

Public Document Pack

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5 September 2023

Governance Committee

A meeting of the Committee will be held at **2.15 pm** on **Wednesday, 13 September 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 - 6)

The Committee is asked to agree the minutes of the meeting held on 26 June 2023 (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. County Council February Budget Meeting Options (Pages 7 - 14)

Report by the Director of Law and Assurance.

Each February, the County Council considers its overarching strategy document and budget for the forthcoming year. This item is always a major and lengthy debate. Following a request at its last meeting, the Committee is asked to consider options for managing these annual debates.

5. Update to Constitution - Corporate Parenting Panel Terms of Reference (Pages 15 - 22)

Report by the Director of Law and Assurance.

The Committee is asked to consider endorsing minor updates to the core membership of the Corporate Parenting Panel for recommendation to the County Council.

6. **Regulation, Audit and Accounts Committee: Proposed changes to Terms of Reference** (Pages 23 - 30)

The Committee is asked to consider a number of changes to the terms of reference of the Regulation, Audit and Accounts Committee (RAAC) for recommendation to the County Council. The changes include the formalisation of a referral process, changes to ensure the terms of reference more accurately reflect RAAC's duties and an increase in the number of independent co-opted members.

7. **Executive-Scrutiny Protocol Review** (Pages 31 - 40)

Report by the Director of Law and Assurance.

The Committee is asked to review the effectiveness of the Executive-Scrutiny Protocol which was introduced in September 2022. The aim of the Protocol is 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.

8. **Date of Next Meeting**

The next meeting of the Committee will be held at 2.15 pm on 6 November 2023 at County Hall, Chichester.

Members are invited to discuss and agree plans for the business of future meetings of the Committee. Planned agenda items include:

- Update to Financial Regulations
- Staff Appeals Panel Annual Report
- Report of the Member Development Group

To all members of the Governance Committee

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

Report to Governance Committee**13 September 2023****County Council February Budget Meeting Options****Report by Director of Law and Assurance****Electoral division(s): Not applicable**

Summary

Each February, the County Council considers its overarching strategy document (The Council Plan) and its budget for the forthcoming year. This agenda item is a major and lengthy annual debate. At its last meeting the Committee asked officers to set out options for managing the length of time of these annual debates.

Recommendation

That the Committee:

- (1) Recommends to the County Council that Standing Orders be amended to limit other business at the annual budget meeting, as set out in Appendix 1; and
 - (2) Considers whether it wishes to recommend any other changes to Standing Orders to help manage the timings of the February budget meeting.
-

Proposal**1 Background and context**

- 1.1 Each February, the County Council considers its overarching strategy document (Our Council Plan) and its budget for the forthcoming year. This agenda item is a major debate each year and all members have the opportunity to speak, untimed. This is the only full County Council meeting debate with no time limits on speeches.
- 1.2 It is recognised within the Constitution that the budget will be a major debate and that there will be little time for other business. Standing Order 2.49 states that there is a presumption that notices of motion will not be considered at the February budget meeting. Question Time has not taken place at the last two February budget meetings due to a lack of time.
- 1.3 It is recognised that the Council budget will generate a thorough and lengthy debate. The annual budget meeting typically lasts from 10.30 am to 4.30 pm (based on the average length of meetings held between 2017 and 2022). However, in February 2023, the meeting was unusually long, not finishing until 5.23 pm. The Committee therefore agreed to review how well the rules for this debate serve the interests of the Council and those with an interest in following

Agenda Item 4

the Council's business and asked officers to set out options for managing the length of time of this meeting.

- 1.4 It is important for the Committee to consider what should be the objective for any changes to current arrangements, identifying what may be the impediments to ensuring the optimum arrangements for ensuring a full and fair democratic debate on the most important matter for the Council and its residents.

2 Proposal details

- 2.1 Given the importance of the annual budget debate and the need to ensure there is opportunity for as many members as possible to participate, it is proposed that Standing Orders be changed to remove the requirement for other non-urgent business to be on the agenda. This will include Question Time, petitions, annual reports and scrutiny committee debates. Appendix 1 sets out the proposed amendments to Standing Orders.

- 2.2 Other options for managing timings at the February budget meeting are set out below for the Committee's consideration:

- a) **Set an overall time limit for the budget debate or a particular end time.** In practice, the Chairman would need to close the list of those who have requested to speak in time to allow seconders to speak, the movers to sum up and the Cabinet Member to have the final word before the vote is taken.
- b) **Set individual time limits on speeches.** Standing Order 2.58 sets a five-minute time limit on speeches for all other County Council debates. It would be possible to have a longer time limit for all members for this item of business or just for the movers of the Plan and Budget and the proposers of amendments, with a shorter time limit for all other speakers.
- c) **Maintain current arrangements.** Support the Chairman to manage the meeting through using his discretion to direct speakers to avoid overly lengthy, repetitive speeches and lines of questioning that are not relevant to the debate.

- 2.3 Other councils have adopted a range of practices. Appendix 2 sets out a selection that includes the options shown above.

3 Other options considered (and reasons for not proposing)

- 3.1 None.

4 Consultation, engagement and advice

- 4.1 Not applicable.

5 Finance

- 5.1 There are no financial implications from considering options to manage the timings of the budget meeting.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Introducing time limits may reduce the opportunity for some councillors to speak on this major item, which could serve to weaken democratic arrangements.	The Chairman can ensure that a wide range of speakers are called from across the chamber, to enable a broad debate to take place in the interests of democracy.
Having no limit on speech length may reduce the number of members able to speak and reduce engagement by the public.	The Chairman can exercise discretion to enable speakers with important points to make to speak for longer and for those making amendments or proposing the reports to speak for longer.

