

# Public Document Pack



**Nottingham  
City Council**

## **Nottingham City Council Standards and Governance Committee**

**Date:** Wednesday, 11 December 2024

**Time:** 2.00 pm

**Place:** Ground Floor Committee Room - Loxley House, Station Street, Nottingham,  
NG2 3NG

**Councillors are requested to attend the above meeting to transact the following business**

**Director for Legal and Governance**

**Governance Officer:** Laura Wilson

**Direct Dial:** 0115 8764301

- |          |   |         |
|----------|---|---------|
| <b>1</b> | <b>Apologies for absence</b>  |         |
| <b>2</b> | <b>Declarations of interests</b>  |         |
| <b>3</b> | <b>Minutes</b><br>To confirm the minutes of the meeting held on 11 September 2024                     | 3 - 6   |
| <b>4</b> | <b>Decisions taken under Urgency Procedures</b><br>Report of the Director of Legal and Governance     | 7 - 12  |
| <b>5</b> | <b>Councillor Complaints</b><br>Report of the Director of Legal and Governance                        | 13 - 18 |
| <b>6</b> | <b>Establishment of Constitution Advisory Panel</b><br>Report of the Director of Legal and Governance | 19 - 26 |

If you need any advice on declaring an Interest in any item on the agenda, please contact the Governance Officer shown above, if possible before the day of the meeting.

Citizens are advised that this meeting may be recorded, including by members of the public. Any recording or reporting on this meeting should take place in accordance with the Council's policy on recording and reporting on public meetings, which is available at

[www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk). Individuals intending to record the meeting are asked to notify the Governance Officer shown above in advance.

## Nottingham City Council

### Standards and Governance Committee

Minutes of the meeting held at Loxley House on 11 September 2024 from 2.00 pm - 2.07 pm

#### Membership

##### Present

Councillor Kirsty L Jones (Chair)  
Councillor Nayab Patel  
Councillor Michael Savage

##### Absent

Councillor Saj Ahmad  
Councillor Sam Harris  
Councillor Helen Kalsi  
Councillor Eunice Regan  
Councillor Maria Watson

#### Colleagues, partners and others in attendance:

Jane Garrard - Head of Governance  
Laura Wilson - Senior Governance Officer

#### 13 Appointment of Vice-Chair

Resolved to appoint Councillor Saj Ahmad as the Vice-Chair for the 2024/25 municipal year.

#### 14 Apologies for absence

Councillor Saj Ahmad – personal  
Councillor Sam Harris – work commitments  
Councillor Helen Kalsi – personal  
Councillor Maria Watson – leave

#### 15 Declarations of interests

None.

#### 16 Minutes

The minutes of the meeting held on 18 April 2024 were confirmed as a true record and signed by the Chair.

#### 17 Decisions taken under Urgency Procedures

Jane Garrard, Head of Governance, presented the report detailing decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) of the Council's Constitution since April 2024, and highlighted the following points:

- (a) The Council's Constitution requires that decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and

Access to Information Procedure Rules (Article 13) are reported to Full Council and the Standards and Governance Committee.

- (b) The call-in procedure set out in Article 11 of the Constitution does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. A decision can only be taken under this urgency provision if the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Vice Chair; or in the absence of both, the Chief Executive) agrees that the proposed decision is reasonable in all circumstances and that the reasons for urgency are valid.
- (c) Where it is impractical to give at least five clear working days notice of the intention to take a Key Decision, that decision may only be made in accordance with the special urgency provisions set out in the Access to Information Procedure Rules (Article 13 of the Constitution). These special urgency provisions require agreement from the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Lord Mayor as Chair of Council; or in the absence of both, the Sheriff as Vice Chair of Council) that the decision is urgent and cannot reasonably be deferred.
- (d) Since April 2024 there have been five decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules and no decisions taken under the special urgency provisions within the Access to Information Procedure Rules.
- (e) The agenda of every ordinary Council meeting includes a report informing Council of any decisions taken under these urgency procedures since the previous report. These regular reports evidence a positive trend of a significant reduction in the use of urgency procedures since the adoption of the new Constitution in October 2021, and associated strengthened training and guidance for officers and councillors.

