CONSTITUTION & STANDARDS COMMITTEE

Minutes of a meeting of the Constitution and Standards Committee held in the Wyndham Room, County Hall, Taunton on Friday 12 October at 10.00am.

Present: Cllr W Wallace (Chair), Cllr T Munt, Cllr D Loveridge and Cllr H Davies

Co-opted Members: Mrs V Chapman, Mr R Horton and Mrs J Middleton.

40 APOLOGIES FOR ABSENCE - agenda item 1

Mr T Ayre, Mr M Vacher, Dr T Ward, Mr W Wooding, Cllr Mike Best (sub Cllr Tessa Munt) and Cllr M Dimery.

41 DECLARATIONS OF INTEREST – agenda items 2

Members of the Constitution and Standards Committee declared the following personal interests in their capacity as a Member of a District, City/Town or Parish Council:

Cllr H Davies West Somerset District Council

Cllr W Wallace South Somerset District Council

42 MINUTES FROM THE PREVIOUS MEETING – agenda item 3

The minutes of the meeting of the Committee held on 6th July 2018 were approved as correct record and the Chair signed them. It was noted that there was a small amendment which was that Jan Middleton did declare that she is chair of Langford Budville parish council.

43 PUBLIC QUESTION TIME - agenda item 4

Public questions were received by David Orr and Georgina Halford-Hall-Chief Executive of Whistle-blowers UK. At the discretion of the Chair it was granted that the questions were asked when the items came up in the agenda.

ELECTORAL DIVISIONS PROPOSED NAME CHANGES – agenda item 5

44.1 At the 6th July 2018 meeting of the Committee, members considered the outcomes of the public consultation process on proposed changes to the names of 4 electoral divisions. The public consultation process on the proposed changes had previously been agreed by the Committee at its meeting on 9th February 2018. Based on the outcomes of the public consultation process, the Committee did not feel able to support 3 of the 4 proposals. The only proposal which the Committee considered should be considered was the change of name from 'Wellington' to 'Wellington and

Rockwell Green'. This followed receipt of a single response from the Wellington area but it was from a key local organisation – Wellington Town Council. The Town Council expressed strong support for the proposal.

- 44.2 Although the Committee indicated at the July meeting that it was prepared to consider supporting the Wellington and Rockwell Green proposal based on this single response, officers were asked to undertake a further round of public consultation on the proposal to see if any other local support could be established for the proposal. This report set out the outcome of that process.
- 44.3 This report didn't cover the other 3 electoral division name changes that were originally proposed as the Committee at its last meeting agreed not to recommend any changes to Council for consideration on the back of the consultation exercise. The Committee's conclusions on these proposals will be reported to Full Council for information.
- 44.4 Julian Gale introduced the report by outlining the following key points:
 - Wellington and Rockwell Green further public consultation had been completed and a number of local organisations including church groups came back with positive support for the divisional name change.
 - Proposal to take this forward to full council in November. This was supported by the Committee.

The Committee resolved to take the Wellington and Rockwell Green proposal to Full Council in November for decision.

45.0 WHISTLEBLOWING POLICY – Item 6

- The report is designed to familiarise the Committee with the Council's Whistleblowing Policy and to ask for support for a focused piece of work with Senior Leadership Team and other staff to assess awareness of the Policy and its use.
- 45.2 At the Chair's invitation, Georgina Halford-Hall, Chief Executive of Whistleblowers UK asked a public question relating to Item 6. She outlined the following key points:
 - In the review in 2013 Somerset County Council did not make Whistleblowing targets.
 - The need to review the policy and apply good practice from others.
 - Georgina Halford-Hall suggested that she could assist the County Council with its review of the policy.
- Julian Gale made the following points in response to Georgina Halford-Halls question.
 - It was thought extremely beneficial to take up Georgina Halford-Hall

- offer and meet with Whistle-blowers UK to consider their suggestions as part of reviewing the policy.
- There are some standards of conduct that are not in the Constitution in relation to officers.
- Section 4 set out the work that the Council would like to achieve going forward. There are links to a number of current initiatives.
- Working with HR colleagues and Senior Leadership Team to bring the review forward.
- 45.4 The following points were raised during discussion:
 - There was a query on if there is a register of officers' interests as there is one for elected members. It was confirmed that officers' interests are recorded.
 - Reference to the work being done to refresh the officers code of conduct at the same time.
 - Aiming for the revised policy to come to the Committee in February 2019.
 - Some concern that fraud is being brought forward as a whistle blowing situation work is planned to look into this.
 - Recognition that it can be daunting to be a whistle blower. There should be a visual flow chart to show staff what to do when there is something that they are not happy about.

The Committee resolved to confirm support for the policy but in consultation with Whistle Blowing Uk review the policy and seek to take this forward to other committees for comment.

46.0 DISCLOSURE AND BARRING SERVICES (DBS) UPDATE – Item 7

The report updated the Committee on the Council's progress in securing Disclosure and Barring Services (DBS) checks for County Councillors following revisions to the policy agreed at Full Council on 29 November 2017 and a previous update provided to the Committee on 3rd July 2018.

The Committee noted this report.

47.0 REVIEW OF THE COUNCIL'S SCRUTINY ARRANGEMENTS – Item 8

The report provided the Committee with details of a review which is being undertaken of the Council's scrutiny arrangements and that any recommendations arising from that review will be reported to the Committee during Spring 2019.

David Orr asked the following question:

- A regrettable and unhappy incidence occurred when he had submitted a question for Adults and Health Scrutiny Committee and he was told that he was not able to ask a question at 5.00pm on the day before as his question had already been asked at a previous meeting. Request for a record of public questions and answers for committees to be published online.
- 2. Request that the deadline for public questions or statements be reduced to 2 days before a meeting as in some cases there are complicated papers to read before finalising a question.
- 3. That the Chair of each Scrutiny Committee is selected by the majority vote of the members of their committee.
- 46.2 Scott Wooldridge, Monitoring Officer, Somerset County Council answered Mr Orr's questions.
 - The committee will be aware of the changes to public question time rules that were agreed by the Council in July 2018 following consideration by the Constitution & Standards Committee.
 - For Scrutiny and Cabinet the questions are published on the webpage the day before the meeting. This helps members of public understand where their question sits in relation to other questions being asked. The new public question arrangements will be reviewed as part of the annual review of the Constitution and democratic arrangements in Spring 2019.
 - Mr Orr's comments were acknowledged and would contribute to the review in Spring 2019.
 - The appointment of the Chairs of the three Scrutiny Committees is a matter for full Council which also determines the membership to each committee.
- The following points were raised during discussion:

Whether the council keeps records of the questions that are submitted for committee meetings. It was confirmed it does.

Consideration needed to the publication of answers at Committee meetings in the public domain.

That consideration should be given to there being opportunities to have coopted members on all the scrutiny committees.

The Committee noted the review being undertaken of the Council's scrutiny arrangements and that it should be receive a further report in Spring 2019 ahead of any recommendations being presented to the County Council meeting in May 2019.

47.0 FORWARD WORK PROGRAMME – Item 9

The Monitoring Officer reported on the proposed future work programme and that this will be a standing item for each meeting. Attention was drawn to the scheduled business for the next meeting on 1st February 2019.

48.0 ANY OTHER BUSINESS OF URGENCY – agenda item 10

The Chair advised there were no other urgent items of business, he thanked all those present for attending the meeting and reminded everyone that the next meeting would be on 1st February 2018.

The meeting ended at 11.45

Cllr William Wallace
Chair of
Constitution and Standards Committee