

Report to: Full Council Meeting - 9 March 2023

Relevant Committee Chairman: Councillor Sylvia Michael, Audit & Governance

Director Lead: Sue Bearman, Assistant Director - Legal & Democratic Services and Monitoring Officer

Lead Officer: Nigel Hill - Business Manager Elections & Democratic Services, Ext. 5243

Report Summary	
Report Title	Six Month Review of the Council's Revised Governance Arrangements – Constitution Amendments
Purpose of Report	To consider Constitution amendments proposed by the Audit & Governance Committee following its six-month review of the Council's revised Governance Arrangements.
Recommendations	<ol style="list-style-type: none"> 1. To update the Urgency Procedure as per Appendix 1 of this report; 2. To amend the threshold for registration of gifts and hospitality contained in the Code of Conduct for Councillors and the Protocol for Members on Gifts and Hospitality to £25; 3. To note the amendments/corrections to the Constitution since May 2022 as per Appendix 2 of this report; and 4. To note that a further review of the Council's governance arrangements is included on the Work Plan for Audit & Governance Committee.
Reason for Recommendation	To ensure the Council meets its Community Plan objectives to be ambitious and forward thinking – always looking to improve and innovate, be welcoming and responsive, and open to feedback and challenge.

1.0 Background

- 1.1 On 17 May 2022 the Council moved from a committee system of governance to an executive cabinet system. Given the significant change, the Full Council agreed for the Member Governance Review Working Party (GRWP) to undertake a review of the new governance arrangements six months after implementation. The GRWP's proposed plan for this consultation was endorsed by the Audit & Governance Committee on 23 November 2022.
- 1.2 Between October and December 2022 various activities and meetings took place with officers and members to review how the Council's governance was working and make recommendations for improvement. The GRWP reviewed the findings.

1.3 The GRWP also reviewed the Urgency Procedure set out in the Council's Constitution, and considered some amendments aimed at clarification rather than substantive amendment.

1.4 The Audit & Governance Committee considered the findings of the GRWP on 1 February 2023.

2.0 Proposal/Options Considered

2.1 Overall the feedback on the new governance arrangements from both Members and Officers was positive and that the arrangements were working well. However, it was considered that it may be too early to make a fully informed view at this point as the new practices were still to be embedded. It was therefore agreed that a further review of the operation of the Council's governance arrangements should be undertaken at an appropriate point by the new Council, and this has now been included in the Work Plan for the Audit & Governance Committee.

2.2 It was also noted that some sections of the Constitution were not updated prior to May 2022, and that a review would be of benefit. This has now been incorporated into the Audit & Governance Committee work plan for future consideration by way of an annual review of the Constitution.

2.3 One issue that came up during the review of governance was the importance of the new Member induction process following the elections on 4 May 2023. This was seen as an opportunity to drive engagement and inform Members as to the Council's decision-making processes. Audit & Governance Committee resolved that the Member induction programme for May 2023 be reviewed by a working group of the Audit & Governance Committee to gain Member insight. The date for the working group was subsequently agreed as 8 March 2023.

2.4 The Audit & Governance Committee resolved to recommend some revisions to the Urgency Procedure to Full Council and the revised draft (showing tracked changes) is attached as **Appendix 1** to this report. The following is a summary of the material changes: -

- i. To avoid the Procedure being over-used, a preliminary paragraph has been added about appropriate reasons for its use (paragraph 1.1)
- ii. The Procedure has been clarified to include reference to other options that already exist for taking urgent decisions, for example adding a late item to a meeting agenda, calling an extra meeting, and the Leader taking a delegated decision in relation to a matter that would normally go to Cabinet (paragraphs 1.2-1.4)
- iii. For added scrutiny of the use of the Head of Paid service delegation, the consultation list now includes the leader of the Council's largest opposition group (paragraph 1.5)

2.5 A small number of omissions have been identified and corrections made to the Council's Constitution since May 2022. A list of amendments in relation to Executive Functions agreed by the Leader, and minor and consequential changes made to the Constitution under the Monitoring Officer's delegation are summarised at **Appendix 2** to this report.

2.6 At its 1 February meeting Audit & Governance Committee also considered a report regarding the Council's gifts and hospitality policies for Councillors and Officers. On review, the Committee resolved to recommend to Full Council that the registration requirement for Councillors be amended to £25 for enhanced transparency. There is currently an inconsistency following an update to the Code of Conduct for Councillors in 2021; the Code required all gifts or hospitality with an estimated value of at least £50 to be publicly registered, while the Protocol on Gifts & Hospitality gives a figure of £100.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Audit & Governance Committee Report 1 February 2023 [Item 10](#) published

Audit & Governance Committee Report 23 November 2022 [Item 11](#) published

Full Council Report 17 May 2022 [Item 8](#) published

The Protocol for Members on Hospitality and Gifts is published in the [Council's Constitution](#) – page F19

The Code of Conduct for Members is published in the [Council's Constitution](#) – Gifts and Hospitality are referenced on page F8