

# CORPORATE GOVERNANCE AND STANDARDS COMMITTEE

24 September 2020

- \* Councillor Nigel Manning (Chairman)
- \* Councillor Deborah Seabrook (Vice-Chairman)
  - \* Councillor Liz Hogger
- \* Councillor Ramsey Nagaty
- \* Councillor George Potter
- \* Councillor John Redpath
- \* Councillor James Walsh

## Independent Members:

- \*Mrs Maria Angel MBE
- \*Mr Murray Litvak

## Parish Members:

- \*Ms Julia Osborn
- \*Mr Ian Symes
- \*Mr Tim Wolfenden

Councillors Tim Anderson and Joss Bigmore were also in attendance.

## **CGS20 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no apologies for absence.

## **CGS21 LOCAL CODE OF CONDUCT - DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

## **CGS22 MINUTES**

The minutes of the meeting held on the 30 July 2020 were approved as a correct record.

## **CGS23 DATA PROTECTION AND INFORMATION SECURITY UPDATE REPORT**

The Committee considered a report from the Information Governance Officer that provided an update on developments in data protection and information security within the council since the last report of March 2020. The report covered governance successes, information assurance successes and plans for the coming six months. The Lead Councillor with portfolio responsibility for governance noted that threats to cyber security were becoming increasingly sophisticated and it was important to maintain vigilance.

There was a discussion concerning the necessity for the Council to redact photographs forming a part of the planning appeal process. It was suggested that this was not required under GDPR. Officers would look into this and an email in response would be circulated to members of the Committee.

It was noted there would be new GDPR training available soon for all staff. The Committee suggested such training should be regularly updated and run more frequently. The matter would be raised at the next Information Risk Group meeting.

The Committee

RESOLVED: That the update report be noted.

## **CGS24 FINANCIAL MONITORING 2020-21 PERIOD 4 (APRIL TO JULY 2020)**

The Committee considered a report summarising the projected outturn position for the Council's general fund revenue account, based on actual and accrued data for the period April to July 2020.

Officers had projected an increase in net expenditure on the general fund revenue account of £12,308,497 which, in the majority of cases, was a result of the impact of Covid-19.

Covid-19 had impacted on the Council in several ways including the inability to maintain income levels at those budgeted for in February 2020. The direct expenditure incurred by the Council in the current financial year stood at £948,881 (2019-20 £250,769) with support from the Government of £1,954,748. The Government support received was intended to cover both the direct and indirect costs of the Covid-19 pandemic.

The indirect costs of Covid-19 were reflected in the services forecasting. As the pandemic continued, estimates for losses in income and increased costs had been made with the best information available, and these were subject to change as the year progressed.

The Committee noted that the Council, at its meeting on 5 May 2020, had approved an emergency budget to deal with the impact of Covid-19 should government support fall short of the final costs of the pandemic. The Government had since announced further support for local authorities and figures would be updated to reflect this support once the detail had been received.

There had been a reduction (£351,107) in the statutory Minimum Revenue Provision (MRP) charge to the general fund to make provision for the repayment of past capital debt reflecting a re-profiling of capital schemes.

A surplus on the Housing Revenue Account would enable a projected transfer of £8.53 million to the new build reserve and £2.5 million to the reserve for future capital at year-end. The transfer was projected to be £97,384 higher than budgeted assumption and reflected modest variations in repair and maintenance expenditure and staffing costs.

Progress was being made against significant capital projects on the approved programme as outlined in the report. The Council expected to spend £135.808 million on its capital schemes by the end of the financial year. The expenditure was higher than it had been for many years and demonstrated progress in delivering the Council's capital programme.

The Council's underlying need to borrow to finance the capital programme was expected to be £116.110 million by 31 March 2021, against an estimated position of £125.956 million. The lower underlying need to borrow was a result of slippage on both the approved and provisional capital programmes as detailed in the report.

The Council held £131.5 million of investments and £275.2 million of external borrowing at 31 July 2020, which included £192.7 million of HRA loans. Officers confirmed that the Council had complied with its Prudential indicators in the period, which had been set in February 2020 as part of the Council's Capital Strategy.

There was a query regarding the breach of an investment limit (referred to in para 6.16 of the report). It was explained that the council held a lot of liquidity at the time of the breach due in its current account to essential Covid-19 expenditure and for this reason there was a cashflow issue for a day or two.

The meeting heard that Future Guildford was an 'invest to save' project and was funded from reserves and so showed as a variance.

It was noted that the Capital Expenditure Plan ran up to £36 million. It was explained that the underlying need to borrow did not necessarily mean that this borrowing should come from an external source. Capital had to be shown as reserves. It could be expected that a smaller amount of perhaps £40-50 million could be externalised and this had been included in the Medium-Term Financial Plan. The capital programme was currently being reviewed due to Covid-19 and would feature in the next report.

The Committee

RESOLVED: That the results of the Council's financial monitoring for the period April to July 2020, be noted.

Reason:

To allow the Committee to undertake its role in relation to scrutinising the Council's finances.

## **CGS25 REVIEW OF EXECUTIVE ADVISORY BOARDS**

The Committee considered a report setting out the recommendations of the Joint Executive Advisory Board on 9 July 2020 arising from its consideration of the most recent review of the functions and effectiveness of the Executive Advisory Boards (EABs).