7 Policy alignment and compliance

- 7.1 There are no policy or compliance implications arising from considering options to manage the timings of budget meetings.

Tony Kershaw

Director of Law and Assurance

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Appendices

Appendix 1 – Proposed amendments to Standing Orders

Appendix 2 – Analysis of approaches to Budget meetings by other county councils

Background papers

None

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Changes to Standing Orders re Budget debates

(Addition shown in bold, italic text)

Reports to Council

- 2.27 Subject to the waiver in Standing Order 4.12, a printed copy of the plans and strategies which are proposed to that meeting for inclusion within the Policy Framework or any proposed amendments or variations to them, shall be sent to every member and, so far as possible, shall be forwarded with the summons to attend such meeting. The papers shall include any recommendations on the plan or strategy made by the Cabinet, and by a scrutiny or non-executive committee, where the recommendation has not been accepted by the Executive in whole or in part, and any recommendations made by the Governance Committee on the Constitution.
- 2.28 All recommendations which are to be submitted to the County Council, so far as practicable, shall be set out clearly in the form of resolutions to be considered by the County Council.
- 2.29 The agenda shall include:
- (a) a report from members of the Cabinet, in accordance with Standing Order 2.35.
 - (b) any reports from a scrutiny committee for debate.
 - (c) a report from a non-executive committee on any matter where officers' recommendations have not been accepted, except where the chairman of the relevant committee considers that the non-acceptance or variation of an officer's recommendations does not warrant a report to the County Council.
- 2.30 No minutes or reports which have not been circulated shall be considered at the meeting.

2.30a At the meeting of the County Council where the annual budget is considered, non-urgent business will not usually be included on the agenda. This includes Question Time, petitions, annual reports and scrutiny committee debates.

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Analysis of approaches to budget meetings by other county councils

Common rules:

- Time limit (of usually three hours). Most allow a vote to extend the time (usually by one hour), but a few do not allow this and call for an immediate end to the meeting after three hours and the closure procedure. A variation is to have an end time set (usually 5.00 pm to 5.30 pm) with option of those present voting to extend it (usually for maximum of an hour)
- Speaker limit (varies from three minutes to 10 minutes)
- Some with limit of most speakers only being able to speak once (with the exception of proposals)

(**Note:** Most councils do not have specific rules for the budget meeting but some exempt the budget meeting from rules relating to timing which apply to other council meetings.)

A summary of the rules relating specifically to budget meetings is set out below.

Council	Constitution
Kent	<ul style="list-style-type: none"> • The Budget meeting shall start at 9.30 am, or as the Chairman determines, and shall end by 5.00 pm unless otherwise agreed by the Council by a vote without a debate • All procedure rules relating to the length of speeches are suspended for the Budget Meeting, with the Chairman making clear and announcing at the start of the meeting what rules will apply in this regard for the duration of the meeting
Nottinghamshire	<ul style="list-style-type: none"> • With the exceptions below, no Councillor will speak more than once or for more than 10 minutes: <ul style="list-style-type: none"> • the Councillor who moves the budget proposals may speak for 30 minutes when moving the budget proposals and for 15 minutes when replying to the debate • the movers of any amendments may speak for 20 minutes when moving those amendments and for 10 minutes when summing up.
Suffolk	<ul style="list-style-type: none"> • When Council is considering its strategic and budgetary framework <ol style="list-style-type: none"> (a) the mover of the motion may speak for up to 20 minutes and for up to 7 minutes when exercising the right of reply; (b) the seconder may speak for up to 7 minutes; (c) the main opposer may speak, initially, for up to 15 minutes and for up to 7 minutes prior to the mover's right of reply at the close of the debate; (d) the leader of any other political group may speak for up to 5 minutes after the main opposer's initial speech; (e) no speech by any other councillor may exceed 3 minutes.

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Unrestricted

Report to Governance Committee**13 September 2023****Update to Constitution - Corporate Parenting Panel Terms of Reference****Report by Director of Law and Assurance****Electoral division: Not applicable**

Summary

Following the revised terms of reference for the Corporate Parenting Panel being agreed by the County Council in December 2021, this report proposes some minor updates to the core membership of the Panel.

Recommendation

That the revised terms of reference for the Corporate Parenting Panel, as set out in the Constitution (attached at Appendix 1), be endorsed for recommendation to the County Council for approval.

Proposal**1. Background and Context**

- 1.1 The County Council's Corporate Parenting Panel (CPP) is a multi-agency advisory Panel that meets at least four times a year to ensure the voice of the child is at the centre of services for children looked after and care leavers.
- 1.2 Following the updated terms of reference that were agreed by the County Council in December 2021, some further minor amendments are proposed to the membership to ensure the Panel is focused and effective. The revised terms of reference are at Appendix 1.

2. Proposal

- 2.1 It is proposed that the revised Corporate Parenting Panel terms of reference at Appendix 1 be endorsed by the Committee, as summarised below:
 - a) **Membership:** It is proposed that it is no longer mandatory for a Foster Panel member to be part of the Corporate Parenting Panel, but that there is regular liaison with the Chairman of the Panel with all Foster Panel members so that any relevant feedback can be passed to the Panel. Foster Panel Representatives will also be

invited to attend Panel meetings for relevant agenda items. Seven councillors sit on the Corporate Parenting Panel, which must include the Cabinet Member for Children and Young People, two representatives from the Children and Young People’s Services Scrutiny Committee and at least one minority party member. Providing more flexibility on how to engage with the Foster Panel members enables the Panel to draw from a wider pool of expertise and experience from members to sit on the Panel.

