

CONSTITUTION AND ETHICS COMMITTEE

MONDAY 9 JULY 2018
7.00 PM

Bourges/Viersen Room - Town Hall

AGENDA

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2. Declarations of Interest	
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7. Report on Dispensations Given	
There have been no reported Dispensations given.	
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Committee Members:

Councillors: Allen, Bashir, Iqbal, E Murphy, N Sandford, D Seaton (Chair) and Smith

Substitutes: Councillors: Bond, Fuller and Nawaz

Further information about this meeting can be obtained from on telephone 01733 296334 or by email – daniel.kalley@peterborough.gov.uk

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 3
9 JULY 2018	PUBLIC REPORT

Report of:	Fiona McMillan Interim Director of Law and Governance & Monitoring Officer	
Cabinet Member responsible:	Cllr David Seaton – Cabinet Member for Resources	
Contact Officer:	Philippa Turvey, Democratic and Constitutional Services Manager Daniel Kalley, Senior Democratic Services Officer	Tel. 452460/2963 34

AMENDMENTS TO THE CODE OF CONDUCT

RECOMMENDATIONS	
FROM: Interim Director of Law and Governance and Monitoring Officer	Deadline date: N/A
<p>It is recommended that Constitution and Ethics Committee recommend that Council approve:</p> <ol style="list-style-type: none"> The updated Code of Conduct with proposed changes set out in Appendix 1 to the report. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Constitution and Ethics Committee by the Council's Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

2.1 The Constitution & Ethics Committee has the remit of advising the Council on the adoption or revision of the Code of Conduct.

2.2 The Monitoring Officer has reviewed the Code of Conduct to ensure it is up to date and adequately fulfils the legal requirements placed on the council by the Localism Act 2011 and subsequent regulations.

2.3 The purpose of this report is for the Committee to review the proposed amendments and decide if it wishes to recommend them to full Council.

2.4 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.72.2

Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the Council including:

- Promoting and maintaining high standards of conduct by Members and coopted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters

relating to the Code of Conduct.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. **BACKGROUND AND KEY ISSUES**

4.1 There are three types of change proposed to the Code of Conduct:

- a) Typographical errors and updating to reflect the role of the Constitution and Ethics Committee
- b) Changes to the description of “disclosable pecuniary interests (“DPI”)” at Part 2 of the Code to fully reflect the wording in the legislation. At the moment the definitions are omitted and they are key to understanding if a member has a DPI. Failure to take the correct action in relation to a DPI is a criminal offence so it is important for the full detail to be included. A change to what action a member should take if they have a DPI is also proposed so that a member should leave the room when the relevant issue is discussed unless they have a dispensation from the Monitoring Officer. This is the safest action in order to protect both the member from accusations of influencing the decision and the council’s decision itself and follows the case law on this area.
- c) The introduction of a section on “Other Disclosable Interests”. The General Provisions at Part 1 of the Code state that members: “*must observe the restrictions your authority places on your involvement in matters where you have a [non-statutory] pecuniary or non-pecuniary interest as defined by your authority*” but does not currently set out what these restrictions are. The definition of a DPI is quite narrow and is restricted to interests relating to the member and their spouse or common law partner. There are many other conflicts of interests that a member may have, including those involving wider members of their family which to a member of the public observing would believe was an unacceptable conflict. For example if a councillor’s son applies for planning permission and they sit on the Planning Committee – this is not a DPI but nevertheless it would not be considered appropriate for that councillor to take part in the decision-making. Equally if a councillor sits on another body such as a parish council or a village hall management association and that body has applied for a grant or financial assistance from the council, it would not be considered appropriate for that councillor to take part in any decision on this. These changes aim to set out rules for how councillors should act in these circumstances and represent the common law position on avoiding pre-determination and bias, which also apply to members alongside the code.

5. **CONSULTATION**

5.1 Consultation is not applicable

6. **ANTICIPATED OUTCOMES OR IMPACT**

6.1 The improvements and updates to the existing code of conduct are aimed at providing additional guidance for councillors and improving public confidence in high ethical standards.

7. **REASON FOR THE RECOMMENDATION**

7.1 To ensure the Council’s code of conduct fully reflects the legislation, sets out for members what they should do regarding interests that are not “disclosable pecuniary interests” and is updated with the new oversight duties of the Constitution and Ethics Committee.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Maintain the status quo of a code of conduct which does not fully reflect the legislation and refers to members having to “Observe the restrictions your authority places on your involvement in matters where you have a [non-statutory] pecuniary or non-pecuniary interest as defined by your authority” but does not currently set out what these restrictions are.

9. IMPLICATIONS

Financial Implications

- 9.1 There are none.

Legal Implications

- 9.2 Under the Localism Act 2011 the council may agree its own Code of Conduct, subject to any such code being based on the Nolan Principles and the requirements of the Localism Act 2011 in relation to disclosable pecuniary interests.

Equalities Implications

- 9.3 None

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1 The Localism Act 2011

11. APPENDICES

- 11.1 Appendix 1 – Updated Code of Conduct (Clean Version)
Appendix 2 – Code of Conduct showing track changes

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Members' Code of Conduct

Peterborough City Council

The Members’ Code of Conduct is intended to promote high standards of behaviour amongst the elected and co-opted members of the council.

The Code is underpinned by the following principles of public life, which should be borne in mind, when interpreting the meaning of the Code:

- i. **Selflessness**
Holders of public office should act solely in terms of the public interest.
- ii. **Integrity**
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- iii. **Objectivity**
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- iv. **Accountability**
Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- v. **Openness**
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- vi. **Honesty**
Holders of public office should be truthful.
- vii. **Leadership**
Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

PART 1 GENERAL PROVISIONS

You are a member or co-opted member of Peterborough City Council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions and actions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should give reasons for those decisions and actions and restrict information only where the wider public interest clearly demands.

You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority’s monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority’s register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a ‘sensitive interest’.¹

Following any disclosure of an interest not on the authority’s register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State.

Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a non-statutory pecuniary or non-pecuniary interest as defined by your authority.

¹ A ‘sensitive interest’ is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority’s monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

**PART 2
INTERESTS**

1. Disclosable Pecuniary Interests

1.1. The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011. Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from PCC) for any expenses incurred by you in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract with PCC: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. This includes a contract between PCC and any body in which you, or a person specified in paragraph 8.2(b) below, has a beneficial interest
Land	Any beneficial interest in land which is within PCC’s area
Licences	Any licence (alone or jointly with others) to occupy land in the PCC’s area for a month or longer.
Corporate Tenancies	Any tenancy where (to your knowledge): (a) the landlord is PCC; and (b) the tenant is a body in which you, or a person listed in paragraph 8.2(b) below, has a beneficial interest

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<p>Securities</p>	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to your knowledge) has a place of business or land in PCC’s area; and</p> <p>(b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the person in paragraph 8.2 (below) has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>
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For this purpose –

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

- i) M’s spouse or civil partner,
- ii) A person with whom M is living as husband and wife, or
- iii) A person with whom M is living as if they were civil partners.

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

1.2. You must declare an interest if:

- (a) it is your interest, or
- (b) it is an interest of:
 - (i) your spouse or civil partner;
 - (ii) a person with whom you are living husband and wife, or
 - (iii) a person with whom you are living as if you were civil partners

and you are aware that that other person has the interest.

2. Other Disclosable Interests

2.1. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships as set out below.

2.2. You have a “non-statutory disclosable interest” in an item of business of your authority where:

- i) A decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you, or a member of your family, or a person or body with whom you have a close association; or
- ii) It relates to or is likely to affect any of the interests listed in 1.1 but is in respect of a member of your family (other than your spouse or common law partner) ; or
- iii) It relates to an outside body or organisation to which you have been appointed by the council

2.3. If you attend a meeting and are aware that you have a non-statutory disclosable interest in any matter to be considered, or being considered, at that meeting:

- (a) If the interest is not entered in your register of members' interests you must disclose to the meeting the fact that you have a non-statutory disclosable interest in that matter; and

- (b) If the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interests, you must not:
 - i) participate, or participate further, in any discussion of the matter at the meeting; or
 - ii) remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting

apart from making representations, giving evidence or answering questions prior to the commencement of the debate on that matter.

- 2.4. You must declare the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £100.

3. Registration of Disclosable Pecuniary Interests and Other Interests

- 3.1. Subject to paragraph 5 below (sensitive interests), you must, within 28 days of:

- (a) this Code being adopted or applied by PCC; or
- (b) your election or appointment (where that is later)

notify the Monitoring Officer in writing of any disclosable pecuniary interests and other interests you have at that time.

- 3.2. Subject to paragraph 5 below (sensitive interests) you must, within 28 days of becoming aware of any new disclosable pecuniary or other interest or any change to any such interest, notify the Monitoring Officer in writing of that new pecuniary interest or change.

4. Disclosable Pecuniary Interests in Matters Considered at Meetings or by a Single Member

- 4.1. If you attend a meeting and are aware that you have a disclosable pecuniary interest in any matter to be considered at that meeting:
 - (a) if the interest is not entered in the register of members' interests you must disclose to the meeting the fact that you have a disclosable pecuniary or other interest in that matter
 - (b) if you have not already done so, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure, and
 - (c) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Monitoring Officer, participate, in any

discussion of the matter at the meeting and should leave the room until the consideration of the item has completed

- (d) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Audit Committee, participate in any vote, or further vote, taken on the matter at the meeting and should leave the room until the consideration of the item has completed.

4.2. Single Member Action

If you are empowered to discharge functions acting alone, and are aware that you have a disclosable pecuniary interest or other interest in any matter being dealt with, you must not take any steps, or any further steps, in relation to the matter (except for the purposes of enabling the matter to be dealt with otherwise than by you).

If the Disclosable Pecuniary Interest is not entered in the Register and is not subject to a Pending Notification, you must notify the Monitoring Officer of the Disclosable Pecuniary Interest before the end of 28 days, beginning with the date of when you became aware of the matter

5. Sensitive Interests

- 5.1. Where you consider (and the Monitoring Officer agrees) that the nature of a disclosable pecuniary or other interest is such that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to intimidation or violence, it is a “sensitive interest” for the purposes of the Code and the details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

PART 3 RELATED DOCUMENTS

The following documents also provide guidance on the standards of conduct expected of members and can assist in the interpretation of this Code of Conduct. These documents can be found in the Council’s Constitution.

1. The Constitution & Ethics Committee Rules of Procedure set out the arrangements for dealing with an alleged breach of this Code
2. PCC’s Planning Code of Conduct deals specifically with the Code of Conduct within the remit of the Planning and Environmental Protection Committee
3. PCC’s Social Media Code for members sets out appropriate behaviour when using social media and acting, or appearing to act, in your capacity as a councillor
4. PCC’s Member/Officer Protocol sets out how members and officers should work together

5. PCC's Gifts and Hospitality Policy which sets out the procedures under which registration and declaration of interests, gifts and hospitality are to be made.

Part 5, Section 1 – Members' Code of Conduct



Members' Code of Conduct

Peterborough City Council

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- iii. **Objectivity**
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- iv. **Accountability**
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- v. **Openness**
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- vi. **Honesty**
Holders of public office should be truthful.
- vii. **Leadership**
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**PART 1
GENERAL PROVISIONS**

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Accordingly, when acting in your capacity as a member or co-opted member -

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions [and actions](#) to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should ~~be prepared to~~ give reasons for those decisions and actions [and restrict information only where the wider public interest clearly demands.](#)

You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

Part 5, Section 1 – Members' Code of Conduct

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State.

-Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a [non-statutory](#) pecuniary or non-pecuniary interest as defined by your authority.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

**PART 2
INTERESTS**

1. Disclosable Pecuniary Interests

- 1.1. [The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011. Disclosable pecuniary interests are defined in the Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012 as follows: Disclosable pecuniary interests are specified in the table below:](#)

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from PCC) for any expenses incurred by you in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract with PCC: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. This includes a contract between PCC and any body in which you, or a person specified in paragraph 8.2(b) below, has a beneficial interest
Land	Any beneficial interest in land which is within PCC's area
Licences	Any licence (alone or jointly with others) to occupy land in the PCC's area for a month or longer.
Corporate Tenancies	Any tenancy where (to your knowledge): (a) the landlord is PCC; and (b) the tenant is a body in which you, or a person listed in

Part 5, Section 1 – Members' Code of Conduct

	paragraph 8.2(b) below, has a beneficial interest
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Securities	Any beneficial interest in securities of a body where: (a) that body (to your knowledge) has a place of business or land in PCC's area; and (b) either: (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the person in paragraph 8.2 (below) has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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For this purpose –

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act:

- i) M's spouse or civil partner,
- ii) A person with whom M is living as husband and wife, or
- iii) A person with whom M is living as if they were civil partners.

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

1.2. You must declare an interest if:

- (a) it is your interest, or
- (b) it is an interest of:
 - (i) your spouse or civil partner;
 - (ii) a person with whom you are living as husband and wife, or
 - (iii) a person with whom you are living as if you were civil partners

and you are aware that that other person has the interest.

2. Other Disclosable Interests

2.1. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships as set out below.

2.2. You have a “non-statutory disclosable interest” in an item of business of your authority where:

- i) A decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you, or a member of your family, or a person or body with whom you have a close association; or
- ii) It relates to or is likely to affect any of the interests listed in 1.1 but is in respect of a member of your family (other than your spouse or common law partner) ; or
- iii) It relates to an outside body or organisation to which you have been appointed by the council

2.3. If you attend a meeting and are aware that you have a non-statutory disclosable interest in any matter to be considered, or being considered, at that meeting:

- (a) If the interest is not entered in your register of members' interests you must disclose to the meeting the fact that you have a non-statutory disclosable interest in that matter; and

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Part 5, Section 1 – Members' Code of Conduct

(b) If the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interests, you must not:

i) participate, or participate further, in any discussion of the matter at the meeting; or

ii) remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting

apart from making representations, giving evidence or answering questions prior to the commencement of the debate on that matter.

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~~2.1.2.4.~~ You must declare the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £100.

~~2.2. You should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships~~

3. Registration of Disclosable Pecuniary Interests and Other Interests

3.1. Subject to paragraph 5 below (sensitive interests), you must, within 28 days of:

- (a) this Code being adopted or applied by PCC; or
- (b) your election or appointment (where that is later)

notify the Monitoring Officer in writing of any disclosable pecuniary interests and other interests you have at that time.

3.2. Subject to paragraph 5 below (sensitive interests) you must, within 28 days of becoming aware of any new disclosable pecuniary or other interest or any change to any such interest, notify the Monitoring Officer in writing of that new pecuniary interest or change.

4. Disclosable Pecuniary Interests in Matters Considered at Meetings or by a Single Member

4.1. If you attend a meeting and are aware that you have a disclosable pecuniary interest in any matter to be considered at that meeting:

- (a) if the interest is not entered in the register of members' interests you must disclose to the meeting the fact that you have a disclosable pecuniary or other interest in that matter
- (b) if you have not already done so, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure, and

- (c) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Monitoring Officer, ~~to participate, or participate further,~~ in any discussion of the matter at the meeting and should leave the room until the consideration of the item has completed
- (d) whether the interest is registered or not you must not, unless you have obtained a dispensation from the Audit Committee, participate in any vote, or further vote, taken on the matter at the meeting and should leave the room until the consideration of the item has completed.

4.2. Single Member Action

If you are empowered to discharge functions acting alone, and are aware that you have a disclosable pecuniary interest or other interest in any matter being dealt with, you must not take any steps, or any further steps, in relation to the matter (except for the purposes of enabling the matter to be dealt with otherwise than by you).

If the Disclosable Pecuniary Interest is not entered in the Register and is not subject to a Pending Notification, you must notify the Monitoring Officer of the Disclosable Pecuniary Interest before the end of 28 days, beginning with the date of when you became aware of the matter

5. Sensitive Interests

- 5.1. Where you consider (and the Monitoring Officer agrees) that the nature of a disclosable pecuniary or other interest is such that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code and the details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

PART 3 RELATED DOCUMENTS

The following documents also provide guidance on the ~~sS~~standards of ~~cC~~Conduct expected of members and can assist in the interpretation of this Code of Conduct. These documents can be found in the Council's Constitution.

- 1. The ~~Constitution & Ethics Committee~~~~Audit Committee~~ Rules of Procedure set out the arrangements for dealing with an alleged breach of this Code
- 2. PCC's Planning Code of Conduct deals specifically with the Code of Conduct within the remit of the Planning and Environmental Protection Committee

Part 5, Section 1 – Members' Code of Conduct

3. PCC's Social Media Code for members ~~and officers~~ sets out appropriate behaviour when using social media and acting, or appearing to act, in your capacity as a councillor undertaking Council business through social media
4. PCC's Member/Officer Protocol sets out how members and officers should work together
5. PCC's Gifts and Hospitality Policy which sets out tThe procedures under which registration and declaration of interests, gifts and hospitality are to be made, ~~are set out in the Gifts and Hospitality Policy.~~

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 4
9 JULY 2018	PUBLIC REPORT

Report of:	Fiona McMillan Interim Director of Law and Governance & Monitoring Officer	
Cabinet Member responsible:	Cllr David Seaton – Cabinet Member for Resources	
Contact Officer:	Philippa Turvey, Democratic and Constitutional Services Manager Daniel Kalley, Senior Democratic Services Officer	Tel. 452460/2963 34

CODE OF CONDUCT COMPLAINTS PROCESS & CONFIDENTIALITY

RECOMMENDATIONS	
FROM: Interim Director of Law and Governance & Monitoring Officer	Deadline date: N/A
<p>It is recommended that Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Resolve that all code of conduct complaints be subject to a requirement of confidentiality by all participants in the process until such time as the complaint case is concluded. 2. Resolve that where a conclusion has been reached that the code of conduct has not been breached or where the Monitoring Officer concludes, following an initial assessment of a complaint, that no further action needs to be taken that the identity of the councillor who is the subject of the complaint remains confidential unless that councillor wishes it to be made public. 3. Resolve that where a complaint has been informally resolved by agreement without the need for a formal investigation that the identity of the councillor who is the subject of the complaint and a summary of the complaint is reported back to the committee. 4. Resolve that where a conclusion has been reached that the code of conduct has been breached but that no hearing is necessary due to an agreed alternative resolution that the investigation report will be published when the case is reported back to the committee 5. Resolve that where a conclusion has been reached that the code of conduct has been breached and that alternative resolution is not appropriate/ possible that the investigation report will remain confidential until such time as the hearing into the complaint takes place, at which stage it will be published. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Constitution and Ethics Committee by the Council's Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The Constitution & Ethics Committee is newly formed and may consider it appropriate to review existing procedures for the handling of code of conduct complaints to ensure they fulfil the requirements of the council.
- 2.2 The purpose of this report is for the Committee to decide if it wishes to introduce a requirement that all complaints that a member has breached the code of conduct should be dealt with on a confidential basis. This would enable information regarding complaints to be treated as confidential until such time as they are concluded so that information is not released which may be prejudicial to the conduct of the complaints process and to protect the identity and reputation of councillors who have not breached the Code of Conduct.
- 2.3 Under the previous legislative system for handling complaints against councillors set up by the Local Government Act 2000 there was a statutory requirement that complaints should be kept confidential. When the Localism Act 2011 introduced a new way of working in July 2012 councils were able to devise their own codes of conduct (as long as it was based on the Nolan Principles) and set its own procedures for dealing with complaints. Some councils continued to see the benefit of keeping the process confidential until resolution and included this in the new procedures. The issue has not previously been considered by Peterborough City Council.
- 2.4 The Monitoring Officer advises the following resolutions:
- i) in the absence of a specific statutory requirement regarding confidentiality under the Localism Act the Council has the ability to set its own processes and can therefore resolve that all ongoing complaints be subject to a requirement of confidentiality by all participants in the process until such time as the case is concluded and reported back to the Committee. A breach of this requirement may be a separate breach of the Code of Conduct.
 - ii) where a conclusion has been reached that the code of conduct has not been breached or where the Monitoring Officer concludes, following an initial assessment of a complaint, that no further action needs to be taken that the identity of the councillor remains confidential. This is because is no reason for making their identity public in these circumstances and no public interest in doing so. Any investigation report will be published as a confidential item on the agenda and only an anonymised case summary put on the public agenda. The complaint will only be made public if councillor who is the subject of the complaint decides to make it public at the end of the process.
 - iii) Where a complaint has been informally resolved by agreement without the need for a formal investigation (this is usually by way of an apology which is offered and accepted) that the identity of the councillor who is the subject of the complaint and a summary of the complaint is report back to the committee. It is considered to be in the public interest that these details are made public where there is an acknowledgement of fault on behalf of the relevant councillor.
 - iv) where a conclusion has been reached (following a formal investigation) that the code of conduct has been breached but that no hearing is necessary due to alternative resolution that the investigation report and any action taken will be published when the case is reported back to the committee for information. It is considered to be in the public interest that the details of a complaint where an investigation has taken place and a finding made that a councillor has breached the code of conduct are published. It is important to note that alternative resolution is only possible where the councillor accepts an element of fault.
 - v) where a conclusion has been reached that the code of conduct has been breached and where alternative resolution is not appropriate/possible that the investigation report will remain confidential until such time as the hearing into the complaint takes place, at which stage it will be published. This is to avoid “trial by media” in advance of a case being heard so that panel members are not prejudiced by anything that is published in the media.

- 2.5 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.72.2

Authority to oversee and approve the operation of the Council’s functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the Council including:

- Promoting and maintaining high standards of conduct by Members and coopted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. BACKGROUND AND KEY ISSUES

- 4.1 The Council defines “Alternative Resolution” in its complaint process as follows:

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the member accepting that their conduct was unacceptable and offering an apology. Where the member or the authority makes a reasonable offer of local resolution, but the person complaining is not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint warrants formal investigation or no further action.

5. CONSULTATION

- 5.1 There is no further consultation required.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 Increased fairness and objectivity of the complaints process.

7. REASON FOR THE RECOMMENDATION

- 7.1 If a requirement of confidentiality is added to the complaints process it should ensure that councillors are not judged publically for their conduct until due process has been gone through and a finding made. This will minimise the opportunity for the reputation of councillors who have complaints made against them being tarnished before any decision has been made on whether they have breached the code of conduct and minimise the possibility of Hearings Panel members being influenced by press reporting of complaints which may not have the full facts.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Maintain the status quo whereby no confidentiality attaches to the process and a complainant may contact the media/publicise a complaint as soon as it is made and officers confirm factual details in response to media enquiries.