The Committee, having noted that the Acting Leader of the Council had endorsed the recommendations and had called for a further review in 12 months' time

RESOLVED: That the following recommendations to the Council (6 October 2020) be supported:

- (1) That the concept of retaining two EABs, each meeting on alternate months with the flexibility to have a balanced inter-changeable remit as appropriate to the agenda items, without the risk of losing topic continuity and expertise, and possibly ahead of Executive meetings to offer a pre-decision opportunity to make recommendations, be agreed.
- (2) That the remit of EABs be realigned to reflect the Executive portfolios and Directorates of the Council and that, accordingly, the Place-Making and Innovation EAB be renamed as the Strategy and Resources EAB and the Community EAB be renamed the Service Delivery EAB.
- (3) That the existing Joint EAB arrangement be continued and implemented when significant and wide-ranging agenda items, such as budgetary matters, are under consideration.
- (4) That closer two-way working between the Executive and EABs, including an expectation that relevant Lead Councillors (or other Executive members in the absence of the relevant Lead Councillor) proactively attend EAB meetings and EAB Chairmen and / or Vice-Chairmen attend Executive meetings to elaborate on advice given and to receive feedback, be established and adopted.
- (5) That a clear formalised procedure of reporting EAB advice and views to the Executive and EABs receiving Executive feedback be adopted.
- (6) That, in addition to exploring relevant Forward Plan items and Corporate Plan priorities, the EABs have free range to select their own review topics on which to advise the Executive, including the establishment of task groups where considered necessary (and subject to available resources).
- (7) That the EABs receive items sufficiently in advance of determination by the Executive in order to have the opportunity to advise on, and influence, its decisions from a broader knowledge base.

- (8) That the Democratic Services and Elections Manager be authorised to make appropriate amendments to the Constitution to give effect to the above recommendations.

Reason:

To introduce a more efficient and effective EAB configuration and contribution.

## **CGS26 REVIEW OF PROTOCOL ON COUNCILLOR / OFFICER RELATIONS**

Arising from a number of concerns raised by councillors in relation to ethical standards and transparency, on 19 November 2019 this Committee agreed to set up a cross-party task group with a wide remit to consider, review and make recommendations on these matters (see minute CGS34).

Part of the task group's remit was to review the Protocol on Councillor/Officer Relations. Although, the Protocol was not a statutory document, it sat alongside the Code of Conduct for Councillors and the Staff Code of Conduct in the Constitution and set out guidance for councillors and officers on their respective roles and expected conduct in their relationship with one another.

The Chairman of the Task Group provided an overview of the draft protocol which had undergone a complete rewrite. It was proposed that the document should remain a regular point of reference for councillors and officers alike. It was also proposed that should form the basis of workshops and training to foster good working relationships.

There followed a discussion covering the need for new councillors to receive training covering the councillor/officer working relationship and it was noted that this training had been prepared following the Borough elections in 2019, but due to circumstances had not yet been delivered.

A query regarding the wording on paragraph 10.1 in the draft protocol covering the process to be followed when a dispute arises in connection with the disclosure of confidential information, would be checked and the Committee members emailed following the meeting.

Following the formation of the new Conservative Independent group, the Committee noted that Councillor David Bilbe had been nominated to join the Task Group.

The Committee

**RESOLVED:**

- (1) That the draft revised Protocol on Councillor/Officer Relations, as set out in Appendix 2 to the report submitted to the Committee, be submitted to Full Council for adoption.
- (2) That the Council be asked to agree that the Protocol should be reviewed at least every four years at the same time as the Council reviews its codes of conduct for councillors and staff.
- (3) That the appointment of Councillor David Bilbe as the Conservative Independent Group's representative on the Task Group for 2020-21 be confirmed.

Reason:

To ensure that properly reviewed and up to date guidance is made available to councillors and officers.

## **CGS27 ANNUAL REPORT ON COUNCILLOR TRAINING AND DEVELOPMENT**

The Committee considered the annual report from the Councillor Development Steering Group.

It was noted that since the last annual report, the Council had successfully been re-accredited with the South East Employers Charter for Elected Member Development on 15 January 2020. The Assessment Team had been impressed with the structure in place for member development and support.

It was further noted that the coronavirus pandemic had changed the way in which the Council was able to offer training and development opportunities for councillors and staff. As with council and committee meetings, the councillor training sessions previously held in the Council Chamber had, of necessity, changed to virtual sessions using online platforms such as Microsoft Teams.

The Committee discussed a recent Planning training session provided by an external provider where it had not been possible to ask questions at any point. It was felt that there should be opportunities to ask questions and to have a concluding discussion before the session closed.

It was suggested the Councillor Code of Conduct should be a subject of training session for members in future.

Following the formation of the new Conservative Independent group, the Committee noted that the Conservative group was no longer represented on the Steering Group. Accordingly, the Conservative group had nominated Councillor Jo Randall to join the Steering Group.

The Committee

RESOLVED:

- (1) That the valuable work being undertaken by the Councillor Development Steering Group in developing a clear structured plan for councillor development that responds both to the Council's corporate priorities and councillors' individual training needs, be noted.
- (2) That the appointment of Councillor Jo Randall as the Conservative group representative on the Steering Group for 2020-21 be confirmed.

Reasons:

- To recognise the important and ongoing work of the Councillor Development Steering Group.
- To ensure that all political groups on the Council are represented on the Steering Group

## **CGS28 WORK PROGRAMME**

The Committee considered its updated 12 month rolling work programme and

RESOLVED:

- (1) That the updated 12 month rolling work programme, as set out in Appendix 1 to the report submitted to the Committee, be approved.
- (2) That an additional formal meeting of the Committee be convened on Monday 30 November 2020 at 7pm.

Reasons:

- To allow the Committee to maintain and update its work programme.
- To enable the Committee to sign off the audited Statement of Accounts for 2019-20.

The meeting finished at 8.40 pm

Signed .....

Chairman

Date .....