

GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held in the Committee Room, County Hall, Lewes on 19 September 2017.

PRESENT: Councillors Keith Glazier (Chair), Nick Bennett, Godfrey Daniel, David Elkin and David Tutt

ALSO PRESENT: Councillors Phil Boorman and Bob Bowdler

15 MINUTES OF THE MEETING HELD ON 5 SEPTEMBER 2017

15.1 RESOLVED – that the minutes of the previous meeting of the Committee held on 5 September 2017 be confirmed as a correct record

16 REPORTS

16.1 A copy of the reports referred to below are included in the minute book.

17 APOLOGIES FOR ABSENCE

17.1 An apology for absence was received from Councillor Simmons. It was noted that Councillor Bennett was substituting for Councillor Simmons

18 DISCLOSURES OF INTERESTS

18.1 Councillor Godfrey Daniel declared a personal non prejudicial interest in item 5 (Employment Appeal Panel – Member Appeal Hearings) as a retired member of the GMB.

19 EMPLOYMENT APPEAL PANEL - MEMBER APPEAL HEARINGS

19.1 The Committee considered a report by the Chief Operating Officer regarding the proposed discontinuance of the Employment Appeal Panel.

19.2 The following amendment moved by Councillor Tutt and seconded was LOST.

'To approve the amendment of the Grievance and Workplace Conflict Policy, Disciplinary Policy, Attendance Management Policy and Procedure, and the Procedure for the Management of Unacceptable Performance (delete) [to replace] (insert) [to have] the right of appeal against dismissal (insert) [heard by] (delete) [to an] (insert) [a dedicated] Employment Appeal Panel (delete) [with a right of appeal to a senior officer at Assistant Director level or above]

19.3 The Committee RESOLVED – to agree the amendment of the Grievance and Workplace Conflict Policy, Disciplinary Policy, Attendance Management Policy and Procedure, and the Procedure for the Management of Unacceptable Performance to replace the right of appeal against dismissal to an Employment Appeal Panel with a right of appeal to a senior officer at Assistant Director level or above.

[Councillors Godfrey Daniel and Tutt voted against the above resolution]

20 REVIEW OF MEMBERS' ALLOWANCES

20.1 The Committee considered a report by the Assistant Chief Executive regarding a review of Members' allowances

20.2 The Committee RESOLVED to recommend the County Council to:

- 1) approve the proposals set out in the report of Independent Remuneration Panel: and
- 2) delegate authority to the Assistant Chief Executive to amend the Scheme of Allowances to reflect any changes agreed and to update the list of bodies to which the County Council makes appointments as set out in Annex 1 of the Scheme of Allowances to reflect the current position

[Councillor Tutt abstained in relation to this resolution]

21 DISCLOSURE AND BARRING SERVICE CHECKS FOR COUNCILLORS

21.1 The Committee considered a report by the Assistant Chief Executive regarding Disclosure and Barring Checks for councillors.

21.2 The Committee RESOLVED to recommend the County Council to –

- 1) approve that an Enhanced Disclosure and Barring Service (DBS) check be undertaken for East Sussex County Councillors whose roles are listed at paragraph 4.2 of the report and for any other Councillor whose role is considered by the Monitoring Officer to meet the criteria that qualifies for a check; and
- 2) approve that the Council's DBS Policy Statement is updated to include reference to elected Members and to incorporate the policy changes introduced by this report including that Members who continue in a relevant role are required to undertake a new DBS disclosure every 4 years.

22 PROPOSED DISCONTINUATION OF THE EDUCATION PERFORMANCE PANEL, GOVERNORS PANEL AND THE MUSIC SERVICE MANAGEMENT COMMITTEE

22.1 The Committee considered a report by the Director of Children's Services regarding the proposed discontinuation of the Education Performance Panel, Governors Panel and Music Service Management Committee.

22.2 The Committee RESOLVED to recommend the County Council to:

- 1) approve that the Education Performance Panel be discontinued
- 2) delegate the power to nominate and remove Local Authority governors to the Director of Children's Services as set out in paragraph 2.3 of the report and approve that the Governors Panel be discontinued;
- 3) delegate to the Director of Children's Services authority to exercise powers and duties of the County Council in its capacity as trustee of the charity known as the East Sussex Music Trust and approve that the current East Sussex Music Service Management Committee should be discontinued; and
- 4) agree to delegate authority to the Assistant Chief Executive to amend the Constitution accordingly

[Councillor Godfrey Daniel abstained in relation to resolution (1) and voted against resolution (3). Councillor Tutt voted against resolutions (1) and (3)]

23 AMENDMENTS TO CONSTITUTION - SCHEME OF DELEGATION TO OFFICERS

23.1 The Committee considered a report by the Director of Communities, Economy and Transport regarding a proposed amendment to the Scheme of Delegations to Officers.

23.2 The Committee RESOLVED to recommend the County Council to agree to amend the Scheme of Delegation to Officers as set out in paragraph 3.1 of the report

[Councillor Tutt voted against the above resolution]

24 APPOINTMENTS TO OUTSIDE BODIES - CONSERVATORS OF ASHDOWN FOREST

24.1 The Committee considered a report by the Assistant Chief Executive regarding appointments to the Board of Conservators of Ashdown Forest.

24.2 The Committee RESOLVED - to approve the appointment of the Council's representatives on the Board of Conservators of Ashdown Forest as set out in paragraph 1.3 of the report for a period until May 2021