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Democratic Services



STANDARDS AND CONSTITUTION COMMITTEE

Thursday 29 June 2023 at 7.45 pm

Place: Council Chamber, Epsom Town Hall

Online access to this meeting is available on YouTube: [Link to online broadcast](#)

The members listed below are summoned to attend the Standards and Constitution Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Liz Frost (Chair)
Councillor Hannah Dalton (Vice-Chair)
Councillor Chris Ames

Councillor James Lawrence
Councillor Robert Leach
Councillor Chris Watson

Yours sincerely

A handwritten signature in black ink, appearing to read "Sing".

Chief Executive

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Public information

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live using free YouTube software.

A link to the online address for this meeting is provided on the first page of this agenda. A limited number of seats will be available on a first-come first-served basis in the public gallery at the Town Hall. If you wish to observe the meeting from the public gallery, please arrive at the Town Hall reception before the start of the meeting. A member of staff will show you to the seating area. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for this Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government (Access to Information) Act 1985. Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Questions and statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters within the Terms of Reference of the Committee.

All questions must consist of one question only and cannot consist of multiple parts. Questions and statements cannot relate to planning or licensing committees matters, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted. Each question or statement will be limited to 3 minutes in length.

If you wish to ask a question or make a statement at a meeting of this Committee, please contact Democratic Services at: democraticservices@epsom-ewell.gov.uk

Questions must be received in writing by Democratic Services by noon on the third working day before the day of the meeting. For this meeting this is **Noon, Monday 26 June**.

A summary of statements must be received by Democratic Services by noon on the working day before the day of the meeting. For this meeting this is **Noon, Wednesday 28 June**.

For more information on public speaking protocol at Committees, please see [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework.

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AGENDA

1. QUESTION AND STATEMENTS FROM THE PUBLIC

To take any questions or statements from members of the Public.

2. DECLARATIONS OF INTEREST

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

3. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 10)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 25 January 2023 (attached) and to authorise the Chair to sign them.

4. FINANCIAL POLICY PANEL REVIEW (Pages 11 - 18)

Following the Local Government Association (LGA) Finance Peer Review, which took place in March 2021, an action plan was developed. As a result of the Review, Full Council agreed in February 2022 a number of changes to financial decision-making procedures and committee responsibilities. This report is an appraisal of the implementation of those changes one year on and recommends further changes to the Council's constitution for the committee's consideration.

5. ESTABLISH A STANDARDS AND CONSTITUTION WORKING GROUP (Pages 19 - 22)

To establish a working group to take forward the work of the Standards and Constitution Committee.

6. COMMITTEE WORK PROGRAMME (Pages 23 - 26)

To set out the future work programme for the committee.

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**Minutes of the Meeting of the STANDARDS AND CONSTITUTION COMMITTEE
held at the Council Chamber, Epsom Town Hall on 25 January 2023**

PRESENT -

Councillor Liz Frost (Chair); Councillor Hannah Dalton (Vice-Chair); Councillors Kate Chinn, Luke Giles, Eber Kington and David Reeve

Absent: Councillor Monica Coleman and Councillor Christine Howells

Officers present: Olwen Brown (Monitoring Officer), Andrew Bircher (Interim Director of Corporate Services), Will Mace (Business Assurance Manager) and Tim Richardson (Democratic Services Manager)

1 DECLARATIONS OF INTEREST

No declarations of interest were made in relation to items of business to be discussed at the meeting.

2 MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting of the Standards Committee held on 22 February 2022 were agreed as a true record and signed by the Chair.

3 COUNCILLORS' CODE OF CONDUCT

The Committee received a report setting out the approach to be taken to reviewing the current Councillors' code of conduct.

The following matters were considered:

- a) **Councillors' code of conduct.** The Chair informed the Committee that it was proposed to retain the existing Councillors' code of conduct at this time, with a review of the LGA Councillors' code of conduct to be undertaken during 2023-24. This would enable a recommendation to the Committee as a result of that review. Officer advice was that the existing code of conduct was both legally sound and serviceable.

