

Governance Committee

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

Present: Cllr Bradbury (Chairman)

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

Part I

22. Declarations of Interest

22.1 No interests were declared.

23. Minutes of the last meeting of the Committee

23.1 Resolved – That the minutes of the meeting held on 24 September 2021 be approved as a correct record and that they be signed by the Chairman.

24. Changes to Council Procedures

24.1 The Committee considered a report by the Director of Law and Assurance on proposals for changes to Council procedures which had been published (copies appended to the signed minutes). It was noted that some cross references needed to be updated.

24.2 Members were generally supportive of the changes, particularly taking question time earlier in the agenda and waiting until motions were due to be debated before circulating briefing notes.

24.3 A request was made for the limit on the number of motions taken at each meeting to be reconsidered. As the limit had only been agreed in July, the Chairman said six months should elapse before further consideration. He commented that he had asked for the changes as a whole to be reviewed after one year.

24.4 In relation to the limit on the size of written questions the Director of Law and Assurance reassured members that Democratic Services would continue to assist members with their formulation.

24.5 Cllr Lord requested that the time limit for speeches by members during petition debates should be kept at three minutes rather than being increased to five minutes as there is an overall total length of half an hour for questions during petition debates. She put forward an amendment, as shown in underlined bold italic text below, which was seconded by Cllr O'Kelly.

'2.58 A member shall direct his or her speech to the question under discussion or to a personal explanation or to a question of order.
Each member may speak for up to five minutes, with the

exception of speeches in the annual budget debate, which are not timed and petition debates when members can speak for up to three minutes.

24.6 The amendment was approved.

24.7 Resolved - That the proposed changes to Part 4, Section 1 of the Constitution, as set out in Appendix 1 to the report and the sheet of additional changes, subject to the amendment set out in minute 24.5 above and corrections to cross-references, be endorsed for submission to the County Council for approval.

25. Minor changes to the Constitution, including Regulation, Audit and Accounts Committee Terms of Reference

25.1 The Committee considered a report by the Director of Law and Assurance on changes to the terms of reference of the Regulation, Audit and Accounts Committee, specifically in relation to its licensing and regulatory functions, and other minor updates to the Constitution (copy appended to the signed minutes).

25.2 In relation to the change in name of the Confidential Reporting Policy to the Whistleblowing Policy, the Director of Law and Assurance said that the change had been made by the Standards Committee to make the nature of the policy clearer. The Director also reassured members that, despite the age of the legislation in relation to the licensing of the employment of children, the regulations under the primary legislation and internal council arrangements were regularly updated.

25.3 Resolved –

- (1) That the proposed changes to Part 3, Appendix 5 of the Constitution, as set out in Appendix 1 to the report, be endorsed for submission to the County Council for approval; and
- (2) That the minor changes to the Constitution, as set out in Appendix 2 to the report, be endorsed for submission to the County Council for approval.

26. Plans for Member Meetings

26.1 The Committee considered a report by the Director of Law and Assurance on the arrangements for member meetings and proposed criteria whereby informal meetings may meet in person (copy appended to the signed minutes). Members noted that the reference to paragraph 1.4 in paragraph 2.2 of the report should read paragraph 1.5.

26.2 The Chairman supported the suggestion in paragraph 2.5 of the report that, as the only substantive item of business at the February Council meeting is the debate on the budget and the Council Plan, members would have to be present in the Chamber in order to take part in the debate and vote. He hoped it would be possible to remove the option of hybrid attendance at full Council meetings in due course. He

commented that the Government had indicated it did not intend to extend the Covid emergency powers beyond March 2022 and that therefore this would be an appropriate time to reconsider the current arrangements for member meetings.

26.3 The Leader commented that the majority of members had welcomed the return to the Council Chamber for the October Council meeting. There is, however, a need to maintain a cautious approach given infection levels particularly during the winter months. He therefore felt it appropriate to continue to allow virtual attendance where possible and, whilst it would be sensible to review the situation after the December Council meeting, waiting until after the February Council meeting might give a more meaningful analysis. This view was supported by other members. The Chairman reassured members that, whilst a position could be taken by the Committee in February, that position could be revisited at a later date if necessary.

26.4 Members agreed that attendance in person at formal meetings and member development sessions involving discussion groups and workshops is better than joining such meetings or sessions virtually. However, the Committee supported the continued use of the hybrid meeting technology, particularly for meetings such as scrutiny committees where giving members the option to join virtually is useful for those with caring responsibilities.

26.5 A question was raised as to whether members' virtual attendance at meetings is always recorded in the minutes. The Director of Law and Assurance said virtual attendance is recorded for those meetings where there is a need to distinguish those who were taking part in decisions but not for scrutiny committees where the chairman has formally agreed that the meeting can be held in a hybrid or virtual format. The Director confirmed that virtual attendance counts as a special dispensation for non-attendance under the six-month rule. This will need to be revisited in the light of any changes to meeting arrangements.

26.6 The Director of Law and Assurance confirmed that members will be consulted in due course on the development of new ways of working and on any changes to the use of Council buildings.

26.7 Resolved –

- (1) That the criteria for holding informal meetings in person be approved;
- (2) That members be consulted after the December Council meeting on what future meeting arrangements should look like from spring 2022 onwards; and
- (3) That meeting arrangements continue to be monitored in light of the latest government guidance and Public Health advice.

27. Report of the Member Development Group

27.1 The Committee received the regular report on the work of the Member Development Group (MDG), including an overview of member development activities and member training and development priorities and plans (copy appended to the signed minutes). Members noted that 36 councillors had attended the member briefing on the NHS on 12 November 2021.

27.2 In presenting the report the Vice-Chairman asked Group Leaders to ensure that all their members had completed the training on IT Security and Data Protection given its importance to the Council's business.

27.3 In relation to the suggestion in paragraph 3.1 that in future years there might be some sessions aimed specifically at new members, Cllr Burrett commented that there were benefits of returning and new members attending training sessions together to share experience and learning. He commented that when he was first elected he had found visits to facilities such as the Materials Recovery Facility and the Fire & Rescue Service headquarters useful and suggested that consideration should be given to such visits in future.

27.4 As a new member, Cllr Baxter commented that she had found the initial induction difficult and felt it would be better to have more concentrated whole induction days rather than a number of shorter sessions spread throughout the week.

27.5 In response to a question from Cllr Lord as to whether statistics were available on how many people who stood for election had taken part in the 'Be a Councillor' programme, the Head of Democratic Services said she would let her know. Cllr Lord also asked whether, as a result of the work to increase under-represented groups on the Council, numbers had increased. The Head of Democratic Services said it was difficult to tell as there were no baseline statistics available from previous elections but that MDG would be reviewing diversity as part of the local democracy programme.

27.6 In terms of the best way of giving feedback on sessions it was suggested that the option of members being asked to give feedback during the session via their phones should be considered. This and the other points raised would be picked up by the Chairman of MDG and the Head of Democratic Services.

27.7 Resolved – That the report be noted.

28. Date of Next Meeting

28.1 The Committee noted that the next meeting will be held at 10.30 a.m. on Monday, 7 February 2022. It was likely that the meeting currently diaried for 28 February 2022 would be cancelled.

The meeting ended at 3.35 pm

Chairman