scrutiny Committee	31/01/22	Virtual/In person (webcast) meeting	
February 2022			
Cabinet	01/02/22	In person (webcast) meeting	
Staff Board of Appeal	03/02/22	In person meeting	
Pensions Committee	04/02/22	In person meeting	
Planning and Rights of Way Committee	08/02/22	In person (webcast) meeting	
Pension Advisory Board	11/02/22	Virtual (webcast) meeting	
County Council	18/02/22	In-person (webcast) meeting (to be confirmed by Governance Committee in September)	
SACRE	28/02/22	In person (webcast)/virtual (webcast) meeting depending on whether decisions required	
Governance Committee	28/02/22	In person meeting	
March 2022			
Planning and Rights of Way Committee	01/03/22	In person (webcast) meeting	
Communities, Highways and Environment Scrutiny Committee	02/03/22	Virtual/In person (webcast) meeting	
Fire & Rescue Service Scrutiny Committee	04/03/22	Virtual/In person (webcast) meeting	
Health and Adult Social Care Scrutiny Committee	07/03/22	Virtual/In person (webcast) meeting	
Children and Young People's Services Scrutiny Committee	09/03/22	Virtual/In person (webcast) meeting	
Performance and Finance Scrutiny Committee	11/03/22	Virtual/In person (webcast) meeting	
Treasury Management Panel	18/03/22	Virtual informal meeting	

Meeting	Date	Proposals
Regulation, Audit and Accounts Committee	14/03/22	In person meeting
Cabinet	15/03/22	In person (webcast) meeting
Staff Board of Appeal	16/03/22	In person meeting
Corporate Parenting Panel	17/03/22	Virtual meeting
Staff Board of Appeal	25/03/22	In person meeting

Summary of consultation feedback from county councillors

All members were invited to provide comments on future arrangements for formal meetings, to feed into the Governance Committee meeting on 6 September 2021. Responses were received from 28 number of members (a response rate of 40%), who commented on eight questions as summarised below. Please note that respondents did not comment on all the questions asked.

1. Should any of the current precautions be kept (e.g. wearing masks when moving around the building; some level of social distancing; hand sanitisers available; one-ways systems in buildings; keeping rooms well ventilated; maintaining frequent cleaning regimes)?

Of the 22 members responding to this question, 13 felt that current precautions should be maintained if it enables meetings to continue to be held in person. Some additional comments made by these 13 respondents included:

- The need to review access to toilets
- Ventilation of rooms may be a problem in winter
- That maintenance of these precautions should be for an interim period, before all these rules can safely be put to one side
- That masks should be worn to protect those who are vulnerable and those with vulnerable family members
- That the precautions should continue until it is accepted that 'herd immunity' has been reached.

Of the remaining nine respondents, one commented that only those precautions contained in government guidelines should be maintained. The other eight felt that restrictions should now be removed/relaxed in line with the rest of society and given that all legal restrictions have been removed. A clear desire to 'return to normal' was expressed, although some did suggest that regular cleaning regimes and the ventilation of rooms should be continued (as good practice even when not in Covid times). There was recognition that some people may choose to continue to wear masks, avoid public spaces and work remotely, but that this should be a matter of personal choice.

2. In favour of virtual or physical (in-person) meetings if there is a choice?

27 members responded to this question and overall ten preferred physical meetings (particularly for formal, decision-making meetings), five favoured virtual meetings and 12 a mixture of both depending on the nature of the meeting. There was recognition that travel should be minimised where possible to reduce costs and impact on the Council's climate change commitments, and that virtual meetings would have an ongoing role to play, particularly for informal meetings. Comments included:

Physical meetings: the benefits of physical meetings outweigh those of virtual meetings: you can't "gauge the mood of a meeting" in a virtual format and members tend to feel less confident in speaking and ask fewer questions (as experienced in the induction sessions). Physical meetings enable councillors to get to know each other (and officers) and to have more informal conversations, therefore helping build the relationships and networks that assist them in their role and make for more effective working.

One commented that "conversations flow better when in person and putting screens in between us doesn't always help understanding or debate".

- **Virtual meetings:** work well for smaller, informal meetings such as task and finish groups but can be prone to IT problems (including due to individuals' own broadband capacity). Several commented that this is a more sustainable way of working (both in terms of financial and environmental impact) as well as helping with time management (avoiding lengthy journeys to Chichester). Others commented that Covid is still present and we should not take unnecessary risks, particularly in terms of members who have, or live with, people with underlying health conditions. Working virtually can help those members who work and have other commitments and reducing travel frees up time to deal with casework. One commented that they can be more focused in a virtual meeting
- **Mixture of meeting types:** most respondents favoured retaining a mixture of meeting types, with shorter meetings (e.g. less than two hours), briefings and ad hoc meetings being virtual. Community transmission of Covid is still a concern and is likely to continue to be into the autumn, so meetings that don't legally have to be in person should be virtual. Where attending meetings in person, it would be helpful if this is for more than one meeting, to make best use of the time. Several commented that scrutiny committees could be virtual, particularly where they are not taking decisions and some suggested that the choice of meeting format should be subject to a vote by the committee. Two members commented that a hybrid approach should be considered, with in-person meetings providing for some virtual attendance.

