

CONSTITUTION AND ETHICS COMMITTEE

MONDAY 27 FEBRUARY 2023

6.00 PM

Bourges/Viersen Room - Town Hall

AGENDA

Page No

1. **Apologies for absence**

2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Director of Legal and Governance Services

3. **Minutes of the Meeting Held on 21 November 2022** 3 - 8

Approval of the Minutes Held on 21 November 2022

4. **Timetable for Reviewing Peterborough City Council Constitution** 9 - 12

5. **Process for Appointing to Outside Bodies** 13 - 28

6. **Update to Civic Protocol** 29 - 50

7. **Constitution and Ethics Committee Start Time 2023/24** 51 - 54

INFORMATION AND OTHER ITEMS

8. **Dispensations Issues**

To note there have been no dispensations granted since the last meeting.

9. **Update on National Issues**

To note there have been no updates on national issues since the last meeting.

10. **Code of Conduct Complaints** 55 - 58

11. **Work Programme, Future Dates, and Member Issues** 59 - 64

Emergency Evacuation Procedure – Outside Normal Office Hours

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



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Committee Members:

Councillors: Coles, W Fitzgerald, M Jamil (Vice Chairman), Jones, Sainsbury, N Sandford (Chair) and Simons

Substitutes: Councillors: Haseeb and A Shaheed

Further information about this meeting can be obtained from on telephone 01733 452233 or by email – karen.dunleavy@peterborough.gov.uk

**MINUTES OF THE CONSTITUTION AND ETHICS COMMITTEE MEETING
HELD AT 6PM, ON
21 NOVEMBER 2022
BOURGES/VIERSEN ROOMS, TOWN HALL, PETERBOROUGH**

Committee Members Present: Sandford (Chair), Jamil (Vice-Chair), Councillors Coles, Alison Jones, Fitzgerald, Sainsbury and Simons

Officers Present: Rochell Tapping, Director Law and Governance
Rachel Edwards, Head of Constitutional Services
Sue Proctor, Executive and Member Services Manager
Pippa Turvey, Democratic and Constitutional Services Manager
Dan Kalley, Senior Democratic Services Officer
Karen Dunleavy, Democratic Services Officer

Also Present: Councillor Dowson, Mayor of Peterborough

30. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

31. DECLARATIONS OF INTEREST

Declarations of interest were received for:

Agenda Item 12 – CIVIC AWARDS

Councillors Jamil and Sandford declared that they had nominated people for awards, however, would not take part in debate in respect of their nominations.

32. MINUTES OF THE CONSTITUTION AND ETHICS COMMITTEE MEETING HELD ON 6 OCTOBER 2022

The minutes of the meeting held on 6 October 2022 were agreed as a true and accurate record.

34. APPOINTMENTS TO OUTSIDE BODIES.

The Constitution and Ethics Committee received a report in relation to the process for Appointments to Outside Bodies.

The purpose of the report was for the Constitution and Ethics Committee to review the current process for appointments to outside bodies and determine whether this should be amended.

The Director of Legal and Governance requested that the Committee defer the item as further work was required in relation to the requirement for company directors to Council owned businesses.

The Constitution and Ethics Committee considered the request and **RESOLVED** (Unanimous) to **DEFER** the report for further review.

35. CIVIC PROTOCOL – DECLARATION BY THE MAYOR AND CIVIC INSIGNIA

The Constitution and Ethics Committee received a report in relation to the Civic Protocol and declarations by the Mayor and Civic Insignia.

The purpose of the report was to consider the proposals for the Declaration by the Mayor and Civic Insignia. The report was originally submitted to the Constitution and Ethics Committee following a previous discussion at the meeting on 6 October 2022. The item was deferred as it was felt that further discussion was required.

The Head of Constitutional Services introduced the report and asked members to consider the recommendations presented to them. Members were advised that the report was presented to the Committee following further review as requested at the October meeting of the Constitution and Ethics Committee. The proposals had covered the requirements from the Mayor in relation to the Civic robes and regalia, which was outlined in section 10 of the Council's Constitution. There were also changes to job descriptions and various other wording in the protocol as outlined in the report.

There was proposed wording for the declaration by the Mayor in section 4.4 of the report. With regards to the wearing of the robes and civic insignia this was detailed in part 8.1 of the Civic Protocol and outlined in section 4.5 of the report. There had also been amendments proposed to update the protocol to His Majesty following the death of Queen Elizabeth II.

Members were also asked to note that there were errors in 9.4 and 9.6 of the Civic Protocol in relation to the procession arrangements, and that these would be corrected to place the Leader of the Council in front of the Chief Executive.

In addition, Members were advised of the additional research conducted with other councils in relation to civic protocol arrangements.

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

- Members were advised that the minimum requirements of what civic regalia to wear, and when, had been outlined within the proposals for Civic Protocol.
- Some members raised a concern in relation to paragraph 8.1 of the Civic Protocol, as it seemed to impose a mandatory requirement for the Mayor and Mayoress to wear the chains at events. Members were advised that if the Mayor or Mayoress were invited to a non-civic event and a request had been made for full regalia, it would be up to the civic party to decide what regalia they wished to wear.
- Some Members felt that alternative wording should be considered for paragraph 8.1 of the Civic Protocol, in relation to wearing of civic regalia. The alternative wording should describe the normal expectation, however, place the ultimate decision with the Mayor or Mayoress to decide what to wear at civic events.
- Some Members felt that there needed to be some flexibility towards the usual tradition. Reference was made to the research conducted with other councils such as Milton Keynes, Telford and Cambridgeshire County Council where the mayor would wear a chain but no other regalia. This approach was seen to be moving with the times.
- The current Mayor of Peterborough commented that amendments to the wearing of regalia and declaration wording would be welcomed. Furthermore, the Mayor felt that an air of discretion over whether to wear the full regalia should be

considered. In addition, the Mayor, commented that the expense of new robes felt like an unnecessary cost to bear.

- Some members commented that the alternative wording for the Civic Protocol should be accepted, as proposed within the report.
- Members were advised that the neck tab and cuffs were the full civic regalia included within the proposals and that outfit would be for formal civic events. Some events would require just the robes and for some of the more formal ones, the mayor would need to wear full regalia.
- The chains were always required at Council meetings to make it easier for the public to identify who the mayor or mayoress were.
- Members were advised that the full regalia with hat collars and cuffs would be required for Mayor Making, Annual Council, Mayor's installation in the Cathedral, civic service in a church and any royal visit held outside the Town Hall.
- Some members were concerned that there had not been any consistency of what the Mayor or Mayoress should wear at events and that at a recent event, the protocol had not been followed.
- Some Members commented that the hat requirement should be removed, however the chains should always be worn as a minimum. In addition, the more discretion given to future Mayors could give rise to challenge, however times change, and care should be taken over what the Mayor or Mayoress were required to wear in terms of full regalia, especially at Full Council in the summer months.
- Members commented that the amendments to the procession arrangements outlined in the report were acceptable.
- Some Members felt that civic events with the Lord Lieutenant should require the full regalia. At a recent royal event, the protocol on regalia had not been followed and this was felt to cause issues and embarrassment to the Council.
- It was felt that discretion was needed over what regalia to wear when the weather was particularly hot, and this should remain in the protocol, with amended wording to make it clear what was expected from the Mayor or Mayoress. Furthermore, it was suggested that the word only should be deleted from 8.1 of the protocol.
- Some Members commented that a loyal oath to the King or an affirmation should be included in the declaration.
- Some Members commented that inclusion of a loyal oath or affirmation would exclude some Councillors wishing to take up office if they had republican views. Furthermore, it was felt that if a loyal oath or affirmation requirement was agreed, the position of mayor could not be undertaken if the Councillor refused to sign the declaration.
- Some Members commented that accepting the addition of a loyal oath or affirmation within the Mayor's declaration of office would be in line with the procedure for new Members of Parliament.

The Constitution and Ethics Committee considered the report and:

A motion was proposed and seconded to include additional wording within the Mayor's declaration of office to include the following text:

I XXXX, having been elected as Mayor of the City of Peterborough, swear by Almighty God that I will be faithful and bear true allegiance to his Majesty, King Charles, his heirs and successors, according to Law'. So help me God. 'I declare that I take the said office upon myself and will duly and faithfully fulfil the duties thereof according to the best of my judgement and ability. In doing so, I agree to abide by the Council's Civic Protocol.

Or alternative affirmation wording:

"I XXXX, having been elected as Mayor of the City of Peterborough, 'do solemnly, sincerely and truly declare and affirm that I will be faithful and bear true allegiance to his Majesty,

King Charles, his heirs and successors, according to Law. 'I declare that I take the said office upon myself and will duly and faithfully fulfil the duties thereof according to the best of my judgement and ability. In doing so, I agree to abide by the Council's Civic Protocol'.

Following a vote, it was **RESOLVED** (4 for, 3 against) to include the wording within the Mayor's declaration.

A further motion was proposed and seconded to amend the wording in paragraph 8.1 of the Civic Insignia to include the following underlined text:

Mayors in Peterborough will usually wear a robe of office, together with a chain and *sometimes cuffs and neck tab* on all ceremonial occasions *such as formal civic events as noted below in points 10.1, 10.2 and 10.3, particularly if the Lord Lieutenant, Deputy Lieutenant or High Sheriff are in attendance*. If the ceremony is out of doors, *and the event relates to the Monarchy*, the Mayor will usually wear a hat, which in the case of a man is a black cocked hat and for a lady a black tri-corn hat. On normal day to day civic occasions, the Mayor and Mayoress will usually wear the chain of office. The Mayor will wear the chain of office for Full Council meetings and may choose to wear the robe. On all civic occasions, the Mayor will seek and consider carefully advice from the Mayor's office before deciding what garments or insignia he/she will wear.

Following a vote, the motion was **DEFEATED** (2 for, 4 against and 1 abstention)

A further motion was proposed and seconded to approve the recommendations as outlined within the report with the inclusion of the amended wording in paragraph 8.1 of the Civic Insignia underlined as follows:

Mayors in Peterborough wear a robe of office, *cuffs and neck tab*, together with a chain of office on all ceremonial occasions *such as Formal Civic Events as noted below in points 10.1, 10.2 and 10.3 particularly if the Lord Lieutenant or Deputy Lieutenant are in attendance*. If the ceremony is out of doors *and the event is in support of the Monarchy*, the Mayor will wear a hat, which in the case of a man is a black cocked hat and for a lady a black tri-corn hat. On normal day to day civic occasions, the Mayor and Mayoress will wear only the chain of office. The Mayor and Mayoress is expected to wear the robe and chain of office for Council meetings, but at their discretion, may remove the robe if it is particularly hot.

Following a vote, the motion was **RESOLVED** (4 in favour, 1 against, 2 abstentions)

AGREED ACTIONS

The Constitution and Ethics Committee agreed:

- I. The proposal to add to the declaration of acceptance of office for the next incoming Mayor of the City of Peterborough (from May 2023) that they agree to abide by the Council's Civic Protocol with the inclusion of the Loyal Oath and alternative Affirmation.
- II. To recommend to Full Council that the Civic Protocol, was updated with the wording and to include the amended wording of the declaration of acceptance of office of Mayor.
- III. Recommend to Full Council: -
- IV. the change to job title in Section 2.3.
- V. the wording in Section 9.6.
- VI. the proposal to add further information around wearing the civic insignia in the calendar of events recommending when the formal regalia should be worn in Section 10, which included the additional calendar event relating to royal events.

- VII. the change to the Monarch in Section 12.4.
- VIII. the wording in Section 13.3.
- IX. the wording in Section 14.2.
- X. the wording in Section 15.2.

INFORMATION AND OTHER ITEMS

36. DISPENSATIONS ISSUED

The Constitution and Ethics Committee **RESOLVED** (Unanimous) to note that there had been no dispensations issues since the last meeting on 6 October 2022.

37. UPDATE ON NATIONAL ISSUES

The Constitution and Ethics Committee **RESOLVED** (Unanimous) to note that there had been updates on national issues since the last meeting on 6 October 2022.

38. CODE OF CONDUCT COMPLAINTS

The Constitution and Ethics Committee received a report in relation to the Code of Conduct Complaints received since the last meeting.

The purpose of the report was to update members on the status of any new complaints and those that had been resolved since the last meeting.

The Senior Democratic Officer introduced the report and asked members to note that there had not been any new complaints received since the last meeting on 6 October 2022.

