

CONSTITUTION AND ETHICS COMMITTEE

MONDAY 28 JANUARY 2019

7.00 PM

Bourges/Viersen Room - Town Hall

AGENDA

	Page No
1. Apologies for Absence	
2. Declarations of Interest	
3. Minutes of the meeting held on 29 October 2018	3 - 8
4. Full Council Debates on Motions and Recommendations	9 - 12
5. Motion on Code of Conduct - Committee on Standards in Public Life	13 - 16
6. Template Submitting Motions to Full Council	17 - 20
7. Member Officer Protocol Update	21 - 46
8. Parish Councils - Register of Interests	47 - 60

FOR INFORMATION ITEMS

9. Dispensations Issue	
There have been no reported dispensations issued.	
10. Update on National Issues	
There are no further updates of national interest.	
11. Report on Code of Conduct Update	61 - 64
12. Work Programme 2018/19	65 - 68



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Dan Kalley on 01733 296334 as soon as possible.

Did you know? All Peterborough City Council's meeting agendas are available online or via the modern.gov app. Help us achieve our environmental protection aspirations and view this agenda online instead of printing it.

Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair. In the event of a continuous alarm sounding remain seated and await instruction from the duty Beadle.

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. Audio-recordings of meetings may be published on the Council's website A protocol on this facility is available at:

<http://democracy.peterborough.gov.uk/ecSDDisplay.aspx?NAME=Protocol%20on%20the%20use%20of%20Recording&ID=690&RPID=2625610&sch=doc&cat=13385&path=13385>

Committee Members:

Councillors: Allen, Bashir (Vice Chairman), 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 Dan Kalley on telephone 01733 296334 or by email – daniel.kalley@peterborough.gov.uk

**MINUTES OF THE CONSTITUTION AND ETHICS COMMITTEE MEETING
HELD AT 7:00PM, ON
MONDAY, 29 OCTOBER 2018
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Committee Members Present: Councillors Seaton (Chairman), Bashir, Allen, Smith, Murphy, Amjad Iqbal, Sandford

Officers Present: Fiona McMillan, Director Law and Governance and Monitoring Officer
Rachel Edwards, Head of Constitutional Services
Pippa Turvey, Democratic and Constitutional Services Manager
Amy Brown, Senior Lawyer and Deputy Monitoring Officer

10. APOLOGIES FOR ABSENCE

There were no apologies received.

11. DECLARATIONS OF INTEREST

Councillor Murphy declared a personal interest in item 10 by virtue of having previously been the subject of a complaint.

12. MINUTES OF THE MEETING HELD ON 9 JULY 2018

The minutes of the meeting held on 9 July 2018 were agreed as a true and accurate record.

13. COUNCIL MEETINGS – TIMINGS AND STANDING ORDERS

The Constitution and Ethics Committee received a report in relation to the time limits set in place motions and questions to be discussed at meetings of Full Council. The report highlighted changes to the Council Standing Orders, including a proposal to allow Members to sit when addressing the Mayor.

The Director of Law and Governance introduced the report and explained that a number of options were put before Members in order to better manage the timing of Full Council meetings to ensure that motions were considered fully. What action was taken would depend on which part of Council debate was valued by Members.

The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- It was commented that at the most recent Full Council meeting a high number of motions had been received, however, the usual number of motions was around three or four per meeting.

- Concern was raised as to where the proposals had originated and whether they would curtail the powers of opposition parties to hold the administration to account.
- It was suggested that the time spent on motions was not the main problem, but the time spent in the lead up to motions.
- An idea was raised to bring forward the start time of Full Council meetings from 7pm to 6pm, which would, in turned, alter the guillotine cut off from 11pm to 10pm.
- Further comment was made that Members were aware of the unsociable hours of meetings when they were elected.
- It was felt that several motions brought to Full Council at recent meetings were not dealt with in the appropriate forum. Motions should deal with the most important issues only.
- It was noted that however early Council meetings started, Members would continue to discuss items at length due to the public nature of the meetings.
- Some Members felt that there were other opportunities to ask questions of Cabinet Members outside of the Council meeting. It was further commented, however, that often Members wished to air their questions at a public meeting to hold Cabinet Members publically accountable.
- Suggestion was made that the matter of amended the start time of Council be put to all Members to canvas opinion.
- In relation to the matter of standing when addressing Full Council, Members felt that it helped the public identify speakers.
- Concern was also raised as to how attention would be drawn to points of order if Member remained seated.
- Attention was drawn to the proposal to provide only written responses to ward specific questions, where it was often more appropriate for officers to respond.

The recommendation in relation to amending the Council's Standing Orders to include a time limit on the debate of motions on notice to not exceed 30 minutes per motion and to reduce the entire time for motions on notice to two hours was not moved.

A vote was taken (4 voted in favour, 3 voted against, 0 abstain from voting) and the Constitution and Ethics Committee **RECOMMENDED** that Full Council amend the Council's Standing Orders to reflect that questions at Council were to relate to broader council matters. Questions relating to Ward specific issues would receive a written response and be published as part of the minutes.

The recommendation to amend the Council's Standing Orders to include a 20 minute time limit allocated to Questions on Executive Decisions was not moved.

A vote was taken (1 voted in favour, 6 voted against, 0 abstain from voting) to recommend that Full Council amend the Council's Standing Orders to allow Members to remain seated while addressing the Chairman. The recommendation was **DEFEATED**.

A vote was taken (unanimous) and the Constitution and Ethics Committee **RECOMMENDED** that Full Council note that these changes would take effect at the following meeting.

AGREED ACTION

The Constitution and Ethics Committee agreed (unanimous) that a survey be undertaken with all Elected Members to seek their opinion on amending the start time of Full Council from 7.00pm to 6.00pm, with the guillotine to be triggered after four hours at 10.00pm with the results to be reported back to the next meeting.

The Constitution and Ethics Committee agreed (unanimous) that an item be added to the work programme in relation to the Full Council debate procedure for motions and amendments.

14. PETITIONS SCHEME – MATTERS THAT CAN BE DEALT WITH

The Constitution and Ethics Committee received a report in relation to Peterborough City Council's Petition Scheme. In particular the report covered the suggestion to require petitions to relate to business within the Council's remit of matters impacting residents. The report also requested the Committee to consider the petition debate thresholds and the impact of purdah on debates.

The Director of Law and Governance introduced the report and explained that a change was proposed in order to ensure that petitions discussed related to Council functions or affected residents. It was further put to Members whether threshold levels should be changed and how to deal with the implications of purdah.

The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- Members were generally happy with the inclusion of additional criteria, though it was noted that it was not felt that any petition had been received as of yet that was outside of the Council's remit.
- In relation to the thresholds it was noted that that the 5% recommended by the Local Government Association for triggering debate at Council was for the maximum threshold.
- It was not felt that the Council had been inundated with requests to debate petitions at meetings of Council.
- Members did not wish to hold special Council meetings for petitions.
- Discussion was had around the impact of Purdah on the debate of petitions. Some Members felt that the debate of petitions were being delayed due to Council meetings being cancelled during the Purdah period.
- Comment was made that 'business as usual' was permitted with the Purdah period, with restrictions being placed on Council publications only. Therefore, it was acceptable that petitions still be considered, as no advantage would be given to any particular candidate.
- Comment was made that seeking external legal advice may be appropriate.
- The Director of Law and Governance advised that the view was taken not to debate the particular petition in question during Purdah, due to the association of the lead petitioner with a particular party.

