

EXTRACT FROM THE MINUTES OF THE COUNCIL, 15 DECEMBER 2009

115/09 GOVERNANCE ISSUES (ITEM 17)

The Chairman of the Council introduced the report. He informed Members that the Governance Task group had comprised Members of the Audit and Governance and Standards Committees. He asked Members to consider the report and the recommendations of the task group.

Mr David Hodge moved an amendment to: Whistle Blowing, recommendation (4). He proposed inserting 'consideration be given that' prior to the Chairman of Audit and Governance Committee

This amendment was seconded by Dr Andrew Povey.

Mr Nick Harrison also proposed an additional recommendation – that a progress report on the Governance Issues and the Chief Executive's report be brought back to council in June 2010.

This amendment was seconded by Mr Eber Kington.

There was a short debate on the amendment, in which 9 Members spoke before it was put to the vote.

34 Members voted for it, and 1 Member voted against it. There were 6 abstentions.

RESOLVED:

That the following recommendations, as amended, be approved:

Whistle-blowing

- (1) That, when reviewing the whistle-blowing policy, officers ensure that the policy is clearly rebranded as a whistle-blowing policy, that they consider best practice from other areas, that it contains clear escalation routes, including alternative avenues of reporting, such as the Chairman of the Council, the Chairman of the Standards Committee (an independent person who is not a member of the Council) and the Chairman of the Audit and Governance Committee, and a process for taking, recording and reporting decisions in respect of any allegations.
- (2) That a communications plan aimed at raising awareness and creating a culture of greater accessibility to whistle-blowing from both internal and external sources be implemented.

- (3) That any whistle-blowing allegations received and the actions taken in respect of them should be reported on a twice yearly basis to the Audit and Governance Committee.
- (4) That consideration be given that, the Chairman of the Audit and Governance Committee should be a member of one of the minority groups and that paragraph 6.8 of Section 2 of Part 3 of the Constitution (Responsibility for Functions – Audit and Governance Committee) and the Member Officer Protocol be amended accordingly.

Leadership

- (5) That regular recorded weekly meetings between the Chief Executive and the Leader be commended as best practice.
- (6) That proper appraisal processes for the Chief Executive and Strategic Directors are in place and agreed by the People, Performance and Development Committee, including the setting and reviewing of clear objectives, and that all Members have an opportunity to contribute to this process.

Statutory Officer reporting lines

- (7) That the Audit and Governance Committee maintains a watching brief with regard to the effectiveness of the new organisational structure.

Member/Officer Protocol

- (8) That the Member/Officer Protocol attached at Annex 1, to the submitted report, including the changes shown in track changes, be agreed.
- (9) That all senior officers and Members receive awareness training on the Member/Officer Protocol.
- (10) That the Standards Committee reviews the sections of the Member/Officer Protocol relating to Member/officer behaviour and relations (paragraphs 16 and 17), in light of other authorities' protocols, to ensure that the Protocol adequately addresses expected behaviours, and recommends any changes to Council.

Scrutiny

- (11) That Select Committees (a) maintain a 4-month rolling forward plan, and (b) regularly evaluate their performance on a six monthly basis, and the Select Committee Chairmen's Group be called upon to put this into effect in order to improve the scrutiny process.

Audit Report on Transformation Programme Governance Arrangements

- (12) That the following become key features of all future major change programmes:
- (a) Robust Business Case – Robust business cases for projects are established to support all significant spending decisions and these are fully supported by the Head of Finance and other relevant officers.
 - (b) Changes to Business Cases Any significant changes to projects should require a revised business case, which must be reported to Cabinet for re-approval with the full support of the Head of Finance and other relevant officers.
 - (c) Procurement – There should be full compliance with procurement rules in respect of tendering and contract negotiation for all major change programmes with full involvement of the Head of Procurement who should report instances of non-compliance to the Chief Executive and Audit and Governance Committee.
 - (d) Governance - The progress of all major change programmes should be managed through proper governance arrangements including regular and documented monitoring meetings covering achievement of key milestones and review of project risks.

Bullying

- (13) That the Council makes clear its zero tolerance policy in respect of bullying of any kind.
- (14) That staff be encouraged to report any incidences of bullying in line with County Council policy.
- (15) That any incidences of bullying should be reported on a twice yearly basis to the People, Performance and Development Committee.

Role of the Standards Committee

- (16) That officers be reminded about the role of the Standards Committee and the processes for reporting breaches of the member Code of Conduct.

- (17) That the Standards Committee considers how to promote its work more widely and continues to carry out the annual survey of Members and senior officers, which can help to identify areas of both strengths and weaknesses in Member/Officer relationships.

Progress Report

- (18) That a progress report be brought back to County Council in June 2010.