

# Public Document Pack

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28 April 2022

## **Governance Committee**

A meeting of the Committee will be held at **2.15 pm** on **Monday, 9 May 2022** at **County Hall, Chichester PO19 1RQ**.

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 as an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt please contact Democratic Services before the meeting.

### **2. Minutes of the last meeting of the Committee (Pages 3 - 8)**

The Committee is asked to agree the minutes of the meeting held on 7 February 2022 (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. Development of an Executive-Scrutiny Protocol (Pages 9 - 12)**

Report by the Director of Law and Assurance.

The Committee is asked to agree to the development of an Executive-Scrutiny Protocol, in line with the statutory guidance on overview and scrutiny in local authorities.

### **5. Member Meetings Update (Pages 13 - 22)**

Report by the Director of Law and Assurance.

The Governance Committee agreed at the start of the public health emergency to regularly review plans for all formal Council/committee meetings. This update

confirms the arrangements currently in place, which reflect what the Committee agreed at its last meeting as well as the more recent easing of Public Health precautions put in place in response to the pandemic.

6. **Report of the Member Development Group** (Pages 23 - 28)

Report by the Chairman of the Member Development Group.

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

7. **Appointments to Committees, Panels and Outside Bodies** (Pages 29 - 30)

Report by the Director of Law and Assurance.

In accordance with the provisions of the Local Government and Housing Act 1989, the Committee is asked to appoint members to serve on a number of committees, panels and outside bodies in line with the expressed wishes of the political groups.

8. **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 pm on 6 June 2022 at County Hall, Chichester.

**To all members of the Governance Committee**

## **Governance Committee**

7 February 2022 – At a meeting of the Governance Committee held at 10.30 am at County Hall, Chichester PO19 1RQ.

Present: Cllr Bradbury (Chairman)

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

Apologies were received from Cllr Marshall

### **Part I**

#### **29. Declarations of Interest**

29.1 Cllr Burrett declared a personal interest in the item on Plans for Member Meetings as a member of Crawley Borough Council.

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

30.1 Resolved – That the minutes of the meeting held on 15 November 2021 be approved as a correct record and that they be signed by the Chairman.

#### **31. Pay Policy Statement 2022/23**

31.1 The Committee considered a report by the Director of Human Resources and Organisational Development on proposed revisions to the Pay Policy Statement, for recommendation to the County Council (copy appended to the signed minutes).

31.2 Members queried the changes to paragraph 4.3 of the Pay Policy on the authority to determine gradings. Cllr Jupp suggested a minor change to the wording to read 'a single pay point and grading is determined by **either** the Chief Executive **or, if appropriate, by** the Director of Human Resources and Organisational Development' and this was agreed.

31.3 Members commented on the deletion of paragraph 6.3 which referred to pay increases being subject to bench-marking and satisfactory performance. The Head of Specialist HR Services said the Council does not have performance-related pay but that there are provisions within the standard staff contract that pay increments will not be given if performance is not satisfactory. He explained that, alongside the changes to the Pay Policy Statement, there will be a refresh of the HR operating procedures to include details of performance and benchmarking measures.

31.4 In relation to the pay multiples set out at Appendix 2 and note (3) it was confirmed that the Chief Executive is an employee of East Sussex County Council with the County Council sharing salary costs and therefore this post cannot be treated as the highest paid employee. Cllr Lord asked if the ratio of those payments on a pro-rata basis could be included as a

note. It was agreed that this would be explored for the 2023/24 Pay Policy Statement.

31.5 Resolved - That the proposed revisions to the Pay Policy Statement, as set out in Appendix 1 to the report, subject to the amendment set out in minute 31.2 above, be endorsed for recommendation to the County Council.

### **32. Plans for Member Meetings**

32.1 The Committee considered a report by the Director of Law and Assurance on the plans for meetings to the end of March 2022 and meeting arrangements from April 2022 onwards (copy appended to the signed minutes).

32.2 Members were supportive of the approach outlined for future arrangements, particularly the option of some informal meetings such as Member Development Sessions being held in person to help networking and interaction. There was also support for exploring options for the technology for hybrid meetings to be at venues other than the Council Chamber in County Hall, Chichester. The Head of Democratic Services said an update would be included in the next review report in September.

32.3 Members noted that experience has shown the benefits of different ways of working. A comment was made that, rather than there having to be a 'good reason' for a member not attending a meeting in person, it should be left to each member to decide on the best approach for them. The Head of Democratic Services commented that there are different expectations in terms of attendance for scrutiny meetings as they were not decision-making.

32.4 Cllr Waight commented that it was clear that the Government did not intend to allow decision-making meetings to happen remotely. As Cabinet Member with responsibility for IT his view is that members should be provided with the IT they need to do their role and he said he would take that approach with requests for equipment, in consultation with group leaders. He referred to discussions currently underway regarding future, smarter ways of working across the Council, and said that this would aim to ensure members have the appropriate equipment to meet their needs.

32.5 The need to make sure all members are aware of what equipment or advice is available was stressed as experience shows that small IT changes can make a big difference to taking part in virtual meetings. The Head of Democratic Services also advised of a drop-in virtual training session on the use of the Member Information Network intranet site to help members find the information and advice that is available online.