The Constitution and Ethics Committee considered the report and **RESOLVED** (Unanimous) to note the report on complaints received/being handled by the Monitoring Officer since the Committee's last meeting on 6 October 2022.

39. WORK PROGRAMME, FUTURE DATES AND MEMBER ISSUES

The Constitution and Ethics Committee received a report in relation to the committee's work programme.

The Democratic Services Officer introduced the report and outlined the work programme report, along with additional items that were to be included.

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

- The Director of Legal and Governance confirmed that there will be a review of the constitution in six months' time. The approach to the Constitution review would be reported to the Committee at February's meeting.

The Constitution and Ethics Committee considered the report and **RESOLVED** (Unanimous) to note and agree the Work Programme.

40. EXCLUSION OF THE PUBLIC AND PRESS

The Constitution and Ethics Committee considered the report and **RESOLVED** (Unanimous) that the press and public be excluded from the meeting on agenda item 11 and 12, Honours Panel reports on the grounds that the items contained exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act

1972, as amended, and that it would not be in the public interest for this information to be disclosed (Information relating to an individual).

41. HONOURS PANEL

The Constitution and Ethics Committee received a report in relation to a recommendation in relation to a Civic Award.

The Constitution and Ethics Committee considered the report and **RESOLVED** (Unanimous) to recommend the outcome of the discussion to a meeting of extraordinary Full Council.

43. CIVIC AWARDS

The Constitution and Ethics Committee received a report with regards to nominations for Civic Awards.

The Constitution and Ethics Committee considered the report and **RESOLVED** (Unanimous) to recommend to Full Council the granting of Civic Awards to those nominated in the report.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 4
27 FEBRUARY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Corporate Director of Law and Governance
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Corporate Governance and Finance
Contact Officer(s):	Rochelle Tapping, Corporate Director of Law and Governance Pippa Turvey, Democratic and Constitutional Services Manager Email: rochelle.tapping@peterborough.gov.uk

TIMETABLE FOR REVIEWING PETERBOROUGH CITY COUNCIL CONSTITUTION

RECOMMENDATIONS	
FROM: <i>Rochelle Tapping, Corporate Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Note the proposed timetable for a full review of the Council's constitution, as set out in section 6 of the report. 2. Recommend to Council that authority be delegated to the Director of Law and Governance & Monitoring Officer to make any necessary changes to the Contract Rules, following the implementation of revised procurement procedures. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee following a referral from the Corporate Leadership Team and previous informal discussions amongst Members.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide an overview of the anticipated timeline for a full review of Peterborough City Council's constitution.
- 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
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4. BACKGROUND AND KEY ISSUES

- 4.1 There are a number of reviews currently ongoing in relation to the Council's governance arrangements, including:
- a review of the Council's Model of Governance by the Constitution and Ethics Committee Governance Review Working Group,
 - a review of the Council's internal governance structure and decision-making processes, supported by the Corporate Delivery Unit, and
 - an intended review of the Council's scrutiny procedures, supported by the Centre for Governance and Scrutiny and the Local Government Association.
- 4.2 Separate to this the Council's constitution requires reviewing, with some sections not having been updated for a number of years and there being several inconsistencies and impracticalities across the document as a whole.
- 4.3 As the above referenced reviews will each have an impact on the constitution, it is suggested that a review of the constitution takes place when each of these reviews are completed, to allow for any changes to be factored into the "new" constitution.

5. PROCESS

- 5.1 Peterborough City Council's Constitution is a large and complicated document and any review of it should be sufficiently thorough and transparent. It is therefore suggested to split the review into four stages: engagement, drafting, consultation, and final approval.
- 5.2 The engagement process will begin following approval of the timetable by the Committee and will begin with a range of sessions with various officer stakeholder groups – focusing on those officers who interact with the constitution on a regular basis – to establish what kind of updates are necessary.
- 5.3 This will be followed by engagement with Members, though various existing forums, such as All Party Policy, but also through small workshop groups.
- 5.4 The next stage will be the drafting process, which will take into account all the feedback received as well as incorporating the outcome of the previously mentioned governance reviews. Depending on the outcome of these reviews there may be significant changes to the constitution proposed at this stage. An important aspect of the drafting process includes cross referring the constitution with current legislation.
- 5.5 A report will then be brought to the Constitution and Ethics Committee to consider two matters: firstly, any minor or more straightforward changes to the constitution that can be implemented at an earlier stage. Should the committee agree, a recommendation would then be made to Full Council to approve those changes.
- 5.6 Secondly, any more significant changes proposed (particularly those that would change the Governance model or structure of the Council) would be submitted to the committee for approval to be published as part of a public consultation. This consultation would last approximately 6 weeks. At this stage, proposals would also be taken to Scrutiny Committee for their comment.
- 5.7 Following consideration of any consultation response, the committee would then be presented with the final proposed updates for approval and recommendation to Full Council.
- 5.8 It is important to note, however, that some areas of the constitution will not be subject to approval from the Constitution and Ethics Committee, specifically, the executive delegations, which would remain in the gift of the Leader to agree.

6. TIMELINE

Phase 1 – Engagement process:

From March 2023 – Officer Stakeholders

June 2023 – Member Workshops

Phase 2 – Drafting:

August 2023 – including feedback, outcome of governance reviews and legislation check

Phase 3 – Public Consultation/Interim Updates:

Sept 2023 – Constitution and Ethics Committee – launch of 6 week public consultation and approval of ‘interim’ updates

Sept/Oct 2023 – Scrutiny Committee

Nov 2023 – Full Council – approval of ‘interim’ updates

Phase 4 – Final Approval:

20 Nov 2023 – Constitution and Ethics Committee

6 Dec 2023 – Full Council (with any structure changes for implementation from 2024)

5. CONTRACT RULES

- 5.1 Recommendation 2 relates specifically to anticipated updates to the Council's Contract Rules. These are expected following the reintegrated of the procurement into the Council and the revisions to the Council's internal procedures that are necessary to implement this.

In order to ensure that the procurement service is operating as smoothly as possible, it is requested that authority to amend the Contract Procedure Rules be delegated to the Director of Law and Governance & Monitoring Officer, in order for changes to be implemented as quickly as possible.

6. CORPORATE PRIORITIES

- 6.1 The recommendation links to the follow Council Corporate Priorities:

1. The Economy & Inclusive Growth
 - Environment – there are no Carbon Impact Implications arising from this recommendation.
2. Sustainable Future City Council
 - How we Work, How we Serve, How we Enable – in reviewing the Constitution, the Council can assess how it works, serves and enables from a Governance perspective and update this as appropriate.

7. CONSULTATION

- 7.1 Informal discussions have been held with Members and Senior Leadership regarding the need and intent to conduct a comprehensive review of the Constitution.

8. ANTICIPATED OUTCOMES OR IMPACT

- 8.1 It is anticipated that in reviewing the constitution wholesale following the timeline suggested, this would ensure that the constitution represents the most up-to-date and best practice governance regimes and also ensure that there are no incongruences within different parts of the constitution.

9. REASON FOR THE RECOMMENDATION

9.1 Members are asked to note the proposed timeline in order to ensure that they are fully briefed on when and how ongoing governance reviews will be incorporated into the overarching constitution review.

10. ALTERNATIVE OPTIONS CONSIDERED

10.1 Not to review the constitution – this would mean that the constitution would continue to be updated in an ad hoc manner and may result in current discrepancies between sections to widen and for procedures contained within to continue in a potentially outdated fashion.

11. IMPLICATIONS

Financial Implications

11.1 None.

Legal Implications

11.2 A local authority is under a duty to prepare and keep up to date its constitution under s.9P Local Government Act 2000. The constitution reflects both the decisions and the decision-making processes of the authority.

Equalities Implications

11.3 There are no equalities implications arising from this report.

12. BACKGROUND DOCUMENTS

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

12.1 [Peterborough Improvement Plan](#)

[Constitution and Ethic Committee 6 October 2022 – Peterborough City Council Governance Review – Terms of Reference Report](#)

13. APPENDICES

13.1 None.

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 5
27 FEBRUARY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Corporate Director of Law and Governance
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Corporate Governance and Finance
Contact Officer(s):	Rochelle Tapping, Corporate Director of Law and Governance
	Email: rochelle.tapping@peterborough.gov.uk

PROCESS FOR APPOINTMENT TO OUTSIDE BODIES

RECOMMENDATIONS	
FROM: <i>Rochelle Tapping, Corporate Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Recommend <u>either</u> the revised process for appointments to outside bodies in Appendix 1 <u>or</u> Appendix 2 for approval by Full Council. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee following previous discussions by the Committee at its meetings on 6 October 2022 and 21 November 2022.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide an overview of the anticipated timeline for a full review of Peterborough City Council's constitution.
- 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
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4. BACKGROUND AND KEY ISSUES

- 4.1 The process for appointments to outside bodies (also known as external organisations) is set out in the Council's constitution at 'Part 3, Delegations Section 5 - Appointments to External Organisations'.

- 4.2 The current process is, in summary, that the political proportionality for each year is determined and sent around to Group Secretaries. Each Group will then feedback to officers their proposals for their group seats.
- 4.3 If there are any disputes between groups in relation to which seats they want, then these disputed seats will be put to the Leader to determine. The Leader must take into consideration proportionality rules when making his determination.
- 4.4 It is local choice to have this decision rest with the Leader. Previous versions of this process have had this decision rest with Full Council. At its meetings on 6 October 2022, the Committee expressed a desire to have this decision rest with Full Council rather than the Leader. This was further discussed at the meeting on 21 November 2022.
- 4.5 The Committee has two options before them to consider. Appendix 1 sets out the first option – changing the constitution to shift the responsibility for appointment to outside bodies to Full Council. Appendix 2 sets out the updated section of the constitution with this responsibility remaining with the Leader of the Council.
- 4.6 It is important to note that in either scenario, the categories ‘key partnerships’, ‘Council-owned companies’ and (unless otherwise specified) ‘strategic and executive’ would remain in the gift of the Leader to determine, rather than Full Council, as these categories fall within the Council’s executive functions.
- 4.7 Both of these revised versions make other minor changes, such as updating ‘Solicitor to the Council’ to ‘Monitoring Officer’ and making provision for an additional category of outside bodies in ‘Council-owned companies’.

5. CORPORATE PRIORITIES

- 5.1 The recommendation links to the follow Council Corporate Priorities:
1. The Economy & Inclusive Growth
 - Environment – there are no Carbon Impact Implications arising from this recommendation.
 2. Sustainable Future City Council
 - How we Work, How we Serve, How we Enable – in reviewing the process for appointments to outside bodies, the ensure that this undertaken in the most appropriate manner.

6. CONSULTATION

- 6.1 No further consultation has taken place following the previous debate by the Constitution and Ethics Committee on 6 October 2022 and 21 November 2022.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 That the process for appointment to outside bodies is as effective, transparent, and democratic as possible.

8. REASON FOR THE RECOMMENDATION

- 8.1 To ensure that the process for appointments to outside bodies is as up to date and effective as possible.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 That the process is not reviewed. This was discarded, as this would not reflect the wishes previously expressed by the Constitution and Ethics Committee.

10. IMPLICATIONS

Financial Implications

10.1 None.

Legal Implications

10.2 None.

Equalities Implications

10.3 There are no equalities implications arising from this report.

11. BACKGROUND DOCUMENTS

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

11.1 [Peterborough City Council Constitution – Section 5 – Appointments to External Organisations](#)

[Constitution and Ethics Committee 6 October 2022 – Minutes](#)

[Constitution and Ethics Committee 21 November 2022 – Agenda](#)

12. APPENDICES

12.1 Appendix 1 – Revised ‘Section 5 – Appointments to External Organisations’ – Full Council as decision-maker

Appendix 2 – Revised ‘Section 5 – Appointments to External Organisations’ – Leader of the Council as decision-maker

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Section 5 – Appointments to External Organisations

5.1 Introduction

5.1.1 The Council has partnership links with many external organisations, dealt with in the Constitution as follows:

- | | |
|--|--|
| (a) Partnerships | Council representatives participate in joint arrangements in which the Council is one partner. |
| (b) Appointments to external organisations | Council representatives are appointed to organisations wholly external to the Council. |
| (c) Commercial partnerships | Contractual relationships with a partner undertaking work for the Council. |

5.1.2 These links may be statutory or discretionary. For example, the (statutory) constitution of Internal Drainage Boards requires that some Board members be appointed by the Council. Discretionary external appointments may arise by invitation to the Council or by the Council's own initiative. The council will always assess the value of participation - will it benefit directly? If not, would participation still be beneficial to the community (whether financially or in other ways, due to council representation and endorsement)? The Council aims to maximise the benefit to be obtained from participation, both for the Council and the community.