3. Any changes to the way virtual meetings are managed?

Of the 15 respondents to this question, eight said no changes were needed, with two commenting that they are managed well. Suggested improvements included:

- Further training for staff and members to ensure virtual meetings run smoothly
- One or two dedicated people to manage the technical issues in meetings such as ensuring raised hands are acknowledged and muting microphones where needed
- Explore the cost of a secure electronic voting system (although one member commented that a raised hand should be satisfactory for most votes)
- Increase capabilities in Horsham to support hybrid meetings from there especially if a hybrid format would support reduced travel costs
- Extend use of the mute button and insist that members keep their screens on at all times.

4. Specific/personal concerns or requirements to be taken into account

Two members raised concerns relating to their disabilities/health issues. For them, virtual meetings are particularly important as they remove barriers to their attendance and participation. Travel to and from buildings, moving around buildings, and sitting for long periods of time can cause significant problems for people with disabilities and health conditions (such as back problems).

One commented that "the effect of virtual meetings on people with musculoskeletal problems seems to be totally ignored by those who keep pushing virtual meetings as a positive way forward". Another commented that "in virtual meetings I am able to be in a familiar, controlled environment not having to navigate people, obstacles, and greater access to information".

5. Are members happy to attend a full Council meeting in the Chamber in October with all 70 members (and officers) present in the Chamber or would they prefer other arrangements?

All 28 respondents commented on this question, with 17 happy to attend a full Council meeting in person in the Chamber. Some added that use of the chamber should be subject to measures such as ventilation, screening and cleaning being in place. One commented that this depended on the Covid situation continuing to improve. Two respondents were unsure and felt that the situation should be reassessed before October, as it is difficult to determine levels of safety this far in advance. Nine members would prefer other arrangements – with two preferring use of another, larger venue which could accommodate social distancing and six specifically stating they would prefer a virtual meeting. One commented that they would not be happy to attend a full Council meeting in person, without suggesting any specific alternative arrangement.

6. Any continuing concerns about in-person attendance at meetings in general?

Of the 14 responses to this question, nine had no specific concerns. Other comments focused on:

- The need to respect public health guidance and not 'drop our guard too soon', with one expressing concern that some people might not be vaccinated or might be asymptomatic carriers. Local infection rates and hospitalisation levels should be used as key metrics in determining if physical meetings should take place
- The need to maintain and enforce sensible precautions such as negative lateral flow tests taken before attending, double vaccination certification, normal body temperature and self-isolation if Covid contact has occurred
- A preference for holding virtual meetings, given the difficulty in navigating buildings and travel. Having an option of hybrid and virtual meetings offers greater options for all members to attend and supports reduction in both the economic and environmental costs of in-person meetings.

7. Some meetings (e.g. scrutiny committees) have the option of meeting virtually; how should this be decided? Should there be an assumption they are always virtual?

Five members commented on how the meeting format should be decided, with one suggesting the format should alternate between virtual and physical; one that it should be decided by the Governance Committee; two that committees should decide this for themselves; and another that these committees should have at least one physical meeting per year.

Fifteen members commented on whether there should be an assumption that these meetings are always virtual, with only three agreeing that this should be the case. Nine commented that no assumptions should be made and ten expressed a

preference for these meetings to be held in person where possible. One suggested that scrutiny committees should meet in person, but other smaller committees could be virtual. Those who supported an assumption that meetings should be virtual felt that these meetings work well and that there was a positive impact in terms of accessibility, climate change, reduced travel time and cost to the taxpayer.

Other comments included:

- In order to communicate more effectively, these should be physical meetings and only virtual where circumstances require it
- The Health and Wellbeing Board and the Standing Advisory Council on Religious Education should meet virtually as they do not attract the same level of physical public interest that scrutiny committees sometimes can
- Scrutiny committees should be a mix of physical and virtual dependent on public interest
- Scrutiny works better in person and has been poorer for the lack of physical meetings
- All Chairmen should ask the question of all committee members at every meeting moving forward whether they are happy to continue with current arrangements
- There should be an assumption that these meetings should always be held in person unless the Chairman and members of the relevant Committee decide otherwise
- Smaller meetings such as pre-agenda meetings, Business Planning Groups, and other briefings should be held virtually
- Member Days should revert to an in-person format, giving members an
 opportunity to network and share ideas which they don't have in a virtual
 format.

8. Any other comments relating to members' needs and expectations about use of/access to Council buildings and offices

- **Use of other venues:** Several members commented on the need to use venues other than Chichester for meetings, and that more use should be made of County Hall North (Horsham) for member meetings, particularly as this is more central. One commented that "we should hold meetings outside Chichester to show that we support the whole of West Sussex". If using County Hall North, parking facilities need to be reviewed.
- **Catering:** There were several comments about catering, with one member requesting the provision of a fridge in the Members' Office for the storage of food. Three commented that hot drinks should be provided again.
- **Individual needs:** The needs of those with disabilities and requiring reasonable adjustments in order to participate in meetings should be taken into account, and more information provided on what adjustments may be made.
- **Technology:** we need to make better use of technology, not just due to Covid, but to facilitate members fully participating when attending remotely if necessary due to any sickness or disability.

Access to and use of council buildings: One member wanted to be able to have access to a desk at County Hall on a frequent basis. Another suggested the guidance which says that members should only attend County Council buildings when absolutely necessary should now be removed, as "this is creating an artificial barrier between members and officers which cannot be healthy in terms of working relationships going forward". One member commented that a strategic review of the use of Council buildings should be carried out, but that any proposed changes should be considered extremely carefully during a review, as having places to work from (other from home) is very important for staff well-being. A number of long-term problems with remote working were highlighted, including how those new in role (including councillors) learn from those around them, the impact on mental health, isolation, decreased employee visibility, lack of relationships among coworkers, increased distractions, tech issues, understanding project progress and team tasks, effective remote collaboration and service delivery and work prioritisation.



