

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CORPORATE GOVERNANCE COMMITTEE held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Wednesday, 22 January 2020.

PRESENT: Councillor L W McGuire – Chairman.

Councillors G J Bull, S M Burton, E R Butler,
Dr P L R Gaskin, D A Giles, H V Masson and R J West.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors P Kadewere, J P Morris and Mrs S R Wilson.

38 MINUTES

The Minutes of the meetings of the Committee held on 2nd October and 13th November 2019 were approved as a correct record and signed by the Chairman.

39 MEMBERS' INTERESTS

No declarations were received.

40 ANNUAL REPORT ON HDC COMPLIANCE WITH THE FREEDOM OF INFORMATION (FOI) & ENVIRONMENTAL INFORMATION REGULATIONS (EIR) ACTS

(At 7.04pm, during discussion on this item, Councillor D A Giles took his seat at the meeting).

With the aid of a report prepared by the Information Governance Manager / Data Protection Officer (a copy of which is appended in the Minute Book) the Committee received the annual report on the Council's compliance with the Freedom of Information Act (FOI) 2000 and Environmental Information Regulations 2004. Information was also received on the Council's performance in respect of protecting personal data over the period January to December 2019.

In introducing the report, the Information Governance Manager reported that there had been a drop in the number of requests received by the Council in 2019 when compared with the previous year at 615 and 789 respectively. Having had their attention drawn to the breakdown by type of request and the number of cases per service, it was noted that Community Services had received the most requests. Over the reporting period, there had been four breaches of personal data where documents had been sent in error to incorrect recipients either by letter or email. All cases had been resolved internally and did not require reporting to the Information Commissioner's Office. Staff training and awareness of data protection will be a focus point this year which would include e-learning, face to face training, staff drop-in sessions and better use of the Information Governance Champions.

Having received assurances that the data presented within the report related to Huntingdonshire, Councillor D A Giles queried the reasons why the outcome of an FOI request would be that information could not be released on the grounds of commercial sensitivities. The Information Governance Manager responded that prior consent must be obtained from third parties who can indicate their wish for the information not to be disclosed. In such cases, a justifiable reason for withholding content should be provided.

Other matters that were discussed included the statutory timeframe for receiving responses, whether holding replies were sent to requestors, trends in data, the role of the Information Governance Group in engaging with managers and a recent data protection incident which led to sensitive information being published on the Council's website. Having made a request for future reports to include previous years' data for comparable purposes, the Committee

RESOLVED

- (a) that the contents of the report now submitted be noted; and
- (b) that future reports include previous years' performance data.

41 CODE OF CONDUCT COMPLAINTS - UPDATE

By means of a report by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book), the Committee were provided with a summary and update of completed and ongoing complaints received regarding alleged breaches of the Code of Conduct under the Localism Act 2011 since the start of the year. In response to a question raised by Councillor G J Bull, it was confirmed that all breaches were investigated regardless of whether the Town or Parish Council had adopted the District, National or their own Code of Conduct. Whereupon, it was

RESOLVED

that the progress of outstanding complaints and the conclusion of cases resolved since the last meeting be noted.

42 UPDATE ON CODE OF CONDUCT AND REGISTER OF DISCLOSABLE PECUNIARY INTERESTS

With the aid of a report prepared by the Member Support Assistant (a copy of which is appended in the Minute Book) the Committee were updated on the adoption of Codes of Conduct by Town and Parish Councils and the receipt and publication of register of interests forms on behalf of District, Town and Parish Councillors. It was noted that seven Parish Councils were due to return Disclosable Pecuniary Interest forms and that 52 seats remained vacant.

Pursuant to the October 2019 meeting, Members briefly discussed the Committee on Standards in Public Life (CPSL) review. A public consultation would be launched in Summer 2020 with early indications revealing that there might be a move towards the adoption of a National Code of Conduct for Members and more weightier sanctions. Whereupon, it was

RESOLVED

that the contents of the report now submitted be noted.

