

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 were some initial concerns about the level of compliance with these requirements, but this improved in 2016/7 as a result of more detailed guidance issued in July 2016 on what should be recorded. A further improvement in compliance was seen in 2017/8.

4 Other Issues Affecting Elected Members

4.1 The report submitted to Audit Committee in June 2017 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, separate from what is

covered under the Council's own registration. In view of the reputational issues for the Council, information and training sessions have been held for Elected Members on the issues arising from this. These sessions took into account the impact on Elected Members of the General Data Protection Regulations (GDPR) from 25th May 2018, in particular to map the flow of data and identify any issues for Elected Members on how they go about their business.

- 4.2 Emphasis continues to be placed on supporting Elected Members to move towards the Digital Council approach. A key feature is for Elected Members to promote with their constituents the use of electronic methods of contacting the Council or interacting with services. A key issue is the need for Elected Members to be confident in using digital technology.
- 4.3 As part of this, since January 2018, printed papers have not been routinely provided to Elected Members for meetings, the expectation being that they will use their tablet devices. Technical support in the use of the devices continues to be provided to Elected Members, both by IT Technicians and the Digital Champions in Communities Directorate, in order to increase Members' confidence. Work continues to resolve some outstanding technical issues and identify further barriers to the wider use by Elected Members of digital technology, for example the availability of internet / wifi connectivity in the building they use for surgeries.

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, email governance@barnsley.gov.uk for more information.

Report Author: Ian Turner

Date: 22nd May 2018