

Governance Committee

6 July 2020

Part I

Good Governance Review

Report by Director of Law and Assurance

Summary

In January 2020 the County Council commissioned a programme of work on aspects of Council governance including the procedural and constitutional aspects of how the Council does business and which is the responsibility of this Committee.

Although diverted by the impact of the public health emergency the project has made significant progress and has engaged a wide range of staff and stakeholders. The wider member engagement is scheduled for 8 July.

The report provides an overview of the work of the project and current action being planned or taken forward and provides an opportunity for members to consider the implications for those areas for which the Committee is responsible.

The report also invites members to endorse the revised whistleblowing policy as part of the good governance work related to organisational culture.

Recommendations

- (1) That the Committee notes the report and the plans for a further report on the output from the workstreams identified and considers the principles for guiding the work on streamlining and simplifying decision making (Appendix 1); and
- (2) That the Committee approves the revised Whistleblowing Policy (paragraph 2.5 and Appendix 2).

Proposal

1. Background and Context

- 1.1 In response to a number of external reviews and inspections in 2019 and in particular the recommendations of the Children's Commissioner's report published in December the County Council identified a need to tackle a range of issues affecting how the Council functions and manages its business.
- 1.2 External advice and expertise were secured to lead a project and facilitate work from a range of officers across services. The output of that work has led to a number of proposals for further work based on agreed principles and priorities this activity has identified.

- 1.3 There will be an opportunity for all members to engage in the output and planned actions from the whole good governance project. That was planned for earlier in the project but, due to the current situation this was delayed but will now be undertaken through an all member day on 8 July. That session will cover the full range of governance raised through the project.
- 1.4 The purpose of this report is to provide this Committee with an update on work affecting the constitutional, decision making and member meeting aspects of the Council's governance and also to capture improvements that have been made to date in those areas.

2. Update on the Good Governance Project

- 2.1 In December 2019 the meeting of the County Council approved a number of significant changes to corporate governance largely aimed at improving the Council's democratic systems to achieve greater transparency, clarity of role and focus on purpose. Those changes included:
 - Monthly public Cabinet meetings
 - Collective decisions by Cabinet on all major policy areas
 - A reset of the Council's approach to its role as Fire & Rescue authority including a dedicated scrutiny committee
 - A revised set of governance arrangements for the scrutiny function
- 2.2 The good governance project was designed to cover a wide range of Council governance from how decisions are made and how it identifies and achieves strategic ambitions to the value of its corporate culture - a shared understanding of how things should work and how behaviours can influence good outcomes and effective working by and between officers and members.
- 2.3 Areas of governance identified in the project include, in terms only of those relevant to the functions of this Committee:
 - Ease and clarity of decision making – by officers and members
 - Greater accountability and trust through clear lines of delegation
 - Simpler and more easily navigated systems for the Council's decisions and management of risk and the assurance of compliance
 - Effectiveness of the scrutiny process through timely but focused influence on adding value to outcomes
- 2.4 The work on these areas will be aided by principles which have emerged from the work to date based on feedback from officers and members. Those are set out in Appendix 1. to this report which also provides further detail on the areas of work being undertaken. The output will be brought to a future meeting of the Committee and members will also have the opportunity to influence these at the member session on 8 July.

Whistleblowing Policy

- 2.5 As part of the work to address some reset of the culture of the Council there are a number of workstreams which will consider how officers work, how officers and member relations can be better aligned to the Council’s priorities and how all working arrangements serve the interests and priorities of the Council. As part of that work – and focusing on issues of openness to challenge and accountability there has been a refresh of the Council’s whistleblowing policy. The revised text is attached as Appendix 2 for the Committee’s endorsement.
- 2.6 It is proposed that, once endorsed, there is a simple plan for dissemination, awareness raising and promotion of the policy. The policy is not new although it has been made more accessible. Engagement with Unison and nominated service leads has helped the changes. It will also require work to ensure the officers who are expected to respond to and deal with issues raised under the policy’s procedures have the tools skills and knowledge to deal with them appropriately.
- 2.7 The Standards Committee has responsibility for overseeing the effective use of the Whistleblowing policy and receives annual reports on issues of corporate concern which are raised by concerns raised under the policy. This role for the Standards Committee will continue.

3. Resources

- 3.1 There are no resource implications from the matters covered in this report. The costs associated with the good governance review overall will be addressed when Cabinet considers the further output and action plan implementation in due course.

Factors taken into account

4. Consultation

- 4.1 The project has included a very wide ranging engagement with officers and planned engagement with members. Cabinet has contributed to the most recent examination of the output from the project and full member engagement is planned both for this month and for the further stages of the project’s implementation.

5. Risk Implications and Mitigations

Risk	Mitigating Action (in place or planned)
That the critical objectives – identified in significant external inspections are not realised.	Full member involvement in the project, the prioritisation of actions and their implementation and that measurable outcomes are agreed.

6. Other Options Considered

- 6.1 These form part of the first review of the project's output with choices on which work streams should be prioritised.

7. Equality Duty

- 7.1 The report does not engage the public sector equality duty as it deals mainly with internal council governance

8. Social Value Crime and Disorder Act and Human Rights Implications

None

Tony Kershaw

Director of Law and Assurance

Contact: Tony Kershaw 033 022 22662

Appendix 1 Principles to guide work on good governance

Appendix 2 Whistleblowing Policy

Background Papers

None