

Meeting:	Audit and governance committee
Meeting date:	23 January 2017
Title of report:	Working group update: standards working group
Report by:	Solicitor to the council

Classification

Open

Key decision

This is not an executive decision.

Wards affected

Countywide

Purpose

To advise the committee on the work that the standards working group will be carrying out between January to May 2017

Recommendation(s)

THAT:

- (a) the scope of the work for the standards working group and the timescales be approved; and**
- (b) the membership of the group be confirmed as listed in paragraphs 5 and 6**

Alternative options

- 1 There are no alternative options, the code forms part of the constitution and requires review.

Reasons for recommendations

- 2 A new council constitution will come into effect in May 2017. Reviewing the code of conduct and associated documents will bring them into line with the new constitution.

Key considerations

- 3 On 28 November 2016, the committee recommended to council the approval of a new constitution. The council subsequently approved the adoption of the new constitution on 16 December 2016 with an implementation date of May 2017.
- 4 As part of the continued revision of the constitution in a phased approach, the committee also gave approval for the membership of the standards working group to be reviewed and for the group to undertake a review of the councillor code of conduct and the associated member codes as follows:
 - member and officer relations;
 - gifts and hospitality, and
 - member use of resources codes
- 5 Following a request for volunteers from the audit and governance committee, the following indicated they would be willing to sit on the working group:
 - Councillor Paul Newman
 - Councillor Felicity Norman
 - Councillor Chris Chappell
- 6 The two standards independent persons, Richard Stow and John Sharman, have also indicated that they are willing to sit on the working group.
- 7 It is anticipated that the review will be completed by the audit and governance committee meeting due to be held on 10 May 2017, with adoption of the new codes at council on 19 May 2017.

Community impact

- 8 The constitution sets out how the council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The format and content of the revised constitution should help make these arrangements clearer to understand, and show how the public can effectively engage with them.

Equality duty

- 9 Legislation requires that the council must, in the exercise of its functions, have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct

- prohibited by law;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.."

Financial implications

- 10 None arising from the recommendations. The council already makes provision within its existing budgets to enable publication of the constitution on its website and to ensure that members and officers have the training necessary to ensure awareness and understanding of the requirements within the constitution.

Legal implications

- 11 None from this report. The working group will be advised of the legal implications when undertaking their review and the committee will be advised of any legal implication as part of the recommended changes.

Risk management

- 11 If the council's constitution is not accurate, up to date and understood then there is a risk that governance arrangements are not clear and robust leaving the council open to judicial review, contractual challenge or financial risk. The proposed amendments and adoption of the revised constitution seek to mitigate that risk. In addition the audit and governance committee will continue to maintain oversight of the constitution, once adopted, and should any further amendments be necessary will make recommendations to full council accordingly.

Consultees

- 12 None - parish councils will be consulted on any proposed changes.

Appendices

None

Background papers

None