- b) **The Promise:** The Promise is a partnership commitment to support young people and care leavers. This was added to the terms of reference in 2021 given the key role of CPP to monitor its delivery. The Promise has since been reviewed by children and young people to ensure it is relevant and influences the Service provision. As part of this the name has been updated to Our Aspiration and the terms of reference updated to include this new version.

3. Resources

- 3.1 This proposal will have no additional impact on resources. Support for the Corporate Parenting Panel is provided by lead service officers within the Children, Young People and Learning directorate and meeting support is provided by Democratic Services.

4. Consultation

- 4.1 The Corporate Parenting Panel Chairman and the Assistant Director (Corporate Parenting) support the proposal. The four Foster Panel members have been invited to comment on the proposal and any feedback received from them will be reported verbally at the Governance Committee meeting on 13 September. The Corporate Parenting Panel will review the proposal at its next meeting on 21 September. As this is after the date of the Committee meeting, any conclusions the Panel reaches will be included in the report to the County Council on 13 October.

5. Risk Implications and Mitigations

Risk	Mitigating Action
That feedback from Foster Panel members will not be input into the Corporate Parenting Panel	<p>Foster Panel members will be invited to attend Corporate Parenting Panel meetings for relevant agenda items.</p> <p>There is regular liaison between Foster Panel members and the Corporate Parenting Panel Chairman.</p>

6. Other Options Considered

- 6.1 The other option is to make no changes to the Panel’s terms of reference. The changes proposed are designed to improve the work of the CPP and its ability to influence and improve outcomes for children and young people and ensure that the voice of the child is central to its work. If no

changes are made, the opportunity to improve and develop the CPP would be missed.

7. Policy alignment and compliance

- 7.1 There are no policy or compliance implications arising from proposals to revise the Corporate Parenting Panel terms of reference.

Tony Kershaw

Director of Law and Assurance

Contact: Katherine De La Mora, Senior Advisor – Democratic Services
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Appendix 1 - Revised Corporate Parenting Panel Terms of Reference

Background Papers

None

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Revised Corporate Parenting Panel Terms of Reference

(Changes shown in bold, italic text with deletions struck through)

Corporate Parenting Panel

Our Vision:

- To act in the best interests, and promote the physical and mental health and well-being, of our children and young people.
- To encourage our children and young people to express their views, wishes and feelings and to challenge each other if their voices are not actively listened to and acted on.
- To listen, hear and do something when our children and young people tell us things.
- To make sure our children and young people know how to access, and make the best use of, services provided by us as a local authority and partners.
- To promote high aspirations, and seek to secure the best outcomes, for our children and young people.
- For our children and young people to be safe, and have stability in their home lives, relationships and education or work; and to prepare our children and young people for adulthood and independent living.
- This will make sure that our children and young people are not placed at significant disadvantage when compared with the support any child or young person may receive from their family.

Our Aspiration Promise

OUR ASPIRATION
FOR CHILDREN WE CARE FOR AND CARE LEAVERS LOOKED AFTER BY WEST SUSSEX

This work is a partnership commitment to support young people in care and care leavers.

It has been written by young people in care, care leavers, professionals who work with them and the West Sussex Corporate Parenting Panel.

INVOLVING YOU
OUR ASPIRATION IS...

- to ask your views, listen and act on what you tell us;
- tell you what you need to know;
- to give you information you need at the right time, to help you make the right decisions;
- to be a good friend; and
- to support you to access facilities, organisations and opportunities.

HEALTH AND HAPPINESS
OUR ASPIRATION IS...

- that you will have somewhere safe to live;
- to help you stay in touch with people who are important to you and
- to support you to be happy and healthy.

SUPPORT AND ADVICE
OUR ASPIRATION IS...

- to avoid unnecessary changes;
- to make sure you know who will support you and that important people keep in touch with each other to help you;
- to provide access to the relevant services and resources for you;
- You will have a social worker and have access to other professionals you might need; and
- to support you to the best of our abilities, even when times are tough.

EDUCATION, TRAINING AND WORK
OUR ASPIRATION IS...

- we will help you develop skills for life and work;
- to celebrate your successes with you;
- to champion your education; and
- to help you get the qualifications, interview skills, training and opportunities you want.

PREPARING YOU FOR LIFE
OUR ASPIRATION IS...

- to put in place what you need when you leave care;
- to help you make a clear plan for your life ahead after care;
- to support you with your housing needs and preferences;
- to support you with your education and independence; and
- to support you in becoming a self-sufficient adult.

west sussex county council
Children first
WS32792 06.23

Constitution

A multi-agency advisory panel to the Council with seven members of the County Council appointed from those with the most relevant experience but including the Cabinet Member for Children and Young People, Learning and Skills **and** at least one minority group member ~~and one from the foster panels~~. At least two County Council members of the Panel will also be members of the Children and Young People's Services Scrutiny Committee. ***The Chairman of the Panel will liaise with the members on the Foster Panel at least every six months to receive any feedback that is relevant to the Panel. The Chairman may also invite a Foster Panel representative/s to a Corporate Parenting Panel meeting for relevant agenda items.***

The core membership of the Panel is set out below. The Panel can decide to invite representatives from across the Council and partner agencies as required, depending on agenda items.

