

Minutes

Corporate Governance Group

26th January 2021 at 12.30pm



Present

Councillors	Present	Councillors	Present
P Euesden	Yes	R van Dulken (Chairman)	Yes
D Hume	Yes	D Wallace	Yes
H Johnson (Vice-Chairman)	Yes	T Walsh	Yes
D Mann	Yes	Mrs L Walters	Apologies
Miss V Santomauro	Apologies		

In attendance:

Jessica Mann Governance and Members Officer
Chloe Waight Governance Business Officer
Emma Wisbey Governance and Members Manager

68 **DECLARATIONS OF INTEREST**

INFORMATION: There were no interests declared.

69 **MINUTES**

INFORMATION: As the previous meeting of the Corporate Governance Group was held on 20th January 2021, the Minutes for that meeting would instead be presented at the upcoming meeting of the Committee scheduled to take place on 24th February 2021.

70 **PUBLIC QUESTION TIME**

INFORMATION: There were no questions asked, or statements made.

71 **CONSTITUTION REVIEW - CHAPTER 2 - PART 1**

INFORMATION: Members gave consideration to a report which pertained to the next stage of the Council's Constitution and Governance review of Chapter 2 (The Procedure Rules), following on from the review of Chapter 1 (The Articles). The Committee received a presentation from Emma Wisbey, Governance and Members Manager, which provided Members with an overview of the latest aspects of the review.

Members were informed that the review remained on target for the presentation of the new Constitution to Full Council at its meeting on 29th March 2021, although alternative dates for the upcoming meetings of the Developing Democracy Group (DDG) on 9th

February 2021 and Corporate Governance Group (CGG) on 24th February 2021 would need to be arranged. Once suitable dates had been identified for these meetings, Members of the DDG and CGG would be advised accordingly.

Members were then reminded of the key aims of the Constitution and Governance review and the next areas for discussion as part of the continuation of the review. The main purpose of the meeting was to focus on four specific elements of Chapter 2 (The Procedure Rules); these were: the Council Procedure Rules; the Cabinet Procedure Rules; the Access to Information Procedure Rules and the Officer Employment Procedure Rules. The remaining four procedural rules under Chapter 2 were to be examined separately at the next meeting of the CGG in order to ensure that the procedure rules were presented to the Committee in manageable sections (Parts 1 and 2). It was added that the procedure rules would remain as one complete set rules within the finalised version of Chapter 2.

The Governance and Members Manager then proceeded to explain the main changes that had emerged in respect of Chapter 2 (Part 1) of the Constitution. As seen with Chapter 1, the main approach that had been adopted during the review of Chapter 2 was to standardise processes in terms of the language and formatting used, and to ensure that there was a consistent style throughout to ease the reader's understanding of the Council's principle document. In accordance with this approach, it was highlighted that the 'Petitions' provision under 'Council Procedure Rules' had been removed from the main Constitution and would instead become a separate policy document; this would help to ensure that there was a detailed policy in respect of petitions which did not distort other procedural rules contained within the Constitution, as well make the Council's 'Petitions' provision more accessible to the public and easily located.

Throughout the duration of the presentation, the Governance and Members Manager sought the views of Members in relation to each element of the proposed changes to Chapter 2 of the Constitution (Part 1). Further to the feedback provided, the following observations were made and actions agreed:-

Appendix 1: Council Procedure Rules

- In respect of the provision within the Full Council agenda which allows for statements by the Leader to be read out at meetings, it was suggested by a Member that the statement should be circulated to all Members after the meeting for the purposes of increased clarity and transparency. The Governance and Members Manager agreed to discuss this notion with the Leader.
- On the subject of the notice period for the use of Substitute Members, it was agreed that the suggested notice period of one hour before the commencement of the meeting was not sufficient, due to the amount of preparation that a Member may need to undertake in place of the appointed Member. As such, an alternative suggestion was proposed that there be a minimum of 24 hours' notice before a Committee meeting, should a Substitute Member be required to attend. The Governance and Members Manager thanked Members for their feedback and made note of the suggestion.

Appendix D: Employment Procedure Rules

- Members were in agreement that the period for which a Statutory Officer can be suspended on full pay whilst an investigation was undertaken should be extended to

six months due to the complexities that can arise around alleged misconduct, and the time it may take to reach a suitable conclusion in such circumstances.

- In respect of relationships and declarations upon the appointment of candidates for new Statutory Officers, a suggestion by a Member was that all those involved with the interview process should declare whether they have a “knowledge” of an appointed Officer, Councillor or candidate. It was highlighted that terms such as “family” could have broader connotations for different individuals. Individuals involved with the process should therefore state in what capacity their “knowledge” of the already appointed person was (e.g. a friend, blood relative, etc) for the avoidance of doubt. The Governance and Members Manager agreed to make note of the suggestion.

DECISION: That the Corporate Governance Group:-

1. Noted the proposed changes to:
 - (a) The Council Procedure Rules;
 - (b) The Cabinet Procedure Rules;
 - (c) The Access to Information Procedure Rules; and
 - (d) The Officer Employment Procedure Rules, and;
2. Agreed that comments and suggested amendments would be considered by the Monitoring Officer and incorporated where necessary ahead of approval by Full Council on 29th March 2021.

REASON FOR DECISION: To agree to the proposed changes of the Constitution, in order to ensure more efficient governance arrangements and bring certainty to its decision making and comply with the Council’s Statutory requirements.

72 **GOVERNANCE REVIEW PART 1**

INFORMATION: Members were informed that as part of the wider review of the Council’s Constitution, it was important that governance processes supported the work undertaken through the Constitution and that these were robust and brought accountability and certainty. In accordance with this, a range of processes had been considered and a few key documents identified as requiring updating or new documents being introduced.

Members then received a report which set out the first four aspects of the review of the Council’s Governance processes; these were:-

- A Petition Policy;
- A New Report Template;
- A Sealing Authorisation Form;
- A Notice of Private Business.

A corresponding presentation was also provided by Emma Wisbey, Governance and Members Manager.

In line with the report, Members were reminded that the provision applicable to the Council’s management of Petitions had previously formed part of the Council’s Constitution; however, the review had identified that these provisions would be better addressed as part of a separate policy document which could then be expanded upon to ensure that the process was covered in the necessary detail without the risk of

overwhelming the Council's Procedure Rules.

Further to the report and the discussions around the proposed changes to the Council's Governance processes, the following observation was made in respect of the new Petitions Policy:-

- It was thought by a Member that the new proposed thresholds under which a Petition could be considered were perhaps too high. In response, the Governance and Members Manager noted the comment and advised Members that although Petitions were not a widely used platform (approximately two had been received by the Council in the last year), their popularity was increasing. However, it was added that the changes proposed within the report in respect of Petition thresholds were a reflection of the current usage around Petitions, and that the numbers suggested within the report were not dissimilar to those adopted by other Local Authorities.

DECISION: That the Corporate Governance Group:

1. Noted the introduction of;
 - (a) A Petition Policy;
 - (b) A New Report Template;
 - (c) A Sealing Authorisation Form;
 - (d) A Notice of Private Business for Cabinet and Council.
2. Agreed that comments and suggested amendments will be considered by the Monitoring Officer and incorporated where necessary ahead of approval by Council on 29th March 2021

REASON FOR DECISION: To agree to the introduction of key governance documentation in order to ensure more efficient governance arrangements and bring certainty to its decision making and comply with the Council's statutory requirements.

The meeting commenced at 12.30pm and closed at 2.30pm.

Councillor R van Dulken
(Chairman)