

# Public Document Pack

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27 January 2023

## **Governance Committee**

A meeting of the Committee will be held at **2.15 pm** on **Monday, 6 February 2023** 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 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 - 10)

The Committee is asked to agree the minutes of the meeting held on 27 September 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. Pay Policy Statement 2023/24** (Pages 11 - 20)

Report by the Director of Human Resources and Organisational Development.

The Committee is invited to consider the proposed Pay Policy Statement, as set out in the report, for recommendation to the County Council.

### **5. The Personal Safety of Councillors** (Pages 21 - 28)

Report by the Director of Law and Assurance.

The Committee is asked to consider 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 and note of the measures in place for the safety of county councillors.

6. **Proposed changes to the Constitution on Pension Matters** (Pages 29 - 32)

Report by the Director of Law and Assurance.

The report outlines the results of a review on pensions delegations. The Committee is 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.

7. **Report of Urgent Action**

The Committee is invited to note the approval to the County Council's response to the Parliamentary Boundary Review consultation.

**Background Papers**

[Decision by the Director of Law and Assurance in consultation with the Chairman of the Governance Committee dated 2 December 2022](#)

Contact: Charles Gauntlett, 033 022 22524

8. **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 pm on 13 March 2023 at County Hall, Chichester.

**To all members of the Governance Committee**

## **Governance Committee**

27 September 2022 – 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 A Jupp, Cllr Lord, Cllr Marshall, Cllr O'Kelly, Cllr Waight and Cllr Hunt

Apologies were received from Cllr Baxter, Cllr Burrett and Cllr Cornell

Also in attendance: Cllr Boram and Cllr Crow

### **Part I**

#### **15. Attendance and Apologies**

15.1 As the meeting had been postponed following the death of Her Majesty Queen Elizabeth II, the Chairman acknowledged that some members had had to give their apologies for the rearranged meeting. The Chairman informed the Committee that, as no members of the Labour Group could be present, he had received a number of comments from the Group which he would refer to as appropriate during the meeting.

#### **16. Declarations of Interest**

16.1 Cllr Bradbury declared a personal interest as a member of Mid Sussex District Council in relation to the report of urgent action for the Mid Sussex District Council consultation on the Burgess Hill Community Governance Review 2022.

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

17.1 Resolved – That the minutes of the meeting held on 6 June 2022 be approved as a correct record and that they be signed by the Chairman.

#### **18. Review of the Fire and Rescue Service Scrutiny Committee**

18.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) on a review of the Council's Fire and Rescue Service Scrutiny Committee (FRSSC) which was established in June 2020 after a broad review of governance arrangements for the Fire and Rescue Service at the Council following external inspection.

18.2 Cllr Boram attended the meeting as the current Chairman of FRSSC and commented that the review should be seen in the context of the work undertaken to improving both the governance of the Fire & Rescue Service and the Service itself. Both were key to the good management of the organisation. He said that effective member training was essential and FRSSC had been working closely with the Cabinet Member for Communities, Fire and Rescue and had also met crews and visited fire

stations. FRSSC continued to examine the objectives in the Strategic Performance Report to make sure they were appropriate as measures of performance. He recognised the huge amount of work by the Fire & Rescue Service and the Scrutiny Committee since its creation and supported the continuation of the Committee.

18.3 Cllr Crow attended the meeting as Cabinet Member for Communities, Fire and Rescue. He commented that, prior to the establishment of FRSSC, the Fire & Rescue Service had been one of a number of services scrutinised by the then Environment and Communities Scrutiny Committee. Now the new Scrutiny Committee was a trail blazer for stand-alone fire scrutiny committees and the arrangements were working well. The Cabinet had responded to the recent government White Paper which recommended separate scrutiny function and he hoped the Governance Committee would endorse the continuation of FRSSC.

18.4 As the first Chairman of FRSSC, Cllr Waight agreed that the previous scrutiny arrangements had meant scrutiny was less effective. The new Committee had enabled bespoke development of scrutiny of the Fire Service which fitted the requirements of the service, and had become smoother over time.

18.5 Members supported the continuation of these stronger governance arrangements. It was felt that the benefits of having a separate scrutiny committee were clear, particularly given the recent government White Paper, and that the separate Committee provided greater transparency around decision making and strong member engagement. The removal of scrutiny of the Fire & Rescue Service from the original scrutiny committee also made that committee's workload more manageable.

18.6 In response to a question, the Senior Advisor – Member Support confirmed that the level of Special Responsibility Allowance for the Chairman of FRSSC had been considered by the Independent Remuneration Panel and is at the same level as other scrutiny chairmen.

18.7 Resolved – That the continuation of the current arrangements for scrutiny of the Fire and Rescue Service be endorsed for recommendation to the County Council.

## **19. Review of County Local Forums**

19.1 The Committee considered a report by the Director of Law and Assurance and the Assistant Director (Communities) (copy appended to the signed minutes) on a review County Local Forums (CLFs), following a one-year trial. The Head of Democratic Services commented that the date of 2022 in the summary and paragraph 1.3 of the report should read 2021.

19.2 Members were supportive of the proposals to cease CLFs and were of the view that they had not worked that well, tending to be dominated by highways issues. Attendance had not been high, for some districts the geographic area covered had been difficult and the issues raised by the public were generally already known to the Council. In summary, members felt there were better ways for them to engage with residents.

The proposals to support members to use other channels to engage with their residents (as set out in the report at paragraph 2.2) were endorsed.

19.3 Rather than member engagement, there was a consensus that the real issue was that a significant percentage of residents did not know which services the County Council delivered. Helping residents to understand and engage with a large organisation like the County Council was important, particularly given the confusion that often arose between the responsibilities of different levels of local government. The Leader commented that this was being picked up by the new Head of Communications as part of work on the corporate communications strategy.

19.4 Given that the majority of issues raised with members related to highways matters, members suggested that there should be a mechanism for a regular highways status report to local members to keep them informed and enable them to update their residents and community groups. It was agreed that a report would be brought to the Committee on possible options for this.

19.5 Resolved – That the County Council in October be recommended to approve:

- (1) That CLFs be ceased, making savings through a reduction in staff posts and members supported to use other channels to engage with their residents (as set out in paragraph 2.2 of the report); and
- (2) That a report be brought to the Committee on options for briefing local members on highways matters.

