



# Borough of Telford and Wrekin

## Full Council

Thursday 30 November 2023

## Governance Report

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<b>Cabinet Member:</b>	Cllr Nathan England - Cabinet Member: Finance, Customer Services and Governance
<b>Lead Director:</b>	Anthea Lowe - Director: Policy & Governance
<b>Service Area:</b>	Policy & Governance
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<b>Wards Affected:</b>	Not Applicable
<b>Key Decision:</b>	Not Key Decision
<b>Forward Plan:</b>	Not Applicable
<b>Report considered by:</b>	Full Council – 30 November 2023

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### 1.0 Recommendations for decision/noting:

It is recommended that Full Council:-

- 1.1 Notes the work undertaken to effect the Member Development Induction programme and the associated update as set out in paragraphs 3.4-3.7;
- 1.2 Approves the adoption of the revised Constitution at **Appendix A** noting the changes to it, as set out at paragraph 3.8 of this report;
- 1.3 Approves a leave of absence for Councillor Shirley Reynolds until 12 July 2024 on the grounds of ill-health; and
- 1.4 Approves the addition to the Members Allowance Scheme of provision for an allowance associated with the role of Acting Cabinet Member as set out in paragraphs 3.8 – 3.9.

## **2.0 Purpose of Report**

2.1 This report provides an update to, and seeks approval of, Full Council on a number of governance matters as set out within the report

## **3.0 Summary of main proposals**

### Member Development Update

3.1 As part of ensuring oversight of the Council's governance arrangements, it is important that Full Council receives timely updates on Member training and the Councillor Induction Programme following the elections in May 2023. Since May, there have been 18 separate courses provided by a mix of external providers and council officers. The training has covered a range of topics designated as courses designed to assist Councillors to 'hit the ground running' which has included:

- assisting those Councillors who sit on quasi-judicial decision making Committees (Licensing and Planning;)
- Code of Conduct training;
- Committee specific training;
- Corporate Parenting;
- Data Management;
- Stress Management;
- Presenting and Negotiation skills;
- Personal Safety; and
- Scrutiny training for Councillors and Scrutiny Chairs.

3.2 So far, 48% of Councillors have attended Code of Conduct training, with more training sessions being made available later in the year and continuing into 2024.

3.3 As part of the Member Development and Support Policy, it was agreed that Democracy Officers would seek feedback following training sessions to ensure training is relevant, to seek areas of improvement and to ensure that training is delivered in the most appropriate way. So far, Members have responded positively to the training offer, rating the training as set out below:

- Objectives of the session were clearly communicated - 4.56 rating out of 5;
- Training was relevant to my development needs – 4.61 rating out of 5;
- The pace of training was appropriate – 4.56 rating out of 5;
- I am confident to use the knowledge and skills from the training – 4.67 rating out of 5;
- The exercises were helpful and relevant – 4.61 rating out of 5;
- The presenters were knowledgeable and able to answer questions – 4.67 rating out of 5.

3.4 The second theme of the induction programme, 'Operating as an effective Councillor' is underway with further training sessions on a variety of subjects. This

## Governance Update

includes decision making, the fundamentals of procurement and essential skills for Councillors used when undertaking ward work. In addition, the 'Roles and Responsibilities' theme is about to begin shortly, with targeted training available for those with leadership and special responsibility roles. This will include committee-specific chairing skills, outside bodies and leadership.

### Constitution Update

3.5 Any update to the Council's Constitution must be approved by Full Council. At its meeting on 5 October 2023, Governance Committee recommended that Full Council approve the revised Constitution set out at Appendix A to this report. The changes seek to undertake the following:

- Clarify the powers of Full Council in respect of areas where Boundary Review Committee does not have delegated authority to act;
- Amend the Constitution throughout to ensure that any reference to former Committees has been removed, and replaced with the current Committee which now has authority in a particular area;
- Update the numbering of the responsibility for functions section so as to be more clear when read;
- Include a new flowchart to make the process of debating motions and amendments clear;
- Clarify the rules of debate to ensure that debate focusses on the motion or amendment being discussed at the present time;
- Ensure that all hyperlinks have been updated and are working;
- Clarify the position in relation to Scrutiny co-optees; and
- Provide for the the Leader, in consultation with the Monitoring Officer to appoint a Councillor to act as an Acting Cabinet Member, to undertake the day to day duties of a Cabinet Member and exercise the delegations of a Cabinet Member should a Cabinet Member be absent with a leave of absence for the reasons of illness, maternity or special leave; and
- Update the general formatting to ensure consistent numbering of paragraphs and correct titles of Officer roles.

### Leave of Absence

3.6 Members will be aware that the Local Government Act 1972 requires Members to attend a meeting of the authority at least once in 6 months. In the event that they do not do so, then they automatically cease to be a Member of the Council. This applies unless the reason for the failure to attend is one that has been approved by Council. This is known as the 6 month rule.

3.7 A Leave of absence is sought for Councillor Shirley Reynolds owing to ill-health. It is intended that the leave of absence is granted until 12 July 2024, but nothing would preclude the Councillor from returning to her duties at an earlier date.

### Acting Cabinet Member Allowance

- 3.8 In furtherance of the ability of the Leader to appoint an Acting Cabinet Member, it is proposed that the Members' Allowance Scheme be updated to include a Special Responsibility Allowance (SRA) equal to the amount payable to a Cabinet Member be included within the Scheme.
- 3.9 In deciding to make this change, Full Council should be cognisant of the report of the Independent Remuneration Panel dated 13 September 2019 and must have regard to it. Given that an Acting Cabinet Member would be undertaking the day to day duties of the absent Cabinet Member, it is considered appropriate that the SRA payable should be equivalent to that due to a Cabinet Member. The work will include working closely with Senior Officers, reading significant amounts of papers, making policy recommendations and undertaking tasks delegated by the Leader.

### **4.0 Financial Implications**

- 4.1 Should an Acting Cabinet Member be appointed, there will be an increase in the total remuneration of Councillors. This change will be met from existing budgets.

### **5.0 Legal and HR Implications**

- 5.1 Full Council is empowered pursuant to section 85 the Local Government Act 1972, to agree the absence of Councillors where there is a risk that they may breach the six month rule.
- 5.2 The Local Government Act 2000 requires the Council to have a Constitution. Governance Committee has oversight of the Constitution and is empowered to provide advice and guidance to the Council on any proposed changes. The Council is required to follow the terms of the Constitution in order to act lawfully and reduce the risk of successful legal challenges.
- 5.3 Members Allowances are governed by The Local Authorities (Members' Allowances) (England) Regulations 2003. The proposals in the report comply with these Regulations.

### **6.0 Background Papers**

There are no background papers to this report.

### **7.0 Appendices**

Appendix A – Draft Constitution

Appendix B – Members Allowance Scheme, November 2023

### **8.0 Report Sign Off**

<b>Signed off by</b>	<b>Date sent</b>	<b>Date signed off</b>	<b>Initials</b>
Legal	21/11/2023	21/11/2023	AL

## Governance Update

Finance

21/11/2023

21/11/2023

MLB