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CONSTITUTION AND STANDARDS COMMITTEE

Wednesday, 22 February 2023

Present: Councillor T Cox (Chair)
Councillors J McManus A Onwuemene
P Stuart P Gilchrist
P Hayes

22 APOLOGIES FOR ABSENCE

No apologies for absence were received.

23 DECLARATIONS OF INTERESTS

Members were asked to declare any disclosable pecuniary interests and any other relevant interest and to state the nature of the interest.
No such declarations were made.

24 MINUTES

Minutes:

Resolved – That the minutes of the meeting held on be approved on 23 November 2022 be held as a correct record.

25 PUBLIC AND MEMBER QUESTIONS

No public questions or statements were received in advance of the committee meeting.

26 MEMBERS LEARNING AND DEVELOPMENT STRATEGY 2023 - 2027

The Head of Democratic and Member Services introduced the report of the Director of Law and Governance. The report provided Members with the proposed Members Learning and Development Strategy (ML&DS) that reinforced the importance placed on the provision of quality learning and development for all Members.

Members were advised how, ahead of the planned whole Council elections scheduled for May 2023, there was an opportunity to introduce and deliver a

strategy that ensured consistent and well-established plans to best develop Members through their four-year term of office.

The Strategy provided Members with the opportunity to develop skills and learning which assisted with their roles as decision makers and within the community. It also supported their wellbeing and safety.

Members were informed that the strategy had been produced with regard to the upcoming all-out elections in May 2023 and recommendations from the Independent Assurance Panel and Local Government Association (LGA) Peer review. It was also noted that whilst there was a robust new Member induction in place, there had previously not been a Learning and Development strategy which brought together a programme of committee specific and targeted learning. It would be launched in May 2023 in line with the new Member induction and started a four-year training programme for all Members.

Members thanked officers for the work producing the strategy and noted how helpful the Member Induction programme was for newly elected Members. It was requested that the dates for the induction programme be confirmed with candidates and agents in advance of the Local Election in May 2023. They also requested that the Committee calendar be appended to the induction programme.

Resolved – that the Member Learning and Development Strategy for 2023-27 be approved.

27 **SUMMARY OF STANDARDS COMPLAINTS**

The Head of Legal Services presented the report of the Monitoring Officer. The report provided a summary of Standards complaints received under the Members' Code of Conduct and Protocol for dealing with complaints against Members between 1 November 2021 and 31 December 2022.

Members were informed that the Council is required to deal with complaints made against Members under its approved Ethical Framework. It was noted that between 1 November 2021 and 31 December 2022 a total of 13 complaints in respect of the conduct of 6 Members had been received. The complaints were received from 10 different complainants. There were 2 complaints raised by Members against other Members. None of the complaints received were referred for a formal investigation.

Members were informed that several of the complaints were from members of the public regarding conduct by Members on social media and behaviour at meetings. Some complaints require detailed enquiries and therefore could take several months to conclude, however the number of complains is at a stable level. No complaints had been raised with the Chair regarding the

timescales of investigations and it was noted how invaluable the independent persons are when it came to standards complaints. There is no right of appeal in relation to the Monitoring Officer's decision, however complainants can go to the Local Government Ombudsman. In the past year, two complainants had been referred to the Local Government Ombudsman and the Ombudsman had concluded that the complaints process had been followed correctly and there was no cause for further investigation.

Resolved – that the report be noted.

28 **CALENDAR OF MEETINGS 2023/24 AND 2024/25**

The Head of Democratic and Member Services presented the report of the Director of Law and Governance. This report recommended draft dates for Council and Committee meetings for the municipal year 2023/2024. Members were informed that the upcoming all-out election gave an opportunity to develop a two-year programme of meetings.

Members commented that they appreciated the early notification of the meeting cycle but noted that the Policy and Resource Committee was scheduled for 14 February 2024 and requested this be moved by a day.

Resolved – That Council be recommended to approve the Calendar of Meetings for the 2023/24 and 24/25 municipal year, subject to Policy and Resources Committee being rescheduled from 14 February 2024 to 13 February 2024

29 **AMENDMENTS TO THE COUNCIL PROCEDURE RULES**

The Head of Democratic and Member Services presented the report of the Director of Law and Governance. The report provides a summary of the discussions held by the Governance Working Group in respect to the Council Procedure Rules and the consideration of Motions on Notice at Council Meetings. Members were informed that the Governance Working Group heard feedback from each of the Political Groups and the Mayor and determined that there were three matters which warranted further consideration by the Constitution & Standard Committee.

The matters previously identified by the Governance Working Group were:

- Standing Orders 9.1 & 14 (I) that the meeting continues beyond 3 hours in duration (2 in the case of an extraordinary meeting)
- Standing Order 13.1 - so as to restrict the number of Motions on Notice submitted to one per political group

- Standing Order 13.2 – in respect to the order in which Motions on Notice are debated

The Governance working group, had over the past few months spoken with the Political Groups and consulted with other Local Authorities on best practice. Members discussed the requirement for openness and transparency during public meetings with several Members considering the previous arrangements sufficient. However, the ability for smaller groups to have their motions on notice heard and discussed in public was also raised as a concern for some Members.

A motion was moved by Councillor Tony Cox, Seconded by Councillor Amanda Onwuemene as follows;

'that Council be recommended to amend

standing order 9.1 & 14 to read where 3.5 hours have elapsed,

standing order 13.1 to limit the number of motions on notice to 1 per political group,

standing order 13.2 so that the first motion on notice listed be rotated so as to allow each political group the opportunity for their motion to be debated first (to be co-ordinated by the Director of Law & Governance), with motions thereafter to be listed in the order of political group size '.

The motion was put and carried (4:2)

Resolved – that Council be recommended to amend,

- (1) standing order 9.1 & 14 to read where 3.5 hours have elapsed,**
- (2) standing order 13.1 that the number of motions be limited to 1 per group,**
- (3) standing order 13.2 so that the first motion on notice listed be rotated so as to allow each political group the opportunity for their motion to be debated first (to be co-ordinated by the Director of Law & Governance), with motions thereafter to be listed in the order of political group size.'**