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SUPPLEMENTARY AGENDA

Our Ref: NC/AJD
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Date: Wednesday, 30 June 2021

To: **Members of the Standards Committee**

Please attend a meeting of the Standards Committee to be held on **Wednesday, 30 June 2021 at 2.00 pm in the Council Chamber**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.

Whilst social distancing is still in place Members and officers are required to adhere to the protocol for attending meetings in the Council Chamber. When attending in person you will be deemed to have accepted the following disclaimer as applying.

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

RA – Return to Work Mill Lane Covid 19 V13
Mill Lane Coronavirus Control Measures V8

Both documents have been emailed to Members and are available on the Modern.Gov App library.

Register of Members' Interests – Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

Yours sincerely



Joint Head of Corporate Governance and Monitoring Officer

Members of the Committee

Councillor P Antcliff
Councillor W Armitage - (Chair)
Councillor D Hancock
Councillor P R Kerry
Councillor H Liggett - (Vice Chair)
Councillor K Rouse
Councillor D Ruff
Councillor R Welton

P Coleman – Parish Council Representative
D Skinner – Parish Council Representative

For further information about this meeting please contact: Nicola Calver 01246 217753

AGENDA

5 Review of the Constitution - Part 1 (Pages 4 - 7)

Please note the Appendix for this item is **TO FOLLOW**



North East
Derbyshire
District Council

*We speak
your language*

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

*Hablamos su
idioma*

Slovak

*Rozprávame Vaším
jazykom*

Chinese

我们会说你的语言

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**01246
217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

APPENDIX 1 Area of Review	Proposal and Rationale	Sections of the Constitution to be revised
Questions by Members	<p>There is no provision within the constitution for a Councillor to withdraw a question which has been submitted, accepted and published. Referring to section 9 with the Council Procedure Rules the Constitution is silent on this scenario – however, Chair’s discretion has been used on this matter twice over the previous two years. This matter has been referred to the Standards Committee to agree clarity by adding a 9.10 to page 80 of the May 2021 Constitution (which is currently being published).</p> <p>9.10: Withdrawal of Questions</p> <p><i>A question which has been accepted and published may be withdrawn by the Member who asked it provided that they indicate this in writing to the Monitoring Officer and the Member to which the question has been asked not later than 24 hours in advance of the meeting.</i></p>	Council Procedure Rules Adding in 9.10.
Debt Write Off	There have been challenges within the last 12 months in regard to write off of debt, and gaining the necessary approval in order to action this process. 12.6 of the Council’s delegation scheme authorises the S151 officer to write off debts up to £3,500, and larger debts are referred to the Cabinet for	Scheme of Delegation 12.6

	<p>approval. It is suggested that this limit is increased, with a caveat that all debt sign off is undertaken in consultation with the Portfolio Holder for Finance. This would amend 12.6 as follows:</p> <p>After consultation with the relevant Portfolio Holder to authorise the write-off of bad debts up to an approval limit of £7,500. Larger debts will be included in a report for information to the Executive/Cabinet.</p>	
<p>Delegation Scheme Amendments</p>	<p>There are some statutory matters which are missing from the Proper Officer provisions within the Scheme of Delegation. Provisions required for the notification and control powers from transmissible diseases which are given to Proper officers within:</p> <p><i>Public Health (Control of Disease) Act 1984</i></p> <p><i>S11, 18, 20, 21, 22, 24, 29, 31, 36, 40, 42, 43 and 48</i></p> <p><i>Public Health (Infectious Diseases) Regulations 1988</i></p> <p><i>Regulations 6,8,9,10</i></p> <p>Sch 3 and 4</p> <p>As these are in statute, it is just a matter of governance to ensure that they are documented within the Constitution. With Standards Committee approval, these will be added under The Monitoring Officer's delegation</p>	<p>Proper Officer Provisions</p>

	<p>13.20 To make appropriate changes to the Constitution arising from any new legislation, administrative errors or conflicts in interpretation.</p>	
<p>New JSCC TORs</p>	<p>It is commonplace for Local Authorities to have a formally established consultation committee involving unions, staff representatives, elected members and senior management to consider working arrangements, service provisions and operational and policy matters. The authority currently operate a working group to give consideration to these matters – the Joint Consultative Group.</p> <p>There are a number of informal meetings that are designed to troubleshoot specific service matters, and by formalising the JCG to a Committee, there is a structure for escalation and decision making. The informality of the JCG leads to some challenges, which can be resolved through better governance arrangements providing support to both the staff and management sides.</p> <p>It is proposed that the JCG be disestablished and replaced by a formal JSCC which will comprise of a slightly altered Membership. However the changes to Membership are not the reasons for change. ‘Sides’ are no longer mentioned in order to create a committee of persons working together to decide on and resolve issues.</p> <p>By formalising this meeting, the discussions that take place within will also become more formal. With many other options for informal discussions, it is felt that a structured public meeting would give create a more strategic environment from which to address concerns.</p>	<p>Committee Structures and TOR</p>

	<p>The use of reports to be written for each item of business will provide decision makers with a rounded context of the matters before them, and these reports will be published within legal deadlines.</p> <p>The Committee will therefore provide a fora through which formal decisions can be made, and matters can be escalated effectively from its sub-meetings. The Health and Safety Sub Group, will report in to this meeting and the minutes will be considered as part of the formal agenda.</p> <p>The JCG have been consulted, however there is one principle matter which requires resolution. Should the issue be dealt with, the proposal will be to take a report to Council to establish this committee with the terms of reference as circulated in the meeting.</p>	
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