The Committee commented that the reasons for the urgent decisions were justifiable and that the procedures have been used appropriately.

#### **Resolved to note that**

- (1) Five decisions have been taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) of the Constitution since the last report to the Committee in April 2024.**
- (2) No decisions have been taken under the special urgency provisions within the Access to Information Procedure Rules (Article 13) of the Constitution since the last report to the Committee in April 2024.**

#### **18 Councillor Complaints - Update**

Jane Garrard, Head of Governance, presented the report providing a summary of complaints made about Councillors since the last meeting, and highlighted the following points:

- (a) The terms of reference of the Committee require the Monitoring Officer to submit regular reports on complaints made about Councillors to inform any work the Committee might carry out in relation to Councillor Standards and the Code of Conduct.
- (b) Four complaints have been, or are in the process of being, formally investigated due to the nature of those complaints. None have been escalated beyond the local resolution stage of the procedure. None of the complaints reached the formal stage of consideration to date and are either in train or have been resolved informally.
- (c) The timescale for complaints varies from cases to case depending on the nature of the complaint and the investigation process.
- (a) All parties are kept informed of progress throughout the process.

**Resolved to note the monitoring information.**

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**Standards and Governance Committee – 11 December 2024**

<b>Title of paper:</b>	Decisions taken under Urgency Procedures	
<b>Director(s)/ Corporate Director(s):</b>	Beth Brown, Director for Legal and Governance	<b>Wards affected:</b> All
<b>Report author(s) and contact details:</b>	Jane Garrard, Senior Governance Officer <a href="mailto:jane.garrard@nottinghamcity.gov.uk">jane.garrard@nottinghamcity.gov.uk</a>	
<b>Other colleagues who have provided input:</b>	None	
<b>Date of consultation with Executive Member(s) (if relevant)</b>	Not applicable	
<b>Does this report contain any information that is exempt from publication?</b> No		
<b>Relevant Council Plan Outcome:</b>		
Green, Clean and Connected Communities	<input type="checkbox"/>	
Keeping Nottingham Working	<input type="checkbox"/>	
Carbon Neutral by 2028	<input type="checkbox"/>	
Safer Nottingham	<input type="checkbox"/>	
Child-Friendly Nottingham	<input type="checkbox"/>	
Living Well in our Communities	<input type="checkbox"/>	
Keeping Nottingham Moving	<input type="checkbox"/>	
Improve the City Centre	<input type="checkbox"/>	
Better Housing	<input type="checkbox"/>	
Serving People Well	<input checked="" type="checkbox"/>	
<b>Summary of issues (including benefits to citizens/service users):</b> The Council’s Constitution requires that decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) are reported to Full Council and the Standards and Governance Committee.  This report informs the Committee of decisions that have been taken under these provisions since the last report to the Committee in September 2024. During that period there has been one decision taken under urgency provisions within the Overview and Scrutiny Procedure Rules and no decisions taken under the special urgency provisions within the Access to Information Procedure Rules.		
<b>Recommendation(s):</b>		
<b>1</b>	To note that one decision has been taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) of the Constitution since the last report to the Committee in September 2024, details of which are set out in Appendix A.	
<b>2</b>	To note that no decisions have been taken under the special urgency provisions within the Access to Information Procedure Rules (Article 13) of the Constitution since the last report to the Committee in September 2024.	

## **1. Reasons for recommendations**

1.1 The Council's Constitution requires that decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) are reported to the next available meeting of the Standards and Governance Committee.

## **2. Other options considered in making recommendations**

2.1 None. It is a constitutional requirement that the Standards and Governance Committee is informed of approved exemptions from standard decision-making processes including call-in and Executive notices.

