

WIRRAL COUNCIL

STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

13 JUNE 2017

REPORT TITLE:	<i>ESTABLISHING THE STANDARDS AND CONSTITUTIONAL OVERSIGHT WORKING GROUP</i>
REPORT OF:	<i>MONITORING OFFICER</i>

REPORTSUMMARY

This report (i) seeks approval to establish the Standards and Constitutional Oversight Working Group for this municipal year, (ii) provides details of the work undertaken by the Working Group during the last municipal year; and (iii) subject to (i) proposes a work programme for the Working Group for the 2016/17 municipal year for approval.

RECOMMENDATION/S

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 2017/18 Municipal Year as set out in the report.

SUPPORTING INFORMATION

2.0 REASON/S FOR RECOMMENDATION/S

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

3.0 OTHER OPTIONS CONSIDERED

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

4.0 BACKGROUND INFORMATION

4.1 The Committee has for the last few years established a Working Group to assist it in its work. The terms of reference for the Working Group are set out at Appendix 1.

4.2 The work programme of the Working Group for each municipal year is set by the Committee.

4.3 The Working Group during the last municipal year considered the following matters and/or made recommendations for consideration by the Committee:

- Review of the Scheme of Delegation to Officers (Non-Executive) Functions.
- Overview of the recruitment exercise for additional independent persons.
- Consideration of New Civic Handbook and Flag Flying Protocol.
- Review of the Members' ICT Policy.
- Mayor's Charity Terms of Reference
- Disclosure Barring Service – Checks for Councillors
- Review of Council Procedure Rules including Notices of Motion
- Officer Delegated Decisions (Expenditure) – Transparency Code

4.4 Following the untimely demise of Councillor Denise Roberts, the Working Group did not meet during the last quarter of the 2016/17 municipal year to progress its work programme. The planned review of the Members' Code of Conduct and Protocol was not therefore undertaken.

4.5 The committee is requested to consider and approval the following specific work streams for the Working Group:

(A) Review of the Council's Constitution

- 4.6 It is considered helpful to keep the Constitution under review to ensure it remains up to date and effective.
- 4.7 The Working Group to determine which elements/provisions of the Constitution are to be reviewed.

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

- 4.8 The Working Group has annually reviewed the Members' Code of Conduct and Protocol for dealing with complaints.
- 4.9 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.
- 4.10 Accordingly, it is proposed that the work programme of the Working Group includes the review of the Code and Protocol.

(C) Review of the Member/Officer Protocol

- 4.11 It is good considered practise to review the Member/Officer Protocol periodically.
- 4.12 The Protocol was review over three years ago.

(D) Complete the recruitment exercise for additional independent persons

- 4.13 The recruitment exercise has commenced. The closing date for applications was extended to 30 April 2017 to allow sufficient time for applications. A total of five applications have been received.
- 4.14 The next stage is for the Interview Panel to be convened. The Working Group will need to determine the composition of the Interview Panel.
- 4.15 Any successful candidates will be referred to the Committee for consideration and approval.
- 4.16 The Committee will make the final recommendation to council for appointment.

5.0 FINANCIAL INFORMATION

- 5.1 There are no such implications arising.

6.0 LEGAL IMPLICATIONS

- 6.1 The legal implications have been set out in this report.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; ICT; STAFFING; AND ASSETS

- 7.1 There are no such implications arising.

8.0 RELEVANT RISKS

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

9.0 ENGAGEMENT/CONSULTATION

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

10.0 EQUALITIES IMPLICATIONS

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

(a) No EIA is required.

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APPENDICES

Appendix 1 - Terms of Reference for the Working Group