

Review of the Constitution: Constitution Review Survey, Members' Code of Conduct and Protocol on Officer/Member Relations

Summary

- 1) This report updates Members on the progress of the review of the Council's Constitution, including the Joint Standard Committee's response to the Constitution Review Survey and seeks Members views on proposed amendments to the Members' Code of Conduct and the Protocol on Officer/Member Relations.

Background

1. On 20 November 2019 Members considered a report which provided an update on the review of the Council's Constitution. A consultation by way of a survey had been circulated and the Joint Standards Committee set up a Working Group to prepare and submit a response to the consultation on behalf of the Committee.
2. The Working Group submitted their response on 23 December 2019 and a copy of the response can be found at Annex 1.
3. The Members' Code of Conduct and the Protocol on Officer/Member Relations are documents within the Constitution which require consideration by the Joint Standards Committee as part of the review.
4. In addition, the Joint Standards Committee agreed amendments to the Members' Code of Conduct in light of the areas of Best Practice recommended by the Committee on Standards in Public Life in their report, dated January 2019. A copy of the Members' Code of Conduct showing the proposed amendments can be found at Annex 2.
5. Best Practice 1 recommends that Local Authorities should include prohibitions on bullying and harassment in Codes of Conduct, which should include a definition of bullying and harassment and a list of examples of the sort of behaviour which would be covered by the definition.

6. Best Practice 2 recommends that Council's should include provisions within their Code of Conduct requiring Councillors to comply with any formal standards investigation and that Codes should also prohibit trivial or malicious allegations by Councillors.
7. The Officer/Member protocol can be found at Annex 3. Minor suggested amendments to this document can be seen as tracked changes; these amendments update officer roles and job titles and also deal with any grammar or spelling issues in the current version of the document.
8. The final draft of the Constitution will be considered by Full Council on 26 March 2020. It is hoped that the Constitution will then take effect from May 2020.

Recommendations

9. Members are asked to:
 - 9.1. Note the Working Group response to the Constitution Consultation Survey.
 - 9.2. Consider the proposed amendments to the Members' Code of Conduct document in light of the Best Practice Recommendations of the Committee on Standards in Public Life and also consider whether any further amendments need to be made to the document.
 - 9.3. Consider the Officer/Member protocol and propose any further amendment or alteration to this document as part of the review of the Council's Constitution.

Reason:

To ensure that the Council's Constitution is accurate, up to date and effective.

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**Report Approved: Janie Berry,
Director of Governance &
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Date 13 January 2020

Wards Affected: *List wards or tick box to indicate all*

All

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For further information please contact the author of the report

Annexes

Annex 1 – Constitution Review Survey Document

Annex 2 - Members' Code of Conduct

Annex 3 – Officer/Member Protocol