9. IMPLICATIONS

Financial Implications

9.1 None

Legal Implications

9.2 Under the Localism Act 2011 the council may set its own procedures in relation to the handling of complaints.

Equalities Implications

9.3 None

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 The Localism Act 2011

11. APPENDICES

11.1 None

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 5
9 JULY 2018	PUBLIC REPORT

Report of:	Fiona McMillan Interim Director of Law and Governance & Monitoring Officer	
Cabinet Member responsible:	Cllr David Seaton – Cabinet Member for Resources	
Contact Officer:	Philippa Turvey, Democratic and Constitutional Services Manager Daniel Kalley, Senior Democratic Services Officer	Tel. 452460/2963 34

MEMBER OFFICER PROTOCOL – SHADOW CABINET

RECOMMENDATIONS	
FROM: Interim Director of Law and Governance & Monitoring Officer	Deadline date: N/A
<p>It is recommended that Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Agree the updated Member/Officer Protocol attached at Appendix A, outlining the addition of a Shadow Cabinet. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Constitution and Ethics Committee by the Council’s Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is for the Committee to agree the updated Member/Officer Protocol to include a Shadow Cabinet.

2.2 The Shadow Cabinet will be subject to the terms of the Member/Officer Protocol, save for some further terms as outlined in Appendix 1 of the attached Protocol.

2.3 This allows for the formation of a Shadow Cabinet and applies some rational around its workings and expectations.

2.4 It will be up to the second largest political group on the Council as to whether they wish to form a Shadow Cabinet and these guidelines will provide a basis should it wish to do so.

2.5 In addition there are some updates under section 15 outlining the updated position following the Council’s drive towards being paperless.

2.6 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.2

Authority to oversee and approve the operation of the Council’s functions relating to the promotion

and maintenance of high standards of conduct amongst members and co-opted members of the Council including:

- Promoting and maintaining high standards of conduct by Members and coopted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. **BACKGROUND AND KEY ISSUES**

- 4.1 At the Labour Party Annual General Meeting (AGM) held following the local elections on 3 May 2018, the group agreed to the formation of a Shadow Cabinet to mirror those responsibilities currently taken by the Council Cabinet.

It was necessary therefore for the Member/Officer Protocol to be updated to reflect this change and outline the remit with which a Shadow Cabinet can operate.

5. **CONSULTATION**

- 5.1 N/A

6. **ANTICIPATED OUTCOMES OR IMPACT**

- 6.1 Transparency over the role and responsibilities of a Shadow Cabinet.

7. **REASON FOR THE RECOMMENDATION**

- 7.1 It is essential for a protocol outlining the responsibilities of a Shadow Cabinet and how this will work in practice with officers of the Council.

8. **ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 Maintain the status quo, however this may lead to confusion over what the role of the Shadow Cabinet entails and how officers would be expected to deal with requests from a Shadow Cabinet.

9. **IMPLICATIONS**

Financial Implications

- 9.1 None

Legal Implications

- 9.2 Under the Localism Act 2011 the council may set its own procedures in relation to a Shadow Cabinet.

Equalities Implications

- 9.3 None

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 The Localism Act 2011

11. APPENDICES

11.1 Appendix A – Member/Officer Protocol

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Peterborough City Council Member / Officer Protocol

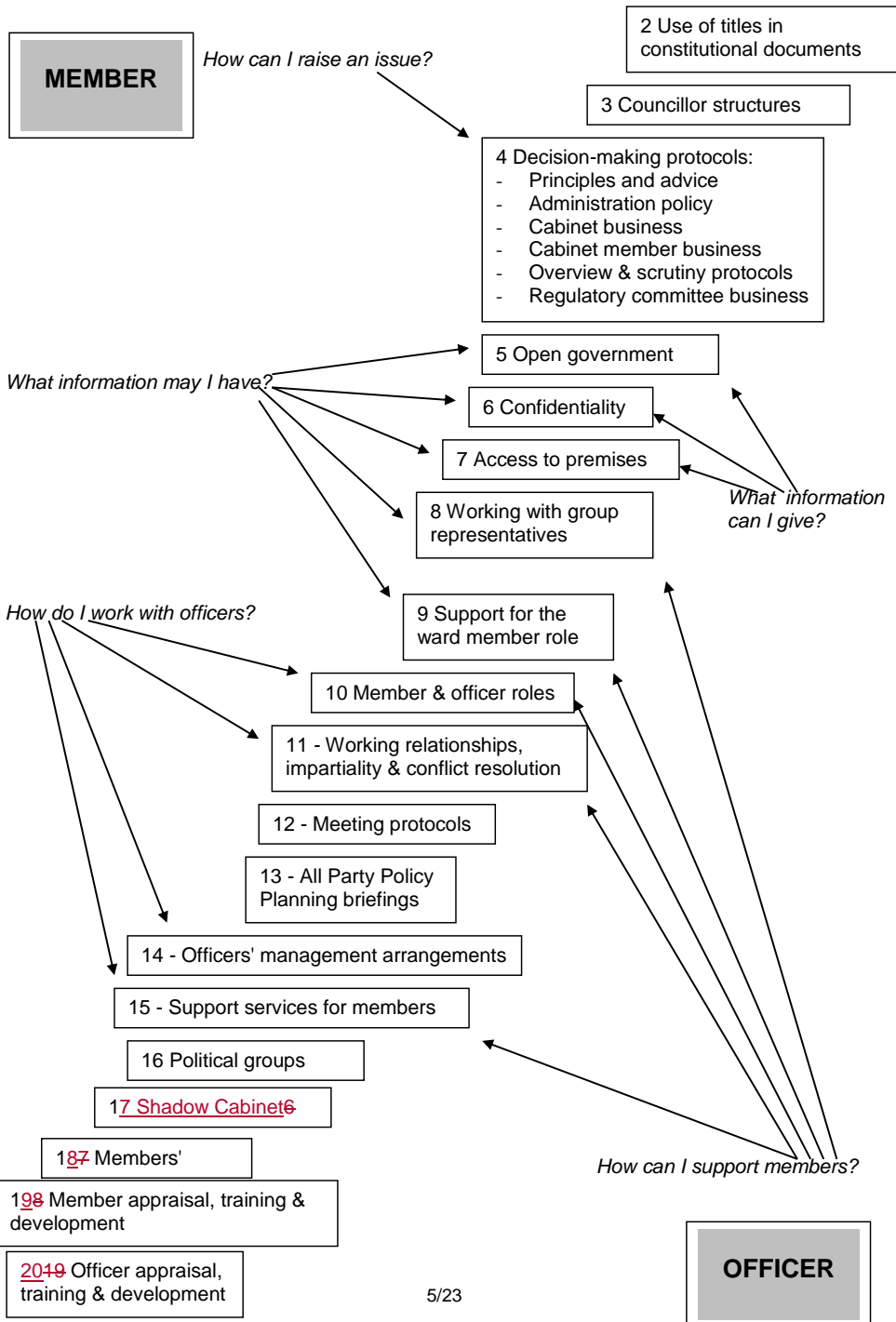
This document describes how city Councillors and employees should work together. Mutual respect and goodwill are important underlying themes.

The protocols apply to city councillors, employees and co-opted members of council committees. They recognise the contribution of politics and political groups, and complement other constitutional requirements such as Standing Orders, the Delegations Document and the Member and Officer Codes of Conduct.

There are separate protocols relating to *civic* and *media/pre-election publicity* activity.

*Issue May 2018
Version 006*

MEMBER / OFFICER PROTOCOLS - A SUMMARY OF SECTIONS



Annex A - Member roles

2. USE OF TITLES IN CONSTITUTIONAL DOCUMENTS

<i>Chairman and vice-chairman</i>	The person chairing a meeting, and their deputy, whether male or female. The councillor holding office may choose their version of the title (eg. chairwoman or chair). Each chairman's choice of title should be respected.
<i>Mayor and Deputy Mayor</i>	The chairman and deputy of the full council meeting. Further details in the Civic Protocol.
<i>Members</i>	Councillors. The naming convention for councillors is 'Councillor' followed immediately by surname. Some councillors insert an additional title such as 'Mrs' or 'Dr' before their surname. Their choice of title format should be respected.
<i>Officers</i>	Council employees.
<i>The Executive</i>	The cabinet members, supported by officers. They deliver the Council's services, and make any decisions necessary within the Council's approved budget and major policy framework.
<i>Cabinet members</i>	Up to 9 councillors appointed annually by the Leader of the Council, plus the Leader. Each makes decisions about their own service area.
<i>The Cabinet</i>	The cabinet members meeting to discuss and make decisions collectively.
<i>The Leader of the Council</i>	The leading councillor and the Cabinet's chairman. Appointed annually by Council.
<i>A political group</i>	Most councillors, soon after election, sign up to a political grouping which may, but does not need to, bear the same name as a recognised political party. Each political group appoints a 'leader' and a 'group secretary'. They may also appoint a 'deputy leader' and make any other appointments which the group feels will help it conduct its affairs.
<u><i>A Shadow Cabinet</i></u>	<p><u>A Shadow Cabinet may be formed by the second largest group by their nomination from amongst their Members of the Council and they shall notify the Council and the Chief Executive of the names of the Members nominated to form a Shadow Cabinet and of any changes in the membership of the Shadow Cabinet which may occur from time to time.</u></p> <p><u>Members will mirror those of the Cabinet, save that a single Member may cover more than one portfolio.</u></p> <p><u>A protocol on their role is attached at Appendix 1</u></p>
<i>The Administration</i>	The political group with the most seats is generally known as the Council's Administration, although sometimes a coalition of groups may collectively take on this role. Administration members form the Executive and are the chairmen for many or all committees.
<i>Group representatives</i>	Councillors identified by their political group to act as their main point

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Part 5, Section 3 – Member / Officer Protocols

	of contact, for information or consultation, in relation to a particular subject.
<i>Directors</i>	First-tier officers responsible for a department; references to them in this protocol should also be taken to include the Chief Executive.
<i>Heads of service</i>	Second-tier officers responsible for a division within a department; they may also be known as ' <i>assistant directors</i> '. References in these protocols to heads of service include assistant directors and any other second-tier officers acting in a senior management role.

3. COUNCILLOR STRUCTURES

Each part of the Council's decision-making structure gets its authority from the law and the Council's Constitution. For more detail see the Delegations Document, Standing Orders and Procedural Rules. A summary of roles is:

The Council	All councillors collectively consider issues affecting Peterborough, and decide the major policy framework and the budget.
Ward members	Each councillor has a leading role and voice in their community, representing their constituents the Council and other public service agencies, and vice-versa.
The Executive	<p>Within the major policy framework and budget:</p> <ul style="list-style-type: none"> • provides public services, whether directly or through partnerships or contracts; • enforces regulations*; • decides local policies for service delivery and enforcement; • gives community leadership, a 'voice' for Peterborough. <p>(*Some enforcement matters are governed by regulatory committees instead of the Executive.)</p>
Overview and scrutiny committees / commissions	Contribute to policy development and review. Hold the Executive to account through scrutiny and challenge.
Regulatory committees	Decide quasi-judicial matters that are excluded by law from the Executive's remit (such as planning applications).
Officers	Provide services and carry out enforcement in accordance with the law and the Council's policies, using their delegated authority.

4. DECISION-MAKING PROTOCOLS

4.1 **The principles** of good decision-making are set out in Article 12 of the Constitution.