## **20. Proposed Executive-Scrutiny Protocol**

20.1 The Committee was reminded that in May 2022 it had agreed to the development of an Executive-Scrutiny Protocol to enhance scrutiny by describing the relationship between scrutiny and the Executive (the Cabinet) and providing a framework for how they may work together most effectively. The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) on a draft Protocol which had been developed through engagement with members, including a cross-party workshop in May 2022 and review by the Performance and Finance Scrutiny Committee in June 2022.

20.2 It was noted that, as a result of the change of date of the Committee, the date on the last page of the draft Protocol on page 50 should be amended to read 27 September 2022. Two minor typographical errors would also be corrected. The Head of Democratic Services reminded members that the development of the protocol had involved cross-party member involvement through an engagement programme agreed by the Committee. A number of wider issues relating to the scrutiny function, not specific to the Protocol, had been raised through this engagement and had been reported to the Performance and Finance Scrutiny Committee as part of the Scrutiny Annual Report in June 2022.

20.3 Members were supportive of the Protocol and the recommendation that it should be reviewed after one year. A comment was made that the Fire & Rescue Service Scrutiny Committee seemed to manage without a Business Planning Group (BPG) and it could be argued that this made its work more transparent. The Head of Democratic Services said there were advantages in that approach as it guarded against the temptation for BPGs to carry out scrutiny, rather than focusing on their role to plan committees' business. The need for papers to be provided in good time for them to read before meetings was stressed. The Leader agreed that this could be an issue for all members and all committee meetings (not just scrutiny) and should be part of the review of the Protocol in a year's time.

20.4 In response to a question, the Head of Democratic Services confirmed the intention that Cabinet Members are invited to attend part of a BPG session to provide information on forthcoming issues. She confirmed that the Protocol would be made available to co-opted members on scrutiny committees and would also be published on the website.

20.5 Resolved –

- (1) That the draft Executive-Scrutiny Protocol attached at Appendix A to the report be agreed; and
- (2) That the effectiveness of the Protocol be reviewed after one year.

## **21. Independent Remuneration Panel Report**

21.1 The Committee considered a report by the Director of Law and Assurance on the work of the Independent Remuneration Panel (IRP) (copy appended to the signed minutes). The IRP has met twice in 2022 to consider initial observations and feedback on the Members' Allowances Scheme after a year of this Council's term. It has concluded that no interim review of the scheme is required in 2022 but has identified some key areas to include in its main quadrennial review, which will begin in 2023. It has, however, recommended that the Committee considers recommending to the Council that the term of office for members of the Panel should be extended from two to three terms.

21.2 Resolved –

- (1) That a recommendation be made to the County Council on 14 October 2022 that the term of office for members of the Independent Remuneration Panel in Part 3, Appendix 13 of the Council's Constitution be amended from a maximum of two four-year terms to a maximum of three four-year terms; and
- (2) That the Panel's plans for and approach to a full review of West Sussex County Council's Members' Allowance Scheme from spring 2023 be noted.

## **22. Governance arrangements Property Joint Venture Partnership**

22.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which contained a recommendation to the County Council that the governance arrangements for the operation of the County Council's involvement in its property joint venture partnership through an arm's length company should be included in the Scheme of Delegation in the Constitution.

22.2 In relation to the last paragraph of the new Appendix 22 in Appendix A to the report, Cllr Lord asked whether the company's accounts would be made public. The Cabinet Member for Finance and Property said the exact mechanism would be agreed soon and he would let members of the Committee know in due course. The Head of Democratic Services confirmed that scrutiny of progress with the Joint Venture Partnership projects is on the Performance and Finance Scrutiny Committee work programme.

22.3 Resolved –

- (1) That the governance arrangements for the operation of the County Council's involvement in its Property Joint Venture Partnership through an arm's length company be endorsed;
- (2) That the proposed changes to Appendix 3 and the new Appendix 22 of Part 3 of the Constitution, as set out at Appendix A to the report, be recommended to the County Council for approval; and
- (3) That the Leader be recommended to add the role of the Cabinet Member for Finance and Property in the governance arrangements to the list of portfolio responsibilities in Part 3, Appendix 2 of the Constitution, as set out at Appendix A to the report.

## **23. Pension Advisory Board and Pensions Committee Matters**

23.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which recommended that the Council be asked to agree that the Scheme of Delegation in the Constitution be amended to state that no person may be a Pension Advisory Board member and also a member of the Pensions Committee. This is to avoid any conflict of interest as the Board provides scrutiny of the work of the Pensions Committee and of the Council's role as scheme administrator.

23.2 The Cabinet Member with responsibility for the Finance portfolio has always been treated as ex-officio Chairman of the Pensions Committee since the introduction of political management changes in the year 2000. The opportunity is also taken in the report to set out this long-standing convention in the constitution of the Pensions Committee.

23.3 A minor amendment to recommendation (1) was agreed.

23.4 Resolved – That the County Council on 14 October 2022 be recommended:

- (1) That that Part 3, Appendices 7 and 19 of the Council's Constitution be amended to state that no person may be a Board member and also a member of the Pensions Committee or vice versa;
- (2) That the constitution of the Pensions Committee in Part 3, Appendix 7, be amended to show that the Cabinet Member with responsibility for the Finance portfolio is treated as ex-officio Chairman of the Pensions Committee; and
- (3) That the Leader be recommended to clarify the nature of the portfolio responsibilities of the Cabinet Member for Finance and Property in Part 3, Appendix 2, in the suggested text in paragraph 2.5 of the report.

## **24. Urgent or Short Notice Decisions**

24.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) which asked members to endorse a recommendation to the County Council to approve new wording on urgent and short notice decisions for inclusion in Standing Orders in the Constitution. The wording has been altered over time and an officer review has concluded that a simplification and clarification would be helpful.

24.2 Resolved – That a recommendation be made to the County Council on 14 October 2022 that Part 4, Section 1 of the Constitution be amended with the new wording on urgent and short notice decisions set out in Appendix A to the report.