5.2 Requirements and categories for appointing external representatives

5.2.1 In deciding whether or not the Council should make an appointment to an external organisation, one of the following criteria must be met:

- (a) Is the appointment a statutory requirement?
- (b) Is the proposed involvement consistent with the corporate strategy?
- (c) Does the proposed involvement add value to the Council's activities?

5.2.2 Each external organisation to which the Council makes an appointment, and partnership in which it participates, will be placed into one of the following categories:

- (a) ***Key partnerships*** - defined by the Council's partnership framework.
- ~~(a)~~(b) ***Council Owned Companies – Companies wholly or partly owned by the City Council.***
- ~~(b)~~(c) ***Strategic and executive*** - participation contributes to the Council's strategic functions, priorities and community leadership role and/or assists the Council in fulfilling its executive responsibilities.
- ~~(c)~~(d) ***Community engagement*** - Not necessary to fulfil strategic or executive function but still beneficial in terms of leading, engaging and supporting the community. District-wide role.
- ~~(d)~~(e) ***Local engagement*** - Community engagement focussed at ward level.

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5.3 Procedure for making external appointments

5.3.1 The determination of appointments to external organisations is legally a 'local choice' function which can be exercised by Council, a Committee, the Executive or a combination of these. To provide for ~~transport and speedy~~ ***transparent and collaborative*** appointments ***process*** at the beginning of each municipal year, the

Part 3, Delegations Section 5 - Appointments to External Organisations

Council's external and partnership appointments will be determined by ~~Full Council~~~~the Executive~~ following the process below (which does not apply to officer participation).

- 5.3.2 All appointments are subject to annual change unless otherwise stated in the constitution of the external organisation. Each (including in-year replacements) runs for the municipal year, ending at the next Annual Council Meeting.
- 5.3.3 Where participation by a category of person is specified (such as 'all the ward members' or 'the relevant cabinet member'), then these appointments will be automatic by virtue of office. The relevant Cabinet Member(s) will be determined by the Leader, if not readily apparent.
- 5.3.4 Other external appointments will be made following this procedure:
- (a) As soon as possible after the local elections each year (or by early May in a year without elections), the ~~Solicitor to the Council~~~~Monitoring Officer~~ convenes discussion between the political groups operating on the Council. Where possible, they will agree informally the allocation of seats upon external organisations and partnerships taking into account the principles contained in this procedure. As a general rule, elected members will fill all formal appointments available, but it is recognised that non-Member involvement at local level can be a useful way of promoting community engagement provided that good links with, and feedback from, such representatives, are maintained.
 - (b) For all seats in the **key partnerships category** ~~(namely GPP and the six key partnerships)~~, the Executive seats required ~~by the partnership agreement~~ will be filled automatically by the relevant cabinet member. Where the relevant person is not readily identifiable, the Leader will determine which members are appointed to fill the required number of seats. The non-Executive seats required ~~by the partnership agreement~~ will be ~~totalled~~ across ~~these seven key partnerships~~ the category and then ~~allocated~~ proportionally to the Council's various political groups using this appointments procedure.
 - (c) For all seats in the **Council-owned companies category** the Leader will ~~identify~~~~decide~~ the most appropriate representative from the Council, ~~which should ordinarily be an officer appointment, however a member appointment will be made if necessary. The Leader's decision will be made in consultation with the Chief Executive, the S151 Officer and the Monitoring Officer. whether this be a Member or an officer, to be appointed to the seats,~~
 - (ed) For all seats in the **strategic and executive category**, ~~the presumption will be that the Executive allocates seats will be allocated them~~ to the political ~~Administration~~~~administration~~ except where:
 - (i) the external organisation's constitution/partnership agreement states otherwise;
 - (ii) in the case of the Local Government Association, where wider representation is usual;
 - (iii) the ~~political~~ ~~Executive~~~~administration~~ decides otherwise.
 - (de) For seats in the **community engagement category**, excluding any allocated automatically by virtue of office, the total number of seats available across all organisations in the category will be calculated. Seats will then be allocated equitably amongst the Council's declared political groups, as far as is reasonably practicable reflecting the political balance of the Council. The final allocation does not have to be exactly proportional, provided that distribution is equitable.

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Part 3, Delegations Section 5 - Appointments to External Organisations

- (ef) Seats in the **local engagement category**, excluding any allocated automatically by virtue of office, will be allocated having regard to the political composition of the ward(s) most closely affected. The expectation is that local candidates will be considered ahead of other nominees for representation.
- (fg) Where an appointment includes an option as to the **allocation of votes** (for example, at the Local Government Association assemblies), this appointments process will be used to determine vote allocation as well as named representation.
- (gh) all seat and vote allocations made automatically, or agreed informally through this process by the political groups, will be authorised and implemented by the ~~Solicitor to the Council~~ **Monitoring Officer and notified to Full Council.**
- (hi) any seat or vote allocation which is disputed must be reported by the ~~Solicitor to the Council~~ **Monitoring Officer to the Leader of the Council** ~~Full Council~~ for determination. Seat allocations will be deemed to be disputed if:
- (i) either one or more political groups disagrees with the proposed allocation;
 - (ii) or no informal agreement is reached by ~~the 12noon on the day before the Annual Council meeting end of the second calendar week after the Annual Council Meeting~~ (because it is essential to determine new appointments early in the municipal year, ahead of the annual conferences of the LGA and Eastern Regional Local Government Conference).
- (ij) When determining disputed seats and votes, ~~the Leader~~ **Full Council** should have regard to the principles at a) to e) above although they are not absolutely binding. Any decision made contrary to these principles will be accompanied by an explanation as to why. ~~The Leader's decision may be delegated to the Deputy Leader or the Cabinet. All such appointments are published Executive decisions, available for scrutiny.~~
- 5.3.5 If an appointment vacancy arises during the municipal year, it will be filled following the process above. The ~~Solicitor to the Council~~ **Monitoring Officer** will start the informal process as soon as possible after the vacancy arises. The views of the political groups may be sought by telephone, in writing or via a meeting. In the community engagement category, the replacement representative will usually be a nominee of the same political group as was the outgoing representative.
- 5.3.6 When a new appointment opportunity arises, ~~depending on which category it falls into as advised by the Monitoring Officer, the Leader of the Council will determine, or Group Leaders will informally determine by majority, whether or not this should be accepted. His/her This decision will have regard to the appointment criteria listed above. If approved, the Leader will also determine in which appointment category the appointment/participation should be listed, having regard to the descriptions above. This approval (or rejection) and categorisation will either be a published Executive decision, available for scrutiny in the usual way referred to Full Council for formal adoption and appointment or published as a formal executive decision from the Leader.~~
- 5.3.7 ~~The Leader~~ **Full Council** may review the list of organisations to which appointments are made at any time, although the Council will not usually expect to change arrangements in-year unless there is a particularly strong reason for doing so. ~~Any changes to participation will also be a published Executive decision.~~
- 5.3.8 All appointments will be listed in the Council's partnerships database.

Part 3, Delegations Section 5 - Appointments to External Organisations

5.4 Support for appointments to external organisations

5.4.1 **Lead officer:** A lead officer will be identified in the Council's partnership database for all appointments in the ***key partnerships, Council-owned companies, and strategic and executive*** categories. This officer will work closely with the appointed Member(s) to provide briefings and support. In turn, representatives will brief the lead officer regularly about discussions at external meetings and any activities which the organisation is undertaking, particularly as they affect the Council.

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5.4.2 **City Councillors appointed by non-Council routes:** The Council will take advantage of any appointments of its Members to national and regional bodies within the ***strategic and executive*** category, by means other than direct Council appointment. This may be, for example, via regional appointments from a pool of Members to ensure politically balanced representation. These appointments will be recorded in the Council's partnership database, and a lead officer will be allocated to brief/support, and be briefed by, the representative.

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5.4.3 **Briefings:** For organisations and partnerships in the ***community and local engagements categories***, a lead officer will not be allocated unless the Director and/or relevant Cabinet Member for the service area deem that this will be beneficial. However, the representative may still seek support and briefings from Council officers.

5.4.4 **Induction:** Partner/external organisations are expected to provide an induction into their affairs for newly appointed Council representatives. In the case of ***key partnership and strategic and executive*** appointments, it is the lead officer's responsibility to ensure that an induction is arranged.

5.5 Councillors' role in external and partnership appointments

5.5.1 Councillors fulfilling external and partnership appointments (and non-councillors fulfilling that role in the place of an elected member) are, in general, expected to see themselves as upholding the Council's interests. Their role includes:

- (a) representing and reporting the Council's interests and activities to the organisation;
- (b) feeding back to the relevant officers of the Council, and the Executive or committees;
- (c) where the Council makes a decision which affects the organisation/partnership, contributing information from the perspective of being a member on that body;
- (d) monitoring how resources given or lent to the organisation/partnership by the Council are used, especially by comparison with any conditions or Service Level Agreement involved, and notifying the Council of any problems identified;
- (e) using their position as an elected public representative to influence and ensure that other public or charity money is spent wisely;
- (f) helping the organisation/partnership to understand the Council's and Community Strategy priorities, and how the organisation/partnership can best contribute to or benefit from them;
- (g) lending support and endorsement to the organisation's activities, in the role of community leader and spokesperson;
- (h) submitting an annual report to the Council of their activities within the appointment.

5.5.2 A Council representative may, depending upon the organisation's legal status, be required to act in the best interests of that organisation - for example, trustees. This

Part 3, Delegations Section 5 - Appointments to External Organisations

can cause tensions for the representative, but need not conflict. For example, the member must always declare their personal interest in any matter decided by the Council which affects 'their' organisation, if they are present and participate in the debate and decision. Further, acting in the best interests of the organisation does not override the need to ensure that public money allocated by the Council (or any other resources of the organisation) are used with probity, wisely and in compliance with any conditions attaching to those resources.

Part 3, Delegations Section 5 - Appointments to External Organisations

- 5.5.3 Councillors appointed as Trustees are personally responsible to the Trust as a Trustee (quite distinct from their duties as elected members) and are liable for any mismanagement or breaches of Trust because they are required to act in good faith and for the benefit of the Trust at all times. There are strict requirements for Trustees to administer/manage the Trust property for the benefit of the Trust (and not for any other purposes) and in accordance with the express terms of the Trust document.
- 5.5.4 Every external appointee is required to complete a short report at the end of the municipal year, to be submitted to the ~~Solicitor to the Council~~ Monitoring Officer. This is to state the extent of their attendance and involvement during the year, what has been achieved and whether continuing representation is considered worthwhile in their opinion. This information will be made available to the political groups and Leader to inform their decisions about the next year's appointments. It will also be made available to other Members on request.
- 5.5.5 All external representatives are expected to attend that organisation's meetings regularly. If they become unable to maintain this level of involvement and support, they should inform the ~~Solicitor to the Council~~ Monitoring Officer so that an alternative representative can be identified as soon as possible.

Section 5 – Appointments to External Organisations

5.1 Introduction

5.1.1 The Council has partnership links with many external organisations, dealt with in the Constitution as follows:

- | | |
|--|--|
| (a) Partnerships | Council representatives participate in joint arrangements in which the Council is one partner. |
| (b) Appointments to external organisations | Council representatives are appointed to organisations wholly external to the Council. |
| (c) Commercial partnerships | Contractual relationships with a partner undertaking work for the Council. |

5.1.2 These links may be statutory or discretionary. For example, the (statutory) constitution of Internal Drainage Boards requires that some Board members be appointed by the Council. Discretionary external appointments may arise by invitation to the Council or by the Council's own initiative. The council will always assess the value of participation - will it benefit directly? If not, would participation still be beneficial to the community (whether financially or in other ways, due to council representation and endorsement)? The Council aims to maximise the benefit to be obtained from participation, both for the Council and the community.

5.2 Requirements and categories for appointing external representatives

5.2.1 In deciding whether or not the Council should make an appointment to an external organisation, one of the following criteria must be met:

- (a) Is the appointment a statutory requirement?
- (b) Is the proposed involvement consistent with the corporate strategy?
- (c) Does the proposed involvement add value to the Council's activities?