43 COMMUNITY GOVERNANCE REVIEW - HOLME PARISH COUNCIL

Pursuant to Minute No. 19/30 and with the aid of a report prepared by the Elections and Democratic Services Manager (a copy of which is appended in the Minute Book), the Committee were updated on the Community Governance Review of Holme following a request from the Parish Council to increase its size from 7 to 9 Members.

As part of the Review, Members were advised that a consultation had taken place between 3rd October and 14th November 2019 where three representations in support of the increase had been received. The Parish Council had identified their preference for an implementation date of 7th May 2020. Having noted that the cost of the referendum would be borne by the Parish Council and the requirement for the Council to draft a Reorganisation of Community Governance Order, the Committee

RESOLVED

- (a) to approve the increase in membership of Holme Parish Council from 7 to 9 Parish Councillors; and
- (b) to recommend to Council to approve the drafting of a Reorganisation of Community Governance Order to be made in accordance with the Local Government and Public Involvement in Health Act 2007 for Holme Parish Council.

44 LEAD AND DEPUTY INDEPENDENT PERSONS

Consideration was given to a report by the Elections and Democratic Services Manager and Deputy Monitoring Officer (a copy of which is appended in the Minute Book) recommending the re-appointment of the Lead and Deputy Independent Persons for a further two-year period. The Localism Act 2011 required Councils to appoint one or more Independent Persons and the current postholders' terms of office were due to expire on 30th April 2020.

Having been informed that the existing postholders had indicated they were willing to continue in their respective roles and on the basis that they made valuable contributions by providing impartial advice and had excellent working relationships with the Monitoring Officer and Deputy Monitoring Officer, it was

RESOLVED

that the Council be recommended to re-appoint Mrs Gillian Holmes and Mr Peter Baker to the posts of Lead and Deputy Independent Persons respectively for a further two-year period to 30th April 2022 without the need for further ratification in each year by the Council at its Annual Meeting.

45 IMPLEMENTATION OF INTERNAL AUDIT ACTIONS

With the aid of a report prepared by the Internal Auditor (a copy of which is appended in the Minute Book) the Committee were updated on the implementation of audit actions.

Having had their attention drawn to the five audit actions that remained outstanding, it was noted that one action was within a year of the originally agreed implementation deadline and the remaining four were more than one year old. In response to questions, the Internal Auditor confirmed that timescales were set by Service Managers in conjunction with the Internal Audit Service and that extensions had been agreed and granted as necessary. Members questioned the validity and relevance of the older actions assigned to the Finance Manager. In doing so, the Corporate Director (People) confirmed that that the delays were attributed to the embedding of a new finance system and that all actions remained live and current.

RESOLVED

that the content of the report now submitted be noted.

46 PROGRESS ON ISSUES ARISING FROM THE 2018/19 ANNUAL GOVERNANCE STATEMENT

By way of a report by the Corporate Director (People) (a copy of which is appended in the Minute Book) the Committee were acquainted with progress made to date in introducing the five key improvement areas contained within the 2018/19 Annual Governance Statement (AGS).

In introducing the report, the Corporate Director (People) acquainted Members with the background and context of the AGS and the shift towards a more outward facing Statement which would see the Council working more strategically and collaboratively with partner agencies. Councillor H V Masson raised a number of questions around the level of insurance the Council had to mitigate against counter party risks, data permissions chains with partner agencies and the use of artificial intelligence within the Council. In terms of the latter, it was reported that the Council was not actively using artificial intelligence within its business operations but that work was underway to enhance the use of online forms to included pre-filled text options.

Following a brief discussion on how town centres could be innovated and revitalised to encourage footfall and economic success and having been informed of a minor textual amendment to be made to the recommendation contained within the report, it was

RESOLVED

that the Committee note and take into account the progress that has been made in introducing the key improvement areas arising from the 2018/19 Annual Governance Statement when undertaking their 2019/20 governance review.

47 CORPORATE GOVERNANCE COMMITTEE PROGRESS REPORT

The Committee received and noted a report (a copy of which is appended in the Minute Book) on progress of actions in response to any decisions taken at previous meetings.

RESOLVED

that the contents of the report be noted.

Chairman