## **25. Changes to the Scheme of Delegation re Public Path Orders and Stopping Up Orders**

25.1 The Committee considered a report by the Director of Law and Assurance (copy appended to the signed minutes) on proposals to streamline the making of public path orders by allowing combined orders which automatically change the definitive map and statement and an update to the Delegation Code of Practice for rights of way in relation to stopping up of public rights of way and consequential changes to the delegation code of practice for highways and transport matters.

25.2 It was noted in the first paragraph of the Highways and Transport Delegation Code of Practice in Appendix A to the report, that the first part of the text in italics should read 'and to applications'.

25.3 Resolved –

- (1) That the changes to Part 3, Appendix 3 of the Council's Constitution relating to combined orders, as set out in paragraph 2.3 of the report, be approved; and
- (2) That the changes to Part 3, Appendix 4 of the Council's Constitution relating to stopping up order applications, as set



out in paragraphs 2.4 and 2.5 of the report and Appendix A, subject to the minor amendment in minute 24.2, be endorsed for recommendation to the County Council.

**26. Appeals Panel Annual Report 2021/22**

26.1 The Committee considered the annual report of the Appeals Panel for 2021/22 (copy appended to the signed minutes).

26.2 Resolved – That the Appeals Panel Annual Report 2021/22 be noted.

**27. Report of Urgent Action**

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

**Mid Sussex District Council Consultation on Burgess Hill Community Governance Review 2022**

Approval to the County Council's response to the Mid Sussex District Council Consultation on Burgess Hill Community Governance Review 2022.

**28. Date of Next Meeting**

28.1 The Committee noted that the next meeting will be held at 2.15 p.m. on Monday, 14 November 2022.

The meeting ended at 3.45 pm

Chairman

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**Report to Governance Committee****February 2023****Pay Policy Statement 2023/24****Report by: Director of Human Resources & Organisational Development****Electoral division(s): all**

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**Summary**

The report explains the purpose of the Pay Policy Statement and says that no changes are proposed from the previous version. It invites the committee to endorse the statement and recommend it to full Council for approval before the end of March as required by law.

**Recommendations**

- (1) That the Pay Policy Statement which is set out in Appendix 1, be recommended to the County Council for approval.
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**Proposal****1 Background and context**

- 1.1 The Localism Act 2011 requires each local authority to produce a Pay Policy Statement (the 'statement') explaining its approach to the pay of its 'chief officers' and its 'lowest paid' employees and the relationship between the two. The statement has to be published and accessible to the public. The statement must be approved annually before 31 March each year prior to the financial year to which it relates.

**2 Proposal details**

- 2.1 Appendix 1 to this report, the Pay Policy Statement 2022/23, sets out the pay determination arrangements for staff. There are no proposed changes to the Pay Policy Statement since last year.
- 2.2 The pay multiples between the highest paid employee and the median employee earnings and between the highest paid employee and the lowest paid employee are shown in Appendix 2. With effect from 6 January 2020 the County Council's Chief Executive has also been the Chief Executive of East Sussex County Council with the two roles being carried out together and salary costs shared equally between authorities. With these arrangements in place the highest paid salary in the County Council is not for the post of Chief Executive,

as was the case prior to 2019/20. The reference figure used for the pay multiples as at 31 March 2022 is that of the highest paid West Sussex County Council employee.

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

3.1 There have been no matters identified for inclusion by way of changes to the statement and so no other options have been considered.

**4 Consultation, engagement and advice**

4.1 There is regular engagement with services and with the Executive Leadership Team by HR advisers in order to monitor the effectiveness of pay and reward arrangements. These have not identified any need to consider or propose changes to the statement on pay policy.

**5 Finance**

5.1 There are no financial implications arising from the Pay Policy Statement. It proposes no changes to current arrangements.

5.2 The pay policy will enable members and residents to understand the County Council's approach to pay and reward and the value for money this provides.

**6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Non-compliance with legal requirements.	Publication of the Pay Policy Statement once approved by the County Council.

**7 Policy alignment and compliance**

7.1 The County Council is required to have in place a Pay Policy Statement approved annually by the County Council.

Gavin Wright

**Director of Human Resources and Organisational Development**

**Contact Officer:** Colin Chadwick, Head of HR Specialist Services, 0330 2223283, colin.chadwick@westsussex.gov.uk

**Appendices**

Appendix 1: Pay Policy Statement

Appendix 2: Pay multiples

**Background papers**

None

## **West Sussex County Council Pay Policy Statement**

For financial year 1 April 2023 - 31 March 2024  
As approved by the County Council on TBC

### **1. Aim of the Pay Policy**

- 1.1 The County Council's pay policy aims to ensure value for money whilst enabling the County Council to deliver high quality services to the residents of West Sussex.
- 1.2 The County Council seeks to set pay rates that are competitive but will determine pay at an appropriate level in accordance with relevant legislation, overall affordability, and other relevant factors in recruiting and retaining its workforce.

### **2. Governance Arrangements**

- 2.1 The Governance Committee determines the terms and conditions of employment for all staff.
- 2.2 The Scheme of Delegation provides for the Director of Human Resources and Organisational Development to manage, review and apply the County Council's Human Resources strategy and policies and to apply, with the Chief Executive, the appropriate pay and conditions for the appointment of staff. The responsibilities of members are as described in this Statement.
- 2.3 The Chief Executive is required to keep the Governance Committee informed of any matters of significance relating to staff terms and conditions.

### **3. Scope of the Pay Policy Statement**

- 3.1 This pay policy statement meets the statutory duty to provide the County Council with a description of the policy on staff remuneration for annual approval. It provides information on remuneration arrangements for staff directly employed by the County Council, excluding staff in schools.
- 3.2 The County Council defines its lowest paid employees as those staff paid on the first spinal column point of the County Council's pay grades for National Joint Council (NJC) for Local Government Services staff.
- 3.3 The relationship between the remuneration of the lowest paid employees and that of the Council's senior officers is as described in this statement and by reference to published data requirements.

### **4. Grading, or Fixed Pay Point, Structure**

- 4.1 For the officer on Strategic Management Grade (SMG) Tier 1 (i.e. the Chief Executive/Head of Paid Service) a single fixed pay point and grading is

determined by the Leader and Cabinet Member for Finance, with advice from the Director of Human Resources and Organisational Development, with reference to benchmarking remuneration arrangements, including Hay evaluation scores, of relevant comparator organisations. This arrangement applies where the post holder is an employee of the County Council.