Core Membership:

- Seven elected members including Cabinet Member for Children and Young People, Learning and Skills
- Children in Care Council (CiCC) and Care Leavers Advisory Board (CLAB) representatives – at least three from across the two groups
- Foster Carer
- Adopter
- WSCC Director of Children's Services
- WSCC Assistant Director (Corporate Parenting)
- Strategic leads for Health (WSCC & NHS – designated nurse)
- WSCC Strategic lead – Voice and Participation
- WSCC Strategic lead for Education (Head of Virtual School)
- WSCC Area team representation (Service lead for Corporate Parenting, ***Children with Disabilities, Children's Services Commissioning*** and other area service leads as required)
- WSCC Quality Assurance Service Manager
- WSCC Independent Reviewing Officer
- District and Borough Officer representative

The Chairman of the Panel is the Cabinet Member for Children and Young People, Learning and Skills, the Vice-Chairman to be appointed by the Leader. The Chairman of the CiCC **and** CLAB will be Co-Chairman of the Corporate Parenting Panel. The quorum is four elected members (including the Chairman or Vice-Chairman), three CiCC/CLAB members and one Director or Assistant Director.

The Panel shall meet no less often than four times a year, with thematic workshops to be held between main Panel meetings if required.

Meetings will be held in private. Reports and minutes for the Panel will be reported in a confidential manner. A summary of the work of the Panel will be available to elected members and an Annual Report will be reported to full Council each year.

The agenda and supporting papers for the Panel meetings will be circulated to Panel members two weeks in advance of each meeting.

The Panel will set up sub-groups to carry out work on specific areas in relation to outcomes for our children and young people including, but not limited to, journey to

independence, education, health and wellbeing, **children with disabilities and children seeking asylum** and children we care for. These groups will report on their work to each Panel meeting. Each sub-group will include lead officers, an elected member and a representative from CiCC/CLAB. Each elected member will be assigned to a special interest area, based on their area of expertise, and attend the sub-groups relating to that area. Special Interest areas **include** are:

- Adoption and Fostering
- Education, Employment and Training
- Health (physical and mental wellbeing)
- Children placed out of county
- Children we care for and asylum-seeking children
- Care experienced young people
- Edge of care and residential

Purpose

- To act as a consultative panel for the Council and other professionals, to raise awareness of the Council's universal corporate parenting responsibilities and duties.
- To oversee the progress of our children and young people including all health and wellbeing needs (education, physical and mental health).
- To monitor the delivery of our 'Promise' and how we are ensuring our children and young people have the power to develop and influence the service.
- To ensure that all children, young people have a positive experience and that the strategy enhances their outcomes.
- To encourage all partners to work together (support and challenge each other) in the best interests of our children and young people.
- For frontline teams to be active members of the panel.
- To lead cultural and behavioural change to promote better outcomes for our children and young people, ensuring everyone is on a level playing field and is approached openly and honestly.
- To engage and hold all agencies to account (including; Children in Care Council (CiCC), County Council, District and Borough Councils, Education, Health, Children and Adolescent Mental Health Services (CAMHS), Children's Social Care and voluntary organisations) for their role in the delivery of services to our children and young people.

Remit of the Corporate Parenting Panel

The Panel will:

1. Take responsibility for exploring the quality of services for our children and young people and produce an annual report.
2. To have a clear line communication with the full council and scrutiny (via the chairmen of the Panel) on matters of interest or those that require escalation.
3. Explore the priority needs for services for our children and young people, as a panel and make recommendations to the appropriate forums as required.
4. Celebrate successes of what has been achieved between panel meetings, what this has led to and the impact this has had on the lived experiences of our children and young people.
5. Maintain high values, treating all children and young people as if they were your own family, and make a positive difference, improving the outcomes for our

children and young people and those who use our services (both statutory and non-statutory responsibilities).

6. Produce a blog/newsletter with our children and young people after each meeting and share this with all other professionals and elected members.
7. Hold thematic workshops when required to focus on specific priorities/issues.
8. Ensure that the Panel maintains oversight of the County Council's placement strategy, understands placements and resources availability for children (both in and out of county) and how they are being used.
9. When actions are identified, these will be assigned to a specific person(s) to take forward and then reported back to the panel.
10. Receive feedback on the learning from children safeguarding practice reviews.

The Panel won't:

- Oversee specific pieces of work for individual children, acknowledging that area teams are responsible for this. However, the Panel will take responsibility for any themes that are identified and act on these immediately for a child.
- Be the main vehicle for the voice of our children and young people, this will be the responsibility of the Children in Care Council. The Panel will however regularly listen, respect and act on the views of children and young people.

Report to Governance Committee**13 September 2023****Regulation, Audit and Accounts Committee: Proposed changes to Terms of Reference****Report by Director of Law and Assurance****Electoral division(s): Not applicable**

Summary

The Regulation, Audit and Accounts Committee, at its meeting on 14 July 2023, considered proposed changes to its terms of reference. These are to formalise a referral process so that matters of concern identified by the Committee can be referred to the relevant forum within the Council and to ensure the terms of reference more accurately reflect the duties of the Committee.

The Committee also wishes to increase the provision for independent co-opted members following advice from the Chartered Institute of Public Finance Accountants (CIPFA) that at least two such appointments should be made where possible, to build continuity and broaden the range of experience brought by independent co-opted members.

The Governance Committee is asked to consider and endorse the changes for recommendation to the County Council for approval.

Recommendation

That the proposed changes to the terms of reference of the Regulation, Audit and Accounts Committee, as set out at Appendix 1, be endorsed for recommendation to the County Council.

Proposal**1 Background and context**

- 1.1 The Regulation, Audit and Accounts Committee (RAAC) is proposing changes to its terms of reference to:
- Formalise a referral process within its terms of reference so that matters of concern identified by the Committee can be referred to the relevant forum within the Council;
 - Update out-of-date references to legislation and reword some paragraphs to better reflect the work of the Committee; and

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- Ensure that the Committee follows the latest CIPFA guidance on independent co-opted members and on the description of the role of an audit committee.