32.6 In relation to the public gallery and the capacity restrictions and the need to book tickets in advance, a request was made for restrictions to be removed as soon as practicable.

32.7 Resolved –

- (1) That the arrangements for formal Council/committee meetings to the end of March 2022 be noted;
- (2) That the approach to meeting arrangements set out in paragraph 3.2 of the report, taking account of the feedback from the all-member survey, be followed from April 2022 onwards; and
- (3) That meeting arrangements continue to be monitored in light of the latest government guidance and Public Health advice and a further full review be undertaken at the Committee's meeting in September.

### **33. Code of Governance**

33.1 The Committee considered a report by the Director of Law and Assurance on a new Code of Governance to provide residents and partners with insight into the Council's governance framework (copy appended to the signed minutes).

33.2 In response to comments on the draft Code set out at Appendix 1, the Committee was advised that in section 3, sub-sections e), f) and g) should have explanations beneath them and these would be reinstated. In the explanation beneath sub-section d) the word 'is' should be deleted.

33.3 Members discussed the explanation of the role of scrutiny committees in paragraph 3.7 of the Code. A request was made for the five scrutiny committees to be listed for ease of reference. It was suggested that the process of flagging major policy items and their timing in the Forward Plan to enable timely scrutiny be explained. The Director of Law and Assurance said he would review whether the section should give more detail on how the process works.

33.4 Members were happy to approve the minor amendments set out in minute 33.2 in order to comply with the commitment to publish a new Code of Governance by the end of April, as set out in the Council Plan. In relation to the suggested changes in relation to the paragraph 3.7 on scrutiny, it was proposed that any significant changes be brought back to the Committee's next meeting for further consideration. Members also felt that the Code should be kept under review.

33.5 Resolved –

- (1) That the Code of Governance (attached at Appendix 1 to the report), subject to the minor amendments set out in minute 33.2 above, be approved for publication and dissemination; and
- (2) That any major revisions to paragraph 3.7 on scrutiny be brought to the next meeting of the Committee with proposals for how the Code of Governance will be reviewed.

### **34. Amendments to the Delegation Code of Practice for Rights of Way**

34.1 The Committee considered a report by the Director of Highways, Transport and Planning which proposed amendments to the Rights of Way Code of Practice (copy appended to the signed minutes).

34.2 It was noted that on page 53, paragraph (1) ii should include 'Sussex Police' in the text as well as the heading.

34.3 Members were reassured that the reduction in the 21-day time limit to 10 days is in relation to local member consultation only and will not affect the publication of statutory notices for the public.

34.4 Resolved - That the proposed changes to the Delegation Code of Practice for Rights of Way (Public Path Orders), as set out at Appendix 1 to the report, subject to the minor amendment in minute 34.2, be submitted to full Council for approval on 18 February 2022.

### **35. The publication of Members' Home Addresses**

35.1 The Committee considered a report by the Director of Law and Assurance on a proposal from the Member Development Group (MDG) that the Council should adopt a default position of not publishing the home addresses of members (copy appended to the signed minutes). The report recommended no change to the current arrangements.

35.2 Cllr Waight expressed concern with this as the default position. Research by the Local Government Association (LGA) shows that abuse of councillors has increased in recent years and there is a growing level of intimidation. The LGA advises councillors not to encourage callers to their homes. In Cllr Waight's view the MDG had been correct to recommend changing to an opt-in system and he put forward a proposal to that effect which was seconded by Cllr Jupp.

35.3 Other members supported Cllr Waight's proposal, particularly given that most contact with members is now by email, phone or social media rather than by post. Reassurance was given that post to members sent care of County Hall is forwarded swiftly.

35.4 Cllr Lord supported the proposal that the default should be that members' addresses are not publicly available but felt it is important in terms of transparency for residents to have an indication of the area in which a member lives. She proposed that the MDG be asked to look at options and this was seconded by Cllr O'Kelly. Cllr Wickremaratchi, the Chairman of the MDG, agreed to the request.

35.5 Resolved –

- (1) That the default position be that members' addresses are not published and that Democratic Services write to the relevant members to confirm that their home address is no longer published unless requested otherwise; and
- (2) That the Member Development Group considers options to indicate the area in which a member lives.

**36. Proposed change to the Constitution on Reasonable Adjustments**

36.1 The Committee considered a report by the Director of Law and Assurance on a new Standing Order to make explicit reference to how requests by members for reasonable adjustments are considered (copy appended to the signed minutes).

36.2 Resolved –

That Council be recommended to add a new Standing Order 1.07 to Part 4, Section 1 of the Constitution, to read:

‘Subject to legal requirements any Standing Order may be waived or amended for an individual member requiring a reasonable adjustment to enable effective working on Council business, in line with best practice. The Director of Law and Assurance will actively consider any requests for such reasonable adjustments.’

**37. Update on DBS checks for County Councillors**

37.1 The Committee considered a report by the Director of Law and Assurance on the completion of Disclosure and Barring Service (DBS) checks for all newly-elected members and enhanced checks for members appointed to specific roles (copy appended to the signed minutes).