- 4.2 For the period covered by this Statement the payment for the services of the Head of Paid Service (the Chief Executive) will be by way of a payment to East Sussex County Council, which will be the employer of the person appointed to the post and who also holds the equivalent post at East Sussex. That Council will determine the salary in consultation with this Council's Leader and Cabinet Member for Finance. This Council will be responsible for paying half of the salary and associated on-costs of the post.
- 4.3 For staff on Strategic Management Grades (SMG) a single fixed pay point and grading is determined either by the Chief Executive or, if appropriate, the Director of Human Resources and Organisational Development using the Hay job evaluation scheme and benchmarking remuneration arrangements, including Hay evaluation scores, of relevant comparators where available.
- 4.4 For staff on Hay Grades the County Council uses the Hay job evaluation scheme to allocate jobs to the appropriate Hay pay grade.
- 4.5 For staff on NJC pay grades the County Council uses the NJC formal job evaluation procedures to allocate roles to the appropriate council pay grade.
- 4.6 For staff appointed on Uniformed Fire Fighters, Teachers (Centrally Employed), Soulbury and Youth Worker terms and conditions, grading is established using national frameworks.
- 4.7 Salaries for staff who have transferred into the authority under Transfer of Undertakings (Protection of Employment) Regulations (TUPE) or Cabinet Office Statement of Practice (COSOP) arrangements are those applicable at time of transfer and, by agreement, may also be determined in accordance with the local pay framework described above.
- 4.8 NJC and Hay pay grades are published on the County Council's website.

## **5. Pay Progression**

- 5.1 Staff on NJC and Hay grades are eligible for annual incremental increases to base pay until they reach the top of the grade for their role. There is no further base pay progression once the employee reaches the maximum of the grade, with the exception of a small number of staff who retain an entitlement to an additional long service increment, in accordance with the rules of a scheme which is no longer current.
- 5.2 Incremental progression is subject to 'satisfactory' performance and this will be defined within the Council's Performance Management Policy/Procedure.
- 5.3 Pay progression for Uniformed Fire and Rescue Service, Teachers (Centrally Employed), Soulbury and Youth and Community Worker roles is based on assessment against national standards and/or terms and conditions of service.

- 5.4 Pay progression for newly qualified social workers is determined by the Continuous Professional Development (CPD) and Pay Progression Policy. Progression is subject to satisfactory completion of an Assessed and Supported Year in Employment (ASYE).
- 5.5 Pay progression can also be achieved where an agreed career grade scheme is in place. Employees must satisfy specified criteria.
- 5.6 In exceptional circumstances staff increments may be accelerated within an employee's grade at the discretion of the Director in consultation with the Director of Human Resources and Organisational Development on the grounds of special merit or ability.
- 5.7 The pay progression arrangements for staff who have transferred into the authority with protected terms and conditions are those applicable at time of transfer.

## **6. Local Pay Awards**

- 6.1 There is no automatic annual cost of living increase for staff on SMG or Hay grading arrangements.
- 6.2 Pay awards for Strategic Management Grade, Tier 1 are determined locally through an agreement with East Sussex County Council whilst the postholder is employed by that Council. Any pay increase will be subject to reference to benchmarking remuneration arrangements of relevant comparators. Any pay award will follow consultation with the officer concerned.
- 6.3 The pay awards for staff on Strategic Management Grades, Tiers 2-4, are determined locally and are approved by the Chief Executive in consultation with the Director of Human Resources and Organisational Development. Any pay award will follow consultation with the staff concerned.
- 6.4 The pay awards for staff on Hay pay grades are determined locally and are approved by the Chief Executive in consultation with the Director of Human Resources and Organisational Development; and following consultation with the staff concerned and UNISON.
- 6.5 The total sum available for any pay increase for staff is decided annually by the Cabinet Member for Finance on the recommendation of the Chief Executive, in consultation with the Director of Finance and Support Services, (S151 Officer) and Director of Human Resources and Organisational Development. This is based on consideration of appropriate market and other relevant information, including the performance of the County Council and affordability.
- 6.6 In exceptional circumstances; and as approved by the Leaders of East Sussex and West Sussex County Councils in the case of SMG Tier 1; and as approved by the Chief Executive in the case of SMG Tier 2 to 4 and Hay grades - an unconsolidated additional payment may be made to recognise exceptional performance.

## **7. Market Supplements**

- 7.1 The County Council may pay a market supplement, in addition to base salary, in order to recruit or retain staff with special skills, experience or knowledge.
- 7.2 Market supplements are applied, reviewed and withdrawn in accordance with the County Council's market supplement policy which is published on the County Council's website.

## **8. Remuneration on Appointment and Promotion**

- 8.1 It is the County Council's policy to appoint at the minimum of the relevant pay range – where a pay range as opposed to a single spot pay point applies, unless:
- the individual is deemed to be immediately capable of performing the role at the optimum level required for the post;
  - the market value for the individual's experience and/or skills demands a higher entry point;
  - appointment above the minimum of the grade is required to ensure pay parity with other employees performing the role, with similar skills and experience; or
  - nationally determined arrangements apply to remuneration on recruitment and promotion.
- 8.2 The Governance Committee has delegated the authority to determine standard terms and conditions for staff and to delegate to appropriate roles the determinations of salaries on appointments as set out in this Statement.

## **9. Other elements of the Remuneration Package**

### **9.1 Allowances and Enhancements**

The County Council pays allowances to staff for additional responsibilities and duties as required to deliver services. The Allowances and Enhancements Policy is published on the County Council's Website.

Allowances for Uniformed Firefighters, Teachers (centrally employed by the County Council), Soulbury and Youth and Community Workers are determined in accordance with national arrangements, and as amended locally.

Staff who have transferred into the authority are covered by the applicable terms in place at time of transfer and as amended locally.

The Director of Law and Assurance is the Returning Officer for County Council elections and is eligible to receive election fees for carrying out these duties.

### **9.2 Annual Leave**

Annual leave entitlements vary according to the terms and conditions of employment. Annual Leave entitlements are published on the County Council's website.



