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Minutes of the meeting of the **GOVERNANCE COMMITTEE** held at the Council Offices, Whitfield on Thursday, 2 December 2021 at 6.00 pm.

Present:

Chairman: Councillor D Hannent (Minute nos. 9 to 14 only)
Councillor P D Jull (Minute nos. 15 to 19 only)

Councillors: S H Beer
S J Jones
P Walker

Officers: Strategic Director (Corporate Resources)
Head of Governance and HR
Head of Audit Partnership (East Kent Audit Partnership)
Democratic and Corporate Services Manager
Democratic Services Officer

9 APOLOGIES

An apology for absence was received from Councillor D A Hawkes

10 APPOINTMENT OF SUBSTITUTE MEMBERS

The Democratic Services Officer advised that no notice had been received for the appointment of substitute members.

11 DECLARATIONS OF INTEREST

There were no declarations of interest made.

12 MINUTES

The Minutes of the meeting held on 30 September 2021 were approved as a correct record for signing by the Chairman.

13 QUARTERLY INTERNAL AUDIT UPDATE REPORT

The Head of Audit Partnership (East Kent Audit Partnership) (EKAP) introduced the Quarterly Internal Audit Update report to the Committee which provided a summary of the work completed by the EKAP to 30 September 2021.

It was reported that a total of four internal audit assignments and four follow-up reviews had been completed during the period. There were no critical or high priority recommendations outstanding after follow-up. A correction was made to page 19 of the report that stated a finalised Substantial assurance level for Officer's Code of Conduct and was corrected to Reasonable.

Following the Human Resources service being brought back in house, the agreed Audit Plan was increased by ten days. Further to the report, from 30 September to end of November 2021 72% of DDC's agreed plan and 55% for EKS and Civica had been completed with an overall total of 65% against the 67% target.

With regard to the Officers' Code of Conduct and Payroll reviews there was some discussion regarding Members' involvement in the employee recruitment process and the requirement of the vacant or new posts. The Head of Governance and HR confirmed that matters of recruitment and employment were delegated to the Head of Paid Service and as this was not within the scope of the audit the Chairman advised Members to raise these queries with officers outside of the meeting.

RESOLVED: That the Quarterly Internal Audit Update Report be noted.

14 TREASURY MANAGEMENT QUARTER TWO 2021/22 REPORT

The Strategic Director (Corporate Resources) introduced the Treasury Management Quarter Two 2021/22 Report to the Committee. The Council's investment return for the period to September 2021 was 2.60%, which outperformed the benchmark by 2.55% and the total interest and dividends income forecast for the year as of 30 September 2021 was £190k less than the original budget estimate. The Council had also remained within its Treasury Management guidelines and complied with the Prudential Code guidelines.

In response to a question Members were reminded that budget updates were provided quarterly in the Council's Performance Report.

RESOLVED: That the Treasury Management Quarter Two Report 2021/22 be noted.

15 ELECTION OF A CHAIRMAN

Councillor D Hannent announced he had to leave the meeting. In the absence of the Vice-Chairman the Democratic Services Officer called for nominations for a chairman for the remainder of the meeting.

RESOLVED: That Councillor P D Jull be elected as Chairman for the remainder of the meeting.

16 ANNUAL COMPLAINTS REPORT

The Democratic and Corporate Services Manager presented the Annual Complaints Report which provided Members with the number of complaints received through the corporate complaints process for each service provided by the Council for the financial year 2020/21 and from 1 April 2021 to 31 October 2021. Members were provided with further details of the four decisions upheld by the Local Government and Social Care Ombudsmen

RESOLVED: That the Annual Complaints Report be noted.

17 CORPORATE RISK REGISTER

The Democratic and Corporate Services Manager provided Members with an update on the Corporate Risk Register. The report, which provided details of the Council's Corporate Risks, had been requested by the Governance Committee at its meeting on 29 July 2021 following its consideration of the Annual Internal Audit Report and comments from the East Kent Audit Partnership that the Register should be presented to the Committee.

In respect of officers' consideration of the appropriate reporting of the Corporate Risks and the role of the Governance Committee, Members were satisfied that the recommended approach to incorporate the corporate risks into the new Strategic Dashboard as part of the quarterly Performance Report, achieved the Committee's aim by allowing Member scrutiny by the Cabinet and Overview and Scrutiny Committee.

RESOLVED: That the Corporate Risk Register be noted.

18 PARENTAL LEAVE POLICY FOR COUNCILLORS

The Democratic and Corporate Services Manager introduced the Parental Leave Policy for Councillors report to Members. The draft policy had been referred to the Governance Committee following an adopted Motion at a meeting of the full Council on 20 July 2021.

To provide some flexibility Members requested the wording at paragraph 3.1 be amended to allow the Member concerned to indicate when their parental leave would commence from, to allow for any eventualities such as early or difficult pregnancies.

RESOLVED: That, subject to the wording at paragraph 3.1 being amended to allow the Member the flexibility to advise when their parental leave will commence from, the Governance Committee recommend the draft Parental Leave Policy for Councillors to the full Council for adoption and incorporation into the Constitution.

19 REVIEW OF THE CONSTITUTION

The Head of Governance and HR introduced the report to the Committee and provided Members with a summary of a number of changes to the Constitution that included: textual amendments to reflect changes in job titles and organisational structure changes; changes to the Members' Allowances Scheme that had previously been agreed by full Council in January 2021; changes to the composition of Cabinet Portfolios and; a number of changes to the Scheme of Officer Delegations to reflect legislative changes, procedures or to provide increased transparency or clarity.

Councillor S H Beer suggested further amendments in addition to those in the report:

- That reference to the Cabinet and Executive within the Constitution to be consistent. The Head of Governance and HR would review this to provide clarity.
- That Article 7 Neighbourhood Forums be reviewed to either remove the reference or insert where they are implemented. The Head of Governance and HR would discuss this with the Head of Community and Digital Services.
- That the word 'substantially' be removed from the last paragraph of Council Procedure Rule 11.5. The Democratic and Corporate Services Manager would make this amendment for the draft for full Council.

RESOLVED: That it be recommended to Council that the proposed changes in the Review of the Constitution 2021/22, as set out in Appendix 1, and specifically those changes relating to Part 3, Responsibility for Functions, Section 1 (Responsibility for Council Functions) and Section 6, Sub Section C (Scheme of Officer Delegations) that relate to Council functions be approved and incorporated into the Council's Constitution, issue no. 24.

The meeting ended at 6.49 pm.