- It was suggested that, where the debate of a petition was urgent, this could be permitted at an Annual Council meeting to avoid undue delay.

A vote was taken (unanimous) and the Constitution and Ethics Committee **RECOMMENDED** that Full Council amend the Petitions Scheme and Council Standing Orders to allow urgent petitions to be considered at the Annual Council meeting.

A vote was taken (6 voted in favour, 0 voted against, 1 abstained from voting) and the Constitution and Ethics Committee **RECOMMENDED** that Full Council adopt the updated Petitions Scheme as set out in Appendix 1 to the report.

A vote was taken (unanimous) and it was **RESOLVED** that the Constitution and Ethics Committee agreed to maintain the current petition threshold levels for debate at Council (500 signatures), Cabinet (50 signatures), and Scrutiny (50 signatures).

15. WHISTLE BLOWING POLICY

The Constitution and Ethics Committee received a report in relation to Peterborough City Council's Whistle Blowing Policy and which Committee should be responsible for overseeing it.

A vote was taken (unanimous) and the Constitution and Ethics Committee **RECOMMENDED** that Full Council amend the constitution to pass the delegated responsibility for the council's whistleblowing policy and oversight from the Constitution and Ethics Committee to the Council's Audit Committee.

16. CIVIC PROTOCOLS - UPDATE

The Constitution and Ethics Committee received a report in relation to proposed updates to Peterborough City Council's Civic Protocols.

The Director of Law and Governance introduced the report and explained that the policy had been received for the first time in several years and a range of minor tweaks had been proposed.

The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- It was noted that the wording around the Mayor or Mayoress' companion was not as flexible as it should be.
- Comment was made that in a number of areas informal language had been used within the protocol, which should be amended.
- Members noted that the Protocol set out two different areas that expenses could be claimed against.

A vote was taken (unanimous) and the Constitution and Ethics Committee **RECOMMENDED** that Full Council agree the updated Civic Protocols as attached at Appendix 1 to the report, subject to the correction of typographical errors and the alteration of wording around companions to the Mayor to refer to male companions as 'Consort' and female companions as 'Mayoress'.

INFORMATION ITEMS

17. DISPENSATION ISSUES

There were no reported dispensations given.

18. UPDATES ON NATIONAL ISSUES

The Director of Law and Governance informed the Constitution and Ethics Committee about two recent cases. One related to a Member at Rutland County Council who was charged with a criminal offence after posting racist and malicious comments on Facebook regarding Diane Abbott and Theresa May.

The second case related to the former chairman of the planning committee at Westminster Council, who had declared 530 instances of gifts and hospitality over three years. In this time 41 cases had been heard by the committee where recommendations from officers were overturned, in 6 instances after having provided the Chairman with a gift. This raised the issue of perception by the public.

The Constitution and Ethics Committee then discussed the provision of refreshments following Full Council meetings, which had been reduced to tea and coffee as part of recent budget savings. It was suggested that, should Members wish to pay for additional refreshment, this may be offered. It was requested that the general opinion of all Members be sought.

AGREED ACTION

The Constitution and Ethics Committee agreed (unanimous) that it be suggested to the Mayor whether food and refreshment be reinstated after meetings of Full Council, for a contribution from Members.

19. REPORT ON CODE OF CONDUCT ISSUES

The Constitution and Ethics Committee received a report in relation to conduct complaints against Members of Peterborough City Council or Parish Councillors received or being processed by the Monitoring Officer.

The Director of Law and Governance introduced the report and explained that no new complaints had been received. There was one outstanding issue, where an alternative resolution had been agreed but yet to be implemented. Furthermore, one ongoing City Council complaint had proceeded to a hearing stage, which would be arranged shortly.

The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- It was clarified that the formal hearing process involved a panel of 3 Members and would be held in public.
- A query was raised as to why to apology had been received following an agreement reached in May 2018. It was suggested that the Monitoring Officer write to the relevant Group Leader for them to follow their own internal process.

- Members noted that Groups often had different lead contacts for complaints procedures. Additionally, some Members were not part of a group and, therefore, this process would not be appropriate.
- It was suggested that the matter be raised with the Member who had failed to apologise.
- It was noted that central Government were reviewing the local authority complaints process and that the Committee should revisit this area once the Government's findings were available.

A vote was taken (5 voted in favour, 0 voted against, 2 abstained from voting) and it was **RESOLVED** that the Constitution and Ethics Committee requested that, in relation to the complaint with an outstanding apology, the Monitoring Officer seek the apology once more and if it was not forthcoming she should write to the appropriate person within the relevant Political Group to raise the issue and recommend that appropriate Group action be taken.

20. WORK PROGRAMME

The Constitution and Ethics Committee received a report in relation to the Committee's Work Programme for the Municipal Year 2018/19.

The Constitution and Ethics Committee debated the report and in summary the key points raised and responses to questions included:

- The meeting in January could be rescheduled to the 28 January, however, this would mean that it would miss the deadline date for referring matters to the January Full Council meeting. Matters would instead be referred to the March Full Council meeting.
- It was noted that the Committee had already agreed an action to add an item to the work programme in relation to the Full Council debate procedure for motions and amendments.

A vote was taken (unanimous) and it was **RESOLVED** that the Constitution and Ethics Committee:

1. noted and agreed the Work Programme for the remainder of the municipal year 2018/19, subject to the addition of an item on Full Council debate on motions and amendments, and
2. agreed to change the meeting in January from 7 January 2019 to 28 January 2019, to allow reports to be ready following the Christmas shutdown.

7:00pm – 8:37pm
Chairman

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 4
28 JANUARY 2019	PUBLIC REPORT

Report of:	Councillor Nick Sandford	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	Fiona McMillan, Director of Law and Governance and Monitoring Officer Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

FULL COUNCIL DEBATES MOTIONS AND RECOMMENDATIONS

R E C O M M E N D A T I O N S	
FROM: Councillor Nick Sandford	Deadline date: N/A
<p>The Constitution and Ethics Committee are invited to consider the proposal regarding the proposed alteration to the mechanism by which motions and amendments are debated and, as appropriate, determine what further consultation is required and/or whether to recommend its adoption to Full Council.</p> <p>Where it is recommended that the proposed amendments are made, to request that the Monitoring Officer amends the Standing Order to reflect this and to take them forward for approval by Full Council.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a request from Councillor Sandford to alter the way motions and amendments are debated at Full Council.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to seek the views of the Constitution and Ethics Committee as to whether the Council's structure to debating motions is fit for purpose.

2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. **BACKGROUND AND KEY ISSUES**

4.1 Councillor Sandford at the Constitution and Ethics Committee meeting on 29 October 2018 requested an opportunity to formulate ideas on the motions and amendments that were debated at Full Council.

4.2 **Current System**

Currently the Council has a system whereby a motion or recommendation is moved and seconded. This is followed by any amendments being moved in turn. There is a debate and vote on each amendment before the next amendment is considered. There is then a debate and vote on the main motion or recommendation.

4.3 **The Problem**

The view of Councillor Sandford is that there is often a long debate on amendments which may only amend a small portion of the motion or recommendation. In particular Councillor Sandford has highlighted the following from his experience:

- Budget debates can last for long periods when only debating minor amendments, instead of spending time debating the budget spend as a whole.
- The mover of the main motion may never get to debate what they have proposed.
- It is not democratic to deny a councillor proposing a motion the right to debate the wording that they have put forward.