Proposed changes to Standing Orders

Proposed additions to Part 4, Section 1 of the Constitution

- 2.04 Addition of final sentence to existing text: 'See also Standing Order 3.09e.'
- 3.09e When a member is unable or unwilling, for good reason, to attend a meeting of the Council in the chamber due to public health concerns, the Chairman will allow the member to participate virtually via video conferencing, when the facility is available. This will be treated as attendance at the meeting but members attending remotely cannot vote or count for the purpose of calculation of the quorum of the meeting. Members participating remotely may take part in information and non-decision items only, namely the items of business set out in Standing Order 2.23 (d), (e), (i), (j) (save for a vote on any proposition), (k) (save for any decisions items or voting required), (n), (o), (q), (r), (s) and (t) (save for any decision items or business requiring a vote).
- 3.09f When a member of a committee is unable or unwilling, for good reason, to attend a meeting of that committee due to public health concerns, the Chairman of the committee will allow the member to participate virtually via video conferencing, when the facility is available. This will be treated as attendance but the member does not count for the purpose of the calculation of the quorum for the meeting. The member may not participate in any business for which a vote on a decision is required unless it comprises the recommendations on an item of business of a Scrutiny Committee.



Webcasting data

Table 1: Average webcast viewing figures for all meetings webcast during 2019/20

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

Table 1: Average webcast viewing figures for meetings held during 2020/21

Committee	No. of meetings	Average live views	Average archive views	Average total
Cabinet	11	102	221	324
County Council	6	243	473	716
CYPSSC	6	110	221	330
ECSSC	6	74	184	257
FRSSC	4	43	118	161
Governance	6	25	103	128
HASCSC	4	29	141	170
HWB	2	27	119	146
Pension Advisory Board	3	12	61	73
Pensions Committee	6	9	67	75
PFSC	8	34	139	174
Planning (inc with RoW)	6	109	174	282
RAAC	5	16	76	91
Standards	2	4	32	36
Standing Advisory Council				
for Religious Education (SACRE)	1	6	37	43
Total	77	68	167	235

Table 3: Average webcast viewing figures for meetings held during 2021/22 (up to 16 August 2021)

Committee	No. of meetings	Average live views	Average archive views	Average total
Cabinet	2	61	169	230
County Council	2	215	335	550

Committee	No. of meetings	Average live views	Average archive views	Average total
CYPSSC	2	85	176	260
ECSSC	1	20	121	141
FRSSC	1	40	110	150
Governance	1	49	119	168
HASCSC	1	29	127	156
HWB	1	17	57	74
Pension Advisory Board	2	13	48	61
Pensions Committee	1	13	32	45
PFSC	1	18	81	99
Planning (inc with RoW)	1	130	325	455
RAAC	2	6	20	26
Standards	1	11	63	74
Standing Advisory Council for Religious Education (SACRE)	1	12	18	30
Total	20	55	127	182

Unrestricted

Report to Governance Committee

24 September 2021

Review of Joint Arrangements

Report by Director of Law and Assurance

Electoral division: Not applicable

Summary

The report provides an update on the joint working arrangements between the County Council and East Sussex County Council in relation to governance and leadership with a particular focus on the agreement for the appointment of a joint chief executive. This review, aligned with a similar review at East Sussex County Council, meets the requirements of the agreement between the two Councils for a final review of the arrangements following the County Council elections of 2021.

Recommendation

That, having considered the matters set out in the report, the Committee agrees that the review of the arrangements has been satisfactorily completed.

Proposal

1. Background and Context

- 1.1 In December 2019 the County Council approved the appointment of the Chief Executive of East Sussex County Council to be also Chief Executive of West Sussex County Council as part of a broader plan for cooperation on work on corporate improvement in response to the Department for Education's Children's Commissioner's Report and its recommendations for a review of corporate leadership, governance and culture.
- 1.2 The arrangement for the sharing of the chief executive started on 6 January 2020 and was first reviewed by the Committee at its meeting in July 2020. There is also provision for both Councils to review the arrangement following the County Council elections in May 2021 the purpose of the current report. No further formal review is proposed. Either Council will be able at any point to terminate the arrangement by providing notice of six months.
- 1.3 The arrangement was adopted to meet the County Council's need to secure stable and effective executive leadership within a reasonable time scale and to show that the County Council was acting quickly and

- responsibly to address identified challenges and to meet the expectations of those government departments and external agencies engaged with the Council on its improvement journey.
- 1.4 The broader arrangement with East Sussex County Council to provide support and capacity to improve is supported through an agreement between the two Councils using s.113 Local Government Act 1972. This allows councils to enter into an agreement for placing officers at each other's disposal. The officers made available remain employed by the providing council but must act in the interests of the receiving council.
- 1.5 The agreement sets out the aims of the proposal in tackling the County Council's corporate challenges to become more effective and efficient and describes how mutual support and assistance will be available for shared improvement activity. These arrangements have been deployed in a number of ways during the year and a half that the arrangements have been in place.
- 1.6 The arrangement was also proposed to make best use of areas of common challenge and shared areas of responsibility and partnership working which already existed between the two Sussex County Councils and the benefits of closer working in such areas as NHS joint working, transport planning, economic development, climate change and response to government initiatives.