37.2 In relation to paragraph 2.2 of the report, the Senior Advisor (Member Support) advised that the final DBS certificate has been issued.

37.3 Resolved - That the completion of DBS checks for members be noted.

**38. Report of Urgent Action**

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

**Boundary Review consultation**

Approval to the County Council’s response to the Mid Sussex District Council Boundary Review consultation.

**39. Date of Next Meeting**

39.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 9 May 2022.

The meeting ended at 12.00 pm

Agenda Item 2

Chairman



**Report to Governance Committee****9 May 2022****Development of an Executive-Scrutiny Protocol****Report by Director of Law and Assurance****Electoral division: Not applicable**

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**Summary**

The Committee is asked to agree to the development of an Executive-Scrutiny Protocol, in line with the statutory guidance on overview and scrutiny in local authorities. This will complement the new Code of Governance agreed by the Committee at its last meeting in February 2022 and respond to some of the issues raised by the Committee when agreeing the Code, including the need to clearly set out the aims and expectations of scrutiny committees and their relationship with the Executive and to explain the process for ensuring timely scrutiny of major policy issues. It is proposed that there is engagement with all members in the development of this Protocol prior to seeking formal approval by this Committee in the autumn.

**Recommendation**

The Committee is asked to:

- (1) Agree to the development of an Executive-Scrutiny Protocol and the process for member engagement;
  - (2) To identify any particular elements for inclusion in the Protocol; and
  - (3) Agree that a draft Protocol be presented for approval by this Committee in September 2022
- 

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

- 1.1 Statutory [national guidance](#) on scrutiny was issued by the Government in 2019. It includes a recommendation that councils should consider developing an Executive-Scrutiny Protocol. This can help to deal with the practical arrangements between scrutiny committee members and the executive, as well as the cultural dynamics. It can help define the relationship between the Executive and Scrutiny and provide a framework for challenge and debate.
- 1.2 The national scrutiny guidance was reviewed by this Committee in June 2019 and as part of a review of scrutiny carried out later that year. The review of scrutiny formed part of the proposals relating to improvements to the Council's governance arrangements agreed by the Committee and by County Council in

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December 2021. At that stage, the development of an Executive-Scrutiny Protocol was not considered to be a priority. However it is now proposed that such a Protocol would form a useful additional tool to enhance the effectiveness and understanding of the Council's scrutiny process and to complement the new Code of Governance agreed by the Committee in February 2022.

2.1 The aims of the Protocol will be to:

- a) Set out and agree good scrutiny practice
- b) Enable an open, trusting relationship between the Executive and Scrutiny
- c) Describe the key roles and responsibilities of Scrutiny and the Executive
- d) Support focused, transparent and timely scrutiny of policy development
- e) Facilitate more effective scrutiny work programme planning and outcomes
- f) Enable Scrutiny to influence Council business in a meaningful way

## **2 Proposal details**

2.2 It is proposed that an Executive-Scrutiny Protocol be developed through engagement with members (as set out in paragraph 4) and in line with the aims set out above.

2.3 In developing the Protocol, consideration should be given to the inclusion of the following content, as suggested in the national guidance:

- How scrutiny develop its work programme (including how senior officers and Cabinet members are kept informed)
- How senior officers and Cabinet keep scrutiny informed of policy development and enable its scrutiny, including safeguards to address sensitivities in timing or the content of plans
- Measures to reinforce the code of conduct relating to member behaviour in meetings
- Defining the responses scrutiny can expect from its recommendations to the executive, to requests to the Executive for information, and to attend meetings
- Describing the role of the statutory scrutiny officer (the Head of Democratic Services) and Monitoring Officer to ensure compliance with the Protocol and the achievement of its aims, with outcomes reported to full Council through the scrutiny Annual Report

2.4 Governance Committee is invited to comment on this proposal and identify any other matters to be included in the drafting of the Protocol.

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

3.1 The development of an Executive-Scrutiny Protocol is not a statutory requirement and is not essential to the operation of the scrutiny function. However, the adoption of a Protocol should enhance scrutiny arrangements and provide a mechanism for managing relationships. It will be important for the Protocol to be reviewed on a regular basis to ensure it is used effectively.

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

4.1 Cabinet Members and Scrutiny Chairmen have informally indicated support for

the development of an Executive-Scrutiny Protocol. It is proposed that there should be engagement with members in the development of the Protocol as follows:

- A cross-party member workshop of scrutiny committee members (May 2022, date to be confirmed)
- Input from Performance and Finance Scrutiny Committee (June 2022, as part of its annual scrutiny review)
- A workshop of Cabinet Members and Scrutiny Chairmen and Vice-Chairmen (July 2022, date to be confirmed)
- Draft Protocol to be shared with Group Leaders and all members for input and comment prior to consideration by the Governance Committee

4.2 It is also proposed that examples of such protocols in other councils or similar mechanisms used for describing their approach to ensuring effective scrutiny/executive working are looked at in the preparation of the Protocol.