Following consideration, the Committee unanimously resolved to:

Recommend to Full Council:

- (1) that the existing code of conduct is retained at this time and;**

- (2) **that the Standards and Constitution Committee be asked to review the Councillors' code of conduct in the coming Municipal year and make recommendations on whether to adopt the LGA code of conduct, keep the existing code of conduct or produce a new amended version.**

4 COUNCIL CONSTITUTION

The Committee received a report setting out a proposed new Constitution and Operating Framework for the Council, following a review of the current Constitution by the Constitution Working Group.

The Constitution Working Group had reviewed the entire constitution during the course of the past year to update and simplify it. Within the principles for its work, the Group had looked to streamline the constitution so that the Council has a shorter document which contains the main, essential elements of what should be in a modern updated core constitution. It was proposed to move other documents which are important, but which do not have to be in the core constitution into a collection of documents, referred to as the "Council Operating Framework" or to the Officer Employment policy documents.

The following matters were considered:

- a) **Amendment: Petition Scheme.** The Chair informed the Committee that the Constitution Working Group had not been able to come to a consensus with regard to the Council's Petition Scheme. The Chair proposed an amendment to the report to include the following additional recommendation:

"(7) Recommend to Full Council that the Standards and Constitution Committee review the Petition Scheme in the forthcoming municipal year."

The Committee unanimously agreed to include this amendment in the recommendations of the report.

- b) **Human Resources Panel and Committee responsibility for development of the local economy and regeneration.** The Committee considered potential amendments to the recommendations of the report with regard to two matters:

- The terms of reference of the Human Resources Panel
- Committee responsibility for development of the local economy and regeneration.

Following consideration, the Committee considered that these matters should not be made as amendments to the recommendations of the report. The Committee considered that these matters should be considered within the forward work programme for the Committee.

- c) **Minor changes to documents in the Constitution and Operating Framework.** The Committee noted that the following minor changes would be made:
- **Page 12, paragraph 2.7 - Mayors Handbook.** Reference to the Handbook for Mayors would be included. Wording that the Mayor should act subject to the guidance of the Chief Executive and the Chair of Strategy and Resources would also be included.
 - **Gender references.** It was noted that gender specific references had been removed throughout the documents and that any remaining references would be removed by officers when identified. The Committee highlighted a reference to “him or her” on page 44, paragraph 6.1.
 - **Definition of “Proper Officer”.** The Committee noted that the term “Proper Officer” was defined within the glossary of the Constitution.
 - **Page 45, paragraph 9.3.1. ii.** The Committee requested that paragraph 9.3.1. ii on page 45 be re-phrased.
 - **Page 86, paragraph 14.4 – form for motions.** The Committee requested that the wording “on the prescribed form” be removed from paragraph 14.4 on page 86.
 - **Page 89, paragraph 16.5.** The Committee requested that paragraph 16.5 on page 89 be deleted.
- d) **Amendment: speeches on motions referred to Committee for consideration.** Councillor Eber Kington PROPOSED and Councillor Kate Chinn SECONDED the following amendment to paragraph 16.6 on page 89 of the agenda:
- “Once a motion has been put, the proposer of the motion will have 2 minutes to speak on the referral to the committee.”***
- The Committee did not accept this amendment, there being 2 votes in favour of it and 3 votes against it, with the Chair not voting.
- e) **Lengths of speeches.** The committee considered the length and opportunities for councillors to make speeches on motions and amendments. The Committee considered that this was a matter which required further consideration, and requested that that lengths and timings of speeches by Councillors at Council meetings should be reviewed by the Standards and Constitution Committee in its forward work plan.
- f) **Page 90, Paragraph 17.1 – amendments to be displayed on screen.** The Committee considered that amendments to motions should be displayed on the screens in the Council Chamber when moved.

