

# WIRRAL COUNCIL

## STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

1 JULY 2015

<b>SUBJECT:</b>	<b><i>ESTABLISHING THE STANDARDS AND CONSTITUTIONAL OVERSIGHT WORKING GROUP</i></b>
<b>WARDS AFFECTED</b>	<b><i>ALL</i></b>
<b>REPORT OF:</b>	<b><i>MONITORING OFFICER</i></b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 This report provides details of the proposed work programme for the Standards and Constitutional Oversight Working Group for the 2015/16 Municipal Year.
- 1.2 The Working Group during the last Municipal Year considered the following matters and/or made recommendations for consideration by the Committee:
- Development of Member Values and Behaviours (initial discussion only);
  - Review of the Council's Constitution – Council Procedure Rules (ongoing);
  - Policy on Reporting on Council Meetings (filming of committees); and
  - Review of the Protocol on Member/Officer Relations.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Committee has for the last few years established a Working Group to assist it in its work.
- 2.2 The work of the Working Group for each Municipal year is set by the Committee.
- 2.3 The Working Group has completed a number of work streams. However further work is still required in relation to the review of the Council's Constitution and the Development of Member Values and Behaviours.
- 2.4 Accordingly, the following specific work streams for the Working Group are proposed for consideration and approval by the Committee.

#### **(A) Review of the Council's Constitution**

- 2.5 The Working Group during the last Municipal Year commenced discussion on reviewing the Council Procedure Rules.

- 2.6 The Working Group decided that it was not necessary to undertake a further Member Survey in relation to the Council's Constitution last year.
- 2.7 The Working Group instead focused its attention specifically on the Council's Procedure Rules contained within the Constitution. A benchmarking exercise has been undertaken which enabled the Working Group to consider the Procedure Rules and Council Agendas of a number (16) of Councils. This helped the Working Group appraise the Council's current arrangements in greater detail and facilitate debate and discussion about how the Council's democratic and decision-making arrangements could be improved.
- 2.8 Given the nature and extent of the review being undertaken, the Working Group has not been able to complete its review of the Council's Constitution. It is therefore proposed that the Working Group completes its review of the Council's Procedure Rules; and that it reports its progress/recommendations to the Committee in due course.

### **(B) Review of the Members Code of Conduct and Protocol**

- 2.9 The Working Group has annually reviewed the Members Code of Conduct and Protocol, for Dealing with Complaints.
- 2.10 It is good practice for members to keep the Code and the protocol under review to ensure that it remains fit for purpose and assists the Council maintain high standards of conduct as required under the Localism Act 2011.
- 2.11 Accordingly, it is proposed that the work programme of the Working Group includes the review of the Code and Protocol.

### **(C) Member's ICT Policy**

- 2.12 With the new ICT equipment being rolled out to members it is considered an opportune time for members to consider the Members ICT Policy to ensure that it too is fit for purpose and sets out clearly all the obligations and duties members are required to follow, as well what is permitted.
- 2.13 Such a review has not been undertaken in the recent past and it is important that the policy captures all relevant issues and matters including duties arising under Data Protection legislation.
- 2.14 The Terms of Reference for the Working Group are set out at Appendix 1 and the Committee is requested to consider and approve the same having also regard to the suggested work streams mentioned above.

## **3.0 RELEVANT RISKS**

- 3.1 The Council must ensure that the Constitution and other working arrangements/practices are effective and compliant with relevant legislation.
- 3.2 By undertaking a regular review of the Constitution and other key aspects of the Council's practices, the risks to the Council are mitigated.

#### **4.0 OTHER OPTIONS CONSIDERED**

4.1 The Committee is invited to include/change the proposed work programme of the Working Group. The streams identified are considered relevant and timely.

#### **5.0 CONSULTATION**

5.1 The Standards Working Group has a consultative role by virtue of its cross-party membership. No formal consultation is necessary in respect of the matter falling within this report.

#### **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

6.1 There are no such implications arising.

#### **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

7.1 There are no such implications arising.

#### **8.0 LEGAL IMPLICATIONS**

8.1 The legal implications have been set out in this report.

#### **9.0 EQUALITIES IMPLICATIONS**

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) No EIA is required.

#### **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

11.1 There are no such implications arising.

#### **12.0 RECOMMENDATION/S**

12.1 That the Committee:

- (a) Agrees to establish a cross party Standards and Constitutional Oversight Working Group for the current Municipal Year;
- (b) Agrees the Terms of the Standards and Constitutional Oversight Working Group as set out at Appendix 1;
- (c) Appoints members to the Working Group or agrees that nominations be confirmed to the Monitoring Officer by all the party spokespersons.
- (d) Agrees to the work programme of the Working Group for the 2015/16 Municipal Year.

#### **13.0 REASON/S FOR RECOMMENDATION/S**

13.1 The recommendations are necessary to ensure compliance with legal obligations and improve governance arrangements.

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## **APPENDICES**

Appendix 1 - Terms of Reference for the Working Group

Terms of Reference for the Working Group