

# Waverley Borough Council

**Report to:** Guildford Borough Council and Waverley Borough Council Joint Governance Committee

**Date:** 1 November 2023

**Ward(s) affected:** All

**Report of Director:** Transformation and Governance

**Senior Officer:** Susan Sale, Joint Executive Head of Legal & Democratic Services

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**Report Status:** Open

## Refreshed Report: Amendments to the Guildford Borough Council and Waverley Borough Council Joint Governance Committee Terms of Reference

### 1. Executive Summary

- 1.1 The Joint Governance Committee was created in April 2022 and its Terms of Reference (TOR) can be found in Part 3 – (Appendix 2) of the Waverley Borough Councils Constitution, Part 3 – (Terms of Reference of the Council) of the Guildford Borough Council Constitution and in **Appendix 1** of this report.

- 1.2 At the request of the new Joint Executive Head of Legal & Democratic Services, the TOR for the Joint Governance Committee were reviewed to ensure they remained, relevant, fit for purpose and included any collaboration arrangement updates.
- 1.3 The amendments mainly focus on the inclusion of the Temporary Shared Staffing IAA, periodic review periods, frequency of meetings, quorum, and procedures for electing a chairperson (in the absence of a Co-Chair) and voting. The amendments also include the rephrasing of text for clarity and correcting some minor typos.
- 1.4 This report is for information only, it asks that the Joint Governance Committee note that the Joint Constitutional Review Group (JCRG) will be asked to consider the amendments to the TOR at its meeting on the 30 November. It will be recommended that the JCRG recommend the amendments to WBC Standards & GP committee and GBC Governance & Standards Committee, with a recommendation that each committee recommends the amended TOR to their full Council for adoption.

## **2. Recommendations to Committee**

- 2.1 That the Joint Governance Committee resolves to noting the report and the proposed amended TOR.
- 2.2 That the Committee provides comments and feedback by way of consultation so that Officers can put those comments to the JCRG.

## **3. Reason(s) for Recommendation:**

- 3.1 To ensure Guildford Borough Council and Waverley Borough Council continues to adopt and exercise strong governance arrangements for inter-authority working.

#### **4. Exemption from publication**

4.1 No part of this report is exempt from publication.

#### **5. Purpose of Report**

5.1 This report asks the Joint Governance Committee:

- (a) To note the report and provide comments and feedback on the proposed amendments (**Appendix 2**) as outlined in the recommendations in section 2 of this report.

#### **6. Strategic Priorities**

6.1 The work of Councillor task or working groups assist in the delivery of the Council's Corporate Plan priorities.

#### **7. Background**

7.1 The Joint Governance Committee was created in April 2022 and its Terms of Reference (TOR) can be found in Part 3 – Appendix 2 of the Waverley Borough Councils Constitution, Part 3 – (Terms of Reference of the Council) of the Guildford Borough Council Constitution and **Appendix 1** of this report.

7.2 **Appendix 2** of this report shows the proposed amendments to the current TOR with tracked changes. The amendments mainly focus on the inclusion of the Temporary Shared Staffing IAA, periodic review periods, frequency of meetings, quorum, and procedures for electing a chairperson (in the absence of a Co-Chair) and voting. The amendments also include arrangements for working groups, sub-committees, the rephrasing of text for clarity and correcting some minor typos.

7.3 The TOR state (7) that the Joint Governance Committee frequency of meeting should be as and when required. The Joint Executive Head of Legal & Democratic Services has suggested that that the frequency of the meeting should be a formal arrangement and the meetings

should take place **as and when required but as least Biannually**, in line with the Committees responsibilities to review inter-authority working arrangements and risk assessments.

- 7.4 The TOR state (9) that the Joint Governance Committee include: '(i) To undertake periodically a formal review (at least once every 12 months) of the inter-authority agreement, ensuring it continues to be fit for purpose and recommending to both Full Councils any changes required.'
- 7.5 The Joint Executive Head of Legal & Democratic Services has suggested that the wording be amended to include the Temporary Shared Staff IAA '(i) To undertake periodically a formal review (*at least once every 12 months*) of the inter-authority agreement(s), ensuring **they** continue to be fit for purpose and recommends to both Full Councils any changes required.'
- 7.6 At the meeting of the Executive on 5 September 2023, the Executive unanimously approved:
- i. The principle of sharing staff between Guildford Borough Council and Waverley Borough Council, on a temporary basis, where appropriate to support the collaboration programme.
  - ii. Delegating authority to the Joint Chief Executive, to approve, subject to a business case, future temporary staff sharing arrangements between Guildford Borough Council and Waverley Borough Council, to support the collaboration and transformation programme.
  - iii. Delegating authority to the Joint Executive Head of Legal and Democratic Services to enter into an agreement between Guildford Borough Council and Waverley Borough Council for the sharing of their staff on a temporary basis.

## **8. Equality and Diversity Implications**

8.1 The Joint Governance Committee will be responsible for having due regard to the requirements of the Public Sector Equality Duty (Equality Act 2010) when making any recommendations concerning governance arrangements.

## **9. Financial Implications**

9.1 There are no financial implications arising from this report. Any proposals, projects, or suggestions from the groups with financial implications will either be contained within approved budgets or considered as part of the Service and Financial Planning cycle.

## **10. Legal Implications**

10.1 Section 101(5) Local Government Act 1972 provides that two or more local authorities may discharge any of their functions jointly. The Joint Governance Committee is established by both Guildford Borough Council and Waverley Borough Council jointly to discharge their functions in accordance with the Committee terms of reference.

## **11. Human Resource Implications**

11.1 There are no direct human resource implications arising from this report.

## **12. Background Papers**

12.1 Waverley Borough Council Constitution

12.2 5 September 2023: Report to Executive on Temporary Shared Staffing

## **13. Appendices**

Appendix 1: Current JGC TOR (as of July 2023)

Appendix 2: Proposed amended TOR (with tracked changes October 2023)

Appendix 3: Proposed amended TOR (without tracked changes October 2023)