- g) **Page 91, paragraph 17.5 – negative motions.** The Committee requested that the wording “The amendment is a negative to the motion” be included within the bullet points listed in paragraph 17.5.
- h) **Page 99, paragraph 5.4 iii.** The Committee considered that the wording “Their performance” could be interpreted to mean the personal performance of an Officer of the Council. Members of the Committee expressed the view that this might not be appropriate and suggested that alternative wording be considered to convey that it would relate to the performance of the council service for which the officer was responsible.
- i) **Page 99, paragraph 5.5.** The Committee requested that the reference to ‘Section 5.5’ in paragraph 5.5 on page 99 on the agenda be amended to read “Section 5.4”.
- j) **Page 126, paragraph 4.6.** The Committee requested that the wording of paragraph 4.6 on page 126 of the agenda be reviewed as it could be misinterpreted to mean that all correspondence to residents should be clarified with the relevant Head of Service. This was not the intended purpose of the paragraph, which was included in the Protocol to highlight that questions of accuracy regarding council policy could be clarified with the relevant Head of Service.
- k) **Page 128, paragraph 5.13 and 5.14.** The Committee requested that the wording of paragraphs 5.13 and 5.14 on page 128 of the agenda be reviewed, with a view to combining them both into a single paragraph. The Committee also requested that reference to GDPR within the paragraph be considered.
- l) **Page 153, paragraph 1.2.** The Committee requested that the wording of paragraph 1.2 on page 153 of the agenda be reviewed, to provide clarity to its meaning.
- m) **Page 154, paragraph 4.1 - notice of meetings.** The Committee requested that the wording of paragraph 4.1 on page 154 of the agenda be reviewed, to detail that notice of meetings would be given in other ways (such as the website and social media channels) in addition to being posted at the Town Hall.
- n) **Thanks to Officers.** The Committee expressed its thanks to the officers for their work to support the Constitution Working Group during the review of the Constitution.

Following consideration, the Committee unanimously resolved to:

- (1) **Approve that Appendix 1, an updated core constitution for the council, be recommended to Full Council for adoption as amended.**
- (2) **Approve the recommendation to Full Council to move the “Officers Code of Conduct” from the constitution into officer employment policies.**

- (3) Approve the recommendation to Full Council to move the “Whistleblowing Policy” from the constitution into officer employment policies.**
- (4) Approve the recommendation to Full Council to remove the “Recording, Photography and Use of Social Media Protocol and Guidance (Part 5, Section 10)” from the constitution.**
- (5) Approve that Appendix 2, being the remaining documents from the constitution reviewed and updated and moved from the constitution, and not covered off by recommendations 2, 3 and 4 above, be recommended to Full Council for adoption, as the Council Operating Framework.**
- (6) Approve the recommendation to Full Council to replace the “Crime and Disorder Sub-Committee” with a new “Crime and Disorder” committee.**
- (7) Recommend to Full Council that the Standards and Constitution Committee review the Petition Scheme in the forthcoming municipal year.**

The meeting began at 7.30 pm and ended at 9.00 pm

COUNCILLOR LIZ FROST (CHAIR)

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FINANCIAL POLICY PANEL REVIEW

Head of Service:	Brendan Bradley, Head of Finance
Wards affected:	(All Wards);
Urgent Decision?	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	None.

Summary

Following the Local Government Association (LGA) Finance Peer Review, which took place in March 2021, an action plan was developed. As a result of the Review, Full Council agreed in February 2022 a number of changes to financial decision-making procedures and committee responsibilities. This report is an appraisal of the implementation of those changes one year on and recommends further changes to the Council's constitution for the committee's consideration.