## 5 Finance

5.1 There are no revenue or capital budget consequences.

## 6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Ineffective scrutiny	Adoption of an Executive-Scrutiny Protocol with full member engagement will help to ensure robust scrutiny arrangements and clarity of roles of, and relationships between, Scrutiny and the Executive

## 7 Policy alignment and compliance

7.1 An Executive-Scrutiny Protocol will support the Council's constitutional commitments and ensure key governance arrangements are in line with national guidance.

Tony Kershaw  
**Director of Law and Assurance**

**Contact Officer:** Helen Kenny, Head of Democratic Services, phone number: 033022 22532, email address: helen.kenny@westsussex.gov.uk

### Appendices

None

### Background papers

None

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**Report to Governance Committee****9 May 2022****Member Meetings Update****Report by Director of Law and Assurance****Electoral division: N/A**

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**Summary**

The Governance Committee agreed at the start of the public health emergency to regularly review arrangements for all member meetings. This update confirms the arrangements in place, which reflect what the Committee agreed at its last meeting as well as the more recent easing of public health precautions. The Committee is due to undertake a further full review of meeting arrangements in September 2022. The report also gives the viewing figures for webcasts of meetings during 2021/2022.

**Recommendations**

The Committee is asked to:

- (1) Note the arrangements for member meetings as set out in Appendix 1;
  - (2) Note the webcasting viewing figures set out in Appendix 2; and
  - (3) Agree to the webcasting of Health and Wellbeing Board meetings for a one-year trial period.
- 

**Proposal****1. Background and Context**

- 1.1 This Committee has reviewed plans for member meetings during the public health emergency. Most restrictions put in place in response to the pandemic have now been removed. Formal decision-making meetings continue to be held in person, with the option of joining remotely open to some participants within legislative constraints. Informal meetings are mainly held virtually, but with the option for these to be held in person where face-to-face interaction is beneficial.
- 1.2 At its last meeting the Committee reviewed feedback from an all-member survey, which showed support for the hybrid approach where this is permissible but also emphasised the importance of in-person networking. Since that meeting, most of the public health precautions relating to meetings have been removed, including the need for social distancing and limits on the public gallery. A summary of current arrangements is at **Appendix 1**. This provides a reference point which can be revised as appropriate. It also responds to the member feedback by providing a common understanding of procedural rules for remote participation and of IT support available to enable remote working.

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- 1.3 Options for the technology to enable hybrid meetings at venues other than the Council Chamber are being explored and details will be included in the next review report in September.
- 1.4 Between April 2020 and May 2021, regulations were in place enabling all formal Council/committee meetings to be held virtually. All such meetings were webcast to ensure the public were able to see/hear proceedings, providing openness and transparency. These regulations lapsed in May 2021 and since then all formal decision-making meetings have been required to be held in person with a physical public gallery.
- 1.5 In September 2021, this Committee reviewed webcasting and agreed that it should revert to pre-pandemic arrangements. Meetings of full County Council, Cabinet, Scrutiny Committees and Planning and Rights of Way Committee have been webcast as standard. Other meetings may be webcast where matters of significant public interest are due to be considered and with the agreement of the relevant chairman. Any meetings being held virtually, and which require public access, will be webcast. This did include Health and Wellbeing Board meetings which, until recently, were being held virtually. Now that these are being held in person, its Chairman has requested that they be webcast due to the level of public interest in the work of the Board.
- 1.6 The national position regarding local authority meetings is that the legislation has reverted to pre-pandemic arrangements. This means that formal decision-making meetings and voting may not take place virtually. In response to lobbying on this matter, the Government has confirmed that it does not plan to change this legislation. Should it decide to make any changes to regulations in future, the Governance Committee will be updated and asked to consider the implications for the Council's future meeting arrangements.

## 2. Proposal details

- 2.1 The Committee is asked to note the arrangements for member meetings set out in **Appendix 1**. These are in line with the procedures agreed by this Committee and with national guidance and will continue to be kept under review by the Committee. It is due to carry out a full review of meeting arrangements from in September 2022.
- 2.2 Changes introduced since the Committee's last meeting in February 2022 include the lifting of social distancing (and other public health precautions). There is no longer a requirement for the public to book to attend meetings in the public gallery, and the capacity of the public gallery has returned to normal. The only exception to this is where a meeting may have an agenda item of significant public interest. In such cases, there may be a need to have a booking system in place for the public gallery.
- 2.3 **Appendix 2** shows the webcasting figures for meetings webcast during 2021/22 and provides comparisons with the figures for 2020/21 and 2019/20. Webcasts are available via the Council's website live during the meeting and then available from the archive for six years.
- 2.4 The Committee is asked to agree that the meetings of the Health and Wellbeing Board be webcast for a one-year trial. The Board is a forum for senior representatives of Adult Social Care, Children's Services, Public Health, the NHS, District and Borough Councils and the Voluntary Sector to come together

to discuss plans to improve the health and wellbeing of the residents of West Sussex. During the pandemic interest in Public Health issues raised the profile of the Board and webcasting could help maintain this and aid understanding of and engagement with public health. An assessment of the trial to judge whether it should become permanent will be carried out at the end of the year.