2. Proposal – review of the arrangement

- 2.1 The agreement between the Councils makes provision for a final review of the arrangements following the County Council elections. The Committee is asked to consider whether the arrangement remains valuable and that it continues to meet the needs of the County Council.
- 2.2 The Committee may be assisted by consideration of the effectiveness of the arrangement by reference to the original aims and objectives:
 - To achieve early and real stability in the Council's executive leadership
 - To provide the means of direct mutual support for areas of corporate challenge
 - To enable the Council to address broader governance challenges promptly and effectively
 - To provide assurance to Government and external agencies that the Council has the capability and capacity to improve
- 2.3 It is for members to consider whether that stability has been achieved and maintained. The joint appointment of chief executive has certainly been received positively by the executive leadership in both Councils. There has been valuable and continuing use of advice, support and the sharing of best practice in many areas of the Council's strategic service operations and support services. These have made use of the areas of common challenge referred to in 1.6 above.
- 2.4 The senior leadership team has also been reinforced by an efficient and smooth arrangement for the recruitment of a permanent Director of Adults

Social Services in the Autumn of 2020 – an appointment from East Sussex County Council with that Council making internal management adjustments to enable the appointment to be made quickly and sustained successfully. The final steps in the creation of a coherent and permanent leadership team are now underway with the recruitment to a Director of HR and Organisational Change and an Assistant Chief Executive with the deletion of the post of Executive Director Resources which was never recruited to.

- 2.5 The good governance review was commenced promptly in January 2020 and has led to a number of valuable work streams to bring real improvements to all areas of the Council's governance, culture and strategic working. These include but are not limited to
 - A People Framework
 - The Partnerships workstream
 - The streamlined decision-making workstream

Coordinated public health emergency response

- 2.6 The on-going public health emergency has also reinforced the value of such close working in partnership across Sussex, particularly with the NHS and emergency response agencies but also across the wider South East region. The Committee has a separate report on the work of the good governance review.
- 2.7 East and West Sussex County Councils have been collaborating on their response to the COVID-19 emergency which has provided a real test both of the value and the effectiveness of the joint arrangement and the benefits of closer joint working. Part of the learning from current events will further enable members to evaluate the overall benefits of the arrangement when the opportunity arises for members to take stock of the impact and of the Council's response to the emergency and the joint working which has been a feature of the activity.
- 2.8 A practical example of how the partnership is delivering for both councils, is our collective approach to establishing the local tracing partnership. Designed jointly between West and East Sussex County Councils and the districts and boroughs, the County Council has managed the local tracing process with dedicated community hub staff undertaking the contacts for both West and East Sussex.
- 2.9 The Councils have also collaborated with Brighton and Hove City Council on proposals for asymptomatic COVID-19 community testing with a single pan-Sussex approach so residents can access testing across local authority borders.
 - Partner engagement and lobbying
- 2.10 The authorities are also exploring a shared approach to the skills agenda to support the economic and social recovery of Sussex and collaboration on promoting Sussex as a destination for tourism.

- 2.11 Where it makes sense, East and West Sussex County Council have worked together on making the case for local government to Ministers and senior officials, on a range of issues such as the impact of COVID-19 and the recovery; the need for sustainable, long term funding for local government and the pressure that continues to build in the adult social care system.
- 2.12 East and West Sussex's collaboration also allows a consistent conversation with local partners such as the NHS and, for example, has enabled a joined-up approach to pressures on discharge of patients from hospital and other areas in our collective response to COVID-19.

Oversight

2.13 Given the evidence of the County Council's capacity to drive the organisation's own improvement, the Secretary of State for Housing, Communities and Local Government took the welcome decision to step back from any further, formal supervision, recognising that improvement activity in a range of areas provided evidence of the Council's capacity and capability to change.

Collaboration

- 2.14 There are a range of areas where further collaboration is being explored, to improve services and efficiency for how the Council delivers services for residents, communities and businesses. While each authority will remain a sovereign body the two Councils will explore the possibility of further collaboration on issues of shared interest, or where working collaboratively may bring benefits. Examples include our approach as a large purchaser in the care market; NHS work on integrated care systems; major contracts where there may be opportunities from economies of scale; climate change and equality and diversity.
- 2.15 In relation to the significant areas for improvement identified prior to the commencement of the joint arrangement in the 18 months since the formal Improvement Partnership was established, the County Council has made significant strides to improve service provision:

Children's improvement

Due to the progress being made in improving children's services (as highlighted by the recent Ofsted focused visit), the Department of Education took the unprecedented step of suspending the Direction of a move to a Children's Trust to allow West Sussex County Council and improvement partners to focus on further improvement – with the aim of the council retaining control of the service.

This decision was made on the recommendation of West Sussex's Children's Commissioner – and reflects the improvement delivered both in the service and corporately. In the Minister's letter the success of the partnership between East Sussex County Council and West Sussex County Council was given as a reason why improvement has been made and implementation of the trust should be suspended.

Fire & Rescue Service (FRS) improvement

The Independent Advisory Panel set up to support and challenge FRS improvement took the decision earlier this year to disband itself, as it no longer saw a role in the Council's improvement. The panel had taken the view that the Fire & Rescue Service had taken significant steps to improve, is moving in the right direction and is in capable hands.