Recommendation (s)

The Committee is asked to:

- (1) Consider the proposed changes to Financial Policy Panel's responsibilities, as set-out in sections 3 & 4 of this report;**
- (2) Recommend that Full Council approve the proposed changes set-out in this report, including the re-naming of Financial Policy Panel to Financial Strategy Advisory Group.**

1 Reason for Recommendation

- 1.1 It is considered that the proposed changes would improve and strengthen the Council's financial decision-making procedures.

2 Background

- 2.1 In March 2021, an LGA Finance Peer Review recommended that the Council review its approach to decision making and scrutiny, and to refresh the approach to the capital programme. These reviews were subsequently undertaken, with the outcome and proposed changes agreed at Full Council in February 2022.

- 2.2 One year on, it is now considered appropriate to review these changes to ensure they are functioning as intended and to identify whether further improvements could be made.

3 Refresh the approach to the Capital Programme

- 3.1 Following the LGA Peer Review, the Council agreed that capital programme forecasts should be extended (from three years) to cover a rolling five-year period, to give greater visibility of the expected capital investment required to maintain and enhance the Council's assets in future years.
- 3.2 This agreed change was implemented, with Capital Member Group (CMG) receiving (in Autumn 2022) and recommending five-year forecasts to policy committees for approval in the January committee cycle.
- 3.3 CMG consists of five members and is essentially a working party re-appointed by S&R each year. It meets in September and November, to consider initial and final capital project proposals and make recommendations to policy committees for approval.
- 3.4 CMG is not recognised in the Council's constitution and consequently its papers are not publicly available, other than its recommendations which are subsequently reported to policy committees.
- 3.5 Feedback from members is that the papers of CMG should be published. In addition, members have fed back that having different members and meetings to consider capital matters and Financial Planning matters, has led to a lack of member oversight and joined up decision making.
- 3.6 In response to the feedback and to improve transparency, it is proposed that the work CMG be incorporated into the work programme of Financial Policy Panel (FPP). This change, if agreed, would ensure that more members are directly and formally engaged in the capital programme setting process (six members on FPP compared to five on Capital Member Group), papers would become publicly available through FPP meeting agendas and there would be joined up decision making.

4 Review of Financial Policy Panel

- 4.1 FPP is currently scheduled to meet twice a year (prior to the LGA Peer Review, it met four times a year). It provides a forum that includes policy committee chairs to discuss and advise S&R Committee and the Council on strategic financial matters.
- 4.2 Members want FPP to be retained, as it provides a unique cross-committee forum for discussing the Council's strategic budget and financial policy framework, and for making recommendations to S&R with a cross-Committee mandate.

- 4.3 However, feedback from members is that the move to twice yearly meetings has resulted in the group meeting too infrequently. In addition, it has been fed back that FPP would benefit from increased engagement on the Treasury Management Strategy.
- 4.4 Currently, treasury management performance monitoring is undertaken biannually by Audit & Scrutiny Committee, with the Treasury Management Strategy reviewed annually by FPP.
- 4.5 While this approach may seem sound in theory – with one group setting the strategy and a separate group monitoring performance against it – the result is that two separate committees receive relatively irregular treasury management updates, making member knowledge and familiarity with the Council’s treasury management function difficult to maintain through the year.
- 4.6 To date external treasury management training is mandatory for one committee (Audit & Scrutiny) each year. While the training is open to all members, treasury management training is not currently on the FPP formal agenda.
- 4.7 It is proposed that responsibility for treasury management performance monitoring remain with Audit & Scrutiny but be delegated to FPP (as was the case pre-LGA Peer Review), to be consolidated with FPP’s responsibility for setting the annual treasury management strategy. Members of both FPP and Audit & Scrutiny would receive the annual training, enabling one committee to effectively scrutinise the function and set the strategy. This training would also remain open to all members,
- 4.8 To enable Audit & Scrutiny to fulfil its oversight responsibility, it is proposed that FPP would report back annually (or more regularly on an exception basis if required) to Audit & Scrutiny to disclose how it has exercised monitoring of the treasury management function.
- 4.9 To deliver on this proposed change, as well as inherit the work of Capital Member Group, FPP meetings would be restored to four per year.
- 4.10 By consolidating the above responsibilities into FPP, the Council should benefit from continuity and improved oversight as one expert group would be in place to advise on financial strategy, capital programme setting and treasury management activities.
- 4.11 To mark this change and to recognise its new wider responsibilities, it is proposed that FPP be re-named as the Financial Strategy Advisory Group. The Group’s expected core work programme would be as shown in the following table:

Table 1 - Financial Strategy Advisory Group Proposed Core Work Programme		
Meeting	Agenda Item	Purpose
June	Strategic Financial Planning	To consider and advise on the budget setting framework for the forthcoming year(s)
	Review of Revenue Reserves	To review and advise on the level of Council reserves
September	Initial Capital Proposals	To review and advise which initial capital proposals should be worked up to final proposals
	Treasury Management Outturn	To review treasury management performance for the prior year
November	Final Capital Proposals	To review final capital proposals and recommend a programme to policy committees
	Interim Treasury Management Performance	To review in-year treasury management performance
January	Council Tax & Budget Report	To consider the government settlement and make a council tax recommendation to Council
	Treasury Management Strategy	To consider & recommend a Treasury Management Strategy for the forthcoming year

4.12 Within the Council's constitution, the specific functions of FPP and proposed changes are summarised in the following table:

Table 2 - Existing Responsibility		Current Committee/Group	Proposed Committee	Rationale
To advise S&R Committee on:	All matters relating to the Budget and Policy Framework (including the setting of staff pay);	Financial Policy Panel	Financial Strategy Advisory Group	No change
	New legislation or government policy relating to local government finance;	Financial Policy Panel	Financial Strategy Advisory Group	
	To respond on behalf of the S&R to urgent consultation requests from central or regional government.	Financial Policy Panel	Financial Strategy Advisory Group	
	To ensure effective scrutiny of the treasury management strategy and policies.	Financial Policy Panel	Financial Strategy Advisory Group	
	Review of annual capital bids and recommend five year capital programme to policy committees.	Capital Member Group	Financial Strategy Advisory Group	As set out in paragraph 3.6
Monitoring of treasury management performance		Audit & Scrutiny	Financial Strategy Advisory Group	As set out in paragraphs 4.4 to 4.7

- 4.13 It is proposed that Financial Strategy Advisory Group (FSAG) meetings will generally be expected to take place on Friday afternoons from 2pm to 5pm.
- 4.14 The recommended group membership would remain unchanged from FPP – six members subject to rules on political proportionality. For 2023/24, those members currently appointed to FPP will become the members of FSAG. For future year appointments, recommended group membership will continue to include the Chairs of S&R, Environment, Community & Wellbeing, and Licensing & Planning Policy Committees. The S&R Chair would remain as the Chair of FSAG.
- 4.15 FSAG would remain an advisory panel (as was the case with FPP), meaning its recommendations are subject to formal ratification at the relevant policy committee (i.e. S&R unless agreed otherwise by FSAG) or Full Council.

5 Review of Budget Monitoring

- 5.1 Following the LGA Peer Review, 2022/23 saw the introduction of quarterly budget monitoring reports to Audit & Scrutiny Committee. Previously, quarterly monitoring reports had been shared with members only via Members Update (as it was then known), but not to a formal committee.
- 5.2 It is considered that the new formal reporting to Audit & Scrutiny Committee has worked well, by increasing transparency and oversight of the Council's in-year budget position.
- 5.3 As each policy committee is responsible for their budget, there is a need for individual policy committees to receive monitoring information, although this needs to be balanced with what is deliverable by officers within current resources. As such, it is proposed that officers will ensure that quarterly budget monitoring reports to Audit & Scrutiny will also be shared with policy committee chairs. These would also be shared with all members via Members News once the policy chairs have had opportunity to review their monitoring report.
- 5.4 Furthermore, to ensure material issues are formally reported to policy committees, any adverse budget variances in excess of £100,000 will continue to require formal reports with mitigation options to the relevant policy committee.