4.2 **Professional advice** should be taken before making a decision, including:

- relevant policy framework or previous decisions;
- who has been consulted and relevant outcomes;
- legal, financial/resource, equalities, community safety, human rights, etc implications;
- alternative options.

4.3 **Administration policy** The Executive is not bound by previous Administrations. When the Executive wishes to make a decision contrary to past practice, officers will advise:

- is the practice mandatory or discretionary?
- does current practice derive from a policy statement or precedent/an earlier decision?
- was it decided by the current or a previous Administration?

4.4 **Cabinet business:**

- A **timetable** of meetings is agreed in Council's annual schedule but the Leader of the Council may add, vary or cancel meetings to provide efficient conduct of business. He or she will try to determine an arrangement that suits most Cabinet members.
- Cabinet meetings deal mainly with cross-cutting, strategic issues. Democratic Services Officers, in consultation with the Leader of the Council and Chief Executive, draw up the **agenda** taking into account the Forward Plan, other items on Cabinet's work programme and referrals from members, directors and committees. Any member who wants to put an item to Cabinet should contact Democratic Services who will liaise with the Leader of the Council and the member about how it should be placed on the agenda; this does not remove the member's constitutional right to place an item on the agenda.
- When a **committee reports** to the Executive the Leader of the Council may, for example, require preliminary consideration by the relevant cabinet member. This does not remove the committee's right to refer a matter to the Cabinet without modification. The committee chairman or other representative(s) may attend to hear the debate and Cabinet's chairman may invite them to explain the recommendations briefly to Cabinet.
- Officers will **brief each cabinet member** about any proposals relating to their service before the meeting. Their recommendations will be reflected within the relevant report.
- **Ward councillors** should be consulted about matters specific to their ward. Comments submitted by them are included in the Cabinet report or tabled at the meeting. If they attend, the chairman may ask them to put their views briefly to the Cabinet meeting.
- **Directors** usually attend all meetings. Other officers may attend for specific reports.
- The Leader of the Council may request a **chairman's briefing** before the meeting, generally provided by the Chief Executive or another director.
- With the Leader's agreement, an **informal Cabinet briefing** may discuss strategic issues faced by the Council. No decisions will be made at such briefings.

4.5 **Cabinet member business:**

- Individual members take **decisions** either at briefings with directors/departmental management teams, or at any other time provided that appropriate notice of any 'key

decision' has been given and that Democratic Services officers are informed.

- Senior managers and cabinet members will build up **regular contact** to keep each other informed about developments, especially issues which may be sensitive or contentious. Briefings can be conducted in a variety of ways, the method being agreed between the member and officer to suit the subject matter and time constraints. There should be regular meetings to discuss strategic issues.
- Members should **brief officers** about their work in partnership or regional meetings, discussions held with outside organisations and constituents, conferences attended and any relevant training received.
- Officers should **brief members**, to help them prepare for meetings and discussions.
- Where it is unclear which **cabinet member to brief** about an issue, Democratic Services officers will ask the Leader of the Council to highlight the appropriate member(s).
- The **Leader** of the Council meets the Chief Executive and Democratic Services officers Team regularly.
- **Other cabinet members** may meet the Chief Executive or Democratic Services Officers as appropriate to discuss executive business.
- The Leader or other cabinet member may ask the relevant director to arrange a joint **briefing with group representatives**, particularly when developing proposals.

4.6 Overview and scrutiny protocols:

- The Scrutiny Team maintains a **work programme** for each committee / commission including issues identified by the committee / commission for scrutiny or review, items on the Forward Plan likely to require consideration, requests from the Executive for policy development work, and items referred by Members or directors.
- An informal **quarterly co-ordination meeting** of scrutiny chairmen and group representatives is convened by the Scrutiny Team, in consultation with Scrutiny group representatives. It may include briefing and training.
- The **agenda** for each committee meeting is prepared by the Scrutiny Team from the work programme, mostly in conjunction with the group representatives. Any Executive or director's referral will usually be reported to the next ordinary meeting but the chairman and group representatives may agree to postpone it if they believe that the next meeting's agenda is already fully committed.
- Any individual **member referral** will be reported to the next ordinary meeting unless the member agrees to defer (for example, the group representatives may believe that the agenda is already full or the matter could be dealt with better another way). This does not remove the Member's constitutional right to place an item on the agenda.
- **Group representatives' meetings** are convened and supported by the Scrutiny Team for most committees/commissions, in a regular cycle or when needed. They deal with agenda planning, adding/changing meeting dates, agreeing (where timescales are short) the final wording of a recommendation/report, and any other matters referred to them by the committee. Other relevant officers may attend.

- **Scrutiny** aims to identify improvement and will be conducted constructively and courteously, so that anyone being questioned can make a positive contribution. When **questioning** officers the committee / commission should, as far as possible, confine itself to questions of fact and explanation, such as what policies are in force, the extent to which objectives are met and how services are being delivered. Officers may be asked to explain and justify their own decisions. Questions about the Executive's conclusions and political choices should be directed to the relevant Cabinet Member.
- A guideline process for **reviews** will be maintained by the Scrutiny Team and promoted in training sessions for officers and members. The review scope, objectives and timetable should be set realistically, with regard to organisational capacity (member and officer) to sustain the likely workload. Agreed reviews will be supported by the Scrutiny Team, a lead officer from the relevant service and any necessary corporate support services (financial, human resources, policy, etc).
- **Research support** for members can be co-ordinated by the Scrutiny Team related to a policy area or decision that a committee is examining. The team can advise upon avenues of enquiry and help to identify useful contributors. Other officers will provide support and briefings as necessary. If the Scrutiny Team or any other officer feels that an individual member request cannot be met without diverting time from priority work, they may through their director or head of service indicate to the requesting member that the research cannot be completed at present.
- It can arise that an activity is proposed where the director believes there is insufficient resource available. For example, there may be a **conflict of priorities**, or there may be no budget to carry out a survey or to commission an independent expert. In such cases the director should explain the situation to the committee or member. If priorities cannot be agreed, they should refer to the relevant cabinet member for guidance. If there is an **irreconcilable difference** between a committee or member's wishes and the relevant cabinet member's advice, this should be referred by the director to the Leader of the Council and Chief Executive for discussion.

4.7 Regulatory committee business:

- Democratic Services officers may prepare **agenda plans**, and an agenda planning meeting for the chairman and group representatives. The date should suit the majority of participants. Directors will summarise each potential issue for report, to help the representatives consider its appropriateness and request any relevant information.
- The agenda will try to ensure an appropriate **length of meeting**, so that members can retain concentration for dealing with complex applications and evidence, and to minimise the risk of participants and observers being kept waiting for items for unreasonably long periods. The agenda may therefore include specific timings within it.
- These committees often deal with matters involving consideration of applications and evidence. Members and officers participating must have **prior training** in and comply with the relevant legislation, codes of conduct and constitutional rules.
- When determining an application or appeal, the **procedure** will allow speakers for and against to hear the arguments put by others, all questions put and the answers given. Committee members should avoid suggesting any pre-formed opinion, bias or lack of openness and even-handedness during the sitting. Any member voting upon the case should not vote if they have been unable to hear all of the discussion about the item.
- **Site visits** required for planning applications will be arranged by officers, and members should not visit the sites unaccompanied on other occasions. Further details are included within the Planning Code of Conduct. If a member believes any other

committee site inspection or visit should be arranged it would need to be approved by the relevant committee, taking account of budgetary provision for any related expenses.

5. OPEN GOVERNMENT

The City Council believes in open government and makes its decisions in public wherever possible. In particular:

The Forward Plan	A timetable of key decisions coming up in the next four months is published on the website and e-mailed to local media and other people upon request.
Council, Cabinet and committee meetings	<ul style="list-style-type: none"> • Agenda, reports and minutes published on the web and can be inspected at the Council's main office and at libraries. • Public seating available at meetings. The press and public are only excluded when the topics discussed are defined in law as confidential or exempt. • Public speaking is possible, within written guidelines, at Council and Planning & Environmental Protection Committee meetings. • At all public meetings visitors may observe but not participate. The chairman has discretion to allow non-committee members to speak, if it would help the meeting, but not join in the debate. • Where microphones are used, the meeting may be tape-recorded. Tape recordings are only usually taken for Council, Planning & Environmental Protection Committee, Cabinet and Scrutiny Committee / Commission meetings. Verbatim notes or tape transcripts of meetings are not compiled or published. A transcribed extract from a tape recording may be provided, within reason, upon request about a specific issue.
Cabinet member decisions	Every decision is published within two working days on the web and e-mailed to local media and others upon request. The decision record includes the reason for the decision and other options that were rejected.
Officer decisions and freedom of Information	Officers make many decisions, the majority of which are minor operational matters. When they make decisions of substance a file note is kept. Under freedom of information law, most Council documentation is opening to public inspection. The Council's scheme of documents open to the public is available on the web.

6. CONFIDENTIALITY

6.1 Personal data and exempt/confidential information:

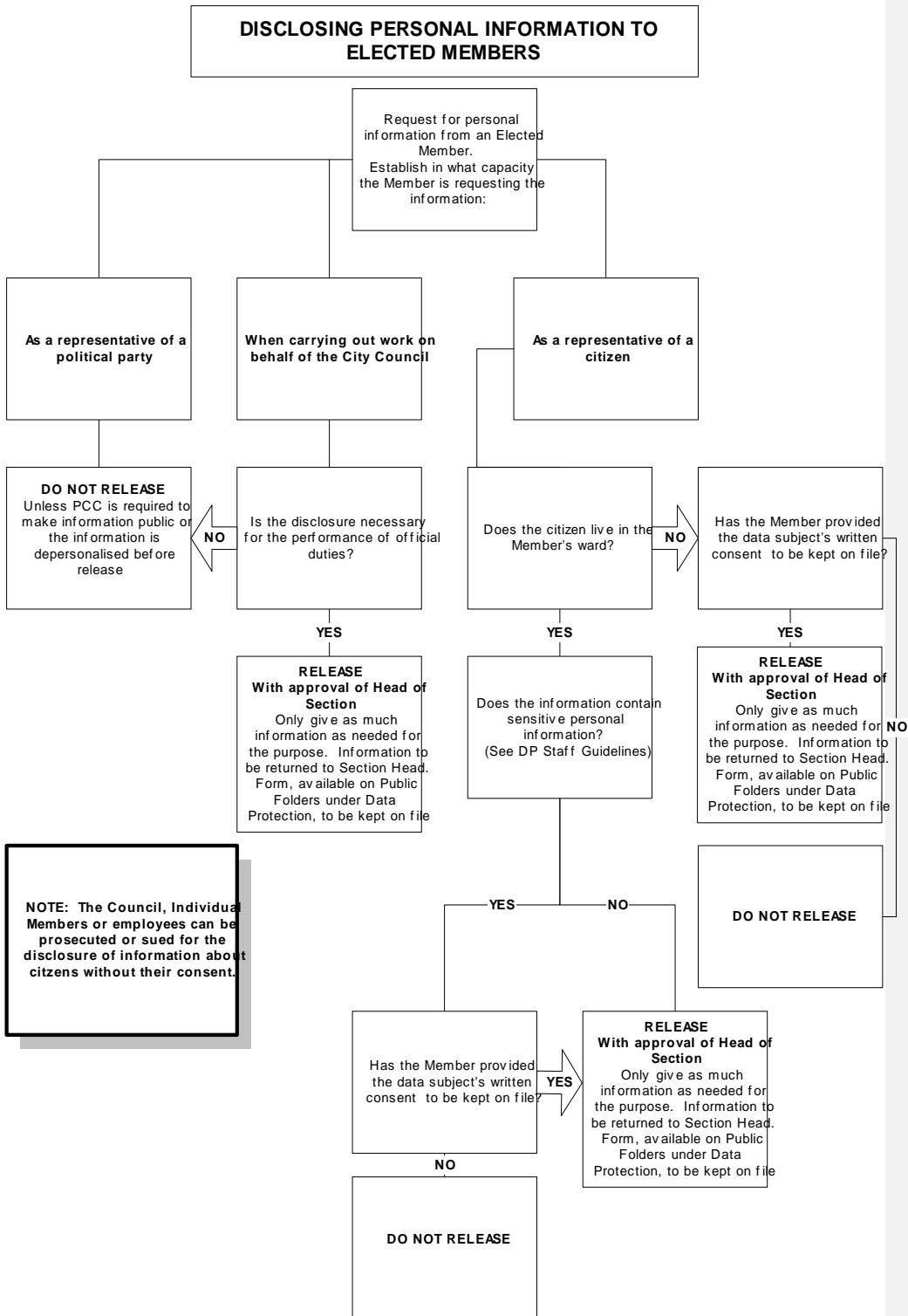
- Councillors need information, explanation and advice to help them discharge their role. This may entitle them to information otherwise unavailable due to data protection restrictions (ie. personal data) and local government's access to information rules (ie. 'exempt' information). The Constitution's Access to Information Procedure Rules describe when a member may have a '**need to know**'. The Code of Conduct requires members to use any Council information properly, particularly confidential information.
- Officers may ask a member to explain their need to know information in accordance with the procedural rules. The **personal data flowchart** below also provides summary guidance. Advice can be sought from the relevant director or the Monitoring Officer, if anyone not sure what can be released to whom, and how it can be used.
- When a meeting considers an **exempt report**, all members and officers without direct involvement with the report (except directors, the lawyer and the committee officer) must leave. Only directors may access exempt or confidential reports that do not relate directly to their service area. Other requests for such information should be referred to the relevant director and, if not resolved, to the Monitoring Officer.