2.16 The other significant area of corporate achievement has been the development and completion of the West Sussex Plan and the corporate performance management arrangements that will monitor its delivery and the comprehensive directorate business plans that have been created and are now being implemented to manage that delivery. This is testament to the sound collective working of the Council's leadership team under the guidance of the Chief Executive. The plan was built with significant input from Members, staff and partners, to ensure it reflects the needs of West Sussex and the Plan was approved, alongside the budget, by Full Council in February.

3. Resources

3.1 The arrangement for the joint appointment meant a saving on the previous costs associated with the post of chief executive. There were no recruitment costs. Salary costs are shared with East Sussex with an additional coaching resource, provided to assist the Chief Executive's management of the combined responsibilities, being met by the County Council. No additional costs arise from the operation of the mutual support agreement, all support and cross council working being undertaken without charging.

Factors taken into account

4. Consultation

4.1 The arrangement was considered by the Cabinet and by the appointing committee at the time of the appointment of the joint chief executive and was presented to full Council for approval. This report is the second such opportunity for this Committee to review the arrangements.

5. Risk Implications and Mitigations

Risk	Mitigating Action
Conflict of interest in relation to policy and strategic operations	The agreement contains conflict provisions
Failure to deliver the desired outcomes	The agreement provides for mutual and unilateral termination and review.
Shift of political priorities or aims	The agreement's provision for review after the Council elections in May 2021 is the subject of this report.

6. Other Options Considered

6.1 Other options were addressed in the report considered by full Council in December 2019.

7. Equality Duty

7.1 The report does not engage the public sector equality duty as it relates only to the internal governance of the Council.

8. Social Value, Crime and Disorder Act and Human Rights Implications

None.

Tony Kershaw

Director of Law and Assurance

Contact: Tony Kershaw 033 022 22662

Appendices

None

Background Papers

None

Unrestricted

Report to Governance Committee

24 September 2021

Update to Constitution: Corporate Parenting Panel Terms of Reference

Report by Director of Law and Assurance

Electoral division: Not applicable

Summary

Changes to the terms of reference for the Corporate Parenting Panel are proposed in order to further improve the outward-focus of the Panel and to ensure that the voice of the child is central to all its work. The changes include revisions to the core membership, updating the quorum and revising the vision, purpose and remit of the Panel.

Recommendation

That the revised terms of reference for the Corporate Parenting Panel, as set out in Appendix 1, be endorsed for recommendation to the County Council.

Proposal

1. Background and Context

- 1.1 The County Council's Corporate Parenting Panel (CPP) is a multi-agency advisory Panel that meets at least four times a year to ensure the voice of the child is at the centre of services for children looked after and care leavers.
- 1.2 Following the updates to the CPP's terms of reference that were agreed at the County Council on 17 December 2019, further work has been done to review the remit and purpose of the Panel. This includes reviewing the membership to ensure it is focused and effective and that the voice of the child is central to its work.
- 1.3 It was agreed by the County Council on 17 December 2019 that the terms of reference be further reviewed following engagement with the Children in Care Council. On 11 March 2021, the CPP reviewed its terms of reference with input from the Children in Care Council and Care Leavers Advisory Board, with a final updated terms of reference being endorsed by the CPP on 24 June 2021. These revised terms of reference are at Appendix 1. Although the changes are minor the format of the document has been changed significantly and therefore the changes are not shown

in track changes. The current version of the terms of reference can be found in Appendix 12 of the Scheme of Delegation in the <u>Constitution</u> library.

2. Proposal

- 2.1 It is proposed that the revised CPP terms of reference, as set out in Appendix 1, be endorsed by the Committee for recommendation to the County Council.
- 2.2 As set out in paragraphs 1.1 to 1.3 it was agreed that the terms of reference be reviewed by the Children in Care Council to ensure they were fit for purpose. It is therefore proposed that the attached terms of reference replace the current version in the Constitution. A summary of the changes is set out below:
 - a) **Membership:** The membership of the CPP includes officer representation from key service areas to enable any issues raised at the Panel to be fed directly back to the relevant teams and actioned upon. An officer representative from a District and Borough Council has also been added to the core membership of the Panel.
 - b) **The Promise:** The Promise is a partnership commitment to support young people and care leavers. It was agreed that this should be included in the CPP terms of reference as a key role of Panel is to monitor the delivery of this and how children and young people have the power to develop and influence the service.
 - c) **Vision, purpose and remit:** These have been refocused to highlight how the CPP will measure progress for children and young people and hold itself accountable to carry out actions and measure the impact and outcomes of the actions put in place. It has also added ways of celebrating successes and its role in promoting Corporate Parenting responsibilities to the wider County Council. The language used in the terms of reference has been reviewed to ensure it is accessible for all members of the Panel.
 - d) **Quorum:** It is proposed that the quorum be increased to include a minimum number of young people representatives as well as officer attendance in addition to elected members. This is to reflect the multi-agency nature of the Panel and that the young people's voice is central to the Panel's work.
 - e) **Special Interest areas:** It is proposed that elected members and young people are given leads on special interest areas within the remit of the Panel. These members and young people will work together with lead officers on the sub-groups set up relating to those special interest areas to provide a co-production of work and ensure that the voice of the child is central to all its work.

3. Resources

3.1 This proposal will have no additional impact on resources. Support for the

CPP is provided by lead service officers within the Children, Young People and Learning directorate and meeting support is provided by Democratic Services.

