

PUBLIC

**MINUTES** of a meeting of the **STANDARDS COMMITTEE** held on 10 January 2019 at County Hall, Matlock

**PRESENT**

Councillor C Short (in the Chair)

Councillors K Buttery, J A Coyle, A Fox, W Major, S Marshall-Clarke (substitute Member), C R Moesby, and D H Taylor (substitute Member)

Also in attendance – Mr L Newby MBE (Independent Person)

Apologies for absence were received on behalf of Councillors L Grooby, D McGregor, and Mr K Jackson-Horner (Independent Person)

**01/19**      **MINUTES RESOLVED** that the minutes of the meeting of the Standards Committee held on 31 October 2018 be confirmed as a correct record and signed by the Chairman.

**02/19**      **REFRESH OF THE CONSTITUTION**      The Director of Legal Services and Monitoring Officer and the Director of Finance and ICT and Section 151 Officer attended the meeting and provided members with a report on the Refresh of the Constitution.

Before consideration of the item commenced, Councillor C R Moesby proposed the following motion:

That the Standards Committee look at the Constitution in manageable blocks, reviewing the document over two or three meetings, rather than at one meeting to enable a more informed decision on the refresh of the Constitution to be made.

The motion was duly seconded.

The motion was put to the vote and declared to be LOST.

The Director of Legal Services explained that updates to the constitution were critical to the running of the Council. The Director of Legal Services and Monitoring Officer had commenced in May 2018, and this was a task that had to be identified as a matter of urgency. It had been requested that a review be undertaken and the Committee had agreed this on at its meeting on 4 July 2018.

The constitution was the first point of call within the Council and it was good practice for the Standards Committee to review the document on an annual basis, with a 6 month overview of individual documents.

The Director of Legal Services advised Members in detail of the proposed changes to the Constitution.. It was proposed that the refreshed Constitution would be divided into two sections as follows, the Articles and the Appendices. The Articles set out the overarching functions and decision-making framework of the Council, whilst the Appendices to the Articles contain the detail as to how the functions listed in the Articles would be carried out.

This refreshed Constitution would focus on streamlining the Council's decision-making principles, whilst maintaining a robust governance framework which would deliver a commitment to integrity and transparency. There had also been a focus on improving and building on the existing Ethical Governance Framework and hence there were some additions documents now contained within the proposed Constitution.

It was noted however, that no changes were currently proposed in respect of the Improvement and Scrutiny Arrangements. These arrangements would be reviewed following receipt of Government Guidance about future scrutiny arrangements for all Councils. Likewise, the Member's Code of Conduct remained unchanged and again this was because the Council was awaiting the outcome of the review which had been undertaken by the Government's Committee for Standards in Public Life.

The draft Financial Regulations and Standing Orders in Relation to Contracts (Appendices 8A and 8B respectively to the report), had been reported to the Council's Audit Committee where it was resolved that they be recommended for approval by Cabinet and Council.

The Protocol for use of IT by Members/Use of Resources was a new document which was the process of being written and would be presented to a future meeting of the Standards Committee for approval.

Subject to approval by the Standards Committee, the refreshed Constitution would be presented to the meeting of Full Council in February 2019, with full implementation being launched across the Council at the start of the municipal year in May 2019. It was noted that in future, the AGM would be held in May, rather than April.

The terms of reference of the Standards Committee were being reviewed and they would be presented to a future meeting of the Committee. It was proposed that the Committee be renamed the Governance, Ethics and Standards Committee to better reflect the future role of the Committee.

The Committee were advised that it was proposed to split the role of the Chairman of the Council in to two new positions. The new Chairman of the County Council would be responsible for presiding over Council meetings. The new Civic Chairman of the Council would be responsible for attending civic events to represent the Council. The Independent Remuneration Panel would be consulted on the proposed changes.

In conjunction with the Member Development Working Group, a programme of training for both Members and Officers was being developed to support the implementation of the proposed wide-ranging changes to the Constitution.

**RESOLVED** that the draft updated constitution be recommended for approval by Full Council.