

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Review of the Committee's Terms of Reference

Meeting/Date: 6th March 2014

Executive Portfolio: Councillor T D Sanderson – Executive Councillor for Strategic Economic Development and Legal

Report by: Head of Legal and Democratic Services and Monitoring Officer

Ward(s) affected: All

Executive Summary:

In April 2013 and arising from the review of the Constitution in that year, the Council requested the Corporate Governance Panel to consider its role, responsibilities and terms of reference and that of the Standards Committee with a view to a report on the outcome being submitted to the (Corporate Governance) Panel meeting on 26th March 2014 for potential implementation from the Annual Meeting in May 2014.

The Chairmen of the Corporate Governance Panel and the Standards Committee have now met to consider various options for the future of both forums and this report describes the preferred approach of the Chairmen, which will be presented together with the views of this Committee, to the Corporate Governance Panel on 26th March 2014.

Recommendation:

The views of the Committee are invited.

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1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 In March 2013, the Corporate Governance Panel was requested to consider both its own Constitution and that of the Standards Committee. There was a view, at that time, that the terms of reference and title of the Corporate Governance Panel should be varied perhaps to an Audit and Accounts Committee so that its functions related solely to risk management, audit, accounts and resources for example with the governance, constitutional and possibly complaints responsibilities transferred to the Standards Committee or a re-named Governance and Standards Panel for instance.
- 1.2 This suggestion also arose because of the contrast in the workload of each. The Corporate Governance Panel has become increasingly busy in recent years as greater emphasis has been placed on governance issues. At the same time, the demise of "Standards for England" and the impact of the Localism Act 2011 has resulted in a lower profile standards regime and a subsequent reduction in the level of business considered by the Standards Committee.
- 1.3 The current terms of reference of the Corporate Governance Panel and Standards Committee are enclosed at Appendix A.

2. OPTIONS CONSIDERED

- 2.1 At a meeting of the Chairmen, Councillors E R Butler and A Hansard considered several options for change including:-
- (a) reduced number of Standards Committee meetings;
 - (b) transfer of functions from the Corporate Governance Panel to the Standards Committee;
 - (c) retaining the Standards Committee as a Sub-Committee of the Corporate Governance Panel;
 - (d) incorporating the functions of the Elections Working Group into the Standards Committee; and
 - (e) no change.
- 2.2 Having examined the current arrangements made by other Cambridgeshire Authorities dealing with corporate governance and standards issues, it was apparent from the practices operated that there were no preferred models. For example, Cambridgeshire County, South Cambridgeshire and Fenland District Councils divide the functions between two Committees/Panels, whereas Peterborough and Cambridge City and East Cambridgeshire District Council manage the functions through one Committee/Panel. Names and functions assigned are various.
- 2.3 A breakdown of practices in neighbouring authorities is enclosed at Appendix B.
- 2.4 Looking at these options, the Chairmen were firmly of the view that the Panel and Committee should continue to operate as separate principal bodies. However, should it be Members wish to rename the Committee to reflect any new functions, the Chairmen were concerned that it should retain the word "Standards" within its title in order to promote and maintain the profile of the Code of Conduct and the continuing importance of high standards of conduct by Councillors and other related protocols within the Constitution. The Chairmen also concluded that there was potential for a limited transfer of

functions from the Corporate Governance Panel and the Elections Working Group to the Standards Committee.

2.5 Having regard to the current terms of reference of the Panel and Committee, the Chairmen were of the view that the following functions could be transferred and be undertaken, in future, by the Standards Committee rather than the Corporate Governance Panel –

- ◆ considering proposals to change the Council's Constitutional arrangements and making appropriate recommendations to the Council (a function formerly undertaken by Standards);
- ◆ determining the Council's Customer Feedback Procedure, monitoring compliance with the procedure, compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any action to be taken as a consequence; and
- ◆ considering reports by the Local Government Ombudsman, approval of compensatory payments to complainants and formulation of recommendations to the Cabinet or Council on any remedial action to be taken as a consequence.

2.6 Although ultimately, certain issues still would be reserved to Council as part of the policy and statutory framework, the following matters relating to electoral arrangements also could fall to be dealt with by the Standards Committee rather than the Elections Working Group as at present. Electoral arrangements in its widest sense might involve –

- ◆ the review of District and Parish electoral arrangements including boundaries;
- ◆ matters relating to the powers of a Parish Council, numbers of Parish Councillors and new Parish Councils and Parish Wards;
- ◆ District and District Ward boundaries arising from any review; and
- ◆ the periodic electoral review.

The Working Group currently meets as and when required (one meeting in 2013) so would not add too great a burden to the Committee.

3. NEXT STEPS

3.1 The views of the Committee are requested on the potential to assume additional functions from the Corporate Governance Panel and on the possibility of a change in name to reflect a wider terms of reference.

3.2 These comments will be conveyed to the meeting of the Corporate Governance Panel on 26th March 2014 under the review of the Constitution and, if supported, recommended to Council for adoption from May 2014.

BACKGROUND PAPERS

District Council's Constitution
Review of the Council Constitution – Report/Minutes - Corporate Governance Panel:26th March 2013

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