4.4 **Possible Solution**

This proposition from Councillor Sandford is based on systems of debate that are used at some other Councils.

The proposer of a motion or recommendation would move the motion and it is then seconded. Any amendments are then proposed and seconded each in turn. There is then a general debate on the main motion and the amendments. Each speaker would be asked by the Mayor to state whether they are speaking for or against one of the amendments or for or against the main motion. A member may wish to speak, for example, both for one of the amendments but against the main motion or vice versa.

At the end of the debate, there would then be a summation speech by the mover of the main motion or recommendation, who would be asked to respond to the debate on both the main motion and the amendments.

4.5 **Proposed Action**

If the committee agrees to the proposition, then the legal officers would be asked to draft the necessary amendments to the Council Standing Orders for submission to a future meeting of Full Council. Because this would be a significant change, it may be appropriate to do some consultation with group leaders and party groups first, so it might be sensible to put the proposition to Annual Council in May.

4.6 The Committee will need to decide whether the proposal is one by which they are happy to recommend for approval at Full Council.

It is suggested that the Monitoring Officer is afforded a reasonable time to formulate any changes to the constitution before being presented.

5. CONSULTATION

- 5.1 The Constitution and Ethics Committee are the consultees on the proposal. Any final recommendations would need to be agreed by Full Council.

Officers have had the opportunity to review the proposals.

It would also be agreed that if the proposal is acceptable that Group Leaders are consulted on this to include their input. Should this consultation impact the recommendation, this may be brought back to the Committee for further consideration.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is for the Committee to agree the proposal. The impact would include changes to the Council's Standing Orders.

7. REASON FOR THE RECOMMENDATION

- 7.1 It is the view of Councillor Sandford that the advantage of the proposed system is that everyone gets to debate the motion or the amendment as they so choose. It should not add to the length of the debate overall but ensure that the debate is not dominated unreasonably by one particular aspect of the issue in question, just because it happens to be the subject of an amendment.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The alternative option is to keep the order for debate on motions and amendments as they currently stand.

9. IMPLICATIONS

Financial Implications

- 9.1 There are none.

Legal Implications

- 9.2 Updating of the Council's Standing Orders should this proposal be agreed.

Equalities Implications

- 9.3 There are none.

10. BACKGROUND DOCUMENTS

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

- 10.1 Peterborough City Council Constitution - Part 4 section 1 - Council's Standing Orders

11. APPENDICES

- 11.1 None.

This page is intentionally left blank

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 5
28 JANUARY 2019	PUBLIC REPORT

Report of:	Councillor David Seaton, Cabinet Member for Resources	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	Fiona McMillan, Director of Law and Governance and Monitoring Officer Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

MOTION ON CODE OF CONDUCT - COMMITTEE ON STANDARDS IN PUBLIC LIFE

R E C O M M E N D A T I O N S	
FROM: Councillor David Seaton (agreed at Full Council)	Deadline date: N/A
<p>The Constitution and Ethics Committee are invited to consider the next steps regarding the motion from Councillor Seaton agreed at Full Council on 12 December 2018 to look at reviewing the Council's Code of Conduct prior to the Committee on Standards in Public Life report being published.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a motion agreed at Full Council on 12 December 2018 to review the Council's Code of Conduct in light of the anticipated report from the Committee on Standards in Public Life.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to seek the views of the Constitution and Ethics Committee and discuss the next steps in updating the Council's Code of Conduct following the motion submitted at Full Council and to ensure this takes into account the Committee on Standards in Public Life report, once this has been made available.

2.2 This report is for the 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	N/A
---	-----------	----------------------------------	------------

4. **BACKGROUND AND KEY ISSUES**

4.1 The motion submitted by Councillor Seaton asked the Constitution and Ethics Committee to review the Code of Conduct in light of the anticipated Committee on Standards in Public Life report.

4.2 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.

4.3 As part of this review, the Committee held a public stakeholder consultation. The consultation closed on Friday 18 May 2018. A final report has yet to be published but it is anticipated that this will follow shortly.

4.4 The body of the motion as agreed by Council on 12 December 2018 is as follows:

“Peterborough City Council;

- Notes that the Standards Board was a cumbersome and expensive approach to monitoring the ethics of elected councillors
- Believes that the move to local management of ethics was appropriate
- Notes the commitment of the Council Leader to improving standards and welcomes the establishment of the Constitution and Ethics Committee
- Notes the Committee on Standards in Public Life (CSPL) ongoing review of local government ethical standards

However Peterborough City Council is concerned that;

- Current sanctions such as giving an apology or attending training can only be instigated with the agreement of a member and can lead to an extended process with no acceptable final outcome.
- Current available sanctions for breaches, apart from those in relation to disclosable pecuniary interests, are not set down by statute but arise through the common law and are weak and ineffectual.

Peterborough City Council therefore resolves to;

- Ask the Constitution and Ethics Committee to review the current Code of Conduct in light of the CSPL review and present a revised Code of Conduct to Full Council for agreement.
- If Full Council accepts the recommendations of the Constitution and Ethics Committee, all members will be expected to abide by and accept the new Code of Conduct under the terms of their Declaration of Acceptance of Office which is signed when they are elected.

Constitution and Ethics Committee will continue to oversee any complaints made and ensure sanctions are abided to.”

5. **CONSULTATION**

5.1 The Constitution and Ethics Committee are the nominated consultees on any changes to the Council’s Code of Conduct and updates to the Constitution.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 Depending on the views of the Constitution and Ethics Committee it is anticipated that the Council's Code of Conduct will be updated to include information from the Committee on Standards in Public Life. This will need to be agreed at Full Council following further investigation and recommendations from the Constitution and Ethics Committee.

It is furthermore anticipated that the all Councillors will need to sign up to the new Code of Conduct once this has been agreed.

7. REASON FOR THE RECOMMENDATION

- 7.1 This recommendation is for the Constitution and Ethics Committee to discuss the next steps in altering the Code of Conduct. Further work will still need to be undertaken once the Committee on Standards in Public Life has been published.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The Committee could agree to do nothing and recommend keeping the current Code of Conduct. However the recommendation at Full Council on 12 December was passed to look into the Code of Conduct in light of the anticipated Committee on Standards in Public Life report.

9. IMPLICATIONS

Financial Implications

- 9.1 There are none.

Legal Implications

- 9.2 There are none from this report. However any future changes to the Code of Conduct will need to be legal and within the powers of local authorities.

Equalities Implications

- 9.3 There are none.

10. BACKGROUND DOCUMENTS

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

- 10.1 Peterborough City Council - Code of Conduct

11. APPENDICES

- 11.1 None.

This page is intentionally left blank

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 6
28 JANUARY 2019	PUBLIC REPORT

Report of:	Full Council 12 December 2018	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	Fiona McMillan, Director of Law and Governance and Monitoring Officer Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

MOTIONS TEMPLATE SUBMITTED TO FULL COUNCIL 12 DECEMBER 2018

RECOMMENDATIONS	
FROM: Full Council 12 December 2018	Deadline date: N/A
<p>The Constitution and Ethics Committee are invited to consider and make any recommendations back to Full Council regarding the motion from Councillor Farooq agreed at Full Council on 12 December 2018 to look at the template for submitting motions to Council.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a referral from Full Council on 12 December 2018.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is for the Constitution and Ethics Committee to note the recommendation from Full Council on 12 December 2018 and to make any alterations or suggestions to the wording and report these back to Full Council.

