

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **CONSTITUTION ADVISORY GROUP** held at Council Chamber, Priory House, Monks Walk, Shefford on Tuesday, 13 July 2010

PRESENT

Cllr S F Male (Chairman)

Cllrs Mrs C F Chapman MBE
D Jones

Cllrs D J Lawrence
A Shadbolt

Apologies for Absence: Cllr M R Jones

Members in Attendance: Cllr Mrs J Lawrence

CAG/10/72 **Apologies for Absence**

Apologies for absence were received from Councillor M Jones.

CAG/10/73 **Notes of the Last Meeting**

The notes of the last meeting held on 1 June 2010 were approved as a correct record subject to the addition of Councillor Shadbolt shown as being present, and signed by the Chairman.

CAG/10/74 **Amendments to the Code of Conduct for Officers**

The Acting Assistant Director, People presented a report indicating a need, following a recent internal audit, to amend the Constitution on reporting the receipt of hospitality and gifts by officers. He indicated that greater clarity was needed to ensure that officers were aware of their responsibilities to record any gifts and hospitality they received.

It was noted that one of the legacy authorities had provided a guidance note to officers, which was not part of the Constitution, to indicate a minimum level of gift or hospitality which should be declared.

The Group considered that the Constitution should be amended as recommended but also asked that a guidance note for officers on gifts and hospitality be provided separately to the Constitution.

AGREED TO RECOMMEND TO COUNCIL

That Section 5 Hospitality and Gifts of the Code of Conduct for Officers (Part F3) be replaced with the revised paragraph attached at Appendix A.

AGREED

that the Head of Legal Services draft a guidance note for officers clarifying acceptable levels of gifts and hospitality.

CAG/10/75 **Review of Consultation and Negotiation Arrangements with Professional Associations (JCNC)**

The Chairman welcomed Councillor Jane Lawrence, Chairman of General Purposes Committee, to the meeting.

The Group recalled that at its last meeting consideration had been given to recommending to Council the removal of the Joint Consultative and Negotiating Committee (JCNC) from the Constitution (item CAG/10/64 refers).

Due to circumstances set out in the notes of the meeting and the report now submitted, the recommendation was not put before Council at its last meeting and the matter was once again before the Group for consideration.

The Group considered the joint report of the Acting Assistant Director, People and the Head of Democratic Services and the Chairman invited the Chairman of General Purposes Committee to comment on that Committee's preferred approach.

The Chairman of General Purposes Committee commented that the replacement of the Joint Consultative and Negotiating Committee with a Forum was to be welcomed, and that Members of that Committee would like to receive a regular summary report of the Forum's meetings.

Comments were made by the Group indicating acceptance of this proposal.

The Director of Children's Services advised that as the summary report would be brought to a General Purposes Committee where the lead officer was from Human Resources, she would not expect to attend the Committee meetings when the summary report of the Forum was received. She also suggested that the report could be arranged in two parts, one part on matters which were included in the Committee's Terms of Reference and another part on those matters which came under the Director of Children's Services' delegated and statutory responsibilities. Members welcomed this suggestion.

AGREED TO RECOMMEND TO COUNCIL:-

- 1. to amend section E2 (10) of the Constitution by the removal of the Joint Consultative and Negotiating Committee for Primary and Secondary Education (JCNC);**
- 2. to add a new paragraph (7.1.6) at Part E2 as follows:-**

To consider and determine any matter relating to HR policies or terms or conditions of employment referred from the Joint

Consultative and Negotiating Forum in circumstances where it has not been possible to reach agreement between staff and management sides during negotiation upon such matters: (Note: The Joint Consultative and Negotiating Forum is an informal group comprising the Portfolio holder for Children's Services, the Director of Children's Services and 7 representatives of the professional associations for primary and secondary education.)

3. to add a new paragraph (7.1.7) as follows:

to receive for noting an information report arising from meetings of the Joint Consultative and Negotiating Forum.

CAG/10/76 Progress regarding the Constitution on the Website

The Interim Committee Services Manager gave an oral update on the progress of the Constitution on the Council's website towards becoming an accessible and easily navigable document for members of the public to use.

It was noted that a Frequently Asked Questions section had been inserted at a visible point so that it could be seen as soon as a person reached the Constitution pages.

The Group was advised that sections on the various committees' terms of reference had been set out so that a person could click directly on the committee that they were interested in and not have to trawl through others to find the one they wanted.

It was also noted that a means of inserting hyperlinks had been found such that when a reader reached a part of the Constitution which referred to something in another section, the reader could click on a hyperlink and be taken to the specific section on that matter. The work had not yet been carried out to insert these hyperlinks but would be undertaken shortly once the Constitution on the website had been amended with the changes agreed by Council during the last quarter.

The oral report was noted.

CAG/10/77 Constitution Update

The Group received a report of the Head of Democratic Services advising that the Constitution had been updated to reflect the changes arising from the senior management review and other revisions approved by Council.

AGREED

to endorse the publication of the amended Constitution.

CAG/10/78 Work Programme

The Group considered its current Work Programme.

AGREED

that the Work programme be noted.

CAG/10/79 **Date of Next Meeting**

AGREED

to note that the next meeting will be held on Monday 18 October 2010 at 2.00pm in Room 15B, Priory House, Monks Walk.

(Note: The meeting commenced at 2.00 p.m. and concluded at 2.35 p.m.)

Chairman.....

Date.....

5 Hospitality and Gifts

- 5 In undertaking their duties officers may be offered gifts or hospitality from persons or organisations having, or proposing to have, a contractual or client relationship with the Council. Such offers could be made to gain an advantage over another person or organisation or could be construed as such and therefore must **not be accepted without prior approval from an appropriate Assistant Director.**
- 5 If officers receive a gift of any description then this must be made known to their Assistant Director who will decide on the course of action to be taken. Likewise only hospitality for which prior approval has been given by your Assistant Director should be accepted from outside persons or organisations. **Small gifts, such pens, calendars, diaries etc, provided they are not material in value, need not be declared.**
- 5 **The Gifts and Hospitality form must be completed and ANY** gifts or hospitality agreed and accepted will be recorded in writing in the register maintained by each Director for their service areas. The Chief Executive and all Directors should record the receipt of any gifts or hospitality they receive in the register maintained by the Monitoring Officer.

The gifts and hospitality form is available at the following link on the intranet:

[http://www.centralbedfordshire.gov.uk/modgov/Published/StdData Docs/2/1/6/4/SD00004612/\\$PartF3CodeofConductforOfficers.doc.pdf](http://www.centralbedfordshire.gov.uk/modgov/Published/StdData Docs/2/1/6/4/SD00004612/$PartF3CodeofConductforOfficers.doc.pdf)

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