

## **Governance and Member Support Business Unit Progress Report**

### **1. Purpose of Report**

- 1.1 To give an overview of the functions of the Governance and Member Support Business Unit and related elements of the Annual Governance Statement process in line with the Audit Committee work programme

### **2. Functions of the Business Unit**

- 2.1 The business unit has three broad functions reporting to the Service Director, Governance & Member Support:

- Council Governance (relating to decision-making processes and associated advice)
- Personal support for the Leader, Mayor and Cabinet Members
- Wider Members' Services (mainly providing an interface with Council administration, for example: supplies and services; payment of allowances; booking and promotion of surgeries; maintenance of webpages)

- 2.2 The core purpose of the Governance and Member Support business unit is therefore: To provide advice and support for elected members, senior officers and representatives of partner organisations to fulfil their duties and meet their obligations, and support the range of governance structures that are in place to ensure effective decision making.

- 2.3 In line with this, the business unit seeks to achieve the following outcomes:

- The effective implementation of decisions made within Council processes, free from the impact of legal challenge or delay.
- Awareness amongst elected members and senior officers of the legal constraints and requirements of decision making and the ability to avoid potential pitfalls.
- Public awareness of how decision making processes operate and the ability to access decision making information with ease.
- Elected members who can perform all of their functions effectively

### **3. Related Elements of the Annual Governance Statement**

3.1 The business unit has a role in ensuring assurance against the following elements of the Annual Governance Statement:

- Documenting the roles, responsibilities and delegated powers of the executive, non-executive, scrutiny and officer functions within the Council's Constitution
- Keeping under review the effectiveness of the Council's decision making framework, including delegation arrangements
- Arrangements to ensure compliance with relevant laws and regulations, internal policies and procedures

3.2 The Service Director Governance and Member Support takes responsibility for identifying the areas of the Constitution that need to be up-dated or amended following any changes internal or external to the Council. Invariably, this requires liaison with colleagues in other business units to ensure that key elements of their responsibilities are covered by this review process. This also helps to engaged them more effectively in the requirements of the Constitution.

3.3 The business unit also operates the processes and procedures through which agenda and reports for formal Council meetings are published. These arrangements take into account the relevant legal framework in respect of timeliness of notices for meetings. The business unit also ensures compliance with further legal requirements, for example in relation to specific arrangements for Key Decisions and any decision taken by Cabinet in private, liaising with other business units as required. This includes the production of related guidance and information, including Report Writing Guidelines and pro forma documentation.

3.4 In 2012, Regulations were introduced requiring the recording and publication of the exercise of executive functions by officers, in essence, officer decision-making under delegated powers. Regulations in 2014 extended this requirement to non-executive functions. There was some concern about levels of compliance with these requirements, notwithstanding the lack of clarity in the Regulations as to what should be recorded. This was identified in the Annual Governance Statement Action Plans for 2015/16 and 2016/17, and revised, more detailed, guidance on the recording of officer decisions issued in July 2016. As a result, greater compliance with the requirements is now being achieved, evidenced by the increased number of decision records coming forward for publication.

## **4 Other Issues Affecting Elected Members**

- 4.1 In 2015, the Office of the Information Commissioner identified the need for each Elected Member to be individually registered as Data Controllers under the Data Protection Act. This was to cover the aspects of their role in relation to holding and processing the information of constituents, which was judged to require separate registration to what is covered under the Council's own registration. Although Elected Members need to consider for themselves what arrangements they make for this, the Council ensures that they receive appropriate guidance and support, including development sessions, to help them comply with data protection requirements.
- 4.2 Greater emphasis has also been placed on supporting Elected Members to move towards the Digital Council approach. A key aspect of this is to enable Members to use tablet computer devices in meetings, so no longer needing printed papers. Support has been provided to Members in the use of these devices as progress has been made in resolving technical issues associated with them. This support has been provided by the Communities Directorate's Digital Champions, whose main role is to increase the familiarity of customer with the Council's web-based systems. In addition to assessing the ICT skills of Elected Members, and helping to identify further support needed, this will give Members more confidence in supporting the move towards the digital agenda with their constituents.

## **5. Conclusion / Recommendations**

- 5.1 This report is presented for information.

## **6. Background papers**

- 6.1 Governance and Member Support business plan and Annual Governance Statement – Available for inspection, except where it contains exempt information, in the Business Unit, Town Hall, Barnsley. Telephone (01226) 773421 for more information.

**Report Author:** Ian Turner

**Contact:** 773421

**Date:** 2<sup>nd</sup> June 2017