

MINUTES OF THE GOVERNANCE COMMITTEE

31 October 2022 at 2pm

Present:

Councillor N. Dudley (Chair)

Councillors K. Bentley and M. Steel

Also in attendance –

Parish Councillors V Chiswell and P Jackson

Independent Person –
Mrs P Mills

Mrs June Saltmarsh

1. Apologies for Absence

Apologies for absence were received from Councillors Ayres, Jones, Thorpe Apps, Walsh and the Independent person Mrs Gosling.

2. Minutes

The Committee considered a request to amend a section of the previous meetings minutes. The request related to page 4 of the minutes and the 3rd bullet point from the top. The Committee were asked to amend the wording to 'the political nature of the complaint was not investigated'. The Committee did not feel the original minutes were inaccurate and therefore the minutes were accepted without amendments.

The minutes of the meeting on 31st October 2022 were confirmed as a correct record.

3. Declarations of Interest

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Chair's Announcements

No Announcements were made.

5. Monitoring Officer Report

The Committee received a report from the Monitoring Officer on the latest statistical date for complaints under the standards regime. It showed that since the last report in June 2022, one further complaint had been received but this had resulted in no further action being necessary. The Committee also heard that one complaint from 2021 was now being heard on the 12th December after various difficulties scheduling the hearing.

The Committee were informed that eight Parish Councils had now adopted the model code and further training sessions were taking place, available to all Parishes. It was also noted that twin hatted Councillors did not need to attend sessions under each role. The Monitoring Officer also informed the Committee that an advert to recruit a further independent person would be going out soon. It was noted that this would lead to interviews at either the December or January meeting with an appointment then hopefully being made at the February Full Council meeting.

RESOLVED that;

1. the current statistical information as to complaints made be noted and published on the website;
2. the position in relation to the adoption of the model code of conduct at parish tier councils be noted;
3. the update on member training for the model code be noted and;
4. the recruitment of a further Independent Person be noted.

(2.16pm to 2.24pm)

6. Information Governance Update

The Committee received an annual update on the Council's approach to the assurance and management of information. The update covered the below areas;

- Statutory Requests
- Data Breaches
- Training and Awareness
- Cyber Security Review
- Policies
- Consents
- Privacy Notices
- Risk Management
- Phishing

- Contract
- Data Protection Impact Assessments

It was noted that the team had processed 785 requests within 2021/22 with 90% answered within the statutory timescales. The Committee also heard that a specific training module on emails would be delivered to staff and Councillors later this year. It was also noted that the Council had achieved a 90% completion rate for its cyber awareness and home working course against a target set at 85%.

In response to a question from the Committee it was noted that Freedom of Information requests mainly came via a form on the website but sometimes they were passed on by individual services. It was also noted that the number of requests was in line with similar sized authorities.

RESOLVED that the report be noted.

(2.25pm to 2.42pm)

[7. Complaints to the Local Government and Social Care Ombudsman – Annual Review](#)

The Committee considered a report containing information on the number of Ombudsman complaints received by Chelmsford City Council over the last year. A letter from the Local Government Ombudsman dated 20 July 2022 and summaries of the Council's performance were attached as appendices 1-2 to the report.

RESOLVED that the report be noted.

(2.43pm to 2.45pm)

[8. Interim Polling District Review](#)

The Committee received a report outlining the current polling arrangements within the local authority area which also recommended where changes would be required due to the Community Governance Review, to ensure they were legally compliant and effective. The Committee heard that full reviews had to be carried out prior to Parliamentary elections and this was instead an interim one, primarily focused on changes required by the Community Governance Review.

It was noted that the report had been split into two separate parts, those changes that were a legal requirement and those that may improve the voting experience. The proposals were detailed in the report and it was noted that there had only been one concern relating to the Great Baddow proposals received during the consultation on the grounds that they did not think the LGBC would implement the changes on time.

It was noted however that since the consultation period, the LGBCE has reassured the council that the necessary changes will be made.

RESOLVED that the amendments outlined within the report be approved and implemented on publication of the full register for future elections, including the reallocation of polling district codes for administrative purposes.

(2.45pm to 2.57pm)

9. Senior Responsible Officer's report in relation to the Council's RIPA arrangements

The Committee considered a report updating them on the Council's RIPA arrangements. The Committee noted that RIPA policies along with training needs would continue to be reviewed annually with any ongoing actions through the RIPA officer working group. The Committee also heard that officers were not currently aware of any new guidance.

RESOLVED that the update be noted.

(2.54pm to 2.56pm)

10. Annual Whistleblowing Report

The Committee received a report updating it on the operation of the Council's Whistleblowing Policy and Procedure. It was noted that five reports had been made since December 2021 of which one was not a valid complaint, two did not directly involve the Council and two were assessed and investigated. The Committee also heard that officers would check that information was still included in the Council's induction processes.

RESOLVED that the report be noted.

(2.57pm to 3.pm)

11. Dispensation Policy

The Committee considered a report on the Council's Dispensation guidance and arrangements. It was noted that a review had been undertaken in light of the model code and due to it not being reviewed for some time. The Committee heard that the updated policy provided more detail about the processes and a new form had also been produced. It was also noted that Parishes often had their own arrangements but could adopt the City Council guidance as felt appropriate. It was also noted that the existing standing dispensations in the Council's Constitution were not being changed.

It was also noted that there was a key difference between wanting to speak at a meeting and wanting to vote, in most instances Councillors could still speak but may need a dispensation to vote on a certain item.

RESOLVED that the updated Dispensation guidance be adopted.

(3.01pm to 3.12pm)

12. Update on Register of Interests at City and Parish Level

The Committee received a report updating them on the register of interest forms for City and Parish tier authorities. It was noted that there had been some ongoing issues at the Parish tier with forms not being completed or updated and this annual assurance report would look to improve that. The report detailed the situation at the City Council and each Parish tier authority, which had significantly improved in recent weeks. The Monitoring Officer stated that some forms did not contain much information but they were accepted at face value.

RESOLVED that the update be noted.

(3.13pm to 3.26pm)

13. Work Programme

The Committee received a report updating them on their work programme. It was noted that the Independent Person interviews would take place in either December or January and that the complaints process item may not be ready for the January meeting.

RESOLVED that the report be noted.

(3.27pm to 3.33pm)

14. Urgent Business

There were no items of urgent business.

The meeting closed at 3.33pm.

Chair