2 Proposal details

- 2.1 Appendix 1 sets out the proposed changes to RAAC's terms of reference in the Scheme of Delegation. The proposals do not change the role of the Committee, nor add any new areas of responsibility.
- 2.2 The changes reflect advice of senior County Council officers to ensure the terms of reference reflect the duties of the Committee whilst complying with legislation. They should provide greater transparency of the role of the Committee to elected members, officers and the public.
- 2.3 The Governance Committee is asked to consider the proposed changes for recommendation to the next meeting of the County Council meeting in October for approval and implementation.

3 Other options considered (and reasons for not proposing)

- 3.1 Not making the changes would leave the terms of reference out of date and not compliant with current legislation.

4 Consultation, engagement and advice

- 4.1 Guidance was sought from senior officers within the County Council. All references to specific officers and directorates have been checked to ensure they are up to date and correct.

5 Finance

- 5.1 There are no financial implications arising from this report.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Not having responsibilities up to date and clear could impact on the accountability and transparency of decision making	These changes to the Constitution ensure the terms of reference are up to date.

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. They do, however, enable the Council to have clarity on the discharge of statutory responsibilities and so support the efficient use of its resources.

Tony Kershaw

Director of Law and Assurance

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Appendices

Appendix 1 – Proposed revisions to terms of reference

Background papers

None.

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Proposed changes to the Constitution: Part 3, Scheme of Delegation - Appendix 5

(changes shown in bold, italic text with deletions struck through)

Regulation, Audit and Accounts Committee

Constitution

Seven members of the County Council and one **up to two** non-voting co-opted independent members. Quorum is three members of the Council. The Chairman will be a minority group member in accordance with Standing Order 2.13.

Note: ~~The purpose of the audit function of the Committee is to provide independent assurance of the adequacy of risk management framework and the associated control environment, independent scrutiny of the County Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process.~~

The non-voting co-opted independent members should have experience of audit and financial management, preferably with knowledge of local authorities and will be appointed by the Committee on the recommendation of the Chairman and Vice-Chairman of the Committee. The term of office is four years, renewable twice with the agreement of the Committee.

Role

The Committee's purpose is to provide oversight of the Council's systems of governance and risk management and its arrangements for financial control and compliance. Its role is to ensure there is sufficient assurance for governance, risk and control to provide confidence that arrangements are effective.

The Committee has oversight of internal and external audit helping to ensure there are adequate arrangements in place for internal and external challenge and public accountability.

CIPFA provides guidance on the role and work of Audit Committees which can be made available to County Councillors on request.

Terms of Reference

Audit Functions

1. To undertake the County Council's responsibilities to provide **ensure** an adequate and effective system of internal audit under the Accounts and Audit Regulations **2015** ~~2011~~.
2. To consider the Head of Internal Audit's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the council's corporate governance arrangements.

3. To approve the internal audit ~~annual~~-work programme.
4. To monitor the effectiveness of the County Council's external audit arrangements, including liaison between internal and external audit.
5. To monitor the implementation of recommendations **and actions** arising from the findings of ~~significant~~-audit work.
6. To consider the external auditor's letter, relevant reports, and ~~the reports~~ to those charged with governance. To maintain an overview of reports to the County Council from other external ~~inspection~~-agencies to see that these are considered and acted upon by the appropriate body within the County Council so far as necessary.
7. To commission work from internal and external audit **in line with the Committee's role.**
8. **To recommend to the County Council the approach, in line with legal requirements, for the appointment of the external auditor for the Council and, in consultation with the Chairman of the Pensions Committee, for the West Sussex Pension Fund** Liaise with the Independent Audit Appointment Panel as ~~necessary~~ over the appointment of the County Council's.

Accounts Functions

9. To consider and approve the annual statement of accounts, income and expenditure and balance sheet, or record of payments and receipts as required under the Accounts and Audit Regulations **2015** ~~2011~~ and the Local Government Pension Scheme (Administration) Regulations 2008 as amended.

Treasury Management Functions

10. To receive quarterly compliance reports on treasury management performance against planned parameters.
11. To consider the wider issues of managing treasury risk including borrowing in the context of interest rate forecasts and the needs of the capital programme.

Corporate Functions

12. To agree revisions to the County Council's Standing Orders on Procurement and Contracts, Financial Regulations and Risk Management Procedures.
13. To oversee the production of the County Council's Annual Governance Statement, and to recommend its adoption **and to monitor the delivery of its action plan.**
14. To monitor the effective development of risk management, including annually agreeing the Council's risk approach as detailed in the Risk Management Strategy.

15. To monitor and approve any changes to the County Council's anti-fraud and corruption strategy **and Anti-Money Laundering Policy**.

Regulatory Functions

- 16. To oversee and consider reports on the discharge of the County Council's regulatory functions and related statutory responsibilities in so far as these may fall outside the responsibility of the County Council's Executive.**

~~17~~~~16.~~ To exercise the powers and duties of the County Council in relation to the approval of premises for the solemnisation of marriages and formation of civil partnerships under the Marriages (Approved Premises) Regulations 1995 as amended (delegated to the Assistant Director (Communities)).

~~18~~~~17.~~ To exercise the requirement under Regulation 9 of the Marriages and Civil Partnership (Approved Premises) Regulations 2005 to hear and determine formal representations from applicants who have had an application refused or revoked and have requested a review to the Proper Officer for Registration. This power to be exercised by any three members of the Committee appointed by the Director of Law and Assurance after consultation with the Chairman of the Committee.

~~19~~~~18.~~ To make, amend, revoke or re-enact byelaws under any provision of any enactment (including a local Act), whenever passed, and Section 14 of the Interpretation Act 1978 (c.30).