6.2 Confidentiality in briefings:

- Information **initiated** and volunteered by officers to members should be given to all political groups even-handedly.
- Information given **in answer** to specific member requests will not usually be shared with other members, unless the enquirer agrees. On occasions when an officer believes that information given to one member or political group should be shared with others, the officer will tell the requesting member or political group beforehand.
- Officers should not reveal their discussions with one member to another, including the relevant cabinet member, unless they told the enquirer beforehand that they would.
- Members should recognise that they may be involved in the early stages of a project or developing ideas, when it would be unhelpful for the matter to be discussed in public. If confidentiality has been requested, this should be respected.

6.3 E-mail and letter confidentiality:

- Because a member's *peterborough.gov.uk* e-mail account may be routed automatically to a private e-mail account, it is important to protect the privacy of the member's account address which may appear if their e-mails are forwarded.
- Officers who receive an e-mail or letter from a member should generally not forward this to colleagues or other members without first checking with the originator that this is permissible. If the permission is not given, then a new e-mail may be created which contains the gist of the original information. The reason for this is: firstly, the originator may not wish the content of the e-mail or letter to go further; secondly, they may not wish their originating e-mail address to be publicised.



7. ACCESS TO PREMISES

- 7.1 Officers may enter Council land and premises to carry out their work. Some officers are authorised by legislation and the Delegations Document to enter land and premises owned by other people or organisations.
- 7.2 Councillors have common law rights of access to Council land and premises to enable them to carry out their duties as a councillor, such as to attend a meeting they have been invited. If a member wants access in other circumstances they should make arrangements in advance with the appropriate director or the manager of the premises.
- 7.3 **Insurance** The Council has personal accident cover for members who are injured while carrying out their official duties as a councillor, and public liability cover against claims by a third party against a member while the latter is undertaking official duties. However, a member visiting Council premises outside the scope of official duties is only covered by the public liability policy as a member of the public. Thus, to claim, it would be necessary to prove that the accident/injury arose due to negligence of the Council or its officers.
- 7.4 **Building work** At sites where building work is in process, the contract conditions in force will specify that the site is in possession of the contractor and only certain officers (eg the supervisor) have right of entry. Anyone else must make contact with the contractor (through the relevant director or head of service) before going on site.
- 7.5 **Planning application sites** If they want to inspect a planning application site, members should make arrangements with the relevant planning officer who has statutory rights under Town & Country Planning law to enter the site. There are various situations where an occupier may be liable for injury sustained by someone on his or her premises, but the liability is reduced if the person was not invited by the owner so could be termed a trespasser.

8. WORKING WITH GROUP REPRESENTATIVES

- 8.1 **Why?** It is helpful for each political group to appoint a 'group representative' for each main service/subject area to make clear, for each group:
- who officers should inform about policy/service developments
 - who officers should consult, for advice and views about a policy/service
 - which contact names may be given to the media, when news releases are issued or if a media request is received;
 - who will respond to the various informal processes related to decision-making (such as agreeing meeting dates), with fair involvement of all political groups.
- 8.2 **Who?** A group representative is usually appointed for each committee. The chairman is automatically their group's representative. Groups may organise their group representation in other ways. If the designated representative is not clear, officers should ask the group leader or secretary who to contact. For cross-cutting/corporate issues, officers will usually inform and consult group leaders, unless they are asked to do otherwise by the group.
- 8.3 **How?** Directors and heads of service should have regular contact with each group representative for their service area. Where there is a vice-chairman relevant to the service area, they should also be kept informed, particularly if they are likely to cover for the chairman at a meeting. The members should, in turn, ensure that they maintain regular contact with the relevant director/heads of service. Each should build up a regular working relationship with the other. Confidentiality should be respected.
- 8.4 **When** Formal group representatives' meetings are usually arranged by Democratic Services. There should be regular briefings between group representatives and relevant senior managers, whether jointly or separately. They may include the cabinet member. The

method chosen should be agreed between the director and representatives, to suit the subject matter and time and other constraints of all parties concerned.

9. SUPPORT FOR THE WARD MEMBER ROLE

All members play an important role in their ward, providing community leadership at local level and acting as advocates for their constituents. Officers should be open and supportive, providing information and briefings both upon request and through the officer's initiative.

Ward members are entitled to:

- Briefing about local issues to help them represent the Council to the community and vice-versa.
- Find out about new issues from the Council first, not the media or other local sources.
- Help and advice about their ward. If their request cannot be met, they should be told why and the officer should suggest an alternative approach to meet their aims where possible.
- Notice of any Council consultative exercise that affects their ward, with an opportunity to submit views in time to have an influence, and also to be informed of local responses.
- Notice of public meetings arranged by the Council affecting their ward.
- Draft reports or decision notices, from the author, and any views shown in the final report/notice.
- All final Cabinet or committee reports affecting their wards, sent by Cabinet/Scrutiny officers with an invitation to submit written comments directly to the meeting.
- Attend the relevant meeting, at which the chairman of the meeting may invite them to speak.
- Raise ward issues through question times at Council meetings and at Cabinet.
- Notice, from the officer organising the event, of any official engagements by the Mayor in their area where these are ward specific. This only applies to events arranged by the Council and not to the whole range of the Mayor's numerous engagements within the community, notice of which is publicly available on the mayors' page on the Council website.
- An invitation to any ward meeting or site visit initiated by officers - either one joint meeting for all the ward councillors, or an equal opportunity for each to have a separate meeting.

Ward members should:

- Tell officers about local concerns, perspectives and ideas.
- Take complaints or service requests from local people to officers informally first. The issue will often be a misunderstanding rather than service failure, which can be resolved without escalation through formal channels. If a member is not happy with the response received, they should then generally contact the relevant head of service or director.
- Refer any constituent's specific formal complaint straight to the central Complaints Officer so that it can be logged and the Council's response can be arranged.
- Not 'jump the queue' for service delivery, for their residents and enquirers. Members should respect the Council's policies and service procedures.
- If receiving a request for help from a resident outside their ward, tell the resident who their local councillors are and only take up the request if the resident still asks them to. Members will normally, as a courtesy, keep Ward Councillors advised of matters in the ward in which the resident they are dealing with lives. There may be circumstances where urgent or immediate

action needs to be taken (such as safeguarding or health & safety issues) which means this communication/information sharing is retrospective.

- Not ask officers to attend a meeting or site visit in their ward where the public is expected to attend, without inviting the other local ward councillors. This does not apply to private meetings/site visits with officers or a ward 'walkabout' with an officer.

10. MEMBER AND OFFICER ROLES

Members
<ul style="list-style-type: none"> • Responsible to the Peterborough electorate. Serve up to a four-year term of office. • Give political direction for the Council's services. Determine policy for providing the Council's services. Carry out reviews of council services. • Scrutinise the effectiveness of council and local health services, monitoring performance against plans and targets. Actively contribute valuable local knowledge and experience. • Hear applications and appeals about council services, where not decided by officers. • Help residents, organisations or businesses to access services, acting as advocates for them. • Lead the community, at council-wide and local levels. Speak for Peterborough in regional, national and international arenas. • Work together across political divides as far as possible, for the benefit of the Council's services and Peterborough's diverse community. • Promote partnership working with other service providers and local organisations, where appropriate. • May be appointed to represent the Council on external organisations, such as a local health service management board or a community centre management committee. Attend regularly and keep the Council briefed about the organisation. <p>More detail about the role of members who take on special responsibilities is shown in the member roles at Appendix A.</p>

Officers
<ul style="list-style-type: none"> • Employed by, and accountable to, the Chief Executive as 'head of paid service'. • Serve all members, acting impartially. Support them in their work as ward members, as Executive or committee members and as Council representatives on other organisations. • Make managerial and operational decisions about service delivery and enforcement, within delegated authority. Carry out the decisions made by members. • Give professional advice about policy development and decision-making. Be aware of the political and sensitive nature of much of their work, and take steps to understand the political and media implications of their recommendations. • Support and advise the Administration. While all members must be treated equally, officers must support the Administration's objectives and implement the Executive's policies. This inevitably means that a considerable amount of officer time is spent upon Executive business.

- Day-to-day partnership working and liaison with service users, residents, communities, public service providers, businesses and organisations. Inform and consult about council services.
- Liaise with regional, national and international organisations, especially governmental organisations, in the interests of Peterborough.
- Advise appropriate cabinet member(s) of the results of the above consultations.