6 Next Steps

- 6.1 With FPP being an advisory panel to S&R Committee, the Chair of S&R has been consulted on these proposed changes and has confirmed their support for them.
- 6.2 The Chair of Audit & Scrutiny Committee has also been consulted and is also supportive of the proposed changes.
- 6.3 To implement the changes proposed in sections 3 to 5, Standards and Constitution Committee is now asked to recommend them to Full Council for approval.
- 6.4 If approved at Full Council, the Constitution will be updated accordingly with the changes effective upon approval.

7 Risk Assessment

Legal or other duties

7.1 Impact Assessment

- 7.1.1 It is considered that the proposed changes will improve and strengthen the Council's financial decision-making procedures.

7.2 Equalities Impact Assessment

7.2.1 There are no direct equalities implications associated with the proposals of this report.

7.3 Crime & Disorder

7.3.1 None arising from the contents of this report.

7.4 Safeguarding

7.4.1 None arising from the contents of this report.

7.5 Dependencies

7.5.1 If approved, the Constitution and Treasury Management Strategy will be updated to reflect the proposed changes.

7.6 Other

7.6.1 None arising from the contents of this report.

8 Financial Implications

8.1 There are no additional direct cost implications associated with the proposed amendments.

8.2 **Section 151 Officer's comments:** It is considered that the proposed changes will improve and strengthen the Council's financial decision-making procedures.

9 Legal Implications

9.1 None arising from the contents of this report.

9.2 **Monitoring Officer's comments:** None arising from the contents of this report.

10 Policies, Plans & Partnerships

10.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.

10.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

10.3 **Climate & Environmental Impact of recommendations:** No significant impact.

10.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.

10.5 **Partnerships:** None arising from the contents of this report.

11 Background papers

11.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Financial Regulations Review report to Full Council, 15 February 2022.
- LGA Finance Peer Review report to S&R Committee, 13 May 2021.

Other papers:

- Capital Member Group report to S&R Committee, 26 July 2022.

ESTABLISH A STANDARDS AND CONSTITUTION WORKING GROUP

Head of Service: Andrew Bircher, Interim Director of Corporate Services

Wards affected: (All Wards);

Urgent Decision?(yes/no) No

If yes, reason urgent decision required:

Appendices (attached):

Summary

To establish a working group to take forward the work of the Standards and Constitution Committee.

Recommendation (s)

The Committee is asked to:

- (1) Establish a working group as set out below to take forward the work of the Standards and Constitution Committee.**

1 Reason for Recommendation

- 1.1 To progress the work of the Standards and Constitution Committee, as identified through the Committee's review of the constitution last year, it is proposed that a working group is established. A working group will enable the Committee's work to be taken forward, as meetings between officers and councillors outside of the committee meetings will be required. The group's work will result in reports back to the Committee, and in turn Full Council (as necessary).

2 Background

- 2.1 Last year a constitution working group was established under the Strategy and Resources Committee to take forward a review of the Constitution.
- 2.2 That work resulted in recommendations to Full Council on the 14th February for an updated Constitution and Operating Framework.