### 9.3 **Pension Scheme**

Membership is determined by the relevant conditions of service and is subject to the rules of the scheme. The County Council operates the following pension schemes: Local Government Pension Scheme (LGPS), the Teachers' Pension Scheme (TPS) the Teachers' Pension Scheme 2015, the Fire Fighters Pension Scheme (now closed to new entrants) (FPS), the New Fire Fighters Pension Scheme (NFPS) (now closed to new entrants), the Firefighters' Pension Scheme 2015, the NHS Pension Scheme and the 2015 NHS Pension Scheme.

### 9.4 **Abatement of Pension**

Staff who are employed or re-employed by the County Council and who are in receipt of pension either under the Local Government Pension Scheme (LGPS), or the Fire Fighters Pension Scheme (FPS and NFPS) are subject to the rules on abatement of pension for the relevant scheme. The Abatement of Pension Policy is published on the County Council's website.

9.5 Staff in receipt of an NHS or Teachers' pension are subject to the relevant Pension Scheme Regulations on abatement.

## **10. Termination of Employment**

### 10.1 **Severance**

Should a severance payment be proposed that exceeds any threshold prescribed by Regulations, the County Council shall act in accordance with the requirements of those Regulations. Until such time any severance payment shall be in accordance with statutory guidance, the Council's pay policy and Scheme of Delegation, including relevant cabinet member approval.

### 10.2 **Redundancy**

The County Council's policy on redundancy, redundancy payments and re-employment is determined by the Governance Committee and is available on the County Council's website.

Staff who have transferred into the authority are covered by the applicable terms in place at time of transfer.

## **11. Settlements of employment-related claims**

11.1 In exceptional circumstances, and specifically so as to settle a claim or potential dispute, the Director of Law and Assurance can agree payment of a termination settlement sum in consultation with the Director of Human Resources and Organisational Development, subject to any requirements of the regulations referred to in paragraph 10.1 and the Council's Scheme of Delegation.

## **12. Pay Protection**

- 12.1 The County Council's pay protection policy is approved by the Governance Committee. The policy provides a mechanism for assisting employees to adjust to a reduction in pay as a result of organisational change, job evaluation or redeployment as a result of ill health or disability.
- 12.2 Staff who have transferred into the authority with protected terms and conditions are covered by the applicable terms in place at time of transfer.

## **13. Remuneration of staff on a Contract for Services, or engaged via a third-party Agency**

- 13.1 The County Council intends that individuals engaged via a Contract for Services are remunerated at a rate consistent with pay of directly employed staff performing a comparable role. However, the County Council may reflect market factors in remuneration levels, whilst ensuring value for money.

## **14. Employment Tax**

- 14.1 The Council encourages the direct employment of staff and pays them via the payroll system in order to ensure that appropriate deductions for income tax and national insurance contributions are made. However, in exceptional circumstances individuals may be engaged through a Contract for Services in accordance with the relevant legislation.

## **15. Publication of information on the remuneration of staff; or individuals engaged via Contracts for Service**

- 15.1 The County Council publishes information relating to the remuneration of staff over a level defined by Government guidance in the Annual Report and Accounts and on the West Sussex Data Store on the County Council's website. In addition, the County Council publishes the pay ratio between the highest paid salary and the lowest salary and this information is available on the County Council's website.
- 15.2 Gender pay reporting will be published annually in accordance with legislative requirements.
- 15.2 The County Council will ensure that all of its arrangements for managing personal data in relation to staff contractual, payment and performance arrangements are managed in accordance with all Data Protection legislation and the County Council's current Data Protection Policies. The County Council is committed to ensuring the security and maintaining the confidentiality of all personal staff data.

## Appendix 2

### Pay Multiples

Date	Highest Paid	Median Pay	Median Pay Ratio (to highest paid)	Lowest Pay	Lowest Pay Ratio (to highest paid)
31/3/22	£152,637	£29,174	1:5.23	£18,333	1:8.33
31/3/21	£164,583	£28,672	1:5.74	£17,842	1:9.22
31/3/20	£153,153	£27,905	1:5.49	£17,364	1:8.82
31/3/19	£190,020	£26,470	1:7.18	£16,394	1:11.59
31/3/18	£190,050	£25,301	1:7.51	£15,014	1:12.66
31/2/17	£184,111	£25,593	1:7.19	£14,514	1:12.69
31/3/16	£194,369	£25,183	1:7.72	£13,500	1:14.4

#### Notes:

- (1) Pay multiples:
  - (a) As specified in the Local Government Transparency Code 2015, the 'pay multiple' compares the earnings of the highest paid employee to the median full time equivalent earnings of all employees (excluding staff based in schools) at the specified date.
  - (b) 'Lowest pay' is the full-time equivalent lowest earnings of all employees (excluding schools) at the specified date.
- (2) The salary of the highest paid employee is used for the purposes of the pay multiples. With effect from 6th January 2020 the County Council's Chief Executive has also been the Chief Executive of East Sussex County Council with salary costs shared equally between authorities. Consequently, the highest paid salary in the County Council is not for the post of Chief Executive.
- (3) The remuneration payable to the Authority's senior employees and the payments made for the services of senior officers who are not directly employed are published in the County Council's annual accounts. The accounts for 2021-22 show that payments of £156,502 have been made to East Sussex County Council for the shared services of the Chief Executive.

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**Report to Governance Committee****6 February 2023****The Personal Safety of Councillors****Report by Director of Law and Assurance****Electoral division(s): Not applicable**

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**Summary**

It is important to ensure the Council has measures in place to support councillors in maintaining their personal safety. This Committee and the Member Development Group have considered such measures in the recent past and, at its meeting in October 2022, the Group agreed to ask the Governance Committee to sign the Local Government Association's 'Debate Not Hate' public statement, calling for a national action plan to address the abuse and intimidation of elected members and candidates while they fulfil their democratic roles. This report sets out details of the campaign and provides a note of the measures in place for the safety of county councillors, for the Committee's consideration.

