

## **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 14<sup>th</sup> February for an updated Constitution and Operating Framework.

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- 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.

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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

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### 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, 14<sup>th</sup> 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 14<sup>th</sup> February Full Council meeting.