

# **GOVERNANCE COMMITTEE**

Tuesday, 25th September 2012  
at 6.00 pm

## **PLEASE NOTE TIME OF MEETING**

**Conference Room 3 - Civic Centre**

This meeting is open to the public

### **Members of the Committee**

Councillor David Furnell (Chair)  
Councillor Mark Chaloner  
Councillor Edward Daunt  
Councillor John Hannides  
Councillor John Inglis  
Councillor Satvir Kaur  
Councillor Eamonn Keogh

### **Independent Members**

Mr David Blake  
Mrs Elizabeth Hale

### **Contacts**

Head of Legal, HR and Democratic Services  
Richard Ivory  
Tel. 023 8083 2394  
Email: richard.ivory@southampton.gov.uk

Democratic Support Officer  
Sue Lawrence  
Tel. 023 8083 3569  
Email: susan.lawrence@southampton.gov.uk

# **PUBLIC INFORMATION**

## **Role of the Governance Committee**

Information regarding the role of the Committee's is contained in Part 2 (Articles) of the Council's Constitution.

### [02 Part 2 - Articles](#)

It includes at least one Councillor from each of the political groups represented on the Council, and at least one independent person, without voting rights, who is not a Councillor or an Officer of the Council.

## **Public Representations**

At the discretion of the Chair, members of the public may address the meeting about any report on the agenda for the meeting in which they have a relevant interest.

## **Southampton City Council's Seven Priorities**

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support for the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

**Smoking policy** – The Council operates a no-smoking policy in all civic buildings.

**Mobile Telephones** – Please turn off your mobile telephone whilst in the meeting.

**Fire Procedure** – in the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

**Access** – Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

## **Dates of Meetings: Municipal Year 2012/13**

<b>2012</b>	<b>2013</b>
2 <sup>nd</sup> July	5 <sup>th</sup> February
25 <sup>th</sup> September	30 <sup>th</sup> April
10 <sup>th</sup> December	

## CONDUCT OF MEETING

### **Terms of Reference**

The terms of reference of the Governance Committee are contained in Part 3 of the Council's Constitution.

[03 - Part 3 - Responsibility for Functions](#)

### **Business to be discussed**

Only those items listed on the attached agenda may be considered at this meeting.

### **Quorum**

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

### **Rules of Procedure**

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

### **DISCLOSURE OF INTEREST**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Personal Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

#### **DISCLOSABLE PERSONAL INTERESTS**

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having a, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

## AGENDA

**Agendas and papers are now available via the Council's Website**

### **1 APOLOGIES**

To receive any apologies.

### **2 DECLARATIONS OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

### **3 STATEMENT FROM THE CHAIR**

### **4 MINUTES OF PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)**

To approve and sign as a correct record the Minutes of the meetings of the Standards and Governance held on 25<sup>th</sup> June 2012 and the Governance Committee held on 2<sup>nd</sup> July 2012, and to deal with any matters arising, attached.

### **5 ANNUAL REPORT ON LOCAL GOVERNMENT OMBUDSMAN COMPLAINTS 2011-12**

Report of the Director of Corporate Services summarising performance and issues arising out of the Annual Letter for 2011-12 (year ending 31<sup>st</sup> March 2012) from the Commission for Local Administration in England, attached.

### **6 ANNUAL REPORT ON CHILDREN'S SERVICES AND LEARNING / HEALTH AND ADULT SOCIAL CARE COMPLAINTS 2011/12**

Annual report of the Customer Care and Quality Manager on complaints regarding Children's Services and Learning / Health and Adult Social Care Complaints 2011/12, attached.

### **7 CORPORATE COMPLAINTS 2011-12**

Report of the Senior Manager, Customer and Business Improvement summarising performance and issues arising out of the Council's Corporate Complaint's Procedure from the 1<sup>st</sup> April 2011 until 31<sup>st</sup> March 2012, attached.

**8 CHAIR'S ANNUAL REPORT ON AUDIT COMMITTEE 2011/12**

Report of the Chief Internal Auditor requesting that the Committee considers and comments on the Chair of the Audit Committee's Annual Report 2011/12, attached.

**9 INTERNAL AUDIT: PROGRESS REPORT AUGUST 2012**

Report of the Chief Internal Auditor regarding progress on internal audit practices for the period August 2012, attached.

**10 INTERNAL AUDIT STRATEGY 2012-15**

Report of the Chief Internal Auditor detailing the Internal Audit Strategy for 2012-15, attached.

**11 STRATEGIC RISK REGISTER**

Report of the Risk and Assurance Manager regarding the Strategic Risk Register, attached.

**12 AUDIT COMMISSION: ANNUAL GOVERNANCE REPORT 2011/12**

Report of the Chief Internal Auditor summarising the findings of the Audit Commission's 2011/12 Annual Governance Report, attached.

**13 AUDIT COMMISSION: ANNUAL AUDIT LETTER 2011/12**

Report of the Chief Internal Auditor concerning the Annual Audit Letter detailing the results of the District Auditor's statutory audit of the Council's 2011/12 financial statements and the assessment of arrangements to achieve value for money in the Council's use of resources, attached.

**14 ANNUAL GOVERNANCE STATEMENT**

Report of the Head of Finance and It regarding the Annual Governance Statement, attached.

**15 STATEMENT OF ACCOUNTS**

Report of the Head of Finance (Chief Financial Officer) detailing the Statement of Accounts for 2011/12, attached.

**16 TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL LIMITS MID YEAR REVIEW**

Report of the Head of Finance and IT (Chief Financial Officer) regarding the Treasury Management Strategy and Prudential Limits Mid Year Review, attached.