4. Consultation

4.1 All CPP members, which includes the Cabinet Member for Children and Young People, councillors appointed to the Panel, the Executive Director Children, Young People and Learning, Assistant Director – Corporate Parenting, Foster Carer and Adopter representatives and representatives from the Children in Care Council and Care Leavers Advisory Board, were consulted on the revised terms of reference.

5. Risk Implications and Mitigations

Risk	Mitigating Action
None	

6. Other Options Considered

6.1 The other option is to make no changes to the Panel's terms of reference. The changes proposed are designed to improve the work of the CPP and its ability to influence and improve outcomes for children and young people and ensure that the voice of the child is central to its work. If no changes are made, the opportunity to improve and develop the CPP would be missed.

7. Equality Duty

7.1 The report does not engage the public sector equality duty as it relates only to the internal governance of the Council.

8. Social Value, Crime and Disorder Act and Human Rights Implications

None.

Tony Kershaw

Director of Law and Assurance

Contact: Katherine De La Mora, Senior Advisor – Democratic Services 0330 22 22535, email Katherine.delamora@westsussex.gov.uk

Appendix 1 - Revised Corporate Parenting Panel Terms of Reference

Background Papers

None



Revised Corporate Parenting Panel Terms of Reference

Our Vision:

- To act in the best interests, and promote the physical and mental health and well-being, of our children and young people.
- To encourage our children and young people to express their views, wishes and feelings and to challenge each other if their voices are not actively listened to and acted on.
- To listen, hear and do something when our children and young people tell us things.
- To make sure our children and young people know how to access, and make the best use of, services provided by us as a local authority and partners.
- To promote high aspirations, and seek to secure the best outcomes, for our children and young people.
- For our children and young people to be safe, and have stability in their home lives, relationships and education or work; and to prepare our children and young people for adulthood and independent living.
- This will make sure that our children and young people are not placed at significant disadvantage when compared with the support any child or young person may receive from their family.

Our Promise



Constitution

A multi-agency advisory panel to the Council with seven members of the County Council appointed from those with the most relevant experience but including the Cabinet Member for Children and Young People, at least one minority group member and one from the foster panels. At least two County Council members of the Panel will also be members of the Children and Young People's Services Scrutiny Committee.

The core membership of the Panel is set out below. The Panel can decide to invite representatives from across the Council and partner agencies as required, depending on agenda items.

Core Membership:

- Seven elected members including Cabinet Member for Children and Young People
- Children in Care Council (CiCC) representatives
- Care Leavers Advisory Board (CLAB) representatives
- Foster Carer
- Adopter
- WSCC Executive Director Children's Services
- WSCC Assistant Director of Corporate Parenting
- Strategic leads for Health (WSCC & NHS designated nurse)
- WSCC Strategic lead Voice and Participation
- WSCC Strategic lead for Education (Head of Virtual School)
- WSCC Area team representation (Service lead for Corporate Parenting and other area service leads as required)
- WSCC Quality Assurance Service Manager
- WSCC Independent Reviewing Officer
- District and Borough Officer representative

The Chairman of the Panel is the Cabinet Member for Children and Young People, the Vice-Chairman to be appointed by the Leader. The Chairman of the CiCC or CLAB will be Co-Chairman of the Corporate Parenting Panel. The quorum is four elected members (including the Chairman or Vice-Chairman), three CiCC/CLAB members and one Executive Director or Assistant Director.

The Panel shall meet no less often than four times a year, with thematic workshops to be held between main Panel meetings if required.

Meetings will be held in private. Reports and minutes for the Panel will be reported in a confidential manner. A summary of the work of the Panel will be available to elected members and an Annual Report will be reported to full Council each year.

The agenda and supporting papers for the Panel meetings will be circulated to Panel members two weeks in advance of each meeting.

The Panel will set up sub-groups to carry out work on specific areas in relation to outcomes for our children and young people including, but not limited to, journey to independence, education, health and wellbeing and children we care for. These groups will report on their work to each Panel meeting. Each subgroup will include lead officers, an elected member and a representative from CiCC/CLAB. Each elected member will be assigned to a special interest area,

based on their area of expertise, and attend the sub-groups relating to that area. Special Interest areas are:

- Adoption and Fostering
- Education, Employment and Training
- Health (physical and mental wellbeing)
- Children placed out of county
- Children we care for and asylum-seeking children
- Care experienced young people
- Edge of care and residential

Purpose

- To act as a consultative panel for the Council and other professionals, to raise awareness of the Council's universal corporate parenting responsibilities and duties.
- To oversee the progress of our children and young people including all health and wellbeing needs (education, physical and mental health).
- To monitor the delivery of our 'Promise' and how we are ensuring our children and young people have the power to develop and influence the service.
- To ensure that all children, young people have a positive experience and that the strategy enhances their outcomes.
- To encourage all partners to work together (support and challenge each other) in the best interests our children and young people.
- For frontline teams to be active members of the panel.
- To lead cultural and behavioural change to promote better outcomes for our children and young people, ensuring everyone is on a level playing field and is approached openly and honestly.
- To engage and hold all agencies to account (including; Children in Care Council (CiCC), County Council, District and Borough Councils, Education, Health, Children and Adolescent Mental Health Services (CAMHS), Children's Social Care and voluntary organisations) for their role in the delivery of services to our children and young people.