**Recommendations**

The Committee is asked to:

- (1) Note and comment on the measures currently in place to support the safety of county councillors (at para 1.2);
  - (2) 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 para 2.3; and
  - (3) Consider the options set out in section 3 of the report and identify any additional measures that may support councillors.
- 

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

- 1.1 Openness and accessibility are important parts of democracy but can mean that councillors are vulnerable to abuse and harassment. The Council aims to take a proactive approach to dealing with the personal safety of elected members. A number of measures are in place to provide support, guidance and training, as set out in para 1.3 below. These measures have been reviewed over time by this Committee and by the MDG.

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- 1.2 In recent years, there has been more national coverage of intimidation and threats towards politicians. Historically, county councillors have not experienced or reported many incidences of abuse or malicious communication. The LGA 2020 annual survey of councillors included questions on abuse and intimidation and was responded to by 23 West Sussex members. Details are set out in para 5.1 and it shows that some have felt at risk and have experienced intimidation. However, most respondents felt that the arrangements the Council has in place are appropriate and effective.
- 1.3 Measures put in place by the Council to address the personal safety of county councillors and promote civility in public life are:
  - 1.3.1 **The Council's Code of Conduct** (recently refreshed) sets out the standards of conduct required of councillors and is designed to protect this democratic role, encourage good conduct and safeguard the public's trust in local government.
  - 1.3.2 **Home addresses:** Governance Committee agreed in February 2022 that the default position should be that members' addresses are not published on the Council's website, unless requested otherwise.
  - 1.3.3 **Internal Guidance** for members on [health and safety](#) is available on the Council's Members' Information Network (the Mine) and as a link in the Councillors' Guide. This includes reference to personal safety awareness, how to deal with unreasonably persistent complaints and unacceptable behaviour and how to report any incidents.
  - 1.3.4 The Council's [Procedure and Guidance on Handling Unreasonably Persistent Complainants and Unacceptable Behaviour \(PDF, 149KB\)](#) was revised and extended to cover members as well as officers in June 2020.
  - 1.3.5 **LGA guidance** was identified by the MDG as the best resource for safety information for councillors. This is signposted via [the Mine](#) and includes guidance on [handling harassment, abuse and intimidation](#), [practical advice for handling online abuse](#) and [practical advice for handling physical abuse and personal security](#). The LGA provides training for councillors on personal safety and handling abuse and intimidation online. Details of these are provided via the Bulletin when available.
  - 1.3.6 **Training** in personal safety for members was raised by MDG and a session was delivered by South East Employers in November 2022. Members attending raised questions relating to the Council's approach, as set out in para 5.2. The Council's Learning and Development website provides access to online courses which members may find beneficial (e.g. workplace diplomacy and communicating under pressure).
  - 1.3.7 **Social media** training was provided as part of the induction programme in 2021, with guidance available on the social media and press enquiries section of [the Mine](#), providing advice on dealing with online abuse, harassment or 'trolling'. A social media protocol for members is also provided to ensure members are clear what is and is not acceptable. This complements the general rules under the Code of Conduct.

- 1.3.8 **Meetings considering controversial matters:** internal protocols are in place for assessing and managing the risks that may be associated with council/committee meetings where protests or demonstrations might be anticipated. Democratic Services liaise with the Council's Resilience and Emergencies Team and with Facilities Management to manage these.
- 1.3.9 **Employee Assistance Programme:** members have access to the Employee Assistance Programme, an advice service commissioned by the County Council, that can help deal with any personal or professional problems which could be impacting on health and wellbeing.
- 1.3.10 The County Council has an **online accident/incident reporting system** for staff and any instances of physical aggression, verbal abuse or threats to staff connected with their work must be recorded. This can also be used by councillors. The County Council does not keep a single register of people who have been aggressive or abusive to staff. The Council has a policy of removing or limiting the points of contact available to individuals who persistently misuse contact – including maliciously. More serious instances are reported to the Police.
- 1.4 Intimidatory behaviour can also be experienced as part of the elections process. Political parties have responsibility for the safety of candidates and those campaigning during elections. It is the role of the Police to prevent and detect crime and enable the democratic process to proceed. The Elections Act 2022 introduces a new electoral sanction for those found guilty of intimidating candidates, campaigners and elected representatives during elections. Banning someone from standing for elected office, as well as imposing criminal sanctions strengthens the deterrent against this intimidating behaviour.

## 2 Local Government Association (LGA) 'Debate Not Hate' campaign

- 2.1 The LGA is running a '[Debate Not Hate](#)' campaign, to help encourage civility in public life and this was reviewed by MDG in October 2022. The LGA has produced a [report](#) with recommendations which range from legislative changes to protect councillors' privacy to creating a longer-term culture change to de-normalise abuse of politicians and other high-profile individuals. Key themes are:
- 2.1.1 **Variability of support** – The support offered by councils, political parties and the police varies across the country. Respondents identified a lack of proactive support from some councils and some police forces.
- 2.1.2 **Targeted abuse** – Evidence indicated that councillors and candidates with protected characteristics were more likely to receive personalised abuse. Misogyny, racism and homophobia were highlighted.
- 2.1.3 **Personal and democratic impacts** – Abuse and intimidation can significantly affect councillors and their families' mental health and wellbeing, and this can affect councillors' willingness to stand for re-election or deter others from considering standing for public office.
- 2.1.4 **Vulnerability of councillors** – The visibility and accessibility of councillors in their community, particularly if home addresses are available, can make them more vulnerable to physical abuse than national politicians, who may have greater protection and access to specialist police support.

2.1.5 **Normalisation** – There is a growing feeling that abuse and intimidation, particularly online, are becoming normalised.

2.2 Many of the recommendations in the report relate to actions for the LGA and central Government, however one recommendation identified for local councils was to take greater responsibility for the safety and wellbeing of councillors and take a proactive approach to preventing and handling abuse and intimidation against councillors. The Committee is therefore invited to consider whether the Council needs to do anything more in this area.

2.3 As part of the LGA campaign, it is calling on councillors, MPs and other organisations to sign its 'Debate Not Hate' public statement. MDG agreed to recommend to Governance Committee that it should sign this on behalf of the Council, as set out below:

**"We are calling on local government leaders, the Government and relevant partners, like the police, political parties and social media companies to come together through a government convened working group to produce and implement an action plan that addresses the abuse and intimidation of elected members and candidates and ensures their safety while they fulfil their democratic roles".**

2.4 There will be opportunities through the Council's 'Be a Councillor' campaign to reinforce the messages of 'Debate Not Hate' and to promote civility in public life. MDG is due to review the campaign at its next meeting (20 February 2022), as part of its work towards the 2025 Council elections. The Committee may want to identify any specific issues for MDG to consider as part of this.

