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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

GOVERNANCE AND ETHICS COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 6 MARCH 2023

Councillors Present: Jeff Cant (Chairman), Jeremy Cottam (Vice-Chairman), Jeff Beck, Rick Jones, Tony Linden, David Marsh, Geoff Mayes, Andy Moore, Simon Carey and Bill Graham

Also Present: Sarah Clarke (Service Director (Strategy and Governance)), Joseph Holmes (Executive Director - Resources) and Lizzie Reeves (Business Analyst (Digital Services)), Stephen Chard (Principal Policy Officer) and Councillor Graham Bridgman (Portfolio Holder: Deputy Leader and Executive Member for Health and Wellbeing)

Apologies for inability to attend the meeting: Councillor Biyi Oloko and David Southgate

PART I

9 Declarations of Interest

There were no declarations of interest received.

10 Updates to the Constitution

The Committee considered a report (Agenda Item 3) concerning the work undertaken by the Constitution Review Task Group, ahead of approval by Council. Sarah Clarke introduced the report, noting that the Constitution Review Task Group met for 15 hours over six meetings, and a significant amount of consideration had been put into the proposed changes. Sarah Clarke stated that the extent of the Phase 1 review was to clarify and amend the Constitution, rather than make significant fundamental changes.

Councillor Graham Bridgman noted that Phase 1 had been put on hold so that Phase 2 could be completed, as there was a significant amount of linkage between the two. Councillor Bridgman thanked Sarah Clarke for her work on the review, and stated that further work would be needed on Parts 1 and 2 of the Constitution so that they could be better linked with the articles. Councillor Bridgman additionally stated that ongoing work was being done to clarify the Terms of Reference for each committee.

Councillor Jeff Beck asked whether the amended Constitution should come into effect on a specific day, rather than simply April 2023. Sarah Clarke responded that she would be happy to insert a specific date, and proposed 30 April 2023.

Councillor Beck proposed to thank Councillor Bridgman and officers for their work.

Councillor Andy Moore noted that he was unsure that the VAT section within the Contract Rules had been completed. Sarah Clarke responded that it was determined that the contract thresholds should be inclusive of VAT, but concerns had been raised by the Internal Audit Manager, Julie Gillhespey. The matter would be taken for further consideration. Councillor Bridgman pointed out that Section 5.5 had been amended to state 'inclusive', but further audit would be required.

Councillor Rick Jones noted that the Committee was being asked to approve the updated Rules of Procedure for Phase 2, as well as reaffirm Phase 1. Councillor Jones raised that with the Meeting Rules of Procedure there were rules regarding proposed amendments

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which were not present in the updated version. Sarah Clarke responded that she would propose a change to section (f) of the recommendations to include amendments. Councillor Bridgman responded that the Rules of Procedure was meant to be a simple document for all meetings, with each body creating their own rules.

Simon Carey stated that he was happy with the proposed changes.

RESOLVED that the Committee recommends that Council:

- a) approves the Budget and Policy Framework, which is attached at Appendix A to this Report;
- b) approves the Financial Rules, which are attached at Appendix B to this Report;
- c) approves the Contract Rules, which are attached at Appendix C to this Report;
- d) notes that the above Rules will replace current Parts of the Constitution, namely:
 - Part 9 – Budget and Policy Framework Rules of Procedure
 - Part 10 – Financial Rules of Procedure
 - Part 11 – Contract Rules of Procedure
- e) approves the Glossary, which is attached at Appendix D to this Report;
- f) notes the final version of the Parts of the Constitution that were previously agreed by Council in October 2022, which are attached at Appendix E to this Report, **and approves proposed changes;**
- g) agrees that the changes to the Constitution detailed in this report, take effect from April 2023;
- h) delegates to the Monitoring Officer in consultation with the Chairman of the Constitution Review Task Group the power to make minor additional corrections to the parts of the Constitution to ensure consistency in terminology and presentation;
- i) delegates to the Monitoring Officer the power to make corrections, to the Constitution to reflect organisational restructures.

(The meeting commenced at 6.30 pm and closed at 7.00 pm)

CHAIRMAN

Date of Signature