## **3. Consideration of Risk**

3.1 Consideration of the risks associated with each of the decisions taken under these provisions was published as part of those decisions.

## **4. Background (including outcomes of consultation)**

### **4.1 Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules**

4.1.1 The call-in procedure set out in Article 11 of the Constitution does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. A decision can only be taken under this urgency provision if the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Vice Chair; or in the absence of both, the Chief Executive) agrees that the proposed decision is reasonable in all circumstances and that the reasons for urgency are valid.

4.1.2 Since the last report to the Committee in September 2024, there has been one decision taken under these urgency provisions. A summary of this decision is set out in Appendix A, and the decision is available on the Council's website.

### **4.2 Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules**

4.2.1 Where it is impractical to give at least five clear working days notice of the intention to take a Key Decision, that decision may only be made in accordance with the special urgency provisions set out in the Access to Information Procedure Rules (Article 13 of the Constitution). These special urgency provisions require agreement from the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Lord Mayor as Chair of Council; or in the absence of both, the Sheriff as Vice Chair of Council) that the decision is urgent and cannot reasonably be deferred.

4.2.2 Since the last report to the Committee in September 2024 there have been no decisions taken under these urgency provisions.

4.3 The agenda of every ordinary Council meeting includes a report informing Council of any decisions taken under these urgency procedures since the previous report. These regular reports evidence trends in the use of urgency procedures.



Number of exemptions from standard governance processes						
	Period (Municipal Year)					
	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25^
Exemption from call-in	16	27	12	10	4	6
Special urgency	6	14	4	2	0	0

\* new constitutional arrangements introduced 1 October 2021

^ to 21 November 2024

## 5. Finance colleague comments (including implications and value for money)

5.1 The recommendation in this report relates to decisions that were taken under urgency provisions for which finance comments were provided at the time the decisions were taken. Consequently, there are no additional financial implications resulting from this recommendation.

## 6. Legal colleague comments

6.1 The relevant legislation and sections of the Constitution are set out in the body of the report.

6.2 Appropriate legal comments would have been provided for each decision referenced in the report.

## 7. Other relevant comments

7.1 None

## 8. Crime and Disorder Implications (If Applicable)

8.1 Not applicable

## 9. Social value considerations (If Applicable)

9.1 Not applicable

## 10. Regard to the NHS Constitution (If Applicable)

10.1 Not applicable

## 11. Equality Impact Assessment (EIA)

11.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the report does not contain recommendations for changes to policies, services or functions. Where required, Equality Impact Assessments were published alongside each of the decisions referred to in the report.

## 12. Data Protection Impact Assessment (DPIA)

12.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because the report does not contain any recommendations involving the use of personal or sensitive data. Where required, the data protection implications of the decisions referred to in this report were assessed and, where appropriate, details published as part of those decisions.

### 13. **Carbon Impact Assessment (CIA)**

13.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because does not contain any recommendations for changes to policies, services or functions. Where required, the carbon impact of the decisions referred to in this report were assessed and, where appropriate, details published as part of those decisions.

### 14. **List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 None

### 15. **Published documents referred to in this report**

15.1 Nottingham City Council Constitution – Article 11 Overview and Scrutiny Procedure Rules and Article 13 Access to Information Procedure Rules

15.2 The committee reports and minutes, and records of delegated decisions referred to in this report (references detailed in Appendix A)

**Appendix A – Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules since September 2024**

<b>Decision reference</b>	<b>Date of decision</b>	<b>Subject</b>	<b>Decision taker</b>	<b>Consultee on urgency</b>	<b>Reason for urgency</b>
Minute 64	19/11/24	Joint SEND Commissioning Strategy for 2024-2027	Executive Board	Chair of Corporate Scrutiny Committee	Immediate and pressing deadlines faced by both Nottinghamshire County Council and Nottingham City Council regarding their respective SEND Local Area Re-Inspections and Inspections. This exemption was necessary to ensure that the councils remain compliant with critical legal obligations and to prevent negative repercussions that would arise from a delay in publication of the strategy.