### **3. Consultation, engagement and advice**

- 3.1 All county councillors were invited to take part in a survey on future meeting arrangements in January 2022. The results of this survey were reported to Governance Committee in February 2022 and have informed plans for meeting arrangements. The Member Development Group has reviewed the survey responses relating to IT and training/guidance for members and guidance on this has now been updated and reissued.
- 3.2 The Chairman and Group Leaders were consulted on the easing of public health precautions relating to member meetings and a communication was sent to all members in March 2022 confirming the changes.
- 3.3 The current Council/committee meeting arrangements reflect the latest Government and public health advice.

### **4. Finance**

- 4.1 Meetings which are webcast require additional officer support from Democratic Services. The Health and Wellbeing Board meets four times per year and support for webcasting its meetings can be met from within existing resources. This will be reviewed as part of the assessment of the proposed one-year trial.
- 4.2 The cost implications of any additional equipment to allow hybrid meetings to be held in other rooms apart from the Council Chamber will be considered and reported to the Committee when it reviews future meeting arrangements again in September.

### **5. Risk Implications and Mitigations**

<b>Risk</b>	<b>Mitigation</b>
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 (e.g. officers presenting, external witnesses) to join meetings remotely

### **6. Policy alignment and compliance**

- 6.1 There is no equality duty impact arising from this report which is a general overview of arrangements. 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 save the need to ensure that council meetings take place in line with statutory requirements. Public health requirements relating to COVID-19 have been considered.

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### **Tony Kershaw**

Director of Law and Assurance

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

### **Appendices**

Appendix 1 – Guide to Member Meetings and Procedures, May 2022

Appendix 2 – Webcasting Data

### **Background Papers**

None



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## Guide to Member Meetings and Procedures, May 2022

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The [Governance Committee](#) has reviewed member meeting arrangements during the pandemic. Most restrictions have been removed but some new ways of working are retained. They help the Council's climate change commitments, save time and cost and allow members to attend meetings they would otherwise be unable to. The recent member [survey](#) showed broad support for these new approaches where permissible. Please also see Standing Orders in the [Constitution](#) (Part 4, Section 1 and Section 1A).

### 1. Formal meeting arrangements

- a) **Meeting attendance:** All councillors must be physically present at formal, decision-making meetings. Members cannot speak or contribute to a debate or vote remotely or through hybrid arrangements at such meetings.
- b) **Virtual and hybrid meetings:** the hybrid system can allow officer, non-committee member or third-party involvement. For non-decision-making business, where members are unable to attend, they may join in-person meetings remotely but are not able to speak or vote on substantive business or count for the purpose of the quorum. Scrutiny committees have the option of holding their meetings virtually and/or as hybrid meetings. The exception is where they are due to elect chairmen/vice-chairmen.
- c) **Chairing meetings:** Chairmen of meetings held in person or hybrid should be present in the room as it is difficult to chair a hybrid meeting remotely as not all requests to speak can be seen. Where the chairman of a decision-making meeting cannot attend in the room, the vice-chairman should chair the meeting or, if unavailable, a chairman for the meeting should be appointed.
- d) **Meeting venues:** Committee Room 3 or the Council Chamber in County Hall Chichester will be used for all formal meetings. These can be webcast or used for hybrid meetings but only the Chamber currently allows for webcasting and hybrid at the same time.
- e) **Social distancing** is no longer be required and all meeting rooms have reverted to their standard capacity with ventilation to ensure fresh air. One-way systems have been removed.
- f) **Public Gallery:** There is no longer a limit to the size of the public gallery in meetings and the public no longer need to book in advance, except where there is high demand.
- g) **Public Health precautions:** You are asked not to attend meetings or visit offices if you have symptoms of Covid-19, if you have tested positive or are in close contact with someone who has. Other measures are for personal judgement, so you may decide whether to wear a mask or take a Covid-test (where asymptomatic) and note the following Public Health advice:
  - let fresh air in if meeting indoors, or meet outside

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Appendix 1

- wear a face covering where appropriate for the protection and reassurance of yourself, colleagues, and visitors, such as large meetings or small busy spaces.
- try to stay at home if you are unwell
- take a test if you have Covid-19 symptoms, stay at home and avoid contact with other people if you test positive

Further information is available on the Mine.

## 2. Arrangements and procedures for specific meetings/committees

Meeting	Comments
County Council	<ul style="list-style-type: none"> <li>• Members to attend in person to take part in any voting matters.</li> <li>• Members can participate virtually for information and non-decision items. This will be treated as attendance but not towards the quorum.</li> <li>• Officers and external speakers may participate virtually.</li> </ul>
Cabinet	<ul style="list-style-type: none"> <li>• Cabinet Members can participate virtually but then cannot vote.</li> <li>• Other members can participate virtually.</li> </ul>
Non-Executive decision-making committees	<ul style="list-style-type: none"> <li>• Committee members must be physically present.</li> <li>• Members wishing to address the committee can do so virtually.</li> <li>• Members of the public participating formally (e.g. to make representations about planning applications) can do so virtually.</li> </ul>
Scrutiny Committees	<ul style="list-style-type: none"> <li>• May take place virtually or in person. Members may participate virtually subject to the chairman's discretion. The exception is where the committee is appointing chairman or vice-chairman.</li> <li>• Virtual attendance treated as attendance but will not for quorum.</li> </ul>

## 3. Webcasting

Some meetings are always webcast and others may be if matters of significant public interest are to be discussed or if the chairman of the meeting agrees. Meetings held virtually which require public access will be webcast (e.g. scrutiny committees).

