

# LIVERPOOL CITY REGION COMBINED AUTHORITY

To: The Chair and Members of the Audit and Governance Committee

Meeting: 24 July 2019

Authority/Authorities Affected: All

EXEMPT/CONFIDENTIAL ITEM: No

## REPORT OF THE MONITORING OFFICER

### CONSTITUTION AND INFORMATION GOVERNANCE UPDATE

#### 1. PURPOSE OF REPORT

- 1.1 To advise members of work being undertaken with respect to revising the constitution and an update on information governance.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that the Liverpool City Region Combined Authority Audit and Governance Committee:

(a) notes the work being undertaken to revise the constitution; and

(b) agrees the preferred course of action in light of the options set out in paragraph 3.5

#### 3. BACKGROUND

- 3.1 Members will be aware that on the 24 May 2019, the Liverpool City Region Combined Authority adopted a revised and updated constitution. This included revisions to the terms of reference of the Audit and Governance Committee. For members ease the new terms of reference relating to these issues are cited below.

- ✓ *“to consider proposed constitutional amendments*
- ✓ *to determine on behalf of the CA information management policies and procedures and monitor their application*
- ✓ *to report to the CA on an annual basis, the up to date position regarding information management policies, procedures and their application.”*

#### Constitutional Amendments

- 3.2 On becoming a Mayoral authority in May 2017 and new and revised constitution was adopted to reflect that change in the composition of the Combined Authority. The most recent set of revisions to the constitution in May 2019, focused on

ensuring that the new and evolving practices and reality of the Combined Authority, are fully reflected in the constitution as drafted.

- 3.3 Members will be fully aware of the relationship that exists between the Combined Authority as the transport authority and Merseytravel which is in essence responsible for the executive operation of transport. Merseytravel is an 'officer' of the Combined Authority but is in its own right a statutory entity. This means that there are two separate and distinct statutory entities that are working alongside each other. In many instances, and particularly for corporate services officers, the two statutory entities will have a common set of officers serving both. Both entities have their own constitutions. Work has begun to merge those constitutions where possible. The Combined Authority will become the main source of constitutional governance for both entities. Where Merseytravel needs to differ this will be clearly identified for the Merseytravel Executive.
- 3.4 This means that a number of financial procedures, Codes and/or protocols that are contained in the constitution are currently being revised. They will be revised to serve the needs for both statutory entities. These include the following;
- Part 5 – Financial Standing Orders
- B - Financial Procedure Rules
  - C - Contract Procedure Rules
  - D - Land Procedure Rules 145
- Part 6 - Codes and Protocols
- B – Officers Code of Conduct
- 3.5 It is anticipated that these revised documents will be brought for members' consideration at the next meeting of the Audit and Governance Committee on 2 October 2019, for recommendation to the Combined Authority at their meeting on 4 October 2019. Due to the tight timescales it is suggested that one of the following occurs, either
- in advance of the papers being published for the Audit and Governance Committee that some of the members meet to be briefed on proposed changes to the items listed in 3.4 above, via a small working group. This will give members the opportunity to consider the changes proposed and discuss accordingly; or
  - again in advance of the papers being published for the Audit and Governance Committee that the proposed changes to the items listed in 3.4 above, are circulated to some or all of the Committee members via email for consideration and any feedback is similarly circulated; or
  - all members are briefed on the proposed revisions to the documents immediately before consideration at the Audit and Governance Committee on 2 October 2019.
- 3.6 Whichever method is chosen with respect to securing members feedback and input, this will be shared with the Members of the Combined Authority as part of their consideration of the constitutional amendments at their meeting on 4 October 2019.

## **Information Governance**

- 3.7 Members will also note that the Audit and Governance terms now include oversight of the information governance arrangements and the responsibility to determine the policies and procedures for this area of work for the Combined Authority. In this respect Merseytravel information governance arrangements have been readily applied and adopted by the Combined Authority. A Senior Information Risk Officer (John Fogarty) has been appointed. The Combined Authority also has the benefit of a Senior Information Management Officer (Andrew Henderson).
- 3.8 In order to be assured of the processes and procedures, members will be apprised of the volume and nature of requests and overall information governance arrangements in place for the Combined Authority. This will become an annual report to the Audit and Governance Committee for consideration. Following such consideration it is proposed that this report be referred to the Combined Authority meeting taking place on 1 November 2019.

## **4. RESOURCE IMPLICATIONS**

None arising from the contents of this report.

### **4.1 Financial**

As above.

### **4.2 Human Resources**

As above.

### **4.3 Physical Assets**

As above.

### **4.4 Information Technology**

As above.

## **5. RISKS AND MITIGATION**

- 5.1 There are no risks identified in the proposed course of action.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

- 6.1 None arising from the contents of this report.

## **7. COMMUNICATION ISSUES**

- 7.1 None arising from the contents of this report.

## 8. CONCLUSION

- 8.1 The report aims to acquaint members with their new responsibilities that were added to the terms of reference for the Audit and Governance Committee, at the May 2019 meeting of the Combined Authority.

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