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**Standards and Governance Committee – 11 December 2024**

<b>Title of paper:</b>	Councillor Complaints – Update	
<b>Director(s)/ Corporate Director(s):</b>	Director of Legal and Governance and Monitoring Officer	<b>Wards affected:</b> All
<b>Report author(s) and contact details:</b>	Jane Garrard, Interim Head of Governance <a href="mailto:constitutional.services@nottinghamcity.gov.uk">constitutional.services@nottinghamcity.gov.uk</a>	
<b>Other colleagues who have provided input:</b>	N/A	
<b>Date of consultation with Executive Member(s) (if relevant)</b>	N/A	
<b>Does this report contain any information that is exempt from publication?</b> No		
<b>Relevant Council Plan Outcome:</b>		
Green, Clean and Connected Communities	<input type="checkbox"/>	
Keeping Nottingham Working	<input type="checkbox"/>	
Carbon Neutral by 2028	<input type="checkbox"/>	
Safer Nottingham	<input type="checkbox"/>	
Child-Friendly Nottingham	<input type="checkbox"/>	
Living Well in our Communities	<input type="checkbox"/>	
Keeping Nottingham Moving	<input type="checkbox"/>	
Improve the City Centre	<input type="checkbox"/>	
Better Housing	<input type="checkbox"/>	
Serving People Well	<input checked="" type="checkbox"/>	
<b>Summary of issues (including benefits to citizens/service users):</b> The Committee has a role in monitoring complaints that Councillors or Co-opted Members have breached the Code of Conduct. This report provides a summary of complaints about Councillors dealt with since the last meeting for information.		
<b>Recommendation(s):</b>		
<b>1</b>	That the Committee considers and notes the monitoring information.	

**1. Reasons for recommendations**

- 1.1 The terms of reference of the Standards and Governance Committee require the Monitoring Officer to submit regular reports on complaints made about councillors to inform any work the Committee might carry out in relation to Councillor Standards and the Code of Conduct.

## **2. Other options considered in making recommendations**

- 2.1 The Committee's terms of reference place a responsibility on the Committee to consider a Monitoring Officer report on Councillor Complaints. Therefore no other options were considered

## **3. Consideration of Risk**

- 3.1 Any risk to the Council will be determined as part of the response to the individual complaint and escalated to this Committee in accordance with the published Complaints procedure.

## **4. Background (including outcomes of consultation)**

- 4.1 Appendix A to this report summarises the nature and outcome of complaints made against councillors since the last update in September 2024 and provides updates on those not resolved at the point of the last update. Three complaints have been, or are in the process of being, formally investigated due to the nature of those complaints. None have been escalated beyond the local resolution stage of the procedure.
- 4.2 The Committee is asked to note the information contained in the appendix.

## **5. Finance colleague comments (including implications and value for money)**

This report is a monitoring report and has no financial implications.

## **6. Legal colleague comments**

- 6.1 Section 27 of the Localism Act 2011 requires local authorities to "promote and maintain high standards of conduct by members and co-opted members of the authority." The arrangements in place in Nottingham are outlined in the Council's Code of Conduct for Councillors and Co-opted Member (Article 15 of the Constitution) and the agreed procedure for managing complaints that a Councillor or Co-opted Member has breached the Code. Both documents are available on the Council's website: [Councillor Conduct - Nottingham City Council](#).
- 6.2 The legal implications of each complaint have been considered as part of their management.
- 6.3 This report is a requirement of the Standards and Governance Committee's terms of reference and it enables Councillors to monitor the nature of complaints being made and seek assurance that they are being dealt with appropriately.