Meetings automatically webcast	Meetings not automatically webcast
County Council	Governance Committee
Cabinet	Pensions Committee
Planning and Rights of Way Committee	Regulation, Audit and Accounts Committee
Scrutiny Committees	Standards Committee

#### **4. Joining virtual/hybrid meetings**

Guidance for members on IT software and hardware is available including how to participate in virtual meetings. Training is also available.

#### **5. Informal member meetings**

Most informal member meetings should be held virtually, saving cost and time and to assist members with work, caring and other commitments and those with disabilities. These include pre-agenda meetings, scrutiny business planning groups and briefings. Informal meetings may be in person where clearly beneficial (e.g. where group work is planned) and will be considered on a case-by-case basis through discussion between the lead officer and members.

#### **6. Catering at member meetings**

Following the closure of the canteen facilities at County Hall the Governance Committee in June 2021 agreed the following arrangements:

- Hot drinks to be available to members through the coffee machines in the Members' Offices on the ground and first floors at County Hall Chichester
- Sandwich lunches to 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 where the meeting is due to run beyond 1.15pm.

Members may claim subsistence allowance for attendance at conferences, seminars and meetings held away from the County Hall site. Please see the [Members' Allowance Scheme](#) for further details.

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### Webcasting data

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

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

**Table 2: Average webcast viewing figures for meetings held during 2020/21**

<b>Committee</b>	<b>No. of meetings</b>	<b>Average live views</b>	<b>Average archive views</b>	<b>Average total</b>
Cabinet	11	102	221	324
County Council	6	243	473	716
CYPSSC	6	110	219	329
ECSSC	6	74	179	252
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	137	171
Planning (inc with RoW)	6	109	174	282
RAAC	5	16	76	91
Standards	1	7	51	58
Standing Advisory Council for Religious Education (SACRE)	1	6	37	43
<b>Total</b>	<b>75</b>			

**Table 3: Average webcast viewing figures for meetings held during 2021/22**

<b>Committee</b>	<b>No. of meetings</b>	<b>Average live views</b>	<b>Average archive views</b>	<b>Average total</b>
Cabinet	8	61	166	227
County Council	5	189	302	490

<b>Committee</b>	<b>No. of meetings</b>	<b>Average live views</b>	<b>Average archive views</b>	<b>Average total</b>
CHESC	6	39	127	165
CYPSSC	6	54	148	202
FRSSC	5	33	86	118
Governance*	2	31	115	145
HASCSC	5	33	108	141
HWB	3	22	88	110
Pension Advisory Board	4	11	53	63
Pensions Committee*	1	13	89	102
PFSC	6	31	83	115
Planning and Rights of Way	4	51	161	212
RAAC*	2	15	75	90
Standards*	2	12	63	74
Standing Advisory Council for Religious Education (SACRE)◆	2	13	26	39
<b>Total</b>	<b>61</b>			

\* Meetings not webcast unless matters of significant public interest are due to be considered

◆ Meetings webcast if held virtually

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**Report to Governance Committee****9 May 2022****Report of the Member Development Group****Report by Director of Law and Assurance****Electoral division(s): Not applicable**

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**Summary**

The Member Development Group (MDG) is 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. It provides regular reports to the Committee on its work and on member development activities. This report provides an update on activities and future plans put in place since its last report in November 2021.

**Recommendation**

That the report be noted.

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

- 1.1 This report provides an update from the MDG meetings held in December 2021 and February 2022 and on recent member development activities. It also sets out the schedule of future member development sessions. A key performance indicator in Our Council Plan is for all member training and development needs to be identified within 12 months of the 2021 election (through completion of a Training Needs Analysis) and for all mandatory training to be completed within the same timescale. MDG is responsible for monitoring this indicator and will set targets and measures for future years). MDG is also responsible for the monitoring and implementation of activities identified as part of the Councillors' Development Charter awarded to the Council in November 2020.

**2 Member Development Activity, November 2021 to April 2022**

- 2.1 The table below sets out member training and development activities provided up to the end of April 2022.

