

Guildford Borough Council

Report to: Corporate Governance & Standards Committee

Date: 27 July 2023

Ward(s) affected: All

Report of Director: Transformation and Governance

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Report Status: Open

Review of Task Groups reporting to the Corporate Governance & Standards Committee

1. Executive Summary

- 1.1 Council Procedure Rule 24(v) requires the appointing body to review annually, the continuation of task groups appointed by them. Although the Councillor Development Steering Group was set up originally as an Executive working group, it was agreed in 2015 that the Steering Group would report on its work to this Committee. The Steering Group meets quarterly.
- 1.2 The Corporate Governance Task Group was established by the Committee in November 2019 to review a number of corporate governance related matters and has met on ten occasions in 2022-23.
- 1.3 This report asks the Committee to review the work carried out by the Steering Group and the Task Group over the past twelve months, and the work to be undertaken over the next twelve months. It is

recommended that the Councillor Development Steering Group should continue its important work and should continue to be representative of all political groups on the Council.

- 1.4 This report also asks the Committee to consider disbanding the Corporate Governance Task Group and to establish, jointly in conjunction with Waverley Borough Council's Standards and General Purposes Committee, a new Joint Constitutions Review Group (JCRG) with an overall objective of aligning key parts of the Councils' respective constitutions, where it is appropriate to do so.

2. Recommendations to Committee

- 2.1 That the Councillor Development Steering Group continues its work and that the numerical allocation of seats on the Steering Group to each political group shall be one member per group, and that each political group be invited to make an appropriate nomination for the 2023-24 municipal year.
- 2.2 That the Corporate Governance Task Group be disbanded.
- 2.3 That the Committee agrees to establish, jointly in conjunction with Waverley Borough Council's Standards and General Purposes Committee a new Joint Constitutions Review Group.
- 2.4 That the draft terms of reference of the Joint Constitutions Review Group, as set out in **Appendix 2** to this report, be approved.
- 2.5 That the Committee notes that the purpose of the Joint Constitutions Review Group will be to review the Guildford Borough Council Constitution, alongside the Waverley Borough Council Constitution, and to report back with their recommendations to both the Corporate Governance and Standards Committee at Guildford and the Standards and General Purposes Committee at Waverley. The Corporate Governance and Standards Committee will then have the opportunity to consider any recommendations from the Joint

Constitutions Review Group relating to this Council's Constitution and may make appropriate recommendations to the Council to approve any changes.

- 2.6 That the Committee appoints four councillors to the Joint Constitutions Review Group and notes that Waverley Borough Council's Standards and General Purposes Committee have also been invited to appoint four Councillors to the Group.
- 2.7 That, from among those councillors appointed, the Committee, appoints a co-chairman of the Joint Constitutions Review Group.

3. Reason(s) for Recommendation:

- 3.1 To comply with the requirement for this Committee to review the continuation of the task groups reporting to it, in accordance with Council Procedure Rule 24 (v).
- 3.2 To commence work on the review of Guildford Borough Council's Constitution, and to do so in collaboration with partners from Waverley Borough Council, with an overall objective of aligning key parts thereof, where it is appropriate to do so.

4. Exemption from publication

- 4.1 No part of this report is exempt from publication.

5. Purpose of Report

- 5.1 This report asks the Committee
 - (a) To review the work carried out by:
 - (i) the Councillor Development Steering Group over the past twelve months and the work it is likely to undertake over the next twelve months; and

- (ii) the Corporate Governance Task Group over the past twelve months.
- (b) To agree that the Councillor Development Steering Group should continue with its work and to agree its composition.
- (c) To consider replacing the Corporate Governance Task Group with a new Joint Constitutions Review Group, jointly in conjunction with Waverley Borough Council's Standards and General Purposes Committee and to make appointments to the Joint Constitutions Review Group.

6. Strategic Priorities

- 6.1 The work of councillor task groups should assist in the delivery of the Council's Corporate Plan priorities.

7. Background

- 7.1 Council Procedure Rule 24 (v) requires the Committee to review annually the continuation of those task groups for which it is responsible. The Councillor Development Steering Group and the Corporate Governance Task Group are such groups.

Operation of working groups/task groups

- 7.2 The Council agreed in December 2016, as part of a review of the Constitution, to include for the purposes of clarity and avoidance of doubt, information in Council Procedure Rules on the appointment, terms of reference, composition, and duration of:
 - working groups (appointed by the Leader, a lead councillor, or the Executive) and
 - task groups (appointed by Council, a committee, or an EAB),

including the appointment of working/task group chairmen and substitutes. The Steering Group is in effect a “task group” in this context, as will be the proposed Joint Constitutions Review Group.