## **7. Other relevant comments**

7.1 Not applicable

**8. Crime and Disorder Implications (If Applicable)**

8.1 Not applicable

**9. Social value considerations (If Applicable)**

9.1 Not applicable

**10. Regard to the NHS Constitution (If Applicable)**

10.1 Not applicable

**11. Equality Impact Assessment (EIA)**

11.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because the report does not propose a change to council policy or service. Equality matters may be taken into account as part of consideration of individual complaints

**12. Data Protection Impact Assessment (DPIA)**

12.1 Has the data protection impact of the proposals in this report been assessed?

No

A DPIA is not required because the report does not propose a change to council policy or service.

**13. Carbon Impact Assessment (CIA)**

13.1 Has the carbon impact of the proposals in this report been assessed?

No

A CIA is not required because the report does not propose a change to council policy or service.

**14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 None

**15. Published documents referred to in this report**

15.1 Councillor and Co-Opted Member Code of Conduct (Article 15 of the Constitution and the Councillor Complaints procedure - [Councillor Conduct - Nottingham City Council](#))





Date Complaint Received	Summary of Allegations	Action Taken	Outcome of Complaint
01/08/21	The party Whip was used inappropriately in relation to a Scrutiny Committee meeting	Referred to an independent Deputy Monitoring Officer to review in line with the complaints procedure	Review in progress
01/08/21	Discriminatory behaviour at a formal committee meeting	Referred to an independent Deputy Monitoring Officer to review in line with the complaints	Review in progress
11/02/24	Innappropriate behaviour at a meeting with Councillors and officers present	Further information sought from the complainant and the subject of the complaint.	Investigation ongoing

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**Standards and Governance Committee – 11 December 2024**

<b>Title of paper:</b>	Establishment of Constitution Advisory Panel	
<b>Director(s)/ Corporate Director(s):</b>	Director of Legal and Governance	<b>Wards affected:</b> All
<b>Report author(s) and contact details:</b>	Jane Garrard, Interim Head of Governance <a href="mailto:jane.garrard@nottinghamcity.gov.uk">jane.garrard@nottinghamcity.gov.uk</a>	
<b>Other colleagues who have provided input:</b>		
<b>Date of consultation with Executive Member(s) (if relevant)</b>	Not applicable	
<b>Does this report contain any information that is exempt from publication?</b> No		
<b>Relevant Council Plan Outcome:</b>		
Green, Clean and Connected Communities	<input type="checkbox"/>	
Keeping Nottingham Working	<input type="checkbox"/>	
Carbon Neutral by 2028	<input type="checkbox"/>	
Safer Nottingham	<input type="checkbox"/>	
Child-Friendly Nottingham	<input type="checkbox"/>	
Living Well in our Communities	<input type="checkbox"/>	
Keeping Nottingham Moving	<input type="checkbox"/>	
Improve the City Centre	<input type="checkbox"/>	
Better Housing	<input type="checkbox"/>	
Serving People Well	<input checked="" type="checkbox"/>	
<b>Summary of issues (including benefits to citizens/service users):</b> It is proposed that the Committee establish an informal advisory panel to support delivery of an action within the Council's Improvement Plan to maintain, enhance and embed the Constitution. The Panel will advise the Committee on proposed amendments to non-executive aspects of the Constitution, for recommendation to Council for approval.		
<b>Recommendation(s):</b>		
<b>1</b>	To establish a Constitution Advisory Panel, with a Terms of Reference as set out in Appendix 1.	

**1. Reasons for recommendations**

1.1 Programme 8 Improve Governance of the Council's Improvement Plan contains an area of work to maintain, enhance and embed the Constitution, including a Standards and Governance working group to consider proposals from Members, officers and Commissioners that identify areas for review; propose changes for consideration by Full Council; consider activity needed to raise awareness and understanding of the constitution; and review the Member/officer protocol.