11. WORKING RELATIONSHIPS, IMPARTIALITY AND CONFLICT RESOLUTION

Dilemmas	Approaches
<p>Balancing time and priorities</p> <p>Members and officers have to balance many competing priorities, and may not always be able to respond to requests immediately</p>	<ul style="list-style-type: none"> • Members should explain their preferred timescale at the time of any request, especially if it is urgent, so officers can make informed judgements about competing requests and priorities. • Officers should take into account other demands (Council, work, other public appointments, etc) upon members. • Officers should not swamp members with written material. • Reports and letters should be concise and jargon-free. • Officers should not expect members to routinely respond to requests at short notice. Reasonable deadlines should be set and highlighted on the front of correspondence.
<p>Familiarity</p>	<p>Members and officers need open working relationships, but should treat close personal familiarity with caution. It could cause difficulties in terms of conflicts of interest, inadvertently passing on confidential information, or giving rise to suspicions of influence or favouritism.</p> <p>Members should not apply undue pressure on officers to undertake work outside their normal duties, procedures or working hours.</p> <p>Officers should not use their working relationship with a member to influence a decision in their favour, raise personal matters connected with their job or make allegations about other employees.</p>
<p>Proper conduct</p> <p>Members and officers are expected to →</p>	<ul style="list-style-type: none"> • perform their duties effectively and efficiently; • give timely responses to enquiries and complaints; • keep each other updated; • participate in briefings and training, to keep up to date with changing legislation, circumstances and roles; • understand and respect each others' roles and pressures; • not use their position to advance personal interests or influence decisions improperly; • comply with the Members' and Officers' Codes of Conduct.
<p>Conflict resolution</p>	<p>If a member feels they have not been treated with respect and courtesy, or their requests are being frustrated or dealt with inadequately, they should ideally first raise this with the officer concerned. If matter is not then resolved, they should then raise it with the director (or, if the director is the cause of the concern, the Chief Executive) either directly or through their group leader/group secretary. The senior officer will consider whether there has been a breach of the officer code of conduct, and any appropriate action.</p>

	<p>If an officer feels a member has been rude or placed unreasonable demands upon them, or a representative is not working with the lead officer, they should ideally raise this first with the member concerned. If the matter is not then resolved, they should raise it with their director (or the Chief Executive, if it is a director who is concerned), who will raise it with the member and/or the member's group leader, as appropriate. If it there may have been a breach of the members' code of conduct then the Monitoring Officer's advice will be taken.</p>
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12. MEETING PROTOCOLS

- 12.1 **Meetings schedule** Council sets an annual schedule of dates for Council, the Cabinet and standing committees. This is confirmed at each annual council meeting for the municipal year just starting, and is rolled forward to a provisional Year 2 schedule at the same time.
- 12.2 **Variations to the schedule, and other meeting dates** Variations to the schedule, and dates and times of other committees or working groups not listed in the schedule, will be determined by the chairman, after prior consultation with group representatives. (In the case of Cabinet, there is no need for such consultation). Democratic Services officers will consult the group representatives (or, if time is short, another member of that group if the representative cannot be contacted) and the relevant lead officers. Chairmen will try to ensure that meetings are timed to be accessible to all members and officers who are required to attend. The Mayor determines any variation to the Council schedule, in consultation with group leaders.
- 12.3 **Timing** For a committee meeting, if there is disagreement about timing between the chairman and group representatives, the meeting will start at the normal time for meetings of that committee as identified in the Annual Calendar of Meetings approved by Council. If there is an unresolved dispute for a working group this will be determined by the parent body.
- 12.4 **Meeting cancellation** Any meeting may be cancelled if there is insufficient business. For Council this will be determined by the Mayor in consultation with the group leaders; for Cabinet meetings, by the Leader of the Council; and for all committees and working groups, by the chairman in consultation with the group representatives.
- 12.5 **Meeting conduct** The chairman's role is to maintain order, a business-like approach, an atmosphere of respect and a good flow of debate, following constitutional rules and also the common law of meetings wherever the Council's procedural rules are silent upon an issue. They chairman will allow adjournments for comfort breaks where reasonable, especially during the hearing of applications or appeals when any member who leaves the meeting may not participate in the vote at completion of the hearing.
- 12.6 **The meeting room** Most meetings take place at the Town Hall, but other venues can be used with the committee's agreement. The layout of seats and tables may be varied to create a more or less formal atmosphere, depending upon the nature of the business. When members of the public are participants (for example, at question and answer sessions or when speaking for or against an application), efforts will be made to ensure the layout is not intimidating. The aim is to help the person make a positive contribution.
- 12.7 **Refreshments** Soft drinks are made available at all meetings. Food will not usually be eaten at meetings which are open to the public and when decisions are being made, to avoid detracting or distracting from the seriousness of the business at hand. Refreshments may be appropriate where participants have been asked to attend across a meal-time.

13. ALL PARTY POLICY PLANNING BRIEFINGS (APPP)

- 13.1 These cross-party meetings are held regularly, usually on the last Thursday of each month excepting May, August and December. They allow the full Council membership to receive briefings, and ask questions and discuss points arising both informally and confidentially.
- 13.2 In general, one presentation per meeting will be arranged by Members Services Unit (in consultation with the APPP chairman) about contemporary, significant service and corporate issues. This may include external presenters.
- 13.3 Council will determine the date and time of APPP meetings, usually through the annual meetings schedule. The meeting itself will appoint its chairman.

14 OFFICERS' MANAGEMENT ARRANGEMENTS

- 14.1 **Corporate Management Team (CMT)** meets fortnightly to consider strategic issues affecting the Council. Formal meetings are serviced by Democratic Services, and chaired by the Chief Executive or a nominated director. The agenda is agreed with the Chief Executive or meeting chairman. Action points/minutes are made available within the Council. Typical issues discussed:
 - draft Cabinet/committee reports and work programmes;
 - new initiatives from government or other agencies and the likely impact on the Council;
 - items requested by members, directors or heads of service;
 - the outcomes and expectations of best value and other inspections;
 - a workshop to discuss specific issues or as part of overall organisational development.

The Group usually sees all draft Cabinet reports before they are issued. It may request sight of draft overview and scrutiny committee reports based upon forward examination of the work programme. This allows strategic management of the authority's business.

- 14.2 **Departmental management teams (DMTs)** comprise the director and the heads of service for each division within a department, with other officers as necessary to give legal, financial, constitutional or other advice. They meet regularly to discuss strategic and operational matters. These meetings may include:
 - meetings with the cabinet member and/or group representatives;
 - organised training sessions about specific issues;
 - feedback from the Executive, committee meetings and CMT;
 - inspection reports;
 - Cabinet/committee work programmes and draft reports;
 - service planning and employee related matters;
 - contributions to and responses to corporate initiatives.
- 14.3 **Communications:** Consistent two-way communication between members, managers and other employees, is important, avoiding duplication. Communication channels include:
 - Chief Executive's regular briefings open to all employees;
 - service specific briefings – as and when necessary;
 - weekly Members' Information bulletin and Members' Digest - officers should use these to reduce the reading burden for members and printing and distribution costs;
 - newsletters for all employees and members and per department;
 - information passed from CMT to DMTs to team meetings;
 - one to one meetings with employees or councillors;
 - shared computer databases.
- 14.4 **Politically restricted posts** All officer posts are impartial, but the following have a special political restriction by law: the Chief Executive; directors; the Monitoring Officer (i.e the Solicitor to the Council); and officers on a list which the Council must maintain of all posts which *either* have annual pay equivalent to or above pay spinal column point 44, or involve

the officer in regularly giving advice to Council, the Executive, a committee or sub-committee, or regularly speaking on the Council's behalf to journalists and broadcasters.

Officers whose posts are “politically restricted” may not:

- hold office in a political party, act as an election agent or canvass on behalf of a political party or candidate for election;
- stand for election to a local authority (except to a parish council);
- speak in public, give interviews or publish any written work with the intention of affecting public support for a political party.

These restrictions do not affect the employee's family. They do not prevent the officers from, for example, displaying an election poster in a window of their home if they so wish.

15. SUPPORT SERVICES PROVIDED FOR MEMBERS

The Council may only help members to discharge their role as councillors, and may not use its resources for party political activity. Members will not ask officers to publish material that appears to seek public support for a political party, or to do work that would compromise their impartiality. Any such requests are referred back to the member for they or their party office to undertake.

<p>Secretarial and administrative support for ward casework Provided by the Members Services Unit ('the Unit'). Carried out strictly in date order of receipt unless marked as 'urgent', and completed within three working days where possible.</p> <p>May not refer to membership of/support for political parties. Local newsletter titles may be mentioned unless this places the impartiality of the Unit at risk. Political views may be expressed, if the correspondence includes a statement that it may not reflect the Council's views.</p> <p>The Unit may interview constituents who phone or visit the Town Hall, take and record appropriate action on members' behalf. The constituent is kept informed of action taken and the member notified in writing, with copies of any correspondence instigated on their behalf. Correspondence is not be copied to another member, without prior consultation.</p>
<p>Member details Maintained by the Unit and Democratic Services secretaries. Published on the web, if the member's permission has been given.</p>
<p>Casework generated by ward surveys and feedback forms Can be undertaken by the Unit. Information such as service requests is taken from the survey form and forwarded to the relevant officer, to avoid circulating any material showing political bias. Officer replies are recorded and the ward resident contacted on the member's behalf. The Unit will not, however, produce or otherwise be involved in the implementation of the survey itself.</p>
<p>Ward profiles Available to members, on request to the Unit.</p>
<p>Members' post This will be placed in Members pigeon holes in their group rooms. Urgent items that need to be posted will be done so with the agreement of the Head of Constitutional Services Despatched every Monday, Wednesday and Friday; only urgent mail sent on other days. The Unit will tell members about bulky items, to be collected from Group Rooms where possible to save postage. Members return envelopes to the Town Hall for reuse.</p> <p>Multiple copies of sealed mail are checked by the Unit to see if they should be posted at the Council's expense. Inappropriate items (advertising, political material and junk mail, etc) are logged and placed in Group Rooms for collection by members. Political groups' correspondence relating specifically to Council policy and business <u>will also be posted in members pigeon holes.</u> may be mailed in members' post.</p>
<p>Photocopying Each request judged on its merits. Maximum 250 copies per member per month or 3,000 per year. Members collect/distribute bulk copies; they are not mailed by the Council.</p>
<p>E-mail A <i>peterborough.gov.uk</i> address for all members, routed automatically where the member has a private e-mail facility available, and otherwise forwarded hard copy by the Unit. Hard-copy forwarding should not be used to conduct personal or party political business.</p>

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Ward surgeries Arranged by the member, but advertised by the Unit. The Unit pays invoices for surgery venues. Officers are not expected to attend members' surgeries.

Office supplies Reasonable supplies of letter-head paper, business cards and office stationery. Dictaphones, fax machines and replacement fax cartridges for Council use. Provided in Group Rooms, and for home use upon request from the Unit. Shredding available for council papers. (Allowances and ICT support are described in the Members Allowances Scheme.)

Car parking An annual bulk request to renew members' car parking permits.

16. POLITICAL GROUPS

- 16.1 Councillors may give notice of membership of a political group. Each group appoints a leader and secretary, may appoint a deputy leader and otherwise arranges its own affairs.
- 16.2 Private **political group meetings** may be held at the Town Hall. Members Services Unit will arrange, providing a secretariat service if requested, up to one meeting each month. These will usually follow the All Party Policy Planning meeting.
- 16.3 Officers may attend political group meetings on Council business. Any request for an officer to attend a Group meeting should be directed to the Chief Executive or relevant director, stating the subject matter. The Chief Executive or director will determine which officer(s) should attend, usually a second-tier officer or above. If they believe officer attendance would be inappropriate, they will discuss this with the group leader.
- 16.4 Officers must not advise group meetings about political or party business. Members and officers should avoid any conduct that could compromise officers' impartiality. Special care is needed if the meeting includes party representatives/observers who are not councillors. These people will not have signed the statutory Code of Conduct and do not have members' rights to information, so officers may not be able to provide the same level of advice. The meeting chairman will tell officers if there are observers present.
- 16.6 Confidentiality: the content of discussions will not be relayed directly or indirectly to members of another group or officers without the consent of the political group.
- 16.7 A **public political group meeting** may not be held at the Town Hall, to avoid any confusion in public perception as to the Council's official views about an issue.