- 7.3 Under Council Procedure Rule 24, this Committee may determine, amongst other things,
- the number of councillors on a task group,
 - whether the task group should be cross-party (officers strongly recommend that *all* political groups are represented on the Steering Group) and
 - whether to ask political group leaders to nominate councillors for membership of task groups or appoint those councillors itself. There is no requirement for councillors nominated to be members of the appointing committee.
- 7.4 The Committee agreed last year that, in respect of both the Steering Group and the Task Group, any appointed member may be substituted by any other member of their political group.
- 7.5 This report sets out in **Appendix 1**:
- (a) the current composition and respective terms of reference of the Steering Group and the Task Group; and
 - (b) a summary of general progress in respect of both groups, including work undertaken, goals achieved and work still to be carried out.
- 7.6 Clearly, the work of the Steering Group has been vital to ensure that the Councillor training and development programme continues to meet the needs of councillors and strives to maintain the standards required by the South East Employers Charter for Elected Member Development. Officers recommend that the Steering Group continues its work.
- 7.7 Similarly, the work of the Task Group has been very important for the purpose of addressing a number of corporate governance related

matters first identified in 2019, including reviewing key aspects of the Council's ethical standards framework and promoting greater openness and transparency. In that regard, the Task Group has achieved much of what it was established to do.

- 7.8 Following the commitment by both Guildford and Waverley to collaborate and the establishment of a Joint Management Team, with the prospect of further collaborative proposals coming forward, the benefits of aligning our governance processes within our respective Constitutions, where it is appropriate to do so, is becoming increasingly apparent.
- 7.9 Accordingly, the Committee is asked to agree that the Corporate Governance Task Group be replaced by a Joint Constitutions Review Group (JCRG) comprised of councillors nominated both by this Committee and Waverley's Standards and General Purposes Committee. The overarching role of the JCRG will be to examine, review, and report back initially to this Committee and Waverley's Standards & General Purposes Committee on any matter relating to the Constitutional arrangements of both councils. Each Council will then have the opportunity to debate, and decide upon, any changes to their own Constitution. It is anticipated that ultimately the two Constitutions will always differ in some respects to reflect the preferences of each Council, but that, in matters pertaining to officer accountabilities, they are likely to be the same.
- 7.10 The Committee is invited to consider and approve the draft terms of reference of the JCRG attached as **Appendix 2** to this report. At its meeting on 3 July, Waverley's Standards and General Purposes Committee (SGPC) considered the proposed establishment of the JCRG, including the draft terms of reference shown in **Appendix 2**. The SGPC agreed to establish the JCRG and adopted the terms of reference.
- 7.11 The Committee is also invited to appoint four Guildford Borough Councillors to the Review Group. Although the membership does not

need to be politically balanced, it is suggested that the four seats on the JCRG be allocated as follows:

2 x Liberal Democrats

1 x Conservative

1 x R4GV

Each of these political groups will be asked to submit nominations in accordance with the above allocation. Details of the nominees will be reported to the Committee at the meeting.

- 7.12 Appointments do not have to be made from the membership of the Corporate Governance and Standards Committee, but the agreement of any Councillor should be sought prior to their appointment by this Committee.

8. Equality and Diversity Implications

- 8.1 The groups are responsible for having due regard to the requirements of the Public Sector Equality Duty (Equality Act 2010) when making any policy recommendations.

9. Financial Implications

- 9.1 There are no financial implications arising from this report. Any proposals, projects, or suggestions from the groups with financial implications will either be contained within approved budgets or considered as part of the Service and Financial Planning cycle.

10. Legal Implications

- 10.1 There is no legal requirement to establish working groups or task groups, but most councils use them for purposes similar to ours. There is also no legal requirement for them to be politically balanced. As stated above, we have made provision for their operation in Council Procedure Rules.

11. Human Resource Implications

11.1 Currently, we are able to service both groups from within existing staffing resources in the Democratic Services team.

12. Summary of Options

12.1 In the light of the information provided in this report, the Committee (as the 'appointing body') is asked to agree that the Steering Group continues with its work and agree the numerical allocation of seats to each political group on the Steering Group. Officers are suggesting that this should continue to be on the basis of one member from each of the five political groups on the Council.

12.2 The Committee is also invited to consider formally disbanding the Corporate Governance Task Group and establishing, in conjunction with Waverley's Standards and General Purposes Committee, a new Joint Constitutions Review Group in accordance with the draft terms of reference attached as **Appendix 2**.

13. Background Papers

Guildford Borough Council Constitution

14. Appendices

Appendix 1: Table showing details of the Councillor Development Steering Group and Corporate Governance Task Group including work undertaken over the past 12 months, and work to be carried out during the year

Appendix 2: Draft Terms of Reference of the proposed Joint Constitutions Review Group