

PROCEDURES COMMITTEE

25 April 2023

Present:-

Councillors Hall (Chair), Biederman, Brazil, Hart, Hodgson, Hughes, Leaver and Whitton (remote attendance).

Apologies:-

Councillors D Barnes

Members attending in accordance with Standing Order 25

Councillors Bailey and Connett (remote attendance)

* **30** **Announcements**

The Chair welcomes Mr Hipkin who was attending the meeting in his capacity as a co-opted Member of the Standards Committee to monitor compliance with the Council's ethical and governance framework.

* **31** **Minutes**

RESOLVED that the minutes of the meeting held on 2 February 2023 be signed as a correct record.

* **32** **Items requiring urgent attention**

There was no item raised as a matter of urgency.

* **33** **Governance Review**

(Councillors Bailey and Connett attended under Standing Order 25(2) and spoke to this item)

The Committee considered the Report of the Director of Legal and Democratic Services and Monitoring Officer and Director of Finance and Public Value on a proposed approach, programme and timeline for a Governance Review.

The Leader introduced the Report, highlighting that the Council was built on strong foundations and Elected Members had excellent professional relationships with officers. The Director of Legal and Democratic Services and Chief Executive outlined the key features of the review and the reasons for its impetus.

By way of a background, the Report highlighted the current challenges facing the Council since the pandemic, for example cost of living, Children's Services and SEND and budgetary challenges. Ofsted had also cited failures of the County Council's Governance; therefore, a review of Corporate Governance was a priority. This was in addition to other strategic approaches such as the People Strategy and Leadership and Direction through a revised Corporate Plan for the year ahead.

The purpose of the Report was to agree the approach to reviewing the Council's Corporate Governance and a root and branch review of its Governance arrangements and Appendix 1 set out the proposed review programme and timetable. The Committee were advised that such a review had not been undertaken in many years.

The aim of the Governance Review was to implement effective scrutiny arrangements and functions in place for Council decisions, understand roles in Council business, have a culture where staff were enabled and empowered to constructively challenge and improve ways of working, developing / deepening relationships with external partners, achieving best value, a focus on residents and customers and responsive to needs, decisions made are via well understood and transparent channels and supported by evidence, maintain political stability and a focus on continuously improving in all areas.

External regulatory bodies had further supported that the Council's Corporate Governance needed to be strengthened.

The Committee further noted that an annual external value for money review was currently being undertaken by external auditors (Grant Thornton), and the findings could result in further revisions of this plan.

The timescales of the proposed reviews allowed for consultation, engagement and then training of officers and elected members to provide consistency across the whole Council (a one council approach). Strong, trusted Governance was essential for the Council to continue to be a credible and authoritative democratically accountable champion for the people and communities of Devon.

The Council had combined resultant activity into a single Governance improvement action plan attached at appendix 1 which outlined each and every review action linked to the governance review in one table for completeness. The action plan would be updated regularly.

The review was multi-faceted, with the overarching ambition to deliver an effective and efficient governance infrastructure embedded across the whole organisation. To support this, the review would incorporate a development and engagement programme for officers and Elected Members.

The review programme had been divided into phases with phase 1 focusing on the critical areas of the governance arrangements for the next 1-6 months which had been identified and Phase 2 on high priority matters for the next 6-12 months.

The Phase 1 review comprised of Member Engagement Strategy, review of elected Members delegated authority arrangements, standardised report templates and sign off sheets, review of all external boards and Committees which the Council was a member of, decision making (thresholds etc), review the number and type of committees, Constitution Review (Contract Procedure Rules, Financial Regulations, Council Procedure Rules and Scheme of Delegation), Scrutiny, review of Elected Member learning and development, officer development & governance engagement and relationships with partners and key stakeholders.

Phase 2 included Constitution Review: General Provisions and Modern.Gov development opportunities, modernisation of the Chamber, democratic engagement, corporate governance, Committee structure and Members Code of Conduct and arrangements.

Members asked questions and raised the following matters in discussion.

- Representation from all political groups on the Council and the importance of including all Members in this work.
- The pace of the review and whether timescales were achievable and suitably dovetailed.
- That any agreed changes needed to be futureproofed, for beyond the 2025 quadrennial elections.
- Clarification of the term political stability, in the context of the Report and review.
- Resilience across the Council, the ability to deliver services and where decision and policy making currently sat.
- The Council's record in cross party working and the value of Scrutiny in supporting this agenda and harnessing these strengths.
- That diversity across the Council was important as well as in decision making roles.
- How appointments to the working group could be made; and
- That the working group, in any Report coming forward, needed to articulate members views, particularly any voting outcomes (notwithstanding the working group was not a decision-making body).

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Biederman, and **RESOLVED** that Council be recommended to:

- (a) establish a cross-party working group comprising up to 7 Members, to progress a root and branch Governance Review, noting recommendation (b) below which gives flexibility for wider membership as the review progresses;
- (b) that the Director of Legal and Democratic Services, in consultation with the Chair of Procedures Committee be authorised to appoint additional Members to the working group, in line with the review themes;
- (c) approve the proposed approach, programme and timeline for the Governance Review, as set out in Appendix 1; and
- (d) that the Director of Legal and Democratic Service, in consultation with the Chair of Procedures Committee be authorised to implement any changes to the Governance review programme which are required.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 11.00 am and finished at 12.29 pm