

**MINUTES OF THE GUILDFORD & WAVERLEY JOINT GOVERNANCE COMMITTEE -
9 DECEMBER 2022**

(To be read in conjunction with the Agenda for the Meeting)

Present (GBC/WBC)

Cllr Julia McShane (GBC), Chair
Cllr Paul Follows (WBC), Co-Chair
Cllr Carole Cockburn (WBC)
Cllr Michael Goodridge (WBC)
Cllr Ramsey Nagaty (GBC)
Cllr John Redpath (GBC)
Cllr John Robini (GBC)
Cllr Deborah Seabrook (GBC)
Cllr John Ward (WBC)

Apologies

Cllr Peter Clark (WBC), Cllr Joss Bigmore (GBC), Cllr Peter Marriott (WBC)
and Cllr Stephen Mulliner (WBC)

1 **WELCOME AND INTRODUCTIONS** (Agenda item)

In accordance with the Terms of Reference of the Joint Governance Committee, this first meeting of the committee was held at the Guildford Borough Council offices and chaired by the Leader of Guildford Borough Council, Cllr Julia McShane.

Cllr McShane welcomed Members and Officers to the meeting and invited those present to introduce themselves.

2 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES** (Agenda item 1)

Apologies for absence had been received from Cllrs Peter Clark (Waverley), Joss Bigmore (Guildford), Stephen Mulliner (Waverley) and Peter Marriott (Waverley).

Cllrs John Ward (Waverley), Deborah Seabrook (Guildford) and Carole Cockburn (Waverley) were present as substitutes.

3 **DISCLOSURES OF INTERESTS** (Agenda item 2)

There were no interests declared by Members in relation to items on the agenda for the meeting.

4 **FORMAL REVIEW OF THE INTER-AUTHORITY AGREEMENT** (Agenda item 3)

The Joint Chief Executive, Tom Horwood, introduced the report on the Inter-Authority Agreement.

The Terms of Reference of the Joint Governance Committee required that it carry out a periodic (and at least every 12 months) formal review of the Inter-Authority Agreement (IAA), to ensure that it remained fit for purpose. Any changes considered necessary would be referred to the Full Councils of Guildford and Waverley.

The Committee noted that the Heads of Terms of the IAA had been approved by Full Council meetings of Guildford and Waverley in April 2022, and the IAA had been formally executed and sealed by both Councils in September 2022. The IAA related to the provision of a joint senior management team and this structure had been implemented on 1 October 2022.

The Committee noted that the Terms of Reference of the Joint Appointments Committee within the IAA did not allow substitute members to be appointed, whilst the Joint Governance Committee did allow substitutions. The Committee agreed that substitutes should be allowed on the Joint Appointments Committee, and should reflect the membership as specified by each council, as follows:

“Substitutes: Substitutes may be appointed. Guildford may appoint two substitute members. Waverley may appoint two substitute members, with one being nominated by the Leader of the council, and one nominated by the Leader of Waverley’s Principal Opposition Group.”

On the advice of the Monitoring Officer, this would require a change to each councils’ constitution that would need to be recommended to the Full Council of Guildford and Waverley via their respective governance routes for such matters.

RESOLVED to recommend to the Guildford Corporate Governance & Standards Committee and the Waverley Standards & General Purposes Committee that the constitutions of Guildford and Waverley councils be amended to allow for substitute members on the Joint Appointments Committee, as set out above.

5 COLLABORATION RISK REGISTER REVIEW (Agenda item 4)

The Joint Executive Head of Organisational Development, Robin Taylor, introduced the report and the collaboration risk register, which the Joint Governance Committee was required to review at least every six-months. The initial collaboration risk register had been approved by Guildford and Waverley councils in April 2022, and had been updated by officers to reflect developments and actions to mitigate risks. The risk register set out the risk rating as at April 2022, the current rating, anticipated rating at November 2023, and a residual rating.

Members of the Committee raised a number of queries in relation to specific risks identified on the collaboration risk register. These are noted below in the order that they appear on the risk register rather than the order in which they were discussed:

No. 5 Risk that JMT resource will not be apportioned fairly. Relates to Risk no. 11 and no.19 – unfair apportionment of JMT resource, one council’s priorities dominating JMT resource for a period, perception by councillors that officers are

less available than previously. Noted that some councillors felt communication to back bench Members had been poor and this had fostered a perception that officers were less available. There was a cultural issue that needed to be addressed to ensure that councillors' expectations of the shared JMT, and of hybrid working, were realistic, but also they were informed of how to address questions and concerns to the correct management level in the respective organisations.

No. 6 Risk that either or both councils will decide to terminate the partnership. Members queried the relation of this risk to clauses 21 and 22 of the IAA, whether there still a need for those clauses, and whether the notice periods were correct. It was noted that legal advice had been to include dispute resolution arrangements in the IAA, and that further legal advice would be needed before changing these clauses. The Committee asked officers to obtain legal advice on this issue so that the risks could be reflected correctly in the risk register. The risk register needed to reflect that the closer the collaboration became, the more impactful an ending of the partnership would be to the councils.

No. 8 Risk that officer capacity will be over-stretched during the transition. This was showing a Residual High risk rating, which indicated that further mitigation was needed. The target risk should not be High.

No.13 Risk that expected savings cannot be realised at one or both councils. This risk was shown as moving from Medium to High over the next 12 months, and it was noted that the savings target would change from year to year, and as budget mitigations were identified each year.

No. 17 Failure to address the different IT legacy systems. Members noted that this was anticipated to still be a High risk at November 2023 and asked what actions were in train to address the issue. Officers advised that there was no mandate for the councils to harmonise their IT, but this would be explored on a case-by-case basis and supported by a business case where there was a recommendation to align IT systems. Some areas were more reliant on IT integration than others. The ICT Strategy Board would be meeting 9 January 2023 to begin the development of a shared ICT strategy focussed on supporting the partnership and identifying resources required and return on investment that is possible. It was agreed that **Risk No. 14** which was currently shown as Medium should also be rated High as this related to transition costs, including those of IT.

The following general points were identified during the discussion on the risk register:

- The key to the R-A-G ratings needed to be circulated with the risk register so that it is clear how the likelihood and impact are weighted and reflected in the overall risk rating.
- Financial thresholds in the key need to be clear and may need to be revised.
- The risk register needed to be clearer in distinguishing between the residual risk, after identified mitigations, and the target risk. Where identified mitigations are not sufficient to reach the target risk rating, more action would be needed, except where these are risks that were beyond the scope of the council to influence such as a change in government policy on local government reorganisation.

- The column headings on the risk register were confusing: there needed to be a Target risk added (by Jan 2027) so that the committee could see the current risk, residual risk (after mitigation), and target risk.

The Committee agreed to meet again in March 2023 to review a revised collaboration risk register, taking into account the suggested revisions to the layout, and the need to review the key alongside the register.

6 DATE OF NEXT MEETING (Agenda item 5)

The Committee agreed to meeting in March 2023 to review the Collaboration Risk Register. The next meeting would be held at the Waverley Borough Council offices.

The meeting commenced at 1.00 pm and concluded at 2.40 pm

Chair