~~20~~~~19.~~ To exercise the powers and duties of the County Council in relation to Petroleum Storage Certificates (delegated to the Assistant Director (Environment and Public Protection)).

~~21~~~~20.~~ To exercise the powers and duties of the County Council in relation to the Manufacture and Storage of Explosives Regulations 2014 (delegated to the Assistant Director (Environment and Public Protection), including for any public hearing required).

~~22~~~~21.~~ To issue permits for operation of mini-buses under Section 19 Transport Act 1985 (delegated to the Assistant Director (Highways, Transport and Planning)).

~~23~~~~22.~~ To license the employment of children under Part II of the Children and Young Persons Act 1933 (c.33), byelaws made under that Part and Part II of the Children and Young Persons Act 1963 (c.37) (delegated to the Assistant Director (Education and Skills)).

~~24~~~~23.~~ To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds under Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27) (delegated to the Chief Fire Officer).

~~25~~~~24.~~ To issue, cancel or amend or replace safety certificates (whether general or special) for sports grounds under the Safety of Sports Grounds Act 1975 (delegated to the Chief Fire Officer).

- 26. To receive and consider reports on the County Council's exercise of**

the powers available under the Regulation of Investigatory Powers Act 2000.

Other

27. To refer matters of concern to the appropriate forum for consideration, such as another committee of the County Council.

~~**28**~~25. To review and adjust delegations to officers within the functions delegated to the Committee.

~~**29**~~26. To delegate powers, when appropriate and on the ***advice or*** recommendation of the Director of Law and Assurance, to another local authority including a borough or district council and to be able, subsequently, to review, amend or withdraw that delegation.

~~**30**~~27. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43(b).

Report to Governance Committee**13 September 2023****Executive-Scrutiny Protocol Review****Report by Director of Law and Assurance****Electoral division: Not applicable**

Summary

In September 2022, the Governance Committee agreed a new Executive-Scrutiny Protocol, with the aim of enhancing scrutiny by describing the relationship between scrutiny and the Executive (the Cabinet) and providing a framework for how they may work together most effectively. It was also agreed that the Committee would review the effectiveness of the Protocol after one year.

Recommendations

The Committee is asked to review the effectiveness of the Executive-Scrutiny Protocol (attached at Appendix 1).

Proposal**1 Background and context**

- 1.1 Statutory [national guidance \(PDF, 347KB\)](#) on scrutiny issued by the Government in 2019 includes a recommendation that councils should consider developing an Executive-Scrutiny Protocol to help with the practical arrangements between scrutiny committees and the executive, to define the relationship between the Executive and Scrutiny and provide a framework for working together. In May 2022 this Committee agreed that such a Protocol would form a useful additional tool to enhance the effectiveness and understanding of the Council's scrutiny process. A Protocol was developed through a programme of member engagement and review of other councils' protocols. This was endorsed by the Governance Committee in September 2022.
- 1.2 The Protocol has been monitored by scrutiny chairmen and the Cabinet and with input from the Performance and Finance Scrutiny Committee as part of its annual review of scrutiny in June 2023. The Council's senior officer leadership group was also consulted as part of this review, with feedback set out in section 4 of this report.

2 Proposal details

- 2.1 The Committee is asked to review the effectiveness of the Executive-Scrutiny Protocol at Appendix 1. In carrying out this review, members are asked to

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consider the aims of the Protocol at para 2.2, as well as the engagement feedback set out in section 4.

2.2 The aims of the Protocol are to:

- a) Set out good scrutiny practice
- b) Enable an open, trusting relationship between the Executive and Scrutiny
- c) Describe the 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

2.3 Overall, feedback on the impact and effectiveness of the Protocol has been positive. The process of developing the Protocol helped to strengthen scrutiny arrangements, including through more consistent Cabinet Member input into scrutiny work programme planning and recognition of the need for a better balance between scrutiny input into policy development, performance monitoring and key decision preview. The need to improve monitoring of scrutiny recommendations was also identified, and now scrutiny committees all have a process for tracking their recommendations, helping to assess the value and impact of scrutiny.

2.4 Whilst the rules and procedures for scrutiny are set out in the Council's Constitution, the Protocol provides a useful additional tool to enhance the effectiveness and understanding of the scrutiny process and to complement the Council's [Code of Governance](#). No changes to the Protocol are proposed, but it should continue to be monitored by scrutiny committee chairmen and the Cabinet.

3 Other options considered (and reasons for not proposing)

3.1 Executive-Scrutiny Protocols are not a statutory requirement and are not essential to the operation of the scrutiny function. However, it was considered that the adoption of a Protocol would enhance scrutiny arrangements at the Council and provide a mechanism for managing relationships.

4 Consultation, engagement and advice

4.1 Scrutiny chairmen and the Cabinet have been monitoring the Protocol throughout the year, and provided feedback for the Annual Scrutiny Report as follows:

- Information exchange between scrutiny and Cabinet is working well
- Cabinet Member input into work programme planning has been strengthened
- There is evidence of early valuable scrutiny of policy development and of performance monitoring working well, with constructive feedback to Cabinet on areas for improvement.

4.2 Performance and Finance Scrutiny Committee assessed the Protocol as part of its annual review of scrutiny in June 2023. It welcomed and supported the Protocol and considered that it was working well.

4.3 The officer Leadership Group (Directors and Assistant Directors) was invited to provide feedback on the Protocol, with comments provided set out below. Some of these are related to the scrutiny function in general and will be shared with scrutiny committee chairmen for consideration.

