

# Standards Committee

5 February 2016



## Changes to the Constitution

---

### Report of Colette Longbottom, Head of Legal and Democratic Services

---

#### Purpose of the Report

1. To advise Members of proposed changes to the constitution which relate to standards matters.

#### Background

2. The Council's constitution is currently undergoing its annual review. Members will recall that oversight of the Council's corporate and statutory complaints processes transferred from Standards Committee to Corporate Issues Overview and Scrutiny Committee on .

#### Proposed Changes to the Constitution

3. It is proposed that the overview function of payments or provision of benefits in the case of maladministration set out in Article 9 of the Constitution should also transfer to the Corporate Issues Overview and Scrutiny Committee because this is part of the complaints process. The Head of Legal and Democratic Services' delegation to consult with the Chairman of the Standards Committee to make payments or provide other benefits in cases of maladministration would also be amended to reflect that consultation would be with the Chair of Corporate Issues Overview and Scrutiny Committee.

#### Proposed amendments to the Code of Conduct

4. The Code of Conduct for members has also been reviewed and it is proposed that paragraph 15 which relates to non-participation in Council business is amended to clarify that the provisions also apply to members with Disclosable Pecuniary Interests as follows;

When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that you have a Disclosable Pecuniary Interest or you are aware that the criteria set out in paragraph 16 are satisfied in relation to any matter to be considered, or being considered at that meeting, you must :

Declare that fact to the meeting;

- (a) Not participate (or further participate) in any discussion of the matter at the meeting; and
- (b) Not participate in any vote (or further vote) taken on the matter at the meeting;
- (c) Leave the room whilst the matter is being discussed.

### **Recommendations and Reasons**

5. Standards Committee is invited to approve the amendments proposed to the Constitution and the Code of Conduct outlined in paragraphs 3 and 4.

---

**Contact: Clare Burrows, Governance Solicitor Tel: (03000) 260548**

---

---

**Appendix 1: Implications**

---

**Finance – None**

**Staffing – None**

**Risk - None**

**Equality and Diversity - None**

**Accommodation - None**

**Crime and Disorder - None**

**Human Rights - None**

**Consultation – See report**

**Procurement - None**

**Disability Discrimination Act - None**

**Legal Implications – None**