2.5 The LGA has recently issued a 'Debate Not Hate' [Councillor toolkit](#), which includes templates for councillors to use, including a 'rule of engagement' document to promote healthy debate.

### **3 Options**

3.1 Some additional options to support councillors in maintaining and protecting their personal safety, are set out below for the Committee's consideration.

3.1.1 The Director of Law and Assurance be asked to instigate liaison with Sussex Police/the Sussex Police and Crime Commissioner to establish protocols for how councillors should report intimidation and threats that are made to them in their role as a councillor. To include discussion of the potential to establish a named contact for handling serious threats.

3.1.2 The Director of Law and Assurance to be a main point of contact for any councillors experiencing abuse or harassment/intimidation, and to maintain a log of any such incidents, for monitoring purposes.

3.1.3 A process to be put in place to enable members to check with Council officers the details of persons who are requesting a personal meeting or visit. Although the Council does not keep a central register, the Customer Relations Team has records of people who have persistently misused lines of communication. Specific names could be checked against this on request. Names could also be checked with relevant Service lead officers. Such a process would require co-ordination, so an initial, single point of officer contact for members should be identified.



- 3.1.4 Political groups to consider nominating one of their members to provide a support role to members' regarding their personal safety.
- 3.1.5 Personal safety training and awareness to be included in the members' induction programme and to members elected at by-elections.
- 3.1.6 Refreshed personal safety guidance to be produced providing a one-stop shop for information and guidance (local and national). To include practical advice (as set out in the LGA's [practical advice for handling physical abuse and personal security](#)), including:
- The importance of setting boundaries between private and public life
  - The need to be safety conscious in all interactions with the public, with meetings/surgeries held in suitable locations (such as council premises during working hours, when others are in the building)
  - Advice not to meet residents in their own homes and not to go alone to meetings with individuals
  - Advice on home security and technology
- 3.1.7 MDG to be asked to review the information provided to people thinking of standing for election as part of the Council's 'Be a Councillor' campaign, to ensure this is promoting civility in public life as well as giving a clear picture of the role and the support available.
- 3.1.8 MDG to consider including questions relating to personal safety in the next all-member survey (based on those asked in the national Census of Local Authority Councillors). This will provide more robust data relating to the experiences of county councillors for monitoring and assessment.

3.2 In light of the issues raised by some members attending the personal safety training in November 2022 (as set out at para 5.2), the Committee is also asked to consider whether the Council should provide members with personal alarms. The Group also questioned whether the training and guidance provided to county councillors should be shared with and open to district/borough councillors

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

4.1 Other options for maintaining and protecting the safety of councillors may be considered within the Committee's debate.

#### **5 Consultation, engagement and advice**

5.1 The [Census of Local Authority Councillors](#) in England carried out by the LGA in early 2022 included questions relating to personal safety. All 16,930 councillors in England were contacted. A total of 5,055 councillors responded, a response rate of 30%. The response for WSCC members was 23, or 33%. Given the low number of respondents, the responses set out below may not be representative, but are a useful indicator of local experience. Total numbers as well as percentages are given for the WSCC response.

<b>National Census of Local Authority Councillors 2022</b>	<b>WSCC Response</b>	<b>National Response</b>
<b>1. Authority has appropriate arrangements in place to deal with inappropriate behaviour:</b>		
<b>a) by members of the public</b>		
Yes	52.2% (12)	54.8%
No	17.4% (4)	28.6%
Don't know	30.4% (7)	16.6%
<b>b) by officers</b>		
Yes	60.9% (14)	69.6%
No	8.7% (2)	16.6%
Don't know	30.4% (7)	13.7%
<b>c) by councillors</b>		
Yes	56.5% (13)	56.8%
No	26.1% (6)	35.2%
Don't know	17.4% (4)	8.0%
<b>2. How often feel at risk personally when fulfilling councillor role</b>		
Frequently	0.0%	4.0%
Occasionally	34.8% (8)	24.1%
Rarely	39.1% (9)	45.1%
Never	26.1% (6)	26.8%
<b>3. Effectiveness of council arrangements for protecting you personally</b>		
Very effective	13.0% (3)	14.6%
Fairly effective	39.1% (9)	48.7%
Not very effective	13.0% (3)	25.0%
Not at all effective	13.0% (3)	11.7%
Don't know	21.7% (6)	0%
<b>4. How often experienced abuse or intimidation in last 12 months in role as a councillor</b>		
Frequently	13.0% (3)	10.3%
Occasionally	26.1% (6)	29.4%
Rarely	30.4% (7)	33.4%
Never	30.4% (7)	26.9%

5.2 Issues and questions raised by some members attending the personal safety training provided by South East Employers in November 2022 are:

- Whether members can access information held by the Council on any individuals with a history of aggression or abusive behaviour, and whether such information held is shared between the County and district/borough councils.
- How members should be reporting issues they have experienced and whether the Council should hold a register of incidents involving members.

- The need for general advice on the risks that may be associated with members’ local role, including relating to holding surgeries and home visits.
- Whether the Council should provide all members with personal attack alarms.
- How to manage the risks of abuse and harassment that may arise where members are involved in dealing with controversial issues (e.g. Planning and Rights of Way Committee).
- How to ensure councillors (and those thinking of standing for election) understand the risks that may be associated with the role as well as the support that is provided.

5.3 All councillors were invited (via the Bulletin on 7 December 2022, 4 and 11 January 2022) to forward comments they wish the Committee to consider as part of this report, and specifically to comment on the following:

- Whether they have ever felt at risk personally in their role as a councillor
- Whether they have experienced abuse or intimidation in their role
- The support and information relating to members’ safety and wellbeing
- Whether further actions are needed

5.4 No comments have been received.

## 6 Finance

6.1 The options for ensuring members’ safety set out in section 3 can be met from within existing resources. If it is proposed that personal alarms should be provided to all members (para 3.2.1), the budget provision for these would need to be examined as there are several options, including the members’ allowances budget. The estimated total cost is in the region of £700.