- 2.3 However the group, prior to being disbanded, did not complete all of the work that has been identified and there is a need for another working group to be established, as a subset of the Standards and Constitution Committee, to take forward that work.
- 2.4 The group would seek to look at:
 - 2.4.1 The councillors' code of conduct, and whether the council should: adopt the Local Government Association's (LGA) code of conduct; adopt an amended LGA code of conduct; or update its own code of conduct.
 - 2.4.2 Consider the timings of when people speak at committees, to ensure that these are consistent throughout the Constitution and between committees.
 - 2.4.3 Consider the councillor indemnity scheme, and whether there are any changes that need to be made.
 - 2.4.4 Consider the council's petition scheme and if any changes should be made.
 - 2.4.5 Consider the role of the HR panel.
 - 2.4.6 Complete an equality impact assessment for the different elements of the Constitution and Operating Framework.
 - 2.4.7 Consider any other matters arising from the last Constitution review.
- 2.5 The proposed terms of reference for a Standards and Constitution Committee working group are:
 - 2.5.1 Consider the matters set out above and make recommendations to the Standards and Constitution Committee, with further recommendations to Full Council for approval as necessary. The list of which items will be discussed first will be agreed at the first meeting of the working group.
 - 2.5.2 To work with officers as required, seek input from fellow councillors, and consider best practice from organisations outside the council on the matters set out in 2.4 above.
 - 2.5.3 The group will be a cross party group comprised of 5 councillors, made up of 4 councillors drawn from the group leaders of Resident's Association, Liberal Democrat, Labour and Conservative Groups, plus the chair of Standards and Constitution committee. Substitutes would be permitted if a member could not attend.

- 2.5.4 The method of working for the group will be to consider an item under discussion, and then consult with all other councillors. After which the group will, with officers, consider councillors' responses before producing a report and recommendation on the item for Standards and Constitution Committee.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

- 3.1.1 The constitution should be subject to an equality impact assessment and one of the tasks of the workgroup will be to consider this.

3.2 Crime & Disorder

- 3.2.1 No direct implications.

3.3 Safeguarding

- 3.3.1 No direct implications.

3.4 Dependencies

- 3.4.1 The working group will require its members to make themselves available for meetings outside of committee meetings, and to read, review and contribute to documents related to the Constitution and Council Operating Framework. The Group will also require officer time to provide operation support to the group and subject matter expertise.

3.5 Other

- 3.5.1 None.

4 Financial Implications

- 4.1 No direct implications.

- 4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

- 5.1 **Legal Officer's comments:** The working group will review aspects of the constitution and through that process legal advice will be sought. As for the establishment of the working group, it is within the powers of the committee to do this

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.
- 6.2 **Service Plans:** The matter is included within a current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** No direct implications.
- 6.4 **Sustainability Policy & Community Safety Implications:** No direct implications.
- 6.5 **Partnerships:** No direct implications.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Council Constitution, Full Council, 14th February 2023. Online available: <https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=146&MId=1248> [last accessed 06/06/2023].

Other papers:

- None: please see the report above for references to related documents proceeding the 14th February Full Council meeting.

COMMITTEE WORK PROGRAMME

Head of Service:	Andrew Bircher, Interim Director of Corporate Services
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	Not applicable
Appendices (attached):	None

Summary

To set out the future work programme for the committee

Recommendation (s)

The Committee is asked to:

- (1) Agree the future work programme for the committee

1 Reason for Recommendation

- 1.1 To provide confirmation about the future work programme of the committee

2 Background

- 2.1 This report sets out the committee's future work programme for the coming municipal year, which is indicative and subject to change

Date of meeting	Items under discussion
29 th June 2023	Establishment of a Constitutional working group Review of Financial policy Panel
7 th November 2023	Receive recommendations from the work of the Constitutional working group Consideration of any complaints that have been made against Councillors
4 th June 2024	Receive recommendations from the work of the Constitutional working group

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 No issues from this report although an Equality Impact assessment will be completed as part of the committee working group

3.2 Crime & Disorder

3.2.1 No issues from this report

3.3 Safeguarding

3.3.1 No issues from this report

3.4 Dependencies

3.4.1 See other item on agenda for Working Group

3.5 Other

3.5.1 none

4 Financial Implications

4.1 **Section 151 Officer's comments:** No issues from this report

5 Legal Implications

5.1 **Legal Officer's comments:** No issues from this report

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:**

6.4 **Sustainability Policy & Community Safety Implications:**

6.5 **Partnerships:**

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- none

Other papers:

- none

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