2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. BACKGROUND AND KEY ISSUES

4.1 Councillor Farooq submitted a motion to Full Council on 12 December regarding the relevance of motions to local residents and whether the motion is within the remit of the Council and the cost implications associated with this.

4.2 The full motion agreed for referral to the Constitution and Ethics Committee states:

“I have now had the privilege of sitting on full council meetings and observing the proceedings including questions and motions. I have seen Members passionately debating issues faced by their ward residents and the issues faced by the Peterborough city overall, backed by the professional work of our officers. May I congratulate members and the officers for providing an excellent service to the residents of Peterborough.

On occasions, I have found some of the motions coming to the council, generic, beyond the remit of the council, not achievable and at worse, not relevant to local residents, local issues, or stakeholders.

The discussions on these proposals become lengthy and lose the emphasis on the core points. These motions take valuable time away from the real issues faced by our residents.

I propose that the Constitution and Ethics Committee consider at its next available meeting the introduction of the following criteria for future motions presented to council and make a recommendation back to Council on its findings:

Relevance: Does the motion benefit the residents of specific ward and/or all the residents of Peterborough

Within the remit of the council: Can the council provide the service/product the motion asks for, or is it something for Parliament.

Cost of the proposal and source of funding: How much will it cost to deliver the proposed service/product?

The ultimate test should always be, does it benefit the majority of the residents and does it provide value for money

	Fill in details
Relevance	
Within remit of council	
Cost of the proposal and source of funding	

Such a process will have considerable advantages not least, the ability to introduce real policies and probe and discuss current policies, adding considerable value to the work of the council. Overall, making a real difference to the lives of our residents in Peterborough.”

4.3 Should this proposal be recommended back to Full Council for adoption the Standing Orders and Constitution of the Council would need to be updated accordingly.

5. CONSULTATION

5.1 Consultation has already taken place with all Councillors following debate at Full Council on 12 December 2018.

5.2 The Constitution and Ethics Committee as the Committee with overall responsibility for changes to the Constitution are being asked to investigate the proposal and make any further recommendations to the next meeting of Full Council.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that the Constitution and Ethics Committee will investigate the proposal of including the new format for submitting motions and make recommendations to Full Council.

7. REASON FOR THE RECOMMENDATION

7.1 The motion states that the new proposal will benefit the majority of residents and provide value for money.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 To maintain the status quo and keep the current format for submitting motions to Full Council.

9. IMPLICATIONS

Financial Implications

9.1 There are no financial implications to this report.

Legal Implications

9.2 This will affect the constitution and standing orders which will need to be amended should the Committee agree to the proposals.

Equalities Implications

9.3 There are none.

10. BACKGROUND DOCUMENTS

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

10.1 Peterborough City Council Standing Orders

11. APPENDICES

11.1 None.

This page is intentionally left blank

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 7
28 JANUARY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460
	Linda Letch, Member Services Officer	Tel. 452346

MEMBER OFFICER PROTOCOL UPDATE

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
It is recommended that the Constitution and Ethics Committee consider and recommend to Council for approval the updated Member Officer Protocol, set out in Appendix 1 to the report.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee following requests from Committee members to review the protocol.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to obtain the views of the Committee on a proposed update to the Member Officer Protocols and for the Committee to consider recommending approval to Full Council.
- 2.2 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1, '*Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.*'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. BACKGROUND AND KEY ISSUES

- 4.1 All proposed changes are set out in the draft Member Officer Protocol at **Appendix 1**. The key changes to note relate to:
- Definitions of senior officer positions - acknowledging the introduction of the 'service director' position.

- Recording of meetings - confirming that all meetings are now recording and may be published online.
- Forwarding of Council email addresses - updating guidance to ensure that peterborough.gov.uk emails are not forwarded to personal accounts.
- Requests to receive briefings as Group Representatives - requiring senior officers to brief group representatives on service changes and/or at the request of the representative.
- Support from Members Services - regarding case work, photocopying, office supplies and car parking.

4.2 There are, however, no new ways of working set out. The changes suggested are all in relation to updating the protocol to reflect how officer and Members currently operate.

5. CONSULTATION

5.1 Consultation has been carried out with Officers at this stage, including the Monitoring Officer, Head of Constitutional Services, and Data Protection Officer. It is presented to the Constitutional and Ethics Committee in order for Members to provide their comments on the proposals and make amendments as they see fit.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 That the Member Officer Protocol will reflect more accurately current and new ways of working and will ensure that Members and Officers have reliable guidance upon which to carry out their work.

7. REASON FOR THE RECOMMENDATION

7.1 The recommendation is proposed in order to update the Member Officer Protocol to reflect current and new ways of working.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Not to Update the Protocol - This was rejected as it became clear from reviewing the Protocol that a number of sections were out of date. The manner in which Members and Officers fulfil their roles has changed since the Protocol was last comprehensively updated in 2012.

9. IMPLICATIONS

Financial Implications

9.1 There are no financial implications arising from this report.

Legal Implications

9.2 There are no legal implications arising from this report.

Equalities Implications

9.3 There are no equalities implications arising from this report.

10. BACKGROUND DOCUMENTS

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

10.1 Peterborough City Council Constitution

11. APPENDICES

11.1 Appendix 1 - Draft Part 5 Section 3 - Member Officer Protocols

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 ~~is a~~ are separate protocols relating to *civic activity* and guidance provided on media/pre-election publicity activity.

1. 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 Mayor presides over meetings of Full Council as the chairman, supported by the Deputy Mayor in the position of vice-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 <u>every four years</u> 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 ' <i>leader</i> ' and a ' <i>group secretary</i> '. They may also appoint a ' <i>deputy leader</i> ' and make any other appointments which the group feels will help it conduct its affairs.
<i>A Shadow Cabinet</i>	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. Members will mirror those of the Cabinet, save that a single Member may cover more than one portfolio. A protocol on their role is attached at Appendix 1
<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 <u>usually</u> form the Executive and are <u>normally</u> the chairmen for many or all committees.
<i>Group representatives</i>	Councillors identified by their political group to act as their main point of contact, for information or consultation, in relation to a particular subject <u>and/or committee</u> .

<u>(Corporate/Executive) Directors</u>	<u>Members of the Corporate Management Team.</u> First-tier officers responsible for a <u>directorate</u> department; references to them in this protocol should also be taken to include the Chief Executive.
<u>Service Directors</u>	<u>Report to a Member of the Corporate Management Team. Responsible for departments within a directorate. These roles are usually second tier officers.</u>
<u>Assistant Directors/Heads of Service</u>	<p><u>Second-tier-Officers responsible for a division within a department;</u></p> <p><u>An AD has broad responsibility for a range of services and/or provides a service that impacts on the whole organisation</u></p> <p><u>A Head of Service is responsible for a narrower service or range of services that is relatively self sufficient and has no or limited impact on the whole organisation.</u></p> <p>they may also be known as ‘assistant directors’. References in these protocols to heads of service <u>and</u> include assistant directors <u>include</u> and any other second <u>or third</u> tier officers acting in a senior management role.</p>

2. 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.

3. DECISION-MAKING PROTOCOLS

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

3.2 **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.

3.3 **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?

3.4 **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 referred by Cabinet Members ~~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 and whether the Leader agrees to include it ~~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.
- **Corporate 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.

3.5 **Cabinet member business:**

- Individual members take **decisions following 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 will meet 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.

