

Governance Committee

4 November 2024 – At a meeting of the Governance Committee held at 2.15 pm at County Hall, Chichester PO19 1RQ.

Present: Cllr Montyn (Chairman)

Cllr Sparkes, Cllr Burrett, Cllr Johnson, Cllr Marshall, Cllr O'Kelly and Cllr Waight.

Apologies were received from Cllr Lord and Cllr Oxlade.

Also in attendance: Mr Donaldson (Chairman of Independent Remuneration Panel).

Part I

10. Declarations of Interest

10.1 None declared.

11. Minutes of the last meeting of the Committee

11.1 Resolved – That the minutes of the meeting held on 24 June 2024 be approved as a correct record and that they be signed by the Chairman.

12. Independent Remuneration Panel Report

12.1 The Committee considered a report by the Director of Law and Assurance on the results of a review of members' allowances by the Independent Remuneration Panel including proposed changes to the Members' Allowance Scheme for recommendation to the County Council (copy appended to the signed minutes).

12.2 The report was introduced by Mr Donaldson, Chairman of the Panel, who thanked members for their helpful engagement in the Panel's review over the last year.

12.3 The Committee welcomed the Panel's recommendations and agreed that the minor changes proposed would be positive, including introducing explicit provision for the way in which a single sum staff pay award would be dealt with for members with different levels of responsibility.

12.4 It was noted that the covering report invited members' comments on whether any sort of freeze to allowances should be considered. Members felt that this would conflict with the Panel's recommended approach to indexation, so this was not supported.

12.5 Resolved – That the draft Members' Allowance Scheme be submitted to the County Council for adoption.

13. Review of the County Council's Governance Arrangements

13.1 The Committee considered a report from the Director of Law and Assurance on proposals for a review of the County Council's governance arrangements through an internal self-assessment before the Council elections in May 2025 (copy appended to the signed minutes).

13.2 The Committee was supportive of the principle of undertaking a review before the elections. It felt that all members should be consulted in a survey, but that group leaders should have the opportunity to co-ordinate any discussion within their political groups, rather than this being facilitated by officers. The outcome would be reported to the Committee at its meeting in March 2025.

13.3 Resolved – That the proposal set out in section 2 of the report be agreed, subject to the approach set out in minute 13.2 above.

14. Protocol for the exercise of Monitoring Officer duties

14.1 The Committee considered a report by the Director of Law and Assurance on a protocol on the discharge of the responsibilities of the monitoring officer (copy appended to the signed minutes). Members were informed that there is a requirement for that officer to prepare reports where an act or omission by the authority is considered to be unlawful. The recent publication of general guidance has raised the profile of this duty.

14.2 The Committee was supportive of the draft protocol and received assurance that the West Sussex version is in line with those of neighbouring councils. It noted the Freedom of Information Act's public interest test for dealing with exempt or confidential information held by the Council and the Director of Law and Assurance's involvement in determining this on a case by case basis.

14.3 The Director of Law and Assurance was asked to replace the work 'lacuna' with 'gap' in the section entitled 'Principles guiding the approach'.

14.4 Resolved –

- (1) That the Committee approves the draft protocol for the exercise of the responsibilities of the monitoring officer under s.5 and s.5A Local Government and Housing Act 1989, subject to the change requested in minute 14.3; and
- (2) That the Director of Law and Assurance be authorised to add reference to this protocol to the Code of Governance and to internal officer governance guidance.

15. Government Consultation on virtual meetings and proxy voting

15.1 The Committee considered a report by the Director of Law and Assurance on a consultation from the Department of Housing, Communities and Local Government (copy appended to the signed minutes). The consultation is on proposals to enable local authorities to conduct formal business through meetings which councillors are able to

attend virtually and a plan to introduce rules permitting proxy voting in certain circumstances.

15.2 The Committee indicated that allowing consultation of members via group meetings would be better in obtaining a fuller response, rather than a decision being made by the Committee. Members agreed that political groups would be likely to support the proposals giving councils the power to choose to allow virtual and hybrid participation. The position on proxy voting is more challenging as careful consideration would be needed to limit its use.

15.3 Resolved – That the Director of Law and Assurance be asked to circulate the consultation questions to group leaders and to collate responses. Where there is consensus between groups the Director is authorised to respond on behalf of the Council, in consultation with the Chairman.

16. Update to Corporate Parenting Panel Terms of Reference

16.1 The Committee considered a report by the Director of Law and Assurance about the County Council's Corporate Parenting Panel (copy appended to the signed minutes). The terms of reference of the Panel are reviewed annually to ensure they remain up to date and relevant and the Committee was asked to note some minor updates to the practical arrangements of the Panel. It was noted that if the changes were supported, the Committee would need to submit them to the County Council for approval.

16.2 The Committee welcomed the report and members were pleased that young people themselves had been actively involved in the review of the terms of reference.

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

17. Report of the Member Development Group

17.1 The Committee considered a report by the Director of Law and Assurance containing an update on the member development programme for 2024/25 and plans for member induction after the May 2025 County Council elections (copy appended to the signed minutes).

17.2 The report was introduced by Cllr Sparkes, as Chairman of the Member Development Group. She highlighted that the Group had commented on the draft new guidance for councillors in their local role and on the draft induction programme, which were now proposed for approval by the Governance Committee. She reported that the Group had also reviewed recent member development events and the evaluation of the Council's successful retention of the South East Employers' Charter for Member Development.

17.3 The Committee welcomed the report, the proposed guidance for councillors in their local role and the draft induction programme, which were felt to be comprehensive and very helpful for new councillors. It was suggested that the text in the guidance for councillors in their local role could be spaced out to make it easier to read.

17.4 Resolved – That the report be noted and:

- (1) That the new guidance for councillors in their local role (as set out at Appendix 1 to the report) be agreed; and
- (2) That the draft member induction programme 2025/26 (as set out at Appendix 2 to the report) be agreed.

18. Date of Next Meeting

18.1 Members noted that the next meeting of the Committee will be held at 2.15 pm on 3 February 2025 at County Hall, Chichester. Planned agenda items include:

- Local Government Pension Scheme Employer discretions
- Pay Policy Statement
- Annual Report of the Staff Appeals Panel

The meeting ended at 3.40 pm

Chairman