<b>Date</b>	<b>Event</b>	<b>Topic</b>	<b>Attendance</b>
12/11/21	Briefing	NHS	37

<b>Date</b>	<b>Event</b>	<b>Topic</b>	<b>Attendance</b>
17/11/21	Briefing	Fixing Things on the Roads – Highway Maintenance	43
02/12/21	Briefing	How the Capital Programme Works (for Performance and Finance Scrutiny Committee but open to all members)	25
08/12/21 (AM)	Briefing	Public Health	27
08/12/21 (PM)	Briefing	West Sussex Fire & Rescue Service: Community Risk Management Plan	25
20/12/21	Briefing	Adults’ Care in West Sussex Strategy	28
26/01/22	Budget/ performance	Budget Members’ Day	51
26/01/22	External briefing and consultation	National Highways - A27 Arundel Bypass	Not recorded
16/03/22	Scrutiny planning	Scrutiny Work Programme Planning Session	38
22/03/22	Member Development	Scrutiny Chairmanship Skills Training for Scrutiny Committee Chairmen/Vice-Chairmen (provided by South East Employers)	8 (of 10)
13/04/22	Mandatory training	Corporate Parenting including Advocating for Young People	35
13/04/22 and 19/04/22	Mandatory training	IT Security and Data Protection- (aimed at members yet to complete this training)	9

- 2.2 Members attending training/development sessions are asked to provide evaluation feedback via email immediately after the event. MDG regularly considers members’ comments and how improve future sessions as well as how to encourage more members to provide valuable feedback. Average feedback levels have been 25% with respondents generally positive about the sessions and members particularly welcoming information briefings such as those provided by the NHS in November and Public Health in December. The all-member Budget engagement session held in January was seen as valuable and informative. Feedback received frequently requests supporting information for member development sessions (e.g. presentation slides) to be made available earlier, so deadlines for sessions have been reinforced and communicated with presenters. MDG will consider how to increase response rates to the evaluation of training and development sessions.
- 2.3 Other member training and development activities have included the offer of tours of the West Sussex Record Office during January and February 2022, which nine members undertook; further dates are being considered. Ahead of



the spring 2022 meetings of Community Local Forums, tours of some libraries were arranged, and 14 members participated; further tours will be offered ahead of the summer meetings. A virtual session providing an overview of the Member Information Network (the Mine) was provided to members who had requested this (four attended) and two RNIB training sessions on Visual Awareness were held to improve awareness of this issue and understanding of the needs of councillors with a visual impairment. The Personal Safety training for members due to be delivered by South East Employers in April had to be postponed and a new date will be scheduled.

- 2.4 Written briefings/information on a variety of topics have also been made available to all members, including on Adult Social Care funding, the Medium-Term Financial Strategy, school place planning and school effectiveness and Freedom of Information. NHS briefings on Covid-19 and the Flu vaccination programme were also provided.

### **3 Mandatory Training and Training Needs Analysis**

- 3.1 A key performance indicator in Our Council Plan relates to member development and is reviewed by the MDG (along with political Group Leaders). The target is for all members to have completed a training needs analysis and all mandatory training within one year of the May 2021 Council elections. All members have actively participated in a discussion about their personal training and development needs. The completion rates for mandatory training as at early April 2022 are set out in the table below:

<b>Mandatory training completion rates</b>	<b>Number of members</b>	<b>% of members</b>
Code of Conduct	70	100%
Safeguarding Adults	64	91%
Safeguarding Children	63	90%
Corporate Parenting	67	97%
IT Security and Data Protection	60	86%
Equalities	65	93%

- 3.2 Emphasis has been placed on completion of the IT Security/Data Protection training, with reminders sent to members who have not yet completed this and two trainer-led sessions held during April focused at these members. An equalities and diversity event for members has been arranged for early September 2022 to supplement the information and sessions provided as part of the 2021 induction programme. A refresher on safeguarding is also being considered.
- 3.3 For 2022/23, the key performance indicator for member development will focus on member attendance at, and levels of satisfaction with, training/development sessions.

### **4 Future Member Training and Development Activities**

- 4.1 Future training and development plans are set out in the table below. These may be subject to change and will be regularly reviewed by the MDG to ensure they reflect key corporate priorities and member training needs. Several other training/development proposals are being considered by the MDG for inclusion in the programme and will be reviewed at its next meeting on 16 May 2022.

<b>Date</b>	<b>Event</b>	<b>Topic</b>
11/05/22	Visit and briefing	Introduction to Waste - Visit to the Mechanical Biological Treatment Facility, Warnham including updates on Waste/Environment
22/06/22 (am)	Briefing	Climate Change
22/06/22 (pm)	Briefing	The Military Covenant
27/06/22	Member Development	Carbon Literacy (session 1 of a 2-part event, max. 16 places, to be offered to Member Development Group in the first instance)
04/07/22	Member Development	Carbon Literacy (session 2 of a 2-part event, max. 16 places, to be offered to Member Development Group in the first instance)
July, date TBC	Budget / performance engagement	All-member Council Plan and Budget session
07/09/22	Mandatory Training	Equalities and Diversity, led by South East Employers
14/09/22	Market-place type event	Details to be confirmed – providing an overview of Council services and opportunity for members to meet with/ask questions of senior officers
19/11/22	Budget / performance engagement	All-member Council Plan and Budget session
07/12/22	TBC	TBC
20/01/23	Budget / performance engagement	All-member Council Plan and Budget session
22/02/23	TBC	TBC
22/03/22	TBC	TBC

## 5 Councillors’ Development Charter

- 5.1 MDG continues to oversee the Councillor Development Charter, granted in November 2020 for a period of three years. An interim review of this is due to be carried out by South East Employers on 27 April 2022 and a verbal update on this will be provided to the Committee at its meeting on 9 May 2022, with a fuller update (as appropriate) provided as part of the next MDG report to the Committee. Progress against key areas for action identified through the initial Charter assessment and being monitored by MDG is set out in the table below.