3.6 Overview and scrutiny protocols:

- The Democratic Services 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 **bi-annual quarterly co-ordination meeting** of scrutiny chairmen and ~~group representatives~~ is convened by the Democratic Services Scrutiny-Team, ~~in consultation with Scrutiny group representatives~~. It may include briefing and training.
- The **agenda** for each committee meeting is prepared by the Democratic Services 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 Democratic Services Scrutiny-Team for all Scrutiny ~~most committees /commission~~, 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 Democratic Services 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 Democratic Services Scrutiny Team, a lead officer from the relevant service and any necessary corporate support services (financial, human resources, policy, etc).
- ~~The Democratic Services 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 to~~ **research**. Other officers will provide support and briefings as necessary. If the Democratic Services 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.
- Members and officers participating must have **prior training** in scrutiny procedures and comply with the relevant legislation, codes of conduct and constitutional rules.

3.7 Regulatory committee business:

- Democratic Services officers may prepare **agenda plans**, and an agenda planning meeting for the chairman and group representatives if requested by the chairman. 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.

4. 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 <u>all key decisions</u> and some non-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 <u>Town Hall main office</u> and at <u>libraries</u>. ● 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 for all public meetings. All public meetings the meeting may be tape-recorded Tape recordings are only usually taken for Council, Planning & Environmental Protection Committee, Cabinet and <u>may be published on the Council's website</u> Scrutiny Committee / Commission meetings. Verbatim notes or tape transcripts of meetings are not compiled or published. A <u>copy of transcribed extract</u> 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.

5. CONFIDENTIALITY

5.1 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 is 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, heads of service, the lawyer and the democratic services committee officers) 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.

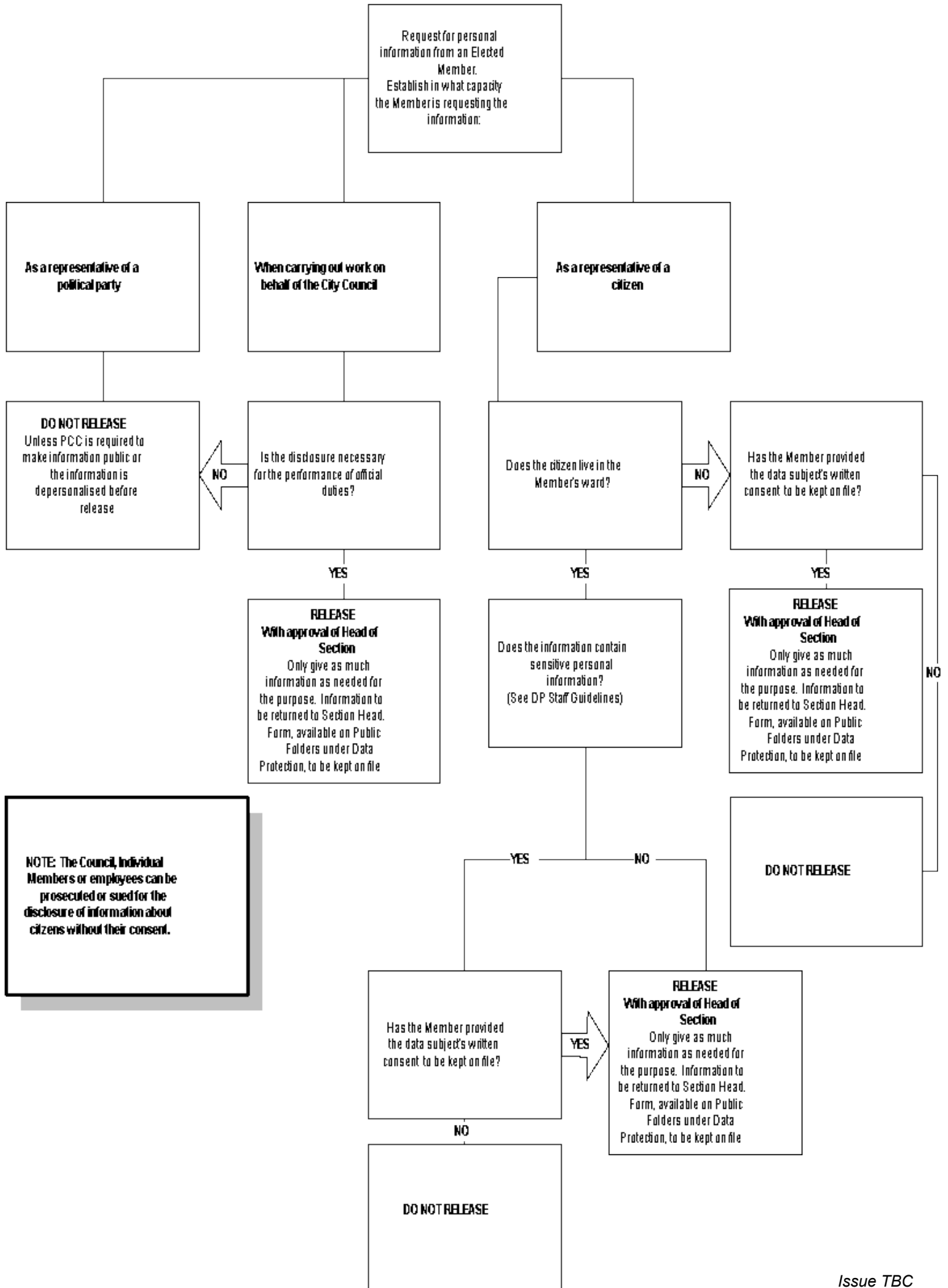
5.2 Confidentiality in briefings:

- Information **initiated** and volunteered by officers to members should be given to all political groups equally 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 have told the enquirer beforehand that they would and have received consent from the member.
- 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.

5.3 E-mail and letter confidentiality:

- ~~Member's~~ ~~Because a member's~~ peterborough.gov.uk e-mail account or calendar may not be routed automatically to a private e-mail account or calendar. ~~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 a summary ~~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.

DISCLOSING PERSONAL INFORMATION TO ELECTED MEMBERS



NOTE: The Council, individual Members or employees can be prosecuted or sued for the disclosure of information about citizens without their consent.

6. ACCESS TO PREMISES

- 6.1 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.
- 6.2 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 to. If a member wants access in other circumstances they should make arrangements in advance with the appropriate director or the manager of the premises.
- 6.3 **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.
- 6.4 **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.
- 6.5 **Planning application sites** If Members 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.

7. WORKING WITH GROUP REPRESENTATIVES

- 7.1 **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.~~
- 7.1 **Who?** ~~A group representative is usually appointed for each committee from each political group.~~ 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.
- 7.2 **How?** ~~Directors and heads of service should brief each have regular contact with each group representative for the committees that fall within their service area following a request from group representation or any significant development or change within the service.~~ 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.~~

- 7.3 ~~When~~ Formal group representatives' meetings relating to scrutiny committees 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.

8. 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.

9. 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 ● More detail about the role of members who take on special responsibilities is shown in the member roles at Appendix A.

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.

10. 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 <u>correspondence</u> 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.

Conflict resolution	<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 <u>or head of service</u>, (or, if <u>either</u> the director <u>or head of service</u> 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>
----------------------------	--

11. MEETING PROTOCOLS

- 11.1 **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. A draft version of this schedule is provided to full council in January each year, or as soon as possible afterwards. and is rolled forward to a provisional Year 2 schedule at the same time.
- 11.2 **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.
- 11.3 **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.
- 11.4 **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.
- 11.5 **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. The 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.
- 11.6 **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.

- 11.7 **Refreshments** ~~Water is soft drinks are~~ made available at all meetings. Food will not 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.~~

12. ~~ALL PARTY POLICY PLANNING BRIEFINGS (APP)~~

- 12.1 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.
- 12.2 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.
- 12.3 Council will determine the date and time of ~~APPP~~ meetings, usually through the annual meetings schedule. The meeting itself will appoint its chairman.

13. OFFICERS' MANAGEMENT ARRANGEMENTS

- 13.1 **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.

- 13.2 **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.
- 13.3 **Communications:** Consistent two-way communication between members, managers and other employees, is important, avoiding duplication. Communication channels include:
- Chief Executive's regular briefings ~~via Insite open to all employees~~;
 - service specific briefings – as and when necessary;
 - ~~monthly~~ weekly Members' Information bulletin ;

- ~~Weekly Bulletin provided and Members' Digests. Officers should use these to staff via email reduce the reading burden for members and printing and distribution costs;~~
- ~~newsletters for all employees and members per department;~~
- information passed from CMT to DMTs to team meetings;
- the 'ask Gillian' section of Insite;
- one to one meetings with employees or councillors;
- ~~shared computer databases.~~

13.4 **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 canvas 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.

14. 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 themy or their party office to undertake.

Secretarial and administrative Support for ward casework Provided by the Members Services Unit ('the Unit'). Carried out strictly in the form date order of guidance and information to Members receipt unless marked as to the appropriate department to direct their query. 'urgent', and completed within three working days where possible.

Any correspondence through Members Services must 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.

Members Services 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.

Member details Maintained by Members the Unit and Democratic Services. Published on the web, if the member's permission has been given.

Ward Casework generated by surveys and feedback forms Acknowledgement letters can be undertaken by Members Services 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.

Ward profiles Available to members, on request to the Unit.

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

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 will also be posted in members pigeon holes.

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.

E-mail A peterborough.gov.uk email address and calendar is provided for all members, for Council work. Emails or diary invitations to this address or calendar 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 forwarded to any private email address or calendar in order to keep the information secure. used to conduct personal or party political business.

Ward surgeries Arranged by the member, but advertised by Members Services. Members Services 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 basic office stationery Dictaphones, fax machines and replacement fax cartridges for Council use. Provided in Group Roms, 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 ~~Amendment An annual bulk request to~~ car parking details are the responsibility of individual members. Members Services will administer new ~~renew members'~~ car parking permits following the election process and any change to special responsibility status.

15. POLITICAL GROUPS

- 15.1 Councillors ~~may~~ must 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.
- 15.2 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.
- 15.3 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.
- 15.4 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.
- 15.6 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.
- 15.7 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.

16. SHADOW CABINET

- 16.1 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
- 16.2 A Shadow Cabinet will be subject to the same rules and conditions as outlined in this Member/Officer Protocol.
- 16.3 A Protocol outlining the role and support to the Shadow Cabinet is outlined in Appendix 1 to this Member/Officer Protocol

17. MEMBERS' OFFICES

- 17.1 **Group Rooms** Most All-Members will have access to their 'political group room', which is not open to other members or officers. These are supported by Members' Services Unit.
- 17.2 **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.
- 17.3 **Leader's office** The Leader of the Council is provided with an office.

18. MEMBER APPRAISAL, TRAINING AND DEVELOPMENT

- 18.1 **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 Constitutional Services, both to track overall training provision and to ensure that legal requirements (see the Members' Allowances Scheme) are followed.
- 18.2 Members should receive appropriate training in order to sit on all regulatory committees and also to undertake best value reviews.
- 18.3 **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 Head of Constitutional Services 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.
- ~~18.4 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.~~
- 18.4 Democratic Services The Chief Executive will maintain a database of members' training. This is used to develop an **annual training plan** for members.
- 18.5 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.
- ~~18.7 **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.~~
- 18.6 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.
- 19. OFFICER APPRAISAL, TRAINING AND DEVELOPMENT**
- 19.1 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.
- 19.2 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.
- 19.3 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.

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 the Portfolios of 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

1. 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

This page is intentionally left blank

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 8
28 JANUARY 2019	PUBLIC REPORT

Report of:	Fiona McMillan Director of Law & Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Irene Walsh - Cabinet Member for Communities	
Contact Officer(s):	Linda Letch - Member Services Officer Claire Osborne - Democratic Services Administrator	Tel. 01733 452346 / 01733 452273

PARISH COUNCILLORS REGISTER OF INTERESTS

R E C O M M E N D A T I O N S	
FROM: Fiona McMillan Director of Law & Governance and Monitoring Officer	Deadline date: N/A
<p>It is recommended that Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Note the Parish Councillors who have failed to submit a Declaration of Members Interests. 2. Decide what action / if any should be taken. 3. Decide if training to the parish clerks is appropriate. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Constitution and Ethics Committee by the Council's Monitoring Officer following a recent audit on parish council members interest declarations received.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to notify the Constitution and Ethics Committee of the Parish Councillors who have not submitted a Declaration of Interest Form since being elected / re-elected / co-opted.

2.2 This report is for Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.8, 'To have oversight of parish councils' codes of conduct and registers of interests, and authority to consider complaints regarding parish councillors) and make a decision on appropriate action to be taken.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	-----------	----------------------------------	------------

4. BACKGROUND AND KEY ISSUES

4.1 Under current legislation Parish Councillors must return their completed registers of interests declaration no later than 28 days after being elected, re-elected or co-opted. This includes any

changes to existing registers while they are a parish councillor, as this information should be kept up to date during this period.

- 4.2 The completion of registers is usually facilitated by the parish clerk. All original registers are provided to the Monitoring Officer, with copies kept by the clerk.
- 4.3 The Monitoring Officer has a responsibility to ensure the parish council's registers of interests are available for inspection at the Town Hall, and published on the council's website.
- 4.4 If a parish council has their own website, they should ensure all parish councillors register of interests are published. A copy should also be held by the Parish Clerk available for the public to view.
- 4.5 All clerks were asked by email 24 July 2018 to submit outstanding forms. A letter was sent 12 November 2018 identifying specific parish councillors who had not submitted a declaration of interests and a reminder email was sent 23 November 2018 with a request to submit any items outstanding by 30 November 2018.

- 4.6 There are a wide range of sanctions which can be applied to Councillors and local authorities, including Parish Councillors. The Institute of Public Finance Better Governance Team provides a cumulative summary of decisions by Case Tribunals formed from the Adjudication Panel. A short extract of the summary can be found at **Appendix B**.

5. CONSULTATION

- 5.1 Local consultations were not appropriate in this instance. This is a statutory duty on all local authorities and parishes.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 For the Constitution and Ethics Committee to consider a procedure for action required for non-submission of parish councillor's interest declarations within the correct timescales.
- 6.2 For the Constitution and Ethics Committee to consider training requirements to parish clerks on completion, submission and publication of member interest declarations.

7. REASON FOR THE RECOMMENDATION

- 7.1 It is a statutory requirement to declare parish council member interests under the Localism Act 2011.
- 7.2 The Monitoring Officer has a duty to oversee this and publish the interests on the Council's website.
- 7.3 Members can be fined up to £5,000 and disqualified from holding office as a councillor for up to five years.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Take no action, however this could impact negatively on the Council and it's reputation amongst elected members and the public.

9. IMPLICATIONS

9.1 Financial Implications

- 9.1.1 Should the legal requirements not be met there maybe financial implications to the Council.
- 9.1.2 Parish Councillors can be fined up to £5,000.

9.2 **Legal Implications**

9.2.1 There could be legal implications for failure to publish parish council member interests.

9.3 **Equalities Implications**

9.3.1 This report applies equally to all parish councillors.

9.4 **Rural Implications**

9.4.1 This report applies equally to both rural and urban parish / town / community councils.

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**

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf

10.2 **The Institute of Public Finance Better Governance Team summary of decisions by Case Tribunals formed from the Adjudication Panel.**

http://www.merseyfire.gov.uk/asp/pages/fire_auth/pdf/CFO_077_06_Appendix.pdf

11. **APPENDICES**

11.1 Appendix A - List of Parish Councillors who have not submitted a Declaration of Interest since election / re-election / co-option.

Appendix B - Summary of decisions relating to Declaration and Register of Interests.

This page is intentionally left blank

Appendix A		Agenda Item 8	
Report to The Constitution & Ethics Committee 28/1/19			
List of Parish Councillors who have not correctly completed a Members Interest Declaration since elected/re-elected			
Parish Council	Surname	First Name	Status
Bainton	Lucas	Susan	***
Bretton	Aldridge	Lisa	No form
Bretton	Johnson	Joanne	No form
Castor	Anker	Richard	* Published 2013
Hampton	Ramos	Marco	Query on form
Maxey	Hardy	Peter	Query on form
Newborough	Angrove	Kevin	Published 2012
Newborough	Fowler CH	Paul	No form
Newborough	Gleeson	Sean	No form
Newborough	Britton	Graham	Published 2013
Newborough	Cave	William	Published 2012
Southorpe	Elwood	Edward	Query on form
Sutton	Bodily	Anne-Marie	No form
Thornhaugh	Kewney	Ashleigh	Published 2016
*** Has completed a scrutiny committee declaration as a co-opted member.			
*Advised has posted form 17/1/19			

This page is intentionally left blank

DECLARATION AND REGISTRATION OF INTERESTS

Thornaby 330

Councillor was criticised in an Employment Tribunal report which found that the clerk had been unfairly dismissed. Councillor had been subject of outstanding grievance lodged by the clerk but he seconded a motion to dismiss the clerk and said he would resign if the clerk was reinstated. Tribunal considered that the councillor had failed to understand the seriousness of his actions and that there was little prospect of his adopting a different approach to public life.

Decision - 2 year disqualification.

Middlesbrough 329

Councillor had attended two meetings in a non-voting capacity but had failed to declare a personal and prejudicial interest. Although she had received clear advice from officers, she had received an invitation to attend from the chairman of one of the meetings who was an experienced councillor and did not believe the invited member was prevented from attending. There had been no face to face training for members on the Code although the authority's written advice had been excellent. The member had declared interests appropriately since the two incidents.

Decision - No sanction, although the Tribunal recorded that councillor should be in no doubt that it deprecated her behaviour.

Recommendation - Training on Code be offered to all members.

Kingshurst 313

Councillor has sought personal gain by attempting to obtain approval of the use of council money to obtain legal representation against an individual member of the public with whom he was in conflict and failed to declare prejudicial interest. Had also without authority used council money to instruct solicitors to cancel a public meeting.

Decision - 15 months' disqualification

Recommendation - The relevant metropolitan council should ensure that councillors and relevant officers of the parish council have received and continue to receive training and guidance on the code, standing orders and the obligation not to use public office for private gain.

Kingshurst 275

Councillor used office to secure personal advantage for himself by drafting letter for parish council chairman to sign. The letter sought to expedite the councillor's renovation grant application to the metropolitan council and falsely stated that the parish council was concerned about the matter. Councillor also compromised impartiality of clerk by persuading clerk to retype letter containing false statements about parish council business and to sign it on behalf of chairman.

- Decision - 6 months' disqualification
- Recommendation - The relevant metropolitan council should ensure that councillors and relevant officers of the parish council have received and continue to receive training and guidance on the code, standing orders and the obligation not to use public office for private gain.
-

Landersednach 314, 315, 316

Three councillors had failed to declare interests on several occasions. Tribunal accepted that their economic interests were not their sole motivation and took into account several character references provided.

- Decision - 9 months' suspension
- Recommendation - (1) Councillors should undertake training on Code and its effect.
(2) Monitoring officer should
- undertake review of parish council's procedures and consider extent to which training and guidance is required by all members
 - consider way in which minutes are prepared and approved and how approval and amendment to the minutes are recorded.
-

Lamerton 311

Councillor failed to declare personal and prejudicial interest re village hall development next to her home on several occasions over a period of eight months.

- Decision - 5 months' disqualification.
-

North Dorset 310

Councillor had failed to declare interest in planning application for substantial development close to his home. Had shown contrition.

- Decision - Reprimand

- Recommendation - Strong recommendation to district council that it carries out thorough review of training needs of members and officers on Code and keeps them under regular review. Tribunal expressed concern that letters of support for the councillor from other councillors indicated a widespread misunderstanding of the Code on their part; that no officers or the committee chairman had expressed concern about the councillor's interest; that the view of the county council monitoring officer was wrong.
-

Thorne Moorends 308

Councillor had deliberately sought personal gain for himself and others at the public's expense by exploiting his membership of an external body on which he represented the council. Councillor showed no sign of appreciating the gravity of his actions.

- Decision - 12 months' disqualification
- Recommendation - Training should be provided by the metropolitan council for all four councillors in the district.
-

North Norfolk 321

Councillor had a personal and prejudicial interest in a planning application made by company of which he was managing director. Councillor announced at committee that he would be speaking in a private capacity on behalf of the applicant and then spoke after the committee had heard the officer's advice that he should not. Tribunal took into account that neither chairman nor any other members of the committee attempted to ask the councillor to stop and that the evidence indicated that the monitoring officer had not provided the councillor with a detailed explanation of why the councillor should not speak in spite of the councillor's request for such an explanation.

- Decision - 12 months' suspension
-

Cumbria 292

Councillor failed to declare any interest at a number of meetings concerning road scheme affecting the road in which he lived contrary to paragraph 12 and carried out a door to door survey in the road in a way which breached paragraph 4.

- Decision - 9 months' disqualification.
- Recommendation - County Council might wish to consider a greater consistency in procedure at all its relevant meetings to ensure that the identity, status and roles of attendees is recorded and that appropriate opportunities are provided for declaration of interest.
-

Norton Canes 290/291

Two councillors had failed to declare personal interests and the nature of those interests relating to development of a church hall site. Part of the case revolves around the application of the well –being test. Tribunal took into account that they were elected only fairly recently and had not received much training in the Code and that their evidence showed an unsatisfactory understanding of the Code and its application to personal interests. Tribunal took into account that much had been done since the complaints to improve the situation.

- Decision - Reprimand.
- Recommendation - Respondents should be provided with training from the Monitoring Officer and the Monitoring Officer should be requested to meet with the Parish clerk and others to review and give guidance and support as necessary on general governance issues.
-

Berwick 278

Councillor failed to declare at several meetings any interest in council land the subject of a development proposal. His daughter lived in close proximity to the land, used it regularly for recreation and had lodged an objection to the development proposals. Councillor continued to attend meetings without declaring an interest even after being put on notice that he should consider his position.

- Decision - 1 year suspension
-

Hungerford 268/269

Case involved alleged breaches of 2c, 4, 5a, 10a and 10b and concerned Town Council's observations to District Council on planning applications, site visits, planning application by Town Clerk who was close personal friend of Council Chairman, failing to declare a prejudicial interest in a grant application from a body of which the respondent was the Chairman.

- Decision - 12 months' suspension from Council's Planning and Finance Committees.
-

Southsea 266

A former councillor had failed to disclose membership of certain organisations in the register as required under 13(c) of the Code. He had also refused to confirm whether or not he was a member of the Freemasons and was, as a result, held to be in breach of paragraph 4.

- Decision - Disqualification for one year for breach of paragraph 4 but no sanction for breach of 13(c) because of the individual circumstances.
-

Lyme Regis

Councillor accused of a large number of breaches, mostly relating to declaration of interest provisions and contained in over 600 pages considered by the Tribunal. Tribunal took into account councillor's long service, willingness to apologise to the Council and length of time since events complained of.

- Decision - 6 months' disqualification.
- Recommendation - In view of large number of concerns revealed about the conduct of some aspects of the Town Council's business, the District Council was recommended to review, identify and provide any training that would assist the Town Council with the discharge of its functions, and in particular Code of Conduct training required by the Town Council members.
-

Keelby 244

Case involves aspects of a former Parish Councillor living near to a planning application site for development proposed by the Parish Council, membership of a lobby group, seeking advice from the Monitoring Officer and Parish Councils Association and objection to application lodged by spouse. Councillor had resigned

- Decision - 3 months' disqualification
-

West Somerset 223

Councillor breached 5 (a), 9 and 12 of Code by not declaring a prejudicial interest in proposes to relocate the Council's offices. Tribunal emphasised that decision on whether councillor has a personal and prejudicial interest is one for individual councillor to make and not one that can be off-loaded onto officers. Tribunal concerned at lack of knowledge of Code displayed by some councillors called as witnesses.

- Decision - 12 months' suspension.
- Recommendation - Council should review, probably with external assistance, level of understanding of members of the Code, arrange training, and keep records of member attendance at training events.
-

Kettering and Northamptonshire 228

Case concerned a Councillor who ran a franchise restaurant and whose wife's positions included president of the local Chamber of Trade. He declared only a personal interest in a debate about proposed changes to the local parking scheme. It was also claimed that he sought, improperly, to influence officers' reports and behaved improperly towards the Monitoring Officer.

- Decision - 9 months' disqualification. Tribunal recorded its deep concern at the councillor's behaviour towards the Monitoring Officer.
-

Tandridge 235

Councillor had personal and prejudicial interest in a planning application and had been advised of this by Monitoring Officer. He declared his interests at a number of meetings but stayed and spoke and then reported himself to the Monitoring Officer. Tribunal found breach of 13(a) and 13(b).

Decision - 18 months' disqualification.

Bedford 184

Councillor ran an architectural design service on his own account. Complaints related to representations he made to the Planning Committee as agent for clients and his initiation and participation in a committee debate about an amendment to a planning policy. Tribunal found that paras 9 and 12 had been breached.

Decision - 1 year disqualification.

Recommendation - Advice to members on Code should be given in writing; current advice to members re attendance at meetings and 'right to speak' should be reviewed.

Macclesfield 171

Councillor did not comply fully with paragraphs 8 and 10 re planning application but had undergone training and apologised for his omissions.

Decision - 6 months' suspension from discussions or decisions relating to planning matters.

Recommendation - Authority's procedures and practices relating to advice to members on probity and conduct should be reviewed and role and responsibilities of Monitoring Officer and deputy should be clearly defined and promulgated.

Macclesfield 164

Councillor named in an Ombudsman report participated in a Council debate on the matter. Tribunal considered arguments re human rights and natural justice in relation to wording of code; found that he had sought to improperly influence decision.

Decision - 1 year suspension

Recommendation - Authority should review its procedures in giving detailed and timely advice to members on matters of compliance with aspects of the Code, including those concerned with human rights and natural justice.

Bridgnorth

Several breaches but Tribunal took into account that they mainly all stemmed from same fact, namely that Councillor had not considered she had a prejudice interest in relation to the planning application; that she had been mistaken and misguided but not motivated by personal gain; that she had long period of public service and had received considerable support.

Decision - 3 month suspension

North Pemberton 192

Councillors entries in the register pertaining to his occupation and interests in land were not sufficiently clear and he had refused to comply with requests to amplify them.

Decision - 1 year disqualification

South Somercote 160, 161, 162

Three councillors living in close proximity to the site of a planning application were advised by the monitoring officer that they had a personal and prejudicial interest but remained in the room and voted. They also signed a letter as parish councillors to the district council, opposing the development.

Decision - 2 months' suspension for 2 councillors still on council and 2 months' disqualification for 3rd councillor who was no longer on council.

Recommendation - Parish council should review its induction and training arrangements for councillors with the monitoring officer.

This page is intentionally left blank

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 11
28 JANUARY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, 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. 296334

CODE OF CONDUCT COMPLAINTS RECEIVED SINCE OCTOBER 2018

RECOMMENDATIONS	
FROM: 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 October 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 has 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. The committee has decided that these will be reported in an anonymised way until such time as a breach of the code of conduct is found as part of the complaints process.

2.3 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 Members Code of Conduct and Officer Code of Conduct;
- Monitoring the operation of the both Codes 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	
---	-----------	----------------------------------	--

4. **BACKGROUND AND KEY ISSUES**

4.1 Since the committee's last report in October 2018 there have been no new council complaints.

4.2 **Ongoing complaints**

The Monitoring Officer is considering a parish council complaint relating 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.

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 complaint was considered by the Monitoring Officer and the Independent person and it was decided to refer the matter for a formal investigation, which has now completed. The Monitoring Officer has explored whether the member is prepared to consider alternative resolution of the complaint by way of a written apology and data protection training but the member is unwilling to do this. A hearing is to be arranged shortly for a panel of the committee to consider the complaint and the findings of the investigation report.

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 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

This page is intentionally left blank

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 12
28 JANUARY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director Law and Governance and Monitoring Officer	
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, Director of Law and Governance and Monitoring Officer	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee</p> <p>1. Notes and agrees the Work Programme for the remainder of the municipal year 2018/19</p>	

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.

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	N/A
---	-----------	----------------------------------	------------

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: 28 JANUARY 2019			
		Section / Lead	Description
	Parish Councils - Register of Interests	Fiona McMillan/Dem Services	Update on register of interests from Parish Councils
	Member Officer Protocol	Fiona McMillan/Dem Services	Committee to agree updated Member Officer Protocol
	Recommendation on structure of Motions for Full Council.	Fiona McMillan	Cllr Sandford Recommendation to alter debate process for motions as Council.
	Code of Conduct motion Full Council	Fiona McMillan	Cllr Seaton motion on Committee on Standards in Public Life, next steps.
	Councillor Farooq motion on details of motions to full council	Fiona McMillan	Committee to investigate motion from Cllr Farooq on template for submitting motions.
	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

	Section / Lead	Description
Social Media Policy, alignment with Employee Policy	HR/Dem Services	Alignment of Councillor and Employee Social Media Policy
Officer Employment Rules	Karen Craig HR	Pippa to set up meeting before report deadline.
Officer Code of Conduct	Fiona McMillan	To update the Officer Code of Conduct
Scrutiny update from Government	Dem Services	To receive a report on conclusions and findings from government report.
Verge Parking petitions	Fiona McMillan	To include verge parking as separate route from the normal petitions scheme.
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	