**2. Other options considered in making recommendations**

- 2.1 Not establishing an advisory panel was rejected because it would reduce opportunities for councillors to review and identify opportunities to ensure that the Constitution is fit for purpose and embedded, which is an area of focus within the Council's Improvement Plan.
3. **Consideration of Risk**
- 3.1 The advisory group will be supported by colleagues from the Legal and Governance Division and subject matter lead officers from across the Council as necessary to ensure that proposals are legally compliant, and in line with legislative requirements and relevant good practice.
4. **Background (including outcomes of consultation)**
- 4.1 Article 12 Standing Orders and Committee Procedures allows a committee to establish an informal advisory panel, including setting its terms of reference and membership.
- 4.2 It is proposed that the Standards and Governance Committee establish a Constitution Advisory Panel to support delivery of an action within the Council's Improvement Plan to maintain, enhance and embed the Constitution. The proposed terms of reference for the Panel are set out at Appendix 1. The Committee is not able to delegate any of its functions to the Panel and its role will be to advise the Committee on proposed amendments to non-executive aspects of the Constitution, for recommendation to Council for approval. The membership of the Panel must be consistent with principles of good practice, and it is proposed that the membership is all members of the Standards and Governance Committee plus the Executive Member with responsibility for democratic services.
- 4.3 Areas of the Constitution identified for review so far are summarised at Appendix 2. Any further proposals from councillors, officers and commissioners will be considered for inclusion, and officers will work with the Chair to develop a schedule for activity. Some proposed amendments may have implications for other areas of the Constitution and this impact will be taken into account as part of the review.
5. **Finance colleague comments (including implications and value for money)**
- 5.1 There are no financial costs directly associated with this and the group will be supported through existing resource to the Standards and Governance Committee (which is through the 10020 Committee Administration and Appeals). If any expenditure is required to support review activity then budget will need to be identified for that and this will be subject to a separate decision that will be taken in line with the Council's decision making requirements.
- Sam Taylor  
Senior Finance Business Partner  
29/11/2024
6. **Legal colleague comments**
- 6.1 This report proposes the establishment of informal advisory panel to support delivery of an action within the Council's Improvement Plan to maintain, enhance and embed the Constitution. The Panel will advise the Committee on proposed amendments to non-

executive aspects of the Constitution, for recommendation to Council for approval, in accordance with the Terms of Reference at Appendix 1.

Article 9 of the Constitution (Council (Non-Executive) Functions and Committees) confirms that the function of adopting and amending the Constitution can only be exercised by the Council.

The Standards and Governance Committee is a politically balanced, non-executive, ordinary committee of the Council. The Terms of Reference of the Standards and Governance Committee are set out in Article 9. Included in the Purpose of the Committee is to make recommendations to Council on non-executive amendments to the Constitution.

Article 12 of the Constitution (Council Standing Orders and Committee Procedures) allows a Committee to establish informal advisory panels, including setting terms of reference and membership. The report confirms that the advisory panel is being established in line with those requirements, noting in particular the political neutrality of the advisory panel.

Legal Services, along with other subject-matter expert colleagues, will support the work of the advisory panel.

Anthony Heath, Head of Legal Services and Deputy Monitoring Officer, 2<sup>nd</sup> December 2024.

**7. Other relevant comments**

7.1 None

**8. Crime and Disorder Implications (If Applicable)**

8.1 Not applicable

**9. Social value considerations (If Applicable)**

9.1 Not applicable

**10. Regard to the NHS Constitution (If Applicable)**

10.1 Not applicable

**11. Equality Impact Assessment (EIA)**

11.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the proposals do not relate to any new or changing policies, services or functions

**12. Data Protection Impact Assessment (DPIA)**

12.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because the proposals do not relate to the use of personal data.

