

Thurrock Borough Council

Governance Recovery Board

Terms of Reference

Context

The Secretary of State for Levelling Up, Housing and Communities used his Best Value powers to appoint Commissioners at Thurrock Borough Council on 2 September 2022. He directed the Essex County Council as Commissioners to ensure that the council prepared and implemented an improvement and recovery plan to address the failures in the finance functions of the council.

On 16 March 2023, the Secretary of State further directed the Commissioners to ensure the council's Improvement and Recovery Plan to include an action plan to strengthen the authority's governance function and gave them responsibility for all functions associated with the governance, scrutiny and transparency of strategic decision making by the authority.

The Governance Recovery Board is required to oversee work to address the Directions made by the Secretary of State, and to consider and report on progress as required by the Directions.

The Board will meet every month and report to the Improvement and Recovery Board.

Purpose

The Board will oversee the council's Improvement plan to deliver:

- an action plan to strengthen the authority's governance function, to secure improvements in transparency and formal decision-making
- measures to improve the authority's scrutiny function, including the taking and recording of formal decisions
- arrangements to secure the proper resourcing and functioning of the system of internal controls, including risk management and internal audit

The Board will also enable the Managing Director Commissioner to provide assurance to the Improvement and Recovery Board that the council has proper management arrangements in place to achieve these objectives.

To this end, the Board will:

1. promote a corporate, council-wide culture of effective governance and transparency and review the policies and procedures to be implemented to achieve the improvements set out in the Directions
2. oversee the delivery of the governance and scrutiny elements of the Improvement and Recovery Plan to ensure desired outcomes are achieved, and report progress to the Improvement and Recovery Board

3. manage the formal governance reporting element of the progress reports to the Secretary of State to the timescales set out in the Directions or as determined by the Commissioners
4. oversee the forward plan arrangements relating to governance decision making to ensure appropriate and timely plans are put in place to deliver appropriate governance and scrutiny
5. oversee the review of companies related to Thurrock Council and their governance arrangements
6. oversee the process of assurance to Commissioners of the exercise of the Accountable Body for Thames Freeport by Thurrock Council and its other Accountable Body roles
7. provide advice and guidance to the Council on the actions required

It is for the council to take the actions required to deliver the Improvement and Recovery Plan, using the policies and procedures it already has in place or introduces to enable the Plan to be delivered.

The Board will act as a consultative forum, providing challenge and advice as appropriate. The Commissioners will exercise the powers given to them by the Directions as and when necessary.

The Board will consider wide-ranging and potentially contentious solutions to rectify the current financial position of the Council. For the Board to operate effectively, it is critical that Board members and deputies agree to treat these sensitive discussions as confidential.

The Board will not meet in public. Its Minutes will be published on the Commissioners' page on www.thurrock.gov.uk.

Membership

Membership of the Board:

- Dr Dave Smith – Managing Director Commissioner and Chief Executive (Chair)
- Patrick McDermott – Chief of Staff to the Commissioners
- Cllr Deb Arnold – Deputy Leader and Cabinet Member for Transformational Change, Communications and Governance
- Cllr John Kent – Opposition Group Leader
- Cllr Lynn Worrall – Opposition Group Deputy Leader
- Asmat Hussain – Interim Director of Law and Governance and Monitoring Officer
- Paul Turner – Director of Legal and Assurance (Essex County Council) and Governance Direction Lead
- Luke Tyson – Chief Intervention Officer
- Chris Stephenson – Senior Project Manager for Governance and Scrutiny Theme

Deputies to attend as required, fully briefed and able to contribute.

Version control

Document version published 17 July 2023.