5.2.2 Each external organisation to which the Council makes an appointment, and partnership in which it participates, will be placed into one of the following categories:

- (a) ***Key partnerships*** - defined by the Council's partnership framework.
- ~~(a)~~(b) ***Council Owned Companies – Companies wholly or partly owned by the City Council.***
- ~~(b)~~(c) ***Strategic and executive*** - participation contributes to the Council's strategic functions, priorities and community leadership role and/or assists the Council in fulfilling its executive responsibilities.
- ~~(c)~~(d) ***Community engagement*** - Not necessary to fulfil strategic or executive function but still beneficial in terms of leading, engaging and supporting the community. District-wide role.
- ~~(d)~~(e) ***Local engagement*** - Community engagement focussed at ward level.

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5.3 Procedure for making external appointments

5.3.1 The determination of appointments to external organisations is legally a 'local choice' function which can be exercised by Council, a Committee, the Executive or a combination of these. To provide for ~~transport and speedy~~ ***transparent and collaborative*** appointments ***process*** at the beginning of each municipal year, the

Part 3, Delegations Section 5 - Appointments to External Organisations

Council's external and partnership appointments will be determined by the Executive following the process below (which does not apply to officer participation).

- 5.3.2 All appointments are subject to annual change unless otherwise stated in the constitution of the external organisation. Each (including in-year replacements) runs for the municipal year, ending at the next Annual Council Meeting.
- 5.3.3 Where participation by a category of person is specified (such as 'all the ward members' or 'the relevant cabinet member'), then these appointments will be automatic by virtue of office. The relevant Cabinet Member(s) will be determined by the Leader, if not readily apparent.
- 5.3.4 Other external appointments will be made following this procedure:
- (a) As soon as possible after the local elections each year (or by early May in a year without elections), the ~~Solicitor to the Council~~ **Monitoring Officer** convenes discussion between the political groups operating on the Council. Where possible, they will agree informally the allocation of seats upon external organisations and partnerships taking into account the principles contained in this procedure. As a general rule, elected members will fill all formal appointments available, but it is recognised that non-Member involvement at local level can be a useful way of promoting community engagement provided that good links with, and feedback from, such representatives, are maintained.
 - (b) For all seats in the **key partnerships category** ~~(namely GPP and the six key partnerships)~~, the Executive seats required ~~by the partnership agreement~~ will be filled automatically by the relevant cabinet member. Where the relevant person is not readily identifiable, the Leader will determine which members are appointed to fill the required number of seats. The non-Executive seats required ~~by the partnership agreement~~ will be ~~totalled~~ across ~~these seven key partnerships~~ **the category** and then ~~allocated~~ proportionally to the Council's various political groups using this appointments procedure.
 - ~~(c) For all seats in the Council-owned companies category the Leader will identify the most appropriate representative from the Council, which should ordinarily be an officer appointment, however a member appointment will be made if necessary. The decision will be made in consultation with the Chief Executive, the S151 Officer and Monitoring Officer, whether this be a Member or an officer, to be appointed to the seats. For all seats in the Council-owned companies category the Leader will decide the most appropriate representative from the Council, which should ordinarily be an officer appointment, however a member appointment will be made if necessary. The Leader's decision will be made in consultation with the Chief Executive, the S151 Officer and the Monitoring Officer, whether this be a Member or an officer, to be appointed to the seats.~~
 - ~~(ed)~~ For all seats in the **strategic and executive category**, ~~the presumption will be that the Executive allocates seats will be allocated them~~ to the political ~~Administration~~ **administration** except where:
 - (i) the external organisation's constitution/partnership agreement states otherwise;
 - (ii) in the case of the Local Government Association, where wider representation is usual;
 - (iii) the ~~political~~ **Executive administration** decides otherwise.
 - ~~(de)~~ For seats in the **community engagement category**, excluding any allocated automatically by virtue of office, the total number of seats available across all

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Part 3, Delegations Section 5 - Appointments to External Organisations

organisations in the category will be calculated. Seats will then be allocated equitably amongst the Council's declared political groups, as far as is reasonably practicable reflecting the political balance of the Council. The final allocation does not have to be exactly proportional, provided that distribution is equitable.

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 - (i) either one or more political groups disagrees with the proposed allocation;
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- (ij) When determining disputed seats and votes, the Leader should have regard to the principles at a) to e) above although they are not absolutely binding. Any decision made contrary to these principles will be accompanied by an explanation as to why. The Leader's decision may be delegated to the Deputy Leader or the Cabinet. All such appointments are published Executive decisions, available for scrutiny.

- 5.3.5 If an appointment vacancy arises during the municipal year, it will be filled following the process above. The ~~Solicitor to the Council~~ **Monitoring Officer** will start the informal process as soon as possible after the vacancy arises. The views of the political groups may be sought by telephone, in writing or via a meeting. In the community engagement category, the replacement representative will usually be a nominee of the same political group as was the outgoing representative.
- 5.3.6 When a new appointment opportunity arises, the Leader of the Council will determine whether or not this should be accepted. ~~His/her~~ **This** decision will have regard to the appointment criteria listed above. If approved, the Leader will also determine in which appointment category the appointment/participation should be listed, having regard to the descriptions above. This approval (~~or rejection~~) and categorisation will be a published Executive decision, available for scrutiny in the usual way.
- 5.3.7 The Leader may review the list of organisations to which appointments are made at any time, although the Council will not usually expect to change arrangements in-year unless there is a particularly strong reason for doing so. Any changes to participation will also be a published Executive decision.
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Part 3, Delegations Section 5 - Appointments to External Organisations

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- (a) representing and reporting the Council's interests and activities to the organisation;
- (b) feeding back to the relevant officers of the Council, and the Executive or committees;
- (c) where the Council makes a decision which affects the organisation/partnership, contributing information from the perspective of being a member on that body;
- (d) monitoring how resources given or lent to the organisation/partnership by the Council are used, especially by comparison with any conditions or Service Level Agreement involved, and notifying the Council of any problems identified;
- (e) using their position as an elected public representative to influence and ensure that other public or charity money is spent wisely;
- (f) helping the organisation/partnership to understand the Council's and Community Strategy priorities, and how the organisation/partnership can best contribute to or benefit from them;
- (g) lending support and endorsement to the organisation's activities, in the role of community leader and spokesperson;
- (h) submitting an annual report to the Council of their activities within the appointment.

5.5.2 A Council representative may, depending upon the organisation's legal status, be required to act in the best interests of that organisation - for example, trustees. This

Part 3, Delegations Section 5 - Appointments to External Organisations

can cause tensions for the representative, but need not conflict. For example, the member must always declare their personal interest in any matter decided by the Council which affects 'their' organisation, if they are present and participate in the debate and decision. Further, acting in the best interests of the organisation does not override the need to ensure that public money allocated by the Council (or any other resources of the organisation) are used with probity, wisely and in compliance with any conditions attaching to those resources.

Part 3, Delegations Section 5 - Appointments to External Organisations

- 5.5.3 Councillors appointed as Trustees are personally responsible to the Trust as a Trustee (quite distinct from their duties as elected members) and are liable for any mismanagement or breaches of Trust because they are required to act in good faith and for the benefit of the Trust at all times. There are strict requirements for Trustees to administer/manage the Trust property for the benefit of the Trust (and not for any other purposes) and in accordance with the express terms of the Trust document.
- 5.5.4 Every external appointee is required to complete a short report at the end of the municipal year, to be submitted to the ~~Solicitor to the Council~~ Monitoring Officer. This is to state the extent of their attendance and involvement during the year, what has been achieved and whether continuing representation is considered worthwhile in their opinion. This information will be made available to the political groups and Leader to inform their decisions about the next year's appointments. It will also be made available to other Members on request.
- 5.5.5 All external representatives are expected to attend that organisation's meetings regularly. If they become unable to maintain this level of involvement and support, they should inform the ~~Solicitor to the Council~~ Monitoring Officer so that an alternative representative can be identified as soon as possible.

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 6
27 FEBRUARY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Rachel Edwards, Head of Constitutional Services Susan Proctor, Executive and Members Services Manager	Tel. 452277

UPDATE TO CIVIC PROTOCOL

RECOMMENDATIONS	
FROM: Director of Law and Governance	Deadline date: 27 February 2023
<p>It is recommended that Constitution and Ethics committee:</p> <ol style="list-style-type: none"> 1. Agree to the wording, prescribed in law for the Mayors Declaration of Acceptance of office (Appendix 2 to the report). 2. Review and agree the proposed wording in section 18.3 of the Civic Protocol (paragraph 2.6 of the report). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 This report was originally submitted to the Constitution and Ethics Committee following a previous discussion at the meeting on 21 November 2022. The Director of Law and Governance asked for further research to be undertaken in relation to the Mayors Declaration of Acceptance of Office.
- 1.2 The Committee has previously considered changes to the Civic Protocol at the November meeting, and agreed the new wording in section 8.1, as well as further changes from the meeting on 6 October 2022.
- 1.3 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference no. 2.7.2.1.

2. BACKGROUND AND KEY ISSUES

- 2.1 As Peterborough's 'first citizen', the Mayor acts as ambassador for the City Council, and also for Peterborough itself. The role of Mayor is to be an impartial figure who can represent the community at large.
- 2.2 The Mayor plays a key role at civic and ceremonial events and leads the city during key events to ensure historic traditions and values across the city and the Country as a whole are upheld, respecting the institution and role the Council plays in such events.

2.3 It is important that an incoming Mayor is aware of the Council's expectations in relation to the role and the role of the Civic Protocol in setting out these expectations, when deciding whether to accept the nomination. Officers currently go through the wording of the Civic Protocol with the Mayor Elect from February, prior to the election of Mayor in May each year.
At the November meeting it was agreed for the Mayor to make an extended Declaration of Acceptance of Office.

2.4 The additional wording which was agreed at the November meeting: -

I XXXX, having been elected as Mayor of the City of Peterborough, swear by Almighty God that I will be faithful and bear true allegiance to his Majesty, King Charles, his heirs and successors, according to Law'. So help me God. 'I declare that I take the said office upon myself and will duly and faithfully fulfil the duties thereof according to the best of my judgement and ability. In doing so, I agree to abide by the Council's Civic Protocol.

Or alternative affirmation wording:

'I XXXX, having been elected as Mayor of the City of Peterborough, 'do solemnly, sincerely and truly declare and affirm that I will be faithful and bear true allegiance to his Majesty, King Charles, his heirs and successors, according to Law.' 'I declare that I take the said office upon myself and will duly and faithfully fulfil the duties thereof according to the best of my judgement and ability. In doing so, I agree to abide by the Council's Civic Protocol'.

On further research on the request of the Director of Law and Governance, it is confirmed that the current wording within the Civic Protocol does not fully conform with the prescribed wording in law and therefore, requires amendment.

The current wording: -

'I, XXXXX having been elected Mayor for the City of Peterborough, do hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgement and ability.

I undertake to be guided by the Members' Code of Conduct in the performance of my duties in that office.'

Wording for Declaration of Office as prescribed in law, set out in Appendix 2.

It is therefore recommended to use the prescribed wording for the Declaration of Office, as prescribed in law.

2.5 At the end of each Mayoral year, Peterborough City Council's, Internal Audit team review the accounts for that year.

The Audit team have reviewed the accounts and reviewed the wording in the Civic Protocol and recommend that section 18.3 be amended.

2.6 The current wording suggest that the Executive and Members Service Manager will be appointed at the new Charities AGM meeting.

Current wording 18.3:

‘The Executive and Members Services Manager will be appointed as treasurer at the AGM Charity meeting, along with Chair and Secretary.’

By including that requirement in the Civic Protocol, it appears to suggest that PCC can and will impose the Council as the external examiner of accounts.

The Mayors Charity has its own Constitution, and is a standalone entity, and therefore, free to choose their own external examiner.

It is therefore recommended by the Internal Audit team amend the wording for section 18.3.

Proposed wording:

‘The Executive and Members Services Manager is normally reappointed as Treasurer at the AGM meeting’

3. CORPORATE PRIORITIES

- 3.1 The recommendations links to the Sustainable Future City Council Corporate Priorities and supports the work that the Mayor of Peterborough contributes to the serving all communities within the city.

