

Governance Committee

6 February 2023 – At a meeting of the Governance Committee held at 2.15 pm at County Hall, Chichester PO19 1RQ.

Present: Cllr Bradbury (Chairman)

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

Apologies were received from Cllr Lord and Cllr Marshall

Part I

29. Declarations of Interest

29.1 Cllr Wickremaratchi declared a personal interest in the item on the Personal Safety of Councillors as Chairman of the Member Development Group. Cllr Burrett declared an interest in the item on the Proposed changes to the Constitution on Pension Matters as a deferred Member of West Sussex Local Government Pension Scheme and Cllr Urquhart declared an interest as a member of the Pensions Committee.

30. Minutes of the last meeting of the Committee

30.1 Resolved – That the minutes of the meeting held on 27 September 2022 be approved as a correct record and that they be signed by the Chairman.

31. Pay Policy Statement 2023/24

31.1 The Committee considered a report by the Director of Human Resources and Organisational Development on the proposed Pay Policy Statement, as set out in the report, for recommendation to the County Council (copy appended to the signed minutes). On the final page of the Pay Policy Statement at Appendix 1 it was noted that the last paragraph should be numbered 15.3.

31.2 In response to a question as to why the pay multiples set out in Appendix 2 of the report only went up to 31 March 2022 the Head of HR Specialist Services confirmed that the figures presented needed to be based on actual rather than predicted earnings.

31.3 Members asked whether there was any benchmark data to show how the County Council compared to similar authorities. The Head of HR Specialist Services agreed to check and circulate details to members of the Committee.

31.4 With regard to paragraph 5.2 of the Policy which covered incremental progression members questioned the phrase 'satisfactory' performance. The Head of HR Specialist Services confirmed this was in accordance with the Performance Management Policy.

31.5 Resolved – That, subject to the minor correction set out at minute 31.1 above, the Pay Policy Statement, as set out in Appendix 1, to the report, be recommended to the County Council for approval.

32. The Personal Safety of Councillors

32.1 The Committee considered a report by the Director of Law and Assurance on the Local Government Association's 'Debate Not Hate' public statement which calls for a national action plan to address the abuse and intimidation of elected members and candidates while they fulfil their democratic roles. The report also covers the measures in place for the safety of county councillors (copy appended to the signed minutes). Members noted the need to correct how the term 'Debate Not Hate' appears in the report. The Head of Democratic Services confirmed that this would be amended.

32.2 The Committee welcomed the report and considered the options set out in section 3.

32.3 In relation to the use of the Council's online accident/incident reporting system, as set out in paragraph 1.3.10 of the report and the proposal in paragraph 3.1.2, a question was raised as to whether it would be easy for members to find and access.

32.4 The Director of Law and Assurance said the reporting system was part of the Health and Safety information on the intranet and is easy to access. However he suggested that instead of expecting members to log incidents onto this system themselves, he would do this on their behalf. This would be as part of his role (as proposed in paragraph 3.1.2 of the report) to become the main point of contact for any councillors experiencing abuse, harassment for intimidation. The Committee emphasised the need for members to be clear on how to report concerns and supported the proposal for a single point of contact.

32.5 With reference to paragraph 3.1.3, members questioned why it was not possible to have a single central register of people who have shown unreasonable or intimidating behaviour. The Director of Law and Assurance said data protection rules govern what information can be held for what purpose and who can have access. Creating a single register for the whole Council would not meet data protection requirements. However, he said would see what could be done to make data more accessible, perhaps by allowing an officer on behalf of a member to check a number of databases.

32.6 Members asked for further information about the suggestion in paragraph 3.1.4 that political groups should consider nominating one of their members to provide a support role to members regarding their personal safety. The Head of Democratic Services said it is intended to be an advisory role. Political groups could consider including named contacts within the group so that members could let someone know where they were going if they went to meet someone.

32.7 With regard to the personal safety guidance in paragraph 3.1.6, members expressed differing views as to whether they would be comfortable visiting residents in their own homes. In general it was considered there are benefits to holding meetings on neutral ground. It was suggested that the new personal safety guidance to be produced should include what to do if a resident turned up at a member's home uninvited. The addition of guidance on the safe holding of surgeries was supported.

32.8 Members supported the suggestion in paragraph 3.1.8 that MDG should include questions on personal safety in the next all-member survey.

32.9 The Committee was unconvinced of the value of the provision of personal alarms but accepted that some members might find them useful, so should be provided on request.

32.10 There was support for the suggestion in paragraph 3.2 that training and guidance provided to county councillors on this matter should also be shared with and open to borough and district councillors.

32.11 Resolved –

- (1) That the measures currently in place to support the safety of county councillors (at paragraph 1.2 of the report) be noted;
- (2) That the Committee agrees to sign the Local Government Association's 'Debate Not Hate' public statement on behalf of the Council, as proposed by the Member Development Group and set out at paragraph 2.3 of the report; and
- (3) That the options set out in section 3 of the report be supported including the option of members having a personal safety alarm on request and sharing training and guidance on personal safety matters with borough and district councillors.

33. Proposed changes to the Constitution on Pension Matters

33.1 The Committee considered a report by the Director of Law and Assurance which outlined the results of a review on pensions delegations (copy appended to the signed minutes). The Committee was asked to agree a number of amendments to the Constitution to provide greater clarity on roles and, further, to recommend to the County Council that a change be made to the Pension Committee's terms of reference.

33.2 Resolved –

- (1) That the Officer Scheme of Delegation be amended to include responsibility for discretionary functions allowed under the Local Government Pension Scheme Regulations for the County Council as an employer in the West Sussex Pension Fund as set out in paragraph 2.1 of the report (Section 2S Pensions);

- (2) That the Officer Scheme of Delegation be amended to include responsibility for discretionary functions allowed under the Local Government Pension Scheme Regulations for the County Council as Administering Authority of the West Sussex Pension Fund as set out in paragraph 2.1 of the report (Section 2V Pensions);
- (3) That the Officer Scheme of Delegation be amended to include responsibility to prepare, determine and implement the Pension Fund policy documents as set out in paragraph 2.1 of the report (Section 2V); and
- (4) That the County Council be asked to agree to amend the Pension Committee's terms of reference to include responsibility for determination and consideration of the Pension Fund policy documents as set out in paragraph 2.2 of the report.

34. Report of Urgent Action

34.1 The Committee noted action taken by the Director of Law and Assurance, in consultation with Chairman in relation to the approval to the County Council's response to the Parliamentary Boundary Review consultation.

35. Date of Next Meeting

35.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 13 March 2023.

The meeting ended at 2.55 pm

Chairman