



REPORT of CORPORATE GOVERNANCE WORKING GROUP

**to
COUNCIL
6 AUGUST 2020**

REVIEW OF COMMITTEES AND REMOTE COMMITTEE ARRANGEMENTS

1. PURPOSE OF THE REPORT

- 1.1 As resolved by the Council on 28 May 2020 (Minute No. 967 refers), the Corporate Governance Working Group met twice in June to consider items relating to the six-month review of the new committee structure, and the arrangements for remote committees at Maldon District Council.
- 1.2 From the discussion and consideration of background information and officer reports presented, this report provides some recommendations aimed to improve the way the committee structure operates at Maldon District Council.

2. RECOMMENDATIONS

- (i) that all suspended Committees be reinstated from October 2020 after the Statutory Annual meeting of the Council, with all Council and Committee meetings to be held remotely until legislation changes;
- (ii) that regular Council and Committee meetings be scheduled with a 6pm start time from October 2020, with the exception of the Performance Governance and Audit (PGA) Committee which will start at 2pm (allowing for input of external agencies), and these arrangements be reviewed after six months. Ad-hoc Committee meetings, such as the Joint Standards Committee, are to be scheduled as required at a time to suit;
- (iii) that the remote meeting protocol is updated to highlight that Members can use personal devices;
- (iv) that Members of the Overview and Scrutiny Committee are given training and a clear remit;
- (v) that membership numbers for the Strategy & Resources, Performance, Governance & Audit and Overview and Scrutiny Committees be more equally split, with the programme Committees not having the same members as those serving on the Overview and Scrutiny Committee and that a six-month review to these arrangements takes place;

- (vi) that public participation also allows for video and audio to be broadcast at Committee meetings, with the operational introduction of this being delegated to the Programmes, Performance and Governance manager;
- (vii) that if there are less than three items of non-urgent business on an agenda a decision should be made whether to cancel a Committee meeting at the discretion of the Committee Chairman and that items for noting are not brought before Committees;
- (viii) that Planning enforcement reports are no longer presented at scheduled Area Planning Committee meetings;
- (ix) that the Interim Measures Group arrangements, introduced by the Council in March 2020 to deal with the Covid-19 Emergency be suspended from following the Statutory Annual meeting of the Council in September 2020.

3. SUMMARY OF KEY ISSUES

3.1 Further background and rationale to the recommendations are provided below:

- (i) The Local Government Association (LGA) have provided guidance that Members do not class as employees, and therefore committee meetings would be considered a 'gathering'. On this basis, there would need to be a legal justification to physically meet, and because legislation allows for remote meetings, there is no legal justification. The Corporate Governance Working Group (CGWG) identified a need to start planning for a move towards a 'hybrid' meeting where some Members may physically attend the Council chamber (at the Maldon District Council offices) and others dial in and have requested officers to operationally look into this including the equipment needed, costs involved, and what the approach would be. Based on current guidance, the Corporate Governance Working Group are moved to recommend reinstating all Committees remotely from October 2020.
- (ii) The CGWG looked at the scheduling of meetings. Officers presented a report to explain the additional resource needed for the digital broadcasting of committees. There are six additional Officers in addition to the Committee Clerk required to run a meeting, and many of these don't have evening meetings factored into their usual work pattern. Based on an average two-hour meeting, overtime costs for these Officers would be over £500. The CGWG considered that Members did not sign up for daytime meetings and many are having difficulty attending due to work commitments and feeling disenfranchised. As a compromise to this, the CGWG suggested a 6pm start time from October 2020, except for the Performance, Governance and Audit Committee, which also has the factor of external Audit attendees, which the CGWG suggested trials a 2pm start time. Ad-hoc Committees such as the Joint Standards Committee should meet at the most convenient time.
- (iii) The Microsoft Teams set up and use of digital devices for Modern.Gov means that Members will be better served if they are also able to set up and use their own devices and switch between screens, to allow for use of additional devices. The CGWG suggested an update to protocols to make the acceptable use of personal devices clear.

- (iv) The CGWG reviewed the current context around the Overview and Scrutiny Committee workplan and remit being challenged and officer insight between potential overlaps with the Performance, Governance and Audit Committee remit. They very strongly felt there was a role for the Overview and Scrutiny Committee, but this needed to be defined. Officers reported that the internal Governance audit currently in progress had also identified that if it continues, the roles for the Overview and Scrutiny committee need to be more clearly defined, and this would require officer support.
- (v) A recommendation that also emerged from the discussion around Overview and Scrutiny, was based on Members not scrutinising their own decisions and Members not 'doubling up' and serving on multiple Committees. The suggestion is that:
- The Performance, Governance and Audit Committee (PGA) is made up of ten members;
 - the Strategy and Resources Committee S&R) is made up of 11 members;
 - the Overview and Scrutiny Committee is made up of ten members; and
 - that the same Members do not serve across programme Committees (PGA and S&R) and Overview and Scrutiny, to allow for appropriate checks and balances to take place.
- (vi) Officers presented detail to the CGWG around additional officer workload involved and potential risks around members of the public attending the live internal meetings. Members felt the main issue around current participation was that the 2-minute timing was harder to judge and the chairmen did not always feel they were doing justice to the text provided. As a compromise, members of the CGWG have suggested that the current public participation form be amended to allow for video or audio upload, or that the public can participate live as technology permits, and that this is instated as soon as possible, ahead of all Committees starting in October 2020.
- (vii) Based on the additional officer involvement and effort to manage committees remotely, this recommendation aims to give Chairmen and the Corporate Leadership Team (CLT) guidance so that they can confirm whether to cancel a meeting on the basis that there is not enough business and highlight that items for noting should not be considered the business of a Committee meeting. There is also a document library within Modern.Gov where we have the ability to share items for noting with all Members.
- (viii) In respect of Planning Enforcement, the suggested process is that the monthly report is circulated for information, and Members can approach directly with any information to feed into specific cases. Chairmen of the Area Planning Committees, not supported by Committee Services, can then arrange daytime meetings for Area Planning Committees to discuss and feedback on local enforcement in more detail, but that this isn't appropriate to include in the agenda of a Committee meeting for the reasons stated above.

4. CONCLUSION

- 4.1 The recommendations provided have been borne out of consideration of the Corporate Governance Working Group key issues highlighted by Members and officers relating to the remote committees' operation and the Committee structure that was put in place in October 2019.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The recommendations are designed to give clearer checks and balances on our strategic delivery. The work and recommendations of the Corporate Governance Working Group underpin the corporate goal of Performance and Efficiency.

6. IMPLICATIONS

- (i) **Impact on Customers** – Move back to evening meetings considered by the CGWG to be more democratic / open to our residents.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – The recommendations are given as a way to improve our governance and therefore reduce corporate risk.
- (iv) **Impact on Resources (financial)** – Possible additional cost.
- (v) **Impact on Resources (human)** – Adaptation of staff hours to support move to remote evening Committees.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

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