## 7 Risk implications and mitigations

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Members’ personal safety is at risk	Set out in the report
Members’ wellbeing is impacted through experience of abuse, threats or intimidation	Proposals to extend measures of support are set out in the report
Local democracy is undermined, with people deterred from standing for election	Signing the LGA ‘Debate Not Hate’ statement provides a strong public commitment and the Council’s Be a Councillor campaign provides the opportunity to reinforce this message

## 8 Policy alignment and compliance

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- 8.1 There are no legal, Equality Duty, human rights, climate change or public health implications directly arising from this report. Social value is provided by promoting civility in public life, raising public awareness of the role of councillors and of local democracy. The measures set out in the report contribute to the Council's responsibilities to reduce crime and anti-social behaviour under the Crime and Disorder Act.

Tony Kershaw

**Director of Law and Assurance**

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**Appendices** None

**Background papers** None

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**Report to Governance Committee****6 February 2023****Proposed Changes to the Constitution on Pension Matters****Report by Director of Law and Assurance****Electoral division: Not applicable**

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**Summary**

Following a review, it has been identified that there is benefit in clarifying responsibility for certain functions provided for under the Local Government Pension Scheme regulations. These relate to certain policies and procedures the County Council, as scheme administrator, is required to maintain and the arrangements for the exercise of discretions the Council may apply both as employer and as scheme administrator. The report invites the committee to include these in the County Council's scheme of delegation.

**Recommendations**

- (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 (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 (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 (Section 2V).
  - (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.
- 

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

- 1.1 West Sussex County Council is the Administering Authority responsible for maintaining and managing the West Sussex Local Government Pension Scheme on behalf of its stakeholders: the scheme members and employers participating in the Fund. Management of the pension fund is a non-executive function, which means that, by law, it cannot be the responsibility of the council's cabinet

or executive members. That responsibility is given to this Committee which is responsible for how those responsibilities are discharged both by the Pensions Committee and by officers.

- 1.2 The Pensions Committee has been given responsibility for exercising the powers and duties of the County Council in its capacity as Administering Authority. In addition, named senior officers of West Sussex County Council have been delegated certain specific responsibilities as part of the day-to-day administrative responsibilities of the Council.
- 1.3 West Sussex County Council also acts as an employer within the scheme and, in that capacity is required to enrol its employees into the Local Government Pension Scheme.
- 1.4 Local Government Pension Scheme regulations allow a number of discretions to be applied for employers and Administering Authorities. Each employer and Administering Authority is required to publish a statement setting out how they apply each discretion including who has responsibility for decision making (where required) or what the practice is.
- 1.5 Local Government Pension Scheme regulations also require each Pension Fund to prepare and implement several statutory policy documents. Some policy documents inform the content of other policies or procedures and therefore these have been split between those requiring a strategic overview and those which are operational. It is proposed that the Pension Committee will be responsible for the strategic policies and named senior officers will be responsible for the operational policies.

## 2 Proposal details

- 2.1 It is therefore proposed to add the below items to Part 2 of the Officer Delegations table within Part 3 – Scheme of Delegation: Responsibility for Functions within the Constitution.

### 2S Pensions – Local Government Pension Scheme Employer Role

Section/ No.	Function	Officer	Form of shared delegation
	To take decisions relating to the exercise of all discretions and matters relating to individual officers under the currently published policy of discretions under the Local Government Pension Scheme	Director of Human Resources and Organisational Development	In consultation with Director of Finance and Support Services

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

Section/ No.	Function	Officer	Form of shared delegation
	To take decisions relating to the exercise of all discretions and matters under the currently	Director of Finance and	In consultation with senior officers for such

Section/ No.	Function	Officer	Form of shared delegation
	published Administering Authority Discretions Policy	Support Services	advice as may be required.
	<p>To prepare determine and implement the following policies or procedures in connection with the administration of the scheme:</p> <ul style="list-style-type: none"> <li>• Administration Strategy</li> <li>• Breaches policy</li> <li>• Communications Policy</li> <li>• IDRP (Internal Dispute Resolution Procedure)</li> <li>• Privacy Notice</li> </ul>	Director of Finance and Support Services	Jointly with the Director of Law and Assurance

2.2 It is further proposed that the County Council be asked to amend the Pension Committee's Terms of Reference in Part 3, Appendix 7 of the Constitution, to include the addition of the following points:

- 'Determination of all statutory policy documents as listed below and to consider from time to time those delegated to officers for review or amendment.

Policy matters for determination by the Committee:

- Administering Authority Discretions
- Funding Strategy Statement
- Governance Policy and Compliance Statement
- Investment Strategy Statement
- Treasury Management Strategy Statement (TMSS)

Policy matters delegated to officers which are to be reviewed as required by the Committee

- Administration Strategy
  - Breaches policy
  - Communications Policy
  - IDRP (Internal Dispute Resolution Procedure)
  - Privacy Notice
- To consider the Annual Report in connection with the administration of the scheme.'

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

3.1 It is necessary for there to be clarity as to the allocation of these responsibilities. They could be delegated differently. The proposal enables the day to day or operational responsibilities to be discharged by officers whilst leaving policy setting with elected members.

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

4.1 The named senior officers have been consulted in relation to the allocation of responsibilities.

## 5 Finance

5.1 There are no financial implications arising from this report.

## 6 Risk implications and mitigations

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
Not having responsibilities clearly set out could impact on the accountability and transparency of decision making.	These changes to the Constitution would reduce the possibility of this situation.
It is not clear the role of the Pensions Committee and Officers regarding strategies, statements and policies required by the Regulations resulting in non-compliance with statutory responsibilities.	These changes to the Constitution would rule out the possibility of this situation.

## 7 Policy alignment and compliance

7.1 The proposals are administrative and so do not engage policies relating to equality, human rights, climate change and social value or crime and disorder. The arrangements proposed do, however, enable the Council to have clarity on the discharge of statutory and employer responsibilities and so should enable the more efficient use of its resources.

Tony Kershaw

**Director of Law and Assurance**

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### **Appendices**

None

### **Background papers**

None