- Overall, scrutiny is adding value to the Council’s business through providing constructive challenge, holding decision-makers to account and influencing in a meaningful way.
- The current model of scrutiny at the Council is functioning well; the relationship between Cabinet Members and scrutiny is open, constructive and trusting and officers are listened to.
- Committee chairmen play a key role in ensuring positive relationships.
- Generally, scrutiny business is well planned and appropriately focused, but there can be challenges in terms of how to prioritise topics (which service lead officers can help to manage).
- There is effective scrutiny input into performance monitoring, through quarterly review of the Performance and Resources Report and the Fire and Rescue Service Performance Assessment Framework.
- It may be helpful to explore whether further training would be helpful for the co-opted members of scrutiny committees, to ensure they understand their roles.
- The use of informal briefings and pre-meetings is a helpful way to provide information updates, deal with points of clarification and enable committees to stay in touch with issues without the need for formal updates and progress reports. Pre-meetings could be further developed to support more strategic questioning by members, and to avoid questions being repeated (i.e. where the answer has been provided previously).

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	The Executive-Scrutiny Protocol helps 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

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Appendices

Appendix 1 – Executive-Scrutiny Protocol

Background papers

None

West Sussex County Council Executive-Scrutiny Protocol

Purpose

To describe the working arrangements between Cabinet (the Executive) and Scrutiny at the County Council, complementing the [Code of Governance](#) and the rules and procedures in the [Constitution](#). A separate Scrutiny Guide (for councillors and staff) explains how scrutiny works.

The aims of the Protocol are to:

1. Set out good Scrutiny practice for achieving real impact.
2. Describe the roles and responsibilities of scrutiny committees and the Cabinet.
3. Enable open, trusting relations between the Cabinet and Scrutiny.
4. Support focused, transparent and timely scrutiny of council business.
5. Facilitate effective scrutiny work planning and objective setting.
6. Enable scrutiny committees to influence Council business in a meaningful way.

Context – roles and responsibilities

The Cabinet is the political executive of the Council, sets policy and takes all significant decisions collectively or individually. Scrutiny provides a political check and balance on that authority. It helps ensure robust decision-making by examining the process and information that support decisions. Scrutiny is integral to democracy in ensuring the Council meets its priorities for the residents of West Sussex by influencing the planning and delivery of outcomes and by monitoring performance. There are five scrutiny committees. They are politically proportionate and meet in public. Scrutiny is member-led, holds the Cabinet to account and should see and comment on all significant proposals before they are finalised.

Cabinet engages with Scrutiny for work planning to identify where scrutiny might add value. Scrutiny exercises influence and persuasion but does not take decisions and cannot override Cabinet.

Scrutiny should be open and transparent, but may decide to work in private, outside the formal committee meeting when this helps address sensitive matters or enables more thorough analysis or a frank exchange of views.

The scrutiny process is informed and driven by members. Whilst Scrutiny is political and led by politicians, committees should aim for consensus in their work.

National guidance¹ defines effective scrutiny as:

- Providing constructive 'critical friend' challenge
- Amplifying the voices and concerns of the public
- Being led by independent people who take responsibility for their role
- Driving improvement in public services

To be effective Scrutiny needs an organisational culture which supports and recognises its value and purpose and a constructive relationship with the Cabinet where roles and responsibilities are understood. Communication and engagement must work well. Areas of disagreement should be managed with respect and there should be a shared understanding of the principles underpinning the relationship and the ways of working that support it.

Principles

a) Scrutiny should:

1. Provide purposeful challenge to the Cabinet and service performance.
2. Be objective, evidence-based and constructive.
3. Act as a critical friend to help sound decision-making.
4. Take a strategic perspective, focussing on the wider community outcomes.
5. Aim for consensus, drawing on political insight.
6. Work collaboratively with the Cabinet and recognise that it will not always agree with scrutiny conclusions and recommendations.
7. Be well informed, members being fully prepared for meetings with a good understanding of the issues before them.

b) Cabinet should:

1. Recognise and value Scrutiny and be open to constructive challenge.
2. Respect the independence of scrutiny committees and their chosen work programmes.
3. Identify opportunities for scrutiny committees to support and influence its work.
4. Properly and fully consider Scrutiny conclusions and findings.
5. Feedback and explain its response to Scrutiny recommendations.
6. Engage with Scrutiny early to enable it to add value in a timely way.

c) Together, Scrutiny and Cabinet should:

1. Communicate and engage early on plans and activities.
2. Foster a climate of trust, openness, honesty and integrity, sharing timely information including that which may be confidential or sensitive.
3. Be positive and respectful in their interactions with each other.

¹ Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities, May 2019

4. Manage any areas of disagreement in a constructive way.

Ways of working together

Communication and engagement	<ul style="list-style-type: none"> • Cabinet will engage with scrutiny committees early on policy and plans, to enable meaningful and timely scrutiny input. • Cabinet members and Scrutiny chairman will liaise regularly to update on plans and activities. • Scrutiny will communicate on its work and its work programme regularly to the Cabinet and all members.
Scrutiny work programme planning	<ul style="list-style-type: none"> • The work programme will be in line with Council priorities and balanced between policy development, decision preview and performance monitoring. • All committee members own the work programme, are updated on the work of Business Planning Groups (BPG) and work programmes are shared at each committee meeting. • Any councillor (not just scrutiny members) may raise issues for the scrutiny work programme. • Cabinet members will assist scrutiny work programme planning at committee meetings and by attending BPG meetings. • An overview of scrutiny plans is provided in the Mine (members' Intranet).
Scrutiny committee chairmen	<ul style="list-style-type: none"> • Chairmen should ensure Scrutiny is member-led and independent, setting the tone for constructive challenge to the Cabinet. • Chairmen are responsible for managing meetings enabling debate and maintaining focus of Scrutiny. They ensure effective work programme planning. • Collectively, they monitor the overall Scrutiny function to ensure best practice and learning are embedded.
Task and finish groups (TFGs)	<ul style="list-style-type: none"> • Scrutiny TFGs enable flexibility, the ability to 'deep dive' and an opportunity for early engagement. They may meet in private or in public, as determined by the relevant committee. • They may preview key decisions when the calendar of formal committees and decisions are not aligned. • They can assist policy development, including where informal early engagement is required. • Cabinet members may attend Scrutiny TFG meetings to observe or contribute. • Executive TFGs may be used by Cabinet to involve non-executive councillors in policy development. They may involve scrutiny members, but scrutiny chairmen should avoid being members of Executive TFGs on issues relevant to their committee.
Key decision preview	<ul style="list-style-type: none"> • Cabinet members will invite scrutiny of planned decisions and inform scrutiny of proposals before publication in the Forward Plan.

