

GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at County Hall, Lewes, on 4 September 2009.

PRESENT - Councillor Reid (in the Chair)
Councillors Daniel, Glazier, Tidy and Tutt

11. MINUTES OF LAST MEETING

11.1 RESOLVED – that the minutes of the last meeting held on 14 July 2009 be approved as a correct record.

12. REPORTS

12.1 Copies of the reports referred to below are included in the minute book.

13. DECLARATION OF INTERESTS

13.1 Councillor Daniel declared a personal and non-prejudicial interest in item 5 in that he would be receiving a East Sussex County Council pension.

13.2 Councillor Daniel declared a personal and non-prejudicial interest in item 8 in that he was a member of Sussex Police Authority.

14. PENSION FUND ACCOUNTS AND PERFORMANCE

14.1 The Committee considered a report by the Deputy Chief Executive and Director of Corporate Resources which presented the results of the Pension Fund for 2008/09. The Chairman welcomed Richard Bint from PFK to the meeting.

14.2 RESOLVED to receive the report.

15. INDEPENDENT AUDITOR'S (PKF) ANNUAL GOVERNANCE REPORTS AND STATEMENT OF ACCOUNTS 2008/09

15.1 The Committee received a report by the Deputy Chief Executive and Director of Corporate Resources which presented the Annual Governance Report, and reported an expected unqualified opinion on the 2008/09 Statement of Accounts.

15.2 Members were advised that the report had also been considered by the Audit and Best Value Scrutiny Committee on 2 September 2009. There had been no areas of specific concern which the scrutiny committee considered needed to be drawn to the attention of the Governance Committee.

15.3 RESOLVED to

- (1) Note the Independent Auditor's (PKF) Annual Governance Report on ESCC Accounts;
- (2) Note the Independent Auditor's (PKF) Annual Governance Report on Pension Fun Accounts;
- (3) Authorise the Deputy Chief Executive and Director of Corporate Resources to sign the formal Letter of Representation to PKF (UK) LLP; and
- (4) Approve the Statement of Accounts for publication.

16. IMPLEMENTATION OF A GOVERNANCE CONNECT SECURE EXTRANET ACCEPTABLE USAGE POLICY AND PERSONAL COMMITMENT STATEMENT

16.1 The Committee received a report by the Deputy Chief Executive and Director of Corporate Resources which presented a proposal for the introduction of a Government Connect Secure Extranet Acceptable Usage Policy and Personal Commitment Statement.

16.2 RESOLVED to approve the introduction of a government Connect Secure Extranet Acceptable Usage Policy and Personal Commitment Statement.

17. AMENDMENTS TO SCRUTINY POWERS

17.1 The Committee considered a report by the Director of Law and Personnel which requested consideration of recent changes to legislation that provide for local authorities to scrutinise law and disorder matters, councillor call for action and the scrutiny of Local Area Agreement targets.

17.2 The Committee requested that the words 'preferably not a County Council Member' be inserted in the invitation to the Sussex Police Authority to nominate a co-opted member.

17.3 The Committee discussed the Councillor Call for Action and requested that the Director of Law and Personnel present a report to all scrutiny committees reminding them of the extent of their current powers.

17.4 RESOLVED to recommend the County Council to:

- (1) agree that the power to scrutinise crime and disorder matters be included within the terms of reference of the Community Services Scrutiny Committee;
- (2) agree that the Sussex Police Authority be invited to nominate a co-opted member, who is preferably not a County Council Member, to sit on the Community Services Scrutiny Committee and that the co-opted member be given voting rights on all matters relating to crime and disorder;
- (3) agree that all East Sussex scrutiny committees be given the power to scrutinise LAA targets as defined in paragraph 3;
- (4) revise article 6 of the Consultation to include the powers for Councillors Call for Action;
- (5) authorise the Director and Law and Personnel to amend the Constitution to reflect the above recommendations accordingly; and
- (6) request that the Director of Law and Personnel present a report to all scrutiny committees reminding them of the extent of their current powers.

18. ELECTED MEMBERS ON OUTSIDE BODIES

18.1 The Committee considered a report by the Director of Law and Personnel which sought consideration of the role of Members.

18.2 The Committee agreed that the proposed feedback form was too long and would not be required for all outside bodies. The Committee requested the Director of Law and Personnel to propose the list of outside bodies which would require feedback and shorten the proposed form, for the Committee to consider at its next meeting.

18.3 RESOLVED to request the Director of Law and Personnel to

- (a) consider the list of outside bodies which require feedback; and
- (b) propose a shorter form for the feedback of outside bodies.

19. MANAGING CHANGE SUITE OF POLICIES

19.1 The Committee considered a report by the Director of Law and Personnel which set out changes to employment legislation and the impact on the County Council's Managing Change Suite of Policies; and highlighted proposed amendments to the Managing Change Suite of Policies and to the Regulatory Committee responsibilities and functions in light of the above.

19.2 The Committee requested a recorded vote and the voting was as follows:

In favour of the recommendation

Councillor Glazier

Councillor Reid

Councillor Tidy

Against the recommendation

Councillor Tutt

Councillor Daniel

19.3 The recommendation was carried it was therefore RESOLVED to recommend the County Council to:

(1) approve the changes to the Managing Change Suite of Policies, in particular the Restructure and Redundancy Policy and the Redeployment Policy; and

(2) approve the changes to the Regulatory Committee responsibilities and functions as laid out in the County Council's Constitution.