17. SHADOW CABINET

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- 17.1 Should the second largest Political Group on the Council wish to form a Shadow Cabinet they will need to notify the Council and Chief Executive of their nominated membership to a Shadow Cabinet
- 17.2 A Shadow Cabinet will be subject to the same rules and conditions as outlined in this Member/Officer Protocol.
- 17.3 A Protocol outlining the role and support to the Shadow Cabinet is outlined in Appendix 1 to this Member/Officer Protocol

18. MEMBERS' OFFICES

- 18.1 **Group Rooms** All Members have access to their 'political group room', which is not open to other members or officers. These are supported by Members' Services Unit.
- 18.2 **Members' Lounge** This is open to all members. It can be used when meeting visitors to discuss ward related issues and other council business. It may also be used by members to hold small meetings where it is not appropriate to hold these within the group rooms.
- 18.3 **Leader's office** The Leader of the Council is provided with an office.

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19. MEMBER APPRAISAL, TRAINING AND DEVELOPMENT

- 19.1 **Service-specific briefing and training** This is arranged and funded by the service department. Attendance at external events should be approved in accordance with the Delegations Document. Any expenses incurred on behalf of an individual councillor must

be notified to the Head of Governance, both to track overall training provision and to ensure that legal requirements (see the Members' Allowances Scheme) are followed.

- 189.2 Members should receive appropriate training in order to sit on regulatory committees and also to undertake best value reviews.
- 198.3 **Corporately arranged briefing and training** A central budget is provided for corporately arranged members' training, managed by Democratic Services and advised by the Organisational Development section within Human Resources Division. The Monitoring Officer oversees the central funds to ensure that there is provision for the following categories: executive development; overview and scrutiny development; generic/cross-party skills development; and individual member requests supported by their political group.
- 198.4 The Peterborough **Guide to Training and Development** for City Councillors highlights the skills needed to be a ward councillor, carry out scrutiny or serve on the Executive. It suggests a method for members to identify their training and development needs in a personal development plan. It can be used for a self- assessment with officers, on request.
- 198.5 The Chief Executive will maintain a database of members' training. This is used to develop an **annual training plan** for members.
- 198.6 Members attending an external training event/conference should feed back to the relevant director or head of service, to consider how the information learnt can be disseminated.
- 198.7 **Member roles** (Appendix A) have been drawn up to advise the independent remuneration panel. These can be used alongside the training guide, to help clarify learning needs, and also help members of the public to know what they can expect of elected members.
- 198.8 The Council does not operate a formal **performance appraisal** scheme for members. Standards Committee agreed that this would be impractical to operate. Members are ultimately held accountable by their electorate through local elections. Residents can find out about their councillors by means of contact details and explanatory information about members' roles provided in leaflets and on the Council's website.

2049. OFFICER APPRAISAL, TRAINING AND DEVELOPMENT

- 2049.1 The Council's learning policy recognises that all employees need to learn and develop. Each department is encouraged to have a training plan, reflecting the Council's and services' objectives and action plans. Officer attendance at briefings, courses, seminars and conferences is arranged and funded by the department's budget in line with their training plan and service plans.
- 209.2 Afterwards, the officer and line manager should evaluate whether the learning objectives were met and share learning, to maximise benefit from the investment in the event.
- 2049.3 All employees should have a personal development plan reviewed at least annually through the appraisal process. Annual appraisal includes at least six-monthly meetings where the officer and manager review job description, achievements, progress with meeting current objectives, new objectives, learning needs and any other ways in which support could be given to improve the person's job and or performance.

Appendix 1

SHADOW CABINET PROTOCOL

1. Composition

The Leader of the second largest Political Group may choose to form a Shadow Cabinet by their nomination from amongst the Members of the Council. If so they shall notify the Council and the Chief Executive of the names of the Members nominated to form a Shadow Cabinet and of any changes in the membership of the Shadow Cabinet which may occur from time to time.

The distribution of portfolios between and amongst Shadow Cabinet

Members will mirror those of the Cabinet, save that a single Member may cover more than one portfolio.

2. Number of Members

The Shadow Cabinet shall comprise no greater number of Members than the number of members of the Cabinet.

3. Role

The Shadow Cabinet will have collective responsibility for providing an effective challenge to the controlling Executive and for constructive scrutiny of the achievement of the Council's corporate and service objectives and priorities.

4. Officer Support

4.1 On request the Chief Executive, or senior officers acting under their direction, shall attend private meetings of the Shadow Cabinet. At such meetings, the Chief Executive (or nominee) shall brief the Shadow Cabinet on:

(a) proposals that are to be considered by the Cabinet and that have been published; and

(b) other matters identified by the Shadow Cabinet.

4.2 Officer briefings at private Shadow Cabinet meetings shall be factual and professional and non-political in nature and shall not extend to the evaluation of policy options, justifying or defending proposals of the Executive, or revealing information and advice that is properly confidential in nature

4.3 Officers shall not speak or answer questions at Shadow Cabinet meetings that are open to the general public or anyone who is not a Member of Peterborough City Council, save for any properly appointed Political Assistant and any officer present at the request of the Chief Executive.

4.4 Individual shadow Portfolio Holders are not holders of office within the Council. However, shadow Portfolio Holders may receive advice and support from the Chief Executive or senior officers acting under their direction. All such advice and support will need to comply with the Member/Officer protocol contained in part 5 of the Council's Constitution.

5. Powers

For the avoidance of doubt the Shadow Cabinet will not have any Executive powers and in this respect officers cannot be instructed to act on behalf of the Shadow Cabinet or individual Members of the Shadow Cabinet in any way

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 6
9 JULY 2018	PUBLIC REPORT

Report of:	Fiona McMillan Interim Director of Law and Governance & Monitoring Officer	
Cabinet Member responsible:	Cllr David Seaton – Cabinet Member for Resources	
Contact Officer:	Philippa Turvey, Democratic and Constitutional Services Manager Daniel Kalley, Senior Democratic Services Officer	Tel. 452460/2963 34

UPDATE ON ISSUES OF NATIONAL INTEREST - COMMITTEE ON STANDARDS IN PUBLIC LIFE

R E C O M M E N D A T I O N S	
FROM: Interim Director of Law and Governance & Monitoring Officer	Deadline date: N/A
<p>It is recommended that Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> Note the Committee on Standards in Public Life have undertaken a review of local government standards 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Constitution and Ethics Committee by the Council's Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

2.1 As part of updating The Constitution and Ethics Committee on issues of national interest, which may have an impact on local government.

2.2 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.2

Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the Council including:

- Promoting and maintaining high standards of conduct by Members and coopted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. **BACKGROUND AND KEY ISSUES**

- 4.1 The Committee on Standards in Public Life wrote to the Prime Minister in January 2018 to inform the Government that the Committee was to undertake a review of local government standards. **(Attached at Appendix A)**
- 4.2 As part of this review, the Committee held a public stakeholder consultation. The consultation closed on Friday 18 May 2018. **(Attached at Appendix B)**
- 4.3 A report on the findings of the Committee will be completed by the end of the year.

5. **APPENDICES**

- 5.1 Appendix A – Letter from Committee on Standards in Public Life to Prime Minister
- 5.2 Appendix B – Public stakeholder consultation letter

Room GC.07
1 Horse Guards Road
London
SW1A 2HQ

Tel: 020 7271 2948

Email: public@public-standards.gov.uk

Committee on
Standards in
Public Life

Rt Hon Theresa May MP
Prime Minister
10 Downing Street
London SW1A 2AA

18 January 2018

Dear Prime Minister

I am writing to inform you that the Committee on Standards in Public Life has decided to undertake a review of local government standards.

The Committee has had a long-standing interest in local government standards: it was the subject of the Committee's Third Report in 1997, and the Committee has considered the issue on a number of occasions since, in response to legislative and institutional changes.

We will launch the review at the end of this month and aim to report by the end of the year.

I enclose a copy of the terms of reference for this review for your information.

Yours sincerely,



Lord Bew
Chair, Committee on Standards in Public Life

Selflessness | Integrity | Objectivity | Accountability | Openness | Honesty | Leadership

Terms of reference

The terms of reference for the review are to:

1. Examine the structures, processes and practices in local government in England for:
 - a. Maintaining codes of conduct for local councillors;
 - b. Investigating alleged breaches fairly and with due process;
 - c. Enforcing codes and imposing sanctions for misconduct;
 - d. Declaring interests and managing conflicts of interest; and
 - e. Whistleblowing.
2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
3. Make any recommendations for how they can be improved; and
4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

The review will consider all levels of local government in England, including town and parish councils, principal authorities, combined authorities (including Metro Mayors) and the Greater London Authority (including the Mayor of London).

Review of Local Government Ethical Standards: Stakeholder Consultation

The Committee on Standards in Public Life is undertaking a review of local government ethical standards.

Robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government.

As part of this review, the Committee is holding a public stakeholder consultation. The consultation is open from 12:00 on Monday 29 January 2018 and closes at 17:00 on Friday 18 May 2018.

Terms of reference

The terms of reference for the review are to:

1. Examine the structures, processes and practices in local government in England for:
 - a. Maintaining codes of conduct for local councillors;
 - b. Investigating alleged breaches fairly and with due process;
 - c. Enforcing codes and imposing sanctions for misconduct;
 - d. Declaring interests and managing conflicts of interest; and
 - e. Whistleblowing.
2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
3. Make any recommendations for how they can be improved; and
4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

The review will consider all levels of local government in England, including town and parish councils, principal authorities, combined authorities (including Metro Mayors) and the Greater London Authority (including the Mayor of London).

Local government ethical standards are a devolved issue. The Committee's remit does not enable it to consider ethical standards issues in devolved nations in the UK except with the agreement of the relevant devolved administrations. However, we welcome any evidence relating to local government ethical standards in the devolved nations of the UK, particularly examples of best practice, for comparative purposes.

Submissions will be published online alongside our final report, with any contact information (for example, email addresses) removed.

The Committee will publish anonymised submissions (where the name of the respondent and any references to named individuals or local authorities are removed) where a respondent makes a reasonable request to do so.

Consultation questions

The Committee invites responses to the following consultation questions.

APPENDIX B

Please note that not all questions will be relevant to all respondents and that submissions do not need to respond to every question. Respondents may wish to give evidence about only one local authority, several local authorities, or local government in England as a whole. Please do let us know whether your evidence is specific to one particular authority or is a more general comment on local government in England.

Whilst we understand submissions may be grounded in personal experience, please note that the review is not an opportunity to have specific grievances considered.

- a. Are the existing structures, processes and practices in place working to ensure high standards of conduct by local councillors? If not, please say why.
- b. What, if any, are the most significant gaps in the current ethical standards regime for local government?

Codes of conduct

- c. Are local authority adopted codes of conduct for councillors clear and easily understood? Do the codes cover an appropriate range of behaviours? What examples of good practice, including induction processes, exist?
- d. A local authority has a statutory duty to ensure that its adopted code of conduct for councillors is consistent with the Seven Principles of Public Life and that it includes appropriate provision (as decided by the local authority) for registering and declaring councillors' interests. Are these requirements appropriate as they stand? If not, please say why.