<b>Areas for action identified November 2020</b>	<b>Progress update April 2022</b>
Members taking responsibility for their own development through introduction of a Training Needs Analysis (TNA) and MDG monitoring/encouraging engagement in	TNA in place since the May 2021 elections and all members have actively participated in this (to be reviewed at least annually). MDG regularly reviews TNA process and of member participation in training/development, including ways to encourage

<b>Areas for action identified November 2020</b>	<b>Progress update April 2022</b>
member development	higher levels of engagement.
MDG taking a more strategic focus	Terms of reference reviewed; MDG work programme and reports strengthened, focusing on strategic aims and linking to corporate priorities
Impact of Covid-19 on future of member development reviewed by MDG as well as consideration of how to extend digital outreach	Reviewed in October 2020 and again in October 2021; use of technology expanded (virtual sessions, training films/animations, recordings of sessions, e-learning modules), but MDG will continue to assess, recognising the benefits of some face-to-face interaction
'Be a Councillor' programme evaluated in preparation for 2025 Council elections	The LGA are reviewing the national 'Be a Councillor' programme and will be providing local authorities with a toolkit for their own local campaigns MDG to review later in 2022
To develop a forward-looking and innovative induction programme led by MDG	Comprehensive induction programme delivered after the 2021 Council elections, although significantly impacted by Covid-19. Reviewed by MDG in October 2021 and reported to Governance Committee November 2021.
To develop social media training/support and best practice guidance to councillors	Provided as part of the induction programme and guidance available via the members' intranet (the Mine)
To develop a leadership development strategy for members in senior positions	In place and includes identification of appropriate external training and mentoring (e.g. through the Local Government Association).
Scrutiny development to prioritise responsibilities within the national guidance and provide support relating to questioning skills	A specific scrutiny induction programme developed and delivered during 2021/22, including training sessions on decision-making and scrutiny essentials, questioning skills and a tailored session delivered by the national Centre for Governance
To provide regular support to Chairs and Vice Chairs with chairing skills, including relating to hybrid meetings	Chairmanship skills training sessions provided by South East Employers; role profiles for chairmanship roles provided; guidance on chairing virtual meetings provided

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

- 6.1 Alternatives to the proposed member training and development activities may be considered within the Committee's debate.

## **7 Consultation, engagement and advice**

- 7.1 All members attending member development sessions are invited to complete an evaluation survey, the analysis of which is reported to MDG to inform future plans and it evaluates the Member Induction Programme every four years. MDG carries out survey of all members from time to time to ascertain members opinions and requirements in relation to training and development, e.g. and linked support, such as the members' IT offer. The Executive Leadership Team is regularly invited to comment on plans for member training and development.

## **8 Finance**

- 8.1 There are no financial implications arising directly from the content of this report. Plans for member development and induction can be met from within existing resources. The member training and development budget is £12,700 per year; it will be reviewed at the end of the municipal year by MDG.

## **9 Risk implications and mitigations**

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

## **10 Policy alignment and compliance**

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

Tony Kershaw

**Director of Law and Assurance**

**Contact Officer:** Helen Kenny, Head of Democratic Services: 033022 22532 or [helen.kenny@westsussex.gov.uk](mailto:helen.kenny@westsussex.gov.uk)

### **Background papers**

None

## **Report to Governance Committee**

**9 May 2022**

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

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

**Electoral divisions: N/A**

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#### **Summary**

In accordance with the provisions of the Local Government and Housing Act 1989, the Committee is asked to appoint members to serve on a number of committees, panels and outside bodies in line with the expressed wishes of the political groups.

#### **Recommendation**

That the appointments be approved as set out below.

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

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

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

Cllr Baxter  
Cllr Boram  
Cllr Bradbury  
Cllr Cherry  
Cllr Crow (Chairman)  
Cllr N Dennis  
Cllr Markwell

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Cllr Mitchell  
Cllr Oakley  
Cllr Waight

### **(c) Member Development Group (10)**

Cllr Cherry  
Cllr A Cooper  
Cllr Duncton  
Cllr McGregor  
Cllr Mercer  
Cllr Nagel  
Cllr Oxlade  
Cllr Sparkes  
Cllr Waight  
Cllr Wickremaratchi

### **(d) Pensions Committee (7)**

Cllr Condie  
Cllr J Dennis  
Cllr Elkins  
Cllr Hunt (Chairman)  
Cllr N Jupp  
Cllr Turley  
Cllr Urquhart

### **(e) South East Employers**

Cllr Burrett  
Cllr Waight  
Cllr Cherry  
Deputies: 3 vacancies

Tony Kershaw  
**Director of Law and Assurance**

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

### **Background papers**

None