

Wiltshire Council

Standards Committee

15 June 2021

Appointment of Constitution Focus Group

Purpose

1. To seek approval for the appointment of a Constitution Focus Group to assist the Standards Committee in its role of overseeing the Council's Constitution.

Background

2. Since its creation as a unitary authority in 2009 the Council has appointed a Constitution Focus Group to advise and assist the Monitoring Officer and the Standards Committee in their respective roles of overseeing the Council's Constitution.
3. This has proven to be a successful forum for reviewing the effectiveness of the Constitution and advising the Standards Committee before the Committee makes any final recommendations on changes to the Constitution for adoption by full Council. It is recommended that this arrangement continues.
4. Current terms of reference for the Constitution Focus Group are included at **Appendix 1**

Main Considerations

5. The Focus Group meets several times a year according to the level of business in its work programme. Referrals are generally made via the Standards Committee, from Full Council, other Committees or the Monitoring Officer, in order to ensure that the Constitution remains fit for purpose and up to date.
6. Recent items reviewed by the Focus Group for recommendation include:
 - Protocol 4: Planning Code of Good Practice
 - Part 4: Council Rules of Procedure (and Petitions Scheme)
 - Protocol 11: Arrangements for dealing with Code of Conduct Complaints
 - Protocol 1: Member-Officer Relations
 - Protocol 2: Terms of Reference of the Wiltshire Pension Fund Committee and Local Pension Board
7. Future items identified for potential review by the Focus Group include, but are not limited to:
 - Part 12: Member Code of Conduct (referred by the Standards Committee 4 February 2021)
 - Part 9: Financial Procedure Rules
 - Part 8: Overview and Scrutiny Procedure Rules
 - Part 3: Responsibility for Functions and Schemes of Delegation

8. Membership of the Constitution Focus Group has to date included:
- a member from each political group on the Council nominated by Group Leaders;
 - A member of the Overview and Scrutiny Management Committee;
 - A member of the Audit and Governance Committee;
 - A member of the Standards Committee;
 - Up to two co-opted non-voting members of the Standards Committee.
9. A request has also been received to include among the membership of the Focus Group the Chairman of Wiltshire Council, in part given their role overseeing the meetings of Full Council. The Committee could amend the terms of reference to include the Chairman of Council.

Safeguarding Implications

10. There are no safeguarding issues arising from this report.

Equalities Impact of the Proposal

11. There are no equalities impacts arising from this report.

Risk Assessment

12. There are no risk issues arising from this report.

Financial Implications

13. There are no financial implications arising from this report.

Public Health Impact of the Proposals

14. There are no public health impacts arising from this report.

Environmental Impact of the Proposals

15. There are no environmental impacts arising from this report.

Legal Implications

16. The Constitution Focus Group will assist the Monitoring Officer and the Standards Committee in ensuring that the Council's Constitution remains fit for purpose and up to date with legislation.

Recommendation

17. To approve the terms of reference of the Constitution Focus Group as set out in Appendix 1, with the inclusion of the role of Chairman of Wiltshire Council among its membership.
18. To appoint a member of the Standards Committee to the Focus Group.

Perry Holmes – Director, Legal and Governance (and Monitoring Officer)

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Appendix 1 - Constitution Focus Group, Terms of Reference

Function

To undertake the following:

- ongoing review work on the constitution as and when required;
- producing user friendly summaries of the relevant parts of the constitution for use by members of the public and members of the Council and specifically to review the constitution in light of any changes in the legislation
- To consider the views of (as appropriate):
 - elected and co-opted members of the Council
 - officers
 - decision making bodies of the Council
 - town, parish and city councils and
 - members of the publicascertained through questionnaire responses and appropriate methods of communication and make appropriate recommendations
- To offer a councillor perspective on and accordingly to influence key issues within the constitution.
- To advise the Standards Committee of final recommendations on any changes to the constitution for consideration and onward recommendation to Council.

Membership

- (i) a member from each political group on the Council nominated by group leaders;
Conservative: Ian Blair-Pilling
Liberal Democrat: Ian Thorn
Independent: TBC
Labour: Ricky Rogers
- (ii) a member of the Overview and Scrutiny Management Committee; **Jon Hubbard**
- (iii) a member of the Audit and Governance Committee; **TBC**
- (iv) two co-opted non-voting members of the Standards Committee **Ad hoc**
- (v) A member of the Standards Committee **TBC**
and
- (vi) that appropriate Councillors and Officers are invited to attend as and when requested by the Focus Group or its Chairman to assist it in its work.

Chairmanship

A chairman will be selected by the Focus Group from among its membership.