Investigations and decisions on allegations

- e. Are allegations of councillor misconduct investigated and decided fairly and with due process?
 - i. What processes do local authorities have in place for investigating and deciding upon allegations? Do these processes meet requirements for due process? Should any additional safeguards be put in place to ensure due process?
 - ii. Is the current requirement that the views of an Independent Person must be sought and taken into account before deciding on an allegation sufficient to ensure the objectivity and fairness of the decision process? Should this requirement be strengthened? If so, how?
 - iii. Monitoring Officers are often involved in the process of investigating and deciding upon code breaches. Could Monitoring Officers be subject to conflicts of interest or undue pressure when doing so? How could Monitoring Officers be protected from this risk?

Sanctions

- f. Are existing sanctions for councillor misconduct sufficient?

APPENDIX B

- i. What sanctions do local authorities use when councillors are found to have breached the code of conduct? Are these sanctions sufficient to deter breaches and, where relevant, to enforce compliance?
- ii. Should local authorities be given the ability to use additional sanctions? If so, what should these be?

Declaring interests and conflicts of interest

- g. Are existing arrangements to declare councillors' interests and manage conflicts of interest satisfactory? If not please say why.
 - i. A local councillor is under a legal duty to register any pecuniary interests (or those of their spouse or partner), and cannot participate in discussion or votes that engage a disclosable pecuniary interest, nor take any further steps in relation to that matter, although local authorities can grant dispensations under certain circumstances. Are these statutory duties appropriate as they stand?
 - ii. What arrangements do local authorities have in place to declare councillors' interests, and manage conflicts of interest that go beyond the statutory requirements? Are these satisfactory? If not, please say why.

Whistleblowing

- h. What arrangements are in place for whistleblowing, by the public, councillors, and officials? Are these satisfactory?

Improving standards

- i. What steps could *local authorities* take to improve local government ethical standards?
- j. What steps could *central government* take to improve local government ethical standards?

Intimidation of local councillors

- k. What is the nature, scale, and extent of intimidation towards local councillors?
 - i. What measures could be put in place to prevent and address this intimidation?

Who can respond?

Anyone with an interest may make a submission. The Committee welcomes submissions from members of the public.

However, the consultation is aimed particularly at the following stakeholders, both individually and corporately:

- Local authorities and standards committees;
- Local authority members (for example, Parish Councillors, District Councillors);
- Local authority officials (for example, Monitoring Officers);

APPENDIX B

- Independent Persons appointed under section 28(7) of the Localism Act 2011;
- Think tanks with an interest or expertise in local government;
- Academics with interest or expertise in local government; and
- Representative bodies or groups related to local government.

How to make a submission

Submissions can be sent either in electronic format or in hard copy.

Submissions must:

- State clearly who the submission is from, i.e. whether from yourself or sent on behalf of an organisation;
- Include a brief introduction about yourself/your organisation and your reason for submitting evidence;
- Be in doc, docx, rtf, txt, ooxml or odt format, not PDF;
- Be concise – we recommend no more than 2,000 words in length; and
- Contain a contact email address if you are submitting by email.

Submissions should:

- Have numbered paragraphs; and
- Comprise a single document. If there are any annexes or appendices, these should be included in the same document.

It would be helpful if your submission included any factual information you have to offer from which the Committee might be able to draw conclusions, and any recommendations for action which you would like the Committee to consider.

The Committee may choose not to accept a submission as evidence, or not to publish a submission even if it is accepted as evidence. This may occur where a submission is very long or contains material which is inappropriate.

Submissions sent to the Committee after the deadline of 17:00 on Friday 18 May 2018 may not be considered.

Submissions can be sent:

1. Via email to: public@public-standards.gov.uk
2. Via post to:
Review of Local Government Ethical Standards
Committee on Standards in Public Life
GC:07
1 Horse Guards Road
London
SW1A 2HQ

If you have any questions, please contact the Committee's Secretariat by email (public@public-standards.gov.uk) or phone (0207 271 2948).

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 8
9 JULY 2018	PUBLIC REPORT

Report of:	Fiona McMillan Interim Director of Law and Governance & Monitoring Officer	
Cabinet Member responsible:	Cllr David Seaton – Cabinet Member for Resources	
Contact Officer:	Philippa Turvey, Democratic and Constitutional Services Manager, Daniel Kalley, Senior Democratic Services Officer	Tel. 452460/2963 34

CODE OF CONDUCT COMPLAINTS RECEIVED SINCE MAY 2018

R E C O M M E N D A T I O N S	
FROM: Interim Director of Law and Governance & Monitoring Officer	Deadline date: N/A
<p>It is recommended that Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> Note the report on complaints received/being handled by the Monitoring Officer since May 2018. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Constitution and Ethics Committee by the Council's Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

2.1 The Constitution & Ethics Committee was created in May 2018 and given the responsibility of promoting and maintaining high standards of conduct amongst members and co-opted member of the council including "monitoring the operation of the Code of Conduct. This also includes parish councillors.

2.2 The Monitoring Officer proposes that a standing item is placed on the agenda for the committee notifying and updating the committee on complaints that have been made, how they are being handled and whether they have been resolved.

2.3 As the outcome of the Committee's decision on the confidentiality of complaints is not yet known existing complaints will be reported in an anonymised way at the moment. If the Committee decide not to agree with the confidentiality proposals then a non-anonymised report will be placed on the council's website alongside the minutes.

2.4 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.72.2

Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the

Council including:

- Promoting and maintaining high standards of conduct by Members and coopted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. **BACKGROUND AND KEY ISSUES**

- 4.1 Since May 2018 (when the Constitution and Ethics Committee took on responsibility for the operation of the code of conduct) there have been two new parish council complaints received and one ongoing council complaint. There is also an outstanding complaint received pre-May where it has been agreed by all parties that it will be dealt with by way of alternative resolution but this is not yet completed.
- 4.2 One was from a member of the public and related to a complaint that a parish council was not opening and closing meetings correctly, was not following correct protocol at meetings and failed to respond to public questions and were dismissive towards members of the public. The Monitoring Officer has responded to say that a complaint cannot be made against the parish council as a body and needs to be against named councillors. The complainant has not yet responded to this.
- 4.3 The second parish council complaint relates to a complaint from a member of the public about the behaviour of the Chairman and another member of the parish council at a parish council meeting. The councillors have been written to and asked for their responses which have just been received and the Monitoring Officer will now carry out an initial assessment of the complaint.
- 4.4 There is also an ongoing complaint which was raised by two members of Peterborough City Council against another member of council in relation to derogatory comments made in the media against one of the members along with alleged data breaches in relation to information received as part of a petition. This complain was considered by the Monitoring Officer and the Independent person and it was decided to refer the matter for a formal investigation, which is currently underway.

5. **CONSULTATION**

- 5.1 N/A

6. **ANTICIPATED OUTCOMES OR IMPACT**

By reporting the complaints that have been made the Committee can more effectively monitor the operation of the Code of Conduct.

7. **REASON FOR THE RECOMMENDATION**

- 7.1 It is understood that reports on the operation of the Code of Conduct were not, as a matter of course, made to the Audit Committee, which had responsibility for the monitoring of the code previously before the Constitution and Ethics Committee was constituted.

Regular reporting of both quantities and substance of complaints will help the Committee gain a better understanding of the effectiveness of current procedures and how well the Code is being

observed across both the council and the parish councils in its area. This will inform future decisions about what training may be necessary to ensure the requirements of the code are being met.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 None

9. IMPLICATIONS

Financial Implications

9.1 None

Legal Implications

9.2 Under the Localism Act 2011 the council may set its own procedures in relation to the handling of complaints.

Equalities Implications

9.3 None

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 The Localism Act 2011

11. APPENDICES

11.1 None

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 9
9 JULY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director Law and Governance	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member Resources	
Contact Officer(s):	Dan Kalley, Senior Democratic Services Officer	Tel. 296334

WORK PROGRAMME, FUTURE DATES AND MEMBER ISSUES

R E C O M M E N D A T I O N S	
FROM: Fiona McMillan, Interim Director of Law and Governance	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee</p> <ol style="list-style-type: none"> 1. Notes and agrees the Work Programme for the municipal year 2018/19 2. Agrees the proposed dates of future meetings for the municipal year 2018/19 	

1. ORIGIN OF REPORT

- 1.1 This is a standard report to the Constitution and Ethics Committee which forms part of its agreed work programme. This report provides details of the Draft Work Programme for the following municipal year.
- 1.2 The Committee is currently proposed to meet two times a year, however as there are a number of items for the Committee to discuss it has been suggested that an additional two dates are provisionally added to the calendar.

If there is no business to conduct at these meetings they will be cancelled, with agreement from the Chair and Group representatives.

The two additional proposed dates are:

1. 1 October 2018
2. 11 March 2019

The other date in the calendar, which was agreed at Full Council is Monday 7 January 2019.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The programme can be refreshed throughout the year in consultation with senior officer and the Committee membership to ensure that it remains relevant and up to date. In addition, any delays in reporting issues are recorded so that they do not drop off the committee agenda.
- 2.2 This is also an opportunity for Members of the Committee to raise any issues of concern under the Committee's terms of reference for discussion or addition to the work programme.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
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4. IMPLICATIONS

Financial Implications

4.1 There are none.

Legal Implications

4.2 There are none.

Equalities Implications

4.3 There are none.

5. APPENDICES

5.1 Appendix A - Work Programme 2018/19.

APPENDIX A

DATE: 1 OCTOBER 2018 (Provisional)			
		Section / Lead	Description
	Parish Councils - Register of Interests	Dem Services	To take stock of Parish Councils register of interests
	Independent Persons - Appointment processes	Fiona McMillan Legal	To review the processes of appointing the Independent Persons Appointment.
	Whistle-Blowing	Fiona McMillan Legal	To review the Councils policy on whistle-blowing.
	Council meetings - timings	Fiona McMillan/Dem Services	To look into the timings for Council agenda items.
	Officer Code of Conduct	Fiona McMillan Legal	To review the Officer Code of Conduct and assess its suitability
	Civic Protocols	Mayor's Office	To review the Civic Protocols and ensure fit for purpose.
	Gifts and Hospitality	Fiona McMillan Legal	To review the Gifts and Hospitality following the Audit process.
	Petitions Scheme	Dem Services	
	INFORMATION AND OTHER ITEMS		
	Dispensations Issues	Fiona McMillan Legal	To receive an update on the use of dispensations.

	Update on National Issues	Fiona McMillan Legal	To receive a report on any issues of national importance
	Report on Code of Conduct Issues	Fiona McMillan	To receive an update as to any code of conduct cases
	Work Programme 2018 / 2019	Democratic Services Dan Kalley	

DATE: 7 JANUARY 2018

		Section / Lead	Description
	INFORMATION AND OTHER ITEMS		
	Dispensations Issues	Fiona McMillan Legal	To receive an update on the use of dispensations.
	Update on National Issues	Fiona McMillan Legal	To receive a report on any issues of national importance
	Report on Code of Conduct Issues	Fiona McMillan	To receive an update as to any code of conduct cases
	Work Programme 2018 / 2019	Democratic Services Dan Kalley	

DATE: 11 MARCH 2019 (Provisional)

		Section / Lead	Description
	INFORMATION AND OTHER ITEMS		
	Dispensations Issues	Fiona McMillan Legal	To receive an update on the use of dispensations.
	Update on National Issues	Fiona McMillan Legal	To receive a report on any issues of national importance
	Report on Code of Conduct Issues	Fiona McMillan	To receive an update as to any code of conduct cases
	Work Programme 2018 / 2019	Democratic Services Dan Kalley	

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