Remit of the Corporate Parenting Panel

The Panel will:

- Take responsibility for exploring the quality of services for our children and young people and produce an annual report.
- To have a clear line communication with the full council and scrutiny (via the chairmen of the Panel) on matters of interest or those that require escalation.
- Explore the priority needs for services for our children and young people, as a panel and make recommendations to the appropriate forums as required.
- Celebrate successes of what has been achieved between panel meetings, what this has led to and the impact this has had on the lived experiences of our children and young people.
- Maintain high values, treating all children and young people as if they were your own family, and make a positive difference, improving the outcomes for our children and young people and those who use our services (both statutory and non-statutory responsibilities).
- Produce a blog/newsletter with our children and young people after each meeting and share this with all other professionals and elected members.
- Hold thematic workshops when required to focus on specific priorities/issues.

Agenda Item 7 Appendix 1

- Ensure that the Panel maintains oversight of the County Council's placement strategy, understands placements and resources availability for children (both in and out of county) and how they are being used.
- When actions are identified, these will be assigned to a specific person(s) to take forward and then reported back to the panel.
- Receive feedback on the learning from children safeguarding practice reviews.

The Panel won't:

- Oversee specific pieces of work for individual children, acknowledging that area teams are responsible for this. However, the Panel will take responsibility for any themes that are identified and act on these immediately for a child.
- Be the main vehicle for the voice of our children and young people, this will be the responsibility of the Children in Care Council. The Panel will however regularly listen, respect and act on the views of children and young people.

Report to Governance Committee

24 September 2021

Appeals Panel Annual Report 2020/21

Report by Interim Director of Human Resources and Organisational Development and Director of Law and Assurance

Electoral divisions: N/A

Summary

The Governance Committee receives an annual report on the activity of the Appeals Panel from which Boards of Appeal are drawn to consider final appeals from staff against dismissal. This report summarises the role of the Panel and the outcomes of Boards which have heard cases in the last year. These are shown in **Appendix 1**.

In 2020/21 one board of appeal was convened. There were a further three appeals submitted but subsequently withdrawn prior to any hearing taking place.

Recommendation

That the Appeals Panel Annual report 2020/21 be noted.

Proposal

1. Background and context

- 1.1 The County Council's Human Resources policies and procedures make provision for staff who have been dismissed to appeal against that decision to members via an Appeals Panel. Subject to meeting the agreed criteria (determined by the Director of Law and Assurance) staff may also appeal to the Panel as the final stage of a grievance. The Boards of Appeal drawn from the Panel have the power to uphold management decisions or to reverse a dismissal decision or uphold or alter a grievance outcome. They may also make recommendations for improvements to Council procedures. The Appeals Panel also hears appeals against school transport decisions.
- 1.2 It was agreed by the Governance Committee in January 2010 that an annual report be presented setting out:
 - An overview of the cases heard;
 - A summary of any recommendations arising from the hearings and any comments or feedback relating to them;
 - Any comments or observations from the annual training session for Panel members; and

- Any recommendations for the future.
- 1.3 Boards of Appeal comprise between three and five members. Hearings are scheduled on fixed dates throughout the year and cancelled if not required. Members are usually allocated to three or four hearings each year and Boards of appeal are scheduled every four to five weeks to ensure that all appeals can be heard in a timely fashion. As many dates are cancelled due to a lack of business it cannot be guaranteed that all members of the Panel will sit on any board of appeal.
- 1.4 The membership of the Panel changes from time to time and are appointed either at Governance Committee or sometimes by the County Council in the interests of time. Prior to the election in May 2021 the Panel comprised 14 members and there were four vacancies. The Panel does not include members of the Cabinet.

2. Boards of Appeal during 2020/21

- 2.1 In January 2020 the Committee received a report on officer delegations (Constitutional provisions). The report explained that there is no requirement for the Chief Executive or nominee to sit on the Board of Appeal and the arrangement going forward is that, save in exceptional cases, the Chief Executive will not sit on Boards of Appeal but will ensure that the Board is fully and properly advised. From April 2020 to April 2021 all formal meetings were required to be held virtually in accordance with legislation and government guidance due to the Covid-19 public health emergency.
- 2.2 During 2020/21 there were four appeals against dismissal submitted to the Director for Law and Assurance. Three appellants withdrew their appeal prior to any hearing taking place. One appeal was held virtually due to the public health restrictions in place at the time and the appeal was dismissed. No final stage transport appeals were received during this period. There was one request for a stage three grievance hearing but this was rejected as the criteria for proceeding (evidence of an error of process or significant new information) were not met.
- 2.3 In all four members were involved in hearing the virtual appeal. A summary of the hearing and recommendations is provided at Appendix 1.

3. 2020/21 Annual meeting and training

3.1 All members appointed to the Panel had received training delivered by Diane Henshaw, Principal Solicitor, who until recently advised Boards of appeal. An annual meeting took place virtually in November 2020 and members present received refresher training on both school transport and staff appeals. It was agreed that the induction training due to be delivered in 2021 would cover chairing a meeting and outlining the member role if an appeal is referred to a tribunal.

4. Arrangements for Boards of appeal during 2021/22

4.1 Following the election in May 2021 15 members have been appointed to the appeals panel and there are currently three vacancies. Two induction sessions have taken place to date and of the 15 members on the panel, 12 have received induction training on both staff appeals and school transport appeals. Arrangements are in hand for a further induction session to take place in

October for the remaining three members to attend and is timed to enable induction training to be provided to any additional members appointed to the panel either at the Governance Committee in September or at full Council in October. Only those members who have received training will be appointed to hear an appeal. Such appeals will take place in person in accordance with the current legislation.

