

Governance Committee

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

Present:

Cllr Wickremaratchi, Cllr Burrett, Cllr A Jupp, Cllr O'Kelly, Cllr Oxlade and Cllr Waight

Apologies were received from Cllr Bradbury, Cllr Lord and Cllr Marshall

Part I

1. Declarations of Interest

1.1 In accordance with the Code of Conduct, Cllr Burrett declared a personal interest in the item on the Pension Advisory Board: Business Plan 2023/24, as a deferred member of the West Sussex Local Government Pension Scheme. Cllr Wickremaratchi declared a personal interest in the report of the Member Development Group as its Chairman.

2. Minutes of the last meeting of the Committee

2.1 Resolved – That the minutes of the meeting held on 10 May 2023 be approved as a correct record and that they be signed by the Chairman.

3. Pension Advisory Board: Business Plan 2023/24

3.1 The Committee considered a report by the Director of Finance and Support Services on the Pension Advisory Board draft Business Plan and budget for 2023/24 (copy appended to the signed minutes).

3.2 The Pension Fund Investment Strategist introduced the report and in response to a query said that the abbreviation 'IDRP' on page 16 stood for 'Internal Dispute Resolution Process' and 'ESG' on page 17 stood for 'Environmental Social and Governance'. Members questioned the lack of spend on training in 2022/23 and the officer said that, due to the nature of the training, there had been no direct cost to the Board.

3.3 Members asked about the review of compliance with guidance mentioned on page 17 and the officer explained that, although the guidance is not mandatory, it is expected that authorities comply or be prepared to explain why they are not compliant.

3.4 The officer confirmed that the list of issues for attention in 2023/24 on page 13 is not in priority order and will be dealt with when further information is received. The main issue of interest is the anticipated review of pooling governance.

3.5 Resolved - That the Business Plan and Budget for the Pension Advisory Board for 2023/24, as attached at Appendix 1 to the report, be approved.

4. Severance Payments Procedures

4.1 The Committee considered a report by the Director of Law and Assurance which set out government guidance on 'special' severance payments to staff on the termination of employment (copy appended to the signed minutes). The Committee was asked to approve an approach to ensure that the Council follows the guidance in accordance with its pay policy statement.

4.2 The Director commented that the second sentence of paragraph 2.6 of the report, which related to the composition of the panel to consider special severance payments for the Chief Executive, should be disregarded as, given that the make-up of the panel is defined in guidance, this is better covered in the proposed terms of reference of the Governance Committee. This approach means that, if the guidance changes, the terms of reference will not need to be amended.

4.3 The Director of Law and Assurance confirmed that the £100,000 threshold is set by the guidance and that, although the legislation allows for a cap to be imposed, this has not been applied so far.

4.4 In response to a question as to how the new arrangements differ from the current ones the Director said that the guidance creates the notion of 'special' severance payments which would be distinct from contractual severance payments. Only special payments, as defined, are affected by the guidance.

4.5 Resolved –

- (1) That the provisions of the guidance be noted;
- (2) That the proposed changes to the Council's Scheme of Delegation Part 3, Appendix 4 of the Constitution, be approved; and
- (3) The County Council be recommended to approve the proposed changes to the Governance Committee's terms of reference, Part 3, Appendix 7 and to Council Standing Orders, Part 4, Section 1.

5. Report of the Member Development Group

5.1 The Committee considered a report by the Director of Law and Assurance on the work of the Member Development Group (MDG), an advisory body to the Governance Committee on all aspects of county councillors' roles and their training and development needs (copy appended to the signed minutes). The report provided a review of the member development programme for 2022/23 and updates on the 2023/24 programme and MDG's own work programme.

5.2 The Chairman of the MDG introduced the report and expressed his thanks to officers for their work supporting the programme.

5.3 The Head of Democratic Services updated the Committee on the mandatory training set out in paragraph 2.7 on page 28 where 100% compliance has now been achieved for members elected before May 2023. The new member elected at a by-election in early May has a year to complete his mandatory training. In addition, 61% of members had now responded to the all-member survey set out in paragraph 3.5.

5.4 With reference to the Local Government Association political skills framework in paragraph 3.2 and whether it is a new initiative, the Head of Democratic Services said the MDG was adopting the framework as it fits well with the existing Member Development Strategy and can be used to give structure to the induction programme.

5.5 Members asked about the renewal of the Councillor Development Charter and whether the Council will apply for Charter Plus. The Head of Democratic Services said MDG is talking to other councils for feedback on what is involved. She confirmed that the cost is similar but the assessment process is more rigorous and there would be resource implications should the Council decide to apply.

5.6 Members supported the MDG's approach to the format of member development sessions being a mix of in-person and virtual/hybrid meetings. The importance of sessions being held in-person in the initial induction period after an election was emphasised as this gives new members the chance to get to know other members and officers and to ask questions.

5.7 Members asked if there will be refresher sessions for the mandatory training and the Head of Democratic Services confirmed there are annual reminders to members.

5.8 Resolved – That the report be noted.

6. Appointments to Committees, Panels and Outside Bodies

6.1 In accordance with the provisions of the Local Government and Housing Act 1989, the Committee was asked to appoint members to serve on the committees, panels and outside bodies as set out in the report by the Director of Law and Assurance (copy appended to the signed minutes) in line with the expressed wishes of the political groups.

6.2 Resolved – That appointments to committees, panels and South East Employers be approved as set out in the report.

7. Report of Member Attendance April 2022 to March 2023

7.1 The Committee was reminded that, as part of its terms of reference, it is required to monitor attendance of members at meetings of the County Council and its committees annually. The Committee considered a report by the Director of Law and Assurance on members' attendance for the period April 2022 to March 2023 (copy appended to the signed minutes).

7.2 Resolved – That members' attendance at meetings for the period 1 April 2022 to 31 March 2023 be noted.

8. Date of Next Meeting

8.1 The Committee noted that the date of the next meeting of the Committee due to be held at 2.15 pm on Monday, 11 September will be put back to 2.15 pm on Wednesday, 13 September 2023 at County Hall, Chichester. Planned agenda items include:

- Review of the Executive/Scrutiny Protocol
- Changes to the terms of reference of the Regulation, Audit and Accounts Committee
- Updates to Financial Regulations

8.2 Members agreed to a request from Cllr Oxlade for a report to be brought the next meeting to consider the rules for the annual budget debate at Council, including whether to introduce time limits on speeches (this being the only debate where there is no time limit on speeches).

8.3 The Committee also agreed to include a standard item at the end of its agendas to give members the opportunity suggest and agree items they would like to discuss at future meetings.

The meeting ended at 3.10 pm

Chairman