**13. Carbon Impact Assessment (CIA)**

13.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because the proposals do not relate to any new or changing policies, services or functions

**14. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

14.1 None

**15. Published documents referred to in this report**

15.1 Nottingham City Council Improvement Plan

15.2 Article 12 - Standing Orders and Committee Procedures of the Council's Constitution

## **Standards and Governance Committee - Constitution Advisory Panel**

### **Terms of Reference**

An informal advisory panel established by the Standards and Governance Committee to support delivery of an action within the Council's Improvement Plan to maintain, enhance and embed the Constitution. The Panel will advise the Standards and Governance Committee on proposed amendments to non-executive aspects of the Constitution, for recommendation to Council for approval.

#### **Purpose**

The remit of the Panel is to:

- a) consider proposals from councillors, officers and commissioners on areas of the Constitution to review;
- b) review the Councillor Officer Protocol;
- c) advise the Standards and Governance Committee on proposed amendments to the Constitution; and
- d) consider activity needed to raise awareness and understanding of the Constitution.

#### **Objectives**

The Panel's objectives are to:

- a) receive and consider proposals from councillors, officers and commissioners on areas of the Constitution to review;
- b) assess aspects of the Constitution identified for review and identify opportunities for improvement;
- c) consider best practice and views from relevant sources to inform identification of opportunities for improvement;
- d) review the Councillor Officer Protocol to ensure that it is fit for purpose, including in light of the findings of the Elected Member Survey;
- e) advise the Standards and Governance Committee on proposed amendments to Non-Executive aspects of the Constitution;
- f) communicate any suggestions for amendments to Executive aspects of governance to the Leader of the Council;
- g) identify actions that can be taken to increase awareness and understanding of the Constitution amongst councillors, including training and development needs.

#### **Membership and Chairing**

The membership of the Panel will be members of the Standards and Governance Committee and the Executive Member with responsibility for democratic services.

Input from other councillors may be sought, including attendance at meetings, as necessary.

The Panel will be chaired by the Chair of the Standards and Governance Committee.

#### **Meetings**

The Panel will meet as and when required.

Meetings will be held on MS Teams.

**Duration**

The Panel will initially meet for four months prior to making a report to the Standards and Governance Committee in April with recommendations for amendments to the Constitution to be considered by Council for approval at the Annual General Meeting in May 2025. After that period the Committee will review the need for the Panel to continue to meet.



## Constitution Advisory Panel – Areas for Review

The following areas within the Constitution have been identified as requiring review

Article of the Constitution	Area(s) to review
Article 6 – Councillor Officer Protocol	An action within the Improvement Plan Review in light of findings from Member and Officer surveys
Article 9 - Non-Executive Functions and Committees	Licensing Panel Terms of Reference – membership and chairing arrangements - clarification
Article 11 - Overview and Scrutiny Procedure Rules	Public and stakeholder engagement to clarify arrangements for how citizens and other stakeholders can engage with the scrutiny function
Article 12 - Standing Orders and Committee Procedures	Standing Orders to ensure arrangements reflect good practice and learning, including: <ul style="list-style-type: none"> <li>• Submission of motions</li> <li>• Enabling motions and councillor questions to proceed if the submitting councillor is absent</li> <li>• Official communications</li> </ul>
Article 12 - Standing Orders and Committee Procedures	Committee Procedures to clarify arrangements and requirements for <ul style="list-style-type: none"> <li>• Chairing</li> <li>• Apologies for absence</li> </ul>
Article 14 - Officer Employment Procedure Rules  Relevant aspects of Article 9 – Non-Executive Functions and Committees (Council and ACOS terms of reference) to be included in review	Full review of arrangements for recruitment and appointment of Chief Officers/ Statutory Governance Officers to ensure arrangements reflect good practice and learning
Article 15 - Councillor Code of Conduct	Government considering changes to the standards regime – any changes will need to be reflected here (no timescales yet)
Article 17 - Financial Regulations	Full refresh to ensure arrangements reflect requirements and support effective and efficient decision making
Article 18 – Contract Procedure Rules	To ensure compliance with new procurement legislation taking effect from the end of February 2025

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