

SLOUGH BOROUGH COUNCIL

REPORT TO: Audit & Corporate Governance Committee

DATE: 8 March 2018

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WARD(S): All

PART I **FOR INFORMATION AND ACTION**

GOVERNANCE REVIEW

1 Purpose of Report

The purpose of this report is to:

- Inform the Committee of the resolution passed by the Council at their Extraordinary General Meeting on 19 December 2017 to commission the Committee to undertake a full review of the Council's governance arrangements; and
- To seek the Committee's agreement to the suggested approach to the review requested by the Council set out in this report

2 Recommendation(s)/Proposed Action

The Committee is requested to note this report and to agree the approach to the governance review requested by the Council as set out in this report.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

The delivery of all these strategic priorities is dependent on the highest possible standards of openness, honesty and accountability. This is underpinned by good governance arrangements being in place.

4 Other Implications

(a) Financial

There are no financial implications arising from this report.

(b) Human Rights Act and Other Legal Implications

(c) Equalities Impact Assessment

There is no identified need for an EIA arising from this Report.

5 **Supporting Information**

- 5.1 On 19 December 2017 the Council agreed a motion relating to governance which, inter alia, resolved to commission the Committee to undertake a full review of the Council's governance arrangements. The full printed minutes of the Council's resolution are appended to this report as Appendix A.
- 5.2 The Council's motion expresses the sentiments and aspirations motivating their desire for the review of their governance arrangements and the outcomes they desire to promote from such a review.
- 5.3 The background to the Council's motion was the need in the preceding months to make a permanent appointment to the position of the Council's Chief Executive and Head of Paid Service and the strong partisanship and actions generated on both sides by the process to that end.
- 5.4 That process and those actions inflicted a strong test on the Council's governance arrangements which lead to the desire for their review.
- 5.5 This report would suggest that the following areas of the Council's governance arrangements were revealed as appropriate for review by this test or are otherwise appropriate for review and that the Committee so agree:
- the Council's Constitution generally
 - the process for the appointment of Head of Paid Service
 - the process for Members' access to information and to Council documents
 - the use by Members and Officers or former officers of the rights to request information under the Freedom of Information Act 2000 or the Data Protection Act 1998
 - The culture of behaviours by members and officers and how to promote desired behaviours and to imbed them
- 5.6 At its Extraordinary General Meeting on 19 December 2017 the Council resolved that the Chartered Institute of Personnel and Development (CIPD) carry out an independent review of the 2017 Chief Executive appointment process and that its report inform the permanent recruitment to the Chief Executive post. The CIPD carried out its review and their report was presented to the Council at its meeting on 30 January 2018 and it is appended to this Report as Appendix B. That report concluded that the process adopted was a standard process for this level of appointment. This report would suggest, therefore, that no change to this process is required.
- 5.7 There have been recent revisions to parts of the Constitution, as the Committee will be aware, for example to the Confidential Whistleblowing Code and to the Councillors' Code of Conduct. It is also generally acknowledged that the Constitution needs substantial revision to reflect the Council's new Senior Management Structure. The Member Panel on the Constitution has agreed to a comprehensive report to be presented at their next meeting on 10 April dealing with all revisions which have been identified as being necessary to the Constitution. This report would suggest that the work carried out in relation to that exercise feed into the Committee's review of the Council's governance arrangements.

- 5.8 The Council have recently experienced a significant increase in requests being submitted to the Council by members, officers and former officers under the Freedom of Information Act 2000 and the Data Protection Act 1998 which is placing a considerable administrative strain upon the Council. It is the view of senior managers that this practice is adopted as an illegitimate and distractive tactical ploy in connection with perceived grievances with the Council or individual officers and is designed to try and cause undue embarrassment and to side step the requirements relating to members' right to information and documents in the Local Code Governing Relations between Members and Council Employees. This is a matter forming part of the culture of behaviours referred to above and this report would suggest that this is an appropriate matter for review by the Committee as part of its review.
- 5.9 It is considered that the adoption of the approach proposed in this report will address the sentiments and aspirations expressed by the Council and will contribute to the achievement of the outcomes desired by them and expressed in their motion.

6 **Conclusion**

In conclusion the Committee is asked to note the Council's motion and resolution for the Committee to undertake a full review of the Council's governance arrangements and to agree to the approach suggested in this report so that a more granular report may be brought back to the Committee upon the matters contained in this report.

7 **Background Papers**

None

Appendices

Appendix A – Printed Minutes of the Council's Resolution

Appendix B – CIPD Report