	<ul style="list-style-type: none"> • Scrutiny committees will examine the Forward Plan to identify priority proposals for scrutiny. • Members and BPGs will monitor the Plan between meetings to identify matters for timely scrutiny.
Policy development	<ul style="list-style-type: none"> • Cabinet members and officers should draw to the attention of scrutiny committees any key policy plans at the earliest opportunity. • Cabinet members should discuss with scrutiny committees how and when scrutiny can best influence policy development. • The approach to scrutiny of policy development will be agreed by the relevant committee but may be carried out informally by a task and finish group. • Sometimes internal or business sensitivities may require policy development scrutiny to take place in private sessions. Reasons for this will be clear.
Performance monitoring	<ul style="list-style-type: none"> • Scrutiny committees will monitor performance and resources quarterly, their findings/recommendations to be reported to public Cabinet if possible. • Scrutiny committees and cabinet members should share views about the usefulness of performance data. • Scrutiny committees may use performance data to identify issues for further scrutiny.
Scrutiny Meetings	<ul style="list-style-type: none"> • Cabinet members will aim to attend all relevant scrutiny committee meetings where possible. • Questions will be directed to the cabinet member but may be referred to an officer if need be. • Scrutiny questioning will aim to be outcomes focused and in line with the agreed 'Focus for Scrutiny'. • Members should be respectful of each other and of officers/those presenting at meetings.
Scrutiny recommendations	<ul style="list-style-type: none"> • Scrutiny recommendations will be clear, reasoned and outcomes focused to assist response and monitoring and to help evidence the impact scrutiny has on Council business. Recommendations should be SMART (specific, measurable, achievable, realistic and timebound). • Cabinet will give due consideration to Scrutiny recommendations and views. • Cabinet responses to recommendations will be reported to the next meeting of the committee. • Responses will include an explanation for why any recommendations have not been accepted. • Scrutiny Chairmen will attend public Cabinet to give feedback from their committee on relevant matters. • Scrutiny committees will record recommendations and responses for ongoing monitoring, to include assessment of Scrutiny impact.

Information	<ul style="list-style-type: none"> • Scrutiny should have the information that underpins policy and decision-making to be able play its role and for assurance regarding the evidence used. • Cabinet and officers will be open and transparent and will provide the information scrutiny committees need to do their job effectively. Information will be provided in a timely way to enable meaningful input. • Information may be shared informally with scrutiny committees, on a confidential basis (e.g. proposals not possible to be shared publicly). This may be prior to determining whether and how a matter should be scrutinised or as part of scrutiny of policy development. • Reports to scrutiny committees will include information on factors driving proposals, internal or external. • Information will be provided in line with scrutiny committees' and members' rights of access to information (as set out in Standing Orders and in Members' Rights to Information, an Appendix to the Member-Officer Relations Protocol). • The overriding principle is transparency. When information cannot be made available the reasons will be clearly explained. • Scrutiny committees will have background information on issues being scrutinised through pre-meetings, focused briefings and advice from Democratic Services or service leads. • Where possible all members should have briefings on significant policies and proposals under development. • Members will keep themselves informed through research (via service leads or the Mine) and will prepare for meetings by reading papers in advance.
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Officer Support

There is dedicated support within Democratic Services for the Scrutiny function and all officers of the Council are available to provide impartial advice to scrutiny committees. Of particular importance is the role played by statutory officers: the Director of Law and Assurance (Monitoring Officer), the Director of Finance and Support Services (the Section 151 Officer) and the Chief Executive (the Head of Paid Service). They have a particular role ensuring that timely, relevant and high-quality advice is provided to scrutiny committees. The Head of Democratic Services is the Statutory Scrutiny Officer who must:

- promote the role of Scrutiny at the Council;
- provide support to scrutiny committees and its members; and
- provide support and guidance to members and officers relating to the functions of the scrutiny committee.

Awareness of the role and responsibilities of Scrutiny is included in officer political management training.

Review

This Protocol was agreed by the Governance Committee on 27 September 2022 and will be reviewed after one year. The Head of Democratic Services and the Director of Law and Assurance will be responsible for overseeing compliance with the Executive-Scrutiny Protocol. It will be monitored on a regular basis by scrutiny chairmen and the Cabinet so that any issues can be highlighted at an early stage and acted upon. The success of the Protocol will be determined by reference to evidence of:

- Recognition of the value of Scrutiny
- Collaborative business planning
- A record of constructive challenge and impact
- Timely scrutiny reviews that achieve identified outcomes
- An open and reasoned decision-making process
- Effective performance monitoring
- Scrutiny work programmes balanced between policy development, decision preview and performance monitoring

A full review of the Protocol will be carried out by Governance Committee after one year. This will be informed by input from the Performance and Finance Scrutiny Committee as part of its annual review of Scrutiny.