5. Consultation, engagement and advice

5.1 Following the election in May 2021 new appointments to the Appeals Panel have been made. Those who were members of the Appeals Panel during 2019/20 who have been re-elected and re-appointed to the Appeals Panel have had the opportunity to comment on Appendix 1.

6. Finance

6.1 Boards of Appeal are overseen jointly by Legal Services and Democratic Services. The manager who either heard the grievance or made the decision to dismiss presents the management case to the Board of Appeal and is supported in this by an officer from Human Resources. Resources are currently managed within existing budgets.

7. Risk implications and mitigations

7.1 One of the more important functions of the Appeals Panel is to identify shortcomings in the Council's procedures or their application and to make recommendations for action. This should help reduce the risk of challenge to decisions.

8. Policy alignment and compliance

- 8.1 There are no crime or disorder or social value implications because this report deals with internal or procedural matters only. Both equality duty and human rights assessments are addressed in individual hearings.
- 8.2 In relation to the Council's Climate Change obligations, Virtual hearings have led to a reduction in travel.

Sue Evans

Interim Director of Human Resources and Organisational Development

Tony Kershaw

Director of Law and Assurance

Contact Officer: Amanda Drinkwater, Democratic Services Officer, 033 022 22521 or email amanda.drinkwater@westsussex.gov.uk

Appendices

Appendix 1 – Summary of Board hearings

Background papers

None



Summary of Appeal Hearings held during 2020/21

Date of Hearing	Appellants Directorate	Type of Appeal	Members	Outcome	Recommendations and management response
12 November 2020	Fire & Rescue Service	Dismissal	Cllr L Barnard (Chairman)	Dismissed	None
			Cllr A Patel		
			Cllr R Oakley		
			Cllr M Millson		

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Report to Governance Committee

24 September 2021

Change to Member Development Group Terms of Reference

Report by Director of Law and Assurance

Electoral division: Not applicable

Summary

A small amendment is proposed to the terms of reference of the Member Development Group (MDG) which are contained in Part 3, Appendix 7 of the Council's Constitution.

Recommendation

That the proposed amendment to the terms of reference of the Member Development Group, as set out in Appendix 1, be endorsed for submission to the Council for approval on 22 October 2021.

Proposal

1 Background and context

1.1 An update to the Council's Constitution is required to reflect a small amendment to the terms of reference of the Member Development Group (MDG) (Part 3, Appendix 7), following the award of Charter status for councillor development, as part of the Councillor Development Charter and Charter Plus, managed by South East Employers.

2 Proposal details

- 2.1 Changes are proposed to Part 3 of the Constitution: Responsibility for Functions in relation to the terms of reference of the MDG. This is to reflect the award to the Council of the Councillor Development Charter in November 2020, following an assessment by South East Employers.
- 2.2 It is proposed that a minor change to the MDG's terms of reference should be made to clarify the role it undertakes in relation to overseeing participation in the Charter and monitoring its progress. The proposed amendment to the relevant section of Part 3, Appendix 7 of the Constitution is set out 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 There are no revenue or capital budget consequences.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Loss of Charter status if appropriate monitoring arrangements are not in place	The MDG role includes ensuring the aims of the Charter for Councillor Development are met and monitored

7 Policy alignment and compliance

7.1 Making the proposed change will improve clarity in the relevant area in the Constitution, which will help to encourage compliance with its provisions.

Tony Kershaw

Director of Law and Assurance

Contact Officer: Helen Kenny, Head of Democratic Services, 033022 22532 or helen.kenny@westsussex.gov.uk

Appendices

Appendix 1 – Amendment to Part 3, Appendix 7 of the Constitution: Member Development Group Terms of Reference

Background papers

None

Amendments to Part 3, Appendix 7 of the Constitution: Member Development Group Terms of Reference

Changes shown in bold, italic text

Member Development Group

Constitution

An advisory body to the Governance Committee on all aspects of member roles and the training and development needed by members to undertake their work on the County Council.

Note:

Members of the Group will be appointed by the Governance Committee after consultation with Group Leaders and will reflect the principles of proportionality (current size 10 members, quorum is three).

The County Vice-Chairman and a Cabinet Member nominated by the Leader will be ex-officio members.

The Chairman will be elected by the Group.

Terms of Reference

- 1. To be the custodian of all aspects of the member role and its development.
- 2. To be proactive in making plans and proposals for member development as part of the corporate planning process, to address all emerging issues and work-streams of importance to the membership.
- 3. To have ownership of the annual training and development programme for the membership, so as to enable members to undertake their roles effectively and to ensure that training and development are aligned to member priorities.
- 4. To consider and prioritise topics for learning and development for all members ensuring that arrangements meet member expectations and requirements.
- 5. To monitor and review the effectiveness of the member development programme to inform the planning and prioritisation of the programme.
- 6. To have ownership of the all-member survey, to be undertaken at regular intervals, to provide intelligence on all aspects of the member role, capacity, support and training needs and to use the findings to inform the training and development programme.
- 7. To have ownership of the induction programme and materials for the new Council following elections, with priority areas being highlighted through the group's on-going work and member feedback and to evaluate the success of the programme and ensure that learning points inform future programmes.

- 8. To oversee expenditure against the member training budget.
- 9. To oversee the Council's participation in the Councillor Development Charter and Charter Plus and to and monitor the effectiveness of all aspects of the Charter.

Reporting Arrangements

The Chairman shall provide a regular report to the Governance Committee regarding the work of the Group, member development activities and member training and development priorities and plans.