4. CONSULTATION

- 4.1 Group Leaders have been consulted on the proposals to specifically make reference to any incoming Mayor agreeing to abide by the Council’s Civic Protocol when they make their declaration of acceptance of office.
- 4.2 The recommendation has been discussed with the Leader of the Council, Chief Executive, Group Leaders and the Constitution and Ethics Committee, this report is being brought back to this committee for further debate.

The recommendation does not need to be presented to Financial Sustainability Working Group and All-Party Policy.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 By including the wording in the oath that was agreed at the last meeting, this would render the oath unlawful.

6. IMPLICATIONS

Financial Implications

- 6.1 None.

Legal Implications

- 6.2 If any recommendations are made this may involve updates to the Councils constitution.

Equalities Implications

- 6.3 None.

7. BACKGROUND DOCUMENTS

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

7.1 **None.**

8. APPENDICES

- 8.1 Appendix 1 – Civic Protocol track changes
Appendix 2 – Declaration of Acceptance of Officer wording prescribed by law



**Peterborough City Council
Civic Protocol**

(updated ~~October 2022~~ February 2023)

Contents

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1	The importance of the Council's mayoralty and civic service
2	The Mayor's statutory role
3	The Mayor's civic role
4	How the Mayor is appointed
5	The Mayoress or Consort
6	The Deputy Mayor and Deputy Mayoress or Consort
7	The Mayor's Chaplain and Cadet, and the Town crier
8	Civic insignia
9	Formal address and orders of precedence
10	The Council's programme of civic events
11	Civic hospitality
12	Civic dinners
13	Civic gifts
14	European and other overseas links
15	Honours Panel Criteria
16	Freedom of the City of Peterborough
17	Honorary Alderman
18	The Mayor's charities and the Charity Committee
19	The Mayor's and Deputy Mayor's allowance
20	Administration and funding of the mayoralty and civic service

Civic Protocol

1. The importance of the Council's mayoralty and civic service

- 1.1 Peterborough City Council plays an important part in providing community leadership. The City Council recognises two key aspects to this: political leadership is provided through the Leader of the Council and other Cabinet Members who together form the Executive; while civic leadership is focussed upon the mayoralty, provided through the Council's civic service.
- 1.2 As Peterborough's 'first citizen', the Mayor acts as ambassador for the City Council, and also for Peterborough itself on the wider regional, national, and international stage. By being an impartial figure, they can represent the whole community, regardless of differences. The Mayor can visit communities and business interests both in Peterborough and farther afield, representing the Council and the City, and they can also welcome delegates and visitors to the City Council on the community's behalf.
- 1.3 The civic function provides an element of continuity in the community, even though the incumbent of the mayoralty may change annually. It can act as a focal point for community celebrations and pride and also commemorations and shared sorrow. Civic events and hospitality are an important part of community life, enhancing its social fabric and helping to attract confidence in the City which brings benefits in terms of inward investment. The Council's civic programme is reviewed annually by the Head of Constitutional Services and the Executive and Members Services Manager with the Mayor to ensure that it retains its important traditions and continuity, while also adapting where appropriate so that it remains attractive and relevant to the community.

2 The Mayor's statutory role

- 2.1 The primary duty of the Mayor is to act as chair of Peterborough City Council and thus preside over meetings of the Council, in accordance with the Local Government Act 1972 which states:
- s3(i) - "The chair (mayor) of a principal council shall be elected annually by the Council from among the councillors";
- s4(i) - "The election of the chair (mayor) shall be the first business transacted at the annual meeting of a principal council".
- 2.2 As chair of Council, the Mayor's role is to ensure proper conduct of the Council meeting in compliance with the law and the Council's procedural rules for meetings. They are also required to:
- o determine whether urgent items may be considered at a Council meeting without prior notice;
 - o determine whether or not to call an extraordinary meeting of Council; and exercise, if they wish to, a second or 'casting vote' at Council in the event of an equal vote upon any issue.
- 2.3 The Mayor is advised, in this function, by the Chief Executive or **Director of Law and Governance** and the Head of Constitutional Services.
- 2.4 The Mayor is expected during their term of office to remain politically impartial. Councillors will support the Mayor in this and respect their neutral position.

3 The Mayor's civic role

- 3.1 In fulfilling the role of Peterborough's first citizen, the Mayor is expected to speak and act for all the diverse communities represented in Peterborough.
- 3.2 The Mayor will usually lead each of the civic events in the Council's annual programme. They also attend all events, wherever possible, to which the Council has been invited to send a civic

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representative. In particular, priority will be given to events involving the Lord-Lieutenant to which the Council is invited to send a civic representative and to the Council's key priorities on supporting communities and promoting the City rather than merely attending other authorities' events. Where it is not possible for the Mayor to attend such an event, the Deputy Mayor will attend in their place. When considering attendance, the Mayor and Executive and Members Services Manager will balance civic priorities against the need to honour prior engagements where possible.

- 3.3 When the Council requires a leading figure to be present at an event which it has organised in connection with the services which it delivers within the community – such as to open a new service or a festival – the Mayor will usually be invited to fulfil that role. If this is not possible, the Deputy Mayor will be invited. Where events are community-based, the officers arranging the event will usually invite ward councillors to attend. This would typically be undertaken by the organisers of the event not the Executive and Members Services team.
- 3.4 If the Mayor accepts an invitation to attend a function in another local authority, it is courtesy to seek the consent of the Mayor or Chair of that local authority if the invitation did not come from their civic office and to request permission for the wearing of chains at the event.
- 3.5 The Mayor is frequently invited to attend events in the community, such as openings and fund-raising events organised by voluntary organisations. There are also invitations to attend lectures, social events and so forth. Where possible the Mayor or Deputy will attend. However, the mayoral calendar is busy and this will not always be possible. The Mayor will, in deciding whether or not to accept an invitation, give priority to events described at section 3.2 above, and to those which promote Peterborough. They will also have regard to advice from the Executive and Members Services Manager and to the date order in which invitations are received into the Office.
- 3.6 Once the Mayor is elected, they will discuss with the Executive and Members Services Manager and Head of Constitutional Services the coming year to plan ahead for civic events and will take officers' advice about any issues or events arising that year which would particularly benefit from the Mayor's involvement, and it is usual for the Mayor to select one or more themes which they would like to focus upon during their mayoral year. These discussions will guide officers in identifying those events which the Mayor should participate in and help the Mayor and Executive and Members Services Manager to assess which external invitations the Mayor should accept.
- 3.7 In addition to the Mayor or Deputy Mayor attending an event, it is also noted that other Cabinet Members, Chief Officers, Leader of the Council, Chief Executive or other members may have been invited by the organisers of the event, and in some cases, may be asked to deliver speeches.
- 3.8 The Council's role in extending civic hospitality is described at section 11 below.

4. How the Mayor is appointed

- 4.1 The procedural rules set out in the Council's Constitution, governing the conduct of Council business, describe the procedure for identifying a 'Mayor-Elect' each year, to allow the person selected sufficient time to make adequate preparations for the year of office well in advance of actual election at the Annual Council Meeting. Councillors remain after the closure of a Council meeting early each New Year, for a private meeting of all members. The usual practice is for the Chief Executive to facilitate the meeting by inviting councillors to propose a candidate. This is usually done with a short speech, and duly seconded. Any further nominations are made in the same manner. The Chief Executive then invites councillors to vote for each candidate in turn. Thus, the candidate most likely to receive Council's formal support at the Annual Council Meeting is identified, but the resulting nomination has no official status, no minutes are taken, and the result is not binding upon the Annual Meeting.
- 4.2 Peterborough City Council appoints Mayors on the basis of their length of service with the Council. The Council may take into account factors such as experience at chairing meetings, the need for the Mayor to have time to attend many ~~day-time~~ [daytime](#) as well as evening appointments, and the range of duties which the Mayor will be required to undertake. It is also usual for the Mayor and
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Deputy Mayor to represent two different political parties, although this is not obligatory. Mayors serve a one-year term of office.

- 4.3 A Mayor's Induction pack is provided by Executive and Members Services Team which explains the full range of issues with which the Mayor will become involved.
- 5. The Mayoress or Consort**
- 5.1 It is usual for the Mayor to identify the person who will accompany them to all or most of the civic and social activities which they attend in their official capacity as Mayor. The choice of companion is entirely at the Mayor's discretion. A female companion is designated Mayoress, while a male companion is designated the Mayor's Consort.
- 5.2 The position of Mayoress or Consort is not provided for in law and therefore has no legal status. The Mayoress or Consort cannot represent the Mayor at city events; their role is to accompany and assist the Mayor. In the absence of the Mayor, this duty would fall to the Deputy Mayor.
- 6. The Deputy Mayor and Deputy Mayoress or Consort**
- 6.1 The Deputy Mayor will deputise whenever the Mayor is unable to carry out a mayoral duty. In particular, if the Mayor is not able to present at a Council meeting, the Deputy Mayor will take the chair. When the Mayor is present at Council, the Deputy Mayor will sit to the Mayor's side upon the dais in order to help the Mayor in chairing the meeting (for example, identifying councillors who wish to speak about an item under discussion).
- 6.2 The Deputy Mayor will also be invited to attend each of the events in the Council's annual civic events programme, forming part of the mayoral party. They will deputise for the Mayor at such events, in the Mayor's absence.
- 6.3 The Deputy Mayor will attend council-run or external events where possible, if the Mayor is unable to do so. In deciding whether or not to accept such invitations, the Deputy Mayor will have regard to the same advice and priorities as are indicated for the Mayor at paragraph 3.4 above.
- 6.4 Like the Mayor, the Deputy Mayor usually identifies a companion to accompany them to civic and social events attended in their official capacity as Deputy Mayor. A female companion is designated Deputy Mayoress, while a male companion is designated the Deputy Mayor's Consort.
- 7. The Mayor's Chaplain and Cadet, and the Town Crier**
- 7.1 It is custom and practice for the Mayor to appoint a Chaplain. The appointment is honorary, is at the Mayor's discretion and has no official status. The Chaplain acts as spiritual adviser to the Mayor, says prayers before each Council meeting and attends major civic functions and dinners where they will be expected to say grace. The Chaplain will also make arrangements for the Mayor's Civic Service, held each year in the Mayor's own ward.
- 7.2 The Mayor may also consider appointing a Mayor's Cadet for their term of office. This will be young person from the army, naval, air force or police cadets, selected by the Mayor. Like the Chaplain, the position of Mayor's Cadet is honorary, at the Mayor's discretion and has no official status. The Cadet, where appointed, will accompany and assist the Mayor at official functions, enabling a young representative to be present at civic events and also providing good opportunities for personal development for the cadet.
- 7.3 Peterborough's Town Crier is an honorary position. The Crier is chosen from candidates who come forward after public advertisement or notice and is selected by the Leader of the Council usually after a public 'crying' competition. The appointment is generally continued from year to year, until the current incumbent stands down. The Crier is expected to uphold the dignity of their office but may also engage in other crying activities, provided that these do not bring the office of Town Crier into disrepute.
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8. **The civic insignia**

- 8.1 Mayors in Peterborough wear a robe of office, cuffs and neck tab, together with a chain of office on all formal ceremonial occasions such as Formal Civic Events as noted below in points 10.1, 10.2 and 10.3 particularly if the Lord Lieutenant or Deputy Lieutenant are in attendance. If the ceremony is out of doors and the event is in support of the Monarchy, the Mayor will wear a hat, which in the case of a man is a black cocked hat and for a lady a black tri-corn hat. On normal day to day civic occasions, the Mayor and Mayoress will wear ~~only~~ the chain of office. The mayor is expected to wear the robe and chain of office for all Council meetings, but at their discretion, may remove the robe if it is particularly hot, ~~the Mayor can adjourn the meeting and remove the robe.~~
- 8.2 If the Mayor accepts an invitation to attend a function in another local authority, it is courtesy to seek the consent of the Mayor or Chairman of that local authority to wear the chain of office if this is required.

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9. **Formal address and orders of precedence**

- 9.1 In writing, and on formal occasions, the mayor should be addressed as ‘The Right Worshipful the Mayor of the City of Peterborough’. At all other times the mayor has discretion as to whether the correct form of address is “Mr Mayor”, “Madam Mayor” or “Mayor” and then their surname.
- 9.2 The precedence of the Mayor is set down under Section 3(4) of the Local Government Act 1972 which states “The Chair of the District Council shall have precedence in the District, but not so as prejudicially to affect ~~Her~~ His Majesty’s royal prerogative.”
- 9.3 The Lord Lieutenant, when present at a civic procession or royal occasion, takes precedence over the Mayor as the monarch’s representative. The Deputy Lord Lieutenant of the County does not take precedence over the Mayor, unless he is deputising for the Lord Lieutenant. There are no clear rules in respect of the precedence of the High Sheriff, but general advice is that the High Sheriff’s duties are largely restricted to judicial functions, so they do not represent the monarch in the same way as does the Lord Lieutenant. Therefore, if the High Sheriff is present at a city occasion, they should yield precedence to the Mayor. The precedence of other office holders is very much based upon guidance available in books of etiquette, together with local tradition.
- 9.4 Where possible a Police Representative or the Mayor’s Support Officer will lead the Mayoral Party processions and the order of precedence for the City of Peterborough for civic processions and royal occasions is as follows (see also paragraph 9.6 below):

The Lord Lieutenant The Mayor and Mayoress/Consort The Chief Executive and Leader of the Council Chief Executive The Deputy Mayor and Mayoress/Consort Any Minister of the Crown present* The High Sheriff Members of Parliament (Privy Councillors have precedence)** Elected Mayor	(This group forms the mayoral party)
Serving Military Representatives Police & Crime Commissioner Police and Fire Honorary Freemen of the City (representatives of organisations which have received this honour will follow individual freemen) Honorary Alderman Past Mayors Chief Constable and Chief Fire Officer Visiting Chairs	

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Visiting Mayors (these may come later in the procession, after city councillors, in cases where a large number of visitors are present) Leader of the Council Cabinet Members Group Leaders Other city councillors and city council officers Other guests	
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* Where it is customary to include local Members of Parliament (MPs) in the order of precedence for a civic procession, most local authorities place them between the mayoral party and councillors. This is the case in Peterborough. However, if an MP is a Minister of the Crown, they are included in the mayoral party.
 ** Where an MP is a Privy Councillor, they take precedence over other MPs.

- 9.5 Any civic procession is led by the Mayor’s Support Officer carrying the mace, preceded by a police representative where necessary.
- 9.6 During a royal visit to Peterborough, the order of presentation to the royal visitors by the Lord Lieutenant shall be determined by ~~His~~ Majesty the ~~King, Queen~~. The City Council will usually be consulted by the Lord Lieutenant’s office prior to the visit in order to advise ~~His~~ Majesty. The City Council will usually recommend the following:

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Lord Lieutenant and guest High Sheriff and guest Mayor and Mayoress/Consort Leader of the Council Chief Executive Deputy Mayor and Mayoress/Consort MPs (Privy Councillors have precedence)	(This group forms the mayoral party)
Leader of the Council Chief Constable Chief Fire Officer (After these presentations, the Lord Lieutenant will present the principal organiser of the event)	

Apart from the lead from the Lord Lieutenant and High Sheriff – other order to be same as above. On the occasion of a royal visit to Cambridgeshire, which includes Peterborough, then the Cambridgeshire County Council chair will also be presented.

10. The Council’s programme of civic events

- 10.1 The Council organises or participates in a series of major civic events which occur each municipal year. These are indicated below:

Annual programme of civic events	Usual time of year	Principal organisation(s)
<u>Mayor Making and Annual Council Meeting</u> (This includes the ceremonial investiture of the Mayor, and an event in honour of the retiring Mayoral Party and new Mayors). (Mayor Making – Formal insignia, robe, cuffs, neck tab and chains)	May	Peterborough City Council Executive and Members Services liaising with Democratic and Constitutional Services

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(Annual Council – Robe and chains) (If hot, then this is at the Mayor's discretion)		
<p>Royal Visits and events in relation to the Monarchy</p> <p>(Outside event – Full civic insignia – Robes, cuffs, neck tab, chains and hat)</p> <p>(Inside event – the hat can be removed; all other insignia remains)</p>	Anytime	<p>Royal visits are typically organised via the Lieutenancy Office liaising with Executive & Members Office to ensure availability of the Mayoral Party</p>
<p>Cathedral Civic Mayors Installation Service (To install the Mayor in their seat in the Cathedral. Also an opportunity to formally seek spiritual blessing and guidance for the new Mayor throughout their term of office.)</p> <p>(Robes, cuffs, neck tab and chains)</p>	June	Peterborough City Council Executive and Members Services liaising with Cathedral
<p>Town Hall 'Open Day'</p> <p>(An opportunity for any member of the public to visit the Town Hall or Sand Martin House, meet the Mayor and see displays about the Council's role and services. Light refreshments are served, where possible by pupils from a senior school in the Mayor's ward.)</p> <p>(Chains only)</p>	June	Peterborough City Council Executive and Members Services
<p>The Mayor's Civic Service</p> <p>(A service at a place of worship in the Mayor's own ward.)</p> <p>(Robes, cuffs, neck tab and chains)</p>	Timing is at the Mayor's discretion	Peterborough City Council/the Mayor's selected place of worship Executive and Members Services in liaison with nominated Church
<p>Traditional opening of Bridge Fair</p> <p>(The Mayor opens the fair at The Embankment, and the fair master takes the mayoral party and guests – including mayors from other local authorities in the area - on a tour of the fair; afterwards, guests are traditionally invited to join a 'sausage supper' at the Town Hall or Sand Martin House, the proceeds of the tickets for which go to the Mayor's charity fund.)</p> <p>(Robes, cuffs, neck tab and chains)</p>	First Tuesday in October	Peterborough City Council Executive and Members Services

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<p><u>Remembrance Sunday Service and Parade</u></p> <p>(The service is preceded by a military and civic procession from the Town Hall to the cathedral, where wreaths are laid at the war memorial prior to the service and followed by a military parade with a march past the Town Hall at which the mayoral party takes a salute outside the Town Hall. The civic procession follows back to the Town Hall, and a wreath above the Town Hall front door is unveiled.</p> <p>(Robes, cuffs, neck tab and chains)</p>	November	The wreath laying service and civic procession is organised by the Executive and Members Services Team in liaison with the Royal British Legion and the Cathedral.
<p><u>Two Minutes' Silence</u></p> <p>(A short service takes place at 11am on Armistice Day at the War Memorial. It is preceded and followed by a civic procession to and from the Town Hall. The vicar of St John's Church presides at the service and is joined by the mayoral party and the President of the Royal British Legion.</p> <p>(Robes, cuffs, neck tab and chains)</p>	November	Organised by the Executive and Members Services Team in liaison with Royal British Legion representatives
<p><u>Holocaust Memorial Day</u></p> <p>(A local event linked to this national day, often comprising a museum exhibition and an outdoor service representing as many of Peterborough's communities as possible. Remembering past tragedies and promoting harmony and tolerance.)</p> <p>(Robes, cuffs, neck tab and chains)</p>	January	Peterborough City Council, in partnership with community representatives and Executive and Members Services
<p><u>Fly the Flag Events such as Commonwealth Day, Armed Forces Week, Red Ensign, Windrush, NHS Day, 999 Emergency Services Day plus others as noted.</u></p> <p>See 10.2</p> <p>(Robes and chains)</p>		<u>These events are typically national flag raising days and are organised by the Executive & Members Office</u>
<p><u>Freedom Parade</u></p> <p>See 10.3</p> <p>(Robes, cuffs, neck tab and chains)</p>		<u>These parades are at the request of the organisation and would be organised by Executive & Members in</u>

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		<u>conjunction with the organiser.</u>
<p>The Mayor's Ball</p> <p>(This is the Council's major civic social event of the year, open to anyone upon purchase of a ticket. The proceeds go to the Mayor's charity fund. Fundraising activities associated with the Ball are the responsibility of the Mayor's voluntary Charity Committee, but the Mayoral Services Team organises the Ball itself.)</p> <p>(Robe, cuffs, neck tab and chains to welcome guests)</p> <p>(Chains only for dinner)</p>	<p>May</p> <p>Now generally scheduled as the Mayor's Finale Ball</p>	<p>Organised by Executive and Members Services and supported by the Mayor's Charities.</p>

**** Dress expectations will take into account weather conditions.**

- 10.2 Other civic events may be arranged during the year and include Fly the Flag events for the Commonwealth, Armed Forces, Red Ensign (Navy), 999 Emergency Services Day and Windrush Day. This can include, for example, parades or civic receptions for visitors or events of major significance (such as a visit from the civic party representing one of the Council's twinned authorities) or associated with the opening of a major festival. Executive and Members Services Team will ensure that the Mayor and guests are invited and will also arrange any reception required at the Town Hall or Sand Martin House.
- 10.3 A Freedom Parade may be requested by a military organisation which holds the freedom of the city of Peterborough, when it wishes to exercise its right to march through the city. Such a parade would be organised by the organisation but hosted by the Peterborough City Council which will join in the planning of the event. If the City Council decides to award the honorary freedom of the city or alderman status to a person or organisation, this will involve a special Council meeting to determine whether or not to award the honour, followed later by a ceremony to make the award which will be arranged by the Council's Executive and Members Services Team in conjunction with the recipient of the honour.
- 11. Civic hospitality**
- 11.1 Civic hospitality, such as light refreshments, may be offered to civic events, and when the Mayor receives visitors in the Mayor's Parlour. This would usually arise on occasions such as those which promote Peterborough, or which reciprocate civic hospitality extended to Peterborough's representatives upon an earlier visit elsewhere, or which recognise important voluntary work for the benefit of Peterborough's citizens.
- 11.2 Such hospitality will usually be organised and funded by the Council's Executive and Members Services budget, but significant commitments instigated by a service department would require support and contributions from the lead service department. The Mayoral hospitality budget and programme are managed by the Head of Constitutional Services and Executive and Members Services Manager, in consultation with the Leader of the Council and the Chief Executive, who may be requested to approve funding for special events over and above the civic hospitality cash limited budget when this would be in the best interests of Peterborough. Any other civic hospitality commitments that the Mayor wishes to incur will be met by the Mayor personally.
- 11.3 Members of the public are able to write and request a tour of the Town Hall public rooms. The Executive and Members Services Team will accommodate such requests wherever reasonably possible. Upon such occasions, the Mayoral Support Officer will accompany the visitors and explaining the history of the public rooms and the Council's civic procedures. This

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activity is often associated with educational visits, by students or younger children. A small charge may be levied, to cover the Council's reasonable costs.

12. Civic dinners

- 12.1 At formal civic dinners, guests are received at an opening reception by the Mayor and their consort, accompanied by the Deputy Mayor and their consort.
- 12.2 After the reception, guests are invited to the dining room. A seating plan will be pre-arranged by the Executive and Members Services Team. At the top table, the principal guest will be seated at the Mayor's right while the Mayoress/Consort is placed at the Mayor's left. The principal guest's partner takes the seat next to the Mayoress/Consort.
- 12.3 If the Mayor and Deputy Mayor are robed, while guests are moving from the reception to their seats the Mayor and Deputy may remove their robes. They will retain their chains of office, as will the Mayoress/Consort and Deputy Mayoress/Consort. When the Mayor and Mayoress/Consort are ready, the Mayoral Support Officer will announce their arrival to the assembled guests, and they will then be 'clapped' to their places.
- 12.4 Prior to the guests being invited to sit down, the Mayor's Support Officer will announce that the Mayor's Chaplain or other designated person will say grace. Guests will then sit, and dinner will be served. Following the meal, toasts will be called. The first will be the 'Loyal Toast' to the monarch, proposed by the Mayor or the Leader of the Council. All present should be asked to stand and the Mayor/Leader will say "The ~~Queen King~~ King". No other names or persons are added to the 'Loyal Toast'. Other toasts will follow as listed in the printed menu.

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13. Civic gifts

- 13.1 It is common practice for the Mayor and Deputy Mayor to be given gifts when attending external functions in their official capacity. Gifts are also often exchanged when delegates visit Peterborough. It is custom and practice that the Mayor or Deputy Mayor receives such gifts on behalf of the City Council, and they are forwarded to the Mayor's Support Officers for entry on the civic inventory and displayed as appropriate.
- 13.2 Small gifts, such as badges or pens which are clearly indicated as a personal gift for the Mayor or Deputy Mayor, may of course be kept. They Mayor and Deputy should have regard to the Code of Conduct for Councillors when deciding whether to receive and keep such gifts and should ensure that they are recorded in the hospitality register as required by the code (currently, this requires as a minimum that all gifts valued at £50 or over should be recorded). Gifts which the Mayor or Deputy receive in their official capacity are recorded in a register held by the Executive and Members Services Manager; any gifts received in their capacity as an elected councillor are recorded in the register applicable to all councillors, held by the Director of Law and Governance.
- 13.3 The Executive and Members Services Manager obtains civic gifts, as required, with agreement from the Head of Constitutional Services. These are used upon the following types of occasion:

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Gift purpose	Typical example of a gift which may be given (this list is for guidance only)
To recognise the contribution of retired and non-elected councillors who have served for a considerable length of time or have served as Mayor;	Possibly a glass paperweight, crystal glasses, china plate or a crystal bowl bearing an inscription such as "For services to Peterborough City Council". The type of gift will reflect the length of service. For a particularly long-serving councillor, a specific gift with a personal engraving might be appropriate

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Ambassadors and other visiting dignitaries representing a city elsewhere and gifts taken to the City Council's twinned and friendship cities during official visits	Possibly a clock or other suitable item, engraved with the Peterborough crest.
Small gifts for visitors such as volunteer organisations, youth organisations, etc.	Mayors Badges

13.4 The list above is not exhaustive. The Head of Constitutional Services and Executive and Members Services Manager ensure that expenditure is controlled carefully, while ensuring that the dignity of the occasion and/or the contribution of the recipient is properly reflected.

14. European and overseas links

14.1 Peterborough has official 'twinning' (partnership) links with Bourges in France, Viersen in Germany, Alcalá de Henares in Spain, Forlì in Italy and Vinnitsa in the Ukraine. The Council also has a number of friendship links.

14.2 The Mayor, as the representative of the City, is often invited to attend civic ceremonial functions, business conventions, events and exhibitions in Peterborough's partner cities. The Mayor may be offered the opportunity to undertake a visit to one of the twinning Towns, which is determined by budget constraints. This is to be discussed with the Head of Constitutional Services and Executive and Members Services Manager. The Mayor may accept additional invitations to visit Peterborough's twin towns if they incur the costs personally, ~~and provide sufficient insurance cover for the Mayoral chains should the Mayor wish to take them on the trip.~~

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14.3 In the event that the Mayor is unable to attend a civic/partnership invitation, reference should be made to Part 3 – paragraph 3.7: The Mayor's Civic Role, for the procedure to be followed.

14.4 If an invitation to visit Peterborough is extended to a Mayor or other delegates from any of Peterborough's partner cities, on behalf of the Council, the general expenses of the visit will be funded from both the Executive and Members Services Budget and other partner organisations. On occasions, the Mayor may host a civic reception for the visitors, the Executive and Members Services budget may provide the funding - subject to budget constraints and approval from the Head of Constitutional Services and Executive and Members Services Manager.

15. Council Honours

15.1 One of the roles of the Constitution & Ethics Committee is to receive and consider nominations for Council honours, including Freedom of the City, Honorary Alderman, Civic Awards and National Honours, and make recommendations to Full Council or to other relevant bodies on behalf of Full Council.

Civic Awards

15.2 All group nominations must be endorsed by ~~two~~one supporters, who must not be involved in running the group, or be a partner or relative of anyone in running it. A volunteer with the group or a beneficiary of its services may act as a supporter, but if they do, ~~an additional supporting letter may be required~~the other supporter must be completely independent of the group. The criteria for a group nomination is: -

- provide a high-quality service to benefit individuals or groups in the community
- operate and provide a service in Peterborough
- must have been operating for a minimum of 3 years (exceptions may be made for short-term projects), and
- must be made up entirely of volunteers (including trustees), or it includes some paid staff, but they must be in the minority of those involved.

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15.3 All individual nominations must be endorsed by one supporter, who must not be a partner or relative to that individual. The individual must show extraordinary achievements and contributions. Some examples of categories for an individual nomination are: -

- Public service nurses, doctors, teachers, civil servants, police officers
- Exceptional service to the local community
- Involvement in business and industry
- Scientists
- Arts practitioners and administrators – artists, actors, musicians, writers etc.
- Involvement in sport
- Journalists and broadcasters

15.4 The Constitution & Ethics Committee will consider nominations and make recommendations to an extraordinary meeting of Full Council.

16 Freedom of the City of Peterborough

16.1 Freedom of the City may be offered in accordance with the provisions of section 249 (5) of the Local Government Act 1972 (as amended by section 180 of the Local Government Planning and Land Act 1980). Nominations will be considered by the Constitution & Ethics Committee with recommendations made at an extraordinary meeting of Full Council.

16.2 The freedom may be awarded to an individual or an organisation such as a local branch of a military organisation or a locally based volunteer emergency service. It is awarded where the person or organisation has made a significant contribution to the social fabric or well-being of the citizens and city of Peterborough.

16.3 Persons awarded the freedom, including leading representatives of organisations so honoured, are invited to all civic events organised by the Council and also to Mayor's charity events. They are invited to participate in civic processions, in the order of precedence indicated earlier in this protocol.

16.4 In order to award the freedom, the Council must hold an extraordinary meeting convened for that purpose only. The decision to award the freedom must, as a legal requirement, be supported by not less than two-thirds of those present and voting at the special convened meeting. Once the decision has been made by Council, a separate ceremony will be arranged later to mark the presentation of the honour. This may include a freedom march, in the case of a military honour. All recipients are noted on the plaque outside of the Council Chamber.

16.5 Military organisations awarded the freedom may exercise the right to march through Peterborough. On such occasions, the Council will offer civic hospitality – referred to earlier in this protocol.

17 Honorary Alderman

17.1 Honorary Alderman may be offered in accordance with the provision of section 249 of the Local Government Act 1972. Nominations should be made by Group Leaders on behalf of their groups to the Constitution & Ethics Committee, who will make recommendations to an extraordinary meeting of Full Council.

17.2 Alderman status may be awarded to a past Councillor, who has served a minimum of three terms or 11 years of office and that are considered to have rendered eminent services to the Council.

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17.3 Past Councillors awarded Alderman Status are invited to attend all civic events organised by the Council and also to Mayor's charity events. They are invited to participate in civic processions, in the order of precedence indicated earlier in this protocol.

17.4 In order to award Alderman Status to past members of the Council, the Council must hold an extraordinary meeting convened for that purpose only. The decision to award Alderman Status must, as a legal requirement, be supported by not less than two-thirds of those present and voting at the special convened meeting. Once the decision has been made by Council, a separate ceremony will be arranged later to mark the presentation of the honour.

18 The Mayor's charities and the Charity Committee

18.1 At the Annual Council Meeting, the Mayor will announce the charity or charities for which they will support and promote fundraising activities during the year. It is usual for these to be locally based charities which are able to supply a small number of dedicated volunteers who can form the Charity Committee during that mayoral year together with a larger number of volunteers who can devote time to running fundraising events. The Mayor of Peterborough Charities is now registered as a charity with the Charity Commission and Trustees need to be identified from the Committee and registered with the Commission.

18.2 It is the Mayor's responsibility to convene their Charity Committee at the start the mayoral year – preferably, the committee members will have been identified earlier, once the Mayor-Elect is identified in January. At the inaugural meeting, the committee will appoint its chairman and secretary. The Head of Constitutional Services will give guidelines as to what is expected of the charity members and the Executive and Members Services Team during the mayoral year.

18.3 The Executive and Members Services Manager ~~will be appointed~~ is normally appointed as treasurer at the AGM Charity meeting, along with Chair and Secretary. The Executive and Members Services Team can provide assistance with printing of posters and tickets for charity event. However, the Mayor's Ball ~~and~~; the Sausage Supper ~~and the Proms Concert~~, all of which are civic events planned, organised and co-ordinated by the Executive and Members Services Team, even though the proceeds of them go to the Mayor's charities. The Head of Constitutional Services act as a trustee for this committee.

18.4 The Charity Committee will organise and run their events; collect tombola and raffle prizes; and actively help to promote, sell tickets and seek sponsorship.

18.5 The Executive and Members Services Manager records and receipts all monies from fundraising events in the charity bank account, reports a statement of the account at each committee meeting and presents cheques to the Mayor's chosen charities at the end of the Mayoral Municipal year, usually at an informal presentation in the Mayor's Parlour. At the end of each Mayoral year, PCC's internal audit team review the accounts for that year.

19 The Mayor's and Deputy Mayor's allowances

19.1 Sections 3(5) and Sections 3(4) of the Local Government Act 1972 provide for the Council to pay to the Mayor and Deputy Mayor respectively an allowance to help with the expenses incurred in fulfilling their office. The allowance is determined by Council, and the amount currently in force is stated in the Members' Allowances Scheme. Although not required by law, the Council may consult its independent Remuneration Panel as to the level of payment which is appropriate in each case.

19.2 The types of expenditure which Peterborough City Council expects its mayor's allowance, which is retained by the Executive and Members Services Manager to cover are the provision of any tickets purchased for the Mayor and their consort as part of functions attended in the capacity of mayor (such as for a dinner); the Mayor's tickets to their own charity events and the Mayor's Ball; the cost

Part 5, Section 6 – Civic Protocol

of their ward civic service and refreshments. Any unused balance in this account at the year-end is returned to the Council's general fund and offered as a saving to this budget area.

- 19.3 The Deputy Mayor's allowance is to cover their personal expenses, and those of their consort, similarly to the Mayor's allowance.
- 19.4 An element of the allowance to the Mayor and Deputy Mayor is paid to them directly via their members' allowance, and this is intended to cover expenditure (such as clothing, dry cleaning, travel, telephone, postage and purchase of items (i.e. raffle tickets when attending events))
- 19.5 The Mayor's and Deputy Mayor's Allowances are identified at Part 6, paragraph 4, of the Constitution (Members' Allowances Scheme).
- 20 Administration and funding of the mayoralty and civic service**
- 20.1 The Head of Constitutional Services and Executive and Members Services Manager are responsible for civic and ceremonial matters, with the Chief Executive retaining an important leading role as Council's most senior officer.
- 20.2 Executive and Members Services runs the Mayor's office. This includes arranging civic and ceremonial events, keeping the Mayor's diary and accounts, assisting with the organisation of the Mayor's Charities, liaising with organisations and individuals on the Mayor's behalf and generally briefing, advising and supporting the Mayor and Deputy Mayor in carrying out their duties.
- 20.3 The Mayor is also assisted by the Mayoral Support Officer who acts as City Mace Bearer. They also accompany the Mayor at Council meetings and civic events, and when guests are received in the Mayor's Parlour. The Mayor's Attendants are responsible for civic regalia, assists the Executive and Members Services Team in providing civic hospitality and also hosts visitors such as students who visit the Town Hall or Sand Martin House on educational visits to learn about its history and the Council's civic procedures.
- 20.4 The Mayor's Support Officers are responsible for transporting the Mayor in the mayoral car for official duties. Every effort is made to make maximum use of the vehicle so, as far as is possible, the mayoral car is also used for transporting the Deputy Mayor upon official business - although the Mayor's use takes precedence and alternative transport is sometimes necessary for the Deputy Mayor. The car is not used by the Mayor or Deputy Mayor's consorts, except when associated with accompanying the Mayor or Deputy on official business. Wherever possible, the mayoral party travels together in order to avoid the need for several separate journeys to and from events. It is the Executive and Members Services Manager's responsibility to schedule the use of the car. The Chief Executive is authorised to replace the vehicle every five years, or in accordance with the leasing arrangements and this should be the most cost-effective option for the Council. The following guidelines will be applied in respect of procuring a replacement:
- a) The vehicle will be at the lower end of the emissions scale for cars
 - b) The vehicle will, if possible, be generally regarded as 'British' or with British connections
 - c) The vehicle will, if possible, be electric, in accordance with the Carbon Management Plan
- 20.5 At major events, assistance is also provided by the Beadles. In particular they assist with security and also civic hospitality.
- 20.6 The Council's corporate civic budget is controlled by the Head of Constitutional Services and managed on a daily basis by the Executive and Members Services Manager. The account covers civic hospitality as described at section 11 above, the Mayor's and Mayor's Office expenses, funding of civic events, civic gifts, maintenance of civic insignia and other such civic expenses.
- 20.7 In order that expenditure upon civic matters is clearly identifiable, the costs of other support will be charged to the civic account as necessary such as car parking and road closures. In order to minimise such costs, use of car parking permits will be restricted to major civic events.

5/15

Issue Date – December 2018

Part 5, Section 6 – Civic Protocol

- 20.8 At the close of each mayoral year, the Executive and Members Services Manager will arrange for the Mayor's name to be engraved on the plaque upon the wall outside the Mayor's Parlour. A portrait photograph of the Mayor, and their consort at the Mayor's discretion, will also be obtained and hung in the Parlour.
- 20.9 Every year a full Council photograph will be taken prior to the Annual Council meeting. The current photograph will be displayed in the Town Hall and on the Council's website, and a selection of past photographs will also be displayed where space allows.

DECLARATION OF ACCEPTANCE OF OFFICE

I [(1)] having been elected to the office of [(2)] of [(3)] declare that I take that office upon myself, and will duly and faithfully fulfil the duties of it according to the best of my judgment and ability.

Signed

Date

This declaration was made and signed before me,

Signed

Date

Proper officer of the council (4).

(1) Insert the name of the person making the declaration.

(2) Insert "member" or "Mayor" as appropriate.

(3) Insert the name of the authority of which the person making the declaration is a member or mayor.

(4) Where the declaration is made before another person authorised by section 83(3) of the Local Government Act 1972, state instead the capacity in which that person takes the declaration(a).

(a) Under section 83(3) of the Local Government Act 1972, a declaration for members or elected mayors of a county, district or London borough council shall be made before two members of the council, its elected mayor, its proper officer, a justice of the peace or magistrate in the United Kingdom, the Channel Isles or the Isle of Man, or a commissioner appointed to administer oaths in the Supreme Court. A declaration for members of parish councils shall be made before a member or the proper officer of the council.

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CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 7
27 FEBRUARY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director of Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Fitzgerald, Leader of the Council	
Contact Officer(s):	Karen Dunleavy, Democratic Services Officer	Tel. 452233

CONSTITUTION AND ETHICS COMMITTEE START TIME 2023/24

RECOMMENDATIONS	
FROM: <i>Director of Law and Governance</i>	Deadline date: March 2023
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> 1. Agree and recommend to Council the start time for all Constitution and Ethics Committee meetings for the Municipal Year 2023-24. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Constitution and Ethics Committee meeting following the Full Council decision on 24 July 2019 to allow Committees to decide their own start times for the following Municipal Year.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to allow the Constitution and Ethics Committee to discuss and agree the start times for meetings from the beginning of the Municipal Year 2023-24. The draft schedule of meetings will be agreed at Full Council on 22 March 2023.

- 2.2 This report is for the Constitution and Ethics Committee to consider under Council Standing Order section 4.4.1

The timings of normal committee meetings will be agreed by the committee for the next municipal year in January of the preceding municipal year (or as near to this time as possible).

3. TIMESCALES

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

- 4.1 At the Constitution and Ethics Committee on 8 July 2019 the Committee agreed by majority to recommend to Council that all Committees can agree their start times for the Municipal Year

2020-21 and each subsequent Municipal Year. This was again agreed by majority at the Full Council meeting on 24 July 2019.

- 4.2 The Council standing orders have been updated to reflect this decision and gives Committees the opportunity to decide their own start time.
- 4.3 In order for the start times to be incorporated into the draft meeting schedule it is important for the Committee to make a decision on this before March Full Council meeting. This is the only opportunity for the Committee to make this decision as the next meeting is after the May 2023 Council meeting.
- 4.4 Council standing orders allow the Committee to agree its start time every Municipal Year, thereby allowing the Committee to change the start times if it is felt that the start time was not suitable or working.
- 4.5 The Committee will need to decide the best start time and will need to weigh up attendance at meetings and the impact on the Council and members of the public.
- 4.6 The Committee has for the past two years met at 6pm.

5. CORPORATE PRIORITIES

- 5.1 The recommendation links to the follow Council Corporate Priorities:

4. Sustainable Future City Council

- *How we Work*
- *How we Serve*
- *How we Enable*

6. CONSULTATION

- 6.1 Consultation on the start times for the committee is being presented to members at this meeting Any recommendations will be presented to Full Council as part of the meeting schedule report.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 It is anticipated that the Committee will agree a start time for meetings for the Municipal Year 2023-24 and this will be proposed as part of the draft meeting schedule.

8. REASON FOR THE RECOMMENDATION

- 8.1 The recommendation allows the Constitution and Ethics Committee to debate the start time of the meeting and make recommendations following debate.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 N/A

10. IMPLICATIONS

Financial Implications

- 10.1 There are none.

Legal Implications

- 10.2 There are none.

Equalities Implications

10.3 There are none.

11. BACKGROUND DOCUMENTS

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

11.1 Minutes of the Constitution and Ethics Committee 8 July 2019
Report to Full Council 24 July 2019

12. APPENDICES

12.1 None.

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CONSTITUTION AND ETHICS	AGENDA ITEM No. 10
27 FEBRUARY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping Law and Governance and Monitoring Officer Director	
Cabinet Member(s) responsible:	Councillor Coles Cabinet Member for Corporate Governance and Finance	
Contact Officer(s):	Philippa Turvey, Democratic and Constitutional Services Manager	01733 296334

CODE OF CONDUCT COMPLAINTS

RECOMMENDATIONS	
From: Monitoring Officer	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> Note the report on complaints received/being handled by the Monitoring Officer since the Committee's last meeting on 21st November 2022. 	

1. ORIGIN OF REPORT

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

2. PURPOSE AND REASON FOR REPORT

- 2.1 The Constitution and Ethics Committee has the responsibility for promoting and maintaining high standards of conduct amongst members and co-opted members of the council including 'monitoring the operation of the Code of Conduct'. This also includes parish councillors.

To assist in the fulfilment of the above objective it has been agreed that a standing item is placed on the agenda for the committee notifying and updating it on complaints that have been made, how they are being handled and whether they have been resolved. The committee decided that these should be reported in an anonymous way until such time as a breach of the code of conduct is found as part of the complaints process.

This Report fulfils the requirements set out above.

- 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 including:

- promoting and maintaining high standards of conduct by members and co-opted 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;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train members and co-opted members on matters relating to the Code of Conduct.

3. **TIMESCALES**

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

4.1 **NEW COMPLAINTS**

City Councillors

Since the Committee's last report there has been 2 new complaints received in relation to city councillors:

- CONDCOMP/PCC/33. This complaint was received on 9th November 2022 and concerns an interaction on social media regarding a local issue. The Deputy Monitoring Officer shared the complaint with the Subject Member who provided a timely response. The Complainant has confirmed that the Subject Member's response has not satisfactorily resolved the concerns raised and arrangements are now being made to seek the Independent Person's view as to what if any further action should be taken.
- CONDCOMP/PCC/34. This complaint was received on 20th January 2023 and following ongoing correspondence with the complainant, was discontinued on 6th February 2023 on the basis that it concerned actions taken by officers rather than members. This has been explained to the complainant and information has been provided in relation to the action the service has taken to address the concerns raised.

Parish Councillors

Since the Committee's last report 2022 there have been no new complaints received in relation to Parish Councillors:

4.2 **ONGOING COMPLAINTS**

The following complaints remain active since the last meeting:

City Councillors

There are currently no ongoing complaints relating to city councillors.

Parish Councillors

There one ongoing complaint in relation to parish councillors as at the date of the last meeting has now been concluded:

4.3 **CONCLUDED COMPLAINTS**

- The one ongoing complaint reported to the last meeting has now been concluded:
- CONDCOMP/PCC/32. This complaint was received on 19th August 2022 and concerned various allegations which were all connected to and under consideration via the Council's

Complaints procedure. Following further information having been sought and received by the Deputy Monitoring Officer it was determined that the Code of Conduct was not engaged. The complainant was however given advice about accessing additional support via the Council's other services.

5. CORPORATE PRIORITIES

Consider how the recommendation links to the Council's Corporate Priorities:

Peterborough City Council maintains a Code of Conduct for members which sets out the standards of behaviour expected of them in the fulfilment of their public duties. Please see point below which relates to the governance of the Code of Conduct we install in our practices.

1. **Sustainable Future City Council**

- **How we Work**
 - In conjunction with this, the Council has a procedure for dealing with complaints which have arisen as a result of alleged breaches of the Code
- **How we Serve**
 - In conjunction with this, the Council has a procedure for dealing with complaints which have arisen as a result of alleged breaches of the Code
- **How we Enable**
 - This Report seeks to update members on any new, ongoing or completed complaints and demonstrates the Council's commitment to ensuring compliance with the Code

6. CONSULTATION

- 6.1 The process for dealing with conduct complaints requires the Monitoring Officer to consult the Independent Person following an initial assessment and before any decisions are taken as to what if any further action is considered appropriate for example, the appointment of an investigator and, following receipt of the investigator's report, whether to refer the matter for a hearing.

7. ANTICIPATED OUTCOMES OR IMPACT

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

8. REASON FOR THE RECOMMENDATION

- 8.1 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 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.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 None

10. IMPLICATIONS

Financial Implications

- 10.1 None

Legal Implications

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

Equalities Implications

- 10.3 None

11. BACKGROUND DOCUMENTS

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

- 11.1 The Localism Act 2011.

12. APPENDICES

- 12.1 None

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 11
27 FEBRUARY 2023	PUBLIC REPORT

Report of:	Rochelle Tapping, Director Law and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Councillor Andy Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Karen Dunleavy, Democratic Services Officer	Tel. 452233

WORK PROGRAMME, FUTURE DATES AND MEMBER ISSUES

RECOMMENDATIONS	
FROM: Rochelle Tapping, 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 with any additional items or suggestions to be included</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 as it stands.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The programme can be refreshed throughout the year in consultation with the 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
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4. IMPLICATIONS

Financial Implications

- 4.1 There are none.

Legal Implications

4.2 There are none.

Equalities Implications

4.3 There are none.

5. APPENDICES

5.1 Appendix A - Work Programme 2023/24.

APPENDIX A

DATE: 17 JULY 2023			
		Section / Lead	Description
	National Honours	Rachel Edwards/Sue Proctor	Nominating people in Peterborough for King's National honours
	Governance Review updates	Rochelle Tapping Legal	To receive a report on options for reviewing governance arrangements for the Council
	Members Training Programme	Pippa Turvey	To discuss a training log and options for mandatory Member Training for the municipal year 2023/24
	INFORMATION AND OTHER ITEMS		
	Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.
	Update on National Issues	Rochelle Tapping Legal	To receive a report on any issues of national importance
	Report on Code of Conduct Issues	Rochelle Tapping Legal	To receive an update as to any code of conduct cases
	Work Programme 2023/2024	Democratic Services Karen Dunleavy	

DATE: 18 September 2023			
		Section / Lead	Description

	Launch of the Constitution Review	Pippa Turvey	launch of 6-week public consultation and approval of 'interim' updates
	INFORMATION AND OTHER ITEMS		
	Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.
	Update on National Issues	Rochelle Tapping Legal	To receive a report on any issues of national importance
	Training record	Rochelle Tapping /Democratic Services	To review training attendance
	Report on Code of Conduct Issues	Rochelle Tapping	To receive an update as to any code of conduct cases
	Work Programme 2023 / 2024	Democratic Services Karen Dunleavy	

DATE: 20 NOVEMBER 2023

	Section / Lead	Description
Constitution Review	Pippa Turvey	Final approval of the Constitution review work.
INFORMATION AND OTHER ITEMS		
Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.

	Update on National Issues	Rochelle Tapping Legal	To receive a report on any issues of national importance
	Report on Code of Conduct Issues	Rochelle Tapping Legal	To receive an update as to any code of conduct cases
	Work Programme 2023 / 2024	Democratic Services Karen Dunleavy	

DATES: 5 FEBRUARY 2024

		Section / Lead	Description
	Start Time of Committee Meetings 2023/24	Karen Dunleavy	To agree the start time of meetings for the new municipal year 2023/24.
	INFORMATION AND OTHER ITEMS		
	Dispensations Issues	Rochelle Tapping Legal	To receive an update on the use of dispensations.
	Update on National Issues	Rochelle Tapping Legal	To receive a report on any issues of national importance
	Report on Code of Conduct Issues	Rochelle Tapping Legal	To receive an update as to any code of conduct cases
	Work Programme 2